

ORDINANCE NO. 169-73

AN ORDINANCE REGULATING THE PRESENCE OF PERSONS UPON THE STREETS, ALLEYS, PARKS AND OTHER PUBLIC PLACES, BETWEEN CERTAIN HOURS, WITHIN THE CITY OF COTTER, ARKANSAS, AND PROVIDING FOR THE ARREST AND PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTER, ARKANSAS:

SECTION 1. It shall be unlawful for any person to be found abroad upon the streets, alleys, parks and other public places within the City of Cotter, Arkansas, between the hours of 11:00 o'clock P.M. on Saturday and 5:00 o'clock A.M. on Sunday and during the remainder of the week between the hours of 10:00 o'clock P.M. and 5:00 o'clock A.M., without any visible or lawful business to be abroad as aforesaid or without giving a satisfactory account of himself or herself.

SECTION 2. It shall be unlawful for any person, guardian or other adult person responsible for or having the lawful care, custody and control of any person under the age of 18 years to allow, permit or suffer such minor to violate the provisions of Section 1.

SECTION 3. Any person found abroad upon the streets, alleys, parks or other other public places within the City of Cotter, Arkansas, between the hours set forth in Section 1 above, upon being challenged by any peace officer or by any city official of the City of Cotter, Arkansas, shall give a satisfactory account of his or her presence thereon or thereat.

SECTION 4. If any person so challenged shall fail to give a satisfactory account of his or her reasons for being abroad at any of the places and between the times set forth in Section 1 hereof, or if he or she seeks to escape before or after said challenge, such person shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than \$25.00 or by imprisonment for not more than 10 days, or by both such fine and imprisonment. For each subsequent offense, upon conviction, the fine shall be double the fine for the previous offense or imprisonment for 10 days, or by both such fine and imprisonment.

SECTION 5. Any parent, guardian, or other adult person responsible for or having the legal custody of a minor under the age of 18 years, who permits, allows or suffers said minor to violate the provisions of Section 1 of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be punished by a fine of not more than \$25.00. For each subsequent offense upon conviction, the fine shall be double the fine for the previous offense.

SECTION 6. All other ordinances and amendments thereto, which are in conflict with this ordinance, are hereby repealed.

SECTION 7. The provisions of this ordinance are severable. If any word, clause, sentence, paragraph, section or other part of this ordinance, or the application thereof to any particular person or circumstances is for any reason found to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect or repeal any of the remaining words, clauses, sentences, paragraphs, sections or parts of this ordinance, it being the purpose and intention of this body to enact each word, clause, sentence, paragraph, section or other part hereof separately and independently of each other.

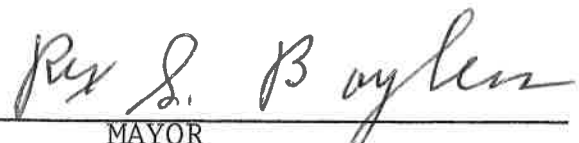
SECTION 8. That in view of the increase of misdemeanors and acts of vandalism, and this ordinance being necessary for the immediate preservation of the public peace, health and safety, and emergency is declared and this ordinance shall take effect and be in full force, from and after its passage and approval.

PASSED AND APPROVED, this the 3rd day of October, 1973.

ATTEST:



RECORDER



MAYOR