

TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

1. TOWN LAKE.
2. MISCELLANEOUS.
3. FIREARMS, WEAPONS AND MISSILES.

CHAPTER 1

TOWN LAKE

SECTION

11-101. Regulations.

11-101. Regulations. (1) The boating provisions previously passed² shall be in effect for boats to be used without motors only and all persons using boats shall have life preservers or cushions Coast Guard approved and one per person.

(2) No firearms will be allowed at town lake.

(3) Also the previous provisions applying to type of bait to be used shall also be in effect not to use minnows for bait in said lake.

(4) A fee of \$5.00 per year or \$1.00 per day for all persons between the ages of 8 years and 65 years old shall be paid to the recorder of the Town of Spencer, Tennessee before fishing shall be allowed.

(5) Also no swimming in lake and no dumping of trash or garbage on or near said lake or road leading from State Highway No. 111 to said lake.

(6) The gate to said lake will be closed each day at 8:00 P.M.

(7) Any violation to this section will be a misdemeanor and a fine of not less than twenty dollars (\$20.00) will be imposed. (Ord. #66, Jan. 1967)

¹Municipal code references

Traffic offenses: title 15.

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

²Ord. #65-1 stated that it "will be specifically prohibited for swimming, boating or minnow fishing, with the exception that no motor powered boats may be used for fishing with worms or artificial bait."

CHAPTER 2**MISCELLANEOUS****SECTION**

11-201. Protection of war memorials.

11-201. Protection of war memorials. (1) It shall be unlawful for any person or persons to mar, deface, encroach upon, or otherwise injure a war memorial being erected in the court house yard at Spencer, Tennessee, just east of the Will building, in honor of Van Buren County Soldiers who gave their last full measure of devotion to their country's call.

(2) Any person or persons violating any of the provisions of this section shall be deemed, upon conviction, to be guilty of a misdemeanor and shall be fined not more than twenty dollars (\$20.00) and not less than ten dollars (\$10.00), and the cost of the cause to be taxed to the offending party or parties for the first offense, and not more than thirty dollars (\$30.00) and not less than fifteen dollars (\$15.00) for each subsequent offense, to which will be added to the cost of prosecution. (Ord. # __, May 1948)

CHAPTER 3

FIREARMS, WEAPONS AND MISSILES

SECTION

11-301. Handguns in municipal parks prohibited.

11-301. Handguns in municipal parks prohibited. (1) Any person authorized¹ to carry a handgun under Tennessee Code Annotated, § 39-17-1351, is prohibited from possessing any handgun while within the Spencer City Park that is owned or operated by the City of Spencer or any of its instrumentalities. This prohibition of handguns within any municipal park applies to the entire park, notwithstanding the provisions of Tennessee Code Annotated, § 39-17-1311(b)(1)(I).² However, this chapter does not prohibit lawful possession of any handgun in accordance with Tennessee Code Annotated, § 39-17-1311(b)(1)(A)-(H).³

(2) The City of Spencer shall display signs in prominent locations about the public recreational property, at least six inches (6") high and fourteen inches (14") wide, stating:

MISDEMEANOR. STATE LAW PRESCRIBES A MAXIMUM PENALTY OF ELEVEN (11) MONTHS AND TWENTY-NINE (29) DAYS AND A FINE NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) FOR CARRYING WEAPONS ON OR IN PUBLIC RECREATIONAL PROPERTY.

¹Any person who is not authorized to carry a handgun under state law and who possesses a handgun in a park or other public area with the intent to go armed would be in possible violation of Tennessee Code Annotated, § 39-17-1307, which is a Class E felony.

²The state statute requires the prohibition of handguns to apply to the entire park. The statute does not mention the other recreational areas in this proviso.

³The state statute allows for the lawful possession of handguns in numerous circumstances, including but not limited to military personnel, civil officers, reserve officer training corps pupils and law enforcement officers in discharge of their official duties; private police employed by the municipality; persons who are either hunting on municipal land designated as open to hunting, traversing municipal property to gain access to hunting lands, conducting or attending a gun show, picking up or delivering passengers who do not use the weapon in any way, or a person permitted to sport or target shoot; or a security guard who meets the requirements of Tennessee Code Annotated, title 62, chapter 35.