ORDINANCE NO. 664

AN ORDINANCE PROHIBITING LOITERING OR PROWLING IN THE CITY OF SOMERSET, KENTUCKY,

BE IT ORDAINED, by the Common Council of the City of Somerset, Kentucky;

1. Within the limits of the City of Somrset, Kentucky, it is unlawful for any person to loiter or prowl in a place, at a time or in a manner nor usual for law-abiding individuals, under circumstances that warrant a justifiable and resonable alarm or immediate concern for the safety of persons or property in the vicinity.

2. Among the circumstances which may be considered in determining whether such alarm or immediate concern is warranted is the fact that the person takes flight upon apperance of a law enforcment officer, refuses to identify himself or manifestly endeavors to conceal himself or any object. Unless flight by the person or other circumstances makes it impracticable, a law enfrocement officer shall, prior to any arrest for an offense under this section, afford the person an opportunity to dispel any alarm or immediate concern which would otherwise be warranted by requesting him to indentify himself and explain his presence and conduct. No person shall be convicted of an offense under this section if the law enforcment officer did not comply with this procedure or if it appears that the explanation given by the person is true, and if believed by the officer at the time, would.have dispelled the alarm or immediate concern.

3. Any person convicted of violating any of the provisions of this ordinance may be punished by a fine of not less tham $10.00 nor more than $50.00, or a term of imprisonment not to exceed 10 days, or both. Each violation shall constitute a seperate offense.

4. All ordinance or partial ordinances in conflict herewith are hereby repealed.

5. This ordinance shall take effect from and upon its passaing and approval as required by law.

First reading April 9 ,1979

Second reading April 23 ,1979