

TITLE XIII: GENERAL OFFENSES

Chapter

130. GENERAL OFFENSES

CHAPTER 130: GENERAL OFFENSES

Section

Offenses Against Public Peace and Safety

- 130.01 Assault and battery
- 130.02 Disorderly conduct
- 130.03 Drinking in public place
- 130.04 Disturbing lawful assemblies
- 130.05 Unnecessary noise
- 130.06 Discharging weapons
- 130.07 Disorderly houses

Offenses Against Justice and Administration

- 130.20 Escape of prisoners from custody
- 130.21 Interfering with police
- 130.22 Smuggling to prisoners

Offenses Against Property

- 130.35 Trespass
- 130.36 Tampering with, destroying or injuring public property or public records

Offenses Related to Minors

- 130.50 Contributing to the delinquency of a child
- 130.51 Curfew
- 130.52 Confining child in vehicle

Cross-reference:

Gambling prohibited, see ' 111.21

OFFENSES AGAINST PUBLIC PEACE AND SAFETY**▪ 130.01 ASSAULT AND BATTERY.**

No person shall, with or without a weapon, attack, assault or commit a battery upon any other person.
(^78 Code, ' 10-1-1) Penalty, see ' 10.99

▪ 130.02 DISORDERLY CONDUCT.

(A) No person shall disturb the peace by:

- (1) Being intoxicated in a public place.
- (2) Participating or abetting in any rude, indecent, riotous, drunken or violent conduct.
- (3) Using any vulgar, obscene or abusive language in any public place.
- (4) Committing any obscene, indecent or immoral act in any public place.
- (5) Inciting any other person to commit any breach of the peace.

(B) No person shall knowingly permit any disorderly conduct on any premises owned or controlled by him.

(^78 Code, ' 10-1-2) Penalty, see ' 10.99

▪ 130.03 DRINKING IN PUBLIC PLACE.

No person shall drink or consume any alcoholic liquor in or upon any street, alley, public grounds or other public place unless such place has been licensed for that purpose by the Oregon Liquor Control Commission.

(^78 Code, ' 3-2-2) (Ord. 1-A, passed 2-4-59) Penalty, see ' 10.99

Cross-reference:

Drinking in a motor vehicle, see ' 71.03

▪ 130.04 DISTURBING LAWFUL ASSEMBLIES.

No person shall knowingly interrupt, disturb or annoy any lawful assemblage, either public or private, by any offensive acts committed within such assembly or so near the same as to disturb the order of the meeting.

(^78 Code ' 10-1-3) Penalty, see ' 10.99

• **130.05 UNNECESSARY NOISE.**

It shall be unlawful for any person to create, assist in creating, permit, continue or permit the continuance of any loud, disturbing or unnecessary noise which, because of the duration or decibel of the sound, unreasonably disturbs persons of ordinary sensibilities.

(^78 Code, ' 10-1-4) Penalty, see ' 10.99

• **130.06 DISCHARGING WEAPONS.**

(A) No person other than an authorized peace officer shall fire or discharge within the city any gun or other weapon, including spring or air-actuate pellet guns, and weapons which propel a projectile by use of explosives or jet or rocket propulsion.

(B) The provisions of this section shall not be construed to prohibit the firing or discharging of any weapon:

(1) By any person in the defense or protection of his property, person or family.

(2) At any place duly designated or commonly used for target practice.

(^78 Code, ' 10-1-5) Penalty, see ' 10.99

• **130.07 DISORDERLY HOUSES.**

(A) No person shall establish, maintain or aid in the establishment or maintenance of a disorderly house as the term is defined in division (B) of this section.

(B) **DISORDERLY HOUSE** shall mean any house or place kept or maintained for the purpose of prostitution, fornication, lewdness, gambling or other immoral purposes, including any place, room or building used for the consumption, sale or disposition of narcotic drugs contrary to law.

(C) No person shall knowingly visit or frequent any disorderly house.

(D) No person shall knowingly lease any building under his control for the purpose of permitting the establishment of a disorderly house. Any person whose property has been leased and is used as a disorderly house shall, upon learning of its use, immediately take appropriate action to oust the occupants thereof.

(E) No person shall solicit or entice another person to visit or enter a disorderly house.

(^78 Code, ' 10-1-8) Penalty, see ' 10.99

OFFENSES AGAINST JUSTICE AND ADMINISTRATION**· 130.20 ESCAPE OF PRISONERS FROM CUSTODY.**

(A) No person shall aid or attempt to aid in the escape of a confined prisoner or make available or provide anything calculated to aid in such escape.

(B) No person shall knowingly aid an escaped prisoner by offering shelter, clothing, food or any other thing or service which would aid or abet the escape of such prisoner.

(C) No person shall, while a prisoner in the city jail, or in any other place where city prisoners are kept or confined, escape or attempt to escape from such custody or confinement.

(^78 Code, ' 10-1-6) Penalty, see ' 10.99

· 130.21 INTERFERING WITH POLICE.

(A) No person shall hinder, delay, obstruct or resist or refuse to assist any police officer or person duly empowered with police authority who is acting in the discharge of his duty.

(B) No person shall offer or endeavor to assist any person in the custody of a police officer or a person duly empowered with police authority to escape or attempt to escape from such custody.

(C) No person shall impersonate, falsely assume or pretend to be a law enforcement officer.

(D) No person shall operate any generator or electromagnetic wave or cause a disturbance of such magnitude as to interfere with the proper functioning of any police radio communication system of the city.

(E) No person shall knowingly make or file with the Police Department of the city any false, misleading or unfounded statement or report concerning the commission or alleged commission of any crime.

(^78 Code, ' 10-1-7) Penalty, see ' 10.99

· 130.22 SMUGGLING TO PRISONERS.

It shall be unlawful for any person to deliver, by any method whatsoever, any intoxicating liquor or narcotic drug to any person confined in the city jail or to attempt to convey or deliver to any such person any article without the permission and consent of the officer in charge.

(^78 Code, ' 10-1-7(C)) Penalty, see ' 10.99

OFFENSES AGAINST PROPERTY

130.35 TRESPASS.

No person shall wrongfully go or trespass upon any real or personal property belonging to the city or any person within the city.

(^78 Code, ' 10-1-9(A)) (Ord. 1-A, passed 2-4-59) Penalty, see ' 10.99

130.36 TAMPERING WITH, DESTROYING OR INJURING PUBLIC PROPERTY OR PUBLIC RECORDS.

(A) *Destruction of official notices and signs.* No person shall wilfully deface or tear down any official notice or bulletin or any official sign or signal posted or placed in conformity with the law.

(B) *Injury to or removal of property.*

(1) No person shall wilfully or negligently cut, remove, deface or in any manner injure or damage real or personal property of the city within or without the corporate limits.

(2) No person shall wilfully or negligently cut, destroy, remove or injure any plant, flower, shrub, tree or bush growing upon any property owned or controlled by the city within or without the corporate limits.

(3) No person shall deface, injure, tamper with or wilfully break or destroy any property, real or personal, belonging to or under the control of another.

(C) *Taking, retention or mutilation of public records.*

(1) No person shall, without proper authority, take or remove any public record, document, book, paper or personal property of any kind owned by the city.

(2) No person, without proper authority, shall mutilate or destroy any public record, document, book or paper on file or kept on record in any public office of the city.

(^78 Code, ' 10-1-9) (Ord. 1-A, passed 2-4-59) Penalty, see ' 10.99

Cross-reference:

Code alteration, see ' 10.21

*OFFENSES RELATED TO MINORS***• 130.50 CONTRIBUTING TO THE DELINQUENCY OF A CHILD.**

(A) The definitions of Adelinquent child@ and Adependent child@ as set forth in ORS 418.205 are hereby adopted by reference and made a part of this chapter.

(B) No person shall encourage, cause or contribute to the delinquency of any child, or shall command or by threat or persuasion induce any child to perform any act or follow any course of conduct which would cause such child to become or tend to become a delinquent child.

(C) No person shall, by any wilful act or by failure to perform any duty, cause or tend to cause any child to become a delinquent child.

(^78 Code, ' 10-3-1) Penalty, see ' 10.99

• 130.51 CURFEW.

(A) It is unlawful for any minor under the age of 18 years to be in or upon any street, park, or other public place between the hours specified in this section.

(B) For minors under the age of 14 years who have not begun high school, the curfew is between 10 p.m. and 6 a.m. of the following morning. For children 14 years of age or older who have begun high school, the curfew is between 10 p.m. and 6 a.m. of the following morning from Sunday through Thursday, and between the hours of 12 a.m. and 6 a.m. Friday and Saturday.

(C) This section does not apply to a minor who is:

- (1) Accompanied by a parent, guardian, or custodian;
- (2) Accompanied by an adult 21 years of age older specified by a parent, guardian, or custodian;
- (3) Carrying out an errand or other lawful activity as directed by a parent, guardian, or custodian;

or

(4) Occupying the sidewalk of the place where the minor resides, or the sidewalk of a place where the minor has permission from his or her parent or guardian to be, or the sidewalk of a next-door neighbor not communicating an objection to a police officer.

(5) Participating in, going to, or returning from:

- (a) Lawful employment;

- (b) A lawful athletic, educational, entertainment, religious, or social event; or
- (c) Interstate travel.

(D) No parent, guardian, or person having the care and custody of a minor under the age of 18 years shall allow such minor to be in or upon any street, park or other public place between the hours specified in division (B) of this section, except as otherwise provided therein.

(E) Any minor who violates this section may be taken into temporary custody as provided in O.R.S. 419C.080, 419C.085, and 419C.088, or as those statutes may hereafter be amended, and may be subjected to further proceedings as provided by state law for curfew offenses.

(F) Violation of division (C) of this section by a parent, guardian or person having legal custody of a minor is punishable by a fine as set forth in ' 10.99.
(^78 Code ' 10-3-2) (Ord. 103 A, passed 11-1-89; Am. Ord. 03-01, passed 11-6-03)

' 130.52 CONFINING CHILD IN VEHICLE.

It shall be unlawful for any person who has under his control or guidance any minor child under ten years of age to at any time to lock or confine or permit to be locked or confined, or leave unattended, such child in any automobile, stage, coach, bus or other vehicle or place upon the streets, alleys or ways of or within the city for a period of time longer than 30 minutes.
(^78 Code, ' 10-3-3) (Ord. 1-A, passed 2-4-59) Penalty, see ' 10.99

