

**A BILL FOR AN ORDINANCE CREATING
CHAPTER 9.28 OF THE LEBANON
MUNICIPAL CODE PROHIBITING LOITERING
ON OR ABOUT SCHOOL GROUNDS**

) Ordinance Bill No. 2012-2
)
)
) Ordinance No. 2830

WHEREAS, the safety of children who attend private or public schools in the City of Lebanon is a high priority for the citizens of Lebanon; and

WHEREAS, providing safe, non-disruptive learning environments for Lebanon children is a high priority for the citizens of Lebanon; and

WHEREAS, public areas immediately surrounding schools should remain free of disruptions or activity that interferes with the educational process or warrants alarm for the safety of persons or property in the vicinity.

NOW, THEREFORE, THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. There is hereby added to Title 9 the following Chapter of the Lebanon Municipal Code Chapter 9.28 titled **School Loitering**:

9.28.010 Definitions

(1) The word "loiter" for purposes of this Ordinance means to be dilatory, to stand idly around, to linger, delay, wander about, to remain, abide or tarry within 400 feet of an entry or exit to a public or private school or in a place visible from school classrooms or other areas where children gather on school property for learning or educational purposes..

(2) "Child" or "children" shall mean individuals whose chronological age is less than eighteen (18) years.

(3) "School" shall mean any public or private school excluding facilities dedicated to the education of adults.

9.28.020 Prohibitions

- (1) It is unlawful to loiter on school grounds. A person loiters on school grounds if:
 - (a) At a time when the school is in session or when children are otherwise present in the building or on the grounds;
 - (b) Having been asked to leave by a school administrator or school representative or a peace officer;

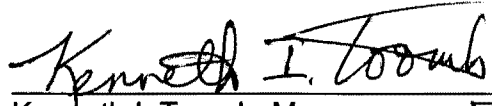
- (c) That person loiters in the school building, on the school grounds, or within 400 feet (400') of an entry or exit to a public or private school or in a place clearly visible from school classrooms or other areas where children gather on school property for learning or educational purposes;
- (d) Without having any reason related to custody of or responsibility for a pupil attending that school, or any other specific, legitimate reason for the person's presence;
- (e) Under circumstances in which the person's continued presence interferes with or disrupts the school's primary objective of education and learning or endangers school children or personnel present in the school building or on its grounds.

9.28.030 Penalty

Violation of section 9.28.020 is an infraction as that term is used in LMC 8.03.020.

Passed by the Lebanon City Council and executed by the Mayor this 8th day of February, 2012 with 6 Yeas and 0 Nays.

CITY OF LEBANON, OREGON



Kenneth I. Toomb, Mayor
Bob Elliott, Council President

ATTESTED:



Linda Kaser, City Clerk/Recorder