

ORDINANCE NUMBER 03-2022-05

AN ORDINANCE REPEALING AND REPLACING ANY ORDINANCE IN CONFLICT OF THE PROVISIONS OF THIS ORDINANCE, ESTABLISHING POLICIES FOR OFFENSES AGAINST PUBLIC ORDER WITHIN THE CORPORATE LIMITS OF THE CITY OF GENEVA, ALABAMA AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENEVA ALABAMA, AS FOLLOWS:

**ARTICLE I**

SHORT TITLE

Short Title. This Ordinance shall be cited as the “Assaulting or harassing a public safety officer, judicial official, elected official, department head, building inspector, code enforcement officer or the city clerk of Geneva, Alabama”.

**ARTICLE II**

PURPOSE

Purpose. This Ordinance is enacted for the protection of a public safety officer, judicial official, elected official, department head, building inspector, code enforcement officer or the city clerk of the City of Geneva, Alabama.

**ARTICLE III**

OFFENSES AGAINST PUBLIC ORDER

Sec. 22-37. Assaulting or harassing a public safety officer, judicial official, elected official, department head, building inspector, code enforcement officer or the city clerk.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Public safety officer means any peace officer; any city firefighter, fire medic, jail security officer, traffic or parking enforcement officer, public safety dispatcher, revenue officer, fire official or reserve police officer; any permitted EMT or other employee of a licensed ambulance service within the city; any city magistrate, court clerk, judge, city attorney, city prosecutor, mayor and city council members, city clerk, and city department heads.

(b) Assault or harassment by physical contact a misdemeanor. Any person who assaults, attempts to assault, harasses by physical contact, menaces with any object or weapon, or places any public safety officer, or the officials described in subsection (a) of this section, in danger by their

negligence or reckless actions, during the performance of their duties or as a result of their position or job, shall be guilty of a misdemeanor.

(c) Assault or harassment by telephone, mail, electronic or other means a misdemeanor. It shall be unlawful for any person to communicate with, call by telephone, communicate with electronically or in writing, to verbally harass or annoy, any public safety officer, or above enumerated officials, during the performance of their duties, or as a result of their position or job. Such person shall be guilty of a misdemeanor.

(d) Violators of section to be fined and jailed. Any person found guilty of violating any part of this section shall receive a minimum fine of \$250.00 and a minimum jail sentence of 30 days. Neither the fine nor sentence shall be suspended.

#### Article IV

This ordinance shall become effective on publication.

#### ARTICLE V

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

#### ARTICLE VI

PUBLICATION

This Ordinance shall be published in the Geneva County Reaper, a newspaper published in Geneva County, Alabama as required by law.

ADOPTED AND APPROVED on this 7th day of March, 2022.

The City of Geneva, Alabama

By: \_\_\_\_\_

David Hayes, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Johnson, City Clerk