

**CITY OF DAPHNE
ORDINANCE 2005 - 03**

**ORDINANCE TO AMEND ORDINANCE 2003-17
ESTABLISHING POLICIES FOR MARDI GRAS PARADES**

WHEREAS, the City of Daphne Public Safety Committee at their regular meeting held on January 11, 2005, considered certain amendments to the Ordinance To Establish Policies of Mardi Gras Parades and setforth an **affirmative recommendation** to the City Council of the City of Daphne that said amendments should be affirmed; and,

WHEREAS, due notice of the said amendment has been presented to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and,

WHEREAS, the Mayor and City Council of the City of Daphne, after due consideration, deemed that the amendments requested are proper and believe it to be in the best interest of the City that said amendments be affirmed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THAT SECTIONS "6" AND "9" OF ORDINANCE 2003-17 SHALL BE AND ARE HEREBY AMENDED AS FOLLOWS:

1. **SECTION SIX:** Section Six of Ordinance 2003-17 is hereby deleted in its entirety and replaced as follows:

SECTION SIX: THROWS

- A. Throws shall be limited to the following:

1. Trinkets

- a. Doubloons (plastic, wood, or aluminum).
- b. Beads (no glass beads allowed).
- c. Plastic air inflated items such as frogs, hand grenades, billy clubs, cigars, toothbrushes, etc.
- d. Soft stuffed toys.
- e. Frisbees, coasters, and skimmer rings (8" or less).
- f. Empty plastic cups.
- g. Stemmed roses.
- h. Clothing items approved by the Mardi Gras organization such as caps, garters, sun visors, etc.
- i. Serpentine.

2. Candies / Foodstuffs

- a. Any type of soft candy wrapped in plastic or twist wrapper.
- b. Bubble gum must be twist wrapped.
- c. Peanut butter and taffy kisses.
- d. Peanuts, popcorn, crackers and crackerjacks must be in bags.

3. Moon Pies

- a. All moon pies made in compliance with the rules, regulations and standards applicable thereto established by the United States Food and Drug Administration, regardless of place of manufacture.

B. The following throws are strictly prohibited:

1. Trinkets

- a. Rubber balls or other hard type balls.
- b. Hard or heavy bean bags.
- c. Glass products of any type.

2. Moon pies

- a. Moon pies not made or manufactured in compliance with the rules, regulations and standards of the United States Food and Drug Administration, and so indicated on its packaging.

3. Candies / Foodstuffs

- a. Candies or foodstuffs in pasteboard boxes of any type.
- b. Kool pops.
- c. Candy apples.
- d. Bubble gum that is not twist wrapped.
- e. Candy canes or stick candies.
- f. Frozen candy bars or any of the above listed allowable foodstuffs frozen.

C. The handing of throws directly from the floats is strictly prohibited.

2. **SECTION NINE:** Section Nine of Ordinance 2003-17 is hereby deleted in its entirety and replaced as follows:

SECTION NINE: TRASH

That all trash shall be kept on the float until the end of the parade. The float shall be clean and free of debris prior to transporting said float to its place of storage, but in not event, less than 1 hour after the end of the parade. Maskers shall not throw trash from the float before or during the parade. Each masker shall be fined twenty-five dollars (\$25.00) for throwing trash from the float. Each instance shall constitute a separate offense.

3. SEVERABILITY

If any article, section, sentence, clause or phrase in this Ordinance is, for any reason, held to be invalid or unconstitutional by declaration of any Court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this Ordinance.

4. REAFFIRMATION

That all other sections of Ordinance 2003-17 not specifically referenced or amended herein shall remain in full force and effect.

5. EFFECTIVE DATE

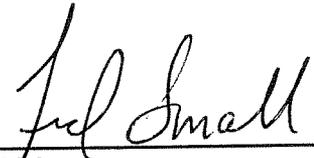
That the provisions of this ordinance shall become effective upon the approval and publication as prescribed by law.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this 19th day of January, 2005.



**GREG BURNAM
COUNCIL PRESIDENT**

Date & Time Signed: 1-20-05 PRES,



**FRED SMALL
MAYOR**

Date & Time Signed: 1-20-05 17:10

ATTEST:



DAVID L. COHEN, CITY CLERK, MMC