

TITLE 9
PUBLIC PEACE, SAFETY AND MORALS

Chapters:

- 9.02 CRIMINAL OFFENSES
- 9.04 CONCEALED WEAPONS
- 9.06 PETIT LARCENY
- 9.08 MALICIOUS MISCHIEF
- 9.10 LOITERING
- 9.12 UNLAWFUL CONDUCT
- 9.14 HOUSES OF PROSTITUTION
- 9.16 CURFEW
- 9.20 ILLEGAL GAMBLING
- 9.22 VEHICLES AND HORSES PROHIBITED IN CITY PARK
- 9.23 HARMFUL TO MINORS

Chapter 9.02

CRIMINAL OFFENSES

Sections:

- 9.02.010 Unnecessary Disturbance
- 9.02.020 Permitting Disturbances
- 9.02.030 Riding or Driving Animals
- 9.02.040 Establishing Rate of Speed
- 9.02.050 Disturbing the Peace
- 9.02.060 Indecent Exhibition
- 9.02.070 Cruelty to Animals
- 9.02.080 Violations; Penalty

9.02.010 Unnecessary Disturbance. It shall be unlawful for any person within the limits of this Town to willfully and maliciously or intentionally and unnecessarily disturb the peace or quiet of any street, neighborhood, family or person by discharging firearms, by loud or unusual noises, vocal or instrumental, or to threaten, quarrel, scold, halloo, or to use language calculated to provoke an assault, or to commit an assault or an assault and battery, or by any other means whatever, disturb the peace; or for any person to curse or swear, or utter any obscene, vulgar and indecent language.

9.02.020 Permitting Disturbances. Any person permitting any disturbance described in the preceding section upon premises owned or occupied by him or her, shall be deemed guilty of a misdemeanor.

9.02.030 Riding or Driving Animals. It shall be unlawful for any person to within the limits of this Town, ride or drive any horse, mule, ass or ox, or any team of horses, mules, asses or oxen, either singly or attached to a wagon, carriage, dray, sleigh or other vehicle, upon or across any public sidewalk or private walk or platform without the consent of the owner, except at the proper street or alley crossing.

- 9.02.040** **Establishing Rate of Speed.** It shall be unlawful for any person to within the limits of the town, ride or drive any horse, mule, or ass, or any team of either such animals, with or without having them attached to a wagon, carriage, dray, or other vehicle, at an immoderate rate of speed, through, upon or about any street, avenue or alley or unenclosed grounds in this Town, or to willfully so ride or drive any such animal or animals within the limits of this Town, in such manner as to endanger any person or persons.
- 9.02.050** **Disturbing the Peace.** It shall be unlawful for any person within the limits of this Town to wantonly disturb any religious or other lawful assemblage whether at church or any public hall or private house, by day or by night, by rude, profane, obscene or other offensive speech, or by any rude, offensive and improper behavior or otherwise.
- 9.02.060** **Indecent Exhibition.** It shall be unlawful for any person within the limits of this Town to make an indecent exhibition of any stallion, jack, bull or other animal.
- 9.02.070** **Cruelty to Animals.** It shall be unlawful for any person to inhumanely, unnecessarily or cruelly beat or otherwise abuse any dumb animal within the limits of this Town.
- 9.02.080** **Violations; Penalty.** Any person who shall violate any of the provision of this chapter shall, upon conviction, be punished as set forth in Section 1.08.010 of this Code.
(Ord. 6)
- 9.02.090** **Use of Engine Brakes by Motor Vehicles is Prohibited.** (Ord. 66, 11-3-03, Repealed Ord. 67, 4-5-2004)

Chapter 9.04

CONCEALED WEAPONS

Sections:

- 9.04.010 Definition of Weapons
- 9.04.020 Violations; Penalty

9.04.010 Definition of Weapons. No person in the Town, shall wear under his clothes or concealed or partially concealed on or about his person, any pistol or revolver, except by special permission from the Mayor; nor shall any person wear under his clothes or concealed or partially concealed on or about his person, any slugshot, cross knuckles of lead, brass or other metal, or any bowie-knife, razor, billy, dirk, dirk knife or dagger, or any knife resembling a bowie knife, or any other dangerous or deadly weapon.

9.04.020 Violations; Penalty. Any person violating any provisions or requirements of this section shall be guilty of a misdemeanor, and upon conviction shall be punishable as set forth in section 1.08.010 of this Code; provided, however, that this section shall not be construed as to prevent any United States, State, County, or town officer or any member of the town government from carrying such weapon as may be necessary in the discharge of his duties.

(Ord 7)

Chapter 9.06

PETIT LARCENY

Sections:

9.06.010 Petit Larceny Defined

9.06.020 Violations; Penalty

9.06.010 Petit Larceny Defined. It shall be unlawful for any person to steal, take and carry away or embezzle any money or personal property or effects of another, under the value of one hundred fifty dollars (\$150.00) (not being the subject of grand larceny under the laws of this state).

9.06.020 Violations; Penalty. Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punishable as set forth in section 1.08.010 of this Code.

(Ord 8)

Chapter 9.08

MALICIOUS MISCHIEF

Sections:

- 9.08.010 Definition of Malicious Mischief
- 9.08.020 Violations; Penalty

9.08.010 Definition of Malicious Mischief. It shall be unlawful for any person to willfully or maliciously trespass by either destroying, defacing, or injuring any window, door or portion of any vacant residence or other buildings or maliciously opening any closed door or window of such building, or entering thereon without the consent of the owner, agent, or tenant of such premises or by authority of law.

9.08.020 Violations; Penalty. Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punishable as set forth in section 1.08.010 of this Code.

(Ord 9)

Chapter 9.10

LOITERING

Sections:

- 9.10.010 Loitering Defined
- 9.10.020 Violations; Penalty

9.10.010 Loitering Defined. It shall be unlawful for any person or persons to lounge around, stand upon, sit upon, or otherwise impede the free passage of any sidewalk, street corner, or street crossing within the corporate limits of the town, whereby the free passage thereof to any person or persons is prevented or hindered.

9.10.020 Violations; Penalty. Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punishable as set forth in section 1.08.010 of this Code.

(Ord 10)

Chapter 9.12

UNLAWFUL CONDUCT

Sections:

- 9.12.010 Unlawful Conduct
- 9.12.020 Violations; Penalty

9.12.010 Unlawful Conduct. It shall be unlawful for any person to solicit alms as a business; or to sleep in any barn, shed, out house or other place other than such as is kept for lodging purposes, without the permission of the owner or person entitled to the possession thereof; or to live with or upon the earnings of a prostitute; or to practice prostitution or to conduct oneself in an immodest, drunken, profane or obscene manner, either by action, language or improper exposure of one's person in or about any public place or assembly or in any saloon, bar room, club room, or any other public place or general place of resort within the town limits.

9.12.020 Violations; Penalty. Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punishable as set forth in section 1.08.010 of this Code.

(Ord 24)

Chapter 9.14

HOUSES OF PROSTITUTION

Sections:

- 9.14.010 Maintaining House of Prostitution
- 9.14.020 Definition of Keeper of House of Prostitution
- 9.14.030 Frequenting or Being an Inmate in a House of Prostitution
- 9.14.040 Owners Maintaining House of Prostitution
- 9.14.050 Violations; Penalty

9.14.010 Maintaining House of Prostitution. It shall be unlawful for any person to, within the town or within three (3) miles of said Town, keep, maintain a house of ill-fame, house of prostitution, bawdy house or house of like character or any house, place or room resorted to by men or women for the purpose of prostitution, or for immoral purposes, or to allow the practice of prostitution therein within the corporate limits of the town. Any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor.

9.14.020 Definition of Keeper of House of Prostitution. Every person appearing or acting in the capacity of master or mistress of any house of ill-fame, house of prostitution, bawdy house or house of like character or any house, place or room resorted to by men or women for the purpose of prostitution or for immoral purposes, as mentioned in section .010 of this chapter, shall be deemed a keeper thereof within the meaning and intent of this chapter.

9.14.030 Frequenting or Being an Inmate in a House of Prostitution. It shall be unlawful for any person to, within the limits of the town, or within three (3) miles of said Town, frequent, visit or reside in or be an inmate of any house of prostitution, house of ill-fame, bawdy house, or house of like character, or house, room or place resorted to or used by men or women for the purpose of prostitution or for immoral purposes, and any street walker or any person, male or female, practicing prostitution in any house, room, or place shall be guilty of a misdemeanor.

9.14.040 Owners Maintaining House of Prostitution. It shall be unlawful for any person to keep, maintain, or harbor any prostitute in or about any lodging house, rooming house, apartment or hotel owned by him or her or in his or her control and to allow and permit such prostitution therein. Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor.

9.14.050 Violations; Penalty. Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punishable as set forth in section 1.08.010 of this Code.

(Ord 17)

Chapter 9.16

CURFEW

Sections:

- 9.16.010 Minors Curfew; Exceptions
- 9.16.020 Responsibility of Parents
- 9.16.030 Duty of Town Marshal
- 9.16.040 Violations; Penalty

9.16.010 Minors Curfew; Exceptions. It shall be unlawful for children under the age of fourteen (14) to play upon or roam on any street or alley when not accompanied by parents, guardian or other person appointed by parent or guardian and who is capable of caring for them after nine o'clock (9:00) p.m. except for going to or from any church service, school program, moving picture theater, or other place of entertainment, or on an errand for or with the consent of parent, guardian, or other person appointed by the parent capable of caring for them.

9.16.020 Responsibility of Parents. It shall be unlawful for any parent, guardian or other person having the care of any child or children under the age of fourteen (14) to allow them to loiter, play or roam on any street or alley in the Town, after nine o'clock (9:00) p.m.

9.16.030 Duty of Town Marshal. It shall be the duty of the Town Marshal finding children violating the provisions of the chapter to notify them of the time, also the parents, guardian or other person to whose care they have been assigned by the parent, of the offense, and if a second offense is committed the Town Marshal or any other person may file a complaint with the City Judge or Mayor, who may issue a warrant for the arrest of such parent, guardian, or other person in whose care the offending child or children have been assigned.

9.16.040 Violations; Penalty. Any person described in section .020 of this chapter found violating any of the provisions thereof shall be deemed guilty of a misdemeanor; and upon conviction shall be punishable as set forth in Section 1.08.010 of this Code.

Chapter 9.20

ILLEGAL GAMBLING

Sections:

- 9.20.010 Gambling Prohibited
- 9.20.020 Possession of Illegal Machines
- 9.20.030 Violations; Penalty

9.20.010. Gambling Prohibited. Every person who deals, plays, or carries on, or opens or causes to be opened, or who conducts or causes to be conducted, operates or runs, either as principal or agent, owner or employee, whether for hire or not, any game of Monte, dodo, fan tanne, tan, craps, seven and a half, twenty one, fare, roulette, hokey-pokey, or any banking or percentage game or any game commonly known as a sure thing game, or any game of chance played with dice or any device whatsoever, or who runs or conducts or causes to be run or conducted, or keeps any slot machine, punch board, pull board or other similar machine or device or permits the same to be run or conducted for money, checks, credits, or any representative of value, or for any property, or thing whatsoever, or any person or persons owning or in charge of a drug store, cigar store, pool hall, soft drink parlor, or other place of business who permits any of the games mentioned in the chapter to be played in or about such drug store, cigar store, pool hall, soft drink parlor, or permits any slot machine, punch board, pull board, or similar device to be kept therein, and every person who plays or bets at or against any of said prohibited games or devices is guilty of a misdemeanor.

9.20.020 Possession of Illegal Machines. Any person who has in his possession or under his control or who permits to be placed, maintained or kept in any room, space, enclosure, or building, owned, leased or occupied by him or under his management, or control, any fare box, fare layout, roulette wheel, crap table, slot machine, or any machine or apparatus of the kind mentioned in the proceeding section of this chapter is guilty of a misdemeanor; this section shall not apply to a public officer, or to a person coming into possession thereof

in or by reason of the performance of any official duty and holding the same to be disposed of according to law.

9.20.030 Violations; Penalty. Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punishable as set forth in section 1.08.010 of this Code.

(Ord 39)

Chapter 9.22

VEHICLES AND HORSES PROHIBITED IN CITY PARK

Sections:

- 9.22.010 Prohibiting Vehicles and Horses in City Park
- 9.22.020 Violations; Penalty

9.22.010 Prohibiting Vehicles and Horses in City Park.
It shall be unlawful for any person to ride or drive any horses, or motor driven vehicles such as snowmobiles, motor bikes, or automobiles on City Park.

9.22.020 Violations; Penalty. Any person found guilty of violating any of the provisions of this chapter shall be fined not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00).

(Ord 47)

Chapter 9.23

HARMFUL TO MINORS

Sections;

9.23.010 Harmful to Minors

9.23.010 Montana law prohibits and punishes by up to a \$500.00 fine and/or 6 months imprisonment, the intentional display or distribution of "obscene materials" to minors. This initiative is more restrictive than existing State law and prohibits and punishes by \$500.00 fine and/or 6 months imprisonment the knowing or negligent display, exhibition, live performance or distribution to unmarried minors, material deemed "harmful to minors." The initiative defines "material", "harmful to minors" and other terms. It provides certain exemptions including exemptions for display of material by guardians or parents or in the aid of legitimate scientific or educational purposes.

(Harmful to Minors Initiative November 4, 1997)