

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF SAMBURG, TENNESSEE, ESTABLISHING RULES AND REGULATIONS AT THE SAMBURG BALL PARK.

WHEREAS, the Samburg Board of Mayor and Aldermen has determined that it is necessary to adopt and enforce reasonable rules and regulations to assure the orderly operation and maintenance of the municipal property commonly known as the Samburg Ball Park; and,

WHEREAS, Section 6, paragraph (9) of the Samburg Town Charter authorizes the Board of Mayor and Aldermen to “make all necessary regulations and laws to secure the health, safety, peace and comfort of all the inhabitants of the Town; and,

WHEREAS, Section 6, paragraph (15) of the Samburg Town Charter authorizes the Board of Mayor and Aldermen to “regulate or prevent the discharge of firearms, firecrackers, or any other explosive within the corporate limits” of Samburg; and,

WHEREAS, Section 6, paragraph (26) of the Samburg Town Charter authorizes the Board of Mayor and Aldermen to “provide for the prevention and extinguishment of fires” within the corporate limits of Samburg.

NOW, THEREFORE, BE IT ORDAINED BY THE SAMBURG, TENNESSEE, BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

1. Definitions. For the purposes of interpreting and enforcing this ordinance, the following definitions shall apply:

- (a) “Samburg ball park” shall refer to the park and recreational facilities owned by the Town of Samburg and generally located east of Reelfoot Avenue and South of Tennessee Highway 22.
- (b) “Intoxicating liquors, intoxicating drinks” shall mean all liquors, alcohol, spirits, wine, and other substances as enumerated in the Tennessee Code Annotated 57-2-101.
- (c) “Beer” shall mean all beverages defined as beer in the Tennessee Code Annotated 57-5-101.
- (d) “Fireworks” shall mean any explosive device or article as enumerated in the Tennessee Code Annotated 68-104-101.
- (e) “Firearms” shall include pistols, rifles, shotguns, or other weapons capable of discharging a bullet or shotgun shell.

2. Hours of operation. The Samburg ball park shall be open to the public every day between the hours of 7:00am and 9:00pm. It shall be unlawful for any person to be in the Samburg ball park between the hours of 9:00pm and 7:00am without the prior, written approval of the Mayor of Samburg.

3. Intoxicating liquors, intoxicating drinks, and beer prohibited. It shall be unlawful for any person to possess, consume, transport, sell, or dispense any type of beer, liquor or any other

alcoholic beverage in the Samburg ball park.

4. Fireworks prohibited. It shall be unlawful for any person to possess, discharge, or sell fireworks within the Samburg ball park without the prior, written approval of the Mayor of Samburg.

5. Firearms prohibited. It shall be unlawful for any person to possess, display, or discharge any firearm within the Samburg ball park.

6. Fires prohibited. It shall be unlawful for any person or group of persons to ignite, attempt to ignite, or maintain a fire within the Samburg ball park, except that nothing in this Ordinance shall be construed to prohibit the use of privately or publicly owned barbecue grills, cookstoves, or such other similar implements designed for the cooking of food.

7. Penalty for Violation. All persons found to be in violation of any provision of this Ordinance shall be subject to a fine in the Samburg municipal court not to exceed fifty dollars (\$50.00) plus any and all applicable court costs.

8. Effective Date. This ordinance shall be in full force and effect from and after its date of passage by the Board of Mayor and Aldermen.

9. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or Federal law or regulation, such decision or legislation shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

10. Repealer. All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

PASSED AND APPROVED THIS ____ DAY OF _____, 2003 BY A ROLL CALL VOTE OF THE SAMBURG BOARD OF MAYOR AND ALDERMEN.

DATE OF 1ST READING: _____ DATE OF 2ND READING: _____

FRANKIE VANCLEAVE, MAYOR

ATTEST: _____
City Recorder