

CHAPTER 133: OFFENSES AGAINST PUBLIC PEACE AND SAFETY

Section

Disorderly Conduct and Related Offenses

- 133.01 Unreasonable noise
- 133.02 Disorderly conduct at fires

Public Weapons and Fireworks

- 133.15 Discharge of weapons
- 133.16 Fireworks

Hazards on Property and Public Ways

- 133.30 Obstruction of building entrance
- 133.31 Open cellar door or grate
- 133.32 Obstruction of fire hydrant
- 133.33 Vending on street or sidewalk
- 133.34 Creating a hazard

DISORDERLY CONDUCT AND RELATED OFFENSES

§ 133.01 UNREASONABLE NOISE.

(A) No person shall create or assist in creating or permit the continuance of unreasonable noise in the city.

(B) The following enumeration of violations of this section is not exclusive but is illustrative of some unreasonable noises:

(1) The keeping of an animal which by loud and frequent or continued noise disturbs the comfort and repose of a person in the vicinity;

(2) The use of an engine, thing, or device which is so loaded, out of repair, or operated in such a manner as to create a loud or unnecessary grating, grinding, rattling, or other noise;

Merrill – General Offense

(3) The use of a mechanical device operated by compressed air, steam, or otherwise, unless the noise created thereby is effectively muffled.

(4) The Construction, including excavation, demolition, alteration, or repair of a building, other than between the hours of 7:00 a.m. and 6:00 p.m., except upon special permit granted by the city; or

(5) The use or operation of an automatic or electric piano, phonograph, loudspeaker, or sound-amplifying device so loudly as to disturb person on the vicinity thereof, or in such a manner as renders the same a public nuisance; provided, however, that upon application of the Council permits may be granted to responsible persons or organizations to broadcast programs of music, news, speeches, or general entertainment.

(Ord. 193, passed 6-20-1974) Penalty, see § 134.99

§ 133.02 DISORDERLY CONDUCT AT FIRES.

(A) No person at or near a fire shall obstruct or impede the fighting of the fire, interfere with Fire Department personnel or Fire Department apparatus, behave in a disorderly manner, or refuse to observe promptly an order of a member of the Fire or Police Department.

(B) For the purpose of this section, members of the Fire Department are endowed with the same powers of arrest as are conferred upon peace offices for violations of city ordinances.

(Ord. 193, passed 6-20-1974) Penalty, see § 134.99

WEAPONS AND FIREWORKS

§ 133.15 DISCHARGE OF WEAPONS

Except at firing ranges approved by the Chief of Police, no person other than a peace officer shall fire or discharge a gun, including spring or sir-actuated pellet guns, air guns, or BB guns, or other weapon which propels a projectile by use gunpowder or other explosive, jet, or rocket propulsion.

(Ord. 193, passed 6-20-1974) Penalty, see § 134.99

Offences Against Public Peace and Safety

§ 133.16 FIREWORKS

The following section of the state Fireworks Law, together with all acts and amendments applicable to cities which are now or hereafter enacted, are adopted by reference and made part of this code: O.R.S. 481.110, 481.120, 480.140(1), and 480.150.

HAZARDS ON PROPERTY AND PUBLIC WAYS

§ 133.30 OBSTRUCTION OF BUILDING ENTRANCE.

No person shall obstruct any entrance to any building or loiter unnecessarily about or near any entrance, stairway, or hall leading to any building.

(Ord. 193, passed 6-20-1974) Penalty, see § 134.99

§ 133.31 OPEN CELLAR DOOR OR GRATE

No owner or person in charge of property shall permit a cellar door or grate located in or upon sidewalk or public pathway to remain open except when the entrance is being used and, when being used, there are adequate safeguards for pedestrians using the sidewalks.

(Ord. 193, passed 6-20-1974) Penalty, see § 134.99

§ 133.32 OBSTRUCTION OF FIRE HYDRANT.

No owner of property adjacent to a street upon which is located a fire hydrant shall place or maintain within eight feet of the fire hydrant any bush, shrub, or tree, or other obstruction.

(Ord. 193, passed 6-20-1974) Penalty, see § 134.99

§ 133.33 VENDING ON STREET OR SIDEWALK

No person shall use or occupy any portion of a street or sidewalk for the purpose of vending goods, wares, or merchandise by public outcry or otherwise, unless a license had first been obtained.

(Ord. 193, passed 6-20-1974) Penalty, see § 134.99

§ 133.34 CREATING A HAZARD

No person shall create a hazard by intentionally maintain or leaving in a place accessible to children a container with a compartment of more than one and one-half cubic

Merrill – General Offense

feet capacity and a door or lid which locks or fastens automatically when closed and which cannot be easily opened from the inside.

(Ord. 193, passed 6-20-1974) Penalty, see § 134.99