

ORDINANCE NO. 80

An Ordinance Defining Disorderly Conduct and Providing Punishment Therefore.

Section A. A person who does any of the following is guilty of disorderly conduct:

1. In a public place, repeatedly or continuously shouts, blows a horn, plays a musical recording or amplifying instrument, or otherwise generates loud noises intending to disturb or acting with reckless disregard for the peace and privacy of others, or, in a private place, engages in the same conduct with the same intent or reckless disregard, having been informed by another that the conduct is disturbing the peace and privacy of others not in the same place;

2. In a public place, when a criminal offense has occurred, refuses to comply with a lawful order of the police to disperse, or, in a private place, refuses to comply with an order of the police to leave the premises in which he has neither right of occupancy nor the express invitation to remain of the person having the right of possession;

3. In a public or private place challenges another to fight, or engages in fighting other than in self-defense; or,

4. In a public or private place knowingly or recklessly creates a hazardous condition for others by an act which has no legal justification or excuse;

5. In any public place or any place open to the public or exposed to public view solicits anyone to engage in or engages in lewd or dissolute conduct;

6. In any public place or any place open to the public accosts another person for the purpose of begging or soliciting;

7. On the private property of another, peeks in the door or windows of any inhabited building or structure located thereon without visible or lawful business with the owner or occupant thereof;

8. In any public or private place, without the permission of the owner, lodges in any building, structure, or place without the permission of the owner or person entitled to possession or control thereof.

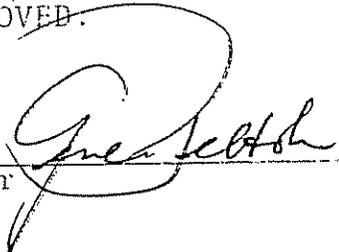
Section B. In a prosecution, under Section A. (1) of this section, if the loud noise constitutes speech, the content of speech or evidence of specific words used by the defendant are admissible in evidence against him only as permitted by court rule. "Loud noise," in a public place, means noise which is loud enough to inhibit the ability of the average person in the same place to speak freely without leaving the public place. "Loud noise" in a private place, means noise which is loud enough to awaken the average person sleeping in a place other than the private place.

Section C. In this section, a "public place" is a place where the public is permitted to assemble, enter or pass through, whether publicly or privately maintained, including but not limited to places of accommodation, transportation, business or entertainment, or any other place which is not a private place.

Section D. Upon conviction, a person who is guilty of disorderly conduct is punishable by a fine of not more than \$100.00. In no event shall any fine less than \$25.00 be imposed and such fine shall not be suspended, nor may the punishment provided in this Section be reduced under A.S. 11.05.150.

Passed and approved this 27 day of September 1976.

APPROVED.



Mayor

WITNESSES:

Alga C. King

City