

TOWN OF VINCENT

VINCENT, ALABAMA

August 29, 1949.

COUNCILMEN:

Dr. W. C. Browne
L. L. Carter
T. C. Elliott
J. O. Gorman
I. L. Sharbutt

ORDINANCE NUMBER _____

AN ORDINANCE TO REGULATE LOUD SPEAKERS, AMPLIFIERS AND ANY OTHER DEVICE USED FOR THE PURPOSE OF DISSEMINATING SPEECH, THROUGH ARTIFICIAL MEANS.

PREAMBLE

The Council in adopting this Ordinance has no intention or purpose to abridge the freedom of speech as guaranteed to each citizen of the United States by the first Amendment of the United States Constitution and as guaranteed to each citizen of the respective States by the fourteenth Amendment of the United States Constitution. The Ordinance is, however, a regulation of the free speech through artificial means by virtue of the police power granted to the Town of Vincent by the sovereign State of Alabama for the purpose of promoting the health, safety, and general welfare of its citizens.

BE IT ORDAINED BY THE TOWN COUNCIL OF VINCENT AS FOLLOWS:

SECTION ONE: Definitions.

Loud Speaker is any device, contrivance, gadget or thing used to amplify, magnify or enlarge a person's voice or sound to create, forge or make the voice or sound greater and louder than if otherwise spoken from the normal and average person without such device, contrivance, gadget or thing.

Person means either resident or non-resident, citizen or non-citizen.

Main Street means that portion of Alabama Highway number 25 in the greater Town of Vincent commencing at the Central of Georgia underpass and continuing north easterly on said Alabama Highway number 25 a distance of one hundred yards.

Chief of Police means any person lawfully designated by the Town Council of Vincent to administer the ministerial functions of the said Town's police power.

SECTION TWO: It shall be unlawful for any person to speak through the aid of a loud speaker on the Main Street of the Town of Vincent between the hours of nine (9) A.M. and six (6) P.M. on any day of the week, except Sunday.

SECTION THREE: If any person desires to speak through the aid of a loud speaker in the Town of Vincent during the hours of nine (9) A.M. and six (6) P.M., except Sunday and as excepted in Section TWO above, such person shall be granted permission by permit, oral or written by the Chief of Police, and any property owned, leased, rented or otherwise controlled by the said Town of Vincent may be dedicated free for this purpose. PROVIDED HOWEVER: That the noise or sound emitted by such loud speaker does not disturb or annoy any other person, business or profession in an unreasonable manner. Any person who fails to conform with this proviso shall be declared *to have waived*

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a nuisance.

SECTION FOUR: Any person who wilfully violates either SECTION TWO OR SECTION THREE or both sections of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not over one hundred (\$100.00) dollars or ten days in jail, one or both.

ADOPTED AND PUBLISHED THIS _____ DAY OF _____ 1949 by the Mayor and Council of the Town of Vincent according to law as noted in the Clerk's Minutes of the Town of Vincent.