

ORDINANCE NO. 4
April 13, 1983

BE IT ORDAINED BY THE Mayor and the Council of the Town of Madisonville that the "Code of Ordinances" of the Town of Madisonville, Chapter 15, Section 15.1 be amended to read as follows:

Section 15.1 The following acts shall constitute the crime of disturbing the peace:


- (a) Engaging in a fistic encounter; or
- (b) Addressing toward another person language which is threatening, profane, obscene, or derisive and which in the manner uttered has a tendency to incite an ordinary addressee to violent retaliatory action and a breach of the peace.
- (c) Appearing in an intoxicated condition; or
- (d) Engaging in any act in a violent or tumultuous manner by any three or more persons; or
- (e) Holding of any unlawful assembly; or
- (f) Interruption of any lawful assembly of people; or
- (g) Urinating or defecating in an open area or in a place open to public view.
- (h) Commission of any act other than the exercise of free speech or free assembly guaranteed by the Constitution of the State of Louisiana, or by the Constitution of the United States of America, in such a manner as to disturb or alarm the public, or to provoke another or others to retaliatory action or violence.

I certify that the above ordinance was adopted by the Town Council of the Town of Madisonville at its regular meeting held on Wednesday, April 13, 1983 at 7:30 p.m. following the reading of said ordinance section by section, on motion by Pat Pelloat and seconded by Ray Stein with the vote thereon as follows:

YEAS: Pelloat, Ostendorf, Pelloat, Stein & Baham

NAYS: None

ABSENT: None


TOWN CLERK


MAYOR

CHAPTER 15

Crimes and Offenses

Section 15.1 The following acts shall constitute the crime of disturbing the peace:

- (a) Engaging in a fistic encounter; or
- (b) Addressing toward another person language which is threatening, profane, obscene, or derisive and which in the manner uttered has a tendency to incite an ordinary addressee to violent retaliatory action and a breach of the peace.
- (c) Appearing in an intoxicated condition; or
- (d) Engaging in any act in a violent or tumultuous manner by any three or more persons; or
- (e) Holding of any unlawful assembly; or
- (f) Interruption of any lawful assembly of people;
or
- (g) Commission of any act other than the exercise of free speech or free assembly guaranteed by the Constitution of the State of Louisiana, or by the Constitution of the United States of America, in such a manner as to disturb or alarm the public, or to provoke another or others to retaliatory action or violence.

Section 15.2 It shall be unlawful for any person to disturb the peace.

Section 15.3 It shall be unlawful for any person to participate in a riot or incite any other person to riot.

Section 15.4 A riot is a public disturbance involving assemblage of three or more persons acting together or in concert which by tumultuous and violent conduct, results in injury or damage to persons or property or creates a clear and present danger of injury or damage to persons or property.

Section 15.5 Inciting to riot is the endeavor by any person to incite or procure any other person to create or participate in a riot.

Section 15.6 Any law enforcement, peace officer, or public official responsible for keeping the peace may issue a

command to disperse under the authority of LSA-R.S. 14:329.1 - 14:329.8 if he reasonably believes that a riot is occurring or about to occur. The command to disperse shall be given in a manner reasonably calculated to be communicated to the assemblage.

Section 15.7 It shall be unlawful for any person to resist arrest or interfere with the Marshall or other peace officer in the discharge of his duty.

Section 15.8 No person or persons shall interfere with the Marshall or other peace officer of the Town of Madisonville, La. by assaulting, abusing, or in any other way interfering with said Officer in discharge of his duty in making arrests, constructing public works or any other duty incumbent on said officer or officers.

Section 15.9 No person shall resist arrest by fighting, assaulting or refusing to go to jail.

Section 15.10 It shall be unlawful for any person to shoot off or explode any anvils, guns or pistols on the streets, side-walks or in any public place or place of business, within the corporate limits of the Town of Madisonville.

Section 15.11 It shall be unlawful for any person or persons to shoot any sky rockets or roman candles at any dwelling house or building or at any person or animal, within the corporate limits of the Town of Madisonville.