

ORDINANCE 20260224B

City of Huntington

An ordinance of the City Council of the City of Huntington, Texas, pertaining to loitering by regulating the use of all places commonly known as being distinctively public and all places distinctively private; providing for enforcement; providing a penalty for violation:

Whereas, the City of Huntington, a Texas Type A general law municipality, may adopt ordinances that are for the best interests of good government, peace, and/or order of the municipality; and

Whereas, the City of Huntington feels it is in the best interests of the health and safety of the citizens of Huntington to abate loitering; and

Whereas, the City Council of the City of Huntington, Texas, has given extraordinary consideration to the public health, safety, and welfare of the residents of Huntington;

Now, therefore, be it ordained by the City Council of the City of Huntington, Texas:

Loitering:

It shall be unlawful for any person to loiter, as hereinafter defined, in, on, or about any place, public or private, when such loitering is accompanied by activity or is under circumstances that afford probable cause for alarm or concern for the safety and well-being of persons or for the security of property in the surrounding area.

(A) Definitions. The following definitions shall apply to this section:

1. Loitering includes the following activities: walking about aimlessly without apparent purpose; lingering; hanging around; lagging behind; the idle spending of time; delaying; sauntering and moving slowly about where such conduct is not due to physical defects or conditions.

2. Place is either public or private and includes, but is not limited to, the following: all locations commonly known as being distinctively public, such as public streets, public restrooms, sidewalks, parks, parking lots, alleyways and buildings; all areas privately owned but generally open to the public, such as shopping areas, retail stores, office parking lots, buildings, and restaurants; and all areas distinctively private, such as homes or private residences and apartment houses.

3. Surrounding area refers to an area easily and immediately accessible to the person under observation.

(B) Examples of loitering activities: The term "loiter" is herein defined to include any of the following activities, although this list is not meant to be all inclusive:

(1) Lingering in the streets, sidewalks, parking lots, or vicinity of a business, in which the person has no ownership or employment interest, either within or outside of a vehicle, when the premises are not open for business to the public, or under circumstances that show no apparent reason or business to do so;

(2) Failure to leave private property when requested to do so by the owner, manager, proprietor, or lessees of such property, or when a conspicuous sign stating "No Loitering" is visible;

(3) Walking, standing, driving a vehicle or parking a vehicle in the business district or non-residential areas of the city under circumstances that show no apparent business or employment related need for such activity;

(4) Lingering in the streets, alleys, sidewalks, or vicinity of a residence, either within or outside of a vehicle, without the permission of the owner or tenant of the residence;

(5) The systematic checking by a person of doors, windows, or other means of access to buildings, houses, or vehicles;

(6) Repeated activity by a person, continuous or broken, which outwardly manifests no purpose, such as going from one place to another and back with no showing of use for such movements; and/or

(7) Continuous presence by a person in close proximity to any building, house, vehicle, or any other property or to any other person, at any time, when the activity of such person manifests possible unlawful activity, such as continuous presence being for an unreasonable period of time under the circumstances then existing.

(C) Exemptions. The following activities shall not be considered loitering and shall be exempt from the provisions of this subchapter:

(1) A person shall not be considered loitering while in direct route, and not lingering, to or from work, or to or from their place of residence;

(2) A person shall not be considered loitering while engaged in the repair of a disabled vehicle;

(3) A person under the age of eighteen (18) shall not be considered loitering while engaged in, or in direct route to school, church, or entertainment activities with permission of his or her parent or guardian; and/or

(4) A person shall not be considered loitering while sleeping in a vehicle, provided the vehicle is parked on private property with the permission of the owner or manager of the premises, or if the vehicle is parked on public property, with permission of a police officer.

(D) Not a limitation. Nothing in this section shall be construed to in any way limit the present police powers or the law enforcement officers of the city to make any investigation, detention, or arrest as the circumstances may warrant in the usual course or the enforcement of the laws and ordinances applicable to such cases.

(E) Penalty. Any person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed the amount of five hundred dollars (\$500.00). Each continuing day's violation under this ordinance may constitute a separate offense.

(F) Enforceability. This ordinance shall be in full force and effect upon approval by the City Council of the City of Huntington, Texas.

Passed and approved by the City Council of the City of Huntington, Texas at a regular monthly meeting on the 24th day of February, 2026.



Todd Ricks, Mayor

ATTEST:



Julie Davis, City Secretary

