

ORDINANCE NUMBER 2009-19

AN ORDINANCE OF THE CITY OF HAMILTON PROHIBITING THE DISRUPTION OF ASSEMBLIES AND CERTAIN BEHAVIORS AND AMPLIFIED NOISES WITHIN THE MUNICIPAL LIMITS OF THE CITY OF HAMILTON, ALABAMA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAMILTON, ALABAMA, AS FOLLOWS:

WHEREAS, the City Council of the City of Hamilton finds that disruption of school or other assemblages of people, or the disruption of any citizen at a public place is an undue burden or hardship on the citizens of Hamilton and violates the general health and welfare of the citizens of Hamilton;

WHEREAS, the City Council of the City of Hamilton finds that the willful interruption or disturbance of any assemblage of people met for religious worship by noise, profane discourse, rude or indecent behavior is an undue burden or hardship on the citizens of Hamilton and violates the general health and welfare of the citizens of Hamilton;

WHEREAS, the City Council of the City of Hamilton finds that the use of an electrical or mechanical device for the purpose of amplifying the human voice, or for the purpose of amplifying the sound produced by musical instruments, whether direct or through the use of recordings and/or to maintain or operate any loudspeaker or other device by which sounds are magnified and made heard over any public street or public place is an undue burden or hardship on the citizens of Hamilton and violates the general health and welfare of the citizens of Hamilton.

NOW THEREFORE, for the foregoing purposes, and other legitimate purposes, BE IT ORDAINED BY THE CITY OF HAMILTON, ALABAMA, THROUGH ITS DULY ELECTED COUNCIL, as follows:

Section 1. Any person who willfully disturbs any school or other assemblage of people met for any lawful purpose, or for amusement or recreation, or who disturbs any citizen

Section 2. any person who willfully interrupts or disturbs any assemblage of people met for religious worship by noise, profane discourse, rude or indecent behavior or any other act must, on conviction, be fined not less than fifty dollars (\$50.00) no more than five hundred dollars (\$500.00).

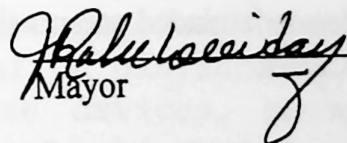
Section 3. Within the corporate limits of the City of Hamilton, Alabama, it shall be unlawful for any person or persons, firms or corporations to make use of an electrical or mechanical devise for the purpose of amplifying the human voice, or for the purpose of amplifying the sound produced by musical instruments, whether direct or through the use of recordings. Within the corporate limits of the City of Hamilton, Alabama, it shall be unlawful for any person or persons, firms or corporations to maintain or operate any loudspeaker or other device by which sounds are magnified and made heard over any public street or public place. This section shall not apply to radios in homes or in private pleasure vehicles, when the same are operated in such manner as not to be audible at a distance of fifty (50) feet from such vehicle, nor to noise devices, bands, or other musical devices used in any public parade or procession. Any person, firm or corporation violating this provision shall be fined not less than fifty dollars (\$50.00) no more than five hundred dollars (\$500.00).

SECTION 4. IF ANY ARTICLE, SECTION, SENTENCE, CLAUSE, PHRASE, OR PART OF THIS ORDINANCE IS FOR ANY REASON DECLARED TO BE UNCONSTITUTIONAL BY THE VALID JUDGMENT OR DECREE OF A COURT OF COMPETENT JURISDICTIONS, SUCH DECISION SHALL NOT AFFECT ANY REMAINING ARTICLES, SECTIONS, SENTENCES, CLAUSES, PHRASES, OR PARTS OF THIS ORDINANCE.

SECTION 5. THIS ORDINANCE ADOPTS THE PRINCIPLES OF CRIMINAL LIABILITY AS EXPRESSED IN THE CODE OF ALABAMA, AND AS AMENDED FROM TIME TO TIME.

SECTION 6. THIS ORDINANCE SHALL BE IN FORCE AND EFFECT FROM AND AFTER ITS ADOPTION AND PUBLICATION.

ADOPTED and ORDAINED this the 5th day of October, 2009.


Mayor

Attest:


City Clerk

I, Jan Williams, City Clerk of the City of Hamilton, certify that the foregoing Ordinance number 2009-19 is a true and correct copy of that certain Ordinance adopted by the City of Hamilton, on this the 5th day of October, 2009.

WITNESS, my hand this 5th day of October, 2009.

(SEAL)

Jan Williams
City Clerk