

TOWN OF CRESWELL  
ORDINANCE REGULATING LOITERING IN PUBLIC FOR  
PURPOSE OF ENGAGING IN UNLAWFUL ACTIVITY

WHEREAS, The Town of Creswell is granted broad police power authority to enact or enforce ordinances by authority or N.C.G.S. 106A-174; and

WHEREAS, The Town Council is aware that loitering of individuals in public places within the jurisdictional limits of the Town of Creswell for the purpose of engaging in unlawful activities such as those activities involving the use, trafficking, sale, or offering of alcohol or controlled substances is a serious problem and is detrimental to the health, safety and welfare of the citizens of Creswell and the peace and dignity of the Town; and

WHEREAS, it is in the best interest of the citizens of the TOWN that the streets, sidewalks, buildings and other public areas be free from such activities; and

NOW, THEREFORE, BE IT ORDAINED by the Creswell Town Council, that from this day forward it shall be:

UNLAWFUL for a person to remain or wander about in a public place in a manner and under circumstances manifesting the purpose of engaging in a violation of any subdivision of the North Carolina Control Substances Act, G-s, 90, Article 5 or other laws of this State, such circumstances shall included:

- a) Repeatedly beckoning to, stopping, or attempting to stop passersby or repeatedly attempting to engage passersby in conversation;
- b) Repeatedly stopping or attempting to stop motor vehicles;
- c) Repeatedly interfering with the free passage of other persons;
- d) Behaves in such a manner as to raise a reasonable suspicion that he or she is about to engage in or is engaged in an unlawful alcohol or drug related activity;
- e) Repeatedly passes to or receives from passersby, whether on foot or in a vehicle, money or objects;
- f) Create a public nuisance through the use of loud, boisterous and/or profane language on the streets, sidewalks, and public areas of the Town of Creswell.

cont.....

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PUNISHMENT:

A violation of this ordinance shall constitute a misdemeanor punishable by a fine of at least \$50.00 but no more than \$500.00 or imprisonment for not more than thirty (30) days.

This Ordinance shall be effective upon adoption.

Should any provision of the Ordinance be held invalid, such invalidity shall not affect any other provision, or the application thereof, which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Duly adopted this 18 day of Sept., 1996, by unanimous vote at the regular meeting of the Creswell Town Council.

  
Reginald D. Phelps, Mayor

ATTEST:

  
Clerk

**TOWN OF CRESWELL  
RESOLUTION AMENDING ORDINANCE  
REGULATING LOITERING FOR THE PURPOSE  
OF ENGAGING IN DRUG RELATED ACTIVITY**

**WHEREAS,** The Town of Creswell is granted broad police power authority to enact or enforce ordinances by authority of N.C.G.S. \*160A-174 et seq. ; and

**WHEREAS,** The Town Council has previously enacted an ordinance regulating loitering for the purpose of engaging in drug relating activity , being No. \*160A-174; and

**WHEREAS,** The Town Council believes said ordinance should be amended as herein set forth,


**NOW, THEREFORE,** be it resolved by the Creswell Town Council that:

A new section be added to this ordinance immediately after Section 3. Punishment, as follows:

**Section 4. INVALIDITY.**

If any provision of this section is held invalid, such invalidity shall not affect any other provision, or the application thereof, which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.

Duly adopted and effective this Sept. day of 18, 1996, by unanimous vote at theregular meeting of the Creswell Town Council.

  
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Reginald D. Phelps, Mayor of Creswell

  
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Rena' Patrick, Town Clerk of Creswell

**TOWN OF CRESWELL  
RESOLUTION AMENDING ORDINANCES**

**WHEREAS**, the following Ordiannces of the Town each contain the typographical error in the first paragraph and should have stated "N.C.G.S. \*160A-174 et seq.:"

- Ordinance Establishing a Curfew for Minors  
No. \*160A-174
- Ordinance Regulating Consumption of Alcoholic Beverages in Public  
No. \*160A-174
- Ordinance Regulating Loitering for the Purpose of Engaging in Drug Related Activity  
No. \*160A-174

**WHEREAS**, The Town Council wishes to correct these errors.

**NOW, THEREFORE**, be it resolved by the Creswell Town Council that the statutory reference in each of the above ordinances shall be \*160A-174.

Duly adopted and effective this Sept day of 18, 1996, by unanimous vote at the regular meeting of the Creswell Town Council.

  
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Reginald D. Phelps, Mayor of Creswell

  
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Rena' Patrick, Town Clerk of Creswell