

Chapter 42

OFFENSES

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ARTICLE I.

IN GENERAL

Sec. 42-1. Disorderly conduct.

- (a) It shall be unlawful for any person within the corporate limits of the county to violate any of the following subsections of this section, viz, any person who shall:
- (1) Act in a violent or tumultuous manner toward another whereby any person is placed in danger of safety of his life, limb or health;
 - (2) Act in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged;
 - (3) Cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another;
 - (4) Assemble or congregate with another or others for the purpose or with the intent to engage in gaming;
 - (5) Frequent any public place with intent to obtain money from other persons by illegal and fraudulent schemes, tricks, artifices or devices;
 - (6) Assemble for the purpose of engaging in any fraudulent scheme, device or trick to obtain any valuable thing in any place or from any person in the county, or who shall aid or abet in such action;
 - (7) Use fighting words directed towards any person who becomes outraged and thus creates a turmoil;
 - (8) By acts of violence, interfere with another's pursuit of a lawful occupation; or

(9) Congregate with another or others in or on any public way so as to halt the flow of vehicular or pedestrian traffic and refuse to clear such public way when ordered by the police or other lawful authority.

(b) Any person who shall violate any subsection of this section may be charged with the offense of disorderly conduct and, upon conviction, may be found guilty of disorderly conduct.

Secs. 42-2--42-30. Reserved.

ARTICLE II.

SMOKING IN PUBLIC BUILDINGS*

* **Cross References:** Health and sanitation, ch. 38.

Sec. 42-31. Posting.

The county administrator shall see to the posting of each county building affected by this article, indicating that the use of tobacco products is prohibited within this building by ordinance, and that violators shall be subject to prosecution.

(Ord. of 2-23-1995, § 2; Ord. of 3-16-2004(2), § 2)

Sec. 42-32. Enforcement.

The sheriff or deputies of the county, constables, and all other law enforcement officers shall be authorized to issue citations to violators of any provisions of this article. Such citation shall state the time and place at which the accused is to appear for trial, shall identify the offense with which the accused is charged, shall have an identifying number by which it shall be filed with the court, shall indicate the identity of the accused and the date of the service, shall be signed by the officer who completes and services it.

(Ord. of 2-23-1995, § 3; Ord. of 3-16-2004(2), § 3)

Sec. 42-33. Penalty.

(a) Any person violating this article, or provision hereof upon conviction, shall be punished up to the maximum punishment which may be imposed for violation of a county ordinance; and in no case shall the maximum punishment of the violation of such ordinance exceed the fine of \$1,000.00 or imprisonment as permitted by law.

(b) The jurisdiction over violations of this article shall be in the magistrate court of the county.

(c) Persons accused of violation may be arrested and required to post a bond for their future appearance in amount set by the order of the magistrate court of the county.

(Ord. of 2-23-1995, § 4; Ord. of 3-16-2004(2), § 4)