

ORDINANCE NO. C-10-68

AN ORDINANCE TO AMEND TITLE XIII, ENTITLED "MISDEMEANORS", BY ADDING TO CHAPTER 130 A SECTION NUMBERED 130.99, AND ENTITLED "PENALTY", AND TO DELETE FROM CHAPTERS 131, 132, 133, 134, 135, 136 and 137 CERTAIN PENALTY CLAUSES AND TO DECLARE AN EMERGENCY.

WHEREAS, in the enactment of the Grove City Code of Ordinances, penalties were provided under Title XIII which permitted the removal of certain cases to the Columbus Municipal Court; and

WHEREAS, it is in the best interests of the prompt and efficient administration of the Mayor's Court of Grove City that these penalties be changed; and

WHEREAS, the penalties established by this ordinance are those originally determined to be proper and through inadvertence, improperly codified; and

WHEREAS, the enactment of this ordinance immediately affects the safety and welfare of the citizens of the City of Grove City, an emergency exists.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. Chapter 130, entitled "General Provisions", of Title XIII, entitled "Misdemeanors, of the 1966 Grove City Code of Ordinances, is amended to include:

Whoever violates any provision of Title XIII for which no penalty is provided following such provision shall be fined:

- (a) For the first offense thereof, not more than fifty dollars;
- (b) For the second offense within one year thereafter, not more than one hundred dollars, or imprisoned not more than thirty days, or both;
- (c) For a third or subsequent offense within one year after the first offense, not more than five hundred dollars, or imprisoned not more than ninety days, or both.

SECTION 2. Section 131.02, entitled "Threatening letters", which reads:

No person shall knowingly send or deliver a writing for the purpose of extorting money or other valuable thing, or containing willful and malicious threats of injury, or knowingly send, deliver, mail, or in any manner cause to be sent, delivered, or mailed, any paper or document simulating or intended to simulate a summons, complaint, warrant, writ, or other court process of any kind, with intent to obtain from another person any money, article of personal property, or other thing of value.

Whoever violates this section shall be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

IS AMENDED TO READ:

No person shall knowingly send or deliver a writing for the purpose of extorting money or other valuable thing, or containing willful and malicious threats of injury, or knowingly send, deliver, mail, or in any manner cause to be sent, delivered, or mailed, any paper or document simulating or intended to simulate a summons, complaint, warrant, writ, or other court process of any kind, with intent to obtain from another person any money, article of personal property, or other thing of value. Penalty, see sec. 130.99

SECTION 3. Section 131.03, entitled "Torturing or punishing another", which reads:

No person shall torture, torment, or cruelly or unlawfully punish another, or willfully and negligently deprive him of necessary food, clothing, or shelter.

Whoever violates this section shall be fined not less than ten or more than two hundred dollars or imprisoned not more than six months, or both.

IS AMENDED TO READ:

No person shall torture, torment, or cruelly or unlawfully punish another, or willfully and negligently deprive him of necessary food, clothing, or shelter. Penalty, see sec. 130.99.

SECTION 4. Section 131.04, entitled "Obscene or threatening telephone calls", which reads:

No person shall, while communicating with any other person over a telephone, threaten to do bodily harm or use or address to such other person any words or language of a lewd, lascivious, or indecent character, nature or connotation for the sole purpose of annoying such other person; nor shall any person telephone any other person repeatedly for the sole purpose of harassing or molesting such other person or his family.

Any use, communication, or act prohibited by this section may be deemed to have occurred or to have been committed at either the place at which the telephone call was made or was received.

Whoever violates this section shall be fined not more than five hundred dollars or imprisoned not more than six months, or both.

IS AMENDED TO READ:

No person shall, while communicating with any other person over a telephone, threaten to do bodily harm or use or address to such other person any words or language of a lewd, lascivious, or indecent character, nature or connotation for the sole purpose of annoying such other person; nor shall any person telephone any other person repeatedly for the sole purpose of harassing or molesting such other person or his family.

Any use, communication, or act prohibited by this section may be deemed to have occurred or to have been committed at either the place at which the telephone call was made or was received. Penalty, see sec. 130.99.

SECTION 5. Section 131.05, entitled "Child neglect", which reads:

No person having control of or being the parent or guardian of a child under the age of sixteen years shall wilfully abandon such child, or torture, torment or cruelly or unlawfully punish him, or wilfully or negligently fail to furnish him necessary and proper food, clothing or shelter.

Whoever violates this section shall be fined not less than ten nor more than two hundred dollars or imprisoned not more than six months, or both.

IS AMENDED TO READ:

No person having control of or being the parent or guardian of a child under the age of sixteen years shall wilfully abandon such child, or torture, torment or cruelly or unlawfully punish him, or wilfully or negligently fail to furnish him necessary and proper food, clothing or shelter. Penalty, see sec. 130.99.

SECTION 6. Section 131.06, entitled "Sale of firearms to minors" which reads:

No person shall sell, barter, furnish, or give to a minor under the age of seventeen years, an air gun, musket, rifle, shotgun, revolver, pistol, or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

Whoever violates this section shall be fined not more than one hundred dollars or imprisoned not more than thirty days, or both.

This section is not applicable to a minor under the age of seventeen years who is hunting in accordance with section 1533.13 of the Revised Code.

IS AMENDED TO READ:

No person shall sell, barter, furnish, or give to a minor under the age of seventeen years, an air gun, musket, rifle, shotgun, revolver, pistol, or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

This section is not applicable to a minor under the age of seventeen years who is hunting in accordance with section 1533.13 of the Revised Code. Penalty, see sec. 130.99.

SECTION 7. Section 131.07, entitled "Enticing minor to gamble", which reads:

No person shall entice a minor to engage in a game for money or other valuable thing, or make a wager with a minor upon the result of a game, or permit a minor to play a slot machine or other gambling device for wares, merchandise, or any other thing of value.

Whoever violates this section shall be fined not less than fifty nor more than two hundred dollars or imprisoned not less than three months nor more than one year.

IS AMENDED TO READ:

No person shall entice a minor to engage in a game for money or other valuable thing, or make a wager with a minor upon the result of a game, or permit a minor to play a slot machine or other gambling device for wares, merchandise, or any other thing of value. Penalty, see sec. 130.99.

SECTION 8. Section 131.08, entitled "Permitting minor to play pool", which reads:

(a) No owner or keeper of a billiard saloon, or owner or keeper of a billiard table at any other public place shall permit a minor under the age of eighteen years to play billiards or pool, or be and remain in such saloon or public place.

(b) Whoever violates this section shall be fined twenty dollars for a first offense; for each subsequent offense such person shall be fined fifty dollars.

(c) For the fine and costs in a prosecution under this section, the billiard table and fixtures at the place where the violation occurred are liable on execution without exemption.

IS AMENDED TO READ:

(a) No owner or keeper of a billiard saloon, or owner or keeper of a billiard table at any other public place shall permit a minor under the age of eighteen years to play billiards or pool, or be and remain in such saloon or public place.

(b) For the fine and costs in a prosecution under this section, the billiard table and fixtures at the place where the violation occurred are liable on execution without exemption. Penalty, see sec. 130.99.

SECTION 9. Section 132.01, entitled "Larceny", which reads:

(a) No person shall steal anything of value of less than sixty dollars.

(b) Whoever violates this section is guilty of larceny, and shall be fined not more than three hundred dollars or imprisoned not more than ninety days, or both.

IS AMENDED TO READ:

(a) No person shall steal anything of value of less than sixty dollars.

(b) Whoever violates this section is guilty of larceny. Penalty, see sec. 130.99.

SECTION 10. Section 132.02, (k), pertaining to larceny by trick, credit cards, which reads:

Whoever violates this section is guilty of larceny by trick and, if the value of the service or thing so obtained or sought to be obtained is less than sixty dollars, such person shall be fined not more than three hundred dollars or imprisoned not more than ninety days, or both.

IS AMENDED TO READ:

Whoever violates this section is guilty of larceny by trick of the value or the service or thing so obtained or sought to be obtained is less than sixty dollars. Penalty, see sec. 130.99.

SECTION 11. Section 132.04 (b), pertaining to embezzlement, conversion, which reads:

(b) If the total value of the property embezzled in the same continuous employment or term of office, whether embezzled at one time or at different times, within three years prior to the inception of the prosecution, is less than sixty dollars, such person shall be fined not more than three hundred dollars or imprisoned not more than ninety days, or both.

IS AMENDED TO READ:

(b) If the total value of the property embezzled in the same continuous employment or term of office, whether embezzled at one time or at different times within three years prior to the inception of the prosecution, is less than sixty dollars, such person shall be fined in accordance with this code. Penalty, see sec. 130.99.

SECTION 12. Section 132.05, entitled "Conversion", which reads:

(a) No person, with intent to defraud, shall sell, secrete, destroy, convert to his own use, or otherwise dispose of chattels, goods, merchandise, or personal property, the possession of which has been given to him in trust, pledge, bailment or on deposit, or under an agreement to purchase it on installment payments or otherwise, and no person so holding such property, shall with intent to defraud, remove it beyond the county wherein it was stipulated such property should be kept.

(b) Whoever violates this section shall be fined not more than five hundred dollars or imprisoned not more than three months, or both.

IS AMENDED TO READ:

No person, with intent to defraud, shall sell, secrete, destroy, convert to his own use, or otherwise dispose of chattels, goods, merchandise, or personal property, the possession of which has been given to him in trust, pledge, bailment, or on deposit, or under an agreement to purchase it on installment payments or otherwise, and no person so holding such property, shall with intent to defraud, remove it beyond the county wherein it was stipulated such property should be kept. Penalty, see sec. 130.99.

SECTION 13. Section 132.06, entitled "Destroying trees", which reads:

(a) No person, without lawful authority, shall cut down, destroy, or injure a vine, bush, shrub, sapling, or tree standing or growing upon the land of another, or sever from the land of another, injure, or destroy a product standing or growing thereon, or other thing attached thereto.

(b) Whoever violates this section shall be fined not more than one hundred fifty dollars or imprisoned not more than thirty days, or both.

IS AMENDED TO READ:

No person, without lawful authority, shall cut down, destroy, or injury a vine, bush, shrub, sapling, or tree standing or growing upon the land of another, or sever from the land of another, injure, or destroy a product standing or growing thereon, or other thing attached thereto. Penalty, see sec. 130.99.

SECTION 14. Section 132.07 (b), pertaining to malicious destruction of trees and crops, which reads:

(b) If the value is less than sixty dollars, such person shall be fined not more than three hundred dollars or imprisoned not more than ninety days, or both.

IS AMENDED TO READ:

(b) If the value is less than sixty dollars, such person shall be fined in accordance with this code. Penalty, see sec. 130.99.

SECTION 15. Section 132.09, entitled "Injuring and committing nuisances in buildings", which reads:

(a) No person shall maliciously injure or deface a church edifice, schoolhouse, dwelling house, or other building, its fixtures, books or appurtenances, or commit a nuisance therein, or purposely and maliciously commit a trespass upon the enclosed grounds attached thereto or fixtures placed thereon or an enclosure or sidewalk about such grounds.

(b) Whoever violates this section shall be fined not more than one hundred dollars.

IS AMENDED TO READ:

No person shall maliciously injure or deface a church edifice, schoolhouse, dwelling house, or other building, its fixtures, books or appurtenances, or commit a nuisance therein, or purposely and maliciously commit a trespass upon the enclosed grounds attached thereto or fixtures placed thereon or an enclosure or sidewalk about such grounds. Penalty, see sec. 130.99.

SECTION 16. Section 132.10, entitled "Destroying books or paintings", which reads:

(a) No person shall intentionally deface, obliterate, tear or destroy, in whole or in part, or cut or remove an article or advertisement or any page or part of any scientific material, newspaper, book, magazine, or periodical belonging to another person, association, corporation or public library, or intentionally deface, obliterate, or destroy, in whole or in part, any picture, painting, sculpture, statue, monument, or any work of art or reproduction of a work of art, belonging to another person, association, corporation, museum or public library.

(b) Whoever violates this section shall be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

IS AMENDED TO READ:

No person shall intentionally deface, obliterate, tear or destroy, in whole or in part, or cut or remove an article or advertisement or any page or part of any scientific material, newspaper, book, magazine, or periodical belonging to another person, association, corporation or public library, or intentionally deface, obliterate, or destroy, in whole or in part, any picture, painting, sculpture, statue, monument, or any work of art or reproduction of a work of art, belonging to another person, association, corporation, museum or public library. Penalty, see sec. 130.99.

SECTION 17. Section 132.11, entitled "Destroying guideboards, street signs, etc.", which reads:

(a) No person shall maliciously demolish, throw down, alter, or deface a milestone, mileboard, milepost, street sign, guideboard, or guidepost standing on a public road.

(b) Whoever violates this section shall be fined not more than fifty dollars or imprisoned not more than ten days, or both.

IS AMENDED TO READ:

No person shall maliciously demolish, throw down, alter, or deface a milestone, mileboard, milepost, street sign, guideboard, or guidepost standing on a public road. Penalty, see sec. 130.99.

SECTION 18. Section 132.12, entitled "Posting bills", which reads:

(a) No person shall paint, print, paste, stencil, or otherwise mark, place upon, or affix to a building, fence, wall, or tree without the consent of the owner thereof, a word, letter, character, figure, sentence, or device, or a handbill or notice.

(b) Whoever violates this section shall be fined not less than ten nor more than fifty dollars.

(c) This section does not apply to the posting of a handbill or notice of public sale by a sheriff, administrator, executor, or licensed auctioneer, or a notice required by law to be posted.

IS AMENDED TO READ:

(a) No person shall paint, print, paste, stencil, or to otherwise mark, place upon, or affix to a building, fence, wall, or tree without the consent of the owner thereof, a word, letter, character, figure, sentence, or device, or a handbill or notice.

(b) This section does not apply to the posting of a handbill or notice of public sale by a sheriff, administrator, executor, or licensed auctioneer, or a notice required by law to be posted. Penalty, see sec. 130.99.

SECTION 19. Section 132.13, entitled "taking bicycle", which reads:

(a) No persons shall wrongfully take any kind of a bicycle or tricycle from the house or premises of another, or other place where it has been lawfully placed, with intent to injure or use it.

(b) Whoever violates this section shall be fined not more than one hundred dollars or imprisoned not more than sixty days, or both.

IS AMENDED TO READ:

No person shall wrongfully take any kind of a bicycle or tricycle from the house or premises of another, or other place where it has been lawfully placed, with intent to injure or use it. Penalty, see sec. 130.99.

SECTION 20. Section 132.14, entitled "Tampering with bicycle", which reads:

(a) No person shall maliciously injure or remove the tire on any kind of a bicycle or tricycle listed for taxation, the property of another, either by puncturing, cutting, defacing, or destroying it, or maliciously remove, destroy, or deface any part of it.

(b) Whoever violates this section shall be fined not more than fifty dollars or imprisoned not more than thirty days, or both.

IS AMENDED TO READ:

No person shall maliciously injure or remove the tire on any kind of a bicycle or tricycle listed for taxation, the property of another, either by puncturing, cutting, defacing, or destroying it, or maliciously remove, destroy, or deface any part of it. Penalty, see sec. 130.99

SECTION 21. Section 132.15, entitled "Trespassing", which reads:

(a) No person shall enter without lawful authority upon the land or premises of another, or being upon the land or premises of another, upon being notified to depart therefrom by the owner or occupant, or the agent or servant of either, without lawful authority neglect or refuse to depart therefrom.

(b) Whoever violates this section shall be fined not more than fifty dollars.

IS AMENDED TO READ:

No person shall enter without lawful authority upon the land or premises of another, or being upon the land or premises of another, upon being notified to depart therefrom by the owner or occupant, or the agent or servant of either, without lawful authority neglect or refuse to depart therefrom. Penalty, see sec. 130.99.

SECTION 22. Section 132.16, which reads "Dumping garbage or refuse on premises of another", which reads:

(a) No person shall without lawful authority, place garbage, waste, rubbish, refuse or junk on the premises of another.

(b) Whoever violates this section shall forfeit not less than ten nor more than one hundred dollars.

IS AMENDED TO READ:

No person shall without lawful authority, place garbage, waste, rubbish, refuse or junk on the premises of another. Penalty, see sec. 130.99.

SECTION 23. Section 132.17 (b), pertaining to obtaining property or signature by false pretenses, which reads:

(b) If said value is less than sixty dollars, such person shall be fined not more than three hundred dollars or imprisoned not more than ninety days, or both.

IS AMENDED TO READ:

(b) If said value is less than sixty dollars, such person shall be fined in accordance with this code. Penalty, see sec. 130.99.

SECTION 24. Section 132.18, entitled "Practicing fortune-telling", which reads:

(a) No person, not legally licensed to do so, shall represent himself to be an astrologer, fortune-teller, clairvoyant, or palmster.

(b) Whoever violates this section shall be fined not less than twenty-five nor more than one hundred dollars or imprisoned not less than thirty days nor more than three months, or both.

IS AMENDED TO READ:

No person, not legally licensed to do so, shall represent himself to be an astrologer, fortune-teller, clairvoyant, or palmster. Penalty, see sec. 130.99.

SECTION 25. Section 132.19 (b), pertaining to sending letters to obtain money, which reads:

(b) Whoever violates this section, if the value is less than sixty dollars, shall be fined not more than three hundred dollars or imprisoned not more than ninety days, or both.

IS AMENDED TO READ:

(b) Whoever violates this section, if the value is less than sixty dollars, shall be fined in accordance with this code. Penalty, see sec. 130.99.

SECTION 26. Section 132.20, entitled "False coins; slugs", which reads:

(a) No person shall, by means of any token, slug, false or counterfeited coin, or by any other means, method, trick or device not lawfully authorized to the owner, lessee, or licensee of any vending machine, telephone, or other receptacle designed to receive or be operated by lawful coin of the United States in furtherance of or connection with the sale, use, or enjoyment of property or service, knowingly operate or cause to be operated, or attempt to operate or attempt to cause to be operated, any vending machine, telephone, or other receptacle designed to receive or be operated by lawful coin of the United States, or take, obtain, accept, or receive, from or by means of any such machine, telephone, or other receptacle, any article of value or service or the use or enjoyment of any telephone, telegraph, or other facility or service, without depositing in, delivering to and payment into such machine, telephone, or receptacle the amount of lawful coin of the United States required therefor by the owner, lessee, or licensee of such machine, telephone, or other receptacle.

(b) Whoever violates this section shall be fined not more than two hundred dollars or imprisoned not more than sixty days, or both.

IS AMENDED TO READ:

No person shall, by means of any token, slug, false or counterfeited coin, or by any other means, method, trick or device not lawfully authorized to the owner, lessee, or licensee of any vending machine, telephone, or other receptacle designed to receive or be operated by lawful coin of the United States in furtherance of or connection with the sale, use, or enjoyment of property or service, knowingly operate or cause to be operated, or attempt to operate or attempt to cause to be operated by lawful coin of the United States, or take, obtain, accept, or receive, from or by means of any such machine, telephone, or other receptacle, any article of value or service or the use or enjoyment of any telephone, telegraph, or other facility or service, without depositing in, delivering to and payment into such machine, telephone, or receptacle the amount of lawful coin of the United States required therefor by the owner, lessee, or licensee of such machine, telephone, or other receptacle. Penalty, see sec. 130.99.

SECTION 27. Section 132.21, entitled "Possession of false coins, slugs", which reads:

(a) No person shall, with intent to cheat or defraud the owner, lessee, licensee, or other person entitled to the contents of any vending machine, telephone, parking meter, or other receptacle designed to receive or be operated by lawful coin of the United States in furtherance of or connection with the sale, use or enjoyment of property or service or the use or enjoyment of any telephone, telegraph, or other facilities or service, or, knowingly or having cause to believe that the same is intended for fraudulent or unlawful use on the part of the purchaser, donee, or user thereof, sell, offer for sale, advertise for sale, possess, or give away any token, slug, false or counterfeited coin, or any device or substance which, when placed, deposited, or used in any such vending machine, telephone, parking meter, or other receptacle, will cause the same to operate or function.

(b) Whoever violates this section shall be fined not more than five hundred dollars or imprisoned not more than six months, or both.

(c) The sale, offer for sale, advertisement for sale, possession, or giving away of any token, slug, false or counterfeited coin, or any device or substance which, when placed, deposited, or used in any vending machine, telephone, parking meter, or other receptacle designed to receive or be operated by lawful coin of the United States, will cause the same to operate or function, is prima-facie evidence, within the meaning of this section, of an intent to cheat or defraud, or of knowing or having cause to believe that any such token, slug, false or counterfeited coin, device, or substance is intended for fraudulent or unlawful use.

IS AMENDED TO READ:

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(a) No person shall, with intent to cheat or defraud the owner, lessee, licensee, or other person entitled to the contents of any vending machine, telephone, parking meter, or other receptacle designed to receive or be operated by lawful coin of the United States in furtherance of or connection with the sale, use or enjoyment of property or service or the use or enjoyment of any telephone, telegraph, or other facilities or service, or, knowingly or having cause to believe that the same is intended for fraudulent or unlawful use on the part of the purchaser, donee, or user thereof, sell, offer for sale, advertise for sale, possess, or give away any token, slug, false or counterfeited coin, or any device or substance which, when placed, deposited, or used in any such vending machine, telephone, parking meter, or other receptacle, will cause the same to operate or function.

(b) The sale, offer for sale, advertisement for sale, possession, or giving away of any token, slug, false or counterfeited coin, or any device or substance which, when placed, deposited, or used in any vending machine, telephone, parking meter, or other receptacle designed to receive or be operated by lawful coin of the United States, will cause the same to operate or function, is prima-facie evidence, within the meaning of this section, of an intent to cheat or defraud, or of knowing or having cause to believe that any such token, slug, false or counterfeited coin, device, or substance is intended for fraudulent or unlawful use. Penalty, see sec. 130.99.

SECTION 28. Section 132.22, entitled "Altering public documents", which reads:

(a) No person shall maliciously alter, deface, mutilate, destroy, abstract, or conceal the whole or part of a record, authorized to be made by law, of or pertaining to a court, or a state, county, township, or municipal office or officer, or other public record authorized by law or a paper or writing filed with, in, or by such court, office or officer.

(b) Whoever violates this section shall be fined not more than three hundred dollars or imprisoned not more than three months, or both.

## IS AMENDED TO READ:

(a) No person shall maliciously alter, deface, mutilate, destroy, abstract, or conceal the whole or part of a record, authorized to be made by law, of or pertaining to a court, or a state, county, township, or municipal office or officer, or other public record authorized by law or a paper or writing filed with, in, or by such court, office or officer. Penalty, see sec. 130.99.

SECTION 29. Section 132.25, entitled "Tampering with hydrant, pipe or meter", which reads:

(a) No person shall maliciously open, close, adjust, or interfere with a fire hydrant, valve, regulator, guage, gate, disc, curb cock, stop cock, meter, or other regulator, operating or measuring device, or appliance in or attached to the wells, tanks, reservoirs, conduits, pipes, mains, service pipes, house pipes, or other pipes or apparatus of a water company or furnisher of water, with intent to cause the escape of water or to injure or destroy such property. No person shall tap, sever, open, or make authorized connections with a main or pipe used or intended for the transmission of water. This section does not apply to the agent or employee for that purpose, or the owner or operator of the appliances referred to in this section, and does not apply to anything done by or under authority of the fire department.

(b) Whoever violates this section shall be fined not less than twenty-five nor more than three hundred dollars or imprisoned not more than thirty days, or both.

IS AMENDED TO READ:

(a) No person shall maliciously open, close, adjust, or interfere with a fire hydrant, valve, regulator, guage, gate, disc, curb cock, stop cock, meter, or other regulator, operating or measuring device, or appliance in or attached to the wells, tanks, reservoirs, conduits, pipes, mains, service pipes, house pipes, or other pipes or apparatus of a water company or furnisher of water, with intent to cause the escape of water or to injure or destroy such property. No person shall tap, sever, open, or make authorized connections with a main or pipe used or intended for the trasnmission of water. This section does not apply to the agent or employee for that purpose, or the owner or operator of the applicances referred to in this section, and does not apply to anything done by or under authority of the fire department. Penalty, see sec. 130.99

SECTION 30. Section 132.26, entitled "Possession of city property", which reads:

(a) No person shall, without being authorized, have in his control or possession any equipment, tools, implements, or other property belonging to the city.

(b) Whoever violates this section shall be fined not less than five nor more than one hundred dollars.

IS AMENDED TO READ:

(a) No person shall, without being authorized, have in his control or possession any equipment, tools, implements, or other property belonging to the city. Penalty, see sec.130.99.

SECTION 31. Section 132.27, entitled "Tampering with or removing city property", which reads:

(a) No person shall maliciously tamper with, injure, destroy, steal or remove any lamp, lantern, lamp post, pole, cable, electric line, tool, hose, pipe, conduit, road material, earth, stone, or any other property or material owned or under the supervision or control of the city or any department thereof.

(b) Whoever violates the porvisions of this section shall be fined not more than two hundred dollars or imprisoned not more than thirty days, or both.

IS AMENDED TO READ:

(a) No person shall maliciously tamper with, injure, destroy, steal or remove any lamp, lantern, lamp post, pole, cable, electric line, tool, hose, pipe, conduit, road material, earth, stone, or any other property or material owned or under the supervision or control of the city or any department thereof. Penalty, see sec. 130.99.

SECTION 32. Section 133.02, entitled "Disturbing meetings", which reads:

(a) No person shall wilfully interrupt or disturb a lawful assemblage of persons or a person while he is at or about the place where such assemblage is to be held, or is or has been held.

(b) Whoever violates this section shall be fined not more than fifty dollars or imprisoned not more than ten days, or both.

IS AMENDED TO READ:

(a) No person shall wilfully interrupt or disturb a lawful assemblage of persons or a person while he is at or about the place where such assemblage is to be held, or is or has been held. Penalty, see sec. 130.99.

SECTION 33. Section 133.03, entitled "Disturbing the peace", which reads:

(a) No person shall, after a request to desist, make, continue or cause to be made by the use of any horn, bell, radio, loud speaker, or by the operation of any instrument or device, any unreasonable loud, disturbing, and unnecessary noise or noises of such a character, intensity and duration as to disturb the peace and quiet of the community or to be detrimental to the life and health of any individual, and no person shall wilfully conduct himself in a noisy, boisterous or other disorderly manner by either words or acts which disturb the good order and quiet of the community.

(b) Any person so offending shall be fined for each offense not less than ten dollars nor more than fifty dollars.

IS AMENDED TO READ:

(a) No person shall, after a request to desist, make, continue or cause to be made by the use of any horn, bell, radio, loud speaker, or by the operation of any instrument or device, any unreasonable loud, disturbing, and unnecessary noise or noises of such a character, intensity and duration as to disturb the peace and quiet of the community or to be detrimental to the life and health of any individual, and no person shall wilfully conduct himself in a noisy, boisterous or other disorderly manner by either word or acts which disturb the good order and quiet of the community. Penalty, see sec. 130.99.

SECTION 34. Section 133.05, entitled "Provoking breach of peace", which reads:

(a) No person shall challenge another to fight at fisticuffs or with cudgels or provoke or attempt to provoke another to commit a breach of the peace.

(b) Whoever violates this section shall be fined not less than one nor more than ten dollars.

IS AMENDED TO READ:

(a) No person shall challenge another to fight at fisticuffs or with cudgels or provoke or attempt to provoke another to commit a breach of the peace. Penalty, see sec. 130.99.

SECTION 35. Section 133.06, entitled "Rioting, reveling, intoxication in public places", which reads:

(a) No tavern keeper shall permit rioting, reveling, intoxication, or drunkenness in his house or on his premises.

(b) Whoever violates this section shall be fined not less than five nor more than one hundred dollars.

IS AMENDED TO READ:

(a) No tavern keeper shall permit rioting, reveling, intoxication, or drunkenness in his house or on his premises. Penalty, see sec. 130.99.

SECTION 36. Section 133.07 (c), pertaining to noise, which reads:

(c) Any violation of this section shall be punishable by a fine of not to exceed twenty-five dollars; but nothing herein shall be construed to affect the usual and the reasonable operation of steam railroads, electric railways and motor buses, or to prohibit the reasonable use of automobile warning signals, the reasonable ringing of the church bells or the reasonable and ordinary noises attendant on athletic contests or lawful public or semi-public meetings, parades or celebrations.

IS AMENDED TO READ:

(c) Nothing herein shall be construed to affect the usual and the reasonable operation of steam railroads, electric railways and motor buses, or to prohibit the reasonable use of automobile warning signals, the reasonable ringing of the church bells or the reasonable and ordinary noises attendant on athletic contests or lawful public or semi-public meetings, parades or celebrations. Penalty, see sec. 130.99.

SECTION 37. Section 134.01, entitled "Manufacture or sale of certain weapons prohibited", which reads:

(a) No person shall manufacture, sell, or expose for sale, any weapon known or designated as brass knuckles, billy, sling shot, sandbag, blackjack, or other weapon of similar character.

(b) Whoever violates this section shall be fined not less than ten nor more than fifty dollars for a first offense; for each subsequent offense such person shall be fined not less than one hundred nor more than five hundred dollars and imprisoned not less than thirty days nor more than six months.

(c) This section does not apply to any such weapons designated for use by officers of the law.

IS AMENDED TO READ:

(a) No person shall manufacture, sell, or expose for sale, any weapon known or designated as brass knuckles, billy, sling shot, sandbag, blackjack, or other weapon of similar character.

(b) This section does not apply to any such weapons designated for use by officers of the law. Penalty, see sec. 130.99.

SECTION 38. Section 134.02, entitled "Sale or possession of switchblade knives", which reads:

(a) No person shall sell, exhibit for sale, or carry on or about his person any knife fitted with a mechanical device for automatic release of the blade, opening the knife and locking the knife in the open position, commonly known as a switch or automatic spring knife.

(b) Whoever violates this section shall be fined not less than twenty-five nor more than two hundred dollars or imprisoned not less than ten days nor more than six months, or both.

IS AMENDED TO READ:

(a) No person shall sell, exhibit for sale, or carry on or about his person any knife fitted with a mechanical device for automatic release of the blade, opening the knife and locking the knife in the open position, commonly known as a switch or automatic spring knife. Penalty, see sec. 130.99.

SECTION 39. Section 134.03, entitled "Discharging firearms; hunting", which reads:

(a) No person shall engage in hunting or discharge any cannon, pistol or other firearm of any kind whatsoever within the City. This section shall not prohibit the firing of a military salute or the firing of weapons by men of the nation's armed forces acting under military authority, and shall not apply to law enforcement officials in the proper enforcement of the law, or to any person in the proper exercise of the right of self-defense.

(b) Whoever violates this section shall be fined not more than fifty dollars or imprisoned not more than thirty days, or both.

IS AMENDED TO READ:

(a) No person shall engage in hunting or discharge any cannon, pistol or other firearm of any kind whatsoever within the City. This section shall not prohibit the firing of a military salute or the firing of weapons by men of the nation's armed forces acting under military authority, and shall not apply to law enforcement officials in the proper enforcement of the law, or to any person in the proper exercise of the right of self-defense. Penalty, see sec. 130.99.

SECTION 40. Section 134.06, entitled "Storage of explosives", which reads:

(a) It shall be unlawful to store at any time in any powder house or magazine within the city limits a quantity of gunpowder or other similar explosive weighing in excess of one hundred pounds.

(b) Whoever violates this section shall be fined not more than fifty dollars.

IS AMENDED TO READ:

(a) It shall be unlawful to store at any time in any powder house or magazine within the city limits a quantity of gunpowder or other similar explosive weighing in excess of one hundred pounds. Penalty, see sec. 130.99.

SECTION 41. Section 134.08, entitled "Unvented gas heater", which reads:

(a) No owner or occupant of any rental residence, apartment, flat, tenement, room, or like living quarters or any other person shall install, use or cause, or permit to be installed or used in such residence, apartment, flat, tenement, room, or like living quarters and no occupant of such premises shall install or cause to be used a gas-fired space or room heating apparatus unless such apparatus is vented to a flue or gas vent so as to vent the products of combustion to the outdoors.

(b) This section shall not apply to domestic gas ranges, domestic laundry stoves, gas log heaters which are installed in a fireplace with an adequate flue, and domestic hot plates, unless they are used as a space or room heater, and nothing in this section shall prohibit the installation of unvented gas heaters in areas not used as a residence, apartment, flat, room, or like living quarters where ventilation is provided.

(c) Whoever violates this section shall be fined not less than one hundred nor more than one thousand dollars, or imprisoned for not more than one year, or both.

IS AMENDED TO READ:

(a) No owner or occupant of any rental residence, apartment, flat, tenement, room, or like living quarters or any other person shall install, use or cause, or permit to be installed or used in such residence, apartment, flat, tenement, room, or like living quarters and no occupant of such premises shall install or cause to be used a gas-fired space or room heating apparatus unless such apparatus is vented to a flue or gas vent so as to vent the products of combustion to the outdoors.

(b) This section shall not apply to domestic gas ranges, domestic laundry stoves, gas log heaters which are installed in a fireplace with an adequate flue, and domestic hot plates, unless they are used as a space or room heater, and nothing in this section shall prohibit the installation of unvented gas heaters in areas not used as a residence, apartment, flat, room, or like living quarters where ventilation is provided. Penalty, see sec. 130.00.

SECTION 42. Section 134.09, entitled "Abandoned refrigerator", which reads:

(a) No person shall abandon, discard, or knowingly permit to remain on premises under this control in a place accessible to children, any abandoned or discarded ice box, refrigerator, or other airtight or semi-airtight container which has a capacity of one and one-half cubic feet or more and an opening of fifty square inches or more and which has a door or lid equipped with hinge, latch or other fastening device capable of securing such door or lid, without rendering said equipment harmless to human life by removing such hinges, latches or other hardware which may cause a person to be confined therein. This section shall not apply to an icebox, refrigerator or other airtight or semi-airtight container located in that part of a building occupied by a dealer, warehouseman or repairman.

(b) Whoever violates this section shall be fined not less than twenty-five nor more than two hundred dollars.

IS AMENDED TO READ:

(a) No person shall abandon, discard, or knowingly permit to remain on premises under this control in a place accessible to children, any abandoned or discarded ice box, refrigerator, or other airtight or semi-airtight container which has a capacity of one and one-half cubic feet or more and an opening of fifty square inches or more and which has a door or lid equipped with hinge, latch or other fastening device capable of securing such door or lid, without rendering said equipment harmless to human life by removing such hinges, latches or other hardware which may cause a person to be confined therein. This section does not apply to an icebox, refrigerator or other airtight or semi-airtight container located

in that part of a building occupied by a dealer, warehouseman or repairman. Penalty, see sec. 130.99

SECTION 43. Section 134.10, entitled "Littering public ways", which reads:

(a) No person shall place or dispose of in any manner any garbage, waste or peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, oil, or anything else of an unsightly or unsanitary nature along or near or on any public road, street, parkway, park drive, highway, ditch, or any land adjoining any public road or highway or ditch, except on land provided by a zoning commission, city ordinance, or other governmental authority, unless directed to do so by public officials on special cleanup days.

(b) Whoever violates this section shall be fined not less than twenty-five dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

IS AMENDED TO READ:

(a) No person shall place or dispose of in any manner any garbage, waste or peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, oil, or anything else of an unsightly or unsanitary nature along or near or on any public road, street, parkway, park drive, highway, ditch, or any land adjoining any public road or highway or ditch, except on land provided by a zoning commission, city ordinance, or other governmental authority, unless directed to do so by public officials on special cleanup days. Penalty, see sec. 130.99.

SECTION 44. Section 134.11, entitled "Transportation of junk, refuse or garbage on public ways", which reads:

(a) No person shall transport junk, refuse, or garbage in any manner over and upon any street, alley, road, parkway, park drive, or public highway in such a manner that it is strewn upon and along such street, alley, road or public highway.

(b) Whoever violates this section shall be fined not more than fifty dollars or imprisoned not more than thirty days, or both.

IS AMENDED TO READ:

(a) No person shall transport junk, refuse, or garbage in any manner over and upon any street, alley, road, parkway, park drive, or public highway in such a manner that it is strewn upon and along such street, alley, road or public highway. Penalty, see sec. 130.99.

SECTION 45. Section 134.12, entitled "Maintaining a nuisance", which reads:

(a) No person shall erect, continue, use or maintain a building, structure, or place for the exercise of a trade, employment, or business, or for the keeping or feeding of an animal which, by occasioning noxious exhalations or noisome or offensive smells, becomes injurious to the health, comfort, or property of individuals or of the public. No person shall cause or allow offal, filth, or noisome substances to be collected or remain in any place to the damage or prejudice of others or of the public. No person shall unlawfully obstruct or impede the passage of a navigable river, harbor, or collection of water, or corrupt or render unwholesome or impure, a watercourse, stream, or water, or unlawfully divert such water course from its natural course or state to the injury or prejudice of others.

(b) Whoever violates this section shall be fined not more than five hundred dollars.

IS AMENDED TO READ:

(a) No person shall erect, continue, use or maintain a building, structure, or place for the exercise of a trade, employment, or business, or for the keeping or feeding of an animal which, by occasioning noxious exhalations or noisome or offensive smells, becomes injurious to the health, comfort, or property of individuals or of the public. No person shall cause or allow offal, filth, or noisome substances to be collected or remain in any place to the damage or prejudice of others or of the public. No person shall unlawfully obstruct or impede the passage of a navigable river, harbor, or collection of water, or corrupt or render unwholesome or impure, a watercourse, stream, or water, or unlawfully divert such watercourse from its natural course or state to the injury or prejudice of others. Penalty, see sec. 130.99.

SECTION 46. Section 134.14, entitled "Deposit of dead animals, offal, etc. upon land or water", which reads:

(a) No person shall put the carcass of a dead animal or the offal from a slaughter house, butcher's establishment, packing house or fish house or spoiled meat, spoiled fish, or other putrid substance or the contents of a privy vault, upon or into a lake, river, bay creek, pond, canal, road, street, alley, lot, field, meadow, public ground, market place or common.

(b) No owner or occupant of such place shall knowingly permit such thing to remain therein to the annoyance of any citizen or neglect to remove or abate the nuisance occasioned thereby within twenty-four hours after knowledge of the existence thereof, or after notice thereof in writing from the Director of Public Safety.

(c) Whoever violates this section shall be fined not less than ten dollars nor more than fifty dollars, and in default of the payment of such fine and costs shall be imprisoned not more than thirty days.

IS AMENDED TO READ:

(a) No person shall put the carcass of a dead animal or the offal from a slaughter house, butcher's establishment, packing house or fish house or spoiled meat, spoiled fish, or other putrid substance or the contents of a privy vault, upon or into a lake, river, bay creek, pond, canal, road, street, alley, lot, field, meadow, public ground, market place or common.

(b) No owner or occupant of such place shall knowingly permit such thing to remain therein to the annoyance of any citizen or neglect to remove or abate the nuisance occasioned thereby within twenty-four hours after knowledge of the existence thereof, or after notice thereof in writing from the Director of Public Safety. Penalty, see sec. 130.99

SECTION 47. Section 135.06, entitled "Conveying letters into or from jail", which reads:

(a) No person shall convey or attempt to convey into a jail, contrary to the rules of such prison, a letter or other missive intended for a prisoner lawfully confined therein, or convey from within the enclosure to the outside of the jail, contrary to the rules of such prison, a letter or other missive, written or given by a prisoner lawfully detained therein, unless the person having charge of such jail has given his written consent.

(b) Whoever violates this section shall be fined not less than twenty-five nor more than one hundred dollars or imprisoned not more than ninety days, or both.

IS AMENDED TO READ:

(a) No person shall convey or attempt to convey into a jail, contrary to the rules of such prison, a letter or other missive intended for a prisoner lawfully confined therein, or convey from within the enclosure to the outside of the jail, contrary to the rules of such prison, a letter or other missive, written or given by a prisoner lawfully detained therein, unless the person having the charge of such jail has given his written consent. Penalty, see sec. 130.99

SECTION 48. Section 135.07 (b), pertaining to conveying intoxicants into jail, which reads:

(b) Whoever conveys or attempts to convey any article or articles into a jail or other place of confinement in violation of this section shall be fined not less than ten nor more than one hundred dollars or imprisoned not more than one year, or both.

IS AMENDED TO READ:

(b) Whoever conveys or attempts to convey any article or articles into a jail or other place of confinement in violation of this section shall be fined in accordance with this code. Penalty, see sec. 130.99.

SECTION 49. Section 135.08, entitled "Permitting prisoner to receive liquor in jail", which reads:

(a) No person shall convey into a jail, or having charge of a jail, knowingly permit a prisoner confined therein to receive spirituous or malt liquor or wine, unless prescribed by a physician as medicine for such prisoner.

(b) Whoever violates this section shall be fined not less than ten nor more than one hundred dollars or imprisoned not less than ten nor more than thirty days.

IS AMENDED TO READ:

(a) No person shall convey into a jail, or having charge of a jail, knowingly permit a prisoner confined therein to receive spirituous or malt liquor or wine, unless prescribed by a physician as medicine for such prisoner. Penalty, see sec. 130.99

SECTION 50. Section 135.10, entitled "Refusing to testify", which reads:

(a) No person, having been served with a subpoena, shall wilfully fail to obey it, or secrete himself or leave his place of residence to avoid being served with a subpoena so issued or that he has reason to believe will be issued for him in a case pending in court or in a matter before a legal authority. No person, being present before a court of authority, and called upon to give testimony, shall refuse to take an oath or make affirmation, or, being sworn or affirmed, refuse to take an oath or make affirmation, or, being sworn or affirmed refuse to answer a question required by such court or authority to be answered.

(b) Whoever violates this section shall be fined not less than ten or more than five hundred dollars or imprisoned not more than 90 days or both.

IS AMENDED TO READ:

(a) No person, having been served with a subpoena, shall wilfully fail to obey it, or secrete himself or leave his place of residence to avoid being served with a subpoena so issued or that he has reason to believe will be issued for him in a case pending in court or in a matter before a legal authority. No person, being present before a court of authority, and called upon to give testimony, shall refuse to take an oath or make affirmation, or, being sworn or affirmed, refuse to take an oath or make affirmation, or, being sworn or affirmed refuse to answer a question required by such court or authority to be answered. Penalty, see sec. 130.99.

SECTION 51. Section 135.13, entitled "Compounding felonies", which reads:

(a) No person shall demand or receive money or other thing of value for compounding, abandoning, or agreeing to abandon a criminal prosecution, either threatened or commenced.

(b) Whoever violates this section shall be fined not less than twenty-five nor more than three hundred dollars or imprisoned not less than ten nor more than ninety days, or both.

(c) This section does not apply to the receiving by the owner thereof or his agent, of property stolen, embezzled, or fraudulently obtained, with the actual expenses of recovering it.

IS AMENDED TO READ:

(a) No person shall demand or receive money or other thing of value for compounding, abandoning, or agreeing to abandon a criminal prosecution, either threatened or commenced.

(b) This section does not apply to the receiving by the owner thereof or his agent, of property stolen, embezzled, or fraudulently obtained, with the actual expenses of recovering it. Penalty, see sec. 130.99.

SECTION 52. Section 135.15, entitled "Giving false information to officials", which reads:

(a) No person shall knowingly give or assist in giving a false or fictitious call or report to the state highway patrol or to any police department, fire department, sheriff, constable or other law enforcement officer, or to any person dispatching or operating an ambulance or other emergency vehicle with intent to mislead, misdirect, or improperly summon said officer or person.

(b) No persons shall knowingly give a false or fictitious call or report to school officials or other persons in charge of locations where groups of persons assemble when the nature of such false or fictitious call or report results in law enforcement action.

(c) Whoever violates this section shall be fined not more than one thousand dollars or imprisoned for not more than one year, or both.

IS AMENDED TO READ:

(a) No person shall knowingly give or assist in giving a false or fictitious call or report to the state highway patrol or to any police department, fire department, sheriff, constable or other law enforcement officer, or to any person dispatching or operating an ambulance or other emergency vehicle with intent to mislead, misdirect, or improperly summon said officer or person.

(b) No persons shall knowingly give a false or fictitious call or report to school officials or other persons in charge of locations where groups of persons assemble when the nature of such false or fictitious call or report results in law enforcement action. Penalty, see sec. 130.99.

SECTION 53. Section 136.01, entitled "Adultery; fornication", which reads:

(a) No person shall cohabit in a state of adultery or fornication.

(b) Whoever violates this section shall be fined not more than two hundred dollars and imprisoned not more than three months.

IS AMENDED TO READ:

(a) No person shall cohabit in a state of adultery or fornication. Penalty, see sec. 130.99.

SECTION 54. Section 136.04, entitled "Nudism", which reads:

(a) No person eighteen years of age or over shall wilfully expose his or her private parts in the presence of two or more persons of the opposite sex, or aid or abet any such act, or procure another so to expose his or her private parts, or as owner, manager, lessee, director, promoter, or agent, or in any other capacity knowingly hire, lease, or permit the land, building, or premises of which he is owner or lessor, lessee, or tenant, or over which he has control, to be used for any such purposes.

(b) Whoever violates this section shall be fined not more than two hundred dollars or imprisoned not more than six months, or both.

(c) This section does not apply to persons exposing themselves to persons administering bona fide nursing care, nor to such persons exposing themselves to persons licensed under the laws of this state to administer diagnostic, surgical, or therapeutic services or to others rendering any of such services in cases of emergency, nor to the members of a family among themselves, nor to persons bona fide posing for art purposes or exposing themselves for examination or observation in connection with scientific research and study, when such is the sole purpose of such exposure.

(c) As used in this section, "private parts" means the external genitalia of the human body.

IS AMENDED TO READ:

(a) No person eighteen years of age or over shall wilfully expose his or her private parts in the presence of two or more persons of the opposite sex, or aid or abet any such act, or procure another so to expose his or her private parts, or as owner, manager, lessee, director, promoter, or agent, or in any other capacity knowingly hire, lease, or permit the land, building, or premises of which he is owner or lessor, lessee, or tenant, or over which he has control, to be used for any such purposes.

(b) This section does not apply to persons exposing themselves to persons administering bona fide nursing care, nor to such persons exposing themselves to persons licensed under the laws of this state to administer diagnostic, surgical, or therapeutic services or to others rendering any of such services in cases of emergency, nor to the members of a family among themselves, nor to persons bona fide posing for art purposes or exposing themselves for examination or observation in connection with scientific research and study, when such is the sole purpose of such exposure.

(c) As this is used in this section, "private parts" means the external genitalia of the human body. Penalty, see sec. 130.99.

SECTION 55. Section 136.05, entitled "Immoral exhibitions", which reads:

(a) No person shall give a public or private exhibition of a lascivious, indecent, immoral, or impure nature or an exhibition tending to corrupt morals, or own, operate, or permit another to operate on his premises, a phonograph or other device giving forth profane, indecent, immoral, or impure language, or own, operate, or permit another to operate on his premises, a picture machine or other device exhibiting a lascivious, indecent, immoral, or impure picture or figure or a picture of crime or lust, or a picture tending to corrupt morals.

(b) Whoever violates this section shall be fined not less than fifty nor more than five hundred dollars for a first offense; for each subsequent offense, in addition to such fine, such person shall be imprisoned not less than thirty days nor more than six months.

IS AMENDED TO READ:

(a) No person shall give a public or private exhibition of a lascivious, indecent, immoral, or impure nature or an exhibition tending to corrupt morals, or own, operate, or permit another to operate on his premises, a phonograph or other device giving forth profane, indecent, immoral, or impure language, or own, operate, or permit another to operate on his premises, a picture machine or other device exhibiting a lascivious, indecent, immoral, or impure picture or figure or a picture of crime or lust, or a picture tending to corrupt morals. Penalty, see sec. 130.99.

SECTION 56. Section 136.06, entitled "Obscene language", which reads:

(a) No person eighteen years of age or over shall utter obscene or licentious language in the presence or hearing of a female or a male child under twelve years of age,

(b) Whoever violates this section shall be fined not more than two hundred dollars or imprisoned not more than six months, or both.

IS AMENDED TO READ:

(a) No person eighteen years of age or over shall utter obscene or licentious language in the presence or hearing of a female or a male child under twelve years of age. Penalty, see sec. 130.99.

SECTION 57. Section 136.07, entitled "Immoral pictures", which reads:

(a) No person shall make or print in or upon his premises, or post, publish, or exhibit in or upon a building, billboards, bridge, or fence where it can be publicly seen, a picture or figure that is lascivious, indecent, immoral, or impure, or which represents crime or lust, or tends to corrupt morals, or permit such an act to be done by another in or upon his premises, building, billboard, bridge, or fence.

(b) Whoever violates this section shall be fined not less than fifty nor more than five hundred dollars for a first offense; for each subsequent offense, in addition to such fine, such person shall be imprisoned not less than thirty days nor more than six months.

(c) This section does not apply to the printing and publication in book or magazine form of illustrations for scientific purposes.

IS AMENDED TO READ:

(a) No person shall make or print in or upon his premises, or post, publish, or exhibit in or upon a building, billboards, bridge, or fence where it can be publicly seen, a picture or figure that is lascivious, indecent, immoral, or impure, or which represents crime or lust, or tends to corrupt morals, or permit such an act to be done by another in or upon his premises, building, billboard, bridge, or fence.

(b) This section does not apply to the printing and publication in book or magazine form of illustrations for scientific purposes. Penalty, see sec. 130.99.

SECTION 58. Section 136.09, entitled "Peeping Tom" prohibited", which reads:

(a) No person, other than a peace officer as defined by section 2935.01, Revised Code, and while said peace officer is in pursuit of his official duties, shall place himself in a position, either on public or private property, for the purpose of spying upon, looking into, or watching any building, property, or actions of any person in any building.

(b) Whoever violates this section shall be fined not more than five hundred dollars or imprisoned not more than six months, or both.

is AMENDED TO READ:

(a) No person, other than a peace officer as defined by section 2935.01, Revised Code, and while said peace officer is in pursuit of his official duties, shall place himself in a position, either on public or private property, for the purpose of spying upon, looking into, or watching any building, property, or actions of any person in any building. Penalty, see sec. 130.99.

SECTION 59. Section 136.10, entitled "Pandering", which reads:

Whoever is supported in whole or in part by any prostitute, or who is interested as employer, partner or agent in the proceeds or profits of prostitution or any act thereof, or who receives as a gift or gratuity any part of the proceeds of any prostitute's gain, shall be deemed to be participating in the proceeds of prostitution, and shall be fined not less than five dollars nor more than fifty dollars for each offense.

IS AMENDED TO READ:

Whoever is supported in whole or in part by any prostitute, or who is interested as employer, partner or agent in the proceeds or profits of prostitution or any act thereof, or who receives as a gift or gratuity any part of the proceeds of any prostitute's gain, shall be deemed to be participating in the proceeds of prostitution, and shall be fined in accordance with this code.

Penalty, see sec. 130.99.

SECTION 60. Section 137.01, entitled "Keeping a place of gambling", which reads:

(a) No person shall keep a room, building, arbor, booth, shed, tenement, canalboat, or other watercraft, to be used or occupied for gambling, or knowingly permit it to be so used or occupied. An owner of such building, tenement, or watercraft knowing that a device is used or kept therein for gambling, who does not forthwith make complaint against the person so using or keeping it has knowingly permitted it to be used and occupied for such purpose.

(b) Whoever violates this section shall be fined not less than thirty nor more than five hundred dollars or imprisoned not less than ten nor more than thirty days, or both.

IS AMENDED TO READ:

(a) No person shall keep a room, building, arbor, booth, shed, tenement, canalboat, or other watercraft, to be used or occupied for gambling, or knowingly permit it to be so used or occupied. An owner of such building, tenement or watercraft knowing that a device is used or kept therein for gambling, who does not forthwith make complaint against the person so using or keeping it has knowingly permitted it to be used and occupied for such purpose. Penalty, see sec. 130.99.

SECTION 61. Section 137.02, entitled "Permitting gaming upon a device for gain", which reads:

(a) No person shall permit a game to be played for gain upon or by means of a device or machine in his house or any structure of which he has the care or possession.

(b) Whoever violates this section shall be fined not less than fifty nor more than two hundred dollars.

IS AMENDED TO READ:

No person shall permit a game to be played for gain upon or by means of a device or machine in his house or any structure of which he has the care or possession. Penalty, see sec. 130.99.

SECTION 62. Section 137.03, entitled "Keepers of public resort permitting gambling", which reads:

(a) No keeper of a tavern or house of public resort shall permit a game for a wager to be played therein or in a structure appendant thereto.

(b) Whoever violates this section shall be fined not less than fifty nor more than two hundred dollars.

IS AMENDED TO READ:

No keeper of a tavern or house of public resort shall permit a game for a wager to be played therein or in a structure appendant thereto. Penalty, see sec. 130.99.

SECTION 63. Section 137.04, entitled "Playing a game or making a bet for money", which reads:

(a) No person shall play a game for money or other thing of value or make a wager for money or other thing of value.

(b) Whoever violates this section shall be fined not more than one hundred dollars or imprisoned not less than ten days nor more than six months, or both.

IS AMENDED TO READ:

No person shall play a game for money or other thing of value or make a wager for money or other thing of value. Penalty, see sec. 130.99.

SECTION 64. Section 137.05, entitled "Common gambler", which reads:

(a) No person shall engage in gambling for a livelihood, or be without a fixed residence and in the habit or practice of gambling.

(b) Whoever violates this section shall be fined not less than fifty nor more than five hundred dollars and imprisoned not less than ten nor more than ninety days, and shall give security in the sum of five hundred dollars against further violation of this section for one year.

IS AMENDED TO READ:

No person shall engage in gambling for a livelihood, or be without a fixed residence and in the habit or practice of gambling. Penalty, see sec. 130.99.

SECTION 65. Section 137.06, entitled "Exhibiting gambling devices", which reads:

No person shall keep or exhibit for gain or to win money or other property, a gambling table, or faro or keno bank, or a gambling device or machine, other than as is defined in section 2915.10, 2915.12 and 2915.16 of the Revised Code, or keep or exhibit a billiard table for the purpose of gambling or allow it to be so used. Whoever violates this section shall be fined not less than fifty nor more than five hundred dollars and imprisoned not less than ten nor more than ninety days, and shall give security in the sum of five hundred dollars against further violation of this section for one year.

IS AMENDED TO READ:

No person shall keep or exhibit for gain or to win money or other property, a gambling table, or faro or keno bank, or a gambling device or machine, other than as is defined in section 2915.10, 2915.12 and 2915.16 of the Revised Code, or keep or exhibit a billiard table for the purpose of gambling or allow it to be so used. Penalty, see sec. 130.99.

SECTION 66. Section 137.07 (b), pertaining to pinball machines prohibited, which reads:

(b) Any person, partnership, corporation or association owning, possessing, exhibiting, operating or having control of a pinball machine shall upon conviction thereof, be fined not more than fifty dollars for the first offense and for succeeding convictions thereof shall be fined not less than one hundred dollars nor more than two hundred dollars or be sentenced to imprisonment for not more than six months, or both.

IS AMENDED TO READ:

(b) Any person, partnership, corporation or association owning, possessing, exhibiting, operating or having control of a pinball machine shall upon conviction thereof, be fined in accordance with this code.

SECTION 67. That for reasons stated in the preamble hereto and made a part hereof, this Ordinance is declared an emergency measure and shall take effect and be in force from and after its approval and adoption and approval of the Mayor.

SUBMITTED Feb. 5, 1968

George A. Yates  
George A. Yates, President of Council

PASSED Feb 5, 1968

George M. Haughn  
George M. Haughn, Mayor

EFFECTIVE Feb 5, 1968

Maria T. Kochensparger  
Maria T. Kochensparger, Clerk of Council

I Certify that this Ordinance is Correct as to Form.

Kent F. Ozmun  
Kent F. Ozmun, Director of Law