

TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

1. ALCOHOL.
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CHAPTER 1

ALCOHOL²

SECTION

11-101. Drinking beer, etc., on city streets, etc.

11-101. Drinking beer, etc., on city streets, etc. It shall be unlawful for any person to drink or consume, or have an open can or bottle of beer or intoxicating liquor in or on any public street, alley, avenue, highway, sidewalk, public park, public school ground or other public place; except as may be otherwise authorized by the city.

¹Municipal code references

Animal control: title 10.

Fireworks and explosives: title 7.

Residential and utilities: title 12.

Streets and sidewalks (non-traffic): title 16.

Traffic offenses: title 15.

²Municipal code reference

Sale of alcoholic beverages, including beer: title 8.

State law reference

See Tennessee Code Annotated § 33-8-203 (Arrest for Public Intoxication, cities may not pass separate legislation).

CHAPTER 2

OFFENSES AGAINST THE PEACE AND QUIET

SECTION

11-201. Disturbing the peace.

11-202. Anti-noise regulations.

11-201. Disturbing the peace. No person shall disturb, tend to disturb, or aid in disturbing the peace of others by violent, tumultuous, offensive, or obstreperous conduct, and no person shall knowingly permit such conduct upon any premises owned or possessed by him or under his control. (2004 Code, § 11-301)

11-202. Anti-noise regulations. Subject to the provisions of this section, the creating of any unreasonably loud, disturbing, and unnecessary noise is prohibited. Noise of such character, intensity, or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare is prohibited.

(1) Miscellaneous prohibited noises enumerated. The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(a) Blowing horns. The sounding of any horn or other device on any automobile, motorcycle, bus, truck, or vehicle while not in motion except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.

(b) Radios, phonographs, etc. The playing of any radio, phonograph, or any musical instrument or sound device, including but not limited to loudspeakers or other devices for reproduction or amplification of sound, either independently of or in connection with motion pictures, radio, or television, in such a manner or with such volume, particularly during the hours between 11:00 P.M. and 7:00 A.M., as to annoy or disturb the quiet, comfort, or repose of persons in any office or hospital, or in any dwelling, hotel, or other type of residence, or of any person in the vicinity.

(c) Yelling, shouting, etc. Yelling, shouting, whistling, or singing on the public streets, particularly between the hours of 11:00 P.M. and 7:00 A.M., or at any time or place so as to annoy or

disturb the quiet, comfort, or repose of any person in any hospital, dwelling, hotel, or other type of residence, or of any person in the vicinity.

(d) Pets. The keeping of any animal, bird, or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

(e) Use of vehicle. The use of any automobile, motorcycle, truck, or vehicle so out of repair, so loaded, or in such manner as to cause loud and unnecessary grating, grinding, rattling, or other noise.

(f) Blowing whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper city authorities.

(g) Exhaust discharge. To discharge into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicle, or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(h) Building operations. The erection (including excavation), demolition, alteration, or repair of any building in any residential area or section or the construction or repair of streets and highways in any residential area or section, other than between the hours of 7:00 A.M. and 6:00 P.M. on weekdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector granted for a period while the emergency continues not to exceed thirty (30) days. If the city manager or designee should determine that the public health and safety will not be impaired by the erection, demolition, alteration, or repair of any building or the excavation of streets and highways between the hours of 6:00 P.M. and 7:00 A.M., and if he shall further determine that loss or inconvenience would result to any party in interest through delay, he may grant permission for such work to be done between the hours of 6:00 P.M. and 7:00 A.M. upon application being made at the time the permit for the work is awarded or during the process of the work.

(i) Noises near schools, hospitals, churches, etc. The creation of any excessive noise on any street adjacent to any hospital or adjacent to any school, institution of learning, church, or court while the same is in session.

(j) Loading and unloading operations. The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and other containers.

(k) Noises to attract attention. The use of any drum, loudspeaker, or other instrument or device emitting noise for the purpose of attracting attention to any performance, show, or sale or display of merchandise.

(1) Loudspeakers or amplifiers on vehicles. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

(2) Exceptions. None of the terms of prohibitions hereof shall apply to or be enforced against:

(a) Any vehicle of the city while engaged upon necessary public business;

(b) Excavations or repairs of bridges, streets or highways by or on behalf of the city, the county or the state;

(c) Properly operating alarms on vehicles or structures;

(d) Authorized emergency vehicles;

(e) Vehicle horns used as a warning of danger;

(f) Public safety officials acting within the scope of their authority; or

(g) Community-wide public events, parades, or activities authorized to be held on city-owned property. (2004 Code, § 11-302, modified)

CHAPTER 3

INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL

SECTION

11-301. Escape from custody or confinement.

11-302. Impersonating a government officer or employee.

11-303. False emergency alarms.

11-304. Resisting or interfering with an officer.

11-301. Escape from custody or confinement. It shall be unlawful for any person under arrest or otherwise in custody of or confined by the city to escape or attempt to escape, or for any other person to assist or encourage such person to escape or attempt to escape from such custody or confinement. (2004 Code, § 11-401)

11-302. Impersonating a government officer or employee. No person other than an official police officer of the city shall wear the uniform, apparel, or badge or carry any identification card or other insignia of office like or similar to or a colorable imitation of that adopted and worn or carried by the official police officers of the city. Furthermore, no person shall deceitfully impersonate or represent that he is any government officer or employee. (2004 Code, § 11-402)

11-303. False emergency alarms. It shall be unlawful for any person intentionally to make, turn in, or give a false alarm of fire, or of need for police or ambulance assistance, or to aid or abet in the commission of such act. (2004 Code, § 11-403)

11-304. Resisting or interfering with an officer. It shall be unlawful for any person knowingly to resist or in any way interfere with or attempt to interfere with any officer or employee of the municipality while such officer or employee is performing or attempting to perform his municipal duties. (2004 Code, § 11-404)

CHAPTER 4**FIREARMS, WEAPONS AND MISSILES****SECTION**

11-401. Throwing missiles.

11-402. Discharge of firearms.

11-401. Throwing missiles. It shall be unlawful for any person maliciously to throw any stone, bottle, or any other missile upon or at any vehicle, building, tree, or other public or private property or upon or at any person. (2004 Code, § 11-501)

11-402. Discharge of firearms. (1) It shall be unlawful for any person to discharge a firearm within the city limits, except as may otherwise be authorized by the state or its agencies.

(2) It shall be unlawful for any person to discharge within the city limits any air gun, air rifle, BB gun, or slingshot capable of discharging a metal bullet or pellet, whether propelled by spring, compressed air, expanding gas, explosive, or other force-producing means or method, except as may otherwise be authorized by the state or its agencies.

CHAPTER 5

TRESPASSING AND INTERFERENCE WITH TRAFFIC

SECTION

11-501. Trespassing.

11-502. Interference with traffic.

11-501. Trespassing. The owner or person in charge of any lot or parcel of land or any building or other structure within the corporate limits may post the same against trespassers. It shall be unlawful for any person to go upon any such posted lot or parcel of land or into any such posted building or other structure without the consent of the owner or person in charge.

It shall be unlawful and deemed to be a trespass for any peddler, canvasser, solicitor, transient merchant, or other person to fail to leave promptly the private premises of any person who requests or directs him to leave. (2004 Code, § 11-601)

11-502. Interference with traffic. It shall be unlawful for any person to stand, sit, or engage in any activity whatever on any public street, sidewalk, bridge, or public ground in such a manner as to prevent, obstruct, or interfere unreasonably with the free passage of pedestrian or vehicular traffic thereon. This provision shall not be interpreted to apply to city employees or other governmental officials acting to discharge their duties. (2004 Code, § 11-603)

CHAPTER 6

MISCELLANEOUS

SECTION

11-601. Abandoned refrigerators, etc.

11-602. Caves, wells, cisterns, etc.

11-603. Posting notices, etc.

11-604. Curfew for minors.

11-605. Use of name "Eagleville Police."

11-601. Abandoned refrigerators, etc. It shall be unlawful for any person to leave in any place accessible to children any abandoned, unattended, unused, or discarded refrigerator, icebox, or other container with any type latching or locking door without first removing therefrom the latch, lock, or door. (2004 Code, § 11-701)

11-602. Caves, wells, cisterns, etc. It shall be unlawful for any person to permit to be maintained on property owned or occupied by him any cave, well, cistern, or other such opening in the ground which is dangerous to life and limb without an adequate cover or safeguard. (2004 Code, § 11-702)

11-603. Posting notices, etc. No person shall fasten, in any way, any show card, poster, or other advertising device upon any public or private property unless legally authorized to do so. (2004 Code, § 11-703)

11-604. Curfew for minors. It shall be unlawful for any person, under the age of eighteen (18) years, to be abroad at night between 12:00 A.M. and 5:00 A.M. unless going directly to or from a lawful activity or upon a legitimate errand for, or accompanied by, a parent, guardian, or other adult person having lawful custody of such minor. (2004 Code, § 11-704)

11-605. Use of name "Eagleville Police." It shall be unlawful for any individual, business, or corporation except the city, singly or in combination, to use the name and/or phrase "Eagleville Police" separately or in combination with any other words, names, or phrases or any abbreviations thereof, or to use any name, names, and/or phrases confusingly similar. (2004 Code, § 11-706)

CHAPTER 7**MISDEMEANORS OF STATE ADOPTED****SECTION**

11-701. Misdemeanors of the state adopted.

11-701. Misdemeanors of the state adopted. All offenses against the State of Tennessee which are committed within the corporate limits and which are defined by the state law or are recognized by the common law to be misdemeanors are hereby designated and declared to be offenses against the City of Eagleville also. Any violation of any such law within the corporate limits is also a violation of this section. (2004 Code, § 11-801, modified)