

ORDINANCE III.

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AN ORDINANCE DEFINING THE POLICE CODE FOR THE CITY OF PAYNE SPRING TEXAS, REGULATING SPEED LIMITS AND THE ADOPTION OF ALL STATE AND FEDERAL LAWS PERTAINING TO THE CITY OF PAYNE SPRINGS WHICH MAY BE ADDED TO AS THE CITY NEEDS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PAYNE SPRINGS, TEXAS:

SECTION I.

OFFENSES AGAINST PROPERTY

1. It shall be unlawful for anyone in the city to trespass upon, interfere with or use property of another person, or of a corporation, without the consent of the owner or person in charge and control of such property. Anyone violating this article shall be fined not more than One Hundred Dollars.
2. It shall be unlawful for any person to cut, injure, mutilate or destroy any shrub plant or tree in the City of Payne Springs, Texas, in or upon property not belonging to such person, without the permission of the owner thereof. Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and shall be fined not more than Two Hundred Dollars.
3. Any person who moves into or takes possession of any dwelling house, outhouse, or other building or lot, the property of another, without the consent of the owner or agent thereof, shall be fined not more than Ten Dollars, and each day that such person shall so remain in possession shall constitute a separate offense.
4. Any person who unlawfully, wilfully or maliciously breaks, throws down, destroys or carries away any gate, step, door, box or barrel, the property of another, or who shall take down, deface or carry away any signboard, plate or card which indicates the name, occupation or business of any person, firm or corporation, shall be fined not more than One Hundred Dollars.
5. Any person, firm or corporation who shall dump or place trash or garbage in any public place within the city limits, or on the property of another, shall be fined not more than One Hundred Dollars, and each day shall be a separate offense.

SECTION II.

SHOOTING OF FIREARMS WITHIN THE CITY LIMITS PROHIBITED

1. It shall hereafter be unlawful for any person, firm, corporation or association, to fire, shoot, or cause to be fired or shot, any firearm, rifle, shotgun, automatic rifle, revolver, pistol or any other weapon designed for the purpose of firing or discharging a shell or cartridge, whether such shell or cartridge is blank or live ammunition, at any place within the corporate limits of the City of Payne Springs, except peace officers while in the performance of their official duties, and except for the protection of private property and the safety of their lives.

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SECTION III.

INDECENT CONDUCT

1. Whoever shall appear in any public place in the City in a state of nudity or make an indecent exposure of his or her person in a public place or in public view to another person over sixteen years of age, or commit any lewd or indecent act in a public place or in public view shall be fined not more than Two Hundred Dollars.
2. Whoever shall urinate or defecate in or on a public place, street, alley, sidewalk, yard, park, building, structure, plaza, public or utility right-of-way, or any other public place, or whoever shall do so in the public view, shall be fined not more than Two Hundred Dollars.
3. Any male person who shall unnecessarily accost any female in a public place or make any improper or indecent suggestions either by word or gesture, or use any insulting words to any female in a public place, shall be fined not more than One Hundred Dollars.
4. It shall hereafter be unlawful for any female person to unnecessarily accost any male in a public place, or make any improper or indecent suggestions, either by word or gesture, or use any insulting words to any male in a public place.
5. Whoever shall bathe, wash or swim in Cedar Creek Lake, or any watercourse, pond or pool in the city, within the hours of daylight, being naked or insufficiently clothed to prevent an indecent exposure of his or her person, shall be fined not more than One Hundred Dollars.

SECTION IV.

DISORDERLY CONDUCT

1. Any person who enters into the dwelling house, place of business or upon the premises of another for any unlawful purpose, shall be fined not more than One Hundred Dollars.
2. Any person who is found loitering about the property or upon the premises of another, without being able to give a good account of himself, shall be fined not more than One Hundred Dollars.
3. Any person who is found upon the premises of another in the nighttime, or daytime under suspicious circumstances, or who, without legal cause or good excuse, enters into the dwelling house or on the premises of another, shall be fined not more than One Hundred Dollars.
4. Any person who purchases any food or drink from any restaurant and after consuming or partially consuming the said food or drink, refuses to pay the customary price therefor, without delay, when demanded by the person in charge of said restaurant or eating establishment, shall be deemed guilty of disorderly conduct and upon conviction therefor shall be fined not more than Two Hundred Dollars.

5. All marshalls in the City of Payne Springs, in the exercise of sound discretion, may arrest without a warrant therefor, any person or persons found in suspicious places, or any person or persons found under circumstances reasonably tending to show that such person or persons have been guilty of some felony or breach of the peace or violation of some municipal ordinance, or are about to oommit some offense against some state law or against some municipal ordinance.

SECTION V.

DISTURBING THE PEACE

1. Whoever shall go into or near any public place or into or near any private house and shall use loud or vociferous, or obscene, vulgar or indecent language or swear or curse, or yell or shriek or expose his or her person to another person of the age of sixteen years or over or rudely display any pistol or other deadly weapon, in a manner calculated to disturb the person or persons present at such place or house, shall be punished by a fine not exceeding Two Hundred Dollars.

2. A "public place" as used in the preceding article, is any public road, street or alley of a town or city, or any store or work shop or any place at which people are assembled or to which people commonly resort for purposes of business, amusement or other lawful purpose.

3. Whoever shall get drunk or be found in a state of intoxication in any public place or at any private house except his own, shall be fined not exceeding One Hundred Dollars.

4. Any person who discharges any gun, pistol or firearm of any kind or who discharges an air rifle or air pistol of any description by whatever name known that by means of compressed air, compressed gas, springs or any other means, is capable of discharging shots, pellets, or any solid object at a velocity in excess of three hundred feet per second, or discharges any cannon cracker, or torpedo on or across any public square, street or alley of any town or city or within one hundred yards of any business in this State shall be fined not more than One Hundred Dollars. A "cannon cracker" is any combustible package more than two inches long and more than one inch through.

5. Any person who shoots or discharges any gun, pistol, or firearm in on, or across any public road in this State, or in the city limits, shall be fined not more than One Hundred Dollars.

6. Any person who shall carry on or about his person, saddle or in his saddlebag or in his portfolio or purse, any pistol, dirk, dagger, sling shot, blackjack, hand chain, nightstick, pipestick, sword, cane, spear, knuckles made of any metal or hard substance, bowie knife, switch blade knife, spring-blade knife, throw-blade knife with a blade over five and one-half (5-1/2) inches in length, or any other manufactured or sold for the purposes of offense or defense shall be punished by a fine of not less than One Hundred Dollars nor more than Five Hundred Dollars, or by confinement in jail for not less than one month nor more than one (1) year.

7. Any person violating any (preceding) article of this section V., Ordinance III, may be arrested without warrant by any peace officer and carried before the nearest judge, or justice of the peace, any peace officer who shall fail or refuse to arrest such person on his own knowledge, or upon information from some reliable person, shall be fined not exceeding Five Hundred Dollars.

SECTION VI.

SPEED LIMITS

All speed limits within the City of Payne Springs shall be thirty (30) miles per hour unless otherwise posted.

All vehicles involved in accidents, where the vehicle has to be removed from the street or alleyway in the City of Payne Springs by any means set forth by the city, will carry a removal charge of Five Dollars, which shall be collected by the City Marshall and placed in the City funds.

SECTION VII.

The fact that the City of Payne Springs now has no ordinance governing the matters regulated herein, and the fact that no police code is not now regulated so as to protect the citizens of the city of Payne Springs in their property and persons as aforesaid, creates an emergency, which is here and now declared, and this ordinance shall take effect and be in force, from and after its passage and publication as provided by law.

PASSED AND APPROVED THIS THE 20th day of NOVEMBER, 1972.



C. L. Thomas, Mayor

ATTEST:



Mary Sorrells, Secretary

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RETURN BY THE CITY MARSHALL

This Ordinance came to hand this 11 day of Dec 1972 and was published according to law by Posting three or more copies of the Ordinance in public places within the City Limits of Payne Springs in Henderson County, Texas, on the day of 11 Dec 1972 one copy of which was posted at the City Hall of the City of Payne Springs, Texas, and the other copies were posted at:

one at tabernacle & one in post
at Browns Store

Witness my hand this 11 day of Dec 1972
Brown Brown
City Marshall of Payne Springs, Texas