

ORDINANCE NO. 97-5

TO AMEND ORDINANCE NO. 82-A

DECLARING THE POLICY OF THE CITY OF CUMBY; PROHIBITING THE LOITERING ON THE CUMBY CITY PARK AND FIRST BAPTIST CHURCH PARKING LOT AFTER 10:00 P.M. WITHOUT A PERMIT SIGNED BY THE MAYOR; PROVIDING FOR A PENALTY NOT EXCEEDING \$200.00 AND COURT COSTS.

WHEREAS, THE POLICE DEPARTMENT HAS ADVISED THAT DURING THE PAST YEAR THERE HAVE BEEN NUMEROUS REPORTED CASES OF DRINKING BEER, POSSIBLE SMOKING OF MARIJUANA AND LOITERING, SOMETIMES LASTING UNTIL AFTER MIDNIGHT. THERE HAVE ALSO BEEN INSTANCES OF LEAVING BROKEN GLASS AND CANS ON THE GROUNDS.

WHEREAS, THIS PRACTICE RESULTS IN UNNECESSARY NOISE IN THE PARK AND ON THE BAPTIST CHURCH PARKING LOT, HOT RODDING AUTOMOBILES ON THE STREETS OF CUMBY, AND DESTRUCTION OF PROPERTY; AND

WHEREAS, IT IS IN THE PUBLIC INTEREST AND WELFARE TO REGULATE THE HOURS AND USE OF THE CITY PARK AND FIRST BAPTIST CHURCH.  
NOW, THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CUMBY:

SECTION 1. EXCEPT AS OTHERWISE PROVIDED HEREIN, NO PERSON OR PERSONS WILL BE ALLOWED TO LOITER ON OR USE THE CUMBY CITY PARK AFTER 10 P.M., WITHOUT A WRITTEN PERMIT FROM THE CITY OF CUMBY AND SIGNED BY THE MAYOR.

A) THERE WILL BE NO LOITERING AT FIRST BAPTIST CHURCH AFTER 10:00 P.M.

SECTION 2. THE CURFEW PROVISIONS OF SECTION 1 OF THIS ORDINANCE SHALL NOT APPLY TO APPROVED PRIVATE PARTIES, PUBLIC ENTERTAINMENTS AND CIVIC BENEFITS.

SECTION 3. ANY PERSON WHO SHALL VIOLATE ANY OF THE PROVISIONS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE NOT TO EXCEED \$200.00.

SECTION 4. WHEREAS, AN EMERGENCY IS APPARENT FOR THE IMMEDIATE PRESERVATION OF ORDER, GOOD GOVERNMENT AND PUBLIC SAFETY THAT REQUIRES THIS ORDINANCE TO BECOME EFFECTIVE AT ONCE; THEREFORE, UPON PASSAGE OF THIS ORDINANCE BY A VOTE OF AT LEAST TWO (2) MEMBERS OF THE CITY COUNCIL, IT SHALL BE EFFECTIVE FROM AND AFTER THE DATE OF ITS PASSAGE, AS MADE AND PROVIDED BY IN THE CHARTER OF THE CITY OF CUMBY.

PASSED AND APPROVED THIS 11th DAY OF November, 1997.

La Vernes Satt  
MAYOR

Darryl Clinie  
COMMISSIONER

Carle Betty  
COMMISSIONER

ATTEST  
Ernie D...