

509.07 MAKING FALSE ALARMS.

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

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CHAPTER 509 Disorderly Conduct and Peace Disturbance

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) Division (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 inducing panic results in physical harm to any person, economic harm of one thousand dollars (\$1,000) or more, if the public place involved in a violation of this section is a school or an institution of higher education, or if the violation pertains to a purported, threatened or actual use of a weapon of mass destruction, inducing panic is a felony and shall be prosecuted under appropriate State law.

(d) Any act that is a violation of this section and any other section of the Codified Ordinances may be prosecuted under this section, the other section, or both sections.

(e) As used in this section:

(1) "Biological agent" has the same meaning as in Ohio R.C. 2917.33.

(2) "Economic harm" means any of the following:

A. All direct, incidental, and consequential pecuniary harm suffered by a victim as a result of criminal conduct. "Economic harm" as described in this division includes, but is not limited to, all of the following:

1. All wages, salaries, or other compensation lost as a result of the criminal conduct;

2. The cost of all wages, salaries, or other compensation paid to employees for time those employees are prevented from working as a result of the criminal conduct;

3. The overhead costs incurred for the time that a business is shut down as a result of the criminal conduct;

4. The loss of value to tangible or intangible property that was damaged as a result of the criminal conduct.

B. All costs incurred by the Municipality as a result of, or in making any response to, the criminal conduct that constituted the violation of this section or Section 509.07, including, but not limited to, all costs so incurred by any law enforcement officers, firefighters, rescue personnel, or emergency medical services personnel of the state or the political subdivision.

(3) "Emergency medical services personnel" has the same meaning as in Ohio R.C. 2133.21.

(4) "Institution of higher education" means any of the following:

A. A state university or college as defined in Ohio R.C. 3345.12(A)(1), community college, state community college, university branch, or technical college;

B. A private, nonprofit college, university or other post-secondary institution located in this State that possesses a certificate of authorization issued by the Chancellor of Higher Education pursuant to Ohio R.C. Chapter 1713.

C. A post-secondary institution with a certificate of registration issued by the State Board of Career Colleges and Schools under Ohio R.C. Chapter 3332. (ORC 2917.31)

(5) "School" means any school operated by a board of education or any school for which the Director of Education and Workforce prescribes minimum standards under Ohio R.C. 3301.07, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted at the time a violation of this section is committed.

(6) "Weapon of mass destruction" means any of the following:

A. Any weapon that is designed or intended to cause death or serious physical harm through

the release, dissemination, or impact of toxic or poisonous chemicals, or their precursors;

B. Any weapon involving a disease organism or biological agent;

C. Any weapon that is designed to release radiation or radioactivity at a level dangerous to human life;

D. Any of the following, except to the extent that the item or device in question is expressly excepted from the definition of “destructive device” pursuant to 18 U.S.C. 921(a)(4) and regulations issued under that section:

1. Any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device;

2. Any combination of parts either designed or intended for use in converting any item or device into any item or device described in division (e)(3)D.1. of this section and from which an item or device described in that division may be readily assembled.

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(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.

(4) 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 impede the operation of a critical infrastructure facility.

(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. If a violation of this section results in economic harm of one thousand dollars (\$1,000) or more, or if a violation of this section pertains to a purported, threatened, or actual use of a weapon of mass destruction, making false alarms is a felony and shall be prosecuted under appropriate State law.

(d) Any act that is a violation of this section and any other section of the Codified Ordinances may be prosecuted under this section, the other section, or both sections.

(e) As used in this section:

(1) “Critical infrastructure facility” has the same meaning as in Ohio R.C. 2911.21.

(2) “Economic harm” and “weapon of mass destruction” have the same meaning as in Section 509.06. (ORC 2917.32)

509.08 MINORS’ CURFEW.

(a) No person having the control and custody of or being the parent or guardian of a minor under the age of sixteen years shall permit such minor to be, nor shall such minor be, outside the confines of his homesite and congregate, wander, loiter or play upon the streets or other public places of the Municipality, upon unsupervised or unenclosed lands or upon places of amusement and entertainment, during each and every day of the week, inclusive, between the hours of 10:00 p.m. and 5:00 a.m. of the following day.

(b) No person having the control and custody of or being the parent or guardian of a minor

between the ages of sixteen and eighteen (i.e. age sixteen or seventeen) shall permit such minor to, nor shall such minor be, outside the confines of his homesite and congregate, wander, loiter or play upon the streets or other public places of the Municipality, upon unsupervised or unenclosed lands or upon places of amusement or entertainment, on Monday to Thursday inclusive, between the hours of 11:00 p.m. and 5:00 a.m. of the following day, and on Friday, Saturday and Sunday, between the hours of 12:00 midnight and 5:00 a.m. of the following day.

(c) Any school, church, lodge or other organization sponsoring functions wherein minors in attendance will be out at a later hour than provided for in this section shall obtain the Mayor's approval to have the minors remain to the time when the entertainment will end. All minors attending such function shall be required to be within the confines of their respective homesites one-half hour after such function is ended.

(d) No minor shall be outside the confines of his homesite and congregate, wander, loiter or play upon the streets or other public places of the Municipality, upon unsupervised or unenclosed lands or upon places of amusement or entertainment in contravention of and/or in violation of the time periods defined and established pursuant to subsection (a) and (b).

(e) Any minor violating subsection (a) or (b) hereof shall be dealt with in accordance with Juvenile Court law and procedure. (Ord. 48-87. Passed 6-23-87.)

(f) Whoever violates any provision of this section is guilty of a misdemeanor of the fourth degree. If a person has been previously convicted of a violation of this section, each subsequent violation shall constitute a misdemeanor of the first degree.

(Ord. 105-92. Passed 11-24-92.)

509.09 PERMITTING PUBLIC NUISANCE.

(a) No owner, owner's agent, owner's lessee, occupant, invitee, or person or entity in charge of residential or commercial property (including individual apartment or condo units) shall permit any public nuisance activity to occur at said residential or commercial property.

(b) The following activities are hereby declared to be public nuisance activities:

(1) Any animal violations (dogs running at large, biting, excrement, dangerous or vicious animals, cruelty, killing or injuring of animals).

(2) Any disorderly conduct, disturbance of the peace.

(3) Any drug abuse violation.

(4) Any noise violation.

(5) Any gambling violation.

(6) Any health, safety, or sanitation violation.

(7) Any littering or deposition of waste violation.

(8) Any obstruction of official business violation.

(9) Any alcohol violations.

(10) Any sex offenses (including public indecency, procuring, soliciting or prostitution).

(11) Any offenses against persons (assault, domestic violence).

(12) Any offenses against property (criminal damaging, endangering or mischief).

(13) Any theft violation (petty theft, unauthorized use of property).

(14) Any weapons, explosives, firearm or handgun violation.

(15) Any firework violations.

(16) Three or more motor vehicles parking violations for the same or substantially similar offense within one year including junk motor vehicles.

(17) Any offense that is a felony under the Ohio Revised Code.

(c) For purposes of subsection (a), the occurrences of a nuisance activity means either a citation

has been issued, or arrest has been made, or a City Department, including but not limited to, Police, Fire, Animal Control, Service or Building has documented three (3) or more occurrences of nuisance activity in lieu of arrest or citation within a one year period.

(d) Whoever violates or fails to comply with the provisions of this section shall be guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) and/or incarcerated for a term of not more than thirty days.

(Ord. 36-20. Passed 9-8-20.)

509.10 IMPEDING PUBLIC PASSAGE OF AN EMERGENCY SERVICE RESPONDER.

(a) No person, without privilege to do so, shall recklessly obstruct any highway, street, sidewalk, or any other public passage in such a manner as to render the highway, street, sidewalk, or passage impassable without unreasonable inconvenience or hazard if both of the following apply:

(1) The obstruction prevents an emergency vehicle from accessing a highway or street, prevents an emergency service responder from responding to an emergency, or prevents an emergency vehicle or an emergency service responder from having access to an exit from an emergency.

(2) Upon receipt of a request or order from an emergency service responder to remove or cease the obstruction, the person refuses to remove or cease the obstruction.

(b) Subsection (a) of this section does not limit or affect the application of Ohio R.C. 2921.31 or any other section of the Ohio Revised Code. Any conduct that is a violation of subsection (a) of this section and that also is a violation of Ohio R.C. 2921.31 or any other section of the Ohio Revised Code may be prosecuted under this section, the other section of the Ohio Revised Code or both sections.

(c) Whoever violates this section is guilty of unlawfully impeding public passage of an emergency service responder, a misdemeanor of the first degree.

(d) As used in this section, "emergency service responder" has the same meaning as in Ohio R.C. 2903.13. (ORC 2917.14)

509.99 PENALTY.

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

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