

ORDINANCE No. 32

An Ordinance concerning offenses and disorderly conduct, defining what shall constitute the same, and providing for the punishment thereof.

THE PEOPLE OF THE CITY OF SWEET HOME DO ORDAIN AS FOLLOWS:

Section 1. That any person who shall be guilty of any violent, riotous or disorderly conduct, or shall use any abusive, profane or obscene language in any street, house or place within the city of Sweet Home, whereby the peace or quiet of the city may be disturbed, or shall be guilty of any indecent or immoral act or practice in said city shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Recorder's Court shall be fined not less than Ten (\$10.00) Dollars, nor more than One Hundred (\$100.00) Dollars, be imprisoned in the city jail not less than five days nor more than fifty days.

Riotous
Disorderly
Conduct

Section 2. That any person who shall commit any assault, or assault and battery in any street, house or place within the corporate limits of the city of Sweet Home, shall upon conviction thereof before the Recorder's Court, be fined not less than Ten (\$10) Dollars, nor more than One Hundred (\$100.00) Dollars, or imprisoned in the city jail not less than five days, nor more than fifty days, or both at the discretion of the court.

Assault
Battery

Section 3. That any person who shall draw any species of firearm, or any dirk, dagger, or knife or any other deadly or dangerous weapon upon any person within the corporate limits of said city, shall be deemed guilty of a misdemeanor and on conviction thereof before the Recorder's Court shall be fined not less than Ten (\$10.00) Dollars, nor more than One Hundred (\$100.00) Dollars, or imprisoned in the city jail not less than five (5) days nor more than fifty (50) days.

Dangerous
Firearm

Section 4. That any person shall refuse to assist in duty, or who shall by his endeavor upon a charge effected or not, shall conviction thereof be not less than Ten (\$100.00) Dollars, or

Resist
Officer

son who shall resist any peace office, or
t any such office in the discharge of his
any means whatever aid or assist any person
rge of violating of any City ordinance in
e from such custody, whether such escape be
be deemed guilty of a misdemeanor and upon
fore the Recorder's Court shall be fined
(\$10.00) Dollars, nor more than One Hundred
 Dollars, or imprisoned in the City Jail not less than
five (5) days nor more than fifty (50) days.

Section 5.

That no person shall ride or drive any horse, or horses,
mule or mules, or any beast of burden in a reckless or dangerous
manner, nor shall any person or corporation run or cause to be
run any railroad locomotive, or car, or automobile or other vehicle
or conveyance of any kind within the corporate limits of the
city of Sweet Home at a rate of speed greater than twenty miles
an hour, and any person or corporation who shall violate the
provisions of this section shall be deemed guilty of a misdemeanor,
and upon conviction thereof before the Recorder's Court, shall be
fined not less than ten (\$10.00) Dollars, nor more than One Hundred
(\$100.00) Dollars, or by imprisonment in the city jail not less
than five (5) days not more than fifty (50) days. Provided this
section shall not apply to physicians and surgeons when operated
upon their business, if they bear the red cross, as provided by the
laws of State of Oregon.

Revised by
Transcripting

Section 6. Any person who shall throw or deposit on any street, side walk, alley, foot path or wagon road or highway in the city of Sweet Home, any broken glass, bottles, crockery, nails, tin cans or other substance whereby the feet or limbs of horses, pedestrians or beast of burden, or tires of vehicles may be injured, or throw or deposit or sweep into or upon any street, sidewalk, alley or foot path, or wagon road or highway of said city any paper or other substance, except snow or dust resulting from travel, or throw or deposit into or upon any street, alley, sidewalk, foot path or wagon road, or highway or any vacant lot in said city any manure or refuse matter of any kind, shall upon conviction thereof before the Recorder's Court be fined not less than Ten (\$10.00) Dollars, nor more than One Hundred (\$100.00) Dollars, or be imprisoned in the city jail not less than five (5) days, nor more than fifty (50) days.

Legase
On
Sidewalk

Section 7. That any person who shall carry any deadly or dangerous weapon of any kind whatever in a concealed manner within the corporate limits of the city of Sweet Home, shall upon conviction thereof before the Recorder's Court, be fined not less than Ten (\$10.00) Dollars, nor more than One Hundred (\$100.00) Dollars, or imprisoned in the city jail not less than five (5) days nor more than fifty (50) days; provided that peace officers shall be exempt from the provisions of this section.

Carrying
concealed
weapons

Section 8. That any person who shall fire off or discharge any ordinary gun, rifle or other firearm with the corporate limits of the city of Sweet Home, or shall ignite, fire or explode, or cause to be ignited, fire or exploded any firecrackers, bombs, torpedoes, or other fire or detonating works of any description whatever, shall upon conviction thereof before the Recorder's Court, be fined not less than Ten (\$10.00) Dollars, nor more than twenty-five (\$25.00) dollars, or by imprisonment in the city jail not less than five (5) days nor more than twelve (12) days; provided that the mayor may permit on National holidays and other fete days the discharge of cannon or anvils, fire crackers and fireworks and provided further, that the mayor or marshal may permit the discharge of firearms for purposes deemed necessary or expedient.

Shooting
firearms
city limits

Section 9. That any person or persons who shall or may be found roaming about the streets at night after the hour of twelve (12) o'clock at night without having any lawful business upon the streets at that time, shall upon conviction thereof before the Recorder's Court be fined not less than Ten (10) Dollars, nor more than twenty-five (\$25.00), or imprisoned in the city jail not less than five (5) days, nor more than Twelve (12) days.

Roaming
streets after
12 o'clock
at night

Section 10. That no minor under 16 years of age shall be permitted to go abroad upon or wander about upon or be upon any street or alley or in any other public place in the city of Sweet Home, Linn County, Oregon, after the hour of 9:30 o'clock P.M. at night during the months of April, May, June, July, August and September, and after the hour of 9:00 P.M. at night during the months of October, November, December, January and March unless such minor shall have necessary business upon such street alley or public place, or unless such minor shall be accompanied by such parent or guardian. Any minor who shall violate the provisions or any of them, of this ordinance shall upon

Minor's Roaming
streets after
9:30 PM
9:00 PM
Rufus
See Ord 99

conviction thereof before the Recorder's Court, be fined not less than Ten (\$10.00) dollars nor more than fifty (\$50.00) dollars, or be imprisoned in the city jail not less than five (5) days, nor more than twenty-five (25) days, or both such fine and imprisonment, in the discretion of the Recorder.

Section 11. That any person who shall put a bell upon, or permit or allow a bell to be worn by any animal kept or owned by such person in the corporate limits of the City of Sweet Home, shall upon conviction therefor before the Recorder's Court, be fined not less than Ten (\$10.00) dollars, not more than Twenty (\$20.00) dollars, or imprisoned in the city jail not less than five (5) days nor more than ten (10) days.

Section 12. That any person who shall between the hours of ten (10) o'clock P.M. and five (5) o'clock A.M. of the following day make any noise, or disturbance so as to disturb the peace or quiet of the occupant or occupants of any dwelling or place of residence adjacent to where such noise or disturbance is made shall upon conviction thereof before the Recorder's Court be fined not less than Ten (10) dollars, nor more than One Hundred (\$100.00) or imprisoned in the city jail not less than five (5) days nor more than fifty (50) days.

Section 13. If any person shall exhibit or cause to be exhibited upon the streets or alleys or in any house, or public place within the limits of the said city, any cripple, maimed or deformed person or persons, such person shall upon conviction before the Recorder's Court be fined not less than Twenty-five (\$25.00) dollars, nor more than One Hundred (\$100.00) dollars, or imprisoned in the city jail not less than twelve (12) days nor more than fifty (50) days; provided, that the Recorder by and with the consent of the council first obtained, may issue a license for the public exhibition of such persons as may be deemed curiosities.

Section 14. Any person who shall hitch or fasten any horse, mare, mule or any animal to any awning, post, pole, shade tree, or to any case, or box around any shade tree in said city, shall upon conviction thereof before the Recorder's Court, be fined not less than Ten (10.00) dollars nor more than Fifty (\$50.00) Dollars, or imprisoned in the City jail not less than five (5) days, nor more than twenty-five (25) days.

Section 15. That any person who shall haul, put or place on any of the public grounds of the city any timber, brush, rubbish or refuse matter or place any obstruction or material thereon, for any purpose, shall upon conviction thereof, before the Recorder's Court, be fined not less than Ten (\$10.00) Dollars, nor more than Twenty-five (\$25.00) Dollars, or imprisoned in the city jail not less than five (5) days, nor more than twelve (12) days; provided the mayor may permit or grant in writing the privilege to any person to use such public grounds for storing purposes.

Section 16. No person shall suffer to go, or shall lead, drive or ride any horse, mule or beast of burden, or any cattle the property of or in the possession of or under the control of such person upon any sidewalk, within the corporate limits of said City, and any person violating the provisions of this section shall be punished by a fine upon conviction thereof, before the Recorder's Court of not less than Ten (\$10.00) Dollars, nor more than Twenty-Five (\$25.00) Dollars, or imprisonment in the city Jail not less than five (5) days nor more than twelve (12) days.

Bell on
Animal
City Limits

10 P.M. and 5 A.M.
Noise
Bell
Recorder
City Jail

of
Recorder
City Jail

Section 17. All sidewalks and every part thereof within the City limits shall be kept open and in all respects free from incumbrances or obstructions of any kind, except as herein provided, and any person permitting, allowing or maintaining any incumbrance or obstruction on any sidewalk or part thereof contrary to the provisions of this section, shall upon conviction thereof before the Recorder's Court, be punished, by a fine of not less than Ten (\$10.00) Dollars, nor more than Twenty-five (\$25.00) Dollars, or by imprisonment in the city jail not less than five (5) days, nor more than Twelve (12) days; provided, that where any side walk is eight (8) feet wide, or wider, the owner or occupant of any building adjoining such sidewalk may occupy for the purpose of advertising his trade or business, two (2) feet of such sidewalk adjoining and nearest to such building, and where the side walk is six (6) feet wide or less, the owner or occupant of any building adjoining such sidewalk may occupy for the purpose of advertising his trade or business one and one-half ($1\frac{1}{2}$) feet of such sidewalk adjoining and nearest to such building.

Section 18. Each and every owner or occupant of any house within the corporate limits of the City of Sweet Home, shall keep the back yard adjoining such house free from filth and garbage of any kind, and any person violating any of the provisions of this section, shall upon conviction thereof, before the Recorder's Court be punished by a fine of not less than Ten (\$10.00) Dollars, nor more than Twenty-five (\$25.00) Dollars or by imprisonment in the City jail not less than five (5) days, nor more than twelve (12) days; provided, that the owner or occupant of a barn or stable, may throw upon the lot the manure accumulating in such barn or stable, and which may be desired to be used upon such lot as fertilizer.

Section 19. Any person who shall stand in or upon any street, alley or sidewalk within the corporate limits of the City of Sweet Home, in such manner as to obstruct the travel upon such street, alley or sidewalk, after being notified or commanded by any police officer or said city to move on, shall upon conviction thereof before the Recorder's Court be punished by a fine of not less than Ten (\$10.00) Dollars, not more than Twenty (\$20.00) Dollars, or by imprisonment in the city jail not less than five (5) days, nor more than Ten (10) days.

Section 20. Any person who shall cut, split or saw any wood upon any sidewalk or crosswalk within the corporate limits of the city of Sweet Home, shall upon conviction thereof before the Recorder's Court be punished by a fine of not less than Ten (\$10.00) Dollars, nor more than Twenty (\$20.00), or by imprisonment in the city jail not less than five (5) days, nor more than Ten (10) days or by both at the discretion of the Court.

Section 21. Any person or persons who shall within the corporate limits of the City of Sweet Home, trespass upon or wantonly or maliciously damage any real or personal property belonging to the city of Sweet Home, or to any public or private corporation, or to any individual or individuals, or who shall insult any person upon any street, alley, sidewalk or thoroughfare in said city, shall upon conviction thereof before the Recorder's Court be fined not less than Ten (\$10.00) Dollars, nor more than Fifty (\$50.00) Dollars, or be imprisoned in the City jail not less than five (5) days nor more than twenty-five (25) days.

Section 23. That any person or persons who shall in any street, alley or in any private or public place in the City of Sweet Home, sing or repeat any lewd or obscene word or words, or make in any manner any word or words, picture or pictures, or figure or figures upon any building, wall, fence, walk or post or upon anything whatever, or who shall sell or offer for sale or circulate in any manner or in any manner dispose of any obscene literature, including books, papers, prints, pictures, or anything of an obscene or vulgar nature, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Recorder's Court shall be punished by a fine of not less than Ten (\$10.00) Dollars, nor more than One Hundred (\$100.00) Dollars, or be imprisoned in the city jail not less than five (5) days nor more than fifty (50) days.

Section 23. Any person who shall erect or establish any offensive trade, manufactory or business of any kind, or shall continue the same after it has been established, or shall neglect to purify any unwholesome privy, which may be his or their property, or shall do anything that is injurious to the health, or indecent or offensive to the senses, or any act which is an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life, health or property, within the limits of Sweet Home shall upon conviction thereof before the Recorder's Court, be fine not less than Ten (\$10.00) Dollars, nor more than Fifty (\$50.00) Dollars, or be imprisoned in the city jail not less than five (5) days nor more than twenty-five (25) days.

Section 24. Any person or persons owning or controlling or being in possession of any house or building, or any room or rooms in any house or building in the corporate limits of the city of Sweet Home, shall use the same or any part thereof, as a bawdy house, assignation house, or house of ill-fame, or house of prostitution, shall upon conviction thereof, before the Recorder's Court, be fined not less than Twenty (\$20.00) Dollars, nor more than One Hundred (\$100.00) Dollars, or be imprisoned in the city jail not less than ten (10) days nor more than fifty (50) days.

A house, building, or room occupied by any woman or women and which is resorted to by men or boys promiscuously for the purpose of sexual intercourse with such woman or women, or which is kept by any person or used for the resort and unlawful commerce of lewd people of both sexes, whether such intercourse or commerce be for gain or not, shall be deemed a bawdy house, assignation house, house of ill-fame or house of prostitution within the meaning of this section.

Section 25. Any person who shall reside in a bawdy house, assignation house, house of ill-fame, or house of prostitution as defined in section 24 of this ordinance, and any person who shall visit or enter into any such house for the purpose of sexual intercourse or commerce with a person of the opposite sex, shall upon conviction thereof, before the Recorder's Court be punished by an fine of not less than Twenty-five (\$25.00) Dollars, nor more than One Hundred (\$100.00), or by imprisonment in the city jail not less than twelve (12) days, nor more than fifty (50) days.

Section 26. Any person who shall demise or lease any house or building, or any room in any house or building within the corporate limits of the city of Sweet Home, to be used as a bawdy house, assignation house, house of ill-fame, or house of prostitution, as defined in section 24 of this ordinance, or any person who having demised or leased any such house, building, room or rooms, shall after notice that the same are used or occupied as a bawdy house, assignation house, house of ill-fame, or house of prostitution, fail or refuse to cancel such lease, or contract of rental and eject the person or persons occupying such premises for such purposes aforesaid,

therefrom, and such persons shall upon conviction thereof before the recorder's Court be punished by a fine of not less than Twenty (\$20.00) Dollars, nor more than Fifty (\$50.00) Dollars, or by imprisonment in the city jail not less than Ten (10) days, nor more than Twenty-five (25) days.

Section 27. It is hereby forbidden and declared unlawful for any person, either owner or proprietor, or manager, employer, lessee, or otherwise to play, deal, set up, open or cause to be opened, to carry on, or permit to be carried on, or engage in, or permit to be engaged in, in any store, shop, building, or hotel or any room, park, street or public place or private yard, or place with the corporate limits of Sweet Home. any game or faro, monte, Roulette, Rouge et noir, Rondo, Twenty-one, Poker, Draw Poker, Stud Poker, Bluff Brag, Fan Tan or Tan Tan, or any game played with cards, or any other device, or any game of any kind or nature whatsoever, for or with any of the representation of value, whether such games or games, or any of them be played or delt, set up, carried on or engaged in with cards, checks or any other device, or in any room, park, street, or in any public or private place, yard, or lot, and it shall be deemed unlawful for any person within the corporate limits of the city of Sweet Home, in any room, house or building, or any public or private place therein to play or engage in for anything for value, or anything the representation of value, or to bet at or upon any game of Faro, Monte, Roulette, Rouge et Noir, Rhodo, Twenty-one, Poker, Draw Poker, Stud Poker, Bluff, Brag, Fan Tan, Tan Tan, or any game played with cards, or any device or any game of any kind, or nature whatever, and any person or persons violating any of the provisions of this section shall upon conviction thereof before the recorder's Court, be punished by a fine of not less than Ten (\$10.00) Dollars, nor more than One Hundred (\$100.00) Dollars, or by imprisonment in the city jail not less than five (5) days nor more than fifty (50) days.

Section 28. It shall be unlawful for any horse, mare, Jack or Jenett or mule, bull, cow, calf, to run at large within the corporate limits of the city of Sweet Home. If any of the animals mentioned in this section be found running at large within said corporate limits the same shall be taken up by the marshal, or any person and delivered to the marshal, who shall keep such animal in a safe and secure place.

Section 29. It shall be the duty of the marshal, after the taking up of any of the above animals, to immediately post up notices in three (3) public places in the City for five (5) days, giving as correct description of such animal as may be, including natural and artificial marks and brands thereon, and its color, size and probable age. Said notice shall contain the time, place and terms of sale of such animal, it not claimed as hereinafter provided, but such sale shall not take place within less than six (6) days from the date of posting such notices.

Section 30. If previous to the sale provided for in section 29 of this ordinance, the owner shall claim and prove the animal so taken up and advertised, as his property, he shall be entitled to the same upon payment to the marshal the charges and expenses thereon, which shall be one (\$1.00) dollar for taking up each animal and seventy-five (75) cents per day for keeping the same, and his fees for posting the notices provided for in section 29 hereof.

Section 30. If the animal or animals so taken up remain unclaimed previous to the sale thereof, or if the owner thereof fail or refuse to pay the marshal the charges against the same as provided in section 30 of this ordinance, the Marshal shall then proceed to sell such animal or animals at public auction to the highest bidder for cash in hand on the day of sale, at the time and place specified in such notice, and after deducting his legal fees and all costs and expenses of taking up, keeping and selling the same, shall pay the remainder of the proceeds of such sale into the city treasurer.

Section 32. If the owner of any animal sold under the provisions of this ordinance shall at any time within six months from the date of such sale make proof of his ownership thereof, to the satisfaction of the City Council of said city, he shall be entitled to receive the net proceeds of such sale on deposit in the city treasury; but if no such proof be made within six months from the date of such sale, such proceeds shall be the property of the city of Sweet Home.

Section 33. It is hereby declared to be unlawful for any person or persons to cast or throw or deposit or suffer, permit or allow to be cast, thrown or deposited in or upon any street or alley or any public place within the corporate limits of the city of Sweet Home and manure, filth, or offal of any kind whatsoever, except dust or snow which may have accumulated upon the sidewalk, and any person or persons violating any of the provisions hereof or of this ordinance shall upon conviction thereof before the Recorder's Court be punished by a fine of not less than Ten (\$10.00) Dollars nor more than Fifty (\$50.00) Dollars, or by imprisonment in the city jail not less than five days nor more than twenty-five days.

Section 34. Each of the following shall be conclusively taken and deemed to be deadly weapon within the meaning of the provisions of sections 3 and 7 of this ordinance, to-wit: Any pistol, whether loaded or not, any dirk, dagger, bowie-knife, slug-shot, brass or iron knuckles, and any and all other weapons which the evidence may show to be dangerous to life or limb shall be considered and deemed to be dangerous weapons within the meaning of said sections 3 and 7 hereof.

Section 35. Any person or persons who may be found loitering about the streets or begging, or who has no visible means or support, shall be deemed a vagrant, and upon conviction thereof before the Recorder's Court shall be punished by a fine not less than Ten (\$10.00) Dollars, or by imprisonment in the city jail not less than five days nor more than ten days.

Section 36. No person shall ride a bicycle or tricycle on any sidewalk in the city of Sweet Home, Linn County, Oregon, provided however that this section shall not apply to any invalid or cripple who shall use such vehicle for the purpose of travel. Any person violating the provisions of this section shall upon conviction thereof before the Recorder's Court, be fined not less than Ten (\$10.00) Dollars, nor more than Twenty (\$20.00) Dollars, or be imprisoned in the city jail not less than five (5) days nor more than Ten (10) days.

Section 37. Any person or persons who shall commit any assault or assault and battery, or who shall draw any species of firearms, or any dirk, dagger or knife, or any other deadly or dangerous weapon or weapons upon any peace office in the discharge of his duty, within the corporate limits of the city of Sweet Home, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the

Recorder's Court, be fined not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars, or be imprisoned in the city jail not less than twelve (12) days, nor more than Fifty (50) days, or both fine and imprisonment at the discretion of the Court.

Section 38. In all cases of conviction for any of the offenses mentioned in this ordinance, the Court shall in default of the payment of the fine adjudged, commit the offender to the city jail at the rate of one (1) day for each two (2) dollars of such fine, provided that such imprisonment shall in no case exceed fifty days; and it shall be the further duty of the Court, when any one is committed to the city jail by its judgment for any offense mentioned in this ordinance, to issue an order to the marshal requiring him to work such prisoner on the streets of the city or upon any city work necessary to be done during the time of his imprisonment.

Section 39. If any prisoner during the term of his imprisonment shall refuse to work when so ordered he shall be secured by a ball and chain and given only bread and water to eat during the time he so refuses to work.

Section 40. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 41. It is hereby adjudged and decreed that existing conditions are such that this ordinance is necessary for the immediate preservation of the public health, safety and good of the City of Sweet Home, and therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Common Council and its approval by the Mayor.

Passed by the Common Council this 16 day of April, 1929.

Ayes 5.

Nays _____.

Paul Watkins

Recorder of the City of Sweet Home.

Submitted to the Mayor this 16 day of April, 1929.

Approved this 16 day of April, 1929.

Lettie Pearl Sankey
Mayor of the City of Sweet Home.