

years of age to be present at a sexual encounter business.

Section 50. Immunity from prosecution.

The City and any and all of its officers, departments or agents and any law enforcement officer shall be immune from prosecution, civil or criminal, for the reasonable, good faith trespass upon a sexually oriented business or an adult entertainment establishment while acting within the scope of the authority set forth in this Article.

Section 51. Severability Clause.

If any provision of this Code or its application to any person or circumstance is held invalid, unenforceable or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Code that can be given effect without the invalid, unenforceable or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

Section 52. Supplementation of Code.

The City of Midway is in the process of codifying all City Ordinances into a City Code Book. To this end, the following shall apply.

(a) Supplements to the Code shall be prepared and printed whenever authorized or directed by the City. A supplement to this Code shall include all substantive permanent and general parts of ordinances passed by the City Council or adopted by initiative and referendum during the period covered by the supplement and all changes made thereby in the Code, and shall also include all amendments to the Charter during the period. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.

(b) In preparing a supplement of this code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.

(c) When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the codifier may:

- (1) Arrange the material into appropriate organizational units;
- (2) Supply appropriate catchlines, headings and titles for chapters, articles, divisions, sections and subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles.
- (3) Assign appropriate numbers to chapters, articles, divisions, sections and subdivisions to be inserted in the Code, and, where necessary to accommodate new material, change existing numbers assigned to chapters, articles, divisions, sections or subdivisions;
- (4) Change the words "this ordinance" or words of the same meaning to "this chapter", "this article", "this division", "this subdivision", "this section", or "sections \_\_\_\_ to \_\_\_\_" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code) and;
- (5) Make other nonsubstantive changes necessary to preserve the original meaning of the ordinance sections inserted into the Code, but, in no case, shall the codifier make any changes in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

Section 53. This ordinance shall become effective in accordance with law.

**INTRODUCED and read the First Time at a regularly scheduled City Council meeting on Thursday, October 7, 2004.**

**READ THE SECOND TIME AND ADOPTED by the City Council of the City of Midway at a**

regularly scheduled City Council meeting on Thursday, \_\_\_\_\_  
November 4, 2004.

*Delores Madison*

**Delores Madison, Mayor**

**ATTEST:**

*Francis Harrell*  
**Francis Harrell**