

**TITLE 11**

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

**CHAPTER**

1. ALCOHOL.
2. FORTUNE TELLING, ETC.
3. OFFENSES AGAINST THE PEACE AND QUIET.
4. INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL.
5. FIREARMS, WEAPONS AND MISSILES.
6. TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE WITH TRAFFIC.
7. PARK RULES AND REGULATIONS.
8. PENALTIES.

**CHAPTER 1**

**ALCOHOL<sup>2</sup>**

**SECTION**

- 11-101. Drinking alcoholic beverages in public, etc.  
11-102. Minors in beer places.

**11-101. Drinking alcoholic beverages in public etc.** 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. (1990 Code, § 10-202)

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<sup>1</sup>Municipal code references

Animals and fowls: title 10.

Housing and utilities: title 12.

Traffic offenses: title 15.

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

<sup>2</sup>Municipal code reference

Sale of alcoholic beverages, including beer: title 8, chapter 2.

State law reference

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

**11-102. Minors in beer places.** No person under the age of twenty-one (21) shall loiter in or around, work in, or otherwise frequent any place where beer is sold at retail for consumption on the premises. (1990 Code, § 10-203)

**CHAPTER 2**

**FORTUNE TELLING, ETC.**

**SECTION**

11-201. Fortune telling, etc.

**11-201. 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. (1990 Code, § 10-303)

## 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. (1990 Code, § 10-501)

**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 other 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 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, hooting, 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 person 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 town 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, or sale or display of merchandise.

(1) 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) Town vehicles. Any vehicle of the town 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 town, 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 board of mayor and aldermen. 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. (1990 Code, § 10-502)

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

11-401. Impersonating a government officer or employee.

11-402. False emergency alarms.

**11-401. Impersonating a government officer or employee.** No person other than an official police officer of the town 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 town. Furthermore, no person shall deceitfully impersonate or represent that he is any government officer or employee. (1990 Code, § 10-602)

**11-402. 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. (1990 Code, § 10-603)

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

11-501. Air rifles, etc.

11-502. Throwing missiles.

**11-501. Air rifles, etc.** It shall be unlawful for any person in the town to discharge any air gun, air pistol, air rifle, "BB" gun, or sling shot capable of discharging a metal bullet or pellet, made of plastic or any other kind of material whether propelled by spring, compressed air, expanding gas, explosive, or other force-producing means or method. (1990 Code, § 10-701)

**11-502. 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. (1990 Code, § 10-702)

## CHAPTER 6

### TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE WITH TRAFFIC

#### SECTION

- 11-601. Trespassing.
- 11-602. Malicious mischief.
- 11-603. Interference with traffic.
- 11-604. Roadblocks.

**11-601. Trespassing.** (1) On premises open to the public.

(a) It shall be unlawful for any person to defy a lawful order, personally communicated to him by the owner or other authorized person, not to enter or remain upon the premises of another, including premises which are at the time open to the public.

(b) The owner of the premises, or his authorized agent, may lawfully order another not to enter or remain upon the premises if such person is committing, or commits, any act which interferes with, or tends to interfere with, the normal, orderly, peaceful or efficient conduct of the activities of such premises.

(2) On premises closed or partially closed to public. It shall be unlawful for any person to knowingly enter or remain upon the premises of another which is not open to the public, notwithstanding that another part of the premises is at the time open to the public.

(3) Vacant buildings. It shall be unlawful for any person to enter or remain upon the premises of a vacated building after notice against trespass is personally communicated to him by the owner or other authorized person or is posted in a conspicuous manner.

(4) Lots and buildings in general. It shall be unlawful for any person to enter or remain on or in any lot or parcel of land or any building or other structure after notice against trespass is personally communicated to him by the owner or other authorized person or is posted in a conspicuous manner.

(5) Peddlers, etc. It shall also be unlawful and deemed to be a trespass for any peddler, canvasser, solicitor, transient merchant, or other person to fail to promptly leave the private premises of any person who requests or directs him to leave. (1990 Code, § 10-801)

**11-602. 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. (1990 Code, § 10-802)

**11-603. 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. (1990 Code, § 10-803)

**11-604. Roadblocks.** (1) Solicitation roadblocks shall be prohibited within the town limits of the Town of Pegasus.

(2) The following terms shall apply in the interpretation and application of this section:

(a) "Solicitation roadblock" shall mean the solicitation by any person for money on or in the right-of-way of any street, road, highway, or any other public way and place generally open to, and used by, the public for travel.

(b) "Street," "road," "highway," and "public way and place" shall include the paved and unpaved surface of any such street, road, highway or public place, the entire width of the public right-of-way extending laterally therefrom, dividers, medians, and abutting or adjoining sidewalks or other pedestrian pathways generally open to the public for pedestrian traffic.

(3) Any person violating this section shall be subject to punishment under the general penalty provision in title 11 of the Pegasus Municipal Codification.

(4) This section shall become effective from and after its final passage, the public welfare requiring it. (as added by Ord. #2008-68, March 2009)

## CHAPTER 7

### PARK RULES AND REGULATIONS

#### SECTION

11-701. General rules and regulations.

11-702. Hours of operation and use.

**11-701. General rules and regulations.** (1) All vehicular traffic must comply with posted speed limits and, in the absence of such signage, shall never exceed ten (10) mph;

(2) Littering is prohibited, and no household or commercial garbage dumping in refuse containers is allowed;

(3) Possession of firearms or weapons is prohibited;

(4) Hunting is prohibited;

(5) Fighting and/or exhibiting any action which may be deemed threatening, profanity, and abusive language, of any type whatsoever, are prohibited;

(6) Tobacco use, of any kind, is prohibited;

(7) Alcoholic beverages, illegal drugs, unauthorized fireworks and metal detectors are prohibited;

(8) Roller skating, skateboarding, rollerblading, and/or bicycling are prohibited in park pavilions and on the tennis courts, and the use of any manmade ramp during any of the said activities in any permissible area is prohibited unless authorized in advance by the municipality;

(9) Tampering or removal of any property of the municipality is prohibited;

(10) Destruction of, including graffiti or painting of any type on, any property of the municipality is prohibited;

(11) Purposely throwing and/or bouncing any object against or onto any municipal structure, including its walls and roof, is prohibited;

(12) The cutting, picking or destruction of any plant life is prohibited;

(13) Overnight parking and camping are prohibited;

(14) Parking is allowed only in designated, posted areas;

(15) Every dog, or other domestic animal and pet, must be caged or leashed, with a maximum eight foot (8') length leash, and at all times under the control and/or supervision of its owner. All persons must properly dispose of any feces deposited by any domestic animal or pet, which has been brought by them to the park grounds;

(16) No unlicensed motor vehicles are permitted, unless expressly authorized in advance by the municipality, and no licensed motor vehicle is permitted on any trails or planted grass areas;

(17) No person shall utilize picnic pavilions during hours of posted reservation by the municipality;

(18) Fires are permissible only in the existing fireplace and/or charcoal grills located on the park grounds, and all permissible fires must be supervised, contained and controlled at all times. No outside grills may be brought onto park grounds;

(19) Children under the age of fourteen (14) years must be supervised by an adult at all times when on park grounds and/or using the recreation facilities; and

(20) All persons must observe any and all other posted rules and/or regulations. (as added by Ord. #2005-27, April 2005)

**11-702. Hours of operation and use.** (1) The park and recreation facilities shall be open for use from daylight until 11:00 P.M.;

(2) Exceptions to the hours of operation and use shall be granted only in advance by express permission of the municipality. (as added by Ord. #2005-27, April 2005)

**CHAPTER 8**

**PENALTIES**

**SECTION**

11-801. Penalties.

**11-801. Penalties.** Any violation of any provision of this title shall be punishable as a misdemeanor and, upon conviction thereof, shall include a fine of not more than fifty dollars (\$50.00), or not to exceed the maximum amount hereafter established by the legislature of the State of Tennessee, per offense. Each day that a violation continues shall be considered a separate offense and an additional violation. Such fine is intended to be remedial in nature for the purpose of deterrence and to protect the public health, safety and welfare of the residents of the Town of Pegram. Subsequent compliance shall result in a reduction and/or elimination of the imposed fine. (as replaced and renumbered by Ord. #2005-27, April 2005)