

Enacted 12/13/96

Town of Phillips
Prohibition of Gathering Ordinance

1. Purpose.
This Ordinance is enacted to relieve the anxiety occasioned to persons in households and businesses in the vicinity of the so-called Whittemore Building and premises, by persons gathering and loitering at this location.
2. Prohibition.
No group of unauthorized persons shall gather on the so-called Whittemore Building or its premises, either by foot or by vehicles.
3. Penalty
A person violating the prohibitions of this ordinance commits a civil violation for which notice and summons may issue, and a court may require a civil forfeiture to the Town of Phillips a sum not less than Twentyfive (25) dollars or more than Fifty (50) dollars for the first violation, and not less than Fifty (50) dollars or more than One hundred (100) dollars for a second or subsequent violation, in addition to any fees and costs the Court may impose under authority of other law or rule.
4. Notice.
Notice may be issued by any Municipal Officer or by the Town Constable. Summons may be issued by any Law Enforcement Officer or by the Town Constable.
5. This Ordinance may also be imposed upon any other properties owned by the Town of Phillips as deemed necessary by the Selectmen of the Town.
6. Severability.
If any part of this ordinance is found by a Court of Lawful Jurisdiction to be unconstitutional or otherwise unlawful, that part shall be severed from the remainder of the Ordinance, and the remainder shall stand unless determined and ordered by the Court.

PHILLIPS SPECIAL TOWN MEETING
DECEMBER 13, 1996
PHILLIPS COMMUNITY BUILDING
7:00 P.M.

The inhabitants of the Town of Phillips, Maine, qualified to vote in said town affairs, assembled at the Phillips Community Building in said town on December 13, 1996 at 7:00p.m. to act on the following articles, to wit:

The meeting was called to order by the Town Clerk, Anna Teele. The warrant, warrant return and Article #1 were read by the Clerk.

- Art. 1 Michael Ellis was elected Moderator, by hand, to preside at said meeting.
- Art. 2 The town voted, by hand, to enact an ordinance entitled "Town of Phillips Addressing Ordinance".
- Art. 3 The town voted, by hand, to enact an ordinance entitled "Town of Phillips Prohibition of Gathering Ordinance".
- Art. 4 The town voted, by hand, to authorize the Selectmen to set up a Charter and introduce legislation in Maine State Legislature to form a Water District, and appoint three or more directors to initiate procedures. (Sixteen in favor and four opposed.)

The Town meeting adjourned at 8:12 p.m.

A true attest:

Anna Teele

, Town Clerk of
Phillips, Maine

TOWN OF PHILLIPS LOITERING ORDINANCE

SECTION 7-901. *Definitions.* As used in this Ordinance:

(a) "Loitering" shall mean remaining idle in essentially one location and shall include the concept of spending time idly; to be dilatory; to linger; to stay; to saunter; to delay; to stand around and shall also include the colloquial expression "hanging around."

(b) "Public Place" shall mean any place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall also include the front or immediate area of any store, shop, restaurant, tavern or other place of business and also public grounds, area or parks.

SECTION 7-902. *Loitering—Police order to disperse—Penalty.* (a) It shall be unlawful for any person to loiter, loaf, wander, stand or remain idle either alone and/or in consort with others in a public place in such manner so as to:

- (1) Obstruct any public street, public highway, public sidewalk or any other public place or building by hindering or impeding or tending to impede or hinder the free and uninterrupted passage of vehicles, traffic or pedestrians.
- (2) Commit in or upon any public street, public highway, public sidewalk or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any public street, public highway, public sidewalk or any other public place or building, all of which prevents the free and uninterrupted ingress, egress, and regress, therein, thereon and thereto. This shall include the making of unsolicited remarks of an offensive disgusting or insulting nature or which are calculated to annoy or disturb the person to, or in whose hearing, they are made.

(b) When any person causes or commits any of the conditions enumerated in Subsection (a) herein, a police officer or any law enforcement officer shall order that person to stop causing or committing such conditions and to move on or disperse. Any person who fails or refuses to obey such orders shall be guilty of a violation of the Ordinance.

(c) Any person who violates any of the provisions of this Ordinance shall be subject to a fine not exceeding \$100.00. Any such violation shall constitute a separate offense on each successive day continued.