

BILL NO. 25-158

AN ORDINANCE ENACTING NEW SECTION 17-120. LOITERING / OBSTRUCTING THE REASONABLE MOVEMENT OF TRAFFIC, TO THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the council recognizes that the reasonable movement of both vehicular and pedestrian traffic is essential to public safety and to enabling citizens to pass freely through the community without obstruction on public streets sidewalks or thoroughfares

WHEREAS, the council understands that the efficient provision of emergency services requires ordinances that address any behavior that obstructs or hinders or delays the reasonable movement of pedestrian or vehicular traffic in an effort to prevent hazardous conditions from arising and to reduce accidents and to maintain a safe and stable public order for all people, and

WHEREAS, individuals who remain either alone or in conjunction with other people in a public place, street, sidewalk or parking place without any immediate business tend to obstruct the reasonable movement of traffic both pedestrian and vehicular, and

WHEREAS the council understands that 1st amendment to the United States Constitution the fundamental rights guaranteed therein may not be unduly restricted in a manner that impairs an individual's right to free expression free assembly or dissemination of an idea in a public forum, and

WHEREAS, the council is mindful of the balancing of public safety and individual liberty to ensure public spaces remain open and safe for all people and all lawful activities,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, AS FOLLOWS:

SECTION 1. There is hereby enacted a new Section 17-120, of the municipal code to read as follows:

Section 17-120, Loitering / Obstructing reasonable movement of traffic

- A. It shall be unlawful for any person either alone or in concert with another or others to stand loiter or remain or otherwise position themselves
 - a. in any public place,
 - i. in such a manner as to obstruct impede interfere with hinder or delay the reasonable movement of pedestrian or vehicular traffic
 - ii. to obstruct or impede the ability of pedestrians to walk unimpeded upon public streets sidewalks or parking spaces or
 - iii. to obstruct or impede the reasonably free use of property or business lawfully conducted by anyone in or upon or facing or fronting on any public place or building, if such act prevents the reasonably free ingress, egress or regress in or to such property.
 - b. on business premises open to the public,

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- i. in such a manner as to obstruct impede interfere with hinder or delay the reasonable movement of pedestrian or vehicular traffic
 - ii. to obstruct or impede the ability of pedestrians to walk unimpeded upon public streets sidewalks or parking spaces or
 - iii. to obstruct or impede the reasonably free use of property or business lawfully conducted by anyone in or upon or facing or fronting on any public place or building, if such act prevents the reasonably free ingress, egress or regress in or to such property.
 - c. or to remain on any public premises or business premises open to the public without any apparent purpose
 - i. in such a manner as to obstruct impede interfere with hinder or delay the reasonable movement of pedestrian or vehicular traffic
 - ii. to obstruct or impede the ability of pedestrians to walk unimpeded upon public streets sidewalks or parking spaces or
 - iii. to obstruct or impede the reasonably free use of property or business lawfully conducted by anyone in or upon or facing or fronting on any public place or building, if such act prevents the reasonably free ingress, egress or regress in or to such property.
 - d. on a premises posted "No Loitering" by the owner or tenant thereof.
- B. When any person commits either of the acts enumerated above in Section A of this section a police officer or any law enforcement officer may order that person to stop committing such an act and to move on or disperse. Any person who fails or refuses to obey such an order shall be guilty of a violation of this section. However, no person shall be in violation of this section unless such a person has been given a reasonable opportunity to comply with such an order after they have received actual notice, or what such notice was directed to them and reasonably likely to come to such person's attention.

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

SECTION 5. This Ordinance shall be codified and set out in full in the "Code of Ordinances of the City of Lee's Summit, Missouri.

PASSED by the City Council of Lee's Summit, Missouri this _____ day of _____, 2025.

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Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said City this _____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*