

TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

1. ALCOHOL.
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CHAPTER 1

ALCOHOL²

SECTION

- 11-101. Drinking beer, etc., on streets, etc.
 11-102. Minors in beer places.
 11-103. Public intoxication.

11-101. Drinking beer, etc., on 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 unless the place has an appropriate permit and/or license for on premises consumption. (1984 Code, § 10-303)

11-102. Minors in beer places. No person under the age of eighteen (18) years of age shall loiter in or around, work in, or otherwise frequent any

¹Municipal code references

Animal control: title 10.

Housing and utility codes: title 12.

Fireworks and explosives: title 7.

Traffic offenses: title 15.

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

²Municipal code reference

Sale of alcoholic beverages, including beer: title 8.

place where beer is sold at retail for consumption on the premises. (1984 Code, § 10-301)

11-103. Public intoxication. A person commits the offense of public intoxication who appears in a public place under the influence of a controlled substance or any other intoxicating substance to the degree that:

- (1) The offender may be endangered;
- (2) There is endangerment to other persons or property; or
- (3) The offender unreasonably annoys people in the vicinity. (1984 Code, § 10-302, modified)

CHAPTER 2**FORTUNE TELLING, ETC.****SECTION**

11-201. Fortune telling, etc.

11-201. Fortune telling, etc. It shall be unlawful for any person to hold himself forth to the public as a fortune teller, clairvoyant, hypnotist, spiritualist, palmist, phrenologist, or other mystic endowed with supernatural powers. (1984 Code, § 10-703)

CHAPTER 3

OFFENSES AGAINST THE PEACE AND QUIET

SECTION

11-301. Disturbing the peace.

11-302. Anti-noise regulations.

11-301. 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. (1984 Code, § 10-602)

11-302. 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 signal device on any automobile, motorcycle, bus, streetcar or other 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, hooting, etc. Yelling, shouting, hooting, 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, streetcar, 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 municipal 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 week days, 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 building inspector 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 or prohibitions hereof shall apply to or be enforced against:

(a) Municipal vehicles. Any vehicle of the city while engaged upon necessary public business.

(b) Repair of streets, etc. Excavations or repairs of bridges, streets, or highways at night, by or on behalf of the city, the county, or the state, when the public welfare and convenience renders it impracticable to perform such work during the day.

(c) Noncommercial and nonprofit use of loudspeakers or amplifiers. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character and in the course of advertising functions sponsored by nonprofit organizations. However, no such use shall be made until a permit therefor is secured from the recorder. Hours for the use of an amplifier or public address system will be designated in the permit so issued and the use of such systems shall be restricted to the hours so designated in the permit. (1984 Code, § 10-603)

CHAPTER 4**INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL****SECTION**

11-401. Impersonating a government officer or employee.

11-402. False emergency alarms.

11-401. 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. (1984 Code, § 10-609)

11-402. 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. (1984 Code, § 10-606)

CHAPTER 5

FIREARMS, WEAPONS AND MISSILES

SECTION

11-501. Air rifles, etc.

11-502. Weapons and firearms generally.

11-501. Air rifles, etc. It shall be unlawful for any person in the city to discharge any air gun, air pistol, air rifle, "BB" gun, or sling shot capable of discharging a metal bullet or pellet, whether propelled by spring, compressed air, expanding gas, explosive, or other force-producing means or method. (1984 Code, § 10-502)

11-502. Weapons and firearms generally. It shall be unlawful for any unauthorized person to discharge a firearm within the municipality, provided, however, it shall not be unlawful for any individual to discharge a firearm while engaged in hunting where authorized by state law and/or regulation of the Tennessee Wildlife Resources Agency. (1984 Code, § 10-501, as amended by Ord. #2005-848, Aug. 2005, modified, and replaced by Ord. #2012-949, Sept. 2012)

CHAPTER 6

**TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE
WITH TRAFFIC**

SECTION

11-601. Trespassing.

11-602. Trespassing on trains.

11-603. Interference with traffic.

11-601. 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. (1984 Code, § 10-404)

11-602. Trespassing on trains. It shall be unlawful for any person to climb, jump, step, stand upon, or cling to, or in any other way attach himself to any locomotive engine or railroad car unless he works for the railroad corporation and is acting in the scope of his employment or unless he is a lawful passenger or is otherwise lawfully entitled to be on such vehicle. (1984 Code, § 10-405)

11-603. 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. (1984 Code, § 10-610)

CHAPTER 7**MISCELLANEOUS****SECTION**

11-701. Caves, wells, cisterns, etc.

11-702. Posting notices, etc.

11-703. Curfew for minors.

11-704. Wearing masks.

11-705. Aiding and abetting.

11-701. 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. (1984 Code, § 10-702)

11-702. 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. (1984 Code, § 10-705)

11-703. Curfew for minors. 1. It shall be unlawful for any person under the age of eighteen (18) years to loiter, idle, wander, or play in and upon the public streets, highways, alleys, parks, playgrounds, schools or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or any unsupervised place within the corporate limits of the City of Mount Pleasant, Tennessee, between the hours of 11:00 P.M. and 5:00 A.M. Sunday through Thursday and 12:00 midnight and 5:00 A.M. on Friday and Saturday, provided, however, that this section shall not apply to any minor accompanied by his or her parent, guardian or other adult person having the care and custody of said minor; any minor upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of said minor; a child attending or returning from a school or social function for which he or she has written permission in his or her possession from his or her parent, guardian or other adult person having the care and custody of said minor; or any minor going to or returning from any legitimate employment.

2. When any minor is apprehended for an apparent violation of this section, the apprehending officer shall, in his or her sole discretion, act in one or more of the following manners:

a. Take the minor to his or her home and advise and counsel with the parents, guardians or other adult person having the care and custody of said minor and the reasons for said action.

b. File an appropriate petition summoning the said minor and/or parents, guardians or other adult person having the care and

custody of said minor to appear in the Juvenile Court of Maury County, Tennessee.

c. Deliver the minor into custody of appropriate officials of the Juvenile Court of Maury County, Tennessee, for disposition.

3. No parent, guardian or other person having the care and custody of a child under the age of eighteen (18) years shall knowingly permit such minor to loiter, idle, wander, or play in and upon the public streets, highways, alleys, parks, playgrounds, schools or other public grounds, public places, public buildings, places of amusement and entertainment, vacant lots or any other unsupervised place in the corporate limits of the City of Mount Pleasant, Tennessee, between the hours of 11:00 P.M. and 5:00 A.M. Sunday through Thursday and 12:00 midnight and 5:00 A.M. Friday and Saturday, provided, however, that this shall not apply to a minor that falls within the exceptions set forth in subsection (1) above.

4. The parent, guardian or other person having the care and custody of said minor shall be subject to the penalty provided in this section where said parent, guardian or other person having the care and custody of said minor fails to prevent said minor from violating this section on a second or other subsequent occasion.

5. Any parent, guardian or other person having the care and custody of a minor who is found guilty of the violation of either subsection (3) or (4) of this section shall be subject to a fine not to exceed fifty dollars (\$50.00) for each violation. (Ord. #94-763, Oct. 1994)

11-704. Wearing masks. It shall be unlawful for any person to appear on or in any public way or place while wearing any mask, device, or hood whereby any portion of the face is so hidden or covered as to conceal the identity of the wearer. The following are exempted from the provisions of this section:

- (1) Children under the age of ten (10) years.
- (2) Workers while engaged in work wherein a face covering is necessary for health and/or safety reasons.
- (3) Persons wearing gas masks in civil defense drills and exercises or emergencies.
- (4) Any person having a special permit issued by the city recorder to wear a traditional holiday costume. (1984 Code, § 10-704)

11-705. Aiding and abetting. It shall be unlawful for any person to aid or abet another in violating any provision of this code. (1984 Code, § 10-706)

CHAPTER 8**GAMBLING****SECTION**

11-801. Gambling.

11-802. Promotion of gambling.

11-801. Gambling. It shall be unlawful for any person to play at any game of hazard or chance for money or other valuable thing or to make or accept any bet or wager for money or other valuable thing. (1984 Code, § 10-304)

11-802. Promotion of gambling. It shall be unlawful for any person to encourage, promote, aid, or assist the playing at any game, or the making of any bet or wager, for money or other valuable thing, or to possess, keep, or exhibit for the purpose of gambling, any gaming table, device, ticket, or any other gambling paraphernalia. (1984 Code, § 10-305)