

TITLE XIII: GENERAL OFFENSES

Chapter

130.GENERAL OFFENSES

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GENERAL PROVISIONS

§ 130.01 OFFENSES AGAINST PUBLIC HEALTH, ORDER AND DECENCY.

All offenses against public health, order or decency not addressed by this code shall be governed by applicable state statute.
(‘97 Code, § 6-7)

§ 130.02 RESISTING OFFICIAL ACTION.

It shall be unlawful for any person or persons to knowingly or intentionally interfere or attempt to impede or interfere with any town official or employee in the performance of their official duties.
(‘97 Code, § 6-8) Penalty, see § 10.99

WEAPONS**§ 130.20 DEFINITIONS.**

For the purpose of this subchapter, a **FIREARM** is defined as a weapon that is loaded with gunpowder and bullets or shot, an air rifle or a BB gun.
(‘97 Code, § 6-42) (Ord. 3-1957, passed 7-10-57) Penalty, see § 10.99

§ 130.21 SHOOTING OF FIREARMS PROHIBITED.

Except under the provision of § 130.22, it shall be unlawful for any person or persons to shoot or fire off any firearms within the town.
(‘97 Code, § 6-43) (Ord. 3-1957, passed 7-10-57) Penalty, see § 10.99

§ 130.22 EXCEPTIONS.

For the purpose of pest control and the eradication thereof, any person or persons desiring to eradicate pests on property within the town by any use of firearms shall, before doing so, be required to obtain a written authorization from the President of the Town Council, signed by the officer and attested by the Clerk-Treasurer of the town.
(‘97 Code, § 6-44) (Ord. 3-1957, passed 7-10-57)

CURFEW**§ 130.30 CHILDREN 15 THROUGH 17 YEARS OF AGE.**

(A) It is a curfew violation for a child 15, 16, or 17 years of age to be in a public place:

- (1) Between 1:00 a.m. and 5:00 a.m. on Saturday or Sunday;
- (2) After 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday, or Thursday; or
- (3) Before 5:00 a.m. on Monday, Tuesday, Wednesday, Thursday or Friday.

(B) A law enforcement officer may not detain a child or take a child into custody based on a violation of this section unless the law enforcement officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that:

(1) The child has violated this section; and

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§ 130.34 DEFENSES.

(A) It is a defense to a violation under this chapter that the child was emancipated:

(1) Under I.C. 31-37-19-27 or I.C. 31-6-4-15.7 (before its repeal);

(2) By virtue of having married; or

(3) In accordance with the laws of another state or jurisdiction; at the time that the child engaged in the prohibited conduct.

(B) It is a defense to a violation under this chapter that the child engaged in the prohibited conduct while:

(1) Accompanied by the child's parent, guardian, or custodian;

(2) Accompanied by an adult specified by the child's parent, guardian, or custodian;

(3) Participating in, going to, or returning from:

(a) Lawful employment;

(b) A school sanctioned activity;

(c) A religious event;

(d) An emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial damage;

(e) An activity involving the exercise of the child's rights protected under the First Amendment to the United States Constitution or Article 1, Section 31 of the Constitution of the State of Indiana, or both, such as freedom of speech and the right of assembly; or

(f) An activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one or more adults.

(4) Participating in an activity undertaken at the prior written direction of the child's parent, guardian, or custodian; or

(5) Engaged in interstate or international travel from a location outside the state to another location outside the state.

(Ord. 12-20-07, passed 12-20-07)

<p>(1) Accompanied by the child's parent, guardian, or custodian;</p> <p>(2) Accompanied by an adult specified by the child's parent, guardian, or custodian;</p> <p>(3) Participating in, going to, or returning from:</p> <p style="padding-left: 40px;">(a) Lawful employment;</p> <p style="padding-left: 40px;">(b) A school sanctioned activity;</p> <p style="padding-left: 40px;">(c) A religious event;</p> <p style="padding-left: 40px;">(d) An emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial damage;</p> <p style="padding-left: 40px;">(e) An activity involving the exercise of the child's rights protected under the First Amendment to the United States Constitution or Article 1, Section 31 of the Constitution of the State of Indiana, or both, such as freedom of speech and the right of assembly; or</p> <p style="padding-left: 40px;">(f) An activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one or more adults.</p> <p>(4) Participating in an activity undertaken at the prior written direction of the child's parent, guardian, or custodian; or</p> <p>(5) Engaged in interstate or international travel from a location outside the state to another location outside the state. (Ord. 12-20-07, passed 12-20-07)</p>		
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§ 130.99 PENALTY.

(A) The violation of §§ 130.31, 130.32 shall be considered a chapter violation, the fine for which shall be \$50 for the first violation and \$100 for any subsequent violation during the same calendar year.

(B) The violation of §§ 130.33, 130.34 shall be considered a chapter violation, the fine for which shall be \$100 for the first violation and \$200 for any subsequent violation during the same calendar year.

(Ord. 12-20-07, passed 12-20-07)

