

TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

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CHAPTER 1

ALCOHOL²

SECTION

- 11-101. Possession, etc. alcoholic beverage, intoxicating drugs.
11-102. Minors in beer places.

11-101. Possession, etc. alcoholic beverage, intoxicating drugs.

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.

¹Municipal code references

- Animals and fowls: title 10.
- Housing and utilities: title 12.
- 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 Tennessee Code Annotated § 33-8-203 (Arrest for Public Intoxication, cities may not pass separate legislation).

The possession and/or consumption of any alcoholic beverage or intoxicating drugs within the boundaries of the Waynesboro City Park is forthwith and henceforth unlawful. (1973 Code, § 10-229)

11-102. Minors in beer places. No minor shall loiter in or around, work in, or otherwise frequent any place where beer is sold at retail for consumption on the premises. (1973 Code, § 10-222)

CHAPTER 2**FORTUNE TELLING, ETC.****SECTION**

11-201. Fortune telling, etc.

11-201. Fortune telling, etc. 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. (1973 Code, § 10-235, modified)

CHAPTER 3

OFFENSES AGAINST THE PERSON

SECTION

11-301. Assault and battery.

11-301. Assault and battery. It shall be unlawful for any person to commit an assault or an assault and battery upon another person. (1973 Code, § 10-201)

CHAPTER 4

OFFENSES AGAINST THE PEACE AND QUIET

SECTION

11-401. Disturbing the peace.

11-402. Anti-noise regulations.

11-401. 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. (1973 Code, § 10-202)

11-402. Anti-noise regulations. It shall be unlawful for any person to make, continue or cause to be made or continued, any loud or unnecessary or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety or welfare of others within the limits of the City of Waynesboro.

The following is an enumeration of loud or unnecessary noises, but such enumeration shall not be exclusive of any others not herein specifically named.

(1) Using, operating, or permitting to be played, used, or operated any radio receiving set, phonograph, or any musical instrument in such a manner or with such volume as to annoy or disturb the comfort and quiet of persons in any offices, hospital, dwelling, hotel, or any other type of residence or of any persons in the vicinity.

(2) The creation of any excessive noise or the discharge into the open air of any engine, stationary or mobile, except through a muffler or other device which will prevent loud or explosive noises therefrom, near schools, courts, offices, churches, hospitals and residences.

(3) The using, operating, or permitting to be played, used, or operated of any loud speaker, sound amplifier, or other machine or device for the producing or re-producing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building, structure, or place.

(4) The use or operation for advertising or commercial purposes or for any purpose whatsoever on or upon the public streets or sidewalks in the City of Waynesboro or any device known as a sound truck, loud speaker, sound amplifier, radio, or phonograph with a loud speaker or sound amplifier attached thereto or any other instrument of any kind or character which emits therefrom loud noises and is attached to or upon any vehicle operating or standing upon the city streets or sidewalks; provided, however, the use of sound trucks, loud speakers, amplifiers, or similar devices may be used provided a permit for such use shall be first obtained from the city manager who shall be satisfied as to the

contemplated use prior to the issuance of such permit and who may revoke the same at any time he sees fit for just cause and before issuing such permit, the city manager shall be satisfied that the use of any sound amplifier, loud speaker, sound truck, phonograph, or like equipment shall in no way or by no means cause any street, alley, sidewalk, or passageway to become blocked or cut off because of the congregation of any crowd of people, and the city manager shall further be satisfied that the use of such equipment shall in no way disturb the peace and quiet of the inhabitants or people of the City of Waynesboro and provided further, that in such permit the city manager may limit the hours of the day and the number of days in which said permit may be used. (1973 Code § 10-234)

CHAPTER 5

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 an officer.

11-505. Coercing people not to work.

11-501. Escape from custody or confinement. It shall be unlawful for any person under arrest or otherwise in custody of or confined by the municipality 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. (1973 Code, § 10-209)

11-502. Impersonating a government officer or employee. No person other than an official police officer of the municipality 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 municipality. Furthermore, no person shall deceitfully impersonate or represent that he is any government officer or employee. (1973 Code, § 10-211)

11-503. False emergency alarms. It shall be unlawful for any person to intentionally 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. (1973 Code, § 10-217)

11-504. Resisting or interfering with an officer. 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. (1973 Code, § 10-210)

11-505. Coercing people not to work. 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. (1973 Code, § 10-231)

CHAPTER 6**FIREARMS, WEAPONS AND MISSILES****SECTION**

11-601. Air rifles, etc.

11-602. Throwing missiles.

11-603. Discharge of firearms.

11-601. Air rifles, etc. It shall be unlawful for any person in the municipality 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. (1973 Code, § 10-213)

11-602. Throwing missiles. It shall be unlawful for any person to maliciously 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. (1973 Code, § 10-214)

11-603. Discharge of firearms. It shall be unlawful for any unauthorized person to discharge a firearm within the corporate limits. (1973 Code, § 10-212, modified)

CHAPTER 7

TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE WITH TRAFFIC

SECTION

- 11-701. Trespassing.
- 11-702. Malicious mischief.
- 11-703. Interference with traffic.
- 11-704. Trespassing on trains.

11-701. Trespassing. The owner or person in charge of any lot or parcel of land or any building or other structure within the corporate limits may post the same against trespassers. It shall be unlawful for any person to go upon any such posted lot or parcel of land or into any such posted building or other structure without the consent of the owner or person in charge.

It shall 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. (1973 Code, § 10-226)

11-702. Malicious mischief. 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. (1973 Code, § 10-225)

11-703. 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. (1973 Code, § 10-233)

11-704. Trespassing on trains. 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. (1973 Code, § 10-221)

CHAPTER 8

MISCELLANEOUS

SECTION

11-801. Abandoned refrigerators, etc.

11-802. Caves, wells, cisterns, etc.

11-803. Posting notices, etc.

11-804. Curfew for minors.

11-805. Wearing masks.

11-801. Abandoned refrigerators, etc. 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. (1973 Code, § 10-223)

11-802. Caves, wells, cisterns, etc. 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. (1973 Code, § 10-232)

11-803. Posting notices, etc. No person shall fasten, in any way, any show-card, poster, or other advertising device upon any public or private property unless legally authorized to do so. (1973 Code, § 10-227)

11-804. Curfew for minors. It shall be unlawful for any minor to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places, and public building, places of amusement, vacant lots or other unsupervised places between the hours of 11:00 P.M. and 5:00 A.M. on Sunday, Monday, Tuesday, Wednesday and Thursday of each week and between the hours of 12:00 Midnight and 5:00 A.M. on Friday and Saturday of each week; provided, however, that the provisions of this section do not apply when the minor is accompanied by his or her parent or guardian, or when the minor is on an emergency errand or legitimate business directed by his or her parent or guardian.

Each violation of the provisions of this section shall constitute a separate offense. (1973 Code, § 10-224)

11-805. Wearing masks. It shall be unlawful for any person to appear on or in any public way or place while wearing any mask, device, or hood whereby any portion of the face is so hidden or covered as to conceal the identity of the wearer. The following are exempted from the provisions of this section:

- (1) Children under the age of ten (10) years.
- (2) Workers while engaged in work wherein a face covering is necessary for health and/or safety reasons.
- (3) Persons wearing gas masks in civil defense drills and exercises or emergencies.
- (4) Any person having a special permit issued by the city recorder to wear a traditional holiday costume. (1973 Code, § 10-236)