

ORDINANCE NO. 1495

AN EMERGENCY ORDINANCE to amend Chapter 23 of The Code of the City of Alexandria, Virginia, 1963, as amended, by adding thereto a new section numbered 23-36.1; which Chapter 23 relates to OFFENSES; MISCELLANEOUS, and which new Section 23-36.1 relates to ENTERING, SWIMMING, WADING OR BATHING IN MARKET SQUARE POOL AND FOUNTAIN; PROHIBITED.

WHEREAS, in front of the City Hall there is a plaza known as Market Square, in the center of which is located a pool and fountain for the beautification of the square and the enjoyment and pleasure of all visitors to and residents of the City; and

WHEREAS, many persons of varied ages have entered the pool and fountain and used them for swimming, wading, bathing and miscellaneous purposes; and

WHEREAS, the pool and fountain were not constructed for swimming, wading or bathing purposes and there are no toilet facilities on Market Square and no bathhouse facilities either on Market Square or within the surrounding areas; and persons using the pool have used the elevator house and stairwell as a bathhouse and toilet; and

WHEREAS, the bottom of the pool is slippery and contains hazardous obstructions and depressions and persons have in fact been injured while using the pool; and

WHEREAS, persons using the pool have damaged lights in the pool and fountain; and

WHEREAS, persons using the pool have disturbed the comfort and repose of other persons using the adjacent areas of the square; and

WHEREAS, lights and shrubbery in the vicinity of the pool have been damaged; and

WHEREAS, in the opinion of Council such continued use of the Market Square pool and fountain is not in the best interest of the public health, safety and welfare; now, therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 23 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new section numbered 23-36.1 to read as follows:

Sec. 23-36.1. Entering, swimming, wading or bathing in Market Square pool and fountain; prohibited.

Except for public officials or employees entering the pool in the performance of their duties, it shall be unlawful for any person to in any manner enter, swim, wade or bathe in the pool and fountain in Market

Square, which square lies between the one hundred blocks of North Royal and North Fairfax Streets, bounded on the south by King Street and on the north by City Hall; provided that such pool has been posted with signs that indicate entering, swimming, wading or bathing is prohibited.

Section 2. That in the opinion of the City Council an emergency exists and this ordinance is hereby declared an EMERGENCY ORDINANCE in order to immediately protect the safety, health and welfare of persons in Market Square in front of City Hall.

Section 3. That this EMERGENCY ORDINANCE shall not be published in a newspaper. The Clerk of the Council shall note the date of introduction, first reading, public hearing, second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

FINAL PASSAGE: JULY 9, 1968.