

Title 9

PUBLIC PEACE, MORALS AND WELFARE

Chapters:

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Chapter 9.04

OFFENSES BY OR AGAINST PUBLIC OFFICERS AND GOVERNMENT

Sections:

- 9.04.010 Resisting, escaping from or assaulting an officer.
- 9.04.020 Impersonating an officer.
- 9.04.030 False emergency alarms prohibited.
- 9.04.040 Interference with city engineer, instruments, stakes.
- 9.04.050 Hindering firemen and injuring fire apparatus.
- 9.04.060 Driving over hose.
- 9.04.070 Displaying license unlawfully.

9.04.010 Resisting, escaping from or assaulting an officer. 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. No person shall assault or strike any police officer, nor in any way interfere with a police officer in the discharge of his duty. (1957 Rev. Ord. §7.0106)

9.04.020 Impersonating an officer. No person not duly authorized shall exercise the duties conferred by law upon any policeman, wear a policemen's badge or represent himself as being a policeman or peace officer, or attempt to exercise the duties of a policeman or peace officer. (1957 Rev. Ord. §7.0107)

9.04.030 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. (1957 Rev. Ord. §7.0113)

9.04.040 Interference with city engineer, instruments, stakes. No person shall interfere with the city engineer while engaged in his 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 assistants, or by moving or displaying any stake, monument or bench mark fixed or located by him or his assistants. (1957 Rev. Ord. §7.0306)

9.04.050 Hindering firemen and injuring fire apparatus. Any person who willfully hinders or delays any officer or fireman in the performance of his 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 Chapter 1.12 of this code. (1957 Rev. Ord. §7.0317)

9.04.060 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 Chapter 1.12 of this code. (1957 Rev. Ord. §7.0318)

9.04.070 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. (1957 Rev. Ord. §7.0114)

Chapter 9.08

OFFENSES AGAINST PROPERTY

Sections:

- 9.08.010 Injuring city signs.
- 9.08.020 Traffic signs--Defacement or unauthorized placement.
- 9.08.030 Destroying trees and plants.
- 9.08.040 Interference with electric light posts and apparatus.
- 9.08.050 Unauthorized connection with gas, water or electrical pipe or wire.
- 9.08.060 Interference with city property.
- 9.08.070 Destroying property.
- 9.08.080 Fences.
- 9.08.090 Larceny defined.
- 9.08.100 Grand larceny defined.
- 9.08.110 Violation--Penalty.

9.08.010 Injuring 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. (1957 Rev. Ord. §7.0301)

9.08.020 Traffic signs--Defacement or unauthorized placement. A. No person shall deface, injure, move, obstruct or interfere with any official traffic sign or signal, or 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 coed §7.0302)

9.08.030 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. (1957 Rev. Ord. §7.0303)

9.08.040 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. (1957 Rev. Ord. §7.0304)

9.08.050 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. (1957 Rev. Ord. §7.0305)

9.08.060 Interference with city property. 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; and no person shall in any manner injure or deface any such structure. (1957 Rev. Ord. §7.0307)

9.08.070 Destroying property. No person shall willfully damage, deface, break, destroy or interfere with the property of the city or of another person. (1957 Rev. Ord. §7.0308)

9.08.080 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 forty 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. (1957 Rev. Ord. §7.0309)

9.08.090 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. (Ord. 229 (part), 1965: 1957 Rev. Ord. §7.0310)

9.08.100 Grand larceny defined. Grand larceny is larceny committed in any of the following cases:

A. When the value of the property taken is of a value exceeding fifty dollars; or

B. When such property, although not of a value exceeding fifty dollars, is taken from the person of another;

C. Larceny in all other cases is petit larceny. (Ord. 229 (part), 1965: 1957 Rev. Ord. §7.0311)

9.08.110 Violation --Penalty. Any person who commits the crime of larceny as classified in Section 9.08.100 (C), within the city limits shall be guilty of a misdemeanor and shall be punished as provided in Chapter 1.12 of this code. (Ord. 229 (part), 1965: 1957 Rev. Ord. §7.0312)

Chapter 9.12

OFFENSES AGAINST PUBLIC PEACE

Sections:

9.12.010 Disturbing the peace.

9.12.020 Gatherings on streets limited.

9.12.030 Crowds obstructing streets.

9.12.040 Goods on sidewalks.

9.12.010 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. (1957 Rev. Ord. §7.0103)

9.12.020 Gatherings on streets limited. 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. (1957 Rev. Ord. §7.0201)

9.12.030 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 policeman 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. (1957 Rev. Ord. §7.0202)

9.12.040 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. (1957 Rev. Ord. §7.0205)

Chapter 9.16

OFFENSES AGAINST PUBLIC DECENCY

Sections:

- 9.16.010 **Nude bathing.**
- 9.16.020 **Leasing rooms or houses for prostitution.**
- 9.16.030 **Keeping houses of prostitution.**
- 9.16.040 **Frequenting houses of prostitution.**
- 9.16.050 **Prostitution prohibited.**
- 9.16.060 **Soliciting prohibited.**

9.16.010 Nude bathing. No person shall bathe in a nude state in any stream or river or body of water exposed to view. (1957 Rev. Ord. §7.0108)

9.16.020 Leasing rooms or houses for prostitution. No person shall knowingly let or lease to another any room, house, or building for the purpose of being used as a place of prostitution within the city or within one mile of the outer boundary thereof. Any person after having been informed that such room, house or building so let or leased by him is being used for such purpose by the lessee or any other person, shall immediately take all legal measures to recover possession thereof. (1957 Rev. Ord. §7.0801)

9.16.030 Keeping houses of prostitution. No person shall keep a house or place of prostitution within the city or within one mile of the outer boundary thereof, nor harbor or allow any person to be and remain in any such house or place. (1957 Rev. Ord. §7.0802)

9.16.040 Frequenting houses of prostitution. No person shall frequent any house or place of prostitution, nor be an inmate or visitor of such house or place within the city or within one mile of the outer boundary thereof. (1957 Rev. Ord. §7.0803)

9.16.050 Prostitution prohibited. No person shall use or occupy any room, house or place for the purpose of prostitution nor engage in prostitution within the city or within one mile of the outer boundary thereof. (1957 Rev. Ord. §7.0804)

9.16.060 Soliciting prohibited. No person shall, within the city or within one mile of the outer boundary thereof, solicit entice, or urge any person to enter a house of prostitution nor solicit any person to occupy any room, house, building, or other place for the purpose of prostitution. (1957 Rev. Ord. §7.0805)

Chapter 9.20

OFFENSES BY OR AGAINST MINORS

Sections:

- 9.20.010 Loitering--Prohibited times and places.**
- 9.20.020 Loitering--Responsibility of parents.**
- 9.20.030 Loitering--Responsibility of others.**
- 9.20.040 Violation--Penalty.**

9.20.010 Loitering--Prohibited times and places. It is unlawful for any minor person under the age of sixteen 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 ten-thirty PM and five AM of the following day, official city time; provided, however, that the provisions of this section 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 section does not in any way apply to any minor after he or she shall have reached his or her seventeenth birthday. (1957 Rev. Ord. §7.0701)

9.20.020 Loitering--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 sixteen 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, play- grounds 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 ten-thirty PM and five AM of the following day, official city time; provided, however, that the provisions of this section 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. (1957 Rev. Ord. §7.0703)

9.20.030 Loitering--Responsibility of others. It is unlawful for any person, firm or corporation operating places of amusement and entertainment, restaurants, cafes, 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 chapter; provided, however, that the provisions of this section 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. (1957 Rev. Ord. §7.0703)

9.20.040 Violation--Penalty. Any minor violating the provisions of Sections 9.20.010, 9.20.020, and 9.20.030 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 justice of the peace and charged with the violation of this chapter; or may be brought before the county court of Potter County 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 Sections 9.20.020 and 9.20.030 shall be fined in a sum not exceeding one hundred dollars or confined in jail not more than thirty days or punished by both such fine and imprisonment for each offense. (1957 Rev. Ord. §7.0704)

Chapter 9.24

WEAPONS

Sections:

9.24.010 Concealed weapons.

9.24.020 Discharge of firearms or air rifles.

9.24.030 Guns encased--Minors.

9.24.010 Concealed weapons. No person shall carry concealed about his person any pistol or other firearm, sling shot, brass knuckle or knuckles, or other material, or a sand bag, dagger, Bowie knife, dirk knife, or other dangerous or deadly weapon, or any instrument or device which when used is likely to produce death or great bodily harm. Any peace officer may wear or carry such weapons as may be necessary and proper for the discharge of his official duties. (1957 Rev. Ord. §7.0105)

9.24.020 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 duty, to discharge or fire any gun, air rifle, sling shot or other dangerous weapon within the limits of the city. (1957 Rev. Ord. §7.0115)

9.24.030 Guns encased--Minors. It is unlawful for any minor under the age of sixteen years to carry or transport any gun or air rifle within the limits of the city unless the same shall be encased in a gun case except when it can be shown that the firearm was recently purchased and was being carried or transported to the owner's premises. (1957 Rev. Ord. §7.0116)

Chapter 9.28

GAMBLING

Sections:

- 9.28.010 Gambling prohibited.
- 9.28.020 Maintaining gambling devices prohibited.
- 9.28.030 Gambling house prohibited.
- 9.28.040 Operators of gambling houses.
- 9.28.050 Sale of chances prohibited.
- 9.28.060 Gambling apparatus--Nuisance declared.

9.28.010 Gambling prohibited. No person shall in the city, or within one mile of the outer boundaries thereof, play at roulette, chuck-luck, poker, faro, keno, or any other gambling game or game of chance upon which money or any article of value is staked, or to resort, to attend, or be present at any place where such gambling games or games of chance are carried on. (1957 Rev. Ord. §7.0601)

9.28.020 Maintaining gambling devices prohibited. It is unlawful for any person to maintain, keep or exhibit in the city or within one mile of the outer boundaries thereof, any slot machine wherein the gain by chance is involved, or any table, cards, faro, dice or other gambling game or game of chance for money or other articles of value. (1957 Rev. Ord. §7.0602)

9.28.030 Gambling house prohibited. No person shall in the city or within one mile of the outer boundaries thereof, keep any building or part of any building to be used or occupied for gambling. Any owner, agent or superintendent of any such place shall not knowingly let the same or allow it to be used for gambling. (1957 Rev. Ord. §7.0603)

9.28.040 Operators of gambling houses. No person shall, within the city or within one mile of the outer boundaries thereof, act as a game keeper of or have charge of and manage any gambling game or games of chance upon which money or other articles of value are staked, or act as doorkeeper, solicitor, runner, agent or abettor of or for any house wherein any gambling games or games of chance for money or other articles of value are practiced or allowed to be practiced or carried on. (1957 Rev. Ord. §7.0604)

9.28.050 Sale of chances prohibited. No person shall sell or vend what are commonly called lottery policies, or any writing, card, paper, or documents in the nature of any bet, wager, or insurance upon the drawing or drawn numbers or any public or private lottery, or endorse any book or any other document for the purpose of enabling others to sell or vend any lottery tickets or policies. (1957 Rev. Ord. §7.0605)

9.28.060 Gambling apparatus--Nuisance declared. Every article, apparatus or device used, operated, or kept in violation of any of the provisions of this chapter shall be deemed a public nuisance, and may be seized by the officers at the time of the arrest of a person for violation of any provision of this chapter, having the same in his possession. Upon conviction of such person for such violation, the gambling apparatus or article may be destroyed under order of the court. (1957 Rev. Ord. §7.0606)

Chapter 9.32

CONSUMER PROTECTION

Sections:

9.32.010 Certain locations of advertisements prohibited.

9.32.010 Certain locations of advertisements prohibited.

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. (1957 Rev. Ord. §7.0204)