

ORDINANCE NO. 158

An Ordinance to Prohibit Loitering  
Within the City of Barling, Arkansas

BE IT ORDAINED by the Board of Directors of the City of Barling, Arkansas, that:

SECTION 1: It shall be unlawful for any person, in or without any type of vehicle, to linger, remain, or prowl in a public place or the premises of another in the City of Barling without apparent reason and under circumstances that warrant alarm or concern for the safety of persons or property in the vicinity, and upon inquiry by a law enforcement officer, refuses to identify himself and give a reasonably credible account his/her presence and purpose; or

Lingers, remains or prowls in or near a school building, not having any reason or relationship involving custody of or responsibility of a student, or having written permission from anyone authorized to grant the same; or

Lingers or remains in a public place or on the premises of another for the purpose of begging; or

Lingers or remains in a public place or on the premises of another for the purpose of unlawfully buying, distributing, or using a controlled substance; or

SECTION 2: Among the circumstances that may be considered in determining whether a person is loitering are that the person:

- (a) Takes flight upon the appearance of a law enforcement officer; or
- (b) Refuses to identify himself/herself; or
- (c) Manifestly endeavors to conceal himself/herself or any object.

SECTION 3: Unless flight by the actor or other circumstances make it impracticable, a law enforcement officer shall, prior to an

arrest afford the actor an opportunity to dispel any alarm or concern that would otherwise be warranted by requesting him/her to identify himself/herself and explain his/her presence and conduct.

SECTION 4: Any person found guilty of violating this ordinance shall be fined in an amount not less than \$50.00 nor more than \$1,000.00.

SECTION 5: The enactment of this ordinance would ensure the protection of the health, safety and welfare of the public in the City of Barling, Arkansas, so that an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage.

APPROVED: This 7<sup>th</sup> day of August, 1984.

Jerry Barling  
Mayor

Attest:  
Sheila Forget  
City Clerk