

## TITLE 11

### MUNICIPAL OFFENSES<sup>1</sup>

#### CHAPTER

1. MISCELLANEOUS.
2. ENUMERATED.
3. JUVENILE CURFEW ORDINANCE.

#### CHAPTER 1

#### MISCELLANEOUS

#### SECTION

- 11-101. Misdemeanors of the state adopted.
- 11-102. Smoking prohibited within any city owned or leased buildings.

**11-101. Misdemeanors of the state<sup>2</sup> adopted.** Except where prohibited by state law, 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 Humboldt. Any violation of any such law within the corporate limits is also a violation of this section. (1980 Code, § 10-101, modified)f

**11-102. Smoking prohibited within any city owned or leased buildings.** (1) It shall be and is a prohibited act for any person, including an employee of the city, to smoke anyplace at anytime inside the Humboldt City Hall or any other building owned or leased by the City of Humboldt, Tennessee.

(2) For the purposes of this section, "to smoke" means and includes carrying of, or having in possession or control, a lighted cigarette, cigarillo, cigar, pipe or any other similar product or device by whatever name it is known.

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<sup>1</sup>Municipal code references

- Animals and fowls: title 10.
- Housing and utilities: title 12.
- Fireworks and explosives: title 7.
- Traffic offenses: title 15.
- Streets and sidewalks (non-traffic): title 16.

<sup>2</sup>State law reference

- For definitions of "misdemeanor," Tennessee Code Annotated, §§ 39-1-103 and 39-1-104.

(3) A violation of this section is declared to be a misdemeanor, and shall be punished by a fine not to exceed fifty dollars (\$50.00). In addition, any employee who violates this section shall also be subject to a disciplinary action, which action need not depend upon or await either a prosecution or conviction under this section. (Ord. #2003-01, March 2003)

**CHAPTER 2****ENUMERATED****SECTION**

- 11-201. Assault and battery.
- 11-202. Disturbing the peace.
- 11-203. Disorderly houses.
- 11-204. Immoral conduct.
- 11-205. Obscene literature, etc.
- 11-206. Indecent or improper exposure or dress.
- 11-207. Window peeping.
- 11-208. Profanity, etc.
- 11-209. Escape from custody or confinement.
- 11-210. Resisting or interfering with city personnel.
- 11-211. Impersonating a government officer or employee.
- 11-212. Weapons and firearms generally.
- 11-213. Air rifles, etc.
- 11-214. Throwing of missiles.
- 11-215. Gambling.
- 11-216. Promotion of gambling.
- 11-217. False emergency alarms.
- 11-218. Loitering.
- 11-219. Vagrancy.
- 11-220. Trespassing on trains.
- 11-221. Minors in beer places.
- 11-222. Abandoned refrigerators, etc.
- 11-223. Curfew for minors.
- 11-224. Malicious mischief.
- 11-225. Trespassing.
- 11-226. Posting notices, etc.
- 11-227. Drinking beer, etc., on streets, etc.
- 11-228. Coercing people not to work.
- 11-229. Caves, wells, cisterns, etc.
- 11-230. Interference with traffic.
- 11-231. Anti-noise regulations.
- 11-232. Fortune telling, etc.
- 11-233. Wearing masks.
- 11-234. Waterguns and pea shooters.
- 11-235. Violation of civil emergency.

**11-201. Assault and battery.** It shall be unlawful for any person to commit an assault or an assault and battery upon any person. (1980 Code, § 10-201)

**11-202. 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. (1980 Code, § 10-202)

**11-203. Disorderly houses.** It shall be unlawful for any person to keep a disorderly house or house of ill fame for the purpose of prostitution or lewdness or where drunkenness, quarrelling, fighting, or other breaches of the peace are carried on or permitted to the disturbance of others. Furthermore, it shall be unlawful for any person knowingly to visit any such house for the purpose of engaging in such activities. (1980 Code, § 10-203)

**11-204. Immoral conduct.** No person shall commit, offer, or agree to commit, nor shall any person secure or offer another for the purpose of committing, a lewd or adulterous act or an act of prostitution or moral perversion; nor shall any person knowingly transport or direct or offer to transport or direct any person to any place or building for the purpose of committing any lewd act or act of prostitution or moral perversion; nor shall any person knowingly receive, or offer or agree to receive any person into any place or building for the purpose of performing a lewd act, or an act of prostitution or moral perversion, or knowingly permit any person to remain in any place or building for any such purpose. (1980 Code, § 10-204)

**11-205. Obscene literature, etc.** It shall be unlawful for any person to publish, sell, exhibit, distribute, or possess for the purpose of lending, selling, or otherwise circulating or exhibiting, any book, pamphlet, ballad, movie film, filmstrip, phonograph record, or other written, printed, or filmed matter containing obscene language, prints, pictures, or descriptions manifestly intended to corrupt the morals. (1980 Code, § 10-205)

**11-206. Indecent or improper exposure or dress.** It shall be unlawful for any person publicly to appear naked or to any dress not appropriate to his or her sex, or in any indecent or lewd dress, or otherwise to make any indecent exposure of his or her person. (1980 Code, § 10-206)

**11-207. Window peeping.** No person shall spy, peer, or peep into any window of any residence or dwelling premise that he does not occupy, nor shall he loiter around or within view of any such window with the intent of watching or looking through it. (1980 Code, § 10-207)

**11-208. Profanity, etc.** No person shall use any profane, vulgar, or indecent language in or near any public street or other public place or in or

around any place of business open to the use of the public in general. (1980 Code, § 10-208)

**11-209. 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. (1980 Code, § 10-209)

**11-210. 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. (1980 Code, § 10-210)

**11-211. 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. (1980 Code, § 10-211)

**11-212. Weapons and firearms generally.** It shall be unlawful for any person to carry in any manner whatever, with the intent to go armed, any razor, dirk, knife, blackjack, brass knucks, pistol, revolver, or any other dangerous weapon or instrument. However, the foregoing prohibition shall not apply to members of the United States Armed Forces carrying such weapons as are prescribed by applicable regulations nor to any officer or policeman engaged in his official duties, in the execution of process, or while searching for or engaged in arresting persons suspected of having committed crimes. Furthermore, the prohibition shall not apply to persons who may have been summoned by such officer or policeman to assist in the discharge of his said duties, nor to any conductor of any passenger or freight train of any steam railroad while he is on duty. It shall also be unlawful for any unauthorized person to discharge a firearm within the city. (1980 Code, § 10-212)

**11-213. 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.

The mayor, chief of police, or other officer designated by the mayor may, in his discretion, require the impounding of any such instruments used contrary to this section. They may be released to the owners thereof upon such

reasonable terms and conditions as may be prescribed, except that there shall be no fee or money penalty assessed for their release. (1980 Code, § 10-213)

**11-214. Throwing of missiles.** It shall be unlawful for any person to throw maliciously any stone, snowball, bottle, or any other missile upon or at any vehicle, building, tree, or other public or private property or upon any person. (1980 Code, § 10-214)

**11-215. 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. (1980 Code, § 10-215)

**11-216. 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. (1980 Code, § 10-216)

**11-217. 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 an act. (1980 Code, § 10-217)

**11-218. Loitering.** It shall be unlawful for any person without legitimate business or purpose to loaf, loiter, wander, or idle in, upon, or about any way or place customarily open to public use. (1980 Code, § 10-218)

**11-219. Vagrancy.** It shall be unlawful for any person to beg or solicit alms or, if without apparent lawful means of support, willfully to neglect to apply himself to some honest occupation. (1980 Code, § 10-220)

**11-220. 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. (1980 Code, § 10-221)

**11-221. Minors in beer places.** No person under the legal drinking age shall loiter in or around, any place where beer is sold at retail for consumption on the premises. (1980 Code, § 10-222, modified)

**11-222. 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. (1980 Code, § 10-223)

**11-223. Curfew for minors.**<sup>1</sup> It shall be unlawful for any minor under the age of eighteen (18) years to be abroad at night after 12:00 midnight unless upon a legitimate errand for, or accompanied by, a parent, guardian, or other adult person having lawful custody of such minor. A violation of this section shall be deemed separate offenses by both the minor involved as well as the parents or guardian. (1980 Code, § 10-224)

**11-224. Malicious mischief.** It shall be unlawful and deemed to be malicious mischief for any person willfully, maliciously, or wantonly to damage, deface, destroy, conceal, tamper with, remove, or withhold real or personal property which does not belong to him. (1980 Code, § 10-225)

**11-225. 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 also 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. (1980 Code, § 10-226)

**11-226. Posting notices, etc.** No person shall fasten, in any way, any show-card, poster, or other advertising device upon any public or private property. (1980 Code, § 10-227)

**11-227. Drinking beer, etc., on streets, etc.** It shall be unlawful for any person to drink or consume, or have an open container 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. (1980 Code, § 10-228)

**11-228. Coercing people not to work.** It shall be unlawful for any person in association or agreement with any other person to assemble,

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<sup>1</sup>Municipal code references

Curfew for minors: § 11-303.

Juvenile curfew ordinance: title 11, chapter 3.

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 expressly is not the purpose of this section to prohibit peaceful picketing. (1980 Code, § 10-230)

**11-229. 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. (1980 Code, § 10-231)

**11-230. 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. (1980 Code, § 10-232)

**11-231. 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, 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 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 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, 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 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 mayor. 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. (1980 Code, § 10-233)

**11-232. 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. (1980 Code, § 10-234)

**11-233. 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 mayor to wear a traditional holiday costume. (1980 Code, § 10-235)

**11-234. Waterguns and pea shooters.** It shall be unlawful for anyone to sell or use a watergun or pea shooter during the entire week in which the

annual Strawberry Festival is held in the City of Humboldt. (1980 Code, § 10-236)

**11-235. Violation of civil emergency.** Whenever the mayor of the City of Humboldt proclaims a civil emergency pursuant to Tennessee Code Annotated, §§ 38-9-101, et seq., any person violating the provisions of orders issued by the mayor, including curfew orders and other restrictive orders as set forth in the above statute, shall be guilty of a misdemeanor. (1980 Code, § 10-237)

## CHAPTER 3

### JUVENILE CURFEW ORDINANCE

#### SECTION

- 11-301. Short title.
- 11-302. Definitions.
- 11-303. Curfew for minors.
- 11-304. Parents' responsibilities.
- 11-305. Procedures.
- 11-306. Violations.
- 11-307. Severability of provisions.
- 11-308. Jurisdiction.

**11-301. Short title.** This chapter shall be known and may be cited as the "Juvenile Curfew Ordinance." (Ord. #92-3, June 1992)

**11-302. Definitions.** For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number the plural number. The word "shall" is always mandatory and not merely directory.

- (4) "City" is the City of Humboldt, Tennessee.
- (5) "Central business district" or "CBD" is defined as the corporate boundaries of the City of Humboldt, Gibson County, Tennessee.
- (6) "Minor" is any person 17 years of age or younger.
- (7) "Parent" is the natural or adoptive parent of a minor.
- (8) "Guardian" is any person other than a parent who has legal guardianship of a minor.
- (9) "Custodian" is any person over age eighteen who is in loco parentis to a juvenile.
- (10) "Public place" shall mean any street, alley, highway, sidewalk, park, playground or place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose. A public place shall include but not be limited to any store, shop, restaurant, tavern, bowling alley, cafe, theater, drug store, pool room, shopping center, and any other place devoted to amusement or entertainment of the general public. It shall also include the front or immediate area of the above. (Ord. #92-3, June 1992)

**11-303. Curfew for minors.**<sup>1</sup> (1) It shall be unlawful for any minor seventeen (17) years or younger to be or remain in any public place, either on foot or to cruise about with no set destination in any vehicle, in the City of Humboldt, Tennessee, between the hours of 11:00 P.M. and 5:00 A.M., Sunday through Thursday, and between the hours of 12:00 midnight and 5:00 A.M., Friday through Saturday.

(2) During school vacations and holidays, and on nights preceding school vacations and holidays, Friday and Saturday curfew hours shall be in effect.

(3) The provisions of paragraph (1), (2), and (3) shall not apply to the following circumstances:

(a) When the minor is accompanied by a parent, guardian, custodian, or other adult person having custody or control of such minor;

(b) When the minor is on an emergency errand or specific business or activity directed or permitted by his parent, guardian, or other person having the care and custody of the minor;

(c) When the presence of the minor is connected with or required by some legitimate employment, trade, profession or occupation and the minor is traveling by direct route to or from such place of employment, trade, profession, or occupation.

(d) When the minor is in a motor vehicle and engaged in interstate travel with the consent of a parent, guardian or other adult person having custody or control of such minor.

(e) When the minor is within one block of his/her legal residence.

(f) When the minor is traveling by direct route to or from a school or church-sponsored activity including, but not limited to, a dance, theater presentations, and sporting events. Minors who attend such activities shall return to their homes or usual places of abode within one-half hour after the activity has ended.

(g) When the minor, or a group of minors, has been authorized by special permit obtained from the chief of police to be in the CBD during curfew hours for circumstances not provided for by the other exceptions set forth in this ordinance. (Ord. #92-3, June 1992)

**11-304. Parents' responsibilities.** It shall be unlawful for the parent, guardian, or other adult person having custody or control of any minor to permit or by inefficient control to allow such person to be or remain in any public place in the CBD in violation of Section 10.62.030. (Ord. #92-3, June 1992)

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<sup>1</sup>Municipal code reference  
Curfew for minors: § 11-223.

**11-305. Procedures.** (1) Police officers may stop and question a person they reasonably believe to be a minor in order to obtain the name, address, and age of such person and the name and address of his or her parent, guardian, or other adult person having custody or control of such person. Any police officer, upon finding a minor in violation of this title, shall advise the minor that he or she is in violation of curfew and shall direct the minor to proceed at once to his or her home or usual place of abode. The police officer may report such action to the police department or dispatch, who in turn may notify the parents, guardian, or person having custody or control of such minor.

(2) If such minor refuses to heed such warning or direction by any police officer or refuses to give such police officer his correct name and address, or if the minor has been warned on a previous occasion that he or she is in violation of curfew, he or she shall be subject to arrest and referred to the municipal court for disposition of the violation or, alternatively, he or she may be taken to the police department and the parent, guardian, or other adult person having the care and custody of such minor shall be notified to come and take charge of the minor. If the parent, guardian, or other adult person above cannot be located or fails to come and take charge of the minor, the minor shall be released to the juvenile authorities.

(3) If the minor is determined to be in violation of § 11-303 and the officer believes the minor is in danger, the officer may take the minor into protective custody and deliver or arrange to deliver the minor either to:

- (a) The minor's parent, guardian, or other adult person having custody or control;
- (b) The police department;
- (c) An appropriate facility of the department of human services.

(Ord. #92-3, June 1992)

**11-306. Violations.** (1) Minors. Any minor arrested for violating the provisions of this ordinance shall be dealt with in accordance with the juvenile court law and procedure, and, upon conviction, shall be subject to a fine of not more than fifty dollars (\$50.00), or to community service of not more than twenty (20) hours, or to both time and community service.

(2) Adults. Any parent, guardian, or other adult person having the care and custody of a minor violating this ordinance shall be guilty of a misdemeanor, and, upon conviction, shall be subject to a fine of not more than fifty dollars (\$50.00), or to community service of not more than forty (40) hours, or to both fine and community service. (Ord. #92-3, June 1992)

**11-307. Severability of provisions.** Each separate provision of this ordinance shall be deemed independent of all other provisions. If any provision of this ordinance, or part thereof, be declared invalid, all other provisions, or parts thereof, shall remain valid and enforceable. (Ord. #92-3, June 1992)

**11-308. Jurisdiction.** A violation of the provisions of this ordinance is designated as a civil infraction and all violations may be heard and determined by the municipal court.

(1) A law enforcement officer has the authority to issue a citation when the infraction is committed in the officer's presence or if an officer, upon investigation, has reasonable cause to believe that a person has committed a violation of this ordinance.

(2) The court may issue a citation upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) The citation shall be in substantially the same form as prescribed for traffic violations.

(4) The procedure for responding to a citation under this ordinance shall be the same procedure prescribed for responding to traffic infractions. Any person who receives a citation shall respond in the manner prescribed herein. If any person issued a notice of infraction fails to respond to the notice as provided, or fails to appear at a hearing requested pursuant to the procedures, the court shall enter an appropriate order assessing the monetary penalty prescribed for the curfew infraction and may hold the party or parties in contempt and assess fine and punishment.

(5) Procedures for hearings provided for in this ordinance shall be in accordance with the procedures for hearings established in title three of the Humboldt City Charter and ordinances. (Ord. #92-3, June 1992)