

ORDINANCE NO. 2-2023

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ADOPT A NEW SECTION IN THE CITY'S CURRENT ORDINANCES REGARDING LOITERING, AND DECLARING AN EMERGENCY.

WHEREAS, as the Council of the City of New Philadelphia, Ohio has deemed it necessary to update the City's Codified Ordinances with regards to loitering, which currently only deals with those individuals engaging in drug related activities.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, THAT:

SECTION 1. Chapter 513 of the New Philadelphia Codified Ordinances is amended to include the following section:

513.18

(a) "Loitering" means remaining idle in essentially one location and shall include the colloquial expressing "hanging around".

(b) No person shall loiter on or about the public streets or sidewalks of the City and do any of the following:

(1) Breach the peace; or create a disturbance or unreasonable annoyance to other persons using the streets or sidewalks or to any other person;

(2) Obstruct the free passage of pedestrians or vehicles;

(3) Obstruct, molest or physically interfere with any person;

(4) Engage in conduct which creates an unreasonable risk of physical harm to persons or property.


(c) When any police officer has reasonable grounds to believe that any person loitering on any street or sidewalk is likely to cause any of the conditions enumerated in subsection (b) hereof, the police officer may order that person to leave that place in order to preserve the public peace and safety.

(d) Any person who violates subsection (b) hereof shall be guilty of a misdemeanor of the fourth degree. Any person who refuses to leave the sidewalk or street after being ordered to do so by a police officer under subsection (c) hereof shall be guilty of a minor misdemeanor.

SECTION 2. This Ordinance is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City of New Philadelphia, Ohio.

SECTION 3. This Ordinance shall take effect and be in force immediately upon its passage.

PASSED: March 13, 2023

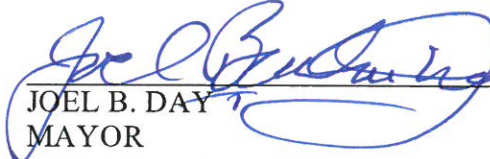

DONALD C. KEMP
PRESIDENT OF COUNCIL

ATTEST:



JULIE COURTRIGHT
CLERK OF COUNCIL

APPROVED:



JOEL B. DAY
MAYOR

SPONSORED BY: SAFETY HEALTH AND SERVICES COMMITTEE