

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD A SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON JUNE 18, 2020 AT 5:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR HAL MARX
ATTORNEY	ROCKY EATON
ALDERMEN	BRAD AMACKER DAVID CLAYTON TONY DUCKER MIKE LOTT CLINT MOORE STEVE STRINGER
	MANY OTHERS

MAYOR MARX DECLARED A QUORUM PRESENT AND DECLARED THE CITY COUNCIL IN SESSION.

NOTICE OF THE SPECIAL MEETING WAS PRESENTED

EXHIBIT "A"

NOTICE OF SPECIAL MEETING

WHEREAS, MAYOR MARX PRESENTED AN ORDINANCE PROHIBITING TARGETED PICKETING IN RESIDENTIAL NEIGHBORHOODS

EXHIBIT "B"

ORDINANCE 2020-143

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN MIKE LOTT
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THOSE PRESENT AND "ABSTAINING"

ALDERMAN CLINT MOORE

WHEREAS, MAYOR MARX PROVIDED THE BOARD AN ORDINANCE REQUIRING A PERMIT FOR PARADES AND MARCHES ON CITY STREETS FOR REVIEW.

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO ADJOURN THE SPECIAL MEETING. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN MIKE LOTT
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THERE BEING NO FURTHER BUSINESS, THE SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON JUNE 18, 2020.


MAYOR HAL MARX




MELISSA MARTIN, CITY CLERK

EXHIBIT "A"

June 18, 2020

There will be a special meeting of the Mayor and Board of Aldermen today at 5 p.m. in the board room at City Hall. The purpose of the meeting is as follows:

1. To adopt Ordinance to prohibit targeted picketing in residential neighborhoods.
2. To begin review of Ordinance requiring permit for parades and marches on city streets.



Mayor Hal Marx

C. "Targeted picketing" means picketing that is directed at a particular dwelling unit and either proceeds on a definite course or route in front of or around that particular dwelling unit or remains within three hundred (300) feet of a particular dwelling unit without substantial movement.

SECTION 3. Targeted Residential Picketing Prohibited.

No person shall engage in targeted picketing activity within three hundred (300) feet of a particular dwelling unit. This section does not and shall not be interpreted to prohibit picketing in a residential area that is not targeted at a particular dwelling unit.

EXHIBIT "B"

SECTION 4. This Ordinance shall be in full force and effect, immediately upon passage. The Board of Aldermen finds that the effective date should be immediate due to continuing and threatened protests and counter-protests in the city which threaten public peace, health and safety.

SECTION 5. That if any section or part of this Ordinance shall be found to be unauthorized or unconstitutional, by a court of competent jurisdiction, it shall not affect the remaining sections of said Ordinance.

SECTION 6. Penalty for violation of this Ordinance shall be a fine, not to exceed \$500.00.

SECTION 7. All other ordinances, in conflict herewith, are hereby repealed.

The above and foregoing Ordinance having been reduced to writing was introduced and voted upon with the following results:

Those present and voting "Aye"

- Alderman Brad Amacker
- Alderman David Clayton
- Alderman Tony Ducker
- Alderman Mike Lott
- Alderman Steve Stringer

Those present and voting "Nay"

None

Those present and "Abstaining"

Alderman Clint Moore

Therefore, the foregoing Ordinance was duly passed, adopted, and approved on this the

18 day of June, 2020.





Mayor Hal Marx

ORDINANCE NUMBER 2020-143
OF THE CITY OF PETAL, MISSISSIPPI

AN ORDINANCE PROHIBITING TARGETED RESIDENTIAL PICKETING, AND ESTABLISHING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI:

SECTION 1. Findings and Statement of Purpose.

A. The Board of Aldermen finds that the preservation and protection of the right to privacy in a residential dwelling unit and the enjoyment of tranquility, well-being and sense of security in a residential dwelling unit are in the public interest and are uniquely and critically important to the public health, safety and welfare.

B. The Board of Aldermen finds that picketing targeted at a particular residential dwelling unit is harmful to the public health, safety and welfare, and must be limited.

C. The Board of Aldermen finds that picketing at or near the borders of a private residence and directed at the inhabitants of the residential dwelling unit is a disfavored activity that is not entitled to a high level of First Amendment protection, according to decisions by State and Federal courts.

D. The Board of Aldermen finds that picketing that is directed at a particular residential dwelling unit and is intended to harass and intimidate the occupants is inherently and unreasonably offensive to and intrusive upon the right to privacy in one's home.

E. The Board of Aldermen finds that a three hundred (300) foot "buffer zone" creates a minimum zone of protection for residents from unwanted harassment and intimidation, but does not prevent picketers from disseminating their message to the general public or to local residents, from a lawful distance.

F. The Board of Aldermen finds that it is the intent of this chapter to protect what the courts have called a "captive audience" inside a targeted residential dwelling unit without stifling any speech that is protected by the First Amendment.

G. The Board of Aldermen finds that this ordinance is intended to establish time, place and manner restrictions that reconcile and protect the First Amendment rights of picketers to peacefully communicate and express their ideas and opinions with the rights of persons to enjoy the right to privacy in their homes.

H. The Board of Aldermen finds that this chapter is not intended to preclude the right to picket in a residential area generally and in such a manner that does not target or focus upon a particular residential dwelling unit.

I. The Board of Aldermen finds that the prohibitions and buffer zones adopted herein leave open ample alternative avenues for communicating messages and ideas by those who wish to picket or protest in the City.

SECTION 2. Definitions.

For the purposes of this Ordinance, the following definitions shall apply:

A. "Picketing" means the presence of a person or a group of people for a demonstration or protest.

B. "Dwelling unit" means any permanent building being used by its occupants solely for non-transient residential uses.

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