

Ordinance 2016-0719-2

AN ORDINANCE AMENDING RIVERSIDE ORDINANCE SECTION 52.

SECTION 1. Amendments shall be as follows:

Sec. 42-3. Loitering and Profanity

a) Loitering—On streets at night.

1. It shall be unlawful for any person to idle, lounge or loiter on the streets, sidewalks or other public places in the city between the hours of 11:00 p.m. and 4:00 a.m. of the following morning.
2. Any person found upon the streets, alleys, sidewalks or other public places in the city between the hours of 11:00 p.m., and 4:00 a.m. the following morning shall be presumed to be loitering, idling or lounging in violation of this section, provided, however, no person shall be deemed guilty of violation of this section who is upon said streets, alleys, sidewalks or other public places upon legitimate business during the hours specified.

State Law reference— Loitering, Code of Ala., 1975, § 13A-11-9.

b) Loitering—Around church, theater, etc.

It shall be unlawful for any person to loiter around any church, public hall, theater, waiting room of a public carrier station, or other public place.

c) Profanity

It shall be unlawful for any person to use profane, vulgar or obscene language toward another in a manner calculated to provide a breach of the peace.

State Law reference— Constitutes disorderly conduct, Code of Ala., 1975, § 13A-11-7(a)(3).

Sec. 42-4. - Permit for parade, procession or demonstration.

(a) It shall be unlawful for any person to organize or hold, or to assist in organizing or holding, or to take part or participate in, any parade or procession or other public demonstration on the streets or other public ways of the city unless a permit therefor has been secured from the City Council.

(b) To secure such permit, written application shall be made to the City Council setting forth the probable number of persons, vehicles and animals which will be engaged in such parade, procession or other public

demonstration, the purposes for which it is to be held or had, and the streets or other public ways over, along or in which it is desired to have or hold such parade, procession or other public demonstration. The City Council shall grant a written permit for such parade, procession or other public demonstration, prescribing the streets or other public ways which may be used therefor, unless in his judgment the public welfare, peace, safety, health, decency, good order, or morals require that it be refused. It shall be unlawful to use for such purposes any other streets or public ways than those set out in said permit.

(c) This ordinance shall not apply to funeral processions.

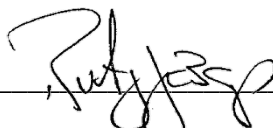
Sec. 42-5. Violations and penalties.


- (a) Any person found to be in violation of any part of subsections 42-2, 42-3 and 42-4 shall, upon conviction, be punished by a fine of not less than \$1.00 nor more than \$500.00 and/or may be imprisoned or sentenced to hard labor for the town for a period not exceeding six months, at the discretion of the court trying the case. Any corporation found to be in violation of subsection 42-2(a) or (b) shall, upon conviction, be punished by a fine of not less than \$1.00 nor more than \$500.00, at the discretion of the court trying the case.
- (b) Any person found to be in violation of this chapter for the commission of an offense as defined in Code of Ala. 1975, § 32-5A-191, shall, upon conviction, be punished in accordance with the provisions of Code of Ala. 1975, § 32-5A-191, provided, however, that no fine shall exceed \$10,100.00, and/or may be imprisoned or sentenced to hard labor for not more than one year.

(Ord. No. 99-1207, §§ 4, 5, 12-7-1999)

SECTION 2. This Ordinance shall become effective when adopted and published as required by law.

ADOPTED this 19th day of July, 2016.

Signed: 
M.S. Rusty Jessup, Mayor

ATTEST: 
Candace Smith
City Clerk