

BY-LAWS:
FORBIDDING LOITERING AT PUBLIC PLACES:

The authority for these by-laws is New Hampshire RSA 31:39.

SECTION I :

- A) No person shall loiter in or around public buildings or public places so as to prevent free access thereto by any person; and no person shall by his presence, or by means either alone, or in consort with others interfere with, impair, or interrupt the conduct of business in said places, or interfere in any way with the entry, exit or free passage of any persons into or through said public places.
- B) The penalty for a violation of this section shall not exceed Fifty Dollars (\$50.00).

SECTION II :

- A) Persons loitering in any public place so as to be in violation of Section I shall move on or separate when requested to do so by any Police Officer and shall cease to occupy such position in said public place.
- B) The penalty for violation of this section shall not exceed Fifty Dollars (\$50.00).

SECTION III :

- A) No person shall loiter or prowl in any public place at a time, or in a manner not usual for law-abiding individuals, under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that said person takes flight upon appearance of a Police Officer, refuses to identify himself, or manifestly endeavors to conceal himself or any object. Unless flight by said person or other circumstances makes it impractical, a Police Officer shall, prior to any arrest for an offense under this section, afford the person an opportunity to dispel any alarm which would otherwise be warranted, by requesting him to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this section if the Police Officer did not comply with the preceding sentence, or it appears at trial that the explanation given by the person was true and if believed by the Police Officer at the time, would have dispelled the alarm.
- B) The penalty for violation of this section shall not exceed Fifty Dollars (\$50.00).

SECTION IV :

- A) The term "public places" is intended to include, but not be limited to, the following places: cemeteries, parks, streets, ways, commons, libraries, parking lots, and sidewalks.

Adopted by the Board of Selectmen - 1970

**Robert W. Thorndike
Maurice E. Tarbell
George Dinsmore, Jr.**
Board of Selectmen

Re-codified and affirmed by the Board of Selectmen - May 11, 1998

**Charles E. McMahon
Douglass L. Barker
Carolyn B. Webber
Margaret M. Crisler
Galen A. Stearns**
Board of Selectmen