

**TITLE 11****MUNICIPAL OFFENSES<sup>1</sup>****CHAPTER**

1. MISDEMEANORS OF THE STATE ADOPTED.
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6. TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE WITH TRAFFIC.
7. REGULATIONS FOR USE OF TOWN LAKE AND TOWN PARK AREA IN HUNTINGTON POINTE.

**CHAPTER 1****MISDEMEANORS OF THE STATE ADOPTED****SECTION**

11-101. Misdemeanors of the state adopted.

**11-101. Misdemeanors of the state adopted.** All offenses against the State of Tennessee which are committed within the corporate limits and which are defined by the state law or are recognized by the common law to be misdemeanors are hereby designated and declared to be offenses against the town also. Any violation of any such law within the corporate limits is also a violation of this section. (2004 Code, § 11-101)

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<sup>1</sup>Municipal code references

Animals and fowls: title 10.

Fireworks and explosives: title 7.

Traffic offenses: title 15.

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

Utilities: title 12.

**CHAPTER 2****ALCOHOL**<sup>1</sup>**SECTION**

11-201. Drinking alcoholic beverages in public, etc.

11-202. Minors in beer places.

**11-201. Drinking alcoholic beverages in public, etc.** It shall be unlawful for any person to drink, 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. (2004 Code, § 11-201)

**11-202. 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. (2004 Code, § 11-202)

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<sup>1</sup>Municipal 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 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. (2004 Code, § 11-401)

**11-302. Anti-noise regulations.**<sup>1</sup> 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;

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<sup>1</sup>Municipal code reference

Noisy dogs and cats prohibited: § 10-204.

(c) Yelling, shouting, 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. Monday through Saturday and from Noon to 6:00 P.M. on Sundays. Exterior painting or construction work of any nature on the interior of any building is deemed not to be loud or disturbing and is therefore excluded from such time restrictions - except that if materials needed for interior construction work are produced outside of the structure, then these operations shall be regulated by the above hours. Additionally, such time restrictions shall not apply in cases 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;

(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; or

(m) Lawn mowers. The operation of any engine powered mower after the hour of 10:00 P.M. or prior to the hour of 8:00 A.M.

(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; or

(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 amplified 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. (2004 Code, § 11-402, as amended by Ord. #2013-8, Sept. 2013)

**CHAPTER 4****INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL**<sup>1</sup>**SECTION**

11-401. False emergency alarms.

**11-401. False emergency alarms.** It shall be unlawful for any person to 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. (2004 Code, § 11-503)

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<sup>1</sup>Municipal code references

Personnel regulations: title 4, chapter 1.

Police and arrest: title 6, chapter 1.

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

11-501. Air rifles, etc.

11-502. Discharge of firearms.

**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 bullet or pellet made of metal, plastic or any other kind of material, whether propelled by spring, compressed air, expanding gas, explosive, or other force-producing means or method. (2004 Code, § 11-601)

**11-502. Discharge of firearms.** It shall be unlawful for any unauthorized person to discharge a firearm within the corporate limits. (2004 Code, § 11-603)

**CHAPTER 6****TRESPASSING AND INTERFERENCE WITH TRAFFIC**<sup>1</sup>**SECTION**

11-601. Trespassing.

11-602. Interference with traffic.

**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; and

(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. (2004 Code, § 11-701)

**11-602. 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 with the free passage of pedestrian or vehicular traffic thereon. (2004 Code, § 11-703)

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<sup>1</sup>Municipal code reference

Motor vehicles, traffic and parking: title 15.



**CHAPTER 7****REGULATIONS FOR USE OF TOWN LAKE AND TOWN PARK  
AREA IN HUNTINGTON POINTE****SECTION**

- 11-701. Hours of opening and closing.
- 11-702. Alcoholic beverages and beer prohibited.
- 11-703. Swimming, diving prohibited.
- 11-704. Camping prohibited.
- 11-705. No boats.
- 11-706. No motorized vehicles in park.
- 11-707. Adult supervision required.
- 11-708. Violation of municipal code.
- 11-709. Fishing license required.
- 11-710. Creel limit.
- 11-711. Exemption.

**11-701. Hours of opening and closing.** The town's lake and surrounding park area in Huntington Pointe Subdivision shall be open to the public from 6:00 A.M. until 10:00 P.M. It shall be a violation of this chapter for any person to use the lake or park area other than during such hours. (2004 Code, § 11-1001)

**11-702. Alcoholic beverages and beer prohibited.** It shall be unlawful for any person to drink beer or any alcoholic beverage (as defined by state law), or to provide beer or an alcoholic beverage to any other person in, on or at the town's lake at Huntington Pointe or the surrounding park area. (2004 Code, § 11-1002)

**11-703. Swimming, diving prohibited.** There shall be no swimming or diving in the town's lake at Huntington Pointe. (2004 Code, § 11-1003)

**11-704. Camping prohibited.** No overnight camping shall be allowed on or at the town's park property in Huntington Pointe. (2004 Code, § 11-1004)

**11-705. No boats.** No boats of any kind, including but not limited to canoes, motor boats, rafts or rowboats, and no sea-dos or similar watercraft shall be allowed in the lake at Huntington Pointe. (2004 Code, § 11-1005)

**11-706. No motorized vehicles in park.** No motorized vehicles, including but not limited to all terrain vehicles, shall be used in or at the town's park area, including on the greenbelt road, at Huntington Pointe. (2004 Code, § 11-1006)

**11-707. Adult supervision required.** No person under the age of sixteen (16) shall be allowed at the town's lake at Huntington Pointe except when accompanied by at least one (1) responsible person who is eighteen (18) years of age or older. (2004 Code, § 11-1007)

**11-708. Violation of municipal code.** Any violation of this chapter shall be a violation of the Rossville Municipal Code and shall subject the violator to a summons to Rossville Town Court and the possibility of a fine up to fifty dollars (\$50.00) for each separate code section violated. (2004 Code, § 11-1008)

**11-709. Fishing license required.** Any person who desires to fish in the town's lake at Huntington Pointe shall have in his or her possession a valid fishing license issued by the State of Tennessee. This provision shall be enforced by the state. (2004 Code, § 11-1009)

**11-710. Creel limit.** There will be a creel limit of five (5) catfish and twenty (20) bream per day per licensed fisherman. (Ord. #2013-3, May 2013)

**11-711. Exemption.** Any request for an exemption from the requirements of this chapter must be approved in advance by the board of mayor and aldermen, except that the requirement for a fishing license is governed by state law, and the board has no authority to grant an exemption from that requirement. (2004 Code, § 11-1010)