

TITLE XIII: GENERAL OFFENSES

Chapter

130. OFFENSES AGAINST PUBLIC PEACE AND SAFETY

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§ 130.01 CONGREGATING IN PUBLIC PLACES.

It is unlawful for any person to congregate or cause to be congregated, a crowd of three or more persons upon any public street, alley, sidewalk, parking lot, school or school grounds, building, or any other public place within the town so as to obstruct the same or as hinder or annoy passers-by or occupants of adjacent premises or as to interfere with the activities normally carried on, on the premises. (Ord., passed - -77) Penalty, see § 130.99

§ 130.02 INTERFERENCE WITH OFFICIALS.

(A) It shall be unlawful for any person or persons to intentionally impede or interfere, or attempt to impede or interfere with any policeman, fireman, or any other town official in the performance of duty or emergency functions as a fireman, policeman, or town official.

(B) It is a defense to prosecution under this section that the hindrance, obstruction, resistance, or interference alleged consisted of speech only. (Ord., passed - -77) Penalty, see § 130.99

§ 130.03 DUMPING TRASH.

(A) There shall be no dumping of trash, dead animals or raw garbage in any of the public streets or properties of the town.

(B) The dumping of trash will be permitted in the Town Dump provided for such purpose southeast of town or in such other place as fixed and posted by the Board of Trustees.

(C) The dumping of trash will be permitted only during the hours and upon the days as set by the Board of Trustees and posted at the Town Hall and the Town Dump.

(D) No brush, trees, limbs, or logs shall be dumped at the Town Dump. No wire of any kind, or solid objects larger than four cubic feet in size shall be dumped. No material such as raw garbage or dead animals which present a health problem shall be dumped at the Town Dump. (Ord. 68-II, passed 11-12-69) Penalty, § 130.99

§ 130.04 FIREARMS DISCHARGE.

(A) The Town Board, in order to promote public safety hereby establishes this section regulating the discharge of firearms within or into the town limits.

(B) For the purpose of this section a firearm is defined as any device which can propel a projectile and the propelling force is compressed gasses, explosive, or rapid combustion of any material.

(C) It is unlawful to discharge a firearm within or into the boundaries of the town, with the following exceptions:

(1) To protect your life or the life of another person in a manner which constitutes self defense as defined by Indiana Code.

(2) To protect yourself or your livestock from a dangerous animal.

(3) Use by law enforcement personnel.

(4) Use of air guns or bb guns when fired in a safe direction by an adult, or a minor when supervised by an adult.

(D) Penalty. Violators will be fined the sum of \$250.
(Ord. 1999-3, passed 5-21-99)

§ 130.05 PUBLIC SAFETY AND ORDER.

It is unlawful for any person to create a public safety hazard or breach of order by committing any of the following acts:

(A) Unauthorized entry onto any property that is posted "NO LOITERING"; or, "PARKING FOR CUSTOMERS ONLY"; or, "NO ENTRY AFTER BUSINESS HOURS".

(1) The owner(s) or controller(s) of the property must have presented to the Town Board the following:

(a) An affidavit signed by the legal owner(s) or legal controller(s) stating their desire that this section be enforced on their property;

(b) The exact location and description of the property to be covered by the section;

(c) The days and times that enforcement is to be carried out;

(d) Proof of the posting of signs stating: "NO LOITERING" and the hours and days of enforcement; or, stating "PARKING FOR

CUSTOMERS ONLY"; or, stating "NO ENTRY AFTER BUSINESS HOURS" and stating the business hours. The signs must be posted at locations that can be easily seen at the entrances to the property;

(e) Proof of the publication of notice that enforcement will begin on the described property at least two weeks before the enforcement is to begin;

(f) Provide and keep updated a list of persons authorized to be on the property after regular business hours; and

(g) Agree to appear and testify in a court of law concerning validity of the affidavit.

(2) The Executive Officer of the Town Board must sign agreement to the affidavit/request before any enforcement will take place.

(B) Throwing an object at or from a vehicle, except when in the course of a legal business requiring this action and during a parade sanctioned by the town.

(C) Communicating a threat of any illegal action against any person.

(D) Blocking or impeding pedestrian or vehicular traffic by standing, parking, leaving or placing any object on a street, alley, or walkway; excluding utility and emergency services.

(E) Disregarding a lawful safety direction or order from a firefighter, emergency medical personnel, or a police officer.

(F) Making unreasonable noise. The noise is unreasonable if:

(1) It can be heard while on the street and the noise is coming from inside a house or building; or

(2) It can be heard while inside a closed house and noise is coming from the street or another property; or

(3) It can be heard two blocks away.

(4) Excluding utility services, emergency services, operation of legitimate industry, operation of the railways, and public celebrations sanctioned by the town.

(G) Operating a vehicle in a manner that causes the vehicle tires to lose traction on the road or causes the tires to throw gravel or debris. Excludes public utilities and emergency service vehicles.

(H) Discarding or leaving any trash, refuse, or debris on any street, alley, sidewalk, or property not owned or controlled by the respondent.

(I) Failure to bring a vehicle to a complete stop at a stop sign or stop signal.

(J) Creating a safety hazard by driving a vehicle ten or more miles per hour over the prima facie speed limit.

(K) Interfering with utility service operations by blocking access to meters or other utility equipment.

(L) Penalties.

(1) The fine for a violation of this section is \$200.

(2) If the fine is paid within 30 days of the violation, the fine is \$50. The fine is to be paid to the Clerk Treasurer of the town.

(Ord. 1999-2, passed 3-12-99; Am. Ord. 2001-2, passed 10-8-01)

§ 130.99 PENALTY.

(A) Any person who violates any of the regulations of § 130.03 shall be penalized \$10 for each violation.

(B) Any person violating any provision of this chapter, for which another penalty has not been specifically provided, shall be punished by a fine of not more than \$2,500, and/or imprisonment in the county jail for a period not to exceed six months. (Ord., passed - -77)

