

ORDINANCE NO. 2005-08

**AN ORDINANCE TO REPEAL ORDINANCE NO. 1
AND DECLARING AN EMERGENCY**

WHEREAS, The Clinton City Council, on April 19, 1938, passed Ordinance No. 1 which prohibited Profane or Abusive language; and,

WHEREAS, Ordinance No. 1, although having never been enforced, is an unconstitutional prior restraint of free speech guaranteed by the First Amendment to the United States Constitution; and,

WHEREAS, the current City Council of the City of Clinton desires that all of the Ordinances of the City be constitutional and enforceable;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF CLINTON, ARKANSAS:**

Section 1. Ordinance No. 1 is hereby repealed in its entirety.

Section 2. The legality of its Ordinances is essential to the effective administration of the City of Clinton, therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and publication as required by law.


PASSED: February 10, 2005

APPROVED:



Chip Ellis, Mayor

ATTEST:



Merl Eoff, City Clerk

APPROVED AS TO LEGAL FORM:



Brad A. Cazort, City Attorney