

541.12 TRESPASS ON A PLACE OF PUBLIC AMUSEMENT.

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Document type	section
Identifier	541.12
Citation	§ 541.12
Ordinances detected	S, 116-84, 3-74, 74-58
Original source	American Legal Publishing
Content hash	c25c3a6d2c269e0040a2d54f3b1a71bc7934414748b2dcb4528137875c6d0cc4

CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO

CERTIFICATION

ROSTER OF OFFICIALS

ADOPTING ORDINANCE NO. 116-84

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

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CHAPTER 541 Property Offenses

541.08 BILLPOSTING AND HANDBILLS.

(a) On Private Property. No person shall stick or post any advertisement, poster, sign, handbill or placard of any kind upon any building, vehicle, tree, post, fence, billboard or other structure or thing which is the private property of another, without permission of the occupant or owner of the same, or paint, mark, write, print or impress or in any manner attach, any notice or advertisement or the name of any commodity or thing or any trademark, symbol or figure of any kind upon anything which is the property of another, without first obtaining permission of the owner of such thing on which he desires to place such notice, advertisement, name, mark or figure.

(b) On Public Property. No person shall stick, post or attach any advertisement, poster, sign, handbill or placard of any kind upon any telegraph, telephone, railway or electric light pole within the corporate limits or upon any public building, vehicle, voting booth, flagging, curb, tree lawn, walk, step, stone or sidewalk, or write, print or impress, or in any manner attach, any notice or advertisement of any kind upon any public building, voting booth, flagging, curb, tree lawn, step, stone or sidewalk which is the property of the Municipality or which is within the street lines of the Municipality or over which the Municipality or Council has the care, custody or control, except such as may be required by the laws of the State or upon written permission of the Mayor.

(Ord. 3-74. Passed 1-8-74.)

(c) Penalty. Whoever violates any of the provisions of this section is guilty of a minor misdemeanor.

541.09 FRAUDULENT ADVERTISING.

(a) No person shall directly or indirectly make, publish, disseminate, circulate or place before the public in a newspaper, magazine, or other publication, or in the form of a book, notice, handbill, poster, bills, circular, letter, pamphlet, sign, placard, card or label, or over any radio or television station, or in any other way, as advertisement of any sort regarding merchandise, securities, service, employment, real estate or anything of value offered by him for use, purchase or sale, which advertisement or announcement contains any asserting, representation or statement which is untrue or fraudulent.

(Ord. 74-58. Passed 10-28-58.)

(b) Whoever violates this section is guilty of a misdemeanor of the third degree.

541.10 ETHNIC INTIMIDATION.

(a) No person shall violate Ohio R.C. 2903.21, 2903.22, 2909.06, 2909.07 or 2917.21(A)(3) to (5) or Sections 537.05 , 537.06 , 537.10 (a)(3) to (5), 541.03 or 541.04 of the General Offenses Code by reason of the race, color, religion or national origin of another person or group of persons.

(b) Whoever violates this section is guilty of ethnic intimidation. Ethnic intimidation is an offense of the next higher degree than the offense the commission of which is a necessary element of ethnic intimidation. (ORC 2927.12)

541.11 VEHICULAR VANDALISM.

(a) As used in this section:

(1) "Highway" means any highway as defined in Section 301.84 of the Traffic Code or any lane, road, street, alley, bridge, or overpass.

(2) "Alley", "street", and "vehicle" have the same meanings as in Chapter 301 of the Traffic

Code.

(3) "Vessel" and "waters in this State" have the same meanings as in Ohio R.C. 1546.01.

(b) No person shall knowingly, and by any means, drop or throw any object at, onto, or in the path of any of the following:

(1) Any vehicle on a highway;

(2) Any boat or vessel on any of the waters in this State that are located in the Municipality.

(c) Whoever violates this section is guilty of vehicular vandalism. Except as otherwise provided in this subsection, vehicular vandalism is a misdemeanor of the first degree. If the violation of this section creates a substantial risk of physical harm to any person, serious physical harm to property, physical harm to any person or serious physical harm to any person, vehicular vandalism is a felony and shall be prosecuted under appropriate State law.

(ORC 2909.09)

541.12 TRESPASS ON A PLACE OF PUBLIC AMUSEMENT.

(a) As used in this section, "place of public amusement" means a stadium, theater or other facility, whether licensed or not, at which a live performance, sporting event, or other activity takes place for entertainment of the public and to which access is made available to the public, regardless of whether admission is charged.

(b) No person, without privilege to do so, shall knowingly enter or remain on any restricted portion of a place of public amusement and, as a result of that conduct, interrupt or cause the delay of the live performance, sporting event, or other activity taking place at the place of public amusement after a printed written notice has been given as provided in subsection (d)(1) of this section that the general public is restricted from access to that restricted portion of the place of public amusement. A restricted portion of a place of public amusement may include, but is not limited to, a playing field, an athletic surface, or a stage located at the place of public amusement.

(c) An owner or lessee of a place of public amusement, an agent of the owner or lessee, or a performer or participant at a place of public amusement may use reasonable force to restrain and remove a person from a restricted portion of the place of public amusement if the person enters or remains on the restricted portion of the place of public amusement and, as a result of that conduct, interrupts or causes the delay of the live performance, sporting event, or other activity taking place at the place of public amusement. This subsection does not provide immunity from criminal liability for any use of force beyond reasonable force by an owner or lessee of a place of public amusement, an agent of either the owner or lessee, or a performer or participant at a place of public amusement.

(d) (1) Notice has been given that the general public is restricted from access to a portion of a place of public amusement if a printed written notice of the restricted access has been conspicuously posted or exhibited at the entrance to that portion of the place of public amusement. If a printed written notice is posted or exhibited as described in this subsection, regarding a portion of a place of public amusement, in addition to that posting or exhibition, notice that the general public is restricted from access to that portion of the place of public amusement also may be given, but is not required to be given, by either of the following means:

A. By notifying the person personally, either orally or in writing, that access to that portion of the place of public amusement is restricted;

B. By broadcasting over the public address system of the place of public amusement an oral warning that access to that portion of the public place of amusement is restricted.

(2) If notice that the general public is restricted from access to a portion of a place of public amusement is provided by the posting or exhibition of a printed written notice as described in

subsection (d)(1) of this section, the Municipality, in a criminal prosecution for a violation of subsection (b) of this section, is not required to prove that the defendant received actual notice that the general public is restricted from access to a portion of a place of public amusement.

(e) (1) Whoever violates subsection (b) of this section is guilty of criminal trespass on a place of public amusement, a misdemeanor of the first degree.

(2) In addition to any jail term, fine or other sentence, penalty, or sanction it imposes upon the offender pursuant to subsection (e)(1) of this section, a court may require an offender who violates this section to perform not less than thirty and not more than one hundred twenty hours of supervised community service work. (ORC 2911.23)

541.99 PENALTY.

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

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Created 2026-07-18 21:37:15 UTC by MunicipalWiki Indexer

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