

ORDINANCE NUMBER 03-01

AN ORDINANCE REQUIRING A PERMIT FOR PARADES, PROCESSIONS, ASSEMBLIES, EVENTS AND DEMONSTRATIONS IN OR UPON THE PUBLIC STREETS AND WAYS IN THE TOWN OF EVA, ALABAMA; DECLARING IT A MISDEMEANOR TO VIOLATE THE PROVISIONS HEREOF; AND PROVIDING PUNISHMENT FOR VIOLATION

WHEREAS, the Town of Eva, Alabama is growing and experiencing the various issues which come with growth; and

WHEREAS, the Town Council of the Town of Eva, Alabama ("Council") desires to be prepared to meet such issues as they arise; and

WHEREAS, it has come to the Council's attention that there is need for some provision for order in public parades, processions, assemblies, events and demonstrations.

NOW, THEREFORE, be it **ORDAINED** by the Town Council of the Town of Eva, Alabama, as follows, to-wit:

Section 1. Permit Required

It shall be unlawful to promote, organize, hold or to assist in promoting, organizing or holding, or to take part or participate in any parade, procession, assembly, event or demonstration in the streets, highways or public ways and places of the town of Eva, Alabama, ("Town") unless a permit for such purposes has been first secured from the Town Council of the Town of Eva, Alabama ("Council").

Section 2. Application for Permit

Before a permit for the purposes specified in Section 1 hereof can be secured, a written application for the permit shall be submitted to the Council, setting forth the following:

(a) the date(s), time(s); and

(b) the probable number of persons, vehicles and animal which may be involved;

and

(c) the purpose for which the parade, procession, assembly, event or demonstration is to be held; and

(d) the street(s), highway(s), public way(s) or public place(s) where the parade, procession, assembly, event or demonstration is proposed to be held or over passage is desired. which

Section 3. Issuance of Permit, Terms and Conditions

The Council shall issue a written permit for such parade, procession, assembly, event or demonstration prescribing the street(s), highway(s) or public way(s) or place(s) which may be used by the applicant, together with the date(s) and time(s) of such use and any other conditions deemed appropriate by the Council, unless in its judgment the public, welfare, safety, peace, health, good order or convenience require that the permit be

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dollars (\$500.00) or by a jail sentence not to exceed six (6) months, or by both such fine and jail sentence, for any person, firm, corporation or other entity to violate any provision of this Ordinance or to exceed or violate the scope, terms or conditions of any permit issued pursuant to this Ordinance.

Section 5. Exemption


There shall be no such permit required for a bona fide funeral procession.

Section 6. Effective Date

This Ordinance shall be effective immediately upon its adoption and publication according to law.

ADOPTED and APPROVED this the 10 day of March, 2003.

APPROVED BY:


Gary Livingston, Mayor

ATTEST:

(Seal)


Jody Fortenberry, Town Clerk

LWM/zip0303/eva.ordinance.paradepermit
T107-03M



I, Judy H. Fortenberry, Eva Town Clerk, certify that Ordinance #03-2, Titled – An Ordinance Requiring A Permit For Parades, Processions, Assemblies, Events and Demonstrations In Or Upon The Public Streets And Ways In The Town Of Eva, Alabama; Declaring It A Misdemeanor To Violate The Provisions Hereof; and Providing Punishment For Violation was published in the following three locations: Jack's Foodland, Eva Post Office, and Eva Town Hall as prescribed in Code of Alabama, 1975, in this the 10 day of March, 2003.


Eva Town Clerk