

TITLE XIII: GENERAL OFFENSES

Chapter

130. GENERAL OFFENSES

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§ 130.01 POSTING BILLS.

It shall be unlawful for any person within the town to post, or cause to be posted, on any public or private fence, telephone, telegraph, electric light, or any lighting system poles, or other structure, any printed advertisement, bills or notices whatsoever, without having first obtained permission from the owner or person having lawful control of the wall, walls, poles or other structure.

(`86 Code, § 6-33) (Ord. 26, passed 7-6-09) Penalty, see § 10.99

§ 130.02 FIREARMS.

(A) It shall be unlawful for any person to shoot or discharge any firearms, slingshots, firecracker or other missile, propelling instruments or explosives within the town limits.

(B) Firearm shall mean any weapons capable of firing a projectile with violent force by means of an explosion, including but not limited to guns, pistols, revolvers, cannons, muskets and rifles.

(C) Shooting or propulsion of any missile, pellet, shot, arrow, dart, or other thing by means of any firearm, any mechanical means, compressed air or gas propulsion device, bow, slingshot, or propelling device of any kind, nature or description into, upon, across, through or against any lands, the air above same or the waters or any structures, shelters, buildings or facilities within the town limits is unlawful.

(D) The only exception to this section are police officers in the exercise and discharge of their official duties.

(`86 Code, § 6-34) (Ord. 26, passed 7-6-09; Am. Ord. 2001-4, passed 8-7-01) Penalty, see § 10.99

§ 130.03 RUBBISH IN THE STREET.

It shall be unlawful for any person to throw any rubbish or paper into any street, sidewalk, or public place in the town, or to place, leave, or permit to be placed or left longer than 24 hours, any store boxes, wood, or other obstruction on or in the street or in any manner to obstruct any gutter or sewer in the town.

(`86 Code, § 6-36) (Ord. 26, passed 7-6-09) Penalty, see § 10.99

§ 130.04 OBSTRUCTING CROSSWALKS.

It shall be unlawful to permit any vehicle or animal to obstruct the crosswalks of the town except so far as may be necessary in crossing the same.

(`86 Code, § 6-37) (Ord. 26, passed 7-6-09) Penalty, see § 10.99

§ 130.05 MOVING BUILDINGS.

It shall be unlawful to move any building upon or along any street in the town without first obtaining the written permit to do so from the proper county officials.

(`86 Code, § 6-38) Penalty, see § 10.99

§ 130.06 SPITTING ON SIDEWALKS.

It shall be unlawful for any person to spit on any sidewalk or upon the steps, stairways, platforms, or any public place in the town.

(`86 Code, § 6-39) (Ord. 26, passed 7-6-09) Penalty, see § 10.99

§ 130.07 FALSE FIRE ALARMS PROHIBITED.

(A) It shall be unlawful for any person within the town to willfully give or make a false fire alarm. (Ord. 26, passed 7-6-09)

(B) Persons violating this section shall be fined in an amount equal to the cost incurred by the town in responding to the false alarm.

(`86 Code, § 6-32) Penalty, see § 10.99

§ 130.08 CONSUMER FIREWORKS.

(A) *Use, discharge or ignition prohibited.*

(1) The use, discharge or ignition of consumer fireworks by any person or other entity other than the Wakarusa Little League America at the Ball Park, the town, or Wa-Nee Community Schools is prohibited in the corporate limits of the town, except during the following periods:

(a) Between the hours of 5:00 p.m. and two hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8 and July 9;

(b) Between the hours of 10:00 a.m. and 12:00 midnight on July 4; and

(c) Between the hours of 10:00 a.m. on December 31 and 1:00 am. on January 1.

(2) **CONSUMER FIREWORKS** means a small firework that is designed primarily to produce visible effects by combustion, and that is required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 C.F.R. 1507. The term also includes some small devices designed to produce an audible effect, such as whistling devices, ground devices containing 50 milligrams or less of explosive composition, and aerial devices containing 130 milligrams or less of explosive composition. Propelling or expelling charges consisting of a mixture of charcoal, sulfur, and potassium nitrate are not considered as designed to produce an audible effect.

(3) Consumer fireworks include:

(a) Aerial devices, which include sky rockets, missile type rockets, helicopter or aerial spinners, roman candles, mines, and shells;

(b) Ground audible devices, which include firecrackers, salutes, and chasers; and

(c) Firework devices containing combinations of the effects described in divisions (a) and (b) above.

(4) Consumer fireworks do not include:

(a) Dipped sticks or wire sparklers. However, total pyrotechnic composition may not exceed 100 grams per item. Devices containing chlorate or perchlorate salts may not exceed five grams in total composition per item;

(b) Cylindrical fountains;

(c) Cone fountains;

- (d) Illuminating torches;
- (e) Wheels;
- (f) Ground spinners;
- (g) Flitter sparklers;
- (h) Snakes or glow worms;
- (i) Smoke devices; and
- (j) Trick noisemakers, which include party poppers, booby traps, snappers, trick matches, cigarette loads, and auto burglar alarms.

(5) The use, discharge, or ignition of all other fireworks are governed by Indiana state statutes.

(B) *Enforcement.* This section shall be enforced in accordance with the applicable provisions of this chapter, as amended from time to time.

(C) *Penalty.* Any person or other entity who violates this section may be fined up to \$500 for each violation.

(Ord. 2007-8, passed 8-7-07)