

**TITLE XIII: GENERAL OFFENSES**

Chapter

**130. GENERAL OFFENSES**



## CHAPTER 130: GENERAL OFFENSES

### Section

- 130.01 Adoption of specified state statutes by reference
- 130.02 Discharge of weapons
- 130.03 Consuming alcoholic beverages in public
- 130.04 Curfew for minors

130.99 Penalty

### ***Cross-reference:***

*Gambling prohibited, see ' 111.02*

### **' 130.01 ADOPTION OF SPECIFIED STATE STATUTES BY REFERENCE.**

The following enumerated laws of Oregon as amended are hereby adopted by reference and made a part of this chapter.

O.R.S. 161.015	O.R.S. 161.566	O.R.S. 162.105
O.R.S. 161.025	O.R.S. 161.568	O.R.S. 162.115
O.R.S. 161.055	O.R.S. 161.585	O.R.S. 162.145
O.R.S. 161.085 - 161.125	O.R.S. 161.615	O.R.S. 162.175
O.R.S. 161.150 - 161.175	O.R.S. 161.635	O.R.S. 162.195
O.R.S. 161.190 - 161.275	O.R.S. 161.645	O.R.S. 162.235
O.R.S. 161.290 - 161.400	O.R.S. 161.665	O.R.S. 162.245
O.R.S. 161.405 - 161.485	O.R.S. 161.675	O.R.S. 162.255
O.R.S. 161.505	O.R.S. 161.685	O.R.S. 162.285
O.R.S. 161.515	O.R.S. 162.075	O.R.S. 162.295
O.R.S. 161.545	O.R.S. 162.085	O.R.S. 162.305
O.R.S. 161.555	O.R.S. 162.095	O.R.S. 162.315

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O.R.S. 162.325	O.R.S. 164.815	O.R.S. 164.805
O.R.S. 162.355	O.R.S. 164.825	O.R.S. 166.330
O.R.S. 162.365	O.R.S. 164.845	O.R.S. 166.360
O.R.S. 162.375	O.R.S. 164.855	O.R.S. 166.645
O.R.S. 163.160	O.R.S. 165.065	O.R.S. 167.002
O.R.S. 163.190	O.R.S. 166.025	O.R.S. 167.007
O.R.S. 163.195	O.R.S. 166.065	O.R.S. 167.027
O.R.S. 163.200	O.R.S. 166.075	O.R.S. 167.060
O.R.S. 163.435	O.R.S. 166.095	O.R.S. 167.075
O.R.S. 163.445	O.R.S. 166.180	O.R.S. 167.080
O.R.S. 163.465	O.R.S. 166.190	O.R.S. 167.085
O.R.S. 164.245	O.R.S. 166.210	O.R.S. 167.090
O.R.S. 164.255	O.R.S. 166.220	O.R.S. 167.095
O.R.S. 164.354	O.R.S. 166.240	O.R.S. 167.100
O.R.S. 164.775	O.R.S. 166.250	O.R.S. 167.568
O.R.S. 164.785	O.R.S. 166.260	

(Ord. 5-2, passed - - ; Ord. 5-10.2, passed 7-14-1977) Penalty, see ' 130.99

**' 130.02 DISCHARGE OF WEAPONS.**

(A) No person, other than an authorized peace officer in the exercise of his or her official duties, shall fire or discharge within the city limits any gun or weapon which acts by force of gunpowder or other explosive, or by the use of jet or rocket propulsion.

(B) The provisions of this section shall not be construed to prohibit the firing or discharging of any weapons at a place duly designated for target practice for that particular weapon, or by any person in the defense or protection of his or her person or family.

(Ord. 5-12, passed 6-11-1981) Penalty, see ' 130.99

**' 130.03 CONSUMING ALCOHOLIC BEVERAGES IN PUBLIC.**

(A) No person shall drink or consume any alcoholic beverage in or upon any public street, public place, alley, park, school grounds, or other public grounds unless such public place is so licensed.

(B) Whenever any officer arrests any person for violation of any of the provisions of this section, he or she shall take into his or her possession all alcoholic beverages and other property which the person so arrested has in his or her possession or on his or her property or premises, which is apparently being used in violation of this section. If the person so arrested is convicted and it is found that the alcoholic beverage and other property has been used in violation of this section, the same shall be forfeited to the city or the Oregon Liquor Control Commission.

(Ord. 5-5, passed 8-16-1934) Penalty, see ' 130.99

**' 130.04 CURFEW FOR MINORS.**

(A) Except as provided in division (B) of this section, it shall be unlawful for any person of the age of 17 years and under to be upon the streets or in any public place within the city, between the hours of 10:00 p.m. of Sunday, Monday, Tuesday, Wednesday, and Thursday, and the hours of 4:00 a.m. of the following day; and between the hours of midnight of Friday and Saturday and the hours of 4:00 a.m. of the following day.

(B) This section does not apply to a minor who is:

- (1) Accompanied by the minor's parent or guardian;
- (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
- (3) In a motor vehicle involved in interstate travel;
- (4) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
- (5) Involved in an emergency;
- (6) On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;

(C) If any such child is found upon the streets or in any public place in violation of this section, and such violation is his or her first offense, it shall be the duty of any peace officer to place such child under custody and to take, or cause such child to be taken, to his or her home. The parent, guardian, or other person having the custody and care of such child shall be notified of such violation.

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(D) Any child found to be in violation of this section, or any parent, guardian, or other responsible adult person who shall suffer or permit his or her child or ward to be a second time upon the streets or in any public place in violation of the provisions of this section, shall be subject to the penalty provisions of ' 130.99.

(E) Whenever any child shall be found committing a second offense against provisions of this section under such circumstances or under such conditions as may, in the opinion of any peace officer, tend to render such child dependent or delinquent, such peace officer shall forthwith lodge an appropriate complaint with the juvenile court for such further proceedings as such court may deem appropriate under the circumstances.

(Ord. 5-3, passed - - ) Penalty, see ' 130.99

**' 130.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is otherwise provided, shall be subject to the provisions of ' 10.99 of this code.

(B) Any person violating any of the provisions of ' 130.02 shall, upon conviction thereof, be punished by imprisonment in the jail designated by the city for a period not to exceed 30 days or by a fine not to exceed \$100, or both.

(C) Any person violating any provision of ' 130.03 shall upon conviction thereof before the City Recorder be punished by a fine of not less than \$25 nor more than \$100.

(D) Any child found to be in violation of ' 130.04, or any parent, guardian, or other responsible adult person who shall suffer or permit his or her child or ward to be a second time upon the streets or in any public place in violation of the provisions of ' 130.04, shall be deemed guilty of a fine of not less than \$10 nor more than \$50, or by imprisonment in the city jail for a term of not less than one nor more than 25 days, or by both such fine and imprisonment, in the discretion of the court.

(Ord. 5-3, passed - - ; Ord. 5-5, passed 8-16-1934; Ord. 5-12, passed 6-11-1981)