

CITY OF RIVERVIEW
ORDINANCE NO. 674

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND READOPTION OF SECTION 38-160 "LOITERING", OF ARTICLE V "OFFENSES INVOLVING PUBLIC PEACE AND ORDER", IN CHAPTER 38 "OFFENSES AND MISCELLANEOUS PROVISIONS", TO MAKE THE OFFENSE A CIVIL INFRACTION.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I: AMENDMENT: That Section 38-160 "Loitering" under Chapter 38 "Offenses and Miscellaneous Provisions", Article V, "Offenses Involving Public Peace and Order", is hereby repealed and readopted to hereafter read as follows:

Chapter 38 Offenses and Miscellaneous Provisions
Article V Offenses Involving Public Peace and Order

Sec. 38-160. Loitering.

- (a) It shall be unlawful for any person to loiter in or about any street, sidewalk, overpass or other public place when ordered to clear such public way by the city police or other lawful authority.
- (b) It shall be unlawful for any person to linger, loiter, sit or stand in any public room in any hotel, motel, office or business establishment in the city, or any courthouse corridor, or any bus or railroad station, or the hallways or entrances of any public building, or to use any public room for business or social purposes, or to obstruct the entrance to any business establishment, without so doing for some lawful purpose, or if contrary to the expressed wish of the owner, lessee, managing agent, or person in control or charge of the building or premises. The term "public rooms" for the purpose of this section include any basement, attic, building entrance or doorway, lobby, hallway, stairway, mezzanine, elevator, foyer, public restroom, sitting room, or any other place used in common by the public, tenants, occupants, guests or customers, and situated in a hotel, motel, office building, public building or business establishment in the city.
- (c) The word "loitering" for the purpose of this section shall mean the act of standing or idling so as to hinder, obstruct or impede or tend to hinder, obstruct or impede the passage of pedestrians or vehicles.
- (d) Whenever the presence of any person in any public place is causing or likely to cause any of the conditions enumerated in this section, any police officer is authorized to order that person or persons to leave that location. Any person who refuses to leave the particular location after being ordered to do so by the police officer is responsible for a civil infraction and subject to a fine not to exceed one hundred dollars (\$100.00) plus any court costs that may be incurred.

ARTICLE II. Penalty: A person violating this ordinance shall be punished in accordance with Section 1-8 of the Code of Ordinances of the City of Riverview, unless a different penalty is expressly provided in this ordinance.

ARTICLE III. Severability: Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentence, phrases or portions of the Ordinance.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Riverview inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This Ordinance shall be given a first reading on April 20, 2015 shall be given a second reading on May 4, 2015, shall be adopted on May 4, 2015 and shall be published and become effective upon publication. The Clerk shall publish a summary of this ordinance and include in the publication notice that a true copy of the Ordinance can be inspected or obtained at the Clerk's office.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Riverview this May 4, 2015.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by the City Council of the City of Riverview at a regular meeting held on May 4, 2015.

Cynthia M. Hutchison, CMC
City Clerk