

TOWN OF WHITE HALL, WEST VIRGINIA

ORDINANCE NO. 25-001

AN ORDINANCE ESTABLISHING AND PROVIDING DEFINITIONS AND GUIDELINES FOR A NO TOLERANCE POLICY ON LOITERING; TO ADD AND UPDATE THE GENERAL OFFENSE CODE FOR THE WHITE HALL POLICE DEPARTMENT

BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF WHITE HALL, WV FOR THE PURPOSES OF 509.04 GENERAL OFFENSE CODE:

Section 1.

For the purpose of this section, the term “Loiter” shall include, but not restricted to, standing, lounging, sitting, lying, sleeping or strolling about idly, whether alone or in company with other loiterers.

Section 2.

No person shall loiter on any of the sidewalks, streets, public places or vacant lots, or in public buildings or the entranceways thereof, or in or upon other places open to the public, and there conduct himself or herself in a manner annoying to persons passing by or occupants of adjacent buildings; or shall insult, threaten, intimidate or in any manner interfere with, or impede the progress of, any other person then and there conducting himself or herself in a lawful and orderly manner.

Section 3.

Any person who loiters on any of the sidewalks, streets, public places or vacant lots, or in public buildings or the entranceways thereof, or in or upon other laces open to the public who is ordered by a person then and there in charge of such building or place, or who is ordered by a police office, to depart therefrom shall obey such order forthwith.

Section 4.

No person, not the owner or tenant of any premises within the City, shall enter after dark and loiter or sleep therein without the express consent of such owner or tenant.

Section 5.

This section shall not apply to any person or assembly of persons waiting, assembled or standing in line in an orderly manner for any lawful purpose incident to the building or other place mentioned in this section, nor shall it be construed to restrict the right to lawful assembly, picketing, public speaking or other lawful means of expressing public opinion not in contravention of other laws or ordinances.

Section 6.

Whenever a violation(s) of §509.04 occurs, an officer will initially have the discretion to issue a warning or assess a fine of One Hundred Dollars (\$100.00); a second offense will receive a fine of Two Hundred Dollars (\$200.00); and a third violation will be charged a Five Hundred Dollar (\$500.00) fine.

This Ordinance shall become effective on passage.

Passed by the Town Council this 26th day of AUGUST, 2024

First Reading: AUG. 12 2024

Public Hearing: AUG 26, 2024

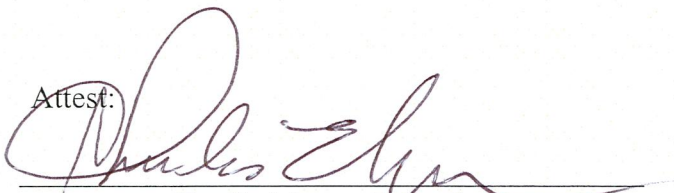
Second Reading: AUG 26, 2024

Passed by Town Council this ~~26th~~^{26th} day of AUG. 2024.



Jason DeFrance, Mayor

Attest:


Charlie Mason, Recorder