

**TITLE XIII: GENERAL OFFENSES**

Chapter

**130.GENERAL OFFENSES**



## CHAPTER 130: GENERAL OFFENSES

### Section

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### § 130.01 SHOOTING WITHIN TOWN LIMITS.

It is unlawful to shoot any firearm, air gun, BB gun or slingshot within the corporate limits of the town.

('66 Code, § 8.04.010) (Ord. passed 8-14-44) Penalty, see § 130.99

**Cross-reference:**

*Civil penalty schedule, see § 36.04*

### § 130.02 CURFEW.

(A) It is a curfew violation for a minor 15, 16, or 17 years of age to be on a public street or alley or in a public park or place during the dates of October 15 through November 1 of each year, commencing in the year of 1994:

(1) Between 11:00 p.m. and 5:00 a.m. on Friday or Saturday; or

(2) Between 9:00 p.m. and 5:00 a.m. on Sunday, Monday, Tuesday, Wednesday or Thursday.

(B) It is a curfew violation for a minor under 15 years of age to be on a public street or alley or in a public park or place during the dates of October 15 through November 1 of each year, commencing in the year of 1994 after 9:00 p.m. or before 5:00 a.m. on any day.

(C) The sections hereinabove do not apply to a minor who is:

(1) Accompanied by his/her parent, legal guardian or legal custodian;

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

(3) Lawful employment;

(4) A school-sanctioned activity; or

(5) A religious event.

(Ord. 5-94, passed 10-18-94)

**§ 130.03 SMOKING PROHIBITED IN PUBLIC BUILDINGS.**

(A) *Definitions.* The town hereby adopts the definition set forth in IC 16-41-37-1 et seq. More specifically, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**PUBLIC BUILDING.** An enclosed structure or any part of an enclosed structure that is occupied or owned by an agency of the town or its utilities. This would include but not be limited to all town offices, all town emergency response services, and all town-owned utilities.

**SMOKING.** The carrying or holding of a lighted cigarette, cigar, pipe, or any other lighted smoking equipment or the inhalation or exhalation of smoke from any lighted smoking equipment.

(B) *Prohibition.* A person who smokes in a public building, as defined above, commits a Class C infraction. All public building are declared smoke-free and all areas within that building shall be designated as non-smoking.

(C) *Responsibilities of Town Marshal.* The Town Marshal (Chief of Police) shall do the following:

(1) Post conspicuous signs that read "Smoking is prohibited by state law and town ordinance" or other similar language in all public buildings.

(2) Request that persons who are smoking in violation of this section refrain from smoking; and

(3) Remove any person who is smoking in violation of this section and fails to refrain from smoking after being requested to do so.

(D) *Fine.* Whoever violates this section shall be deemed guilty of having committed a Class C infraction and shall be subject to a fine of not less than \$20 nor more than \$100. A new infraction shall incur with each violation of this section.

(Ord. 3-21-06, passed 4-18-06)

**§ 130.99 PENALTY.**

(A) Any person violating the provisions of this chapter for which no other penalty is set forth shall pay a civil penalty of \$10 for the first offense and \$25 for each subsequent offense. (See Civil Penalty Schedule, § 36.04)

('66 Code, § 8.04.020) (Ord. passed 8-14-44)

(B) (1) Violations of § 130.02 shall be subject to a \$10 fine for the first occurrence and a \$25 fine for each additional occurrence.

(2) Fines shall be assessed against the parent, legal guardian or legal custodian of the minor in violation of this subchapter.

(Ord. 5-94, passed 10-18-94)

