

TITLE XIII: GENERAL OFFENSES

Chapter

- 130. OFFENSES AGAINST PUBLIC ADMINISTRATION**
- 131. OFFENSES AGAINST PROPERTY**
- 132. OFFENSES AGAINST PUBLIC PEACE AND SAFETY**
- 133. OFFENSES BY OR AGAINST MINORS**

CHAPTER 130: OFFENSES AGAINST PUBLIC ADMINISTRATION

Section

- 130.01 Resisting, escaping from or assaulting an officer
- 130.02 Impersonating an officer
- 130.03 False emergency alarms prohibited
- 130.04 Interference with City Engineer, instruments and stakes
- 130.05 Hindering firefighters; injuring fire apparatus
- 130.06 Driving over hose
- 130.07 Displaying license unlawfully

§ 130.01 RESISTING, ESCAPING FROM OR ASSAULTING AN OFFICER.

(A) No person shall resist or obstruct any police officer in the performance of any official duty, nor in any way aid or assist any person to resist or escape from any such officer, nor assist any person to escape from any lawful confinement.

(B) No person shall assault or strike any police officer, nor in any way interfere with a police officer in the discharge of his or her duty.

(Prior Code, § 9.04.010) Penalty, see § 10.99

§ 130.02 IMPERSONATING AN OFFICER.

No person not duly authorized shall exercise the duties conferred by law upon any police officer, wear a police officer's badge or represent himself or herself as being a police officer or peace officer, or attempt to exercise the duties of a police officer or peace officer.

(Prior Code, § 9.04.020) Penalty, see § 10.99

§ 130.03 FALSE EMERGENCY ALARMS PROHIBITED.

No person shall knowingly make or give any false alarm of fire or other emergency, by calling or causing to be called the Fire Department, the police officers or any authorized emergency vehicle.

(Prior Code, § 9.04.030) Penalty, see § 10.99

§ 130.04 INTERFERENCE WITH CITY ENGINEER, INSTRUMENTS AND STAKES.

No person shall interfere with the City Engineer while engaged in his or her official duties in any manner or by driving any vehicle of any kind against the person, surveying instruments or apparatus of the City Engineer or any of his or her assistants, or by moving or displaying any stake, monument or benchmark fixed or located by him or her or his or her assistants.

(Prior Code, § 9.04.040) Penalty, see § 10.99

§ 130.05 HINDERING FIREFIGHTERS; INJURING FIRE APPARATUS.

Any person who willfully hinders or delays any officer or firefighter in the performance of his or her duties at a fire or willfully injures, defaces or interferes with any of the fire apparatus belonging to the city shall, upon conviction, be punished by fine and imprisonment as provided in § 10.99 of this code of ordinances.

(Prior Code, § 9.04.050) Penalty, see § 10.99

§ 130.06 DRIVING OVER HOSE.

Any person who drives or pulls a wagon or other vehicle over any unprotected hose of the Fire Department of the city when laid on a street or alley to be used at any fire, or alarm of fire, or while at practice without the consent of the Chief or such other person as may be in command, shall, upon conviction, be punished by fine and imprisonment as provided in § 10.99 of this code of ordinances.

(Prior Code, § 9.04.060) Penalty, see § 10.99

§ 130.07 DISPLAYING LICENSE UNLAWFULLY.

No person shall carry or display any city license or permit which has been terminated or revoked or which has not been lawfully procured and issued.

(Prior Code, § 9.04.070) Penalty, see § 10.99

CHAPTER 131: OFFENSES AGAINST PROPERTY

Section

- 131.01 Injuring city signs
- 131.02 Traffic signs; defacement or unauthorized placement
- 131.03 Destroying trees and plants
- 131.04 Interference with electric light posts and apparatus
- 131.05 Unauthorized connection with gas, water or electrical pipe or wire
- 131.06 Interference with city property
- 131.07 Destroying property
- 131.08 Fences
- 131.09 Larceny; grand larceny

§ 131.01 INJURING CITY SIGNS.

No person shall deface, remove, change, mar or in any way interfere with or obliterate either wholly or in part any sign, signboard or card placed, posted, extended or erected by the city.
(Prior Code, § 9.08.010) Penalty, see § 10.99

§ 131.02 TRAFFIC SIGNS; DEFACEMENT OR UNAUTHORIZED PLACEMENT.

(A) No person shall deface, injure, move, obstruct or interfere with any official traffic sign or signal, street sign or parking meter.

(B) No person shall place, maintain or display upon or in view of any street any unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic. Every such prohibited sign, signal or device is declared to be a public nuisance, and the Chief of Police is empowered to remove the same or cause the same to be removed without notice.

(Prior Code, § 9.08.020) Penalty, see § 10.99

§ 131.03 DESTROYING TREES AND PLANTS.

(A) No person shall willfully injure, destroy or deface any tree, shrub, plant or grass in any parking lot or park.

(B) No person shall willfully injure or destroy any cultivated fruits or vegetables, ornamental trees, shrubs, hedges, vines or flowers, nor injure or carry off any of the products thereof which are the property of another.

(Prior Code, § 9.08.030) Penalty, see § 10.99

§ 131.04 INTERFERENCE WITH ELECTRIC LIGHT POSTS AND APPARATUS.

No person shall interfere with, injure, break or jar any electric light, telephone, telegraph or fire alarm system, post or pole or apparatus in any manner, or climb any telegraph, telephone, electric light or fire alarm pole without being properly authorized to do so.

(Prior Code, § 9.08.040) Penalty, see § 10.99

§ 131.05 UNAUTHORIZED CONNECTION WITH GAS, WATER OR ELECTRICAL PIPE OR WIRE.

No person shall, without lawful authority, connect or cause to be connected with any main service pipe, wire or other conductor of any gas, water or electrical energy, any pipe, wire or other device for the purpose of obtaining gas, water or electrical current therefrom, nor shall with intent to defraud, connect or cause to be connected with any meter installed for the purpose of registering the amount of gas, water or electricity supplied to any customer, any pipe, wire or other device or disconnect, change or in any manner so interfere with any such meter or any pipe, wire or appliance connected therewith, that such meter will not measure or register the full amount of gas, water or electricity supplied to any customer.

(Prior Code, § 9.08.050) Penalty, see § 10.99

§ 131.06 INTERFERENCE WITH CITY PROPERTY.

(A) No person shall climb or in any manner interfere with any building, water tower, bridge or structure belonging to the city, without being authorized so to do by the city.

(B) No person shall in any manner injure or deface any such structure.

(Prior Code, § 9.08.060) Penalty, see § 10.99

§ 131.07 DESTROYING PROPERTY.

No person shall willfully damage, deface, break, destroy or interfere with the property of the city or of another person.

(Prior Code, § 9.08.070) Penalty, see § 10.99

§ 131.08 FENCES.

No person, firm or corporation shall hereafter construct, erect or maintain or cause to be constructed, erected or maintained in the city, any fences of any character or material, exceeding seven feet in height, above the sidewalk or the surface of any lot or parcel of land; provided that, any such fence so constructed, erected or maintained shall not exceed five feet in height when the same is within 40 feet of the street line; and, provided further that, no fence or any part thereof shall be constructed of barbed wire; provided that, this restriction shall not apply to the fencing or enclosing of any field or ground used for athletic purposes.

(Prior Code, § 9.08.080) Penalty, see § 10.99

§ 131.09 LARCENY; GRAND LARCENY.

(A) "*Larceny*" defined. The crime of **LARCENY** is the taking of the personal property accomplished by fraud or stealth and with intent to deprive another thereof.

(Prior Code, § 9.08.090)

(B) "*Grand larceny*" defined.

(1) **GRAND LARCENY** is larceny committed in any of the following cases:

(a) When the value of the property taken is of a value exceeding \$50; or

(b) When such property, although not of a value exceeding \$50, is taken from the person of another; and

(c) Larceny in all other cases is "petit larceny".

(Prior Code, § 9.08.100)

(2) Any person who commits the crime of larceny as classified in division (B)(1)(c) above within the city limits shall be guilty of a misdemeanor and shall be punished as provided in § 10.99 of this code of ordinances.

(Prior Code, § 9.08.110)

(Ord. 229, passed - -1965) Penalty, see § 10.99

CHAPTER 132: OFFENSES AGAINST PUBLIC PEACE AND SAFETY

Section

General Provisions

- 132.01 Disturbing the peace
- 132.02 Gatherings on streets
- 132.03 Crowds obstructing streets
- 132.04 Goods on sidewalks
- 132.05 Consumer protection

Weapons

- 132.20 Discharge of firearms or air rifles

GENERAL PROVISIONS

§ 132.01 DISTURBING THE PEACE.

No person shall disturb the peace of the city or of any person by violent, tumultuous or offensive conduct, or by loud or unusual noise or by profane, obscene, indecent, violent or threatening language, or by assaulting, striking or attempting to assault or strike another person, or inviting or defying another person to fight or quarrel, or by willfully and maliciously destroying or attempting to destroy or injure any property belonging to another, or by engaging in a fight with another.

(Prior Code, § 9.12.010) Penalty, see § 10.99

§ 132.02 GATHERINGS ON STREETS.

No person shall call or cause the gathering of any crowd of people or address or exhibit any show or performance to such crowd in any alley, street or other public ground of the city, without the written permission of the Mayor.

(Prior Code, § 9.12.020) Penalty, see § 10.99

§ 132.03 CROWDS OBSTRUCTING STREETS.

It is unlawful for persons to gather in crowds or groups or for any person to stand on any public street or sidewalk in such manner as to obstruct free passage thereon, or to annoy other persons passing along the same, and any police officer is authorized to disperse any crowd or group or to cause the removal of any person violating the provisions of this section and to summarily arrest any person in case of refusal to obey any reasonable direction given by such officer for the purpose of clearing the way or preventing annoyance to any passerby on any public street or sidewalk.

(Prior Code, § 9.12.030) Penalty, see § 10.99

§ 132.04 GOODS ON SIDEWALKS.

No person shall place any goods or merchandise for sale or exhibition upon any sidewalk; except that, for the purpose of loading or unloading, such articles may be placed upon the outer side of the sidewalk for such time as may be necessary to load or unload the same, but in no instance shall any such articles be left upon the sidewalk in the nighttime or in such a way as to obstruct the sidewalk.

(Prior Code, § 9.12.040) Penalty, see § 10.99

§ 132.05 CONSUMER PROTECTION.

(A) No person shall put up, erect, hang, post or suffer to remain so placed, any sign, poster, notice or other advertising matter, upon any telephone, telegraph or electric light pole in the city.

(B) No person shall paint, print, write, post or in any manner place upon any sidewalk, pavement or crosswalk in the city any letters, words, figures, signs, pictures, notices or advertisement of any kind.

(Prior Code, § 9.32.010) Penalty, see § 10.99

WEAPONS**§ 132.20 DISCHARGE OF FIREARMS OR AIR RIFLES.**

It is unlawful for any person, except a public officer or specially appointed officer in the discharge of his or her duty, to discharge or fire any gun, air rifle, sling shot or other dangerous weapon within the limits of the city.

(Prior Code, § 9.24.020) Penalty, see § 10.99

CHAPTER 133: OFFENSES BY OR AGAINST MINORS

Section

133.01 Loitering; times and places; responsibility

133.99 Penalty

§ 133.01 LOITERING; TIMES AND PLACES; RESPONSIBILITY.

(A) *Prohibited times and places.* It is unlawful for any minor person under the age of 16 to loiter, idle, wander, stroll or play, ride or be in any motor vehicle in or upon the public streets, highways, roads, alleys, parks, public buildings, places of amusement and entertainment, vacant lots or other unsupervised places, or to be or remain in any dance hall, restaurant, café, theater or other public place between the hours of 10:30 p.m. and 5:00 a.m. of the following day, official city time; provided, however, that, the provisions of this division (A) do not apply to a minor accompanied by his or her parents, guardian or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business, directed by his or her parent or guardian or other adult person having the care or custody of the minor; and, provided further that, this division (A) does not in any way apply to any minor after he or she shall have reached his or her seventeenth birthday unless exempted under division (D) of this section.

(Prior Code, § 9.20.010)

(B) *Responsibility of parents.* It is unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of 16 to knowingly permit such minor to loiter, idle, wander, stroll or play or ride or be in any motor vehicle upon the public streets, highways, roads, alleys, playgrounds or other public grounds, public places or public buildings, places of amusement, vacant lots or other unsupervised places, or to be or remain in any dance hall, restaurant, café, theater or other public place between the hours of 10:30 p.m. and 5:00 a.m. of the following day, official city time; provided, however, that, the provisions of this division (B) do not apply when the minor is accompanied by his or her parent, guardian or other adult person having the care and custody of the minor, or when the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of the minor unless exempted under division (D) of this section.

(Prior Code, § 9.20.020)

(C) *Responsibility of others.* It is unlawful for any person, firm or corporation operating places of amusement and entertainment, restaurants, cafés, theaters or other public places to permit minors to enter

or remain in such place of amusement and entertainment, restaurant, café, theater or other public place during the hours prohibited under this chapter, or owner or operator of any motor vehicle to permit or allow any minor to be in or ride in such motor vehicle during the hours prohibited by this section; provided, however, that, the provisions of this division (C) do not apply when the minor is accompanied by his or her parent, guardian or other adult person having the care and custody of the minor unless exempted under division (D) of this section.

(Prior Code, § 9.20.030)

(D) It is an exemption to a violation under this section that the person engaged in the prohibited conduct while:

- (1) Accompanied by the minor's parent or guardian;
- (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
- (3) In a motor vehicle involved in interstate travel;
- (4) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
- (5) Involved in an emergency;
- (6) On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the Police Department about the minor's presence;
- (7) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;
- (8) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
- (9) Married or had been married or had disabilities of minority removed in accordance with state law.

Penalty, see § 133.99

§ 133.99 PENALTY.

Any minor violating the provisions of § 133.01 of this chapter shall be taken into custody by the Chief of Police and for the first offense shall be immediately delivered into the custody of the parent, guardian or other legal custodian of such minor. Upon a subsequent violation, the minor shall be taken

by the officer before the city's Justice of the Peace and charged with the violation of § 133.01 of this chapter; or may be brought before the County Court and dealt with in accordance with the Juvenile Court Law and procedure. Any parent, guardian or person having the care and custody of a minor or any other person violating the provisions of § 133.01(B) and (C) of this chapter shall be fined in a sum not exceeding \$100 or confined in jail not more than 30 days or punished by both such fine and imprisonment for each offense.

(Prior Code, § 9.20.040)

