

ORDINANCE NO. 375

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROHIBITING THE STANDING, REMAINING OR CONGREGATING OF PERSONS UPON ANY PUBLIC STREET OR SIDEWALK OR AT THE ENTRANCE, ALCOVE OR STEPS OF ANY PUBLIC OR PRIVATE BUILDING IN THE CITY OF MESQUITE SO AS TO OBSTRUCT, PREVENT OR INTERFERE WITH THE UNOBSTRUCTED USE THEREOF; REQUIRING SAID PERSON OR PERSONS TO DISPERSE AND MOVE ON WHEN ORDERED BY THE POLICE OR OTHER PEACE OFFICER, PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That it shall be unlawful for any grouping or assemblage of persons whose standing, remaining or congregating upon any public street or sidewalk in the City of Mesquite, shall obstruct, prevent, or interfere with the free or unobstructed use of said street or sidewalk by other persons; to fail or refuse to move on or disperse upon being ordered to do so by any police officer of the City of Mesquite or any other peace officer.

SECTION 2. That it shall be unlawful for any person, grouping or assemblage of persons whose standing, remaining or congregating upon any entrance, alcove or steps leading from a public street or sidewalk to the entrance or exit of any public or private building, or structure in the City of Mesquite, shall obstruct, prevent or interfere with the free or unobstructed use of said entrance or exit, or of the street or of the sidewalk adjacent thereto by other persons, to fail or refuse to move on or to disperse upon being ordered to do so by any police officer of the City of Mesquite or any other peace officer.

SECTION 3. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction in Corporation Court, shall be punished by a fine not to exceed TWO HUNDRED DOLLARS (\$200.00) for each offense.

SECTION 4. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this Ord-


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nance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.


SECTION 5. That all ordinances or parts of ordinances inconsistent or conflicting with the provisions of this Ordinance are hereby expressly repealed; provided; however, that the repeal of existing ordinances by this Ordinance shall not affect or prevent the prosecution or punishment of any person for any acts done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance, but prosecution for such offenses may be instituted and causes presently pending proceeded with in all respects as if such prior ordinance had not been repealed.

SECTION 6. The fact that the present regulations with reference to the standing, remaining or congregating of persons upon any public street or sidewalk, or in the entrance, alcove of any public or private building in the City of Mesquite are deemed inadequate, creates an urgency and an emergency for the immediate preservation of the public business, property, health or safety, and requires that this ordinance shall take effect immediately from and after its passage, and the publication of the caption as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL of the City of Mesquite, Texas on the 3rd day of July, 1961.


B. W. Cruce, Jr.
Mayor

ATTEST:


Norma G. McGaughey
City Secretary

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