Chapter 15

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Article I, In General

Sec. 15.1. Penalties.

Unless otherwise provided herein, upon conviction, the violation of any section of this chapter shall be punishable as defined in Section 14.5 of this Code.

Sec. 15.2. Aiding or Abetting.

It shall be unlawful for any person to council, advise, incite, abet, procure or aid any other person in the violation of any of the ordinances of the Town. Such person shall be held and deemed a principal.

Sec. 15.3 Adoption of State Criminal Law

All acts and conduct that constitute violation of the common law and the statutory law of the State of South Carolina as set forth in the Code of Laws of South Carolina, 1976, as amended, are declared unlawful when such acts, conduct, or violations occur insofar as such provisions and violations can have application to and the punishment of which is within the jurisdiction of the municipality.

Sec. 15.4 Giving False Information to a Police Officer

It shall be unlawful for any person to knowingly give false or misleading information about themselves, other persons, or facts surrounding any incident in question, to any law enforcement officer during the administration of his duties.

Sec. 15.5 Disobeying Police Officers

It is unlawful for any person in the Town to willfully and knowingly fail or refuse to stop when signaled, hailed, or commanded to stop by a police officer of the Town or to willfully disobey any other lawful order of a police officer of the Town when such order is issued in conjunction with the officer's official duties.

Sec. 15.6 Disobeying Posted Rules in Town Parks

(a) It is unlawful for any person to disobey posted rules in any Town park and any person doing so shall be guilty of a misdemeanor. The penalty for such violation shall be in accordance with Section 130.99, Code of Ordinances for the Town of Lexington.

(b) For the purpose of this chapter, the posted rules governing the use of Virginia Hylton Park shall include the following:

1. Virginia Hylton Park and the parking areas adjacent thereto;
2. The parking areas adjacent to the Town Hall.

Sec. 15.7 Entering Condemned Buildings

(a) It is unlawful for any person to enter any building within the Town which has been condemned pursuant to any Town ordinance or any county, state, or federal law which may be applicable within the Town limits.

(b) This section shall not apply to the following:

1. Property owners in the act of inspecting or repairing the subject property;
2. Contractors or others authorized to make inspections, repairs, or to demolish the subject property; or
3. Police officers, firefighters, building officials, or other public employees acting within the scope of their employment.

Article II, Offenses Against Morality, Decency, and Public Welfare

Sec. 15.10 Indecent Exposure.

It shall be unlawful for any person within the Town to commit willful and malicious indecent exposure of his person in any public place, on property of others or to the view of any person on any street or highway within the Town.

Sec. 15.11. Bawdy Houses.

The keeping of a bawdy house or disorderly house or a house of prostitution within the corporate limits of the Town shall be deemed a misdemeanor for the owner or lessee of any dwelling house, or other building situate within the corporate limits of the Town to let or sublet such dwelling house or other building to any person to be used, or with the knowledge that the same is intended to be used, and kept as a bawdy house or house of prostitution

Sec. 15.12. Solicitation for Immoral Purposes.

It shall, be unlawful for any person in the Town to invite or entice any person upon any street, public square or enclosure in the Town to accompany, go with or follow such person to any place for immoral purposes, or to invite, entice or address any person from any door, window, porch or portico of any house or building to enter any house, go with or accompany such person to any place for immoral purposes.

Sec. 15.13. Information or Direction Concerning Immoral Women or House for Immoral Purposes.

It shall be unlawful for any person within the Town to give information about or direct any person to any house or place for immoral purposes, or to any immoral woman, whether the communication be by word of mouth, or direction, telephone, or in writing.

Sec. 15.14. Transportation of Women for Immoral Purposes.

It shall be unlawful for any person to transport, carry or convey, or assist by aiding, abetting, encouraging, requesting or otherwise, in transporting, carrying, conveying or accompanying by any ways and means whatsoever, any woman from any point within the Town limits to any other point within the Town limits or to any point outside the Town limits for any immoral purposes.

Sec. 15.15. Begging.

It shall be unlawful for any person to solicit alms or assistance in any form upon the streets or public places of the Town: provided, nothing herein shall be construed to prevent the requesting of aid in an emergency.

Sec. 15.16. Soliciting for Charitable Cause.

It shall be unlawful for any person to be or solicit money for the benefit of any charitable cause without first obtaining a written permit from the clerk-treasurer, approved by the town administrator or his designee.

Sec. 15.17. House- to-House Solicitation.

From and after the enactment of this ordinance, the practice by solicitors, vendors of merchandise, and the like, of going in and upon the residences or private premises in the Town, not having been requested or invited to do so by the owner or occupant of said premises, for the purpose of selling their wares and merchandise and/or disposing of and/or peddling or hawking the same is declared a nuisance and punishable as such nuisance as a misdemeanor.

Sec. 15.18. Gambling and Games of Chance.

It shall be unlawful for any person at any place in the Town to play at cards, dice, faro bank or any other gambling or device of any kind or description whatsoever, for money or other property or articles of value, to bet on the sides or hands of such as to do game, to inveigle or entice by any means whatsoever any other person to play such game for money or other consideration, or to be present at any such game.

Sec. 15.19. Gambling Houses.

It shall be unlawful for any person or persons to keep or maintain a gambling house or room or a place where people resort to engage in gambling or games of chance, or to permit gambling or games of chance in any building on their premises or under their control within the Town.

Sec. 15.20. Fortunetelling.

It shall be unlawful to engage in the business, trade or profession of fortunetelling, palmistry, phrenology, clairvoyance or the prediction of future events by cards or other means or to offer to tell fortunes or predict future events by palmistry, astrology, clairvoyance, cards or other means as an inducement to promote some other business, trade or profession. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be subject to a fine as defined in Section 14.5 of this Code.

Sec. 15.21. Disturbing School.

It shall be unlawful:

(a) For any person willfully or unnecessarily (1) to interfere with or to disturb in any way or in any place the students or teachers of any school or college in this Town. (2) to loiter about such school premises or (3) to act in an obnoxious manner thereon; or

(b) for any person (1) to enter upon any school premises or (2) to loiter around the premises, except on business, without the permission of the principal or person in charge.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and, on conviction thereof, shall pay a fine as defined in Section 14.5 of this Code.

Sec. 15.22. Vagrancy.

All persons wandering from place to place within the corporate limits of the Town, without any known residence or residing in said Town, who have no visible or known means of gaining a fair, honest and reputable livelihood; likewise, all persons who acquire a livelihood by gambling or horse racing, without other visible means of gaining a livelihood, all keepers of gaming tables, faro banks, or other banks whatsoever used for gaming known under any other denomination within the corporate limits of said Town; also, all persons who lead idle and disorderly lives, all who knowingly harbor horse thieves and felons, and those who are known to be that character and description; likewise, all persons not following some handicraft, trade or profession, or not having some known means of livelihood, who shall be able to work; all fortune tellers for fee or reward, and all sturdy beggars, are, and shall be, deemed vagrants, and upon conviction thereof shall be fined or imprisoned for a misdemeanor.

Sec. 15.23. Reserved

Sec. 15.24. Drinking in Public.

It shall be unlawful for any person or persons to drink any kind of intoxicating, alcoholic or nonalcoholic beverage on the streets, alleyways, highways or other public places in the Town.

Sec. 15.25. Coin-Operated Devices, Punch boards, Pinball Machines, Etc.

It shall be unlawful for any person to keep on his premises or operate or permit to be operated on his premises, or to operate within the corporate limits of the Town, any vending or slot machine, punch board or pull board or other device pertaining to games of chance of whatever name or kind.

It shall be unlawful for any minor under the age of eighteen (18) to play a pinball machine or pool table. It shall be unlawful for the operator of any such machine or table to allow any such person to use such machine or table. The operator of any pinball machine shall be responsible that every person who plays or operates his machine is in fact legally authorized to do so.

Sec. 15.26 Video Poker Machines.

Video poker machines will be allowed only as allowed and regulated by state law. All state laws regulating video poker machines are made a part of this Code as if printed herein in its entirety.

Sec. 15.27. Regulating Hours of Musical Devices.

It shall be unlawful for any person to operate within the Town, any coin operated mechanical device for making music in any place of business between the hours of 12 o'clock midnight and 7 o'clock a.m., or to operate such device having outside speakers between the hours of 12 o'clock midnight on Saturday and 7 o'clock a.m. on Mondays.

Sec. 15.28. Possession of Drug Paraphernalia

Any person who is found in violation of this ordinance shall be guilty of a misdemeanor.

Definitions: The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Drug paraphernalia: means all equipment, products, and materials of any kind which are used, intended for use or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this article. It includes, but is not limited to:

Kits used, intended for use or designed for use in planting, propagating, cultivating, growing or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived.

1. Kits used, intended for use or designed for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances.

2. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance.

3. Testing equipment used, intended for use or designed for use in weighing or measuring controlled substances.

4. Scales or balances used, intended for use or designed for use in weighing or measuring controlled substances.

5. Dilutents and adulterants, such as quinine hydrochloride mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances.

6. Separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from, or otherwise cleaning or refining marijuana.

7. Blenders, bowls, containers, spoons and mixing devices used, intended for use or designed for use in compounding controlled substances.

8. Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in compounding controlled substances.

9. Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances.

10. Hypodermic syringes, needles or other objects used, intended for use or designed for use in parenterally injecting controlled substances into the human body.

11. Objects used, intended for use, or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish oil into the human body, such as:

    a) Metal, wooden, acrylic, glass, stone, plastic, ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls
    b) Water pipes
    c) Carburetion tubes and devices
    d) Smoking and carburetion masks
    e) Roach clip, meaning objects used to hold burning material such as marijuana cigarettes that have become too small or short to be held in the hand
    f) Miniature cocaine spoons and cocaine vials
    g) Chamber pipes
    h) Carburetor pipes
    i) Electric pipes
    j) Air driven pipes
    k) Chillums
    l) Bonds
    m) Ice pipes or chillers

Factors determining classification of objects:

In determining whether an object is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

1. Statements by an owner or by anyone in control of the object concerning its use;

2. Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance;

3. The proximity of the object, in time and space, to a direct violation of this article;

4. The proximity of the object to controlled substances;

5. The existence of any residue of controlled substances on the object;

6. Direct or circumstantial evidence of the intent of any owner or of anyone in control of the object to deliver it to persons whom he knows, or should reasonably know, intend to use the object to facilitate a violation of this article; the innocence of the owner, or anyone in control of the object, as to a direct violation this article shall not prevent a finding that the object is intended for use or designed for use as drug paraphernalia;

7. Instructions, oral or written, provided with the object concerning its use;

8. Descriptive materials accompanying the object which explain or depict its use;

9. National and local advertising concerning its use;

10. The manner in which the object is displayed for sale;

11. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;

12. Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise.

JUNE 23, 2003
First Reading

July 14, 2003 (Public Hearing)
Second Reading 6:30pm

Ray Spires
MAYOR

W. Venson Huckabee
COUNCIL

Linda G. Butler
COUNCIL

Woodrow Davis Jr
COUNCIL

William M. Deal
COUNCIL

Article III, Offenses Against the Peace

Sec. 15.30. Loaded Guns.

It shall be unlawful to carry any loaded gun within the Town limits except as regulated by state law. State laws governing the possession and carrying of concealed weapons shall be considered a part of the code as if printed herein in its entirety.

15.31. Discharge of Firearms.

It shall be unlawful for any person to present or point at, any other person any loaded or unloaded firearm within the Town or discharge a firearm within the town limits except as allowed in Section 15.47, and, upon conviction therefore, any such person shall be punished by fine or imprisonment. Nothing contained herein shall be construed to abridge the right of self-defense or to apply to theatricals or like performances.

Sec. 15.32. Concealed Weapons.

It shall be unlawful for any person to carry concealed about his person in the Town, metal knuckles, razor, ice pick, hawkbill knife or any spring or clasp knife, which has a blade more than three inches in length, or other weapon usually used for the infliction of personal injuries. The weapon so carried concealed shall be forfeited to the Town upon conviction of a violation of this section. Persons with a state issued concealed weapons permit are exempt from this regulation.

Sec. 15.33. Drawing Weapons In Affray.

It shall be unlawful for any person to draw a knife, gun, pistol or any dangerous or deadly weapon in any affray or disturbance in the Town or at any time to threaten another with physical violence with such.

Sec. 15.34. Disorderly Conduct.

It shall be unlawful to conduct oneself in a disorderly manner within the Town with the purpose of causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof by:

(a) engaging in fighting or threatening, or in violent or tumultuous behavior, or;

(b) making any unreasonable noise or any offensively coarse utterance, gesture or display, or addressing abusive language to any person present; or making or contribute to creating any loud or disturbing noise of such character, intensity or duration as to be detrimental to the life or health of any individuals, or such noises as disturb the quiet and peace of any citizen of the Town. The following acts among others are declared to be loud disturbing, annoying, and unnecessary noises in violation of this section, but such enumeration shall not be deemed to be exclusive.

1)Blowing horns: The sound or blowing of any horn or signal device on any automobile, motorcycle, motor bus or other vehicle, except as a danger signal if another vehicle is

approaching apparently out of control, or if in motion only as a danger signal; the creation by any single device of any loud or harsh noise; and the sounding of such device for any unnecessary period of time.

2) Radios, phonographs, television, etc.: The playing of any radio, phonograph, television, or any musical instrument in such a manner or with such volume as to annoy or disturb any person, or the playing of such instrument-in such manner as to annoy or disturb the quiet, comfort or repose of any person in any dwelling hotel or other residences.

3) Pets: The keeping of any animal or bird which by causing frequency of long continued noise shall disturb the comfort or repose of any persons in the vicinity.

4) Use of vehicle: The use of any automobile, motorcycle or vehicle so out of repair, so loaded, or used or repaired in such manner, as to create loud or unnecessary noises, particularly grinding, rattling, riveting or other disturbing noises.

5) Blowing whistles: The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger.

6) Exhaust discharge: To discharge into the open air the exhaust from any steam engine, stationary internal combustion engine, motor boat engine or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

7) Devices using compressed air: The use of any mechanical device operated by compressed air, unless the noise created thereby is effectively muffled and reduced.

8) Building operations: The erection (including excavation), demolition, alteration or repair of any building in a residential or business district other than between the hours of 6:00 a.m. and 10:00 p.m. on weekdays except in cases of urgent necessity in the interest of public safety, and then only with a permit from the town administrator or his designee.

9) Noises near schools, churches, etc.: The creating of any excessive noise on any street adjacent to any school, institution of learning, library, or court while the same is in session or adjacent to any church during church services which interfere with the work or worship in any such place institution provided, that signs must be displayed in such streets indicating that the same is a school, church, library, or court.

10) Loading and unloading operation: The creation of loud and excessive noises in connection with loading or unloading any vehicle, or opening and destroying bales, boxes, crates and containers.

11) Bells, or gongs: The sounding of any bell or gong attached to any building or premises which disturbs the quiet or repose of any person in the vicinity thereof.

12) Hawking, peddling, or soliciting: Shouting, loud talking, crying or soliciting by peddlers, hawkers, solicitors and vendors which disturbs the quiet and peace of the neighborhood of any person therein.

13) Noises to attract attention: The use of any drum, loud speaker or other instrument or device for the purpose of attracting attention to any performance or event, show, sale or the display or advertisement of merchandise, by the creation of the noise.

14) Loud speakers or amplifiers on vehicles: The use of any mechanical loud speakers or amplifier on trucks, airplanes or other vehicles for advertising or other purposes, except by special permission of the mayor.

(c) Creating a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

(d) It shall be unlawful for any person to be upon the streets or in any place within the Town in an intoxicated or drunken condition.

For the purpose of this section "public" means affecting or likely to affect any person in his residence or persons in a place to which the public or a substantial group has access; among the places included, but not limited to are highways, transport facilities, schools, prisons, apartment houses, places of business or entertainment, governmental buildings, or any neighborhood.

Any offenses under this section is a misdemeanor to cause substantial harm or serious inconvenience, or if he persists in disorderly conduct after reasonable warning or request to desist, and upon conviction, he shall be subject to a fine as described in Section 14.5 of this Code.

Sec. 15.35. Resisting Officer Making Arrest.

Any person or persons who shall resist or obstruct any officer of the Town in the discharge of his duty, or who shall aid or abet any person or persons in resisting or obstructing any officer of said Town in the discharge of his duty, shall be deemed guilty of a misdemeanor, subject to the limitations prescribed by state law.

Sec. 15.36. Interfering With Worship.

It shall be unlawful for any person to interfere with or disturb any public gatherings or religious worship within the Town.

Sec. 15.37. Instigating, Aiding, or Participating in Riot.

Any person, upon conviction of engaging in a riot, rout or affray when no weapon was actually used and no wound inflicted shall be subject and liable for each offense to a fine as described in section 14.5 of this Code.

Sec. 15.38. Failure to Aid Law Enforcement.

It shall be the duty of each and every citizen of the Town to assist law enforcement personnel to arrest violators of the law when requested, and it shall be unlawful for any person to fail to do so.

Sec. 15.39. Discharge of Dangerous Devices.

It shall be unlawful to fire or discharge, within the Town limits, any air rifle, pistol, shotgun, pellet gun, paint gun, or any type of bow and arrow, or other device which may be potentially harmful to any person or property. Any device used within the Town in violation of this section is hereby declared to be contraband, and such device shall be seized by the police and sold or destroyed.

Sec. 15.40. Illegal Picketing and Demonstrating

It shall be unlawful to picket, parade or march, unless a permit to perform such actions has been secured from the town. To secure a permit said individual, group of individuals or organization will make application, duly signed by said individual organizer of said group or by an officer of said organization, and submit it unto the town clerk. Said applications are to be submitted and a permit may be issued three business days thereafter, excluding the date the application is submitted. The application will state the time, duration, purpose, the area in which said picketing, parading or matching will occur and the individual, group of individuals or organization directing and responsible for said picketing, parading or marching. When picketing or engaging in so-called "demonstrations" no person shall:

(a) Use on the streets or public places within the Town any verbal abuser including curses, insults or threats, or acts of violence, directed against any citizen of the State of South Carolina, or any law enforcement agency of the town, county or state, or any officer thereof;

(b) Search, parade, protest or picket in any manner other than as permitted by this ordinance, except with the express written consent and approval of Town officials.

(c) Engage in riotous and loud conduct which invades the privacy of homes or businesses.

(d) Damage or destroy or injure the persons or property of others.

(e) Block, in any manner, the streets and means of ingress and egress to places of business within the Town. This shall include, but not be limited to, "sit downs", "sit ins", "stand ins", or becoming "limp" inside or outside of such places of business or in or upon the streets of the Town.

(f) Interfere, in any manner, with the attendance, during school hours, of children in the public schools, by inciting or urging them to participate in demonstrations or for any other unlawful purposes or reason, or permitting them to be or remain in churches or other places used in such demonstrations.

(g) Interfere with, in any manner, or obstruct any official of the Town in the performance of his duties.

(h) Picket other than in accordance with the following principles:

1) in small numbers (three to five to eliminate congestion).

2) in a manner so as not to interfere with pedestrians or vehicular traffic.

3) in a manner so as not to block entrances or exits to or from picketed establishments.

4) no more than four (4) pickets posted at any one time at any one business establishment.

5) no more than two (2) business establishments picketed in the same block at the same time.

(6) no picket trespassing upon the property of the business establishment being picketed.

(i) Demonstrate other than in accordance with the following principles:

(1) walk not more than two (2) abreast upon the public sidewalks or in groups of not more than one hundred (100) persons.

(2) observe all traffic signals.

(3) walk close to the building line or close to the curb so as not to interfere with or obstruct other pedestrian traffic on the sidewalk.

(4) assemble peacefully and speak peacefully for a period of time not exceeding thirty (30) minutes, and when traffic to and from places of business or employment is not at its peak, and in such circumstances as will not unduly disrupt the public peace, and conducted in such a manner as not to deprive the public of adequate police and fire protection.

(5) no animal, farm, domestic, or exotic, shall be allowed in the assembly.

Sec. 15.41. Carnivals and Street Shows.

All carnivals or street shows by whatever name known are hereby forbidden to show, parade, or otherwise engage in business in the corporate limits of the Town, unless a special licensing permit is obtained from the town.

Sec. 15.42. Noises.

The creation and continuation of any loud, disturbing and unnecessary noise in the Town is hereby prohibited. It shall be unlawful for any person to cause, make or contribute to creating any loud or disturbing noise of such character, intensity or duration as to be detrimental to the life or health of any individual, or such noise as disturb the quiet and peace of any citizen of the Town.

Sec. 15.43. Following Emergency Vehicles.

It shall be unlawful for the driver of a vehicle to follow or attempt to follow any fire truck, police car, or ambulance which is on an emergency call. Any person who violates and is convicted under this section shall be fined as described in Section 14.5 of this Code.

Sec. 15.44. Use of Indecent Language over Telephone.

It shall be unlawful for any person to use in telephonic communication any lewd, lascivious or indecent words or language or to use or permit any telephone under his control to be used for any purpose prohibited.

Sec. 15.45. Entering Premises after Warning or Refusing to Leave on Request.

Any person, who, without legal cause or good excuse, enters into the dwelling house, place of business, or on the premises of another person after having been warned not to do so, or any person, who, having entered into the dwelling house, place of business or on the premises of another person without having been warned fails or refuses, without good cause or good excuse, to leave immediately upon being ordered or requested to do so by the person in possession or his agent or representative shall, on conviction, be fined as described in Section 14.5 of this Code.

All municipal courts of this State as well as those of magistrates may try and determine criminal cases involving violations of this section occurring within the respective limits of such municipalities and magisterial districts. All peace officers of the State and its subdivisions shall enforce the provisions hereof within their respective jurisdictions.

The provisions of this section shall be construed as being in addition to, and not as superseding, any other statutes of the State relating to trespass or entry on lands of another.

Sec. 15.46. Refusing to Leave Certain Public Premises During Closed Hours

Any person who, during those hours of. the day or night when the premises owned or occupied by a state, county, or municipal agency are regularly closed to the public, shall refuse or fail, without justifiable cause, to leave those premises upon being requested to do so by a law enforcement officer or guard, watchman or custodian responsible for the security or care of the premises, shall be deemed guilty of a misdemeanor and upon conviction therefore, be fined as described in Section 14.5 of this Code.

Article IV, Offenses Against Property

Sec. 15.60. Petty Larceny.

It shall be unlawful for any person or persons to commit the crime within the corporate limits of the Town. Any persons who violates the provisions of this section, shall be guilt of a misdemeanor. Petty larceny is the simple larceny of any article of goods of the value of less than $1,000.00.

Sec. 15.61. Damaging or Defacing Property.

Any person or persons who shall injure any animal, the property of another, or who shall damage, deface, or destroy any goods, wares or merchandise, or other personal property of another person or any public property, or any property leased by the Town, or any property operated by any officer or official of the Town, within the limits of the Town shall be deemed guilty of a misdemeanor. Any person or persons who shall damage, deface, or destroy any fencing, fences, trees, shrubbery or buildings on the land of another or belonging to any other person or persons within the limits of the Town or belonging to the Town shall be deemed guilty of a misdemeanor if the goods are valued at or above $1,000.

Sec. 15.62. Receiving Stolen Goods.

It is unlawful for a person to buy, receive, or possess stolen goods, chattels, or other property if the person knows or has reason to believe the goods, chattels, or property is stolen. A person is guilty of this offense whether or not anyone is convicted of the theft of the property. A person who violates the provisions of this section is guilty of a:

1. misdemeanor triable in magistrate's court if the value of the property is one thousand dollars or less. Upon conviction, the person must be fined or imprisoned not more than is permitted by law without presentment of indictment by the grand jury;
2. felony and, upon conviction, must be fined not less then one thousand dollars or imprisoned not more than five years if the value of the property is more than one thousand dollars but less than five thousand dollars;
3. felony and, upon conviction, must be fined not less than two thousand dollars or imprisoned not more than ten years if the value of the property is five thousand dollars or more.

For the purposes of this section, the receipt of multiple items in a single transaction or event constitutes a single offense.

Sec. 15.63. Obtaining Signature or Property by False Pretense

Any person who shall by any false pretense or representation obtain the signature of any person to any written instrument or shall obtain from any other person any chattel, money, valuable security or other property, real or personal, if the sum of the written instrument or the value of the property so obtained does not exceed one thousand dollars, with the intent to cheat and defraud any person of such property, shall be guilty of a misdemeanor and the case shall be triable in the magistrate's court

or like jurisdiction, and the punishment shall be as defined in Section 14.5 of this Code.

Sec. 15.64. Obtaining Property under False Tokens or Letters.

Whosoever shall falsely and deceitfully obtain or get into his hands or possession any money, goods, chattels, jewels or other things of any other person by color and means of any false token or counterfeit letter made in any other person's name shall, upon conviction thereof, suffer such imprisonment; provided, that when the money, goods, chattels and other things so obtained exceed in value one thousand dollars, then this section shall not apply.

Sec. 15.65. Obtaining Credit or Property with Extorted or False Credit Card.

It shall be unlawful for any person to knowingly use for the purpose of obtaining credit or for the purchase of goods, property or services (a) a credit card which has not been issued to such person and which is not used with the consent of the person to whom issued, (b) a credit card which has been revoked or canceled by the issuer of such card and notice thereof has been given to such person, (c) a credit card which has expired or (d) a credit card which is false, fictitious or counterfeit.

The term "credit card" as used in this section means an identification card, credit number, credit device or other credit document issued to a person by a business organization which permits such person to purchase or obtain goods, property or services on the credit of such organization.

The word "notice" as used in this section shall be construed to include either notice given to the purchaser in person or notice given to him in writing. Such notice in writing shall be presumed to have been given when deposited as registered or certified matter, in the United States mail, addressed to such person at his address as it appears in the files of the issuer of the credit card.

Any person violating the provisions of this section when the amount of credit or purchase obtained is less than one thousand dollars shall be guilty of a misdemeanor and upon conviction shall be subject to a fine as described in Section 14.5 of this Code.

Sec. 15.66. Securing Property by Fraudulent Impersonation of Officer.

Whoever, with intent to defraud either the state, any county or municipal government thereof or any person, shall take upon himself to act as an officer of shall in such pretensive or pretended character demand, obtain or receive from any person or any officer of the state, county or municipal government any money, paper, document, or other valuable things of a less value than one thousand dollars shall be guilty of a misdemeanor and be punished by fine or imprisonment.

Sec. 15.67. Trespass

Every entry upon the lands or premises of another after oral or written notice from the owner or tenant prohibiting such entry, shall be a misdemeanor and be punished by a fine not to exceed the limits set in Section 14.5 of this Code. When any owner or tenant of any lands shall post a notice in four conspicuous places on the borders of such land prohibiting entry thereon, a proof of the posting shall be deemed and taken as notice conclusive against the person making entry, as aforesaid, for the purpose of trespassing.

Sec. 15.68. Trespass for Various Purposes.

Any person entering upon the lands of another for the purpose of hunting, fishing, trapping, netting, gathering fruit, wild flowers, cultivated flowers, shrubbery, straw, turf, vegetables or herbs or cutting timber on the same, without the consent of the owner or manager thereof, shall be guilty of a misdemeanor, and, upon conviction thereof, shall pay a fine as described in Section 14.5 of this Code.

Article V, Offenses Against Public Justice

Sec. 15.70. Contempt of Court

Every magistrate shall have power to enforce the observance of decorum in his court while holding the same and for that purpose he may punish for contempt any person who, in the presence of the court, shall offer an insult to the magistrate or a juror, or who is willfully guilty of an undue disturbance of the proceedings before the magistrate while sitting officially. A magistrate shall have the power to punish for contempt of court by imposition of sentences up to the limits imposed on magistrates' courts in Section 22-3-550.

Article VI, Offenses Against the Person

Sec. 15.80. Assault And Battery.

It shall be unlawful for any person to commit an assault or assault and battery upon any other person in the Town.

Sec. 15.81. Pointing Pistol or Gun at Any Person.

It shall be unlawful for any person to present or point at any other person any loaded or unloaded firearm within the Town, and, upon conviction therefore, any such person shall be punished by fine or imprisonment. Nothing contained herein shall be construed to abridge the right of self-defense or to apply to theatricals or like performances.

Sec. 15.82. Failing To Remove Doors From Abandoned Refrigerators.

Any person who abandons or discards any icebox, refrigerator, ice chest or other type of airtight container of a capacity sufficient to contain any child and who neglects prior to such abandonment to remove the door, lid or other device for the closing thereof and any owner, lessee or other person in charge of property who knowingly permits any abandoned icebox, refrigerator, ice chest or other type of airtight container or other closing device therefrom shall be guilty of a misdemeanor and upon conviction shall be fined as specified in Section 14.5 of this Code.

Sec. 15.83. Unlawful To Leave Abandoned Wells Open.

It shall be unlawful for any owner or tenant to permit or allow any abandoned well to remain open and unprotected, curbed or fenced in on any place or premises owned or occupied in this state. Any person convicted of allowing such abandoned well to remain open and unprotected, curbed or fenced in shall be fined as defined in section 14.5 of this Code.