

## TITLE 11

MUNICIPAL OFFENSES<sup>1</sup>

## CHAPTER

1. ALCOHOL.
2. OFFENSES AGAINST THE PEACE AND QUIET.
3. INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL.
4. FIREARMS, WEAPONS AND MISSILES.
5. MALICIOUS MISCHIEF AND INTERFERENCE WITH TRAFFIC.
6. MISCELLANEOUS.

## CHAPTER 1

ALCOHOL<sup>2</sup>

## SECTION

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

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 in or on any public street, alley, avenue, highway, sidewalk, public park, public school ground, or other public place unless the place has a beer permit and license for on premise consumption. (1973 Code, § 10-229)

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<sup>1</sup>Municipal code references

Animal control: title 10.

Traffic offenses: title 15.

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

<sup>2</sup>Municipal 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. (1973 Code, § 10-202)

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 signal device on any automobile, motorcycle, bus, truck, 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 persons in any hospital,

dwelling, hotel, or other type of residence, or of any persons 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 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 a residential area or section or the construction or repair of streets and highways in any residential area or section, shall be between the hours of 6:00 A.M. and 8:00 P.M. on seven (7) days a week. However, the building inspector may allow for a variance in times upon application of the builder or homeowner for good cause shown.

(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.

(l) 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 town 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 town, 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 city clerk. 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. (1973 Code, § 10-234, as amended by Ord. #449, Sept. 2016 **Ch12\_6-11-19**)

## CHAPTER 3

INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL

## SECTION

11-301. Escape from custody or confinement.

11-302. False emergency alarms.

11-303. Resisting or interfering with an officer.

11-304. Coercing people not to work.

11-305. Impersonating a government officer or employee.

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 town 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. (1973 Code, § 10-209)

11-302. False emergency alarms. It shall be unlawful for any person to intentionally 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. (1973 Code, § 10-217)

11-303. Resisting or interfering with an officer. It shall be unlawful for any person to knowingly resist or in any way interfere with or attempt to interfere with any officer or employee of the town while such officer or employee is performing or attempting to perform his municipal duties. (1973 Code, § 10-210)

11-304. Coercing people not to work. It shall be unlawful for any person in association or agreement with any other person to assemble, congregate, or meet together in the vicinity of any premises where other persons are employed or reside for the purpose of inducing any such other person by threats, coercion, intimidation, or acts of violence to quit or refrain from entering a place of lawful employment. It is expressly not the purpose of this section to prohibit peaceful picketing. (1973 Code, § 10-231)

11-305. Impersonating a government officer or employee. No person other than an official police officer of the town 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 town. Furthermore no person shall deceitfully impersonate or represent that he is any government officer or employee. (1973 Code, § 10-211)

## CHAPTER 4

FIREARMS, WEAPONS AND MISSILES

## SECTION

11-401. Discharge of air guns, spring guns, etc.

11-402. Throwing missiles.

11-403. Discharge of firearms.

11-404. Exception.

11-401. Discharge of air guns, spring guns, etc. It shall be unlawful for any person to fire or discharge any air gun or air pistol, spring gun or spring pistol, or any other device or firearm which is calculated or intended to propel or project a bullet, pellet, air or similar projectile, within the city limits, so as to endanger life, limb or property of any other resident of the city. (1973 Code, § 10-213, as replaced by Ord. #149, April 1996)

11-402. Throwing missiles. It shall be unlawful for any person to throw any stone, snowball, bottle, club, brick-bats or any other missile from slings, by hand or otherwise within the city, so as to endanger life, limb, or property of any citizen. (1973 Code, § 10-214, as replaced by Ord. #149, April 1996)

11-403. Discharge of firearms. It shall also be unlawful for any unauthorized person to discharge a firearm within the municipality. An unauthorized person is defined as a person who does not comply with the Tennessee Wildlife Resource Agency guidelines or does not comply with any state or federal laws pertaining to hunting or the discharging of a firearm. (1973 Code, § 10-212, modified, as replaced by Ord. #149, April 1996)

11-404. Exception. This section shall not apply to the discharge of fireworks for the following days:

June 20, through July 7<sup>th</sup> from 10:00 A.M. until 10:00 P.M. and December 10<sup>th</sup> through January 4<sup>th</sup> from 10:00 A.M. to 10:00 P.M. with the exception of January 1<sup>st</sup> which shall be until 12:30 A.M. (as added by Ord. #249, May 2002)

## CHAPTER 5

MALICIOUS MISCHIEF AND INTERFERENCE WITH TRAFFIC

## SECTION

11-501. Malicious mischief.

11-502. Interference with traffic.

11-501. Malicious mischief. It shall be unlawful and deemed to be malicious mischief for any person to willfully, maliciously, or wantonly damage, deface, destroy, conceal, tamper with, remove, or withhold real or personal property which does not belong to him. (1973 Code, § 10-225)

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 with the free passage of pedestrian or vehicular traffic thereon. (1973 Code, § 10-233)

## 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. Wearing masks.
- 11-606. Restrictions on use of walking track.

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. (1973 Code, § 10-223)

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. (1973 Code, § 10-232)

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. (1973 Code, § 10-227)

11-604. Curfew for minors. It shall be unlawful for any minor, under the age of eighteen (18) years, to be abroad at night between 11:00 P.M. and 5:00 A.M. unless going 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. (1973 Code, § 10-224)

11-605. 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 clerk to wear a traditional holiday costume. (1973 Code, § 10-230)



11-606. Restrictions on use of walking track. There shall be no skateboards, roller skates, tricycles, bicycles, unicycles, motorcycles, ATV three wheelers, four wheelers, mopeds, or any type of motorized vehicles used on the city's walking track.

If a person is found in violation of this section the fine shall be fifty dollars (\$50.00) and up to one hundred (100) hours of community service. (Ord. #65, June 1989)