TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

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CHAPTER 1

<u>ALCOHOL²</u>

SECTION

11-101. Open containers of beer or alcoholic beverages. 11-102. Violation and penalty.

11-101. <u>Open containers of beer or alcoholic beverages</u>. (1) <u>During</u> <u>occupancy of a vehicle</u>. No open containers of beer or alcoholic beverages shall be displayed by any person during the occupancy of any vehicle located on the public square, or upon any public parking lot within the city limits, or upon any private parking lot which is posted pursuant to the notices stated herein. For

¹Municipal code references Animals and fowls: title 10. 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 <u>Tennessee Code Annotated</u> § 33-8-203 (<u>Arrest for Public Intoxication</u>, cities may not pass separate legislation). Change 2, June 23, 2005

purposes of definition, occupancy of a vehicle shall include any person who has left a vehicle and is standing nearby in the general vicinity of the vehicle.

(2) <u>Upon public property</u>. No person shall carry or display an open container of beer or alcoholic beverage upon the city streets of Watertown, Tennessee or upon public property, including but not limited to school property and park property.

(3) <u>Upon private parking lots</u>. No person shall carry or display any open container of beer or alcoholic beverage upon a private parking lot during the hours defined by a posting notice on said lot where the owner or operator of the private parking lot has posted a notice pursuant to the provisions described in § 11-1003 of this municipal code. (Ord. #97-1, Feb. 1997)

11-102. <u>Violation and penalty</u>. Any person who violates any provision of this chapter shall be subject to a fine of up to fifty and 00/100 dollars (\$50.00) for each violation. (Ord. #97-1, Feb. 1997)

FORTUNE TELLING, ETC.

SECTION

11-201. Fortune telling, etc.

11-201. <u>Fortune telling, etc</u>. It shall be unlawful for any person to conduct the business of, solicit for, or ply the trade of fortune teller, clairvoyant, hypnotist, spiritualist, palmist, phrenologist, or other mystic endowed with supernatural powers. (1974 Code, § 10-233, modified)

OFFENSES AGAINST THE PERSON

SECTION

11-301. Assault and battery.

11-301. <u>Assault and battery</u>. It shall be unlawful for any person to commit an assault or an assault and battery. (1974 Code, § 10-201)

OFFENSES AGAINST THE PEACE AND QUIET

SECTION

11-401. Disturbing the peace. 11-402. Anti-noise regulations.

11-401. <u>**Disturbing the peace</u>**. 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. (1974 Code, § 10-202)</u>

11-402. <u>Anti-noise regulations</u>. 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) <u>Miscellaneous prohibited noises enumerated</u>. 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) <u>Blowing horns</u>. 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) <u>Radios, phonographs, etc</u>. 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) <u>Yelling, shouting, hooting, etc</u>. 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 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) <u>Pets</u>. 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) <u>Use of vehicle</u>. 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) <u>Blowing whistles</u>. 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 city authorities.

(g) <u>Exhaust discharge</u>. 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) <u>Noises near schools, hospitals, churches, etc</u>. 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) <u>Loading and unloading operations</u>. 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) <u>Noises to attract attention</u>. 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) <u>Loudspeakers or amplifiers on vehicles</u>. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

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

(a) <u>City vehicles</u>. Any vehicle of the city while engaged upon necessary public business.

(b) <u>Repair of streets, etc.</u> 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) <u>Noncommercial and nonprofit use of loudspeakers or</u> <u>amplifiers</u>. 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 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. (1974 Code, § 10-232)

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. <u>Escape from custody or confinement</u>. 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. (1974 Code, § 10-209)

11-502. <u>Impersonating a government officer or employee</u>. No person other than an official police officer of the city 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. (1974 Code, § 10-211)

11-503. <u>False emergency alarms</u>. 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. (1974 Code, § 10-217)

11-504. <u>Resisting or interfering with city personnel</u>. 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 municipality while such officer or employee is performing or attempting to perform his municipal duties. (1974 Code, § 10-210)

11-505. <u>Coercing people not to work</u>. 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. (1974 Code, § 10-229)

FIREARMS, WEAPONS AND MISSILES

SECTION

11-601. Air rifles, etc.11-602. Throwing missiles.11-603. Discharge of firearms.

11-601. <u>Air rifles, etc</u>. 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. (1974 Code, § 10-213)

11-602. <u>Throwing missiles</u>. It shall be unlawful for any person maliciously to throw any stone, snowball, bottle, or any other missile maliciously upon or at any vehicle, building, tree, or other public or private property or upon or at any person. (1974 Code, § 10-214)

11-603. <u>Discharge of firearms</u>. It shall be unlawful for any unauthorized person to discharge a firearm within the corporate limits. (1974 Code, § 10-212, modified)

TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE WITH TRAFFIC

SECTION

11-701. Trespassing on trains.

11-702. Malicious mischief.

11-703. Interference with traffic.

11-701. <u>**Trespassing on trains**</u>¹. 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 in the scope of his employment or unless he is a lawful passenger or is otherwise lawfully entitled to be on such vehicle. (1974 Code, § 10-221)

11-702. <u>Malicious mischief</u>. It shall be unlawful and deemed to be malicious mischief for any person to willfully, maliciously, or wantonly damage, deface, destroy, conceal, tamper with, remove, or withhold real or personal property which does not belong to him. (1974 Code, § 10-224)

11-703. <u>Interference with traffic</u>. 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. (1974 Code, § 10-231)

¹Municipal code reference Civil trespass: § 11-1005.

JUVENILE CURFEW

SECTION

- 11-801. Title.
- 11-802. Definitions.
- 11-803. Restrictions.
- 11-804. Exceptions.
- 11-805. Enforcement.
- 11-806. Construction of severability.
- 11-807. Continuing evaluation.
- 11-808. Notice.
- 11-809. Chapter cumulative.

11-801. <u>**Title</u></u>. This chapter shall be known as the "Juvenile Curfew Ordinance." (Ord. #94-1, Sept. 1994)</u>**

11-802. <u>Definitions</u>. For purposes of this chapter the following terms, phrases, or words used in the present tense include the future, words in the plural number include the singular and words in the singular include the plural. The word "shall" is always mandatory and not merely directory.

(1) "City" is the City of Watertown, Tennessee.

(2) "Minor" or "juvenile" is any unemancipated person under the age of eighteen (18) or in equivalent phrasing often herein employed, any person seventeen (17) years or less.

- (3) "Parent" is any person having legal custody of a minor
 - (a) As a natural or adoptive parent;
 - (b) As a legal guardian; or

(c) As a person to whom legal custody has been given by order of the court.

(4) "Remain" means to stay behind, to tarry and to stay unnecessarily upon the streets, including the congregation of groups (or of interacting minors) totaling four or more persons in which any minor involved would not be using the streets for ordinary or serious purposes such as mere passage or going home. To implement that thought with additional precision and precaution, numerous exemptions are expressly defined in § 11-803 so that this is not a mere prohibitory or presence type curfew ordinance.

(5) "Street" is a way or place, or whatsoever nature, open to the use of the public as a matter of right for purposes of vehicular travel.

(6) "Time," whether central standard time or central daylight savings time, is the time generally observed at that hour by the public in the city, prima facie the time when observed in the city administrative offices and police department. (7) "Year of age" continues from one birthday, such as the seventeenth, to (but not including the day of) the next, making it clear that seventeen (17) or less years of age is herein treated as equivalent to the phrase "under eighteen (18) years of age," unless specifically defined differently herein.

(8) "Police department" shall refer to the Police Department of the City of Watertown, Tennessee.

(9) "Public place" shall refer to any street, alley, avenue, highway, road, curb area 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 place shall include, but not be limited to, any store, shop, restaurant, tavern, bowling alley, cafe, theater, 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.

(10) "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, or an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

(11) "Serious bodily injury" means bodily injury that creates a substantial risk of death or impairment of the function of any bodily member or organ. (Ord. #94-1, Sept. 1994)

11-803. <u>Restrictions</u>. It shall be unlawful for any minor under eighteen (18) years of age to remain in or upon any public place within the city during a period ending at 5:00 A.M. and beginning at 11:00 P.M., Sunday through Thursday, and during a period ending at 5:00 A.M. and beginning at 12:00 midnight, Friday and Saturday.

It shall further be unlawful for a parent of a minor to knowingly permit or by inefficient or insufficient control allow such minor to be or remain in any public place within the city under circumstances not constituting an exception to, or otherwise beyond the scope of, the curfew ordinance. The term "knowingly" includes knowledge which a parent should reasonably be expected to have concerning the whereabouts of a minor in that parent's legal custody. It is intended to continue to keep neglectful or careless parents up to a reasonable community standard of parental responsibility through an objective test. It shall, a fortiori, be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such minor child. (Ord. #94-1, Sept. 1994)

11-804. <u>Exceptions</u>. It shall be a valid exception to the operation of the curfew if the minor was:

(1) At any time, accompanied by his or her parent;

(2) Accompanied by an adult authorized by a parent of such minor to take said parent's place in accompanying said minor for a designated period of time and purpose within a specified area;

(3) Legally employed, for the period from forty-five minutes after work, while going directly between his or her home and place of employment without any stop or detour. This exception shall also apply if the minor is in a public place during curfew hours in the course of his or her employment. To come within this exception, the minor must be carrying a written statement of employment issued by employer;

(4) On the property of or the sidewalk directly adjacent to the place where such minor resides or the place immediately adjacent thereto if the owner of the adjacent building does not communicate an objection to the minor and the police officer;

(5) Returning home by a direct route from (and within forty-five (45) minutes of the termination of) a school activity or an activity of a religious or other voluntary association or a place of public entertainment, such as a movie, play or sporting event. This exception will not apply beyond 1:30 A.M. If the event is not commercial in nature or does not have a fixed, public known time at which it will or does end, the sponsoring organization must register the event with the chief of police (or his assigned representative) at least 24 hours in advance informing the police department of the time such event is scheduled to begin, the place at which it shall be held, the time at which it shall end and the name of the sponsoring organization;

(6) In the case of reasonable necessity, but only after such minor's parent has communicated to the police department personnel the facts establishing such reasonable necessity relating to specified streets at a designated time for a described purpose including place or origin and destination. A copy of such communication, or the police record thereof, with an appropriate notation of the time it was received and of the names and addresses of such parent and minor shall constitute evidence of qualification under this exception;

(7) Exercising first amendment rights protected by the United States Constitution such as the free exercise of religion, freedom of speech and the right of assembly;

(8) Involved in an emergency;

(9) Married or had been married or had disability of minority removed in accordance with Tennessee law.

Each of the foregoing exemptions, and their several limitations, such as provisions for notification, are severable. (Ord. #94-1, Sept. 1994)

11-805. <u>Enforcement</u>. (1) A police officer of the city who has probable cause to believe that a minor is in violation of this chapter <u>shall</u>:

(a) Ascertain the name and address of the minor;

(b) Issue the minor a written warning that the minor is in violation of this chapter; and,

(c) Order the minor to go promptly home by a direct route.

(2) Notwithstanding paragraph (1) of this section, a police officer who has probable cause to believe that a minor is in violation of this chapter, shall transport the minor to the police department if:

(a) The minor has received one previous written warning for violation of this chapter; or,

(b) Reasonable grounds exist to believe the minor has engaged in delinquent conduct.

When a minor is taken to the police department, the minor's parents shall be immediately contacted. If after this contact there is still probable cause to believe that the minor was violating this chapter the minor shall be held until the parent comes to take the minor home. When the parent arrives he or she shall be given a copy of this chapter. If no parent has arrived within one hour, the minor shall be turned over to the custody of the local juvenile authorities until a parent can take custody of him or her.

(3) In case of a second violation by a minor, the chief of police shall, by certified mail, send to the minor's parent written notice of said violation with a warning that any subsequent violation will result in a full enforcement of the curfew ordinance, including enforcement of parental responsibility and of applicable penalties. Said notice shall be sent to the minor's parent at his or her last known address and evidence of its mailing by certified mail shall constitute sufficient notice of the minor's violation.

(4) If after the mailing of the notice set forth in subsection (3) herein of a second violation by a minor, a parent violates § 11-803 (in connection with a third violation by a minor) this shall be treated as a first offense by the parent. For such first parental offense, a parent shall be fined twenty-five dollars (\$25.00). For each subsequent offense by a parent, the fine shall be increased by an additional twenty-five dollars (\$25.00), (e.g. fifty dollars (\$50.00) for the second, seventy-five (\$75.00) for the third offense). (Ord. #94-1, Sept. 1994)

11-806. <u>Construction of severability</u>. Severability is intended throughout and within the provisions of the curfew ordinance. If any provision including inter alia any exception, part, phrase or term of the application to any person or circumstances is held invalid the application to other persons or circumstances shall not be affected thereby. The board of mayor and aldermen does not intend a result that is absurd, impossible to execute or unreasonable. It is intended that the curfew ordinance be held inapplicable in such cases, if any, where its application would be unconstitutional. A constitutional construction is intended and shall be given. The board of mayor and aldermen does not intend to violate the Constitution of the State of Tennessee or the Constitution of the United States of America. (Ord. #94-1, Sept. 1994) **11-807.** <u>Continuing evaluation</u>. The board of mayor and aldermen will continue its evaluation and updating of this curfew ordinance through methods including, but not limited to:

Within six (6) months after the implementation of this chapter, the chief of police shall provide the board of mayor and aldermen with a report concerning the effect of this chapter on crimes committed by and against minors and of the number of warnings issued and arrest of minors and parents hereunder, and such other information as the board of mayor and aldermen may request.

After receipt of the police chief's report to the board, the city recorder shall place this matter on the board's agenda for discussion, review and continuing evaluation. (Ord. #94-1, Sept. 1994)

11-808. <u>Notice</u>. The city recorder shall provide notice of this chapter and of the curfew regulations established by it by having copies of this chapter posted in, on or about such public or quasi-public places as may be determined by the board in order that the public may be constantly informed of the existence of this chapter and its amendments and regulations. (Ord. #94-1, Sept. 1994)

11-809. <u>Chapter cumulative</u>. This chapter shall be cumulative and in addition to any other laws in force. (Ord. #94-1, Sept. 1994)

MISCELLANEOUS

SECTION

- 11-901. Abandoned refrigerators, etc.
- 11-902. Caves, wells, cisterns, etc.
- 11-903. Posting notices, etc.

11-901. <u>Abandoned refrigerators, etc.</u> 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. (1974 Code, § 10-222)

11-902. <u>Caves, wells, cisterns, etc.</u> 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. (1974 Code, § 10-230)

11-903. <u>Posting notices, etc.</u> No person shall fasten, in any way, any show-card, poster, or other advertising device or sign upon any public or private property unless legally authorized to do so. (1974 Code, § 10-226)

LOITERING, ETC.

SECTION

- 11-1001. Congregating around vehicles in the public square.
- 11-1002. Littering on private parking lots.
- 11-1003. Loitering on private parking lots.
- 11-1004. Loitering defined.
- 11-1005. Civil trespass.
- 11-1006. Violation and penalty.

11-1001. <u>Congregating around vehicles in the public square</u>. On and after passage of this chapter, during the hours of 11:00 P.M. through 5:00 A.M. on Sunday through Thursday or during the hours of 12:00 P.M. through 5:00 A.M. on Friday and Saturday night, no person or persons shall be allowed to sit in or congregate around automobiles or other vehicles on the public square of Watertown, Tennessee and that area adjacent to the public square unless a recognized or city sponsored public event is occurring during those hours. Any person or persons found to be sitting on the public square in the above described area during the time stated, shall be requested to remove themselves and their vehicle from the subject area, and if the removal is not accomplished within a reasonable time, the person(s) shall be found in violation of this section, a reasonable time is a period of not more than five (5) minutes from receipt of the warning. (Ord. #97-1, Feb. 1997)

11-1002. <u>Littering on private parking lots</u>. No person shall cause littering to occur on a private parking lot which is posted pursuant to the provisions of this law. (Ord. #97-1, Feb. 1997)

11-1003. <u>Loitering on private parking lots</u>. Any property owner or manager of a parking lot may choose to provide protection for their property by posting visible signs in one or more locations which clearly shows that the subject parking lot is a "posted area" and is subject to the provisions of this chapter. The sign shall state the following minimum warning:

WARNING-POSTED AREA

No loitering or standing is allowed in this parking lot from and after 11:00 P.M. until 5:00 A.M. in the morning, except by express permission of the owner or manager. Violators shall be prosecuted under the provisions of Title 11, Chapter 10 of the Watertown Municipal Code.

Businesses who are open twenty-four (24) hours per day may place an additional provision which states "persons or vehicles occupying the subject premises during the above hours must be customers or they shall be subject to prosecution." (Ord. #97-1, Feb. 1997)

11-1004. <u>Loitering defined</u>. For purposes of this chapter, a person is guilty of the offense of loitering if that person:

(1) Remains on posted property, public or private, after the hours described in the posted warning sign; and

(2) Continues to remain after receiving a warning from the owner or manager of the property or from the police and the person has refused to move from said premises within a reasonable time.

For purposes of this chapter, a reasonable time for a person to remove themselves from a posted area, after receiving a warning, shall be a period of not more than five (5) minutes from the receipt of the warning. (Ord. #97-1, Feb. 1997)

11-1005. <u>Civil trespass</u>. It shall also be unlawful for any person to commit civil trespass within the city limits:

(1) A person commits civil trespass who, knowing they do not have the owner's effective consent to do so, enters or remains on private property, or a portion thereof. Knowledge that the person did not have the owner's effective consent may be inferred where notice against entering or remaining on the subject private property is given by:

(a) Personal communication to the person by the owner or their agent or by someone with apparent authority to act for the owner; or

(b) The property has a fencing or other enclosure obviously designed to exclude intruders; or

(c) The use of posting reasonably likely to come to the attention of intruders.

(2) It is a defense to the prosecution for the offense of civil trespass if the property is not clearly marked as being restricted and the property is otherwise open to the public; and the persons conduct did not substantially interfere with the owner's use of the property; and upon being requested to move from the property, the person immediately left the premises.

Under the provisions of this section, a person who has received a warning from a law enforcement official and has been requested to leave the premises which are posted in such a manner as to give reasonable notice of the trespass violation, shall be deemed to have committed civil trespass. (Ord. #97-1, Feb. 1997)

11-1006. <u>Violation and penalty</u>. Any person who violates any provision of this chapter shall be subject to a fine of up to fifty and 00/100 dollars (\$50.00) for each violation. (Ord. #97-1, Feb. 1997)

MISDEMEANORS OF THE STATE ADOPTED

SECTION

11-1101. Class "C" misdemeanors of the state adopted.

11-1101. <u>Class "C" misdemeanors of the state adopted</u>. All offenses against the State of Tennessee which are committed within the corporate limits of Watertown and which are defined by the state law to be <u>Class "C"</u> misdemeanors are hereby designated and declared to be offenses against the municipality also pursuant to <u>Tennessee Code Annotated</u>, § 55-10-307. Any violation of any such law within the corporate limits is also a violation of this section. This section does not invalidate any specific Watertown Municipal Code section concerning misdemeanors. (as added by Ord. #2004-___, Sept. 2004, and Ord. #2005-___, June 2005)