

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**1995 Legislative Session**

Bill No. \_\_\_\_\_ CB-89-1995  
 Chapter No. \_\_\_\_\_ 61  
 Proposed and Presented by \_\_\_\_\_ Council Members Bailey and Russell  
 Introduced by \_\_\_\_\_ Council Members Bailey and Russell  
 Co-Sponsors \_\_\_\_\_  
 Date of Introduction \_\_\_\_\_ October 17, 1995

**BILL**

AN ACT concerning

Loitering

For the purpose of establishing a loitering ordinance and enforcement provisions.

BY adding:

SUBTITLE 14. MORALS AND CONDUCT.

Section 14-139.3,

The Prince George's County Code

(1991 Edition, 1994 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that new Section 14-139.3 of the Prince George's County Code be and the same is hereby added:

**SUBTITLE 14. MORALS AND CONDUCT.**

**DIVISION 5. OFFENSES AGAINST PUBLIC SAFETY AND MORALS.**

**Sec. 14-139.3. Loitering.**

(a) In this section, "loiter" means for a person to:

(1) remain on a public street, sidewalk, or pathway, including one privately owned but used by the public in general, so as to obstruct the free passage of a pedestrian or vehicle after a regular or special police officer has notified the person that the action is unlawful and has requested the person to move;

(2) remain in or on a vehicle on a public street, sidewalk or pathway, including one

privately owned but used by the public in general, so as to obstruct the free passage of a pedestrian or vehicle after a regular or special police officer has notified the person that the action is unlawful and has requested the person to move;

(3) refuse or fail to leave a private business, commercial establishment, or parking lot that is posted with conspicuous "No Loitering" signs if the business or establishment is not open for business and the person has been requested to leave by the owner, the owner's agent, or a regular or special police officer, unless the person:

(A) has written permission from the owner, lessee, or operator to be present;

or

(B) is window shopping under conditions and at a time of the day or night that would be considered conducive to that activity;

(4) refuse or fail to leave a private business or commercial establishment that is open for business, or a parking lot of the business or establishment, after having been requested to do so by the owner or the owner's agent;

(5) refuse or fail to leave a public building, public grounds, or a public recreational area, or a parking lot of a public building, public grounds, or a public recreational area, after being requested to do so by a regular or special police officer or by a regularly employed guard, watchman, or other authorized employee of the agency or institution responsible for the public building, public grounds, recreational area, or parking lot, if the circumstances indicate that the person has no apparent lawful business or purpose to pursue at that place;

(6) return, for no apparent lawful business or purpose, to the same public or private property from which the person was asked to leave within 24 hours before.

(b) This section does not prohibit picketing or orderly demonstration by labor unions or members of the public.

(c) A person who loiters is guilty of a misdemeanor, and on conviction is subject to:

(1) for the first offense, a fine not exceeding \$100 or imprisonment not exceeding 10 days or both; and

(2) for a subsequent offense, a fine not exceeding \$500 or imprisonment not exceeding 30 days or both.

(3) no person shall be charged with a violation of this section unless and until the arresting officer has first warned the person of the violation and the person has failed or refused to stop the violation.

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 14th day of November, 1995.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY:

Anne T. MacKinnon  
Chairwoman

ATTEST:

Joyce T. Sweeney  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_

BY:

Wayne K. Curry  
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.