

PART 10
OFFENSES AND CRIMES

Subject	Chapter
Offenses In General	1
Offenses Against Property	2
Offenses Against The Public	3
Offenses Against The Health, Welfare And Morals . .	4
Offenses Against Persons	5
Offenses Against Public Authority	6
Penalties	7

CHAPTER 1

OFFENSES IN GENERAL

Section 10-101 Attempts to commit an offense.
 Section 10-102 Aiding in an offense.
 Section 10-103 State law misdemeanors adopted.

SECTION 10-101 ATTEMPTS TO COMMIT AN OFFENSE.

Every person who attempts to commit an offense against the ordinances of the town, and in such attempt does any act toward the commission of such offense, but fails or is prevented or intercepted in the perpetration thereof, is guilty of an offense, and shall be punished in the manner prescribed for the attempted offense itself. (Prior Code, Chapter 14)

SECTION 10-102 AIDING IN AN OFFENSE.

When no punishment for counseling or aiding in the commission of a particular offense is expressly prescribed by ordinance, every person who counsels or aids another in the commission of such is guilty of an offense, or misdemeanor, and punishable in the same manner as the principal offender. (Prior Code, Chapter 14)

SECTION 10-103 STATE LAW MISDEMEANORS ADOPTED.

The town hereby adopts and incorporates herein by reference, enforceable in the municipal court, the misdemeanor offenses contained in Title 21 of the Oklahoma Statutes, latest edition hereof and any amendments thereto.

CHAPTER 2

OFFENSES AGAINST PROPERTY

Section 10-201	Petit larceny prohibited.
Section 10-202	Injuring automobiles and other vehicles.
Section 10-203	Destroying or injuring buildings and other property.
Section 10-204	Placing signs on property of another.
Section 10-205	Throwing or shooting at persons or property.
Section 10-206	Tampering with or damaging public utilities.
Section 10-207	Unlawful intrusion upon land.
Section 10-208	Illegal entrance.
Section 10-209	Throwing advertising on street, prohibited.
Section 10-210	Throwing injurious substances.
Section 10-211	Injury to plants and trees.
Section 10-212	Public streets and trees.
Section 10-213	Trespass prohibited.
Section 10-214	Parking on property of another.
Section 10-215	Interference with fire hydrants.

SECTION 10-201 PETIT LARCENY PROHIBITED.

A. Petit larceny is the taking of personal property of value not exceeding Fifty Dollars (\$50.00) accomplished by fraud or stealth and with intent to deprive another thereof, but it does not include the taking of such property from the "person" of another.

B. Petit larceny is unlawful, and any person who commits larceny shall be guilty of a misdemeanor. (Prior Code, Chapter 14)

State Law Reference: Petit larceny defined, 21 O.S. Sections 1704, 1706.

SECTION 10-202 INJURING AUTOMOBILES AND OTHER VEHICLES.

It is unlawful for any person to start, otherwise meddle with, molest, enter, occupy or loiter in any automobile or other vehicle belonging to another, without the consent of the owner or person in charge thereof. (Prior Code, Chapter 14)

SECTION 10-203 DESTROYING OR INJURING BUILDINGS AND OTHER PROPERTY.

It is unlawful for any person to destroy, injure, deface, besmear, or molest any structure, building, outbuilding, fence, or any other property, real or personal, public or private, belonging to another; or to use any such property wrongfully to the detriment of the owner or other person entitled to its use; or to interfere wrongfully with the use of any such property by its owner or any other person entitled to its use. (Prior Code, Chapter 14)

SECTION 10-204 PLACING SIGNS ON PROPERTY OF ANOTHER.

It is unlawful for any person to place, stick, tack, paste, post, paint, mark, write or print any sign, poster, picture, announcement, advertisement, bill placard, device or inscription upon any public or private building, fence, sidewalk, bridge, viaduct, post, automobile, other vehicle or other property of another, without the consent of the owner or person in charge thereof. (Prior Code, Chapter 14)

SECTION 10-205 THROWING OR SHOOTING AT PERSONS OR PROPERTY.

It is unlawful for any person to throw or shoot any stone, shot or other object into or across any street or alley, or in any place where he is likely to hit another person wrongfully or to injure property, or to throw or shoot any stone, shot or other object at any person, vehicle, structure, electric light or other property of another (whether public or private), except in case where such is done in defense of oneself, of another person or of property. (Prior Code, Chapter 14)

SECTION 10-206 TAMPERING WITH OR DAMAGING PUBLIC UTILITIES.

It is unlawful for any person to connect or attach any kind of pipe, wire or other contrivance to any pipe, line, wire or other conductor carrying gas, water or electricity and belonging to a public utility (whether publicly or privately owned), in such a manner as to enable him to consume or use the gas, water or electricity without it passing through the meter or any other way so as to evade payment therefor. It is also unlawful for any person to damage, molest, tamper with, or destroy any pipe, line, wire, meter, or other part of any public utility, including any telegraph or telephone system. (Prior Code, Chapter 14)

SECTION 10-207 UNLAWFUL INTRUSION UPON LAND.

It is unlawful for any person to intrude or squat upon any lot or piece of land within the town without a license or authority from the owner thereof, or to erect or occupy thereon any hut, hovel, shanty or other structure without such license or authority, or to place, erect or occupy within the bounds of any street, alley or avenue of the town, any hut, shanty, hovel, or other structure without authority of law or ordinance. (Prior Code, Chapter 14)

SECTION 10-208 ILLEGAL ENTRANCE.

It is illegal for any person to enter upon the property of another or into an area or structure on such property (whether such property, area or structure is public or private), when such entrance is plainly forbidden by signs or any notice or when the property, area or structure is enclosed, except when such entrance is in line of duty, or with the expressed, or tacit consent of the owner or person in charge, or otherwise by authority of law or ordinance. It is unlawful for any person to remain on the property of another after having been given notice, written or verbal, to leave by the owner or person in charge. (Prior Code, Chapter 14)

Cross Reference: See also trespass, Section 10-214 of this code.

SECTION 10-209 THROWING ADVERTISING ON STREET, PROHIBITED.

It is unlawful for any person to throw, leave or deposit, or cause to be thrown, left or deposited, upon any street, alley, sidewalk, or other public area, any handbill, circular, or other advertising matter. (Prior Code, Chapter 14)

Cross Reference: For provision prohibiting placing signs on property of another without consent, etc., see Section 10-205 of this code.

SECTION 10-210 THROWING INJURIOUS SUBSTANCES.

It is unlawful for any person to purposely or premeditatedly put or throw upon the person or property of another, or upon any animal, any acid, corrosive or other

Offenses and Crimes

Sec. 10-210

Sec. 10-213

irritating or harmful substance, or human or animal waste or urine, with intent to injure or harass the person, property or animal. (Prior Code, Chapter 14)

SECTION 10-211 INJURY TO PLANTS AND TREES.

It is unlawful for any person to wilfully and without authority cut, pull, pluck or otherwise injure any flowers, flowering plants, shrubs or trees growing in or around any park or public street within the town, or wilfully or without authority to tear down, remove, cut or otherwise injure or destroy any gate or fence enclosing any such park or ground, or wilfully injure or destroy any stand, bench, seat or other property situated upon such park or ground. Any person violating this section, upon conviction, shall be deemed guilty of an offense. (Prior Code, Chapter 14)

SECTION 10-212 PUBLIC STREETS AND TREES.

It is unlawful for any person to:

1. Wilfully or wantonly cut, deface or in any way injure any tree or sapling standing or growing in any of the streets, alleys or public places within the town;
2. Attach any guy wires, telephone, telegraph, or electric wire, or any wire to any live tree;
3. Dig any hole, ditch or trench in any public street, road, avenue or alley, or any other public premises or ground within, belonging to or under the supervision or control of the town;
4. Take or remove any dirt, earth or any substance from any street, road, alley or other public place in the town; or to cut, break or otherwise injure any pavement, curb or gutter therein; and
5. Connect any driveway to any street or other public place without first securing permission from the town inspector so to do.

Any such digging, removing, or driveway connection shall be done under the supervision of the street superintendent or town engineer. (Prior Code, Chapter 14)

SECTION 10-213 TRESPASS PROHIBITED.

A. For the purpose of this section, the following terms shall be defined as follows:

1. "Public property" means that property which is dedicated to public use and over which the federal, state or municipal government or any subdivision thereof exercises control;
2. "Private property" means any property other than public property; and
3. "Trespass" means each and every actual entry upon the premises of an owner or other person in lawful possession of the premises without the express or the implied consent of the owner or other person in lawful possession. Trespass shall also mean remaining upon the premises of an owner or other person in lawful possession after having been told to leave the premises by the owner, or the agent, or employee of the owner, or other person in lawful possession of the premises. Trespass shall also be

Offenses and Crimes

Sec. 10-213

Sec. 10-215

defined as the act of remaining on private property at any time other than during posted hours of business operation after having been directed to vacate such premises by a police officer. The provisions of this paragraph shall not apply to persons, including employees, whose presence upon such premises is authorized by the owner or by a person in lawful possession of such premises nor shall the provisions of this sentence apply unless hours of business operations are posted upon such premises. Trespass shall also be defined as the act of returning to private property before the posted time of opening for business operation on the next business day after having been directed to vacate such premises under the terms of this paragraph.

B. It is unlawful for any person to trespass on private property. (Ord. No. 77-8, 9/6/77)

Cross Reference: For provisions on illegal entrance, see Section 10-209 of this code.

SECTION 10-214 PARKING ON PROPERTY OF ANOTHER.

It is unlawful for any person to park an automobile or other vehicle, or to place any structure or object on the driveway, yard, or property of another without the expressed or tacit consent of the owner or person in charge or by authority of law or ordinance. (Prior Code, Chapter 14)

SECTION 10-215 INTERFERENCE WITH FIRE HYDRANTS.

A. It is unlawful for any person except one duly authorized by the town utility personnel or a member of the fire department to open, turn on or off, interfere with, attach any pipe or hose to, or connect anything with, any fire hydrant or stop cock belonging to the town.

B. It is unlawful for any person to obstruct access to any fire hydrant by placing around or thereon brick, lumber, dirt or other thing, or in any other manner obstructing access to a fire hydrant. (Prior Code, Chapter 14)

CHAPTER 3

OFFENSES AGAINST THE PUBLIC

SECTION:

- 10-301: Disturbing The Peace
- 10-302: Insulting Signs; Literature Or Language
- 10-303: Fireworks Regulated; Licenses; Sale And Discharge
Restricted
- 10-304: Storing Or Keeping Explosives
- 10-305: Carrying Weapons; Exceptions
- 10-306: Reckless Conduct
- 10-307: Discharging Firearms; Exceptions
- 10-308: Loud Noise Or Music Prohibited; Amplified Sound

10-301: **DISTURBING THE PEACE:**

- A. It is unlawful to disturb or alarm the peace of another or others by doing any of the acts set out in subsection B of this section.
- B. Disturbing the peace is the doing of any of the following in such a manner as would foreseeably alarm or disturb the peace of another or others:
 - 1. Using obscene, offensive, abusive, profane, vulgar, threatening, violent or insulting language or conduct;
 - 2. Appearing in an intoxicated condition;
 - 3. Engaging in a fistic encounter;
 - 4. Lewdly exposing one's person, or private parts thereof, in any public place or in any place where there are present other persons to be offended or annoyed thereby;
 - 5. Pointing any pistol or any other deadly weapon whether loaded or not at any other person or persons either in anger or otherwise;

6. Holding an unlawful assembly of two (2) or more persons, including being assembled together and acting in concert, to do any unlawful act against the peace or to the terror of others or preparing for or moving toward such acts, or otherwise assembling unlawfully or riotously;
7. Interrupting any lawful assembly of people by making noise, by rude, indecent or improper behavior, by profane, improper or loud language, or in any other manner, either within the place of assembly or within hearing distance thereof;
8. Making unnecessarily loud, offensive noises;
9. Disturbing any congregation or assembly of persons meeting for religious worship by making noise, by rude, indecent or improper behavior, by profane, improper or loud language, or in any other manner, either within the place of worship or within hearing distance thereof; or
10. Committing any other act in such a manner as to unreasonably disturb or alarm the public. (Prior code ch. 14)

10-302: INSULTING SIGNS; LITERATURE OR LANGUAGE:

- A. It is unlawful for any person, firm or corporation within the town to display any sign, emblem, badge, flag or device, which in its common acceptance is insulting, profane, or abusive to the citizens of the town, and which is calculated, or of which the natural consequence is, to cause a breach of the peace or an assault.
- B. It is unlawful for any person to wilfully use, utter, publish, circulate or distribute any profane, violent, abusive, or insulting language or literature where:
 1. A natural consequence of the language or literature is to cause a breach of the peace or an assault; or
 2. The language or literature, in its common acceptance, is calculated to cause a breach of the peace or an assault. (Prior code ch. 14)

10-303: **FIREWORKS REGULATED; LICENSES; SALE AND DISCHARGE RESTRICTED^{1,2}:**

- A. "Fireworks" shall have the same meaning as provided by State law, 68 Oklahoma Statutes section 1622.
- B. Fireworks stands may be licensed between June 20 and July 4 only. In addition to paying a license fee in such sum as set by the Town Board of Trustees, before the license is issued, the applicant shall put up a deposit in such sum as required by the Board guaranteeing that the premises shall be cleaned, and all paper, trash, and debris shall be completely removed by the licensee. If the premises are not cleaned, the money shall be forfeited, and the Town shall hire the work done. If the premises are so cleaned, the deposit shall be returned to the applicant.
- C. No fireworks stand shall be allowed in the area within the Town that has been platted into lots or blocks.
- D. Each fireworks stand shall post notice, in a conspicuous place, that it is a violation of the ordinances of the Town to discharge any fireworks within the Town limits at any time, except for June 30 - July 4 of each calendar year at the following times:
 - 1. Sunday through Thursday from ten o'clock (10:00) A.M. to ten o'clock (10:00) P.M.
 - 2. Friday and Saturday from ten o'clock (10:00) A.M. to twelve o'clock (12:00) midnight.If times and dates need to be extended by one day, approval may be granted by a written document approved by the Mayor, Fire Chief, and Police Chief.
- E. The use of fireworks within the corporate limits of the Town is prohibited, except for June 30 - July 4 of each calendar year at the following times:
 - 1. Sunday through Thursday from ten o'clock (10:00) A.M. to ten o'clock (10:00) P.M.

1. 68 OS §§ 1624, 1621 et seq.

2. See also part 5, chapter 10 of this Code.

2. Friday and Saturday from ten o'clock (10:00) A.M. to twelve o'clock (12:00) midnight.

If times and dates need to be extended by one day, approval may be granted by a written document approved by the Mayor, Fire Chief, and Police Chief.

- F. Application for the sale of fireworks within the corporate limits of the Town must be made at least ten (10) days in advance of the proposed sale. Applications must be made to the Town Clerk-Treasurer and the specific location of stand must be given. The area must be inspected by the Fire Marshal to ensure that the location will not endanger the lives or property of the citizens of the Town and that such site will not become a public nuisance. This inspection and site approval must be made before the permit will be issued. A fee of five dollars (\$5.00) is hereby levied on any person, group, or organization involved in the sale of fireworks within the corporate limits of the Town for this permit.
- G. Nothing in this section shall be construed as applying to the purchase, sale, possession, or use of fireworks for public display by holders of a permit for the public display to be conducted in accordance with the rules and regulations herein specified.
- H. Public displays may be performed only under competent supervision and after the persons or organizations making such displays shall first apply for and receive a written permit from the Board of Trustees of the Town. Such applications shall be made at least ten (10) days in advance of the proposed display, and shall show the location, who is to shoot the show, and the name of the display distributor who is to furnish the merchandise and shall bear the signed approval of the Chief of Police and the Fire Chief. A fee as set by the Town Board is hereby levied on any person, group, or organization involved in the conducting of public displays of fireworks within the corporate limits of the Town. The Board of Trustees may refund twenty dollars (\$20.00) after the program if the site is cleared of all waste material from the program. This inspection may be made by the Police Chief and given to the Town Clerk-Treasurer for action. The group may appeal negative decisions to the Board of Trustees. (Prior Code §§ 8-9 - 8-12; amd. Ord. 88-7, 6-22-1988; Ord. 2008-06-08, 6-10-2008; Ord. 2017-3, 6-13-2017)

10-304

10-308

10-304: **STORING OR KEEPING EXPLOSIVES¹:** It is unlawful for any person to store or keep within the Town any nitroglycerin, dynamite, gunpowder, black powder, or any other highly explosive material or substance, except that gunpowder may be kept in quantities of not to exceed twenty (20) pounds where the same is securely kept, except where kept for legal sale or other lawful purpose. (Prior Code ch. 14)

10-305: **CARRYING WEAPONS; EXCEPTIONS²:** It is unlawful for any person to carry concealed upon or about his person any pistol, revolver, dagger, bowie knife, dirk knife, switchblade knife, spring type knife, metal knuckle, or any other dangerous or deadly weapon or instrument except when doing so in line of duty or as may be permitted by law. (Prior Code ch. 14)

10-306: **RECKLESS CONDUCT³:** It is unlawful for any person to engage in reckless conduct while having in his possession any shotgun, rifle or pistol, such actions consisting of creating a situation of unreasonable risk and probability of death or great bodily harm to another, and demonstrating a conscious disregard for the safety of another person. (Prior Code ch. 14)

10-307: **DISCHARGING FIREARMS; EXCEPTIONS:** No person shall discharge any species of firearm, including an air rifle or BB gun within the area of the east one-half ($\frac{1}{2}$) of Section 28 and the west one-half ($\frac{1}{2}$) of Section 27, except when doing so in the line of duty, when lawfully doing so in defense of oneself, of another person, or of property, or when otherwise authorized by law or ordinance, or with the permission of the Chief of Police. (Ord. 2004-9-1, 9-14-2004)

10-308: **LOUD NOISE OR MUSIC PROHIBITED; AMPLIFIED SOUND:** It is unlawful for any person to disturb the peace and quietude of any part of the Town by operating, having operated, or permitting to be operated, any contrivance, whether electric or not, any motor vehicle, or any other device, with or without a loud speaker, in such a manner as to emit loud music, noise or words. However, this section shall

1. See also part 5, chapter 10 of this Code.

2. 21 OS § 1289.1 et seq.

3. See also section 15-523, "Reckless Driving", of this Code.

10-308

10-308

not prohibit religious bodies from playing chimes, bells, carillons or other religious music. (Prior Code ch. 14)

CHAPTER 4

OFFENSES AGAINST THE HEALTH, WELFARE AND MORALS

SECTION:

- 10-401: Public Intoxication And Drinking Prohibited
- 10-402: Possession Of Intoxicating And Nonintoxicating Beverages
- 10-403: Intoxicating Liquors
- 10-404: Marijuana Prohibited
- 10-405: Prostitution
- 10-406: Disorderly House
- 10-407: Maintaining Or Leasing A Disorderly House
- 10-408: Residents And Visitors To Disorderly House
- 10-409: Nudity; Improper Dress; Indecent Exposure
- 10-410: Definitions; Obscenity Regulations
- 10-411: Prohibited Obscene Conduct
- 10-412: Vagrancy Defined For Specific Acts, Offenses
- 10-413: Curfew For Children
- 10-414: Sleeping In Public
- 10-415: Begging Prohibited
- 10-416: Gambling Prohibited
- 10-417: Being About Place Where Gambling Is Going On
- 10-418: Harmful Deception
- 10-419: False Or Bogus Checks
- 10-420: Swindling Unlawful
- 10-421: Peeping Tom
- 10-422: Youth Access To Tobacco

10-401: PUBLIC INTOXICATION AND DRINKING PROHIBITED:

- A. It is unlawful for any person to appear or be upon or in any street, alley, or other public place in the town in a state of intoxication. It is unlawful for any person to drink intoxicating or nonintoxicating liquor or beverage, as defined by of 37 Oklahoma Statutes section 163.1, upon or in any street, alley, or other public place within the town. It is unlawful to use, sell or furnish to another any illegal drug or narcotic in any place in the town except as legally prescribed by a physician.

10-401

10-403

- B. For the purposes of this section, a "state of intoxication" means the condition in which a person is under the influence of any intoxicating, nonintoxicating, spirituous, vinous or malt liquors, or of any narcotic or drug, to such extent as to deprive the person of his or her full physical or mental power, or in which a person is a danger to himself or others. (Prior code ch. 14)

10-402: **POSSESSION OF INTOXICATING AND NONINTOXICATING BEVERAGES¹:**

- A. It is unlawful for any person under the age of twenty one (21) years to be in possession of any intoxicating alcoholic beverage or nonintoxicating beverage while such person is upon any public street, road or highway or in any public place within the town limits.
- B. It is unlawful for any parent or guardian of a person under the age of twenty one (21) years to permit such person to be in possession of an intoxicating alcoholic beverage or nonintoxicating beverage.
- C. For the purpose of this section, intoxicating alcoholic beverage and nonintoxicating beverage shall be as defined by 37 Oklahoma Statutes. (Prior code ch. 14)

10-403: **INTOXICATING LIQUORS:**

- A. It is unlawful:
1. For any person to barter, sell, give away or otherwise furnish to another any intoxicating or nonintoxicating liquor or beverage of any kind except as permitted by law;
 2. To have in possession or under control any intoxicating or nonintoxicating liquor or beverage except as permitted by law, or to transport or in any manner convey from place to place in the town any intoxicating or nonintoxicating liquor or beverage except as permitted by law;
 3. To loiter in a place where intoxicating or nonintoxicating liquor is sold, bartered, given away or otherwise furnished contrary to law; or

1. See also section 3-110 of this code.

10-403

10-405

4. To keep, maintain, aid or abet in keeping or maintaining a place where intoxicating or nonintoxicating liquor is sold, bartered, given away or otherwise furnished in violation of law. (Prior code ch. 14)

10-404: MARIJUANA PROHIBITED:

A. It is unlawful for any person:

1. To appear or be upon or in any street, alley, place of business, or other public place while under the influence of marijuana;
2. To use, have, or possess marijuana upon or in any street, alley, place of business, or other public place within the town;
3. To use marijuana in any place within the town except as legally prescribed by a physician licensed to practice in the state; or
4. To sell or furnish illegally to another person marijuana.

The term "marijuana" shall have the meaning prescribed by 63 Oklahoma Statutes section 2-101 for "controlled dangerous substance". (Prior code ch. 14)

10-405: PROSTITUTION:

A. It is unlawful for any person to:

1. Be a prostitute;
2. Solicit, entice, or procure another to commit or engage in any act of prostitution;
3. Engage in any act of prostitution;
4. Knowingly let premises for purposes of prostitution;
5. Conduct a business or premises for prostitution;
6. Accept or receive the proceeds of any act of prostitution; or
7. Be a party to an act of prostitution or solicitation of prostitution in the limits of town.

B. For the purposes of this section:

LETTING
PREMISES
FOR
OBSCENITY: The granting of the right of use or the leasing of any premises, knowing that they are to be used for the practice of obscenity or allowing the continued use of the premises with that knowledge.

LETTING
PREMISES
FOR
PROSTITUTION: The granting of the right of use or the leasing of any premises, knowing that they are to be used for the practice of prostitution, or allowing the continued use of the premises with that knowledge.

PROSTITUTION: The giving of the body for sexual intercourse or sodomy for hire or money.

SOLICITING
FOR
PROSTITUTES: The soliciting, inviting, inducing, directing, or transporting of a person to any place with the intention of promoting prostitution. (Prior code ch. 14)

10-406: **DISORDERLY HOUSE:**

DISORDERLY HOUSE: Any structure or vehicle by which the peace, comfort, health, welfare or decency of the public is disturbed by reason of the people therein committing or resorting to any of the following acts:

A. The sale, distribution, possession or use of any controlled dangerous substance, the sale, distribution, possession or use of which is declared unlawful by state statute;

B. The violation of any of the ordinances of this town or statutes of this state regulating the sale, distribution, possession or use of alcoholic beverages including beer containing more than one-half of one percent (0.5%) alcohol by volume;

10-406

10-409

C. The performance of any sexual act declared unlawful by state statute or town ordinance including, but not limited to, soliciting for purposes of prostitution; or

D. The violation of any state statute or town ordinance prohibiting gambling. (Prior code ch. 14)

10-407: MAINTAINING OR LEASING A DISORDERLY HOUSE:

- A. No person shall keep or maintain, or aid, abet or assist in keeping and maintaining a disorderly house.
- B. No owner, lessee, lessor, or other person, partnership or corporation having control over any house, building, structure, tent, vehicle, mobile home, or recreational vehicle shall knowingly use, lease, sublease or otherwise permit the use of same for the purpose of keeping therein any disorderly house, and knowing or ascertaining that such house, building, structure, tent, vehicle, mobile home, or recreational vehicle is so occupied as a disorderly house, no persons, partnership or corporation shall continue to grant permission to so use such premises as a disorderly house. (Prior code ch. 14)

10-408: RESIDENTS AND VISITORS TO DISORDERLY HOUSE: No person shall knowingly reside in, enter into, or remain in a disorderly house. In any prosecution for violation of this section, the town shall have the burden to prove such knowledge by direct evidence only and not by circumstantial evidence. This section shall not apply to physicians or officers in the discharge of their professional or official duties. (Prior code ch. 14)

10-409: NUDITY; IMPROPER DRESS; INDECENT EXPOSURE:

- A. It is unlawful for any person to:
 - 1. Appear in any public place in the town in a state of nudity;
 - 2. Appear in any public place in the town in any offensive, indecent or lewd dress; or

3. Make an indecent public exposure of his or her person. (Prior code ch. 14)

10-410: **DEFINITIONS; OBSCENITY REGULATIONS:** The following terms when used in the chapter shall have the meaning respectively ascribed to them in this section:

AVAILABLE TO THE PUBLIC:

The matter or performance may be purchased or attended on a subscription basis, on a membership fee arrangement, or for a separate fee for each item or performance.

DISSEMINATE:

To transfer possession of, with or without consideration.

KNOWINGLY:

Being aware of the character and the content of the material.

MATERIAL:

Any book, magazine, newspaper or other printed or written material or any picture, drawing, photograph, motion picture, or other pictorial representation or any statue or other figure, or any recording, transcription or mechanical, chemical, or electrical reproduction or any other articles, equipment or machines.

NUDITY:

The showing of the human male or female genitals or pubic area with less than a fully opaque covering, or the depiction of covered male genitals in a discernible turgid state.

OBSCENE:

To the average person applying contemporary community standards:

A. The predominant appeal of the matter taken as a whole, is to prurient interest; i.e., shameful or morbid interest in sexual conduct, nudity, or excretion;

B. The matter depicts or describes in a patently offensive manner sexual conduct regulated by 21 Oklahoma Statutes; and

10-410

10-411

C. The work, taken as a whole, lacks serious literary, artistic, political or scientific value.

PERFORMANCE: Any preview, play, show, skit, film, dance or other exhibition performed before an audience.

PERSON: Any individual, partnership, firm, association, corporation or other legal entity.

PROMOTE: To cause, permit, procure, counsel or assist.

SERVICE TO PATRONS: The provision of services to paying guests in establishments providing food and beverages; including, but not limited to, hostessing, hat checking, cooking, bar tending, serving, table setting and clearing, waiter and waitressing, and entertaining. (Prior code ch. 14)

10-411: **PROHIBITED OBSCENE CONDUCT:**

A. It is unlawful for any person to:

1. Knowingly disseminate, sell, offer for sale, publish, display, distribute, make available to the public or buy any obscene material;

2. Knowingly engage in commerce for commercial gain with materials depicting and describing explicit sexual conduct, nudity, or exhibition utilizing displays, circulars, advertisements and other public sales efforts that promote such commerce primarily on the basis of their prurient appeal;

3. Knowingly engage or participate in any obscene performance made available to the public; or

4. Provide service to patrons in such a manner as to expose to public view:

a. His or her genitals, pubic hair, buttocks, perineum, anal region or pubic hair region;

b. Any device, costume or covering which gives the appearance of or simulates the genitals, pubic hair, buttocks, perineum, anal region or pubic hair region;

November 2010

10-411

10-412

c. Any portion of the female breast at or below the areola thereof; or

d. Knowingly promote the commission of any of the above listed unlawful acts.

- B. Each complete or partial display or other material exhibition of any motion picture film or other material shall be deemed to constitute a separate offense. The provisions of section 10-410 of this chapter and this section shall not apply to a projectionist, assistant projectionist, usher or cashier provided such person has no financial interest in the motion picture theater so long as that person is not acting as director or manager of the theater. (Prior code ch. 14)

10-412: VAGRANCY DEFINED FOR SPECIFIC ACTS, OFFENSES:

- A. It is unlawful to be a vagrant in the limits of the town. For the purposes of this section, a "vagrant" means any person who loiters or remains in or wanders about, a public or private place for any of the following purposes:
1. For the purpose of gambling with cards, dice or other gambling paraphernalia;
 2. For the purpose of engaging in prostitution or soliciting prostitution or soliciting for an act of lewdness;
 3. For the purpose of engaging in theft, or breaking and entering any building, property or automobile of another;
 4. For the purpose of injuring, destroying, molesting or defacing any property of another;
 5. For the purpose of assaulting any person;
 6. For the purpose of begging or soliciting alms, provided that this section shall not apply to persons soliciting alms for bona fide religious, charitable or eleemosynary organizations with the authorization of such organizations; or
 7. For the purpose of selling, purchasing, trading or otherwise exchanging, procuring or making available illegal drugs or contraband. (Prior code ch. 14)

10-413: CURFEW FOR CHILDREN:

- A. For the purpose of this section, the following terms shall have the meanings respectively ascribed to them in this section:

CUSTODIAN: Any person over the age of twenty one (21) years who is in loco parentis to a minor.

GUARDIAN: Any person other than a parent who has legal guardianship of a minor.

MINOR: Any person under the age of eighteen (18).

PARENT: The natural or adoptive parent of a minor.

PUBLIC PLACE: Any street, alley, highway, sidewalk, park, playground or place to which the general public has access and a right to resort for business, entertainment or other lawful purpose. A public place shall include, but not be limited to, any store, shop, restaurant, tavern, bowling alley, cafe, theater, drugstore, poolroom, shopping center and any other place devoted to amusement or entertainment of the general public. It shall also include the front or immediate area of the above. (1984 Code; amd. Ord. 2008-10-12, 10-20-2008)

- B. It is unlawful for any minor to remain, wander, stroll or play in any public place on foot or to cruise about without a set destination in any vehicle in, about or upon any public place in the town between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) A.M. on Saturday morning or Sunday morning and between the hours of eleven o'clock (11:00) P.M. and five o'clock (5:00) A.M. Sunday night through Thursday night unless:

1. The minor is accompanied by a parent, guardian, custodian or other adult person having custody or control of such minor;

2. The minor is on an emergency errand or specific business or activity directed or permitted by his parent, guardian or other adult person having the care and custody of the minor; or

3. Where the presence of such minor is connected with or required by some legitimate employment, trade, profession or occupation. (Ord. 2008-10-12, 10-20-2008)
- C. It is unlawful for any person, firm or corporation operating or having charge of any public place to knowingly permit or suffer the presence of minors between the hours of curfew designated in subsection B of this section.
- D. It is unlawful for any parent, guardian, custodian or other adult person having custody or control of any minor to suffer or permit or by inefficient control to allow such person to be on any public place within the town between the hours of curfew designated in subsection B of this section. The provisions of this section do not apply if:
1. The minor is accompanied by a parent, guardian, custodian or other adult person having the care, custody or control of the minor;
 2. The minor is on an emergency errand or specific business or activity directed by his parent, guardian, custodian or other adult having the care and custody of the minor; or
 3. The parent, guardian or other adult person herein has made a missing person notification to the town police department.
- E. The board of trustees may permit by resolution or motion procedures for advance notice or registration with the town of special events or functions sponsored by churches, schools, clubs or other organizations which require minors to be out at a later time. The board of trustees may also prescribe the procedures for taking into custody minors found in violation of this section. (1984 Code)

10-414: **SLEEPING IN PUBLIC:**

- A. It is unlawful for any person, between the hours of ten o'clock (10:00) P.M. and sunrise to sleep on any street, in any other public place, or on any property of another without the express or tacit consent of the owner or person in charge of such place.
- B. It is unlawful for a person to loiter on or about the premises of any public or private school or other public building, or in or about a depot of a public carrier. (Prior code ch. 14)

10-415

10-417

10-415: **BEGGING PROHIBITED:** It is unlawful for any person to beg alms for any person, organization or agency except an organization or agency, public or private, whose purpose or one of whose purposes is to aid persons in need. (Prior code ch. 14)

10-416: **GAMBLING PROHIBITED¹:**

A. It is unlawful for any person, firm or corporation, or agent or employee thereof, to do any of the following:

1. To play, to open or cause to be opened, or to operate, carry on or conduct, whether for hire or not, any game of faro, monte, poker, roulette, craps, any banking, percentage or other game played with dice, cards, or any device, for money, checks, chips, credit or any other thing of value;

2. To set up, operate or permit to be operated, any slot machine or other device whatsoever where money, checks, chips, credit or any other things of value are played, when the act of playing the same might result in a gain or loss to the party playing;

3. To gamble knowingly in any other manner; or

4. To knowingly permit his or its premises, houses, lot or other property to be used in connection with, or for, any act declared unlawful in this section.

B. It is unlawful and an offense against the town for any person to play any roulette wheel or slot machine or any other device or machine wherein the element of chance is involved by losing or winning money, credits, checks or any other representatives of value. (Prior code ch. 14)

10-417: **BEING ABOUT PLACE WHERE GAMBLING IS GOING ON:**
It is unlawful for any person to be about in the immediate vicinity where a person or persons are gambling, whether by playing games, operating a slot machine or other device, or otherwise. (Prior code ch. 14)

1. 11 OS § 22-108.

10-418

10-422

10-418: **HARMFUL DECEPTION:** It is unlawful for any person knowingly to deceive another, whether by impersonation, misrepresentation, or otherwise, when such deception results in or contributes to the loss, damage, harm or injury of the person deceived or of a third party, or results in or contributes to the benefit of the deceiver. (Prior code ch. 14)

10-419: **FALSE OR BOGUS CHECKS:** It is unlawful for any person, with intent to cheat and defraud, to obtain or attempt to obtain from any person, firm or corporation, any money, property or valuable thing of the value of fifty dollars (\$50.00) or less by means of any false or bogus check or by any other written or printed or engraved instrument or spurious coin. The term "false or bogus check" shall include checks or orders given for money or property which are not honored on account of insufficient funds of the maker to pay same, as against the maker or drawer thereof. The making, drawing, issuing or delivering of a check, draft or order, payment of which is refused by the drawee, shall be prima facie evidence of intent to defraud and the knowledge of insufficient funds in or credit with, such bank or other depository. Such maker or drawer shall not have paid the drawee the amount due thereon, together with the protest fees, and the check or order shall be presented for payment within thirty (30) days after same is delivered and accepted. (Prior code ch. 14)

10-420: **SWINDLING UNLAWFUL:** It is unlawful to get money or property from any other person or persons or businesses under false pretenses, deception, cheating or by any other fraudulent act. (1984 Code)

10-421: **PEEPING TOM:** It is unlawful for any person to hide, walk, or be in the vicinity of any private dwelling house, apartment building, or any other place or residence with the unlawful and wilful intent to watch, gaze, or look at the occupants therein in a clandestine manner within the limits of the town. (1984 Code)

10-422: **YOUTH ACCESS TO TOBACCO:**

A. Definitions:

PERSON: Any individual, firm, fiduciary, partnership, corporation, trust, or association, however formed.

PROOF OF AGE:	A driver's license, license for identification only, or other generally accepted means of identification that describes the individual as eighteen (18) years of age or older and contains a photograph or other likeness of the individual and appears on its face to be valid.
SAMPLE:	A tobacco product distributed to members of the public at no cost for the purpose of promoting the product.
SAMPLING:	The distribution of samples to members of the public in a public place.
TOBACCO PRODUCT:	Any product that contains tobacco and is intended for human consumption.
TRANSACTION SCAN:	The process by which a seller checks, by means of a transaction scan device, the validity of a driver's license or other government issued photo identification.
TRANSACTION SCAN DEVICE:	Any commercial device or combination of devices used at a point of sale or entry that is capable of deciphering in an electronically readable format the information encoded on the magnetic strip or bar code of a driver's license or other government issued photo identification.

B. Furnishing Or Sale Of Tobacco Products To Minors:

1. It shall be unlawful and an offense for any person to sell or furnish in any manner any tobacco product to another person who is under eighteen (18) years of age or to purchase in any manner a tobacco product on behalf of any such person. Provided, however, that it shall not be unlawful for an employee under eighteen (18) years of age to handle tobacco products when required in the performance of the employee's duties.

2. Any person engaged in the sale or distribution of tobacco products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser may be under eighteen (18) years of age. If an individual engaged in the sale or distribution of tobacco

products has demanded proof of age from a prospective purchaser or recipient who is not under eighteen (18) years of age, the failure to subsequently require proof of age shall not constitute a violation of this subsection B2.

3. Any person violating the provisions of subsection B1 or B2 of this section shall be guilty of an offense and upon conviction shall be punished by a fine of not more than one hundred dollars (\$100.00), excluding costs and assessments, for the first offense within a one year period; not more than two hundred dollars (\$200.00), excluding costs and assessments, for the second offense within a one year period; and not more than three hundred dollars (\$300.00), excluding costs and assessments, for a third and subsequent offenses within a one year period.

4. Proof that the defendant demanded, was shown, and reasonably relied upon proof of age shall be a defense to any action brought pursuant to this subsection. A person cited for violating this subsection shall be deemed to have reasonably relied upon proof of age, and such person shall not be found guilty of such violation if such person proves that:

a. The individual who purchased or received the tobacco product presented a driver's license or other government issued photo identification purporting to establish that such individual was eighteen (18) years of age or older, and

b. The person cited for the violation confirmed the validity of the driver's license or other government issued photo identification presented by such individual by performing a transaction scan by means of a transaction scan device.

Provided, that this defense shall not relieve from liability any person cited for a violation of this section if such person failed to exercise reasonable diligence to determine whether the physical description and picture appearing on the driver's license or other government issued photo identification was that of the individual who presented it. The availability of the defense described in this subsection does not affect the availability of any other defense under any other provision of law.

5. If the sale is made by an employee of the owner of a store at which tobacco products are sold at retail, the employee shall be guilty of the violation and shall be subject to the fine.

6. Upon failure of the employee to pay the fine within ninety (90) days of the day of the assessment of such fine, the clerk of the municipal court shall notify the department of public safety and the department shall suspend or not issue a driver's license to the employee until proof of payment has been furnished to the department of public safety.

7. For purposes of determining the liability of a person controlling franchises or business operations in multiple locations for any violation of subsection B1 or B2 of this section, each individual franchise or business location shall be deemed a separate entity.

C. Receipt Of Tobacco Products By Minors:

1. It shall be unlawful and an offense for any person who is under eighteen (18) years of age to purchase, accept receipt of or have in their possession a tobacco product, or to present or offer to any person any purported proof of age which is false, fraudulent or not actually his or her own for the purpose of purchasing or receiving any tobacco product. Provided, however, that it shall not be unlawful for such a person to handle such tobacco product when required in the performance of such person's duties.

2. Any person violating the provisions of subsection C1 of this section shall be guilty of an offense and upon conviction shall be punished by a fine of not more than one hundred dollars (\$100.00), excluding costs and assessments, for a first offense within a one year period, and a fine of not more than two hundred dollars (\$200.00), excluding costs and assessments, for a second or subsequent offense within a one year period. Upon failure of the individual to pay any fine within ninety (90) days of the day of such fine, the clerk of the municipal court shall notify the department of public safety and the department shall suspend or not issue a driver's license to the individual until proof of payment has been furnished to the department of public safety.

D. Distribution Of Tobacco Product Samples:

1. It shall be unlawful and an offense for any person to distribute tobacco product samples to any person under eighteen (18) years of age.

2. Notwithstanding subsection D1 of this section, no person shall distribute tobacco product samples in or on any public street, sidewalk or park that is within three hundred feet (300') of any

playground, school or other facility when the facility is being used primarily by persons under eighteen (18) years of age.

3. Any person violating the provisions of subsection D1 or D2 of this section shall be guilty of an offense and upon conviction shall be punished by a fine of not more than one hundred dollars (\$100.00), excluding costs and assessments, for the first offense within a one year period; not more than two hundred dollars (\$200.00), excluding costs and assessments, for the second offense within a one year period; and not more than three hundred dollars (\$300.00), excluding costs and assessments, for a third or subsequent offense within a one year period.

4. Upon failure of the individual to pay any fine within ninety (90) days of the assessment of such fine, the clerk of the municipal court shall notify the department of public safety, and the department shall suspend or not issue a driver's license to the individual until proof of payment has been furnished to the department of public safety.

E. Sale Of Tobacco Products Except In Original Sealed Package:

1. It is unlawful and an offense for any person to sell cigarettes except in the original, sealed package in which they were placed by the manufacturer.

2. Any person violating the provisions of subsection E1 of this section shall be guilty of an offense and upon conviction shall be punished by a fine of two hundred dollars (\$200.00), excluding costs and assessments, for each offense.

F. Restrictions On Manner Of Enforcement: Persons under eighteen (18) years of age may be enlisted by any law enforcement agency to assist in enforcement of subsections A through F of this section. Provided, however, that such persons may be used to test compliance only if written parental consent has been provided and the testing is conducted under the direct supervision of the alcoholic beverage laws enforcement ("ABLE") commission or conducted by another law enforcement agency if such agency has given written notice to the ABLE commission in the manner prescribed by the ABLE commission. Provided, however, that this subsection shall not apply to the use of persons under eighteen (18) years of age to test compliance if the compliance test is being conducted by or on behalf of a retailer of tobacco products, as defined in 68 Oklahoma Statutes section 301, at any location the retailer of cigarettes is authorized to sell cigarettes.

G. Required Signage In Retail Establishments:

1. Every person who sells or displays tobacco products at retail shall post conspicuously and keep so posted at the place of business a sign, as specified by the alcoholic beverage laws enforcement (ABLE) commission, stating the following: "It's The Law. We Do Not Sell Tobacco Products To Persons Under 18 Years Of Age." The sign shall also provide the toll free number operated by the alcoholic beverage laws enforcement (ABLE) commission for the purpose of reporting violations of the prevention of youth access to tobacco act.

2. Any person violating the provisions of subsection G1 of this section shall be guilty of an offense and upon conviction shall be punished by a fine of not more than fifty dollars (\$50.00) for each day a violation occurs. Each day a violation is continuing shall constitute a separate offense. The notice required by subsection G1 of this section shall be the only notice required to be posted or maintained in any store that sells tobacco products at retail.

H. Retail Employee Notice And Acknowledgement:

1. Every person engaged in the business of selling tobacco products at retail shall notify each individual employed by that person as a retail sales clerk that state law:

a. Prohibits the sale or distribution of tobacco products to any person under eighteen (18) years of age and the purchase or receipt of tobacco products by any person under eighteen (18) years of age; and

b. Requires that proof of age be demanded from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser or recipient may be under eighteen (18) years of age.

2. This notice shall be provided before the individual commences work as a retail sales clerk. The individual shall signify that he or she has received the notice required by this section by signing a form stating as follows:

I understand that state law prohibits the sale or distribution of tobacco products to persons under eighteen (18) years of age and out-of-package sales, and requires proof of age of purchaser or recipient if an ordinary person would conclude on the basis of

appearance that the prospective purchaser or recipient may be under eighteen (18) years of age. I promise, as a condition of my employment, to obey the law. I understand that violations by me may be punishable by fines, suspension, or non-issuance of my driver license. In addition, I understand that violations by me may subject the store owner to fines or license suspension.

- I. Tobacco Vending Machine Requirements:
 - 1. It shall be unlawful and an offense for any person to sell tobacco products through a vending machine unless the vending machine is located:
 - a. In areas of factories, businesses, offices, or other places that are not open to the public; or
 - b. In places that are open to the public, but to which persons under eighteen (18) years of age are not admitted.
- J. Public Access To Displayed Or Sale Of Tobacco Products; Assistance From Store Owner Or Other Required:
 - 1. It shall be unlawful and an offense for any person or retail store to display or offer for sale tobacco products in any manner that allows public access to the tobacco product without assistance from the person displaying the tobacco product or an employee or the owner of the store. The provisions of this subsection shall not apply to retail stores which do not admit into the store persons under eighteen (18) years of age.
 - 2. Any person violating the provisions of subsection I1 of this section shall be guilty of an offense and punishable by a fine of not more than two hundred dollars (\$200.00) for each offense.
- K. Furnishing Cigarette Papers, Pipes, And Other Items, Designed For Smoking Or Ingestion Of Tobacco To Minors:
 - 1. It is unlawful and an offense for any person to sell, give or furnish in any manner to another person who is under eighteen (18) years of age any material or device used in the smoking, chewing, or other method of consumption of tobacco, including cigarette papers, pipes, holders of smoking materials of all types, and other items designed primarily for the smoking or ingestion of tobacco products.

10-422

10-422

2. Any person violating subsection K1 of this section shall be guilty of an offense and punishable by a fine of not more than one hundred dollars (\$100.00) for each offense. (Ord. 2009-07-02, 7-14-2009)

CHAPTER 5

OFFENSES AGAINST PERSONS

Section 10-501 Assault and battery prohibited.

SECTION 10-501 ASSAULT AND BATTERY PROHIBITED.

A. An assault is any intentional, wilful, or unlawful attempt or offer with force or violence to do a corporal hurt to another.

B. A battery is any intentional, wilful or unlawful use of force or violence upon the person of another, or by making any physical contact with another without consent.

C. It is unlawful to commit an assault or an assault and battery within the jurisdiction of the town. Any person committing an assault or an assault and battery within the jurisdiction of the town, shall be guilty of an offense. (Prior Code, Chapter 14)

CHAPTER 6

OFFENSES AGAINST PUBLIC AUTHORITY

Section 10-601	Resisting an officer.
Section 10-602	Refusing or failing to assist an officer.
Section 10-603	Assault or battery upon police or other law officer.
Section 10-604	Rescuing prisoners.
Section 10-605	Escape of prisoners.
Section 10-606	Impersonating an officer or employee.
Section 10-607	False alarms.
Section 10-608	False representation to an officer.
Section 10-609	Removal of barricades.
Section 10-610	Resisting public officials.
Section 10-611	Eluding police officer prohibited.
Section 10-612	Automatic dialing to 9-1-1 prohibited.

SECTION 10-601 RESISTING AN OFFICER.

A. It is unlawful to resist, oppose or assault, or in any way interfere with the police chief or any person duly authorized to act as such, while the officer or person is discharging or attempting to discharge his official duties within the limits of the town.

B. It is unlawful for any person to warn or signal another so as to assist such other person to flee, escape or evade an officer seeking to make an arrest or for any person to bar or lock any door or barrier in the face of or in front of an approaching officer.

C. Resisting an officer is the intentional opposition or resistance to, or obstruction of, an individual acting in his official capacity, and authorized by law to make a lawful arrest or seizure of property, or to serve any lawful process or court order, when the offender knows or has reason to know that the person arresting, seizing property, or serving process is acting in his official capacity.

D. The words "obstruction of" shall, in addition to their common meaning, include:

1. Flight by one sought to be arrested before the arresting officer can restrain him and after notice is given that he is under arrest;

2. Any violence toward or any resistance or opposition to the arresting officer after the arrested party is actually placed under arrest and before he is under arrest; or

3. Refusal by the arrested party to give his name and make his identity known to the arresting officer.

(Prior Code, Chapter 14)

SECTION 10-602 REFUSING OR FAILING TO ASSIST AN OFFICER.

A. An officer of the town making or about to make an arrest, or executing or about to execute a warrant or other process, in accordance with the ordinances of the town or with state or federal law, or suppressing or about to suppress a riot, affray or unlawful assembly, may call upon person or persons to assist him in making such arrest, executing such process or suppressing such riot, affray or unlawful assembly.

Offenses and Crimes

Sec. 10-602

Sec. 10-608

B. It is unlawful for any person lawfully called upon thus to assist an officer of the town to refuse or fail to do so. (Prior Code, Chapter 14)

SECTION 10-603 ASSAULT OR BATTERY UPON POLICE OR OTHER LAW OFFICER.

It is unlawful for any person to knowingly commit any assault, battery or assault and battery upon the person of a police officer or other officer of the law while in the performance of his duties. (Prior Code, Chapter 14)

SECTION 10-604 RESCUING PRISONERS.

It is unlawful for any person, in any illegal manner, to set at liberty, rescue or attempt to set at liberty, any prisoner or prisoners, from any officer or employee of the town having legal custody of the same or from the town jail or other place of confinement by the town, or to assist such prisoner in any manner to escape from such prison or custody either before or after conviction, including escape from a vehicle of confinement. (Prior Code, Chapter 14)

SECTION 10-605 ESCAPE OF PRISONERS.

It is unlawful for any person confined in the town jail or other place of confinement by the town, or working upon the streets or other public places of the town in pursuance of any judgment, or otherwise held in legal custody by authority of the town, to escape or attempt to escape from any such jail, prison or custody. (Prior Code, Chapter 14)

SECTION 10-606 IMPERSONATING AN OFFICER OR EMPLOYEE.

It is unlawful for any person to impersonate any officer or employee of the town, falsely represent himself to be an officer or employee of the town, or exercise or attempt to exercise any of the duties, functions or powers of an officer or employee of the town without being duly authorized to do so. (Prior Code, Chapter 14)

SECTION 10-607 FALSE ALARMS.

It is unlawful for any person to turn in a false alarm of any nature or in any manner to deceive or attempt to deceive the fire department or police department or any officer or employee thereof with reference to any fire alarm or reported fire, accident or other emergency or knowingly to cause the fire department or police department or its officers or employees to make a useless run. (Prior Code, Chapter 14)

SECTION 10-608 FALSE REPRESENTATION TO AN OFFICER.

It is unlawful for any person, firm or corporation, or any agent or employee thereof, knowingly to make any material misrepresentation to any officer, employee or agency of the town government in any official application to, or official dealing or negotiation with, such officer or agency; or to commit perjury before any tribunal or officer of the town. (Prior Code, Chapter 14)

SECTION 10-609 REMOVAL OF BARRICADES.

It is unlawful for any person except by proper authority to remove any barricade or obstruction placed by authority of the town to keep traffic off any pavement, street, curb, sidewalk or other area. (Prior Code, Chapter 14)

SECTION 10-610 RESISTING PUBLIC OFFICIALS.

It is unlawful for any person knowingly or wilfully to:

1. Resist, oppose or obstruct the chief of police, any other police officer, the municipal judge, or any other officer or employee of the town in the discharge of his official duties;
2. Threaten or otherwise intimidate or attempt to intimidate any such officer or employee from the discharge of his official duties; or
3. Assault or beat, or revile, abuse, be disrespectful to, use abusive or indecent language toward or about, any such officer or employee while such officer or employee is in the discharge of his official duties. (Prior Code, Chapter 14)

SECTION 10-611 ELUDING POLICE OFFICER PROHIBITED.

No person operating a motor vehicle who has received a visual or audible signal directing the operator to bring his vehicle to a stop shall wilfully increase his speed or extinguish his lights or in any other manner attempt to or actually elude such law enforcement officer. A visual or audible signal for the purpose of this section means a red light and a siren from a law enforcement officer driving a motor vehicle with insignia showing the same to be an official police, sheriff, or highway patrol car. (Prior Code, Chapter 20)

SECTION 10-612 AUTOMATIC DIALING TO 9-1-1 PROHIBITED.

It is unlawful for any person to program a burglar alarm automatic dialing device to any telephone line which, when activated, dials digits 9-1-1. When an alarm permit is issued, the alarm user will be given a phone number to be programmed into their system which goes directly to the police service communication center. It is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device which is programmed to dial the digits 9-1-1 or whose permit has been revoked, after receiving notice from the alarm administrator, fire or police personnel. (Ord. No. 89-1, 3/14/89)

Offenses and Crimes

Sec. 10-701

Sec. 10-701

CHAPTER 7

PENALTIES

Section 10-701 General penalties.

SECTION 10-701 GENERAL PENALTIES.

Any violation of the provisions of this part is punishable as provided in Section 1-108 of this code.