

TITLE 10

OFFENSES – MISCELLANEOUS

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CHAPTER

1. GENERALLY. SECTIONS 10-101.
2. ENUMERATED. SECTIONS 10-201 –10-229.

CHAPTER 1
GENERALLY

SECTION

- 10-101. Misdemeanors of the state adopted.
- 10-102. Appearance Bond.
- 10-103. Court Costs, Privilege Tax, and Fees.

10-101. Misdemeanors of the state adopted. All offenses against the State of Tennessee which are defined by the state law to be misdemeanors are hereby designated and declared to be offenses against this municipality also and it is hereby ordained that any violation of any such law is also a violation of this section. (Ord. #563, 10/1/81). (For offenses relating to animal and fowls, see Title 3 in this Code; for offenses relating to fireworks, etc., see Title 7; for offenses relating to health and sanitation, see Title 8; for traffic offenses, see Title 9; for non-traffic offenses relating to street and sidewalks, see Title 12). (See Sections 39-103 and 39-106 of the Tennessee Code Annotated for the definition of a “misdemeanor”).)

10-102. Appearance Bond. Pursuant to the provisions of T. C. A. 6-21-505, the appearance bond for the violation of any city ordinance shall be fifty dollars (\$50.00) to be collected by the City of Paris for any violation of any offense. The collection and disbursement of said funds collected as an appearance bond shall be governed by tax funds and the provisions of T. C. A. 6-21-505 (Ord. #813, 12/03/92; Ord. #1075, 06/07/07).

10-103. Court Costs, Privilege Tax, and Fees. In addition to the appearance bond provided for in 10-102 shall collect the following: court costs, privilege taxes, and fees in all cases in the city court:

State privilege tax on litigation of \$13.75 as provided by Tennessee Code Annotated 16-18-305(a).

State privilege tax on litigation of \$1.00 for violation of municipal laws governing the use of a public parking space as provided in Tennessee Code Annotated 16-18-305(b).

Municipal privilege tax on litigation of \$13.75 as provided in Tennessee Code Annotated 16-18-305(c).

Municipal court arrest fee of \$20.00.

Municipal court docket fee of \$7.50.

Municipal court affidavit and warrant fee of \$10.00.

In the event the state privilege tax on litigation is increased by the State of Tennessee, the municipal privilege tax on litigation shall automatically increase to the same new amount on the effective date of the increase in the state privilege tax on litigation. (Ord. #1075, 06/07/07.)

CHAPTER 2

ENUMERATED

SECTION

10-201.	Prohibited Uses of Public Streets.
10-202.	Deleted Ord. #842, 11/04/93.
10-203.	Deleted Ord. #842, 11/04/93.
10-204.	Deleted Ord. #842, 11/04/93.
10-205.	Deleted Ord. #842, 11/04/93.
10-206.	Deleted Ord. #842, 11/04/93.
10-207.	Deleted Ord. #842, 11/04/93.
10-208.	Deleted Ord. #842, 11/04/93.
10-201	Prohibited Uses of Public Streets
10-209.	Resisting or interfering with a police officer.
10-210.	Impersonating a government officer or employee.
10-211.	Deleted Ord. #842, 11/04/93.
10-212.	Discharge of weapons.
10-213.	Throwing of missiles.
10-214.	Deleted Ord. #842, 11/04/93.
10-215.	False emergency alarms.
10-216.	Loitering.
10-217.	Deleted Ord. #842, 11/04/93.
10-218.	Trespassing on trains.
10-219.	Abandoned refrigerators, etc.
10-220.	Curfew for minors.
10-221.	Vandalism.
10-222.	Destroying Public Property.
10-223.	Consumption of alcoholic liquor on public-way parking lot.
10-224.	Deleted Ord. #842, 11/04/93.
10-225.	Caves, walls, cisterns, etc.
10-226.	Interference with traffic.
10-227.	Turing on fire hydrants.
10-228.	Maintenance of nuisance. (Deleted)
10-229.	Anti-noise regulations.

10-201. Prohibited Uses of Public Streets.

- A. **Intent.** The use of athletic equipment adjacent to and/or within the public streets of the City of Paris creates an obstruction to the flow of vehicular traffic and creates a danger for pedestrians and the public at large.

- B. **Definitions.** As used in this section the below terms are defined as follows:

- (1) **Athletic Equipment.** For the purposes of this section athletic equipment shall include, but not be limited to, portable or fixed basketball goals, soccer goals, field/street/skate hockey goals, cornhole boards, street ball bases, nets or netting, or any other similar equipment ordinarily used in a sporting activity.

(2) **Public Street.** For the purposes of this section public street shall be defined as the paved portion of any roadway dedicated for use in public transportation and shall, where applicable, include any adjacent curb and gutter, sidewalk, and/or side ditch used for drainage.

C. **Prohibited Uses.** No athletic equipment shall be placed, erected, or maintained in or on any public street within the corporate limits of the City of Paris. No person shall enter onto such public street to play or engage in any athletic or recreational activity using any such athletic equipment.

Additionally, placement of any such athletic equipment adjacent to the public street such as to cause a person to be in or on the public street to play or engage in any athletic or recreational activity using such athletic equipment shall be a violation of this section.

D. **Violations-Misdemeanor-Penalties.** Any violation of this section, upon conviction, shall be punished by a fine of not less than nor more than fifty and no/100 dollars (\$50.00). Such fine shall not be waived, suspended, deferred, or forgiven. Each day such violation occurs shall constitute a separate offense for which a separate penalty shall be enforced.

(Ordinance #1204; 4/6/2017)

10-209. Resisting or interfering with a police officer. It shall be unlawful for any person or persons to knowingly or willingly resist an arrest, or aid someone in resisting arrest, which said person or persons knows is being made by a police officer, or by a private person summoned and directed by a police officer, even if the person or persons believe that the arrest is unlawful and the arrest, is fact, unlawful.

10-210. 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 other government officer or employee.

10-211. Deleted Ord. #842, 11/04/93.

10-212. Discharge of weapons.

A. It shall be unlawful for any person to discharge any firearm, air gun, "BB" gun, sling shot, or other weapon, projecting lead or any missiles, whether propelled by spring, compressed air, expanding gas, explosive, or other force producing means or methods; provided that this section shall not be construed to prohibit any officer of the law from discharging a firearm in the performance of his duty (Ord. #885, 12/07/95).

B. Shotguns may be discharged in accordance with 11-926 and 5-1201, et. seq., of the Paris Municipal Code (Ord. #905, 11/07/96).

C. Notwithstanding the provisions of 10-212 A., such weapons may be discharged as part of fulfilling the qualifications for certification or training for law enforcement personnel or for any hunter safety course required by the Tennessee Wildlife Resources Agency taught through the public school system. The discharge of weapons for such purposes shall only be permitted by this section if the discharge of such weapons are under the direct supervision and control of a certified instructor approved by the Chief of Police for the City of Paris, Tennessee. The Chief of Police and the City Manager for the City of Paris, Tennessee, shall make such rules and regulations for the conduct for

any such activity they may deem necessary and proper for the conduct of such activities (Ord. #905, 11/07/96).

10-213. Throwing of missiles. It shall be unlawful for any person to maliciously throw any stone, snowball, or any other missile upon or at any vehicle, building, tree, or other public or private property or upon or at any person in any public or private way or place. It shall be unlawful to throw or deposit any glass, tacks, nails, or other similar articles or projectiles on any street, alley or sidewalk or any other public way.

10-214. Deleted Ord. #842, 11/04/93.

10-215. False emergency alarms. It shall be unlawful for any person to intentionally make, knowingly start or spread any false alarms of fire, riot, explosion, civil disturbance, or other breach of the peace for police, fire, ambulance assistance, or to aid or abet in the commission of such an act.

10-216. Loitering. (1) Definition. As used in this section "loitering" shall mean remaining idle in essentially one location and shall include the concepts of spending time idly, loafing, or walking about aimlessly, and shall also include the expression "hanging around."

(2) Certain types of loitering prohibited. No person shall loiter in a public place in such a manner as to: (a) create or cause to be created a danger of the breach of the peace; (b) create or cause to be created a disturbance or annoyance to the comfort and repose of any person; (c) obstruct the free passage of pedestrians or vehicles; (d) obstruct, molest or interfere with any person in any public place.

This paragraph shall include the making of unsolicited remarks of any offensive, disgusting, or insulting nature as defined elsewhere in this chapter, or which are calculated to annoy or disturb the person to, or in whose hearing they are made.

(3) Request leave. Whenever the presence of any person or persons in any place is causing or likely to cause any of the conditions enumerated in Section 2 of this paragraph, any police officer may order that person to leave the place. Any person or persons who shall refuse to leave after being ordered to do so by the police officer shall be guilty of a violation of this section.

10-217. Deleted Ord. #842, 11/04/93.

10-218. 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.

10-219. Abandoned refrigerators, etc. It shall be unlawful to abandon any refrigerator, freezer, or icebox or other device, having an automatic lock on a compartment large enough to enclose a human being without first removing therefrom any type of existing latch, locking device, or door from such device.

10-220. Curfew for minors. It shall be unlawful for any person under the age of eighteen (18) years to be or remain upon any street, alley, or public place in the city after 11:00 p.m., Sunday through Thursday and on Friday after 12:30 a.m. Saturday morning and on Saturday after 12:30 a.m. Sunday morning, unless such person is accompanied by parent or guardian, or other person having custody of such minor, or unless in the performance of a duty, legitimate errand or other act directed by such parent or guardian or the person having custody of said minor, or unless said minor is in lawful employment making it necessary to be upon any street, alley or public place after 11:00 p.m., Sunday through Thursday and on Friday after 12:30 a.m. Saturday morning and on Saturday after 12:30 a.m. Sunday morning. It shall be unlawful for anyone having the legal care and custody of any minor

described above, to allow or permit such person to go or be upon any public street, alley or other public places in the city in the nighttime as restricted in this section.

10-221. Vandalism. It shall be unlawful to maliciously or willfully damage or deface the personal or real property of another without the other person's consent, or to willfully or maliciously enter into, or obtain control over any motor vehicle, bicycle, aircraft, or watercraft of another person without the other person's consent.

10-222. Destroying Public Property. No person or persons shall mar, injure, destroy, or deface or aid in injuring or destroying, or defacing any public property or cause to be posted or stuck, any handbill or placard within any public building, or upon any fence or other property within the city, or mar, injure, destroy or deface or cause to be marred, destroyed, injured, or defaced, any bridge, fence, tree, street sign, lamppost, electric light post, building, apparatus, vehicle, sidewalk, street, or any other public property of like kind.

10-223. Consumption of alcoholic liquor on public way-parking lot. It shall be unlawful for any person to drink or consume any intoxicating liquor or fermented malt beverage as defined in Title 2 of the Paris Municipal Code, or to have in their possession any open container which contains said intoxicating liquor or fermented malt beverages on any public street, sidewalk, parkway, park, fairground or any other public place, public parking lot or semi-public parking lot. For the purposes of this section, term "semi-public parking lot" shall include any area wherein motor vehicles are parked by the public in conjunction with any business, enterprise, commercial establishment, office building, apartment building, or on any grounds owned or under the control of a public school. Consumption of alcoholic beverages, as defined in 2-102 and 2-201, et seq., of the Paris Municipal Code, in commercial businesses within the corporate limits of the City of Paris shall be governed by the Alcoholic Beverage Control Board as provided in 2-201, et seq., of the Paris Municipal Code. (Ord. #973, 9/5/00.)

10-224. Deleted Ord. #842, 11/04/93.

10-225. Caves, wells, cisterns, etc. It shall be unlawful for any person to permit or 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.

10-226. 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.

10-227. Turning on fire hydrants. It shall be unlawful of any person other than an employee of the fire department or water department or other authorized city employee to turn on the water at any fire hydrant.

10-228. Maintenance of nuisance. (Deleted, Ord. #658, 3/5/87).

10-229. Anti-noise regulations. Subject to the provisions of this section, the creating of any unreasonable loud, disturbing and unnecessary noise within the corporate limits is prohibited. Noise of such character, intensity, or duration as to be detrimental to the life and 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 signal device on any automobile, motorcycle, bus, streetcar, or other 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 declaration 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 , loud speakers 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 any dwelling, hotel or other type of residence, or of any person in the vicinity.

(c) Yelling, shouting, hooting, etc. 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 persons in any hospital, dwelling, hotel or other type of residence or any persons 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, street car or vehicle so out of repair, so loaded, or in such manner as to cause loud and unnecessary grating, grindings, 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 municipal 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 sections, other than between the hours of 7:00 a.m. and 5:00 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 which permit may be granted for a period not to exceed thirty (30) days while the emergency continues. 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) 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.

(1) 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.

(2) Exceptions: None of the terms or prohibitions hereof shall apply to or be enforced against:

(a) Municipal vehicles. Any vehicle of the municipality while engaged upon necessary public business.

(b) Repair of streets, etc. Excavations or repairs of bridges, streets or highways by or on behalf of the municipality, the county, or the state, during the night season, when the public welfare and convenience renders it impossible to perform such work during the day.

(c) Non-commercial and nonprofit use of loudspeakers or amplifiers. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are non-commercial 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 any amplifier 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. (Ord. #563, 10/1/81).

