

TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

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CHAPTER 1

MISDEMEANORS OF THE STATE ADOPTED

SECTION

11-101. Adoption of state traffic statutes.

11-101. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated, § 16-18-302, and Tennessee Code Annotated, § 55-10-307, the City of Church Hill adopts by reference as if fully set forth in this section, the "Rules of the Road," as codified in Tennessee Code Annotated, §§ 55-8-101 through 55-8-131, §§ 55-8-133 through 55-8-150, and §§ 55-8-152 through 55-8-180. Additionally, the City of Church Hill adopts Tennessee Code Annotated, §§ 55-8-181 through 55-8-193, §§ 55-9-601 through 55-9-606, § 55-12-139, and § 55-21-108 by reference as if fully set forth in this section.

¹Municipal code references

Animal control: title 10.

Housing and utility codes: title 12.

Traffic offenses: title 15.

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

CHAPTER 2**ALCOHOL**¹**SECTION**

11-201. Drinking beer, etc., on streets, etc.

11-202. Minors in beer places.

11-201. 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. (2003 Code, § 10-229)

11-202. 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 place where beer is sold at retail for consumption on the premises. (2003 Code, § 10-222)

¹Municipal code reference

Sale of alcoholic beverages, including beer: title 8.

CHAPTER 3

FORTUNE TELLING, ETC.

SECTION

11-301. Fortune telling, etc.

11-301. 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. (2003 Code, § 10-234)

CHAPTER 4

OFFENSES AGAINST THE PEACE AND QUIET

SECTION

11-401. Disturbing the peace.

11-402. Anti-noise regulations.

11-401. 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. (2003 Code, § 10-202)

11-402. 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 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) 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.

(i) 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.

(j) 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.

(k) 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. (2003 Code, § 10-233)

CHAPTER 5**INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL****SECTION**

11-501. False emergency alarms.

11-502. Resisting or interfering with city personnel.

11-501. 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. (2003 Code, § 10-217)

11-502. Resisting or interfering with city personnel. 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 city while such officer or employee is performing or attempting to perform his municipal duties. (2003 Code, § 10-210)

CHAPTER 6

FIREARMS, WEAPONS AND MISSILES

SECTION

11-601. Air rifles, etc.

11-602. Weapons and firearms.

11-601. 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. (2003 Code, § 10-213)

11-602. Weapons and firearms. (1) It shall be unlawful for any person to carry in any manner whatsoever, with the intent to go armed, any razor, dirk, knife, black-jack, brass knuckles, pistol, revolver, assault rifle whose import or manufacture is banned by any act of Congress, or any other dangerous weapon or instrument within the municipal limits of the City of Church Hill.

(2) The foregoing prohibitions shall not apply to members of the U. S. Armed Forces carrying such weapons as are prescribed by applicable regulations nor to any officer or policeman engaged in his official duties. Nor shall this prohibition apply to persons who may have been summoned by such duly authorized law enforcement officer to assist in the discharge of his duties, nor to any conductor of any passenger or freight train authorized by law to go armed while he is on duty.

(3) It is unlawful and shall be a misdemeanor for any unauthorized person to discharge a firearm within the municipal limits of the city, provided, however, that recreational hunters shall be allowed to discharge shotguns at game during authorized hunting seasons on that portion of the Holston River which flows through the municipal limits and on immediately adjacent territory so long as said discharge is not in the vicinity of Laurel Run Park nor directed towards any residential subdivision which borders the Holston River.

(4) It shall be unlawful and a misdemeanor for any individual to discharge a hunting shotgun on private property during hunting activities without the express permission of the owner of the premises on which the individual is conducting his hunting activities.

(5) The discharge of any firearm within the city, other than the discharge of a shotgun, during a recognized hunting activity described in subsection (3), shall be unlawful and shall be a misdemeanor. (2003 Code, § 10-212)

CHAPTER 7**TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE
WITH TRAFFIC****SECTION**

11-701. Trespassing.

11-702. Trespassing on trains.

11-703. Interference with traffic.

11-701. 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. (2003 Code, § 10-226)

11-702. 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. (2003 Code, § 10-221)

11-703. 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. (2003 Code, § 10-232)

CHAPTER 8**MISCELLANEOUS****SECTION**

- 11-801. Caves, wells, cisterns, etc.
- 11-802. Posting notices, etc.
- 11-803. Wearing masks.
- 11-804. Littering.
- 11-805. Unauthorized use of automobiles or other vehicles.
- 11-806. Failure to appear.
- 11-807. Disorderly conduct.
- 11-808. Improper use of skateboards, rollerblades, and bicycles on city property.

11-801. 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. (2003 Code, § 10-231)

11-802. 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. (2003 Code, § 10-227)

11-803. 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. (2003 Code, § 10-235)

11-804. Littering. A person commits the offense of littering who:

- (1) Knowingly places, drops or throws litter on any public or private property without permission and does not immediately remove it;
- (2) Negligently places or throws glass or other dangerous substances on or adjacent to water to which the public has access for swimming or wading, or on or within fifty (50) feet of a public highway;
- (3) Negligently discharges sewage, minerals, or products or litter into any public waters or lakes within the corporate limits.

(4) Permits any animal, dog, cat, or otherwise to defecate on the public property of the City of Church Hill or property of another without removing the animal's refuse immediately. (2003 Code, § 10-228, as amended by Ord. #07-428, Dec. 2007)

11-805. Unauthorized use of automobiles or other vehicles. It shall be unlawful for any person within the corporate limits to take, use, and operate another's automobile, airplane, motorcycle, bicycle, boat or other vehicle without the consent of the owner when the person does not have the intent to deprive the owner thereof. (2003 Code, § 10-237)

11-806. Failure to appear. Pursuant to the authority granted in Tennessee Code Annotated, § 7-63-107 and as referenced in Tennessee Code Annotated, § 7-63-104. It is unlawful for any person to knowingly fail to appear as directed by a lawful authority if the person:

- (1) Has been lawfully issued a citation in lieu of arrest;
 - (2) Has been lawfully released from custody, with or without bail, on condition of subsequent appearance at an official proceeding at a specified time or place; or
 - (3) Knowingly goes in hiding to avoid prosecution or court appearance.
- (2003 Code, § 10-243)

11-807. Disorderly conduct. A person commits an offense who, in a public place and with intent to cause public annoyance or alarm:

- (1) Engages in fighting or in violent or in threatening behavior;
- (2) Refuses to obey an official order to disburse issued to maintain public safety in dangerous proximity to a fire, hazard or other emergency; or
- (3) Creates a hazardous or physically offensive condition by an act that serves no legitimate purpose. (2003 Code, § 10-243)

11-808. Improper use of skateboards, rollerblades, and bicycles on city property. (1) It shall be unlawful to engage in skateboarding, roller skating, or roller blading in any city park except where specifically designated areas are provided by the City of Church Hill. All posted rules and regulations must be followed in any park or other city-owned property.

(2) The use of any type of motorized vehicle in any city park is specifically prohibited.

(3) The use of any bicycle or tricycle is prohibited within all city parks upon walking or running trails except where specifically allowed in Derrick Park.

(4) The formal rules of the operation of the skateboard park are incorporated by reference as if repeated verbatim herein. (2003 Code, § 10-249)

CHAPTER 9**GAMBLING****SECTION**

11-901. Gambling.

11-902. Promotion of gambling.

11-901. 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. (2003 Code, § 10-215)

11-902. 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. (2003 Code, § 10-216)