

TITLE XIII: GENERAL OFFENSES

Chapter

130. GENERAL OFFENSES

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CHAPTER 130: GENERAL OFFENSES

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GENERAL PROVISIONS

§ 130.01 OFFENSES OUTSIDE CITY LIMITS.

Where permitted by state law, an act made unlawful by this title shall constitute an offense when committed on any property owned or leased by the city, even though outside the corporate limits of the city.

(Ord. 450, passed 7-27-1978)

§ 130.02 SOLICITING OR CONFEDERATING TO VIOLATE ORDINANCES.

No person shall solicit, aid, abet, employ or engage another, or confederate with another to violate a provision of this title or any other ordinance of the city.

(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.03 ATTEMPT TO COMMIT OFFENSES.

A person who shall attempt to commit any of the offenses mentioned in this title or any ordinance of the city, but who for any reason is prevented from consummating the act, shall be deemed guilty of an offense.

(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.04 SEPARATE VIOLATIONS.

Whenever in this title, or any ordinance of the city, an act is prohibited or is made or declared to be unlawful or an offense, or the doing of an act is

Obstructing

Governmental Administration

- 130.20 Unsworn falsification
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required, or the failure to do an act is declared to be unlawful or an offense, each day a violation continues shall constitute a separate offense.
(Ord. 450, passed 7-27-1978)

§ 130.05 NUISANCE ABATEMENT.

No provisions in this title shall preclude the abatement of a nuisance as provided in the general nuisance ordinance of the city.
(Ord. 450, passed 7-27-1978)

Cross-reference:

Nuisances and abatement, see Chapter 93 of this code of ordinances

§ 130.06 WORKING OUT FINE AND COSTS.

When a person shall be convicted of an offense under the laws of the city and shall be adjudged to pay a fine and costs, and shall fail to pay the fine and costs, the Municipal Judge may collect the fine by sentencing the person so fined to labor on the streets or on other public works, 1 day for each \$10 of the fine unpaid. Persons fined and sentenced to labor, as set out in this section, shall be under the charge and supervision of the Chief of Police and the Police Department.
(Ord. 450, passed 7-27-1978)

§ 130.07 APPLICATION OF STATE STATUTES.

Provisions of the Oregon Criminal Code of 1971, being O.R.S. 161.005 - 167.820, as the same now exists or may hereafter be amended, relating to defenses and burden of proof, general principles of criminal liability, parties and general principles of justification, shall apply to offenses defined and made punishable by this title.
(Ord. 450, passed 7-27-1978)

§ 130.08 RELEASE FROM CUSTODY.

Decisions regarding release of persons in custody shall be made according to the provisions of O.R.S. 135.230 to 135.290.

§ 130.22 TAMPERING WITH PUBLIC

(Ord. 450, passed 7-27-1978)

§ 130.09 DEFINITIONS.

The definitions contained in the Oregon Criminal Code of 1971, being O.R.S. 161.005 - 167.820, as now or hereafter constituted, are adopted by reference and made a part of this title. Except where the context clearly indicates a different meaning, the general definitions and the definitions appearing in the definitional and other sections of particular articles of the Code shall be applicable throughout this title.
(Ord. 450, passed 7-27-1978)

OBSTRUCTING GOVERNMENTAL ADMINISTRATION

§ 130.20 UNSWORN FALSIFICATION.

No person shall knowingly make any false written statement to a public servant in connection with an application for any benefit.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.21 OBSTRUCTING GOVERNMENTAL ADMINISTRATION.

(A) No person shall intentionally obstruct, impair or hinder the administration of law or other governmental function by means of intimidation, force or physical interference or obstacle.

(B) This section shall not apply to the obstruction of unlawful governmental action or interference with the making of an arrest.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

RECORDS.

No person shall, without lawful authority, knowingly destroy, mutilate, conceal, remove, make a false entry in or falsely alter any public record.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.23 IMPERSONATION.

No person shall, with intent to obtain a benefit or to injure or defraud another, falsely impersonate a public servant and do an act in that assumed character.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.24 FALSE REPORTS.

(A) No person shall knowingly initiate a false alarm or report which is transmitted to a fire department or law enforcement agency or other organization that deals with emergencies involving danger to life or property.

(B) No person shall knowingly make or file with the Police Department or with the City Attorney or a police officer engaged in his or her official duties a false, misleading or unfounded statement or report concerning the violation or alleged violation of a city ordinance or the commission or alleged commission of a crime.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.25 REFUSING TO ASSIST IN FIREFIGHTING OPERATIONS.

No person shall:

(A) Upon command by a person known by him or her to be a firefighter, unreasonably refuse or fail to assist in extinguishing a fire or protecting property threatened thereby; or

(B) Upon command by a person known by him or her to be a firefighter or peace officer, intentionally and unreasonably disobey a lawful order relating to his or her conduct in the vicinity of a fire.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.26 RESISTING OR REFUSING TO AID

OFFICER.

(A) No person shall resist any peace officer acting in the performance of his or her duties; when requested to do so, refuse to assist any officer in the discharge of his or her duties; or by any means whatsoever hinder, delay or obstruct any officer acting in the performance of his or her duties.

(B) As used in this section, “resist” refers to the ordinary meaning of the term.

(C) It is no defense to a prosecution under this section that the peace officer lacked legal authority to make an arrest, provided he or she was acting under color of his or her official authority.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.27 ESCAPE.

(A) No person shall:

(1) Knowingly escape or attempt to escape from official detention; or

(2) Knowingly cause, aid, assist, abet or facilitate an escape from official detention.

(B) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ESCAPE. An unlawful departure.

OFFICIAL DETENTION.

(a) Arrest by a peace officer;

(b) Detention in a vehicle or facility for the transportation or custody of persons under arrest, charge or conviction of an offense;

(c) Detention for extradition or deportation; and/or

(d) Other detention because the person detained is charged with or convicted of an offense.

(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.28 POLICE AND FIRE COMMUNICATIONS.

No person shall operate any generator or electromagnetic wave or cause a disturbance of such magnitude as to interfere with the proper functioning of any Police or Fire Department radio communication system.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.29 DELIVERIES TO PRISONERS.

No person shall deliver, by any means whatsoever, intoxicating liquor, dangerous drugs or narcotic drugs as defined by state law to a person confined in the city detention facility, or attempt to convey or deliver to that person any article without the consent of the officer in charge.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.30 TAMPERING WITH FIRE HYDRANT.

No unauthorized person shall unfasten, open, draw water from or otherwise tamper with a fire hydrant.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

MISCELLANEOUS

§ 130.40 MISREPRESENTATION OF AGE OR MARITAL STATUS.

No person shall:

(A) Being less than a certain, specified age, knowingly represent himself or herself to be of any age other than his or her true age with the intent of securing a right, benefit or privilege which by law is denied to persons under that certain, specified age.

(B) Being unmarried, knowingly represent that he or she is married with the intent of securing a right, benefit or privilege which by law is denied to unmarried persons.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.41 BEGGING.

No person shall accost another in a public place for the purpose of soliciting alms.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.42 LODGING.

No person shall lodge in a car, outbuilding or other place not intended for that purpose without permission of the owner or person entitled to the possession thereof.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.43 SELLING OR PLEDGING PROPERTY OF INTOXICATED PERSONS.

No person shall purchase property from any person who is in an intoxicated condition or under the influence of any narcotic drug, or advance or loan money to that person, or have any dealings with any that person respecting the title to property.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.44 POSSESSION OF BURGLARS' TOOLS.

(A) No person shall possess any burglar tool with the intent to use the tool or knowing that some person intends to use the tool to commit or facilitate a forcible entry into premises or theft by a physical taking.

(B) "Burglar tool" means an acetylene torch, electric arc, burning bar, thermal lance, oxygen lance or other similar device capable of burning through steel, concrete or other solid material; nitroglycerin, dynamite, gunpowder or any other explosive; tool; instrument or other article adapted, designed or commonly used for committing or facilitating a forcible entry into premises; or theft by a physical taking.
(Ord. 450, passed 7-27-1978)

§ 130.45 POSTED NOTICES.

No person shall affix a placard, bill or poster upon personal or real property, private or public,

without first obtaining permission from the owner thereof or from the proper public authority.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.46 EXPECTORATION.

No person shall expectorate upon any public sidewalk or street or in any public building except in receptacles provided for the purpose.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.47 OCCULT ARTS.

(A) "Occult arts" means the use or practice of fortune-telling, astrology, phrenology, palmistry, clairvoyance, mesmerism, spiritualism or any other practice or practices generally recognized to be unsound and unscientific whereby an attempt or pretense is made:

- (1) To reveal or analyze past incidents or events;
 - (2) To analyze or define the character or personality of a person;
 - (3) To foretell or reveal the future;
 - (4) To locate by such means lost or stolen property; or
 - (5) To give advice or information concerning any matter or event.
- (B) No person shall for hire or profit engage in the practice of occult arts, either public or private.
- (C) Nothing in this section shall be construed to

prohibit or prevent:

(1) A duly organized and recognized religious organization which promulgates religious teachings or beliefs involving spiritualism or similar media from holding its regular meetings or services; or

(2) A school, church, fraternal, charitable or other benevolent organization from utilizing occult arts for a bazaar or other money-raising project; provided that all money so received is devoted exclusively to the organization sponsoring the affair. In this case, the money so received shall be considered as a donation for benevolent and charitable purposes.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.48 POSSESSION OF MARIJUANA.

Possession of less than 1 avoirdupois ounce of marijuana is a violation of this chapter.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 130.99 PENALTY.

(A) Unless otherwise excluded, violation of any provision of this title is punishable by a fine of \$300 for each offense or violation thereof.
(Ord. 450, passed 7-27-1978; Am. Ord. 561, passed 11-12-1992)

(B) A penalty imposed for violation of § 130.48 shall not exceed \$100.
(Ord. 450, passed 7-27-1978)

CHAPTER 131: OFFENSES AGAINST PERSONS AND ANIMALS

Section

Offenses **Sexual and Related**

- 131.01 Public nudity
- 131.02 Public indecency
- 131.03 Obscenity

Offenses Relating to Minors

- 131.15 Child neglect
- 131.16 Endangering welfare of minor
- 131.17 Tobacco sales to minors
- 131.18 Purchasing property of minors
- 131.19 Curfew for unaccompanied or unemancipated minors
- 131.20 Parental responsibility for child's delinquent actions

Animals

- 131.35 Cruelty to animals
- 131.36 Poisoning of animals

131.99 Penalty

Cross-reference:

Nuisances involving animals, see Chapter 93 of this code of ordinances

SEXUAL AND RELATED OFFENSES

§ 131.01 PUBLIC NUDITY.

(A) No person shall willfully and publicly display his or her person in such a manner that it becomes a nudity display.

(B) For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

NUDITY. Uncovered, or less than opaquely covered, post-pubertal human genitals, pubic areas and the post-pubertal human female breast above the areola.

PUBLICLY DISPLAY. The exposing, placing, exhibiting or in any fashion displaying in any location, whether public or private, an item in such a manner that it can be readily seen and its content or character distinguished by normal unaided vision viewing it from a public thoroughfare or vehicle. (Ord. 450, passed 7-27-1978)

§ 131.02 PUBLIC INDECENCY.

No person shall, while in or in view of a public place, perform:

- (A) An act of sexual intercourse;
- (B) An act of deviate sexual intercourse; or

(C) An act of urination or defecation except in toilets provided for that purpose. (Ord. 450, passed 7-27-1978) Penalty, see § 131.99

§ 131.03 OBSCENITY.

(A) No person shall, with knowledge of the character of the material:

- (1) Print, publish, sell or distribute any obscene book, magazine, pamphlet, picture, drawing, photograph or other material of obscene character; or

(2) Permit any show, play, entertainment or motion picture which is of any obscene character in or at any place which is under his or her control.

(B) "Obscenity" is to be construed as defined in O.R.S. 167.060 to 167.095.
(Ord. 450, passed 7-27-1978) Penalty, see § 131.99

OFFENSES RELATING TO MINORS

§ 131.15 CHILD NEGLECT.

(A) No person having custody or control of a minor child under 10 years of age shall, with criminal negligence, leave the child unattended in or at any place for a period of time as may be likely to endanger the health or welfare of the child.

(B) It shall be lawful and the duty of a police officer or other peace officer finding a child confined in violation of the terms of this section to enter the place and remove the child, using such force as is reasonably necessary to effect an entrance to the place where the child may be confined in order to remove the child.

(C) "Place" shall include but not be restricted to vehicles.
(Ord. 450, passed 7-27-1978) Penalty, see § 131.99

§ 131.16 ENDANGERING WELFARE OF MINOR.

(A) No person shall employ a person under 18 years of age in or about a cardroom, poolroom, billiard parlor or dance hall, unless the establishment is a recreational facility as defined in Chapter 111.

(B) No person shall solicit, aid, abet or cause a person under 18 years of age to:

(1) Violate a law of the United States or a state, or to violate a city or county ordinance; or

(2) Run away or conceal himself or herself from a person or institution having lawful custody of the minor.

(Ord. 450, passed 7-27-1978) Penalty, see § 131.99

§ 131.17 TOBACCO SALES TO MINORS.

No person shall sell, or cause to be sold, tobacco in any form to a person under 18 years of age. Violations will be subject to the provisions of § 131.99.

(Ord. 450, passed 7-27-1978) Penalty, see § 131.99

§ 131.18 PURCHASING PROPERTY OF MINORS.

No person shall purchase property or an article of value from a minor or have dealings respecting the title of property in the possession of a minor without the written consent of the parent or guardian of the minor.

(Ord. 450, passed 7-27-1978) Penalty, see § 131.99

§ 131.19 CURFEW FOR UNACCOMPANIED OR UNEMANCIPATED MINORS.

(A) *Curfew hours.* It shall be unlawful for any unemancipated minor to be in or upon any street, highway, park, alley, sidewalk or any other public place in the city between the hour of 10:00 p.m. and sunrise of the following morning, unless:

(1) The minor is accompanied by a parent, legal guardian or other person 18 years of age or over and authorized by the parent or by law to have care and custody of the minor; or

(2) The minor is then actually engaged in or traveling directly to or from a place of legal employment, school activity or function, religious activity or function, and his or her place of residence.

(B) *Parental responsibility.* It shall be unlawful for any parent, guardian or person having the care and custody of a minor under the age of 18 years to intentionally, knowingly, recklessly or negligently permit, allow or sanction the unemancipated minor to be in violation of division (A) of this section.
(Ord. 533, passed 2-27-1986) Penalty, see § 131.99

§ 131.20 PARENTAL RESPONSIBILITY FOR

CHILD'S DELINQUENT ACTIONS.

(A) *Definitions.* As used in this section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended.

DELINQUENT ACTS. Those acts which violate the laws of the United States, or the statutes of the State of Oregon or the ordinances of the City of Willamina or those acts which would cause or tend to cause the minor to come under the jurisdiction of the Juvenile Department of the Circuit Court of the State of Oregon for violation of a state law. This definition does not include traffic violations.

ILLEGAL DRUGS. Controlled substances as defined by state law which are obtained without legal prescription.

MINOR. Any person under the age of 18 years.

PARENT. Mother, father, legal guardian and any other person having the legal care or custody of a minor or any person acting in the parents' place who has custody of the child.

(B) *Parental duties.*

(1) It is the continuous duty of the parent of any minor to exercise reasonable care to prevent the minor from committing any delinquent acts.

(2) This parental duty includes but is not limited to the following:

(a) Keeping illegal drugs out of the home;

(b) Arranging proper supervision for the minor when the parent must be absent; and

(c) Forbidding the minor from keeping stolen property or illegal drugs.

(C) *Parental responsibility.* It shall be unlawful for any parent to knowingly allow, or allow due to the failure to exercise reasonable control, a minor to commit a delinquent act.
(Ord. 543, passed 11-30-1989) Penalty, see § 131.99

OFFENSES RELATING TO ANIMALS

§ 131.35 CRUELTY TO ANIMALS.

(A) Except as otherwise authorized by law, no person shall intentionally or recklessly:

(1) Subject any animal under human custody or control to cruel mistreatment;

(2) Subject any animal under his or her custody or control to cruel neglect; or

(3) Kill without legal privilege any animal under the custody or control of another, or any wild bird.

(B) As used in this section, "animal" includes birds.
(Ord. 450, passed 7-27-1978) Penalty, see § 131.99

§ 131.36 POISONING OF ANIMALS.

No person shall put out or place any poison where the same is liable to be eaten by any horse, cattle, sheep, hog, dog or other domestic animal.
(Ord. 450, passed 7-27-1978) Penalty, see § 131.99

§ 131.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 130.99.

(B) Violation of § 131.17 shall be punishable by a fine not to exceed \$50.
(Ord. 450, passed 7-27-1978)

(C) Any minor who violates § 131.19(A) may be taken into custody as provided in O.R.S. 419C.080 to 419C.109 and may be subjected to further proceedings as provided in O.R.S. Chs. 419A through 419C. Any parent, guardian or person having care and custody of a minor under the age of 18, who shall violate the provisions of this section, shall be deemed guilty of an offense and, upon conviction thereof,

shall be punished by a fine of not more than \$100,
and that each act or violation of this section will be
adjudicated as a separate offense and be so
punishable.
(Ord. 533, passed 2-27-1986)

(D) Any parent violating any provision of §
131.20 shall be guilty of an infraction and be liable
for a fine not to exceed the sum of \$250 for each
violation.
(Ord. 543, passed 11-30-1989)

CHAPTER 132: OFFENSES AGAINST PUBLIC PEACE

Section

Disorderly Conduct and Related Offenses

- 132.01 Assault
- 132.02 Menacing
- 132.03 Disorderly conduct
- 132.04 Disorderly conduct at fires
- 132.05 Drinking in public places
- 132.06 Loitering
- 132.07 Harassment
- 132.08 Abuse of venerated objects

Weapons and

Fireworks

- 132.20 Concealed weapons
- 132.21 Discharge of weapons
- 132.22 Pointing a firearm at another
- 132.23 Fireworks

DISORDERLY CONDUCT AND RELATED OFFENSES

§ 132.01 ASSAULT.

No person shall:

- (A) Intentionally, knowingly or recklessly cause physical injury to another; or
- (B) With criminal negligence cause physical injury to another by means of a deadly weapon.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 132.02 MENACING.

No person shall, by word or conduct, intentionally attempt to place another person in fear of imminent serious physical injury.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 132.03 DISORDERLY CONDUCT.

No person shall, with intent to cause public inconvenience, annoyance or alarm, or by recklessly creating a risk thereof:

- (A) Engage in fighting or in violent, tumultuous or threatening behavior;
 - (B) Use abusive or obscene language or make an obscene gesture in a public place;
 - (C) Disturb any lawful assembly of persons without lawful authority;
 - (D) Obstruct vehicular or pedestrian traffic in or on a public way or public place;
 - (E) Congregate with other persons in a public place and refuse to comply with a lawful order of the police to disperse;
 - (F) Initiate or circulate a report, knowing it to be false, concerning an alleged or impending fire, explosion, crime, catastrophe or other emergency; or
 - (G) Create a hazardous or physically offensive condition by any act which he or she is not licensed or privileged to do.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99
- § 132.04 DISORDERLY CONDUCT AT FIRES.**

(A) No person at or near a fire shall obstruct or impede the fighting of the fire, interfere with Fire Department personnel or Fire Department apparatus, behave in a disorderly manner or refuse to observe promptly an order of a member of the Fire or Police Department.

(B) For purposes of this section, members of the Fire Department are endowed with the same powers of arrest as are conferred upon peace officers for violations of city ordinances.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 132.05 DRINKING IN PUBLIC PLACES.

No person shall drink or consume alcoholic liquor in or upon a street, alley, mall, parking lot or structure, motor vehicle, public grounds or other public place unless the place has been licensed for that purpose by the Oregon Liquor Control Commission; provided, however, consumption of alcoholic liquor in the park shall be permitted where a permit therefor has been received from the Council.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 132.06 LOITERING.

No person shall loiter in or about a public place frequented by children, including swimming pools, school bus stops, playgrounds and parks and public premises adjacent thereto, for the purpose of annoying, bothering or molesting children.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 132.07 HARASSMENT.

No person shall, with intent to harass, annoy or alarm another person:

(A) Subject another to offensive physical contact;

(B) Publicly insult another by abusive or obscene words or gestures in a manner likely to provoke a violent or disorderly response; or

(C) Communicate with a person anonymously or otherwise, by telephone, mail or other form of written communication, in a manner likely to cause annoyance or alarm.

(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 132.08 ABUSE OF VENERATED OBJECTS.

(A) No person shall intentionally abuse a public monument or structure, a place of worship or burial, or the national or state flag.

(B) As used in this section, “abuse” means to deface, damage, defile or otherwise physically mistreat in a manner likely to outrage public sensibilities.

(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

WEAPONS AND FIREWORKS

§ 132.20 CONCEALED WEAPONS.

(A) Except as provided in O.R.S. 166.291 through 166.297, as now constituted and hereafter amended, no person shall carry concealed about his or her person or carry concealed in a vehicle a revolver, pistol or other firearm; or any knife other than an ordinary pocket knife; any dirk, dagger or stiletto; any metal knuckles; or any other weapon by the use of which injury could be inflicted upon the person or property of another.

(B) For purposes of this section, an ordinary pocket knife is one with a maximum blade length of 3-1/2 inches which is not a switchblade or spring-blade knife.

(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 132.21 DISCHARGE OF WEAPONS.

Except on a person’s own property or at firing ranges approved by the Council, no person other than a peace officer shall fire or discharge a gun, including spring- or air-actuated pellet guns, air guns or BB guns, or other weapon which propels a projectile by use of gunpowder or other explosive, jet or rocket propulsion.

(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 132.22 POINTING A FIREARM AT

ANOTHER.

(A) No person over the age of 12 years shall with or without malice purposely point or aim any loaded or empty pistol, revolver or other firearm at or toward another person within range of the weapon, except in self-defense.

(B) "Firearm" means a weapon, by whatever name known, which is designed to expel a projectile by the action of black or smokeless powder and is capable of use as a weapon.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 132.23 FIREWORKS.

The following sections of the Oregon Fireworks Law, together with all acts and amendments applicable to cities which are now or hereafter enacted, are adopted by reference and made a part of this chapter: O.R.S. 480.110, 480.120, 480.130, 480.140(1) and 480.150.
(Ord. 450, passed 7-27-1978)

CHAPTER 133: OFFENSES AGAINST PROPERTY

Section

<i>Property</i>	<i>Offenses Relating to</i>	
133.01	Trespass	No person other than a peace officer performing a lawful duty shall enter upon land or into a building used in whole or in part as a dwelling not his or her own without permission of the owner or person entitled to possession thereof and while so trespassing look through or attempt to look through a window, door or transom of the dwelling or that part of the building used as a dwelling with the intent to violate the privacy of any other person. (Ord. 450, passed 7-27-1978) Penalty, see § 130.99
133.02	Violating privacy of another	
133.03	Mischief	
133.04	Theft	
<i>Offenses</i>	<i>Street and Sidewalk</i>	
133.15	Obstruction of building entrances	§ 133.03 MISCHIEF. (A) No person shall, with intent to cause substantial inconvenience to the owner or to another person, and having no right to do so nor reasonable grounds to believe that he or she has the right, tamper or interfere with property of another. (B) No person shall, while having no right to do so nor reasonable grounds to believe that he or she has the right, intentionally damage property of another or recklessly damage property of another. (Ord. 450, passed 7-27-1978) Penalty, see § 130.99
133.16	Open cellar doors or grates	
133.17	Obstruction of fire hydrants	
133.18	Vending goods on streets or sidewalks	
133.19	Vending food on streets or sidewalks	
133.20	Obstruction of streets and sidewalks	

OFFENSES RELATING TO PROPERTY

§ 133.01 TRESPASS.

No person shall enter or remain unlawfully in or upon premises.
(Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 133.02 VIOLATING PRIVACY OF ANOTHER.

The Oregon Criminal Code of 1971, O.R.S. 164.015 to 164.135, as now or hereafter constituted, is adopted by reference and made a part of this chapter, save and except the penalty provisions.
(Ord. 495, passed 8-28-1980)

STREET AND SIDEWALK OFFENSES

§ 133.15 OBSTRUCTION OF BUILDING ENTRANCES.

No person shall obstruct any entrance to any building or loiter unnecessarily about or near any entrance, stairway or hall leading to any building. (Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 133.16 OPEN CELLAR DOORS OR GRATES.

No owner or person in charge of property shall permit a cellar door or grate located in or upon a sidewalk or public pathway to remain open except when the entrance is being used and, when being used, there are adequate safeguards for pedestrians using the sidewalk. (Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 133.17 OBSTRUCTION OF FIRE HYDRANTS.

No owner of property adjacent to a street upon which is located a fire hydrant shall place or maintain within 8 feet of the fire hydrant any bush, shrub or tree or other obstruction. (Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 133.18 VENDING GOODS ON STREETS OR SIDEWALKS.

No person shall use or occupy any portion of a street or sidewalk for the purpose of vending goods, wares or merchandise by public outcry or otherwise, unless a license has first been obtained. (Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 133.19 VENDING FOOD ON STREETS OR SIDEWALKS.

No person shall place or display upon the street or sidewalk any food for sale that is less than 18 inches above the street or sidewalk upon which it is placed or displayed. (Ord. 450, passed 7-27-1978) Penalty, see § 130.99

§ 133.20 OBSTRUCTION OF STREETS AND SIDEWALKS.

(A) Except as otherwise permitted by ordinance, no person shall obstruct, cause to be obstructed or assist in obstructing vehicular or pedestrian traffic on a street or public sidewalk.

(B) The provisions of this section shall not apply to the delivery of merchandise or equipment, provided the owner or person in charge of the merchandise or equipment on the property abutting on the street or public sidewalk upon which the merchandise or equipment is located removes the merchandise or equipment within a reasonable time. (Ord. 450, passed 7-27-1978) Penalty, see § 130.99