

Chapter 106

LOITERING

[HISTORY: Adopted by the Board of Selectmen of the Town of Granby 8-15-1983. Amendments noted where applicable.]

GENERAL REFERENCES

Violation and citation hearing procedures — See Ch. 58.

Streets and sidewalks — See Ch. 150.

§ 106-1. Definitions.¹

As used in this chapter, the following terms shall have the meanings indicated:

LOITER — Encompasses but shall not be necessarily limited to one or more of the following acts:

- A. Obstruction of the free unhampered passage of pedestrians or vehicles on the public sidewalks or public streets of the Town of Granby.
- B. Obstructing, molesting or interfering with any person lawfully upon any street, sidewalk, park or other public place in the Town of Granby.
- C. Remaining in one location upon any street, sidewalk, park or other public place in the Town of Granby without being able to establish a legitimate purpose in so remaining or, by general conduct, exhibiting the absence of a lawful purpose in so remaining. In determining whether or not a legitimate or lawful purpose for remaining in such location has been established, consideration shall be given to the fact that the person refuses to identify himself or his purpose in being at such location. Unless flight by the person or other circumstances makes it impracticable, a police officer shall, prior to any arrest for an offense under this section, afford the person an opportunity to identify himself and to state the reason for his presence at such location. No person shall be convicted of an offense under this chapter if the arresting officer fails to comply with this procedure or if it appears at trial that the explanation hereunder given by the accused is true and constitutes a valid reason for the person to be and remain at such location.
- D. Refusal to move from a location upon any public street, sidewalk, park or other public place when requested to do so by a police officer, provided that such officer has exercised his discretion reasonably under the circumstances in order to preserve or promote public peace and order.

PLACE OPEN TO THE PUBLIC — Any place open to the public or any place to which the public is invited, and in, on or around any privately owned place of business, private

¹. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

parking lot or private institution, including places of worship or any place of amusement and entertainment whether or not a charge of admission or entry thereto is made. It includes the elevator, lobby, halls, corridors and areas open to the public of any store, office or apartment building, as well as parking lots or other vacant private property not owned by or under the control of the person charged with violating this chapter, or, in the case of a minor, not owned by or under the control of his parent or guardian.

§ 106-2. Enforcement.

Every police officer of the Town shall have authority to keep places of public accommodation of the Town open and free of obstruction and to require all persons unlawfully loitering or obstructing at such places of public accommodation to desist therefrom whenever such acts are done in the view of such officers or whenever such acts are the subject of a complaint by the proprietor of said place of public accommodation.

§ 106-3. Unlawful acts.

It shall be unlawful for any person to resist, molest, disobey or interfere with any such police officer while he is engaged in the performance of his duties herein of keeping places of public accommodation of the Town free of obstruction and convenient for public use.

§ 106-4. Penalties for offenses.²

Any person convicted of violating the provisions of this chapter shall be punished by a fine of not more than \$250.

². Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).