

TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

1. ALCOHOL.
2. FORTUNE TELLING, ETC.
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4. INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL.
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CHAPTER 1

ALCOHOL²

SECTION

11-101. Drinking beer or liquor on streets or public places.

11-101. Drinking beer or liquor on streets or public places. 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 a permit and license for on premises consumption of such beverage. Any person violating this section shall be guilty of a misdemeanor which shall be punishable by a fine of not more than state authorized limits and costs of each offense. (1999 Code, § 11-101, modified)

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 § 68-24-203 (Arrest for Public Intoxication), cities may not pass separate legislation).

CHAPTER 2**FORTUNE TELLING, ETC.****SECTION**

11-201. Fortune telling, carnivals, etc.

11-201. Fortune telling, carnivals, etc. It shall be unlawful for any person, firm, corporation, partnership, association or any other organization to set up any street fair, carnival, circus, skating rink, fortune tellers' or palmistry establishment, or any other similar enterprise within the City of Lawrenceburg, Tennessee, and offer to the public such amusement or entertainment common to street fairs, carnivals, circuses, skating rinks, fortune telling and palmistry, or similar amusements without first obtaining from said City of Lawrenceburg, through the city administrator, a permit for such operation within the city limits.

Any violation of this section shall be subject to a fine not to exceed state authorized limits and costs for every act in violation of said section. (1999 Code, § 11-201, modified)

CHAPTER 3

OFFENSES AGAINST THE PEACE AND QUIET

SECTION

11-301. Disturbing the peace.

11-302. Anti-noise regulations.

11-303. Violation and penalty.

11-301. Disturbing the peace. It shall be unlawful for any person or persons, corporation or corporations, on any individually, or privately or publicly-owned premises, or on the public square, or any public street, alley or public thoroughfare, or at any other place within the corporate limits of the City of Lawrenceburg, as the same now extend or may hereafter be extended, or in any buildings or structures at or on any of such places, or within the police jurisdiction of said City of Lawrenceburg extending for a distance of not more than one (1) mile beyond said corporate limits, to make, or continue, or cause to be made or continued, any loud, unusual, disturbing and/or unnecessary noise or noises, which either annoy, disturb, interfere with, injure or endanger, on the days and during the hours hereinafter provided, the comfort, repose, health, peace or safety of other persons within said City of Lawrenceburg. (1999 Code, § 11-301)

11-302. Anti-noise regulations. (1) Miscellaneous prohibited noises enumerated. The following acts, among others, are declared to be loud, unusual, disturbing and/or unnecessary noise or noises and the commission of any one or more of such acts, shall be deemed prima facie, subject however to rebuttal, in violation of the provisions of this section however, the following enumeration shall not be deemed to be exclusive, namely:

(a) Horns, signalling devices, etc. The sounding of any horn, or signalling device on any automobile, motorcycle, bicycle, street car, motor bus or motor truck or other vehicle, except as a danger signal or warning; the creation by means of any such horn or signalling device of any unreasonably loud or harsh sound; the sounding of such horn or signalling device for an unnecessary and unreasonable period of time, which unnecessary and unreasonable period of time is hereby declared to be any period in excess of two (2) minutes; the use and sounding of any horn, whistle or other device operated by engine exhaust, or the use of any horn, whistle or signalling device when traffic is, for any reason, held up; and the use of any signalling device except one operated by hand, electricity or compressed air.

(b) Radio, phonograph, television, etc. The playing, using or operating, or permitting or causing to be played, used or operated, any radio, radio receiving set, television set, musical instrument, phonograph,

or other machine or device for the producing, or reproducing, of sound, in such manner as to disturb the peace, quiet, comfort and tranquillity of the neighboring inhabitants, or at any time with more or louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, machine or device between the hours 11:00 P.M., and 7:00 A.M., in such manner as to be plainly audible at a distance of fifty feet (50') from the building, structure, vehicle or place in which it is located and operated shall be prima facie evidence of a violation of this subsection.

(c) Loudspeakers, amplifiers for advertising, etc. The playing, using or operating, or permitting or causing to be played, used or operated any radio, radio receiving set, musical instrument, phonograph, loud speaker, sound amplifier, or other instrument, machine or device for the producing or reproducing of sound which is cast upon the public square, or any public street or alley, for the purpose of commercial advertising or attracting the attention of the public to any business establishment, building or structure.

(d) Sound trucks, loudspeakers, and amplifiers, etc. The use or operation, or permitting or causing to be used and operated, any so-called sound trucks, whether the machine or device for the producing or reproducing of sound be attached to and used as a part of any automobile, motor truck or other motor vehicle, or any loudspeakers, sound amplifier, or other machine or device for producing or reproducing of sound, between the hours of 8:00 P.M. and 8:00 A.M., on week days, and between the hours of 8:00 P.M. on Saturday and 8:00 A.M. on the following Monday, for the purpose of advertising any sale of property at auction, advertising any political speaking, or advertising any athletic contest or game, provided, that the machine so being used and operated shall at the time thereof when such use or operation is permitted, shall be moving.

(e) Yelling, shouting, etc. Yelling, shouting, hooting, whistling, singing, applauding or hand-clapping, on the public square, the public streets or thoroughfares, particularly between the hours of 11:00 P.M. and 7:00 A.M., and at any time at any other place, so as to annoy, or interfere with or disturb the quiet, comfort, tranquillity or repose of any persons in any office or public building, or in any dwelling, hotel, motel, or other type of residence, or of any persons in the vicinity.

(f) Animals, birds, etc. The owning, keeping and/or harboring of any dog or dogs which by loud and frequent barking, whining, howling or other unusual noises, annoy or disturb the peace and quiet of any neighborhood, family or person. And the keeping of cats and any other animals or birds or fowls, which by causing frequent or continued noise

shall disturb the comfort, peace and quiet, and repose of any persons in the vicinity.

(g) Horses, mules, donkeys, cattle and hogs. The braying of horses, stallions, mules, donkeys and jacks, and other noises made by any of such animals, the bellowing of cattle and squealing of hogs, and other noises made by such animals, whether confined to stock-barns, pens, or other enclosures.

(h) Steam, compressed air or electrical whistles. The blowing of steam whistle, compressed air whistle, electrical whistle, or other whistle, on any locomotive or engine pulling or pushing any train, except as a danger warning, and except as required under the statutory precautions under statutes of the General Assembly, and also any similar whistle attached to any stationary boiler or other machinery 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 officials. Also, the continuous blowing of any of such horns.

(i) Exhausts. The discharge into the open air of the exhaust of any steam engine, any stationary or moving internal combustion engine, or any engine powering a motor boat, or any kind of motor vehicle, including motorcycles and motors attached to bicycles, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(j) Cut-outs and racing of motors. Loud or explosive noises from any motor vehicle being operated with a cut-out on the exhaust being open, or with rusted or otherwise damaged exhausts and/or mufflers. Also any loud or explosive noises from any motor vehicle being operated with the engine thereof being "raced."

(k) Defects in vehicles or loads. The creation of loud, disturbing and/or unnecessary grating, grinding, rattling or other noises in or by the use of any automobile, motorcycle, motorbike, other motor vehicle or other vehicle, out of proper repair, improperly equipped to prevent such noises, or improperly or defectively loaded.

(l) Loading, unloading. Loud, disturbing and/or excessive noises created in or by the loading or unloading of any vehicle, or freight car, or trailer, or the opening and/or destruction of bales, boxes, crates and containers, except that freight cars may be loaded between the hours of 7:00 A.M. and 6:00 P.M.

(m) Construction or repairing of buildings. The creation of loud, disturbing and/or excessive noises in the course of or by reason of the erection (including excavation), demolition, alteration or repair of any building other than between the hours of 7:00 A.M. and 6:00 P.M., on weekdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building official (building inspector) or in his absence from the chief of police, which

permit may be granted for a period not to exceed three (3) days while the emergency continues, and which permit may be renewed for periods of three (3) days or less while the emergency continues. But if the building official (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., on weekdays, and at all hours on Sundays, and if he shall further determine that loss or inconvenience would result to any party in interest, 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 progress of the work.

(n) Schools, courts, churches, hospitals. The creation of loud, unnecessary or excessive noise on any street adjacent to any school, institution of learning, church or building in which any court may be held, while the same are in use, or adjacent to any hospital or clinic, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital or clinic, provided, conspicuous signs are displayed in such streets indicating that same is a school or hospital zone, or is a court street.

(o) Hawkers, peddlers. Loud, continuous and/or excessive shouting and crying of peddlers, crying or advertising the sale of their products.

(p) Drums. The use of any drum or similar instrument or device to attract attention by creation of noise to any performance, show or sale.

(q) Bands. The use of bands or other similar instruments or devices between the hours of 11:00 P.M. and 8:00 A.M., to advertise any athletic contest, or to provide musical entertainment at any such athletic contest.

(r) Ambulances, fire engines, patrol cars, etc. Continuous and/or excessive or unnecessary sounding of sirens on any ambulance, fire engine or fire-fighting equipment, or on any motor vehicle used by a fireman in going to the fire hall or to a fire in answer to a call to fight a fire, or on any motor vehicle used by a member of the state highway patrol, the sheriff's patrol, any constable, or any member of the police department of the city, except when used in an emergency or answering a call for such vehicle, or returning to a hospital, clinic or doctor's office with a patient.

(s) Metal rails, pillars, and columns of iron, and transportation thereof. The transportation of rails, pillars or columns of iron, steel or other materials, or concrete or clay pipes, and masonry and building products, including cement, mortar mix, lime, brick, concrete blocks, lumber, logs, etc., over and along streets and other public ways and places, upon carts, drays, cars, trucks or in any other vehicles, or in any

other manner so loaded as to cause loud, disturbing and unnecessary noises, or so as to disturb the peace, quiet, comfort and tranquillity of such public streets and other public places, and the citizens of said municipality.

(t) Pile drivers, hammers, etc. The creation of loud and unusual noise between the hours of 10:00 P.M. and 7:00 A.M. on weekdays and all hours on Sundays, from the use and operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric noise, or any dirt-moving or stone-moving machinery, or other like appliances or machinery, unless under an emergency situation involving city or utility crews.

(u) Blowers. Any noise created by the operation of any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noise from such blower or fan due to explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine or machine is equipped with a muffler device sufficient to deaden such noise.

(v) Auto repairs in residential districts. Any excessive or disturbing noise resulting from the repair of automobiles or other motor vehicles in any district zoned for residential use under the zoning ordinance, except in emergencies, and any such repairs being carried on in such residential district as a business or for remuneration shall be unlawful under this chapter. (1999 Code, § 11-302, modified)

11-303. Violation and penalty. Any violation of any provision of this chapter is declared to be a misdemeanor, and the offender, upon conviction, shall be fined not more than state authorized limits and costs for each offense. (1999 Code, § 11-304, modified)

CHAPTER 4**INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL****SECTION**

11-401. False emergency alarms.

11-401. 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. Anyone found guilty of violating this section shall be fined no more than the state authorized limit and costs. (1999 Code, § 11-402, modified)

CHAPTER 5**FIREARMS, WEAPONS AND MISSILES****SECTION**

11-501. Throwing missiles.

11-501. Throwing missiles. Whosoever shall throw rocks, bricks, bats, or other missiles so as to endanger the life, limb, or property of any person or persons or endangering public property within this corporation shall be guilty of a misdemeanor and upon conviction shall be fined no more than state authorized limits. (1999 Code, § 11-501, modified)

CHAPTER 6**TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE
WITH TRAFFIC****SECTION**

11-601. Interference with traffic.

11-601. Interference with traffic. It shall be unlawful for any person to willfully obstruct, or to impede or interfere with any traffic or travel, either pedestrian or by vehicle, on any public street, public alley, public square or other public way in the City of Lawrenceburg, Tennessee, or block or obstruct the use of any private entrance or private driveway into any lot or real estate upon which is located any residential structure, any business structure or any industrial structure, by placing upon such public street or public way any materials of any kind, or for such person or persons to willfully stand in such public or private way, or walk along or across any such public or private way as to obstruct or impede such traffic or travel thereon; provided, that no person shall be amenable to provisions of this section by reason of obstructing any street, alley, public way or public square with materials for building or repairing buildings or grounds attached to same, if such public street, alley, public way is not obstructed an unreasonable time, and if not more than one-half of the passway shall be obstructed at any one time.

Any person or persons violating this section shall be guilty of a misdemeanor, and upon conviction shall be fined no more than state authorized limits and costs for each offense. (1999 Code, § 11-603, modified)

CHAPTER 7

MISCELLANEOUS

SECTION

- 11-701. Objects on the public square.
- 11-702. Signs.
- 11-703. Posting notices, etc.
- 11-704. Disfiguring or destroying buildings prohibited.
- 11-705. Cellars or openings.
- 11-706. Public preaching, teaching, or advertising medicine.
- 11-707. Refrigerators, iceboxes, etc.

11-701. Objects on the public square. It shall be unlawful and is hereby declared to be a misdemeanor for any person to place any object, instrument, apparatus, device, implement or contrivance, or to keep or undertake to keep or maintain such object, instrument, apparatus, device, implement or contrivance upon or in the public square, streets, boulevards, grassplots, alleys and sidewalks of the City of Lawrenceburg, Tennessee, such as any instrument or object of any kind on which any advertisement may be written or printed, or used in displaying any advertisement, including those ordinarily called "taxi signs", "ice cream signs" or objects so advertising, and including all objects, instruments, devices, apparatus, implements or contrivances whatsoever, whether advertising anything or not, which blocks or partially blocks, interferes with or impedes traffic or travel, or interferes with the parking of motor vehicles.

A city sanctioned fair/event is excepted herefrom.

Garbage cans or containers are excepted herefrom for sanitary reasons.

Any person violating this section, upon conviction shall be fined not more than state authorized limits together with costs for each offense. (1999 Code, § 11-702, modified)

11-702. Signs. It shall be unlawful for any person or persons to injure or destroy any mile-stone or mile-post, or guide board, street sign, caution sign, or any lights, streetlights, or lamps, or to erect any false sign-boards or caution signs, within the corporate limits of the City of Lawrenceburg, in Lawrence County, Tennessee.

Any person or persons violating this section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than state authorized limits and costs for each offense. (1999 Code, § 11-703, modified)

11-703. Posting notices, etc. (1) It is hereby declared to be unlawful for any person to, or for any person, persons, firm, partnership, group of persons,

or corporation, to procure, hire, secure or persuade any person to tack, nail or otherwise place any poster, advertisement, circular, or paper or cardboard of any kind, or any object whatever, on any pole on the public square, public streets, alleys or public thoroughfare in the City of Lawrenceburg, Tennessee, or to drive tacks or nails or other objects into any pole at such places, or to in any way injure or deface any pole at such places.

(2) The placing of any materials or equipment for use in the construction, maintenance, repair or operation of the respective systems of the electric or power system of the city, the telephone system, community antenna system or cable T.V. system, is not and shall not be a violation of the provisions of subsection (1) of this section.

(3) In any warrant issued by a police officer for alleged violation of the provisions of this section, it shall not be necessary or required that the warrant charge the ownership or use of such poles, and upon the trial of the offender it shall only be necessary that the prosecutor, i.e., the City of Lawrenceburg, show that the pole was a pole used for either of the purposes set out in subsection (2) of this section and on the public square, public street, alley or public thoroughfare in the City of Lawrenceburg.

(4) Any violation of any provision or provisions of this section shall be a misdemeanor, and upon conviction, the offender, whether a person, persons, firm, partnership, group of persons or corporation, shall be fined not more than state authorized limits, for each offense, together with costs, and also together with actual costs or expenses of removing such posters, advertisements, circulars, paper or cardboard, or other object so placed on any pole in violation of this section; and the tacking, nailing or otherwise placing any such poster, advertisement, circular, paper or cardboard or other object on, or driving tacks or nails or other objects into, or injuring or defacing, each and anyone of such poles shall be and constitute a separate offense and punishable as such.

(5) The police chief, code enforcement officer or his designee, has the authority to remove, or cause to be removed, from any such pole or poles any posters, advertisements, circulars, papers or cardboards or other objects, so tacked, nailed or otherwise placed upon any such pole apparently in violation of this section. (1999 Code, § 11-705, modified)

11-704. Disfiguring or destroying buildings prohibited. It shall be unlawful and is hereby declared to be a misdemeanor for any person to wantonly injure, deface, disfigure, or destroy any building or fixture attached thereto, or the enclosures thereof, belonging to the City of Lawrenceburg, Tennessee, or to any person, firm, partnership, association or corporation, at any place within the corporate limits of said city.

Any violation of this section is declared to be a misdemeanor, and any person found guilty of such violation shall be fined not more than state authorized limits together with all costs for each violation. (1999 Code, § 11-706, modified)

11-705. Cellars or openings. It shall be unlawful for owners, renters or agents of any lot or part of lot in this corporation to cause to be or permit to remain open or uncovered so as to endanger the life or limb of any person, any cellar or the doorway or opening to the same opening on, connecting with, or adjacent to any public street, sidewalk, or alley. And every person so offending shall be guilty of a misdemeanor and upon conviction shall be fined not more than state authorized limits with all costs. (1999 Code, § 11-708, modified)

11-706. Public preaching, teaching, or advertising medicine.

(1) It is hereby declared to be unlawful and a misdemeanor for any person to preach, or teach or sing or undertake to preach or teach anything, or to sing, publicly upon the public square, streets, boulevards or alleys of the City of Lawrenceburg, Tennessee, at any place thereon where congestion of or blocking of traffic may result therefrom.

(2) It is hereby declared to be unlawful and a misdemeanor for any person to advertise or undertake to advertise any medicine or alleged medicine or any article whatever on the public square, streets, boulevards and alleys of Lawrenceburg, Tennessee, publicly and by outcry or to play any musical instrument for the purpose of bringing persons to hear and see such advertisements, or cause a crowd to assemble on such public square, streets, boulevards and alleys where congestion of or blocking of traffic may result therefrom.

(3) Any person violating any provision of this section shall be fined no more than state authorized limits and costs for each offense. (1999 Code, § 11-709, modified)

11-707. Refrigerators, iceboxes, etc. (1) It shall be unlawful for any person, persons, firm, co-partnership, association or corporation, or any agent, employee, servant or representative of any of same, to store, pile, stock-pile or place in or on any unenclosed portion of any building or structure, or upon any portion of any lot or premises not occupied by a building or structure, or to discard, throw away or dump, at any place, within the corporate bounds of the City of Lawrenceburg, Tennessee, any used refrigerator, icebox, or any other appliance customarily used for cooking, washing and/or drying clothes, or for storage of foods and/or other articles, without having first removed therefrom the door or doors thereto.

(2) It shall also be unlawful for any person, firm, co-partnership, association or corporation, occupying and/or having charge or control of any building or structure or lot or premises within the corporate bounds of the City of Lawrenceburg, Tennessee, to permit the storage, piling, stock-piling or placing in or on the unenclosed portion of any such building or structure, or upon any portion of any lot or premises not occupied by a building or structure, any used refrigerator or icebox, or any other appliance as mentioned and defined

in subsection (1) above, from which the door or doors have not first been removed.

(3) The police chief and/or any policeman of the City of Lawrenceburg upon observing, or having received a report of, any such used refrigerator or icebox or other appliance, as mentioned in subsection (1) above, being stored, piled, stock-piled or placed on or in any unenclosed portion of a building or structure or upon any portion of any lot or premises not occupied by a building or structure, has the authority to enter upon the premises to examine such refrigerator, icebox or other appliance to determine if the door or doors thereto have been removed; and if the door or doors of such used refrigerator, icebox or other appliance have not been removed, the person, firm, co-partnership, association or corporation occupying and/or having charge or control of such unenclosed portion of such building or structure or of the lot or premises, shall, prima facie, be deemed to have permitted the storage, piling stock-piling or placing of such used refrigerator, icebox or other appliance thereon.

(4) The violation of any of the provisions of this section are declared to be a misdemeanor, punishable by a fine, not to exceed state authorized limits and costs for each offense. (1999 Code, § 11-710, modified)

CHAPTER 8**LOITERING, ETC.****SECTION**

11-801. Loitering.

11-802. Curfew for minors.

11-801. 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.

Any person violating this section, shall be guilty of a misdemeanor, which shall be punishable by a fine not to exceed state authorized limits and costs of each offense. (1999 Code, § 11-801, modified)

11-802. Curfew for minors. (1) It shall be unlawful for a minor under eighteen (18) years of age to loiter, idle, wander or play in or upon the public streets, highways, alleys, parks, playgrounds, schools or public grounds, public places and public buildings, places of amusement and entertainment, vacant lots, or any unsupervised place within the corporate limits of the City of Lawrenceburg, Tennessee, between the hours of 12:00 o'clock midnight and 5:00 A.M., official time, provided however, that this section shall not apply to any child accompanied by his or her parent, guardian, or other adult person having the care and custody of said minor.

(2) When any child is in violation of this section, the apprehending officer shall act in one of the following ways:

(a) If a first violation, and if in the opinion of the officer such action shall be effective, take the child to his or her home and warn and counsel with the parents or guardians.

(b) Issue a summons to the child and/or parents or guardians to appear at the Juvenile Court.

(c) Bring the child into the custody of the Juvenile Court for disposition.

(3) With the exception of the provisions contained in (1) hereof, no parent, guardian, or other person having the care and custody of a child who has not reached his eighteenth birthday shall knowingly permit such child to loiter, idle, wander or play in or upon the public streets, highways, alleys, parks, playgrounds, schools or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots, or any unsupervised place in said city, between the hours of 12:00 o'clock midnight and 5:00 o'clock A.M., official time.

(4) A minor or any parent, guardian, or other person having the care and custody of a minor violating the provisions of this section is guilty of a misdemeanor and shall be fined no more than state authorized limits for each

offense; each violation of the provisions of this section shall constitute a separate offense.

(5) The Judge of the Juvenile Court shall be vested with power to hear all cases coming within the provisions of this section. (1999 Code, § 11-802, modified)