

ORDINANCE NO. 2481

AN ORDINANCE to amend and reordain Section 23-26, Chapter 23 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 23 relates to OFFENSES--MISCELLANEOUS, which Section 23-26 formerly related to LOAFING AND LOITERING and now relates to LOITERING OR PROWLING.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 23-26, Chapter 23 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 23-26. Loitering or prowling.

(a) It shall be unlawful for any person or persons to stand, assemble or loiter upon any sidewalk, street, public ground or public way in the city so as to obstruct, hinder or impede free passage upon or along same or obstruct, hinder or impede free ingress or egress to and from any place of business, institution or public building or property. No person or persons so assembled shall refuse or neglect to move or depart or give free passage after being requested to do so by the owner, lessee, tenant, manager or occupant of such premises obstructed as aforesaid or upon the order of any police officer of the city.

(b) It shall be unlawful for any person to hide, wait or otherwise loiter in the vicinity of any private dwelling house, apartment building or any other place of residence with the unlawful intent to watch, gaze or look upon the occupants therein in a clandestine manner.

(c) It shall be unlawful for any person to loiter in or about any toilet open to the public, for the purpose of engaging in or soliciting any lewd and lascivious or any unlawful act.

(d) It shall be unlawful for any person to lodge in any building, structure or place whether public or private without the permission of the owner or person in possession or in control thereof.

(e) It shall be unlawful for any person to loiter in or about any restaurant, tavern or other public building. As used in this subsection, "loiter" means to, without just cause, remain in a restaurant, tavern or public building, or to remain upon the property immediately adjacent thereto, after being asked to leave by the owner, or person entitled to possession or in control thereof, or by any police officer.

Any person who shall be found guilty of loitering or prowling, or who shall fail to move on or separate when required to do so, shall be fined for each offense not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00), or be imprisoned in jail not more than six (6) months, or be both fined and imprisoned, in the discretion of the court.

Section 2. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient

numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: June 14, 1980