

TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

1. ALCOHOL.
2. OFFENSES AGAINST THE PEACE AND QUIET.
3. INTERFERENCE WITH TRAFFIC.
4. MISCELLANEOUS.

CHAPTER 1

ALCOHOL²

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 any intoxicating liquor, (including wine, ale or beer, gin, vodka, rum or whiskey,) in any public place, in the Town of Cornersville, or to publicly display any can, bottle, jug, or other vessel containing any of said intoxicating liquor, that have been opened, in the Town of Cornersville.

It shall be unlawful for any occupant of an automobile, truck or other motor vehicle, which is parked or being operated in a parking lot, or on the highways, street, or alleys in the Town of Cornersville, to publicly display or allow any passenger in or on said motor vehicle, automobile, truck or other motor vehicle to display any can, bottle, jug, or other vessel containing any of the said intoxicating liquor, that has been opened.

¹Municipal code references

Animals and fowls: title 10.

Traffic offenses: title 15.

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

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).

Any person violating any of the provisions of this section shall pay a penalty of not more than five hundred dollars (\$500.00). (Ord. #__, May 1976, modified)

CHAPTER 2

OFFENSES AGAINST THE PEACE AND QUIET

SECTION

11-201. Disorderly conduct in court.

11-202. Disturbing the peace.

11-203. Disturbing meetings or assemblages.

11-201. Disorderly conduct in court. It shall be unlawful for any person to conduct himself disorderly, or to use profane or loud language, or in any manner disturb, interfere with or hinder or attempt to hinder the process of a board meeting, or any meeting of any board or commission of the town, or the legal actions of the town court.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and shall pay a penalty of not more than \$500.00.

Notwithstanding the assessment of a monetary penalty, the mayor or chairman of any board or commission of the town may have any person violating the provisions of this section removed from a board meeting and the town judge may hold such person in contempt and punish according to law in addition to any monetary penalty. (Ord. #3, Oct. 1937, modified)

11-202. Disturbing the peace. It shall be unlawful for any person or persons to wantonly or unnecessarily discharge any fire arms, use profane language, or make any loud or unusual noises, or otherwise engage in any boisterous conduct, which disturbs or tends to disturb or is calculated to disturb the public or any part thereof, within the corporate limits of the Town of Cornersville.

Any person or persons violating any of the provisions in this section and who shall be found guilty thereof shall be deemed to be guilty of a misdemeanor and shall pay a penalty of not more than five hundred dollars (\$500.00), and the costs of the cause. (Ord. #11, Oct. 1937, modified)

11-203. Disturbing meeting or assemblages. It shall be unlawful for any person or persons to willfully disturb or disquiet any meeting or assemblage of persons met for religious worship or for education or literary purposes, or as a lodge, or for the purpose of engaging in or promoting the cause of temperance by noise, profane discourse, rude or indecent behavior or any other act at or near the place of such meeting.

Any person or persons guilty of violating any of the provisions in this section and who shall be found guilty thereof shall be deemed to be guilty of a

misdemeanor and shall pay a penalty of not more than five hundred dollars (\$500.00). (Ord. #4, Oct. 1937, modified)

CHAPTER 3**INTERFERENCE WITH TRAFFIC****SECTION**

11-301. Obstruction of roads or ways prohibited.

11-301. Obstruction of roads or ways prohibited. It shall be unlawful for any person to obstruct the public highways, private ways, streets, alleys, sidewalks, public grounds, and ways to cemeteries, churches, schoolhouses, or water hydrants, that are located within the corporate limits of the Town of Cornersville.

Any person violating any provision of this section shall be deemed guilty of a misdemeanor and shall be punished by a penalty of not more than five hundred dollars (\$500.00). (Ord. #55, Jan. 1984, modified)

CHAPTER 4**MISCELLANEOUS****SECTION**

11-401. Fireworks within corporate limits.

11-402. Loitering.

11-403. Procuring other persons to violate any ordinance of the town.

11-404. Curfew for minors.

11-401. Fireworks within corporate limits. It shall be unlawful for any person or persons to cast, explode or otherwise display any squib, firecracker, roman candle, skyrocket, torpedo, or other works, or combustibles, within the corporate limits of the Town of Cornersville, without first having obtained a written permit signed by the mayor and recorder of said town, designating the time and place at which said fireworks may be displayed.

Any person or persons violating any of the provisions in this section and who shall be found guilty thereof shall pay a penalty of not more than five hundred dollars (\$500.00), and the costs of the cause. (Ord. #11, Oct. 1937, modified)

11-402. Loitering. It shall be unlawful for any person or persons to loiter in the park, streets, alleys or any public or private parking lot where the owner of the private parking lot has such lot posted "No Loitering". (Ord. #9, Oct. 1937, modified)

11-403. Procuring other person to violate any ordinance of the town. Any person or persons who shall incite, council, procure, aid or abet, any other person to or in the violation of any ordinance of the Town of Cornersville, Tennessee, shall be deemed a principal offender and punished as such. (Ord. #14, Oct. 1937)

11-404. Curfew for minors. (1) This section may be cited as the "Curfew Ordinance".

(2) As used in this section, the meanings of the following words are:

(a) "Guardian" means the person who legally has care and custody of a minor;

(b) "Juvenile court" means the Juvenile Court of Marshall County, Tennessee;

(c) "Minor" means a person under the age of eighteen (18) years;

(d) "Parent" means the lawful mother or father of a minor;

(e) "Penalty" means money to be paid to the town as ordered by the town court for violations of this section;

(f) "Town court" means the Town Court of Cornersville, Tennessee;

(g) "Town" means the Town of Cornersville, Tennessee.

(3)(a) It is unlawful for a minor to remain in or upon any public street, highway, park, vacant lot, parking lot or other public place within the town between the hours of 10:00 P.M. to 6:00 A.M.

(b) It is unlawful for a parent, guardian or another person having care of a minor to knowingly permit or by insufficient control allow a minor to be or remain on any public street, highway, park, vacant lot, parking lot or other public place within the town between the hours of 10:00 P.M. to 6:00 A.M. under circumstances not constituted an exception to, or otherwise, beyond the scope of this section. The term "knowingly" includes knowledge which a person should reasonably be expected to have concerning the whereabouts of a minor in his or her legal custody or care. The term "knowingly" is intended to continue to keep neglectful or careless parents, guardians or other persons up to a reasonable community standard of responsibility through an objective test. It is not a defense that a parent, guardian or other person was completely indifferent to the activities or conduct or whereabouts of such minor.

(c) The following are valid exceptions to the operation of this section.

(i) At any time, if minor is accompanied by parent, guardian or other person having care of the minor;

(ii) When accompanied by an adult authorized by a parent or guardian of such minor to take such parent or guardian's place in accompanying the minor for a designated period of time and purpose within a specified area;

(iii) Until the hour of 10:30 P.M. if the minor is on an errand directed by his or her parent or guardian;

(iv) If the minor is legally employed, for the period from 45 minutes before to 45 minutes after work, while going directly between his or her residence and place of employment. This exception shall also apply if the minor is in a public place during the curfew hours in the course of his or her employment. To come within this exception, the minor must carry written evidence of employment;

(v) If the minor is on the property of or the sidewalk adjacent to the place where the minor resides or the place immediately adjacent thereto if the owner of the adjacent property

does not communicate an objection to the minor or a law enforcement officer;

(vi) When returning home by a direct route from (and within 30 minutes of the termination of) school activity or an activity of a religious or other voluntary association, or a place of public entertainment such as a movie, play or sporting event. This exception does not apply beyond 11:00 P.M.;

(vii) In the case of reasonable necessity, but only after such minor's parent has communicated to a law enforcement officer the facts establishing such reasonable necessity relating to specified streets at a designated time for a described purpose including place, origin and destination. A copy of such communication, or the record thereof, and appropriate notation of the time it was received and the names and addresses of such parent or guardian and minor constitute evidence of qualification under this exception;

(viii) When the minor is exercising First Amendment rights protected under the United States Constitution such as, free exercise of religion, freedom of speech, and right of assembly;

(ix) Each of the foregoing exceptions and limitations are severable;

(x) When a minor violates this section, the officer may act in one of the following ways:

(A) If in the opinion of the officer such action would be effective, take the child to his residence and warn and counsel with parent or guardian;

(B) Issue a summons for a minor and/or parents or guardians to appear in juvenile court; or

(C) Bring the minor in custody of the juvenile court for disposition.

(4) Any parent, guardian or other person having the care, custody and control of a minor violating the provisions of this section is guilty of a violation of this section and shall be penalized no more than five hundred dollars (\$500.00) for each offense; each violation of the provisions of this section shall constitute a separate offense. (Ord. #95-08, Nov. 1995)