

Metro Loitering Ordinance:

11.28.080 Loitering during school hours.

A. A child who has not reached his eighteenth birthday, and being subject to the state compulsory attendance law, Tennessee Code Annotated, Section 49-6-3001, shall not loiter, idle, wander or play in or upon the public streets, highways, alleys, parks, or other public places, buildings, businesses, places of amusement and entertainment, vacant lots or other unsupervised places during those hours he is required to be in school under the state compulsory school attendance law. Further, no child shall be taken into custody for violation of this section until an investigation with the proper school officials has been made to determine if the child is required to be in school.

B. A child who has not reached his eighteenth birthday, and being subject to the state compulsory attendance law, Tennessee Code Annotated, Section 49-6-3001, but who is suspended or expelled from school, or is otherwise not in compliance with the compulsory attendance law, shall not loiter, idle, wander or play in or upon the public streets, highways, alleys, parks, or other public places, buildings, businesses, places of amusement and entertainment, vacant lots or other unsupervised places during those hours the child is required to be in school under the state compulsory school attendance law if not for the suspension. Further, no child shall be taken into custody for violation of this section until an investigation with the proper school officials has been made to determine if the child is suspended or expelled and the termination of the suspension or expulsion period. For purposes of this section, "suspended" means a dismissal from attendance at school for any reason by a school official for a period of time not exceeding ten consecutive days; and "expelled" means a removal from attendance at school by a school official for more than ten consecutive days.

C. No parent, guardian or other adult person who has been delegated the care and custody of such child under the age of eighteen, shall knowingly permit such child to violate the provisions of this section. A parent, guardian or other adult person who has been delegated the care or custody of such child found to be in violation of this section shall be punished as provided in Section 1.01.030 of this code. (Ord. BL2005-531 § 1, 2005; Ord. 95-1329 § 2 (part), 1995; Ord. 92-413 §§ 1, 2, 1992; Ord. 90-1339 § 1 (part), 1990; prior code § 29-1-41.2)

Section 1.01.030

A. Wherever in the code readopted by this ordinance codified in this chapter, or in any other ordinance or resolution of the metropolitan government or in any rule, regulation or order promulgated by any officer or agency of the metropolitan government under authority duly vested in him or her or if any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided therefor, the violation of any such provision of such code or any other ordinance or resolution of the metropolitan government or such rule, regulation or order shall be punished by a penalty not to exceed fifty dollars (\$50.00).