

CHAPTER 509
Disorderly Conduct and Peace Disturbance

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CROSS REFERENCES

See sectional histories for similar State law
Use of force to suppress riot - see Ohio R.C. 2917.05
Cordoning off riot areas, prohibiting sales of firearms
and explosives - see Ohio R.C. 3761.16
Emergency suspension of permits and sales by Director of
Liquor Control - see Ohio R.C. 4301.251
Criminal trespass - see GEN. OFF. 541.05

509.01 RIOT.

(A) No person shall participate with four (4) or more others in a course of disorderly conduct in violation of Section 509.03:

- (1) With purpose to commit or facilitate the commission of a misdemeanor, other than disorderly conduct.
- (2) With purpose to intimidate a public official or employee into taking or refraining from official action, or with purpose to hinder, impede or obstruct a function of government.
- (3) With purpose to hinder, impede or obstruct the orderly process of administration or instruction at an educational institution, or to interfere with or disrupt lawful activities carried on at such institution.

(B) No person shall participate with four (4) or more others with purpose to do an act with unlawful force or violence, even though such act might otherwise be lawful.

(C) Whoever violates this Section is guilty of riot, a misdemeanor of the first degree.(ORC 2917.03.)

509.02 FAILURE TO DISPERSE.

(A) Where five (5) or more persons are participating in a course of disorderly conduct in violation of Section 509.03, and there are other persons in the vicinity whose presence creates the likelihood of physical harm to persons or property or of serious public inconvenience, annoyance or alarm, a law enforcement officer or other public official may order the participants and such other persons to disperse. No person shall knowingly fail to obey such order.

(B) Nothing in this Section requires persons to disperse who are peaceably assembled for a lawful purpose.

(C) Whoever violates this Section is guilty of failure to disperse, a minor misdemeanor.(ORC 2917.04.)

509.03 DISORDERLY CONDUCT; INTOXICATION.

(A) No person shall recklessly cause inconvenience, annoyance or alarm to another, by doing any of the following:

- (1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior.
- (2) Making unreasonable noise or offensively coarse utterance, gesture or display, or communicating unwarranted and grossly abusive language to any person, which by its very utterance or usage inflicts injury or tends to incite an immediate breach of the peace.
- (3) Insulting, taunting or challenging another, under circumstances in which such conduct is likely to provoke a violent response.
- (4) Hindering or preventing the movement of persons on a public street, road, highway or right of way, or to, from, within or upon public or private property, so as to interfere with the rights of others, and by an act which serves no lawful and reasonable purpose of the offender.
- (5) Creating a condition which is physically offensive to persons or which presents a risk of physical harm to persons or property, by any act which serves no lawful and reasonable purpose of the offender.

(B) No person, while voluntarily intoxicated shall, do either of the following:

- (1) In a public place or in the presence of two (2) or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance or alarm to persons of ordinary sensibilities, which conduct the offender, if he were not intoxicated, should know is likely to have such effect on others.
- (2) Engage in conduct or create a condition which presents a risk of physical harm to himself or another, or to the property of another.

(C) Violation of any statute or ordinance of which an element is operating a motor vehicle, locomotive, watercraft, aircraft or other vehicle while under the influence of alcohol or any drug of abuse, is not a violation of Subsection (b) hereof.

(D) When to an ordinary observer a person appears to be intoxicated, it is probable cause to believe such person is voluntarily intoxicated for purposes of Subsection (b) hereof.

(E) Whoever violates this Section is guilty of disorderly conduct, a minor misdemeanor. If the offender persists in disorderly conduct after reasonable warning or request to desist, disorderly conduct is a misdemeanor of the fourth degree. (ORC 2917.11.)

509.04 DISTURBING A LAWFUL MEETING.

(A) No person, with purpose to prevent or disrupt a lawful meeting, procession or gathering, shall do either of the following:

- (1) Do any act which obstructs or interferes with the due conduct of such meeting, procession or gathering.
- (2) Make any utterance, gesture or display which outrages the sensibilities of the group.

(B) Whoever violates this Section is guilty of disturbing a lawful meeting, a misdemeanor of the fourth degree. (ORC 2917.12.)

509.05 MISCONDUCT AT AN EMERGENCY.

(A) No person shall knowingly:

- (1) Hamper the lawful operations of any law enforcement officer, fireman, rescuer, medical person or other authorized person, engaged in his duties at the scene of a fire, accident, disaster, riot or emergency of any kind.

- (2) Fail to obey the lawful order of any law enforcement officer engaged in his duties at the scene of or in connection with a fire, accident, disaster, riot or emergency of any kind.

(B) Nothing in this Section shall be construed to limit access or deny information to any news media representative in the lawful exercise of his duties.

(C) Whoever violates this Section is guilty of misconduct at an emergency, a minor misdemeanor. If violation of this Section creates a risk of physical harm to persons or property, misconduct at an emergency is a misdemeanor of the fourth degree. (ORC 2917.13.)

509.06 INDUCING PANIC.

(A) No person shall cause the evacuation of any public place, or otherwise cause serious public inconvenience or alarm, by doing any of the following:

- (1) Initiating or circulating a report or warning of an alleged or impending fire, explosion, crime or other catastrophe, knowing that such report or warning is false.
- (2) Threatening to commit any offense of violence.
- (3) Committing any offense, with reckless disregard of the likelihood that its commission will cause serious public inconvenience or alarm.

(B) Subsection (a) hereof does not apply to any person conducting an authorized fire or emergency drill.

(C) Whoever violates this Section is guilty of inducing panic, a misdemeanor of the first degree, if such violation does not result in physical harm to any person.(ORC 2917.31.)

509.07 MAKING FALSE ALARMS.

(A) No person shall do any of the following:

- (1) Initiate or circulate a report or warning of an alleged or impending fire, explosion, crime or other catastrophe, knowing that the report or warning is false and likely to cause public inconvenience or alarm.
- (2) Knowingly cause a false alarm of fire or other emergency to be transmitted to or within any organization, public or private, for dealing with emergencies involving a risk of physical harm to persons or property.

(3) Report to any law enforcement agency an alleged offense or other incident within its concern, knowing that such offense did not occur.

(B) This Section does not apply to any person conducting an authorized fire or emergency drill.

(C) Whoever violates this Section is guilty of making false alarms, a misdemeanor of the first degree. (ORC 2917.32.)

509.08 DISTURBING THE PEACE.

(A) No person shall make or cause to be made by the use of any horn, bell, radio, television, loud speaker, or by the operation of any instrument or device, any unreasonably loud, disturbing and unnecessary noises of such a character, intensity and duration as to disturb the peace and quiet of the Municipality or to be detrimental to the life and health of any individual.

(B) No person shall willfully conduct himself in a noisy, boisterous or other disorderly manner by either words or acts which disturb the good order and quiet of the Municipality.

(C) No person shall disturb the good order and quiet of the Municipality by clamors or noises in the night season, by intoxication, drunkenness, fighting, quarreling, wrangling, committing assault, assault and battery, using obscene or profane language in the streets and other public places to the annoyance of the citizens, or otherwise violating the public peace by indecent and disorderly conduct, or by lewd and lascivious behavior, or by threatening or inflicting violence or abuse to the persons or property of others.

(D) Whoever violates this section is guilty of a minor misdemeanor. (Ord. No. 114-01. Passed 9/24/01.)

509.09 SLEEPING, OCCUPYING VEHICLES, BUILDINGS, LOTS.

(A) No persons while wandering abroad shall occupy, lodge or sleep in any vacant or unoccupied dwelling, garage, shed, shop, store or other building, or in any automobile, truck, or other motor vehicle, without owning the same or without the permission of the owner or person entitled to the possession of the same, nor sleep in any vacant lot during the hours of darkness. (Ord. 77-72. Passed 8-14-72.)

(B) Whoever violates this section is guilty of a minor misdemeanor.

509.10 UNLAWFUL CONGREGATION ON SIDEWALKS, PUBLIC
GROUNDS.

(A) No person shall congregate with others on the sidewalk, street corner or within the parks or public grounds, with intent to provoke a breach of the peace; or whereby a breach of the peace may be occasioned by the serious annoyance to pedestrians or by threatening, insulting or abusive conduct to them; and refuse to move on when ordered by a police officer.
(Ord. 131-72. Passed 9-25-72.)

(B) Whoever violates this Section is guilty of a minor misdemeanor.

509.11 MINORS' CURFEW.

(A) No person, having the control and custody of or being the parent or guardian of a minor under the age of fourteen (14) years, shall permit such minor to be, nor shall such minor be, upon the streets or sidewalks of the City between the hours of 11:00 p.m. and 4:00 a.m. the following day. No person, having the control and custody of or being the parent or guardian of a minor fourteen (14) years of age or over, but under the age of eighteen (18) years, shall permit such minor to be, nor shall such minor be, upon the streets or sidewalks of the City between the hours of 12:00 midnight and 4:00 a.m. the following day. The provisions of this Section shall not apply to a minor accompanied by a parent, guardian or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed by the parent, guardian or other adult persons having the care and custody of the minor.
(Ord. 101-63. Passed 7-22-63.)

(B) Any minor violating any provision of this Section shall be subject to strict reprimand or commitment to Juvenile Court. Any other person who violates any provision of this Section is guilty of a minor misdemeanor.

509.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification.

