

ORDINANCE NUMBER: 95-102
INTERFERENCE WITH MUNICIPAL OPERATIONS

PREAMBLE

Whereas it has been brought to the attention of the council members of the City of Cordova that from time to time a member of the City of Cordova's Police Department, Voluntary Fire Department, or Water and Gas Board comes in contact with a resident of the City of Cordova or a resident in the city of Cordova's police jurisdiction who interferes with harasses or otherwise impairs or hinders said employee while said city employee is engaged in his or her official duties; and the council of the City of Cordova having been made aware of this problem does hereby enact the following ordinance with the intent and purpose of preventing said City employees from being harassed or hindered while said city employees are engaged in carrying out his or her official duties.

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

Section 1. This ordinance shall be a criminal ordinance entitled "Interference with Municipal Operations".

Section 2. Definitions: The following definitions apply to this ordinance.

(a) Police Officer: Any officer or employee of the City of Cordova Police Department including any dispatcher or reserve officer.

(b) Fireman: Any person who is a member of the City of Cordova's Voluntary Fire Department.

(c) Water and Gas Board Employee: Any employee of the City of Cordova Water and Gas Board including but not limited to those employees who drive a garbage truck and/or collect trash to place in same; those employees who install, connect, disconnect; read or check, water and gas services or meters for same; those employees who check for gas or water leaks; those employees who install and service sewer lines and those employees who take water and gas and garbage payments and who handle accounts receivable for said services.

(d) City Employee: Any policeman, fireman, or Water and Gas Board employee who is carrying out any duties normally associated with his or her employment, also, includes any person employed with the City of Cordova.

(e) Worksite: Any location including but not limited to a fire site, a wreck, a leakage site, a water meter site, a gas meter site, a garbage pick up point or any other location where it is normal and customary to expect to see a City employee at such location while said city employee is carrying out his or her official duties.

(f) Person: any individual other than a city employee.

(g) Vicious animal: Any animal including but not limited to a dog which growls at, barks at or otherwise acts in such a manner toward a City Employee to make said City Employee feel that his or her safety or well being is threatened.

Section 3. All City Employees are hereby vested with the authority to order any person to step back and keep a distance of fifteen (15) feet from

such an order is necessary or desirable to allow him or her to carry out or proceed with his or her official function.

Section 4. A person commits the crime of interference with municipal operations, if that person does one or more of the following acts:

(a) Fails or refuses to step back a distance of fifteen (15) feet from any city employee or work site after having been ordered by a city employee to do so.

(b) pushes, shoves, kicks, or otherwise physically contacts a city employee in any manner with the intent to annoy or harass or interfere with a city employee.

(c) threatens and/or intimidates a city employee whether by words or by physical acts or by displaying any type of weapon in a threatening manner or by threatening to use a weapon on a city employee.

(d) Uses obscenities or abusive language that is directed at a city employee.

(e) Allows a vicious animal including but not limited to a dog over which that person has ownership or at least partial control to roam unsecured after being informed by a city employee that said animal has been acting vicious toward said city employee and that said vicious animal is preventing or impairing said city employee from doing his or her job.

(f) physically blocks or obstructs a city employee in such a manner as to prevent said city employee from performing his or her job or fails or refuses to move a motor vehicle or any other item of personal property owned or in possession of said person when requested to move said motor vehicle or item of personal property in order for said city employee to carry out his or her job.

Section 5. Interference with municipal operations is a Class C Misdemeanor punishable by a fine of up to \$500.00 and/or imprisonment for a term of up to three (3) months.

Section 6. Any ordinance heretofore adopted by the City Council of the City of Cordova, Alabama, which is in conflict with this ordinance is hereby repealed to the extent of such conflict.

Section 7. If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

Section 8. That this Ordinance shall be in full force and effect beginning on the 28th day of November, 1995.

ATTESTED BY:

Elaine Starks
City Clerk

Clarence E. Davis
Mayor

Thomas D. Mitchell
Council Member

Della Davis
Council Member

Norbert Chalmers
Council Member

Shelly Drummond
Council Member

Laurina Cooper
Council Member

Jim Robert
Council Member

Bilbi Thomas
Council Member