

**TITLE 11**

**MUNICIPAL OFFENSES<sup>1</sup>**

**CHAPTER**

1. ALCOHOL.
2. MINORS.
3. OFFENSES AGAINST THE PEACE AND QUIET.

**CHAPTER 1**

**ALCOHOL**

**SECTION**

- 11-101. Drinking beer, etc., on streets, etc.  
11-102. Minors in beer places.  
11-103. Violations and penalty.

**11-101. Drinking beer, etc., on streets, etc.** It shall be unlawful for any person to drink or consume, or have an open can or bottle of beer in or on any public street, alley, avenue, highway, sidewalk, public park, public school ground, or other public place unless the place has a beer permit and license for on-premises consumption. (1996 Code, § 11-101)

**11-102. Minors in beer places.** No person under the age of twenty-one (21) shall loiter in or around or otherwise frequent any place where beer is sold at retail for on premises consumption.

**11-103. Violations and penalty.** A violation of any provision of this chapter shall subject the offender to a penalty under the general penalty provision of this code.

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<sup>1</sup>Municipal code references  
Residential and utilities: title 12.  
Traffic offenses: title 15

## CHAPTER 2

### MINORS

#### SECTION

- 11-201. Short title.
- 11-202. Definitions.
- 11-203. Responsibility of owners of public places.
- 11-204. Parents responsibility.
- 11-205. Special functions.
- 11-206. Procedures.
- 11-207. Enforcement.
- 11-208. Violations and penalty.

**11-201. Short title.** This chapter shall be known and may be cited as the "Ordinance Regulating the Presence and Conduct of Minors on Streets and Public Places." (Ord. #116, \_\_\_ \_\_\_\_\_)

**11-202. Definitions.** For the purpose of this chapter, 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 merely directory.

- (1) "City" is the City of Rutledge, Grainger County, Tennessee.
- (2) "Custodian" is any person over the age of twenty-one (21) who is loco parentis to a juvenile.
- (3) "Guardian" is any person other than a parent, who has legal guardianship of a minor.
- (4) "Minor" is any person under the age of eighteen (18).
- (5) "Parent" is the natural or adoptive parent of a minor.
- (6) "Public place" shall mean any street, alley, and 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 cafe, 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. #116, \_\_\_\_\_)

**11-203. Responsibility of owners of public places.** It shall be unlawful for any person, firm, or corporation operating or having charge of any public place to knowingly permit or suffer the presence of minors under the age of eighteen (18) between the hours listed in § 11-203. (Ord. #116, \_\_\_\_\_)

**11-204. Parents responsibility.** It shall be unlawful for the parent, guardian or other adult person having custody or control of any minor under the age of eighteen (18) to suffer or permit or by inefficient control to allow such person to be on the streets or sidewalks or on, or in, any public property or public place within the city. However, the provisions of this section do not apply to a minor accompanied by his parent, guardian, custodian or other adult person having the care, custody or control of the minor, or if the minor is on emergency errand or specific business or if the parent, guardian or other adult person herein has made a missing person notification to the county or city law enforcement department. (Ord. #116, \_\_\_\_\_, modified)

**11-205. Special functions.** Any minor attending a special function or entertainment of any church, school, club, or organization that requires such minor to be out at a later hour shall be exempt from the of this chapter, provided the minors who attend the function required to be their homes or usual places of abode within on half hour after the function is ended. (Ord. #116, \_\_\_\_\_, modified)

**11-206. Procedures.** Any law enforcement officer, upon finding a minor in violation of this chapter, shall ascertain the name and address of such minor and warn the minor that he is in violation of curfew and shall direct the minor to proceed at once to his home or usual place of abode. The law enforcement officer shall notify the parent's, guardian, or person having custody or control of such minor. If such minor refuses to heed such warning or direction by any law enforcement officer or refuses to give the 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 the curfew, he or she shall be taken to the police department and or law enforcement agency and 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 juvenile authorities or the department of children services. (Ord. #116, \_\_\_\_\_, modified)

**11-208. Enforcement.** The enforcement of this chapter shall be by any law enforcement officers, including the sheriff, sheriff's deputies, constables, Tennessee Highway Patrol, and city patrol officers. (Ord. #116, \_\_\_\_\_)

**11-209. Violations and penalty.** Any minor violating the provisions of this chapter shall be dealt with in accordance with the city court procedure. Any parent, guardian, or other adult person, firm or corporation violating this chapter shall, be fined not less than ten dollars (\$10.00) or more than fifty dollars (\$50.00) for each violation. (Ord. #116, \_\_\_\_\_)

## CHAPTER 3

### OFFENSES AGAINST THE PEACE AND QUIET

#### SECTION

11-301. Disturbing the peace.

11-302. Anti-noise regulations.

**11-301. 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. (Ord. #137, Oct. 2017)

**11-302. 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 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 unreasonable 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, loud speakers or any 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 in any dwelling, hotel, or other type of residence, or of any person in the vicinity.

(c) Yelling, shouting, hooting, etc. Yelling, shouting, hooting, 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 as to annoy or disturb

the quiet, comfort, or repose of any person in any dwelling, hotel, or other type of residence, or of any person in the vicinity.

(d) Use of vehicle. 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.

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

(a) City 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) Commercial, noncommercial and nonprofit use of loud speakers or amplifiers. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are commercial and noncommercial in character and in the course of advertising functions sponsored by nonprofit organizations. However, no such use shall be made until a permit thereof 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. (Ord. #137, Oct. 2017, modified)