

TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

1. ALCOHOL.
2. [DELETED.]
3. OFFENSES AGAINST THE PERSON.
4. OFFENSES AGAINST THE PEACE AND QUIET.
5. INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL.
6. FIREARMS, WEAPONS AND MISSILES.
7. TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE WITH TRAFFIC.
8. ALCOHOL AND DRUGS ON PARKS AND RECREATION PROPERTY.
9. MISCELLANEOUS.

CHAPTER 1

ALCOHOL²

SECTION

- 11-101. Drinking beer, etc., on streets, etc.
11-102. Minors in beer places.

11-101. Drinking beer, etc., on streets, etc. It shall be unlawful for any person or persons to drink beer or intoxicating liquor while riding in or driving a motor vehicle, or in a park, road, or other public place, other than in or on the premises where beer and/or intoxicating liquor is permitted to be sold and consumed. A public place is hereby defined as any park, street, roadway, or right-of-way for same, or any private property which is used for public parking. Where any person or persons are observed with open beer or intoxicating liquor containers containing beer or intoxicating liquor on any of the

¹Municipal 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.

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).

aforesaid premises, or in a motor vehicle, any of these facts shall create a presumption that beer or intoxicating liquor was being consumed in violation of this section, and the police officers are hereby empowered to confiscate said beer or intoxicating liquor and use same as evidence. (1980 Code, § 10-228)

11-102. Minors in beer places. No person under twenty-one (21) 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. (1980 Code, § 10-222, modified)

CHAPTER 2

DELETED

(This chapter was deleted by Ord. #1178, Sept. 2005)

CHAPTER 3

OFFENSES AGAINST THE PERSON

SECTION

11-301. Assault and battery.

11-301. 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)

CHAPTER 4

OFFENSES AGAINST THE PEACE AND QUIET

SECTION

11-401. Disturbing the peace.

11-402. Anti-noise regulations.

11-403. Domestic animals regulated within city parks.

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. (1980 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 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, and other sound devices.** The playing of any radio, phonograph, any musical instrument or any other 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, television, live performance or any other proceeding involving sound amplification in such a manner or with such volume, as to be plainly audible for a distance of fifty feet (50') from the property line of the premises from which such sound emanates particularly during the hours between 10:00 P.M. and 6:00 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 is prohibited. This shall not apply to public

auctions or to special commemorative events held no more than once a year during normal business hours.

(c) Yelling, shouting, hooting, etc. Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 10:00 P.M. and 6:00 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 6:00 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 codes enforcement officer granted for a period while the emergency continues not to exceed thirty (30) days. If the codes enforcement officer 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, 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.

(m) Special events. Special events involving the use of motorized vehicles such as cars, trucks, tractors, mini tractors, motorcycles or ATVs including but not limited to the purpose of pulling, dragging, racing or demolition between the hours of 10:00 P.M. to 6:00 A.M.

(2) Exceptions. None of the terms or prohibitions hereof shall apply to or be enforced against:

(a) City owned vehicles. Any city owned vehicle 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.

(d) Annual events limited. Annual events limited to the Dickson County Fair Association's four (4) day Spring Festival defined as Wednesday, Thursday, Friday and Saturday only and the annual Dickson County Fair week not to exceed 12:00 A.M. (midnight). (1980 Code, § 10-233, as amended by Ord. #1298, Aug. 2011, and Ord. #1327, Aug. 2013)

11-403. Domestic animals regulated within city parks.

(1) Domesticated animals shall prohibited from any defined play surface within the City of Dickson Parks, including but not limited to, (ballfields, soccer fields, play ground equipment, tennis courts).

(2) Any domesticated animal when in the opinion of a (City of Dickson Law Enforcement Officer) is deemed to pose a threat to the public health or safety shall be removed from the City of Dickson Parks immediately.

(3) Owners of domesticated animals within City of Dickson Parks shall be responsible for feces removal of such animals as to not create a public health issue or nuisance.

(4) Any person found to be in violation of this section shall be deemed guilty of a city offense and upon conviction in the Municipal Court of the City of Dickson shall be subject to a fine not to exceed fifty (\$50.00) dollars. (as added by Ord. #1231, March 2007)

CHAPTER 5

INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL

SECTION

- 11-501. Escape from custody or confinement.
- 11-502. Impersonating a government officer or employee.
- 11-503. False emergency alarms.
- 11-504. Resisting or interfering with city personnel.
- 11-505. Coercing people not to work.

11-501. 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)

11-502. Impersonating a government officer or employee. No person other than an official police officer of the City of Dickson 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)

11-503. 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. (1980 Code, § 10-217)

11-504. 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)

11-505. 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. (1980 Code, § 10-230)

CHAPTER 6**FIREARMS, WEAPONS AND MISSILES****SECTION**

- 11-601. Air rifles, etc.
11-602. Throwing missiles.
11-603. Discharge of 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. (1980 Code, § 10-213)

11-602. Throwing missiles. It shall be unlawful for any person maliciously to throw any stone, snowball, bottle, or any other missile upon or at any vehicle, building, tree, or other public or private property or upon or at any person. (1980 Code, § 10-214)

11-603. Discharge of firearms. It shall be unlawful for any unauthorized person to discharge a firearm within the corporate limits of the City of Dickson except as follows:¹

(1) Any individual engaged in the legal activity of hunting; excepting that:

(a) Anyone discharging a firearm, must not discharge that firearm in a reckless manner that places or may place another person in imminent danger of death or serious bodily injury.

(b) Any individual engaged in the activity of hunting that is in violation of any, and all, State of Tennessee statutes, and rules and regulations that govern such activity.

(c) A violation of the provisions of Section 1 is a Class C misdemeanor.

(2) Bona fide law enforcement officers lawfully engaged in their official duties.

(3) Supervised shoots, gun safety demonstrations or similar organized events for which permission has been given by the chief of police. Parties requesting such approval shall agree to hold the city harmless of any negligence or responsibilities concerning the holding of such events. The city may require

¹See Ord. #838 in the office of the recorder for the authority for Eugene Pemberton, gunsmith, to discharge firearms within the corporate limits.

written release and proof of adequate liability insurance coverage. (1980 Code, § 10-212, modified, as amended by Ord. #1053, Jan. 2000)

CHAPTER 7

**TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE
WITH TRAFFIC**

SECTION

- 11-701. Trespassing.
- 11-702. Trespassing on trains.
- 11-703. Trespassing on cemetery property.
- 11-704. Malicious mischief.
- 11-705. 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 also be unlawful and deemed to be a trespass for any peddler, canvasser, solicitor, transient merchant, or other person to fail promptly to leave the private premises of any person who requests or directs him to leave. (1980 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 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)

11-703. Trespassing on cemetery property. It shall be unlawful for any person to trespass upon the property of any cemetery or burial ground within the corporate limits by forcing open the gates, disturbing or vandalizing grave markers or tombstones, or depositing or strewing garbage, refuse, cans, bottles, papers or any other such waste material upon such grounds. (1980 Code, § 10-236)

11-704. 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)

11-705. 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)

CHAPTER 8

ALCOHOL AND DRUGS ON PARKS AND RECREATION PROPERTY

SECTION

11-801. Definitions.

11-802. Prohibitions.

11-803. Penalties.

11-801. Definitions. (1) "Alcoholic beverage" or "beverage" means and includes alcohol, spirits, liquor, wine and every liquid containing alcohol, spirits, wine and capable of being consumed by a human being, other than patent medicine, or beer where the latter contains an alcoholic content of five percent (5%) by weight or less. Notwithstanding any provision to the contrary in this title, "alcoholic beverage" or "beverage" also includes any liquid product containing distilled alcohol capable of being consumed by a human being, manufactured or made with distilled alcohol irrespective of alcoholic content. Notwithstanding the provisions of this definition, products or beverages containing less than one half of one percent (0.5%) alcohol by volume, other than wine as defined in this section, shall not be considered to be alcoholic beverages.

(2) "Controlled substance" means a drug, substance, or immediate precursor in Schedules I through VI of Tennessee Code Annotated, §§ 39-17-403--39-17-415 inclusive. (as added by Ord. #1086, April 2001)

11-802. Prohibitions. (1) The possession or use of alcoholic beverages or a controlled substance on parks and recreation property is prohibited. Also, the unauthorized use or possession of prescription drugs on parks and recreation property is prohibited.

(2) Entering or remaining in a park area when manifestly under the influence of alcohol, narcotics or other drugs, to a degree that may endanger oneself or other persons or property, or unreasonably annoying persons in the vicinity, is prohibited.

(3) Sections 1 and 2, regarding alcohol, shall not apply to Tennesco Community Center events where attendance at such events is strictly controlled by the property owner, Tennesco, Inc.

(4) No person shall be upon any park or recreation facility between 10:00 P.M. and 5:00 A.M. unless they are participating in or attending an organized athletic event. The Tennesco Community Center's hours shall be 7:00 A.M. to 11:00 P.M. (as added by Ord. #1086, April 2001)

11-803. Penalties. (1) Penalties regarding alcohol is a Class C misdemeanor.

(2) Penalties regarding a controlled substance shall be administered in accordance with Tennessee Code Annotated, § 39-17-418 (Simple possession

or casual exchange) and § 39-17-417 (Criminal offenses and penalties). (as added by Ord. #1086, April 2001)

CHAPTER 9

MISCELLANEOUS

SECTION

- 11-901. Abandoned refrigerators, etc.
- 11-902. Caves, wells, cisterns, etc.
- 11-903. Posting notices, etc.
- 11-904. Curfew for minors.
- 11-905. Wearing masks.
- 11-906. Fishing in municipal lakes, etc., restricted.
- 11-907. Other prohibited uses of municipally owned lakes, etc.
- 11-908. Public cemetery to be used for burial of human only.
- 11-909. Possession of certain wildlife in residential zones be prohibited.

11-901. 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, as renumbered by Ord. #1086, April 2001)

11-902. 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, as renumbered by Ord. #1086, April 2001)

11-903. 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. (1980 Code, § 10-227, as renumbered by Ord. #1086, April 2001)

11-904. Curfew for minors. It shall be unlawful for any person, under the age of eighteen (18) years to be abroad at night between 11:00 P.M. and 5:00 A.M. unless going directly 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. (1980 Code, § 10-224, as renumbered by Ord. #1086, April 2001)

11-905. 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. (1980 Code, § 10-235, as renumbered by Ord. #1086, April 2001)

11-906. Fishing in municipal lakes, etc., restricted. it shall be unlawful for any person to fish, take, or attempt to take any type of fish from any pond, lakes, or bodies of water belonging to the City of Dickson by use of gigs, snatch hooks, scuba guns, trot lines, or any type of spear device. The use of rod and reels with standard hooks will be permissible, granted that daily creel limits are observed. (1980 Code, § 10-237, as renumbered by Ord. #1086, April 2001, and replaced by Ord. #1324, July 2013)

11-907. Other prohibited uses of municipally owned lakes, etc. It shall be unlawful for any person to swim, wade or boat upon any municipally owned lake, pond or water reservoir or to ice skate or to otherwise go upon the same when the city lakes, ponds or reservoirs may be ice covered. (1980 Code, § 10-238, as renumbered by Ord. #1086, April 2001)

11-908. Public cemetery to be used for burial of humans only. The public cemetery of the City of Dickson, Tennessee, shall be used singularly for the purpose of burying the remains of human beings.

The burying of the carcasses of any animal in the public cemetery of the City of Dickson, Tennessee, is prohibited by law. Anyone found guilty of burying animals in the public cemetery of Dickson, Tennessee, shall be guilty of a misdemeanor and upon conviction shall pay a fine of \$50.00. Each day any carcass remains in the cemetery shall constitute a separate offense after the initial conviction, and the person responsible therefor can be fined up to \$50.00 per day for the continued violation thereof. (1980 Code, § 10-239, as renumbered by Ord. #1086, April 2001)

11-909. Possession of certain wildlife in residential zones be prohibited. No person shall possess any species of animals inherently dangerous to humans, as determined by the Commissioner of Agriculture, in or upon any property zoned or abutting or adjoining property zoned for residential use or in or upon any property abutting or adjoining any school, daycare facility, or public park within the City of Dickson. This section shall not apply to the operators of the county fair or to a circus, the operators of which are issued a permit for a limited period of time. (as added by Ord. #1173, Aug. 2005)