

STATE OF MISSISSIPPI

COUNTY OF MONTGOMERY

CITY OF WINONA

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF WINONA, MISSISSIPPI TO PROVIDE FOR AN  
EMERGENCY HALLOWEEN CURFEW AND PROVIDING PENALTIES  
FOR THE VIOLATION THEREOF.**

WHEREAS, the Mayor and Board of Aldermen of the City of Winona, Montgomery County, Mississippi are informed of the necessitous circumstances concerning security concerns associated with Halloween;

AND WHEREAS, the Mayor and Board of Aldermen find it necessary to enact an Emergency Halloween Curfew Ordinance, and to provide penalties for the violation of said Ordinance, in order to provide for the immediate and temporary preservation of the public peace, health and safety, and to provide that said Ordinance take effect immediately as provided by *Miss. Code Ann. §21-13-11* (1972) for the causes and reasons aforesaid.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF WINONA, MISSISSIPPI AS FOLLOWS:

Section 1. That the matters and facts found and adjudged in the preamble to this Ordinance be, and the same are hereby adopted herein.

Section 2. That effective immediately, within the corporate limits of the City of Winona, Mississippi there shall be a curfew on October 31, 2003 and each October 31<sup>st</sup> hereafter until this Ordinance be repealed according to law, as follows, to-wit:

(a.) all trick or treating shall cease at 8:00 o'clock p.m.

(b) all minors under the age of 18 (eighteen) shall be off the streets or any other public place no later than 10:00 o'clock p.m.

Section 3. Penalties:

(a.) For a violation of Section (1) (a) or (b) of this Ordinance a violator may be fined in the amount of \$100.00 and/or ordered to perform 10 hours community service.

Section 4. That this Ordinance shall be in full force and effect immediately upon the unanimous vote of all members of the governing body as provided by *Miss. Code Ann. §21-13-11* (1972).

The above and foregoing Ordinance, having been first reduced to writing, was read and considered section by section, then as whole; the motion to adopt the foregoing Ordinance being made by Alderman Flowers, who was seconded by Alderman Shelton, the vote section by section and a whole being as follows:

1. Section 1-6:

|                                   |           |
|-----------------------------------|-----------|
| Alderman Charles L. Shelton voted | "Absent"; |
| Alderman Milton Whatley voted     | "Aye";    |
| Alderman Jerry Flowers voted      | "Aye";    |
| Alderman James Butts voted        | "Aye";    |
| Alderman David Ware voted         | "Absent"; |

2. As a whole:

|                                     |           |
|-------------------------------------|-----------|
| Alderman Charles L. S Shelton voted | "Absent"; |
| Alderman Milton Whatley voted       | "Aye";    |
| Alderman Jerry Flowers voted        | "Aye";    |
| Alderman James Butts voted          | "Aye";    |
| Alderman David Ware voted           | "Absent"; |

Thereupon, the Mayor declared the motion carried and said Ordinance adopted on this the 21st day of October, 2003.

Avis V. Shivel, Mayor

ATTEST:

Bonita Smith, City Clerk

CERTIFICATE

I, Bonita Smith, the undersigned Clerk of the City of Winona, Mississippi do hereby  
certify that the attached is a true and correct copy of the following titled ordinance:

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY  
OF WINONA, MISSISSIPPI TO PROVIDE FOR AN EMERGENCY  
HALLOWEEN CURFEW AND PROVIDING PENALTIES FOR THE  
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as approved and adopted on the 21ST day of October 2003 and set forth in Minute Book  
Number 57 on pages 7294 - 7295A and in Ordinance Book Number 8  
on pages 585 to 587.

This the 21<sup>ST</sup> day of October, 2003.

  
Bonita Smith, City Clerk