

ORDINANCE NO. 2427

AN ORDINANCE to amend Chapter 23 by adding new sections numbered 23-13.1 and 23-13.2, to amend and reordain Section 23-39, Section 23-43, Chapter 23 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 23 relates to OFFENSES--MISCELLANEOUS, which new Section 23-13.1 relates to EXCEPTIONS--CERTAIN SPORTING EVENTS, which new Section 23-13.2 relates to SAME--PRIVATE RESIDENCES, which Section 23-39 formerly related to RIOTOUS OR DISORDERLY CONDUCT and now relates to DISORDERLY CONDUCT, and which Section 23-43 relates to TRESPASS AFTER HAVING BEEN FORBIDDEN TO DO SO.

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 a new section numbered 23-13.1 to read as follows:

Sec. 23-13.1. Exceptions--Certain sporting events.

Nothing in this chapter shall be construed to prevent any contest of speed or skill between persons, animals, fowl or vehicles, where participants may receive prizes or different percentages of a purse, stake or premium dependent upon whether they win or lose or dependent upon their position or score at the end of such contest; except that no person shall engage in the fighting of cocks, dogs or other animals, for money, prizes or anything of value, or upon the result of which any money or other thing of value is bet or wagered, or to which an admission fee is charged, directly or indirectly.

Any participant in a contest of speed or skill who, for the purpose of competing for any such purse, stake or premium offered in any such contest, knowingly and fraudulently enters any contestant other than the contestant purported to be entered or knowingly and fraudulently enters a contestant in a class in which it does not belong, and any person who engages in the fighting of cocks, dogs or other animals, as described above, shall be punished by a fine of not more than five hundred dollars (\$500.00).

Section 2. That Chapter 23 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding a new section numbered 23-13.2 to read as follows:

Sec. 23-13.2. Same--Private residences.

Nothing in this chapter shall be construed to make it illegal to participate in a game of chance conducted in a private residence, provided such private residence is not commonly used for such games of chance and there is no operator. An operator includes any person, firm or association of persons, who conducts, finances, manages, supervises, directs or owns all or part of an illegal gambling enterprise, activity or operation.

Section 3. That Section 23-39, Chapter 23 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 23-39. Disorderly conduct.

A person is guilty of disorderly conduct if, with the intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he:

(a) In any street, highway, public building, or while in or on a public conveyance, or public place, engages in conduct having a direct tendency to cause acts of violence by the person or persons at whom, individually, such conduct is directed; provided, however, such conduct shall not be deemed to include the utterance or display of any words or to include conduct otherwise made punishable under this chapter.

(b) Willfully, or being intoxicated, whether willfully or not, disrupts any meeting of the city council or any department, agency, board or commission of this city, or of any school, literary society or place of religious worship, if such disruption prevents or interferes with the orderly conduct of such meeting or has a direct tendency to cause acts of violence by the person or persons at whom, individually, such disruption is directed; provided, however, such conduct shall not be deemed to include the utterance or display of any words or to include conduct otherwise made punishable under this chapter.

(c) Urinates or defecates in any public place or in any place open to the public or exposed to public view or upon the surface of the ground or upon any premises, lot or in any building, basement or in any public street, or into any standing water, stream or excavation or public place other than a proper toilet or portable toilet.

(d) Becomes or is drunk in public or is under the influence of intoxicating liquor upon any sidewalk or street or in or about any public building or public place.

(e) Causes, provokes, engages in or congregates with another or others for the purpose of engaging in any fight, brawl or riot so as to endanger the life, limb, health or property of another or public property wherever located.

(f) Engages in conduct constituting open and gross lewdness and lasciviousness.

(g) Willfully, maliciously or negligently destroys, injures or removes without authority any property of the city wherever situated or the private property of any person.

(h) Utters any unreasonably loud or unnecessary noise or any lewd or obscene words or epithets in an unreasonably loud manner.

The person in charge of any such building, place, conveyance or meeting may eject therefrom any person who violates any provision of this section, with the aid, if necessary, of any persons who may be called upon for such purpose.

Anyone convicted of a violation of this section shall be punished by confinement in jail for not more than twelve (12) months and a fine of not more than one thousand dollars (\$1,000.00), either or both.

Section 4. That Section 23-43 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 23-43. Trespass after having been forbidden to do so.

If any person shall, without authority of law, go upon or remain upon the lands or premises of another, after having been forbidden to do so by the owner, lessee, custodian or other person lawfully in charge or possession of such land, he shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

Section 5. That the title of and informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the 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

Introduction: 11/13/79
First Reading: 11/13/79
Publication: 11/16/79

Public Hearing: 11/17/79
Second Reading: 1/8/80
Final Passage: 1/8/80

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