

CHAPTER 11

POLICE REGULATIONS AND OFFENSES

ARTICLE VII. MORALS AND CONDUCT

Sec. 11-700. INDECENT EXPOSURE.

No person shall publicly make an indecent, immodest or immoral exhibition of his person, or of any animal or thing, nor commit any nuisance in or upon any street, public place, common, park, or place of public resort.

Sec. 11-701. INDECENT EXPOSURE, SWIMMING.

No person, unless wearing trunks or bathing suit, shall swim or bathe in the Winooski River within the city, or in the North Branch southerly of The Ledges, so-called.

Sec. 11-702. DISTURBING A LAWFUL ASSEMBLY.

No person shall willfully disturb or annoy a lawful assembly, collection of persons, or organized meeting of any kind, in any unlawful manner or by any unlawful means whatsoever.

Sec. 11-703. DISTURBING THE PEACE.

No person shall make, aid, or abet any disturbance, riot or disorder at, in or about any building or other place.

Sec. 11-704. DISORDERLY CONDUCT, ASSAULT AND BATTERY.

- (a) No person shall intentionally cause public inconvenience, disturbance or annoyance, or with reckless disregard of the risk thereof, by:
- (1) Engaging in fighting or in violent or tumultuous behavior which a reasonable person would believe to be threatening; or
  - (2) Making unreasonable noise; or
  - (3) In a public place or upon private property generally accessible to the public, engaging in conduct, including uttering words or making gestures, which a reasonable person would believe constitute threats to his or her personal safety, combative behavior or interference with public peace and order; or
  - (4) Obstructing or impeding vehicular or pedestrian traffic upon any street, or highway or sidewalk; or

- (5) Obstructing, impeding, or in any way inhibiting access to an entrance to public or private property, or
- (b) Prior to issuing a citation to any person under paragraph (a) (5), a law enforcement officer shall give notice to the person that his or her conduct is in violation of City Ordinance and shall order the person to cease such conduct and leave that place. Upon the persons's failure to comply with such order, a citation for violation of paragraph (a)(5) may be issued and the person's refusal to comply with the order of the law enforcement officer shall create a permission interference that the proscribed conduct was done intentionally or recklessly.
- (c) In addition to citing a person for violating the provisions of paragraphs (a) (1-4), whenever any law enforcement officer shall observe any act or conduct proscribed in such paragraphs, he may, if he deems it necessary for the preservation of the public peace and safety, order the person engaged in such act or conduct to leave that place. Any person who shall refuse to leave after being ordered to do so by a law enforcement officer shall be guilty of a violation of this paragraph (c).

Sec. 11-705. DISORDERLY CONDUCT IN DWELLING.

No person shall suffer or permit any building or other place, owned or occupied by him, or part thereof, to be used, frequented or resorted to by riotous or disorderly persons, vagrants, amblers, or prostitutes, nor suffer or permit any boisterous, riotous or disorderly conduct therein or thereabout.

Sec. 11-706. PROSTITUTION.

No female person shall be a prostitute, or shall ply the vocation of a prostitute, or shall subject her person to prostitution, in the city; and no male person shall associate with such female person for the purpose of prostitution.

Sec. 11-707. HOUSE OF PROSTITUTION.

No person shall keep a house of prostitution, or suffer or permit prostitution in any building or other place, owned or occupied by him, or part thereof; or be an inmate of any house of prostitution or ill-fame, or in any manner contribute to the support or maintenance thereof; nor shall any person having control of any building or other place lease or rent the same, or part thereof, to any prostitute or other person to be kept or used, or knowingly suffer or permit the same or part thereof to be kept or used, as a house of ill-fame or for the purpose of prostitution.

Sec. 11-708. BEGGING.

No person shall beg, or solicit the gift of money or any other thing, or exhibit himself for the purpose of inciting pity, in or on a street or public place, or other place of public resort, without the permission of the chief of police.

Sec. 11-709. LOITERING.

Ordinance Section 11-709 is hereby repealed.

Sec. 11-710. PROJECTILES LIMITED TO PERMITTED PROPERTIES.

- (a) In addition to Sec. 11-500, projectiles shall not be projected to, from, over or through properties (including real property, personal property, and public streets, highways and sidewalks) unless the projector has permission from the owner or the owner's agent and resident thereof.
- (b) The term "projectile" shall include but is not limited to snowballs, balls, bean bags, stones, arrows, BB's or any other items that are projected by throwing, casting, spitting, kicking, or with the aid of a bow or sling shot.

Sec. 11-711. TRESPASS OR INJURY, PUBLIC PROPERTY.

It shall be unlawful for any person to trespass upon or injure or deface public buildings, squares, commons, cemeteries, fountains, statues, memorials or any other public property owned by or under the control of the City of Montpelier.

Sec. 11-712. TRESPASS, PRIVATE PROPERTY.

No person, without legal authority or the consent of a person in lawful possession, shall enter or remain on any land or in any place as to which notice against trespass is given by:

- (a) Actual communication by the person in lawful possession or his agent or by a law enforcement officer acting on behalf of such person or his agent; or
- (b) Signs or placards so designed and situated as to give reasonable notice.

Sec. 11-713. URINATION AND DEFECATION IN STREETS.

No person shall urinate or defecate in any street, park or other public place except in facilities specifically provided for this purpose.

CROSS REFERENCE: Safety regulations for private swimming pools, Chapter 4, Article VI this Code.

CHARTER REFERENCES: Riots, T. 3, Sec. 17 (V); Prostitution, T. 3, Sec. 17 (VII); Swimming, T. 3, Sec. 17 (VIII); Vagrancy, T. 3, Sec. 17 (IX); Paupers, T. 3, Sec. 17 (X); 1955 Charter.

STATE LAW REFERENCE: Police, V.S.A. T. 24, Sec. 1931 et seq.

Sec's. 11-714 to 11-799. Reserved.

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