

ORDINANCE NO. 184

AN ORDINANCE AMENDING ORDINANCE NO. 13 BY THE ADOPTION OF NEW SECTIONS AND SUBSECTIONS, AND DECLARING AN EMERGENCY.

THE CITY OF BROOKINGS ORDAINS AS FOLLOWS:

Section 1: Section 19 of Ordinance No. 13, passed by the Council and approved by the Mayor on November 27, 1951, is amended by the addition of a new and additional subsection (j) to read as follows:

(j) Every person who is not enrolled as a student at or who is not employed by the public or private school and who, without a lawful purpose therefor, wilfully loiters about any public or private school building or the public premises adjacent thereto.

Section 2: The said Ordinance No. 13 is further amended by the addition of the following sections and offenses:

Section 105: Petty Theft. It shall be unlawful to steal the property of another or wilfully take, carry, lead or drive away the property of another with the intention to deprive such other of such property permanently. This offense is limited to property of a value not to exceed \$150⁰⁰.

Section 106: Shoplifting. It shall be unlawful to wilfully conceal or take possession of any goods offered for sale by a wholesale or retail store or other mercantile establishment, without the knowledge or consent of the owner, and with intent to convert the goods to the offender's own use without paying the purchase price thereof.

Section 107. Detention and Interrogation.

(1) A peace officer, merchant or merchant's employee who has reasonable cause for believing that a person has committed

the offense of shoplifting under Section 106 hereof may detain and interrogate such person in regard thereto and in a reasonable manner and for a reasonable time.

(2) Where a peace officer, merchant or merchant's employee with reasonable cause for believing that a person has committed the offense of shoplifting as defined under Section 106 hereof, detains and interrogates him in regard thereto, and such person thereafter brings against the peace officer, merchant or merchant's employee a civil or criminal action for slander, false arrest, false imprisonment, assault, battery or wrongful detention based upon the detention and interrogation, such reasonable cause shall be a defense to the action if the detention and interrogation were done in a reasonable manner and for a reasonable time.

WHEREAS, there is now no provision for the offenses set forth in this ordinance and the punishment thereof and it is necessary and desirable for the public peace and safety of the City of Brookings and the inhabitants thereof that this Ordinance be made effective immediately, an emergency is hereby declared to exist in the interest of the public peace and safety of the City of Brookings, and the inhabitants thereof, and this Ordinance may be introduced and placed upon its final passage at any one meeting of the Council and it shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

ADOPTED by the Council of the City of Brookings, Oregon, this 9th day of August, 1966.

SUBMITTED to and approved by the Mayor of the City of Brookings, Oregon this 9th day of August, 1966.

ATTEST:

Robert O. Wimmick, Jr.
City Recorder

Ernest J. Marley
Mayor