

**ORDINANCE NO. 1026**

**AN ORDINANCE ESTABLISHING A NEW SECTION IN TITLE 6, CHAPTER 1A, OF THE *CLINTON CITY CODE* FOR THE DEFINING AND REGULATION OF VAGRANCY, LOITERING AND SLEEPING ON PUBLIC OR PRIVATE PROPERTY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

WHEREAS, Title 11 Okla. Stat § 22-123 allows for municipalities to regulate vagrants within its municipal limits;

WHEREAS, the City Council believes it is appropriate to establish a new Section in Title 6, Chapter 1A of the Clinton City Code to define and regulate vagrancy and to regulate loitering and sleeping on public or private property;

NOW THEREFORE, be it ordained by the City Council of the City of Clinton, Oklahoma:

Section 5 shall be added to Title 6 Chapter 1A of the Clinton City Code to read as follows:

**6-1A-5: VAGRANCY, LOITERING AND SLEEPING ON PUBLIC OR PRIVATE PROPERTY**

A. VAGRANCY. It is unlawful to be a vagrant in the limits of the city. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.:

1. Any person who loiters or remains in or wanders about a public or private place for any of the following purposes:
  - a. For the purpose of gambling with cards, dice or other gambling paraphernalia;
  - b. For the purpose of engaging in prostitution or soliciting prostitution or soliciting for an act of lewdness;
  - c. For the purpose of engaging in theft, or breaking and entering any building, property or automobile of another;
  - d. For the purpose of injuring, destroying, molesting or defacing any property of another;
  - e. For the purpose of assaulting any person;
  - f. For the purpose of begging or soliciting alms, provided that this section shall not apply to persons soliciting alms for bona fide religious, charitable or eleemosynary organizations with the authorization of such organizations; or
  - g. For the purpose of selling, purchasing, trading or otherwise exchanging, procuring or making available illegal drugs or contraband.

B. LOITERING AND SLEEPING ON PUBLIC OR PRIVATE PROPERTY.

1. It is unlawful for any person, between the hours of 12:00 a.m. and sunrise, to sleep on any street, in any other public place or on any property of another without the express or tacit consent of the owner or person in charge of the location where the individual

is sleeping.

2. It shall be unlawful and an offense for any person to sleep in any public park between the hours of 11:00 p.m. and 5:00 a.m. in the limits of the city.

SEVERABILITY: If any section, clause, sentence, or phrase of this Ordinance section is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this section.

WHEREFORE, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately from and after its passage and proof of publication.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
David Berrong, Mayor

ATTEST:

\_\_\_\_\_  
Amy Jones, City Clerk