

CHAPTER 130: OFFENSES AGAINST PUBLIC DECENCY

Section

- 130.01 Open containers
- 130.02 False emergency alarms prohibited
- 130.03 Indecency
- 130.04 Throwing containers

§ 130.01 OPEN CONTAINERS.

(A) *Generally.* It is unlawful to drink any beer or alcoholic beverage or to possess any glass, can or other container containing beer or any alcoholic beverage on which the seal has been broken, in any public place, vacant building, automobile, street, alley, sidewalk or place of amusement or business establishment not authorized to sell beer or alcoholic beverages, unless approved by the City Commissioners.

(B) *Carry out of partially consumed, sealed bottle of wine permitted under certain circumstances.* A licensee that is licensed to sell wine on-sale may permit a customer to carry out the unconsumed portion of a bottle of wine if the customer purchased the bottle of wine from the licensee and consumed a portion of it with a meal that was prepared and served by the licensee at a table on the licensed premises. The licensee shall securely reseal the bottle of wine with a cork or other similar cap and place the bottle in a sealed bag or other container. The licensee shall also attach a receipt for the meal and the wine to the bag or container.

(Prior Code, § 9.04.010) Penalty, see § 10.99

§ 130.02 FALSE EMERGENCY ALARMS PROHIBITED.

No person shall knowingly make or give any false alarm of fire or other emergency by calling or causing to be called, the Volunteer Fire Department, law enforcement personnel or any authorized emergency vehicle.

(Prior Code, § 9.04.020) Penalty, see § 10.99

§ 130.03 INDECENCY.

It is unlawful for any person within the city to:

- (A) Knowingly disseminate, distribute or make available to the public any obscene materials;
 - (B) Knowingly engage or participate in any obscene performance made available to the public;
 - (C) Knowingly engage in commerce for commercial gain with materials depicting and describing explicit sexual conduct, nudity or excretion utilizing displays, circulars, advertisements and other public sales efforts that promote such commerce primarily on the basis of the prurient appeal; or
 - (D) Expose his or her anus or genitals in a public place, with an immoral purpose, where another person may be present who would be offended or alarmed by the person's act.
- (Prior Code, § 9.04.030) Penalty, see § 10.99

§ 130.04 THROWING CONTAINERS.

It is unlawful to throw, cast or otherwise put in movement any bottle, can, glass or other container at any other person or vehicle, whether moving or parked.
(Prior Code, § 5.08.120) Penalty, see § 112.99