ORDINANCE NO. 143

AN ORDINANCE AMENDING SECTION 11 OF ARTICLE 9 OF ORDINANCE NO. 88 BY SETTING FORTH A NEW SECTION ON LOITERING: DEFINITION, PROHIBITIONS AND ENFORCEMENT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

That Section 11 of Article 9 of Ordinance No. 88 be amended as follows:

[a] In this section the following words and phrases shall have the meanings respectively ascribed to them:

LOITERING shall mean remaining idle in essentially one location and shall include the concept of spending time idly; to be dilatory; to linger; to stay; to saunter; to delay; to stand around and shall also include the colloquial expression "hanging around."

PUBLIC PLACE shall mean any place to which the general public has access and a right of resort for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall also include the front or immediate area of any store, shop, restaurant, tavern or other place of business and also public grounds, areas or parks.

[b] It shall be unlawful for any person to loiter, loaf, wander, stand or remain idle either alone or in consort with others in a public place in such manner so as to:

[1] Obstruct any public street, public highway, public sidewalk or any other public place or building by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians;

[2] Commit in or upon any public street, public highway, public sidewalk or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or any other public place or building, all of which prevents the free and uninterrupted ingress, egress and regress, therein, thereon and thereto;

[3] Obstruct the entrance to any business establishment, without so doing for some lawful purpose, if contrary to the expressed wish of the owner, lessee, managing agent or person in control or charge of the building or premises.

[c] When any person causes or commits any of the conditions in this section, a police officer or any law enforcement officer shall order that person to stop causing or committing such conditions and to move on or disperse. Any person who fails or refuses to obey such orders shall be punishable by a fine of $ 100 and/or

confinement in the Leavenworth County Jail for 30 days.

This Ordinance shall take effect and be in force from, after and upon its passage by the Governing Body and its publication in the official City newspaper of the City of Basehor, Kansas, to-wit: The Basehor Sentinel.

Passed by the Governing Body this 2 day of September, 1980.

Approved by the Mayor this 2 day of September, 1980.

Allen E. Goens

ALLEN E. GOENS, MAYOR

ATTEST:

Sharon V. Magaha

SHARON V. MAGAHA, CITY CLERK