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## CHAPTER 14. PUBLIC PEACE, MORALS AND DECENCY

## ARTICLE I. ALCOHOLIC BEVERAGES

## 14.101. IN GENERAL

14.101.1. DEFINITIONS.

The words "alcoholic liquors" as used in this Chapter shall mean any spirituous malt, vinous, fermented, brewed or other liquors or any compound or mixture thereof by whatever name called or known which contains alcohol and used as a beverage.

(1976 SC Code 61-3-20)

The words "nonalcoholic" and "nonintoxicating" as applied to beverages shall mean all beers, ales, porter and other similar malt or fermented beverages containing not in excess of 5 per cent (5%) of alcohol by weight and all wines containing not in excess of 21 per cent (21%) of alcohol by volume.

(1976 SC Code 61-9-10)

14.101.2. JURISDICTION OF THE MUNICIPAL COURT.

The Municipal Court shall try and determine all cases involving any violation of this Article occurring within the corporate limits and shall have jurisdiction over such criminal cases, with the right and duty of sending such cases, occurring within the corporate limits but beyond its jurisdiction to try, to the higher courts. Any persons convicted hereunder shall be treated as municipal prisoners.

(1976 SC Code 5-7-30 and <sup>61-6-4500</sup>61-13-770)

14.101.3. WHAT CONSTITUTES PRIOR OFFENSES.

A conviction, plea of guilty, plea of nolo contendere or forfeiture of bond for the violation of any of the laws of this state, or of the United States, on or after March 28, 1956, relating to alcoholic liquor shall constitute prior offense for the purpose of any prosecution, or for the purpose of imposition of sentence for any subsequent violation of this Chapter.

(1976 SC Code 61-13-440)

## 14.102. OFFENSES AND PENALTIES

14.102.1. UNLAWFUL PURCHASE.

It shall be unlawful for any person to purchase or otherwise procure any alcoholic liquor other than that purchased from licensed dealers within the state.

(1976 SC Code 61-13-230)

14.102.2. EMPLOYMENT OF MINORS.

It shall be unlawful for any person under the age of twenty-one years to work as an employee, or otherwise, in a retail, wholesale or manufacturing liquor business or business establishment or for any person knowingly to employ any person under the age of twenty-one years in such business.

(1976 SC Code 61-13-340)

14.102.3. DRINKING ON PREMISES OF LIQUOR ESTABLISHMENT.

It shall be unlawful for any person to drink alcoholic liquors on the premises of any retail, wholesale or manufacturing alcoholic liquor business or business establishment.

(1976 SC Code 61-13-350)

14.102.4. DRINKING LIQUOR IN PUBLIC CONVEYANCES.

Any person who shall drink alcoholic liquor in any public conveyance shall be deemed guilty of a misdemeanor.

(1976 SC Code 61-13-360)

14.102.5. DRINKING ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY.

It shall be unlawful for any person to consume any alcoholic liquors, beer, ale, porter, wine or any other similar malt or fermented beverage on the street, sidewalks or any other public property. Possession of any open can, bottle or other container with alcoholic liquors, beer, ale, porter, wine or any other similar malt fermented beverage therein on aforesaid property shall constitute prima facie evidence of any violation of this Chapter.

(1976 SC Code 5-7-30)

14.102.6. SALES FROM VEHICLES.

It shall be unlawful for anyone to sell from any vehicle any quantity of alcoholic liquors, stamped or unstamped.

(1976 SC Code 61-13-374)

14.103.6. SALES BETWEEN SATURDAY NIGHT AND MONDAY MORNING PROHIBITED.

It shall be unlawful for any person to sell or offer for sale any wine or beer between the hours of 12:00 midnight Saturday night and sunrise Monday morning, except for those establishments licensed by the state to sell alcoholic beverages in containers of two (2) ounces or less during the lawful hours.

(1976 SC Code 61-9-90)

14.103.7. BEER AND WINE ON VIOLATING PREMISES CONTRABAND.

Any place of business violating the provisions of Section 14.103.6 hereof shall have all beer and wine found upon said premises declared contraband, and it shall be seized as contraband liquor; provided, that the person owning or claiming such beer or wine may retain possession by delivering a cash bond in an amount equal to the cost price charged for a like quantity by licensed wholesaler. The officer who shall receive the bond shall deliver a written receipt to the person posting the bond. The cash bond shall be deposited in the treasury of the town.

(1976 SC Code 61-9-100)

14.103.8. DRINKING OR POSSESSION ON LICENSED PREMISES AT PROHIBITED HOURS.

Any person who drinks beer or wine or possesses beer or wine in an open container between the hours of twelve o'clock Saturday night and sunrise Monday morning at any place licensed to sell beer or wine shall be deemed guilty of a misdemeanor.

(1976 SC Code 61-9-110)

14.103.9. ACTS PROHIBITED ON LICENSED PREMISES. REVOCATION OF LICENSE.

No holder of a permit authorizing the sale of beer or wine or any servant, agent or employee of the permittee shall knowingly do any of the following acts upon the licensed premises covered by such holder's permit:

1. Sell beer or wine to a minor.
2. Sell beer or wine to any person while such person is in an intoxicated condition.
3. Permit gambling or games of chance.
4. Permit any lewd, immoral or improper entertainment,

conduct or practices.

5. Permit any act, the commission of which tends to create a public nuisance or which constitutes a crime under local ordinances or the laws of the state.

6. Sell, offer for sale or possess any beverage or alcoholic liquor the sale or possession of which is prohibited on licensed premises under the laws of this state.

A violation of any of the foregoing provisions shall be grounds for the revocation or suspension of such holder's permit by the state.

(1976 SC Code 61-9-410)

14.103.10. SALE OF BEER OR WINE AFTER LICENSE REVOKED, CANCELLED OR SUSPENDED.

It shall be unlawful for any licensee, or any holder of a license, to sell beer or wine at wholesale or retail, to sell or offer to sell beer or wine after such license shall have been revoked or cancelled or during the period of a suspension of such license.

(1976 SC Code 61-9-440)

14.103.11 PERMITTEE SELLING DRAFT BEER TO BE APPROVED BY DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

No person holding a retail permit to sell beer, ale, porter and other similar malt or fermented beverages, issued by the state, shall sell such beverages on draft, on tap or from kegs or other containers on the premises described in the permit, unless approved by the rules and regulations of the Department of Health and Environmental Control governing eating and drinking establishments and other retail food establishments.

(1976 SC Code 61-9-810)

14.103.12. PERMIT AND HEALTH CERTIFICATE TO BE POSTED.

Both the permit issued by the state and the certificate of approval issued by the Department of Health and Environmental Control shall be conspicuously posted on the premises.

(1976 SC Code 61-9-820)

14.103.13. PENALTIES.

Any violation of the provisions of this Chapter shall constitute a misdemeanor.

14.103.14. POWERS OF MUNICIPAL POLICE OFFICERS.

All municipal police officers are hereby given the power to enforce the provisions of this Article, in cases arising within the corporate limits and, in addition, shall have all powers to enforce such provisions as they now have to enforce municipal ordinances. When in fresh and continuous pursuit of any suspect for violations of such provisions occurring within the corporate limits, police officers may follow and arrest the suspect at any place in the state.

(1976 SC Code 61-13-780)

14.103.15. UNLAWFUL TO MANUFACTURE, SELL, BUY, ETC.

It shall be unlawful for any person, firm or corporation to manufacture, store, receive, transport, buy, sell, barter, exchange or deliver any unlawfully manufactured alcoholic beverages in the town.

14.103.16. UNLAWFUL TO CONSUME AT CERTAIN PLACES.

It shall be unlawful for any person to consume alcoholic beverages at places where athletic contests are being conducted and on the grounds of a school, church or business parking lot.



## Regulation of Synthetic Marijuana and Bath Salts

**14.104.1 Prohibition of Possession, Usage, Sale, and Distribution of Synthetic Marijuana and Bath Salts.**

- (a) The advertisement, sale, distribution, possession, and/or usage of synthetic marijuana are hereby prohibited within the Town of Chesterfield.
- (b) The advertisement, sale, distribution, possession, and/or usage of Methylendioxypropylvalerone (MDPV), which is commonly known as bath salts, are hereby prohibited with the Town of Chesterfield.

**14.104.2 Enforcement.**

- (a) This ordinance shall be enforced by the Police Department of Chesterfield and by the office of the Town Administrator or an authorized designee.
- (b) Notice of the provisions of this ordinance shall be given to all applicants for a business license in the town.
- (c) Any citizen who desires to register a complaint under this ordinance may initiate enforcement with the Police Department of Chesterfield or the office of the Town Administrator.

**14.103.3 Violations and Penalties.**

- (a) A person or entity that violates the prohibitions contained in Section 14.104 of this ordinance shall be guilty of an infraction, punishable by a civil fine in the amount of twenty-five dollars (\$25.00).
- (b) A person who owns, manages, operates, or otherwise controls a business location who fails to comply with the provisions of this ordinance shall be guilty of an infraction, punishable by a civil fine in the amount of twenty-five dollars (\$25).
- (c) The possession, sale, distribution or use of each separate package of synthetic marijuana or bath salts shall constitute and be punished as a separate occurrence and infraction of this ordinance.
- (d) In order to enforce infractions of this ordinance, the town shall serve a uniform ordinance summons upon the infractor.
- (e) In addition to the civil fines established in this Section, three (3) or more violations of this ordinance by a person or entity that owns, manages, operates, or otherwise controls a place of business in the Town of Chesterfield shall be a reason for and may result in the suspension or revocations of any business license issued for the premises on which the infractions occurred.
- (f) In the event the infractor fails to pay the civil fine or fails to appear pursuant to uniform ordinance summons, the town may utilize the Set-Off Debt Process provided for under Section 12-56-50, et. Seq. of South Carolina Code of Laws, as Amended.

- (g) A violation of provisions of this ordinance by selling, marketing or distributing synthetic marijuana or bath salts shall constitute a nuisance in the Town of Chesterfield.

#### **14.103.4 Definitions.**

Unless the context shall clearly indicate some other meaning, the terms defined in this section shall, for all purposes of this article and other documents herein referenced, have the meanings herein specified. Definitions shall be equally applicable to both the singular and plural forms of any of the terms herein defined.

- (a) Synthetic marijuana means THC, HU-210 Cannabicyclohexanol, JWH-073 and refers to all chemical compounds intended to replicate, mimic or cause a similar reaction to the effects of marijuana or cannabis. Such compounds are known as or marketed under many names, including but not limited to, such names as THC, HU-210 Cannabicyclohexanol, JWH-073, Potpourri, Spice, K-2, Blaze, herbal incense, herbal smoking blends, and other names.
- (b) Bath salts mean Methylenedioxypropylone (MDPV), which is a psychoactive drug with stimulant properties which acts as a norepinephrine-dopamine reuptake inhibitor (NDRI). It is also known as MDPK, Magic, Super Coke and PV. It was reportedly sold as a legal drug alternative and marketed in the United States as "bath salts", "plant food", "fake bath salts", "fake fertilizer", and/or "fake insect repellent" under many marketing names, including but not limited to such names as Cloud 9, Ivory Wave, Ocean, Charge Plus, White Lightning, Scarface, Hurricane Charlie, Vanella Sky, Bonzai Grow, Blue Silk, Serenity Now, Lovey Dovey, Euphoria, Aura, Red Dove, Red X Dawn and White Dove.
- (c) Package means each single unit marketing package or packaging for synthetic marijuana and/or bath salts.

## ARTICLE II. PUBLIC AMUSEMENTS

14.201. REGULATING HOUSE OF MUSICAL DEVICES.

It shall be unlawful for any person to operate any coin-operated mechanical device for making music in any place of business between the hours of 12:00 midnight and 8:00 a.m. or to operate such device between the hours of 12:00 midnight on Saturday and 8:00 a.m. on the following Monday.

14.202. HOURS OF BUSINESSES HAVING MUSICAL DEVICES.

It shall be unlawful for any place of business having in its possession for use or sale any piccolo, nickelodeon, radio, television or other music-making machine, to be open between the hours of 12:00 midnight and 5:00 a.m. the following day.

14.203. RESERVED.14.204. DISTURBANCE AT ENTERTAINMENTS, GATHERINGS, ETC.

It shall be unlawful for any person to behave disorderly in any public hall or other place of amusement, entertainment or gathering or to enter the same in a drunken condition or to interrupt any play, performance, lecture, entertainment or service therein or any player, speaker or other person taking part therein.

14.205. CARNIVALS AND STREET SHOWS PROHIBITED WITHOUT PERMIT.<sup>(1)</sup>

All carnival or street shows or any business of the like are hereby forbidden to show, parade or otherwise engage in business without the written permission of the Council and the said permit shall specify the date, time, place, length of show, duration of appearance and all other details required by the Council.

14.206. HOURS TO PERFORM, ETC., PROHIBITED.

It shall be unlawful for any person to exhibit to the public, between the hours of 12:00 midnight and 6:00 a.m., any motion picture, theatrical performance, stage play or any such exhibition.

(1) Section 14.212 supplements this section and defines the conditions under which permits may be issued by the Town Clerk.

14.207. DANCE HALLS UNLAWFUL ON SUNDAYS.

It shall be unlawful for any person to keep open or operate any public dance hall, or allow any person to continue thereat, between the hours of 12:00 midnight, Saturday, and 12:00 midnight, Sunday, and all such places shall be and remain closed to the public between such hours.

14.208. POOL ROOMS. LICENSE REQUIRED. MINORS. CLOSING HOUR.

a. It shall be unlawful for any person to operate or maintain any public billiard or pool room without having first obtained a license therefor. The license shall be issued by the Town Clerk upon the payment of such license tax as may be fixed by Council. Pool rooms shall be located on the ground floor, and no screen obstructions of any kind shall be allowed.

b. It shall be unlawful to sell alcoholic beverages in pool rooms in the town, and a violation of this section shall constitute a misdemeanor subject to the jurisdiction of the Municipal Court.

c. It shall be unlawful for any person under eighteen years of age to loiter in any billiard or pocket billiard room or to play billiards or pocket billiards in any such room unless accompanied by his parent or guardian or with the written consent of his parent or guardian. (SC-20-7-350)

(Ord. #138. 4-20-95)

14.209. MAINTAINING A POOL TABLE.

It shall be unlawful to maintain any pool table, regardless of size or whether it is coin operated, unless same is unplugged if electrically operated, and unless it is covered with a fabric during the hours of closure as hereinabove set forth.

14.210. AMUSEMENT PLACES TO HAVE ENTRANCES OPENING ONTO STREET FOR SAFETY PURPOSES.

All places of public amusements shall have entrances which open onto a public street for safety purposes.

14.211. PENALTY.

The violation of this Article shall be deemed a misdemeanor and the violator shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) or the revocation of the license of the business where the offense occurred.  
(Ord. #101. 9-19-93)

(Editor's Note. These offenses would be generally classified as "nuisances". Municipalities have the power to declare nuisances but must enact them by specific ordinance and, even then, they are subject to judicial review. (Morrison v. Rawlinson, 193, S. C. 25, 7 S.E. 2d 635 (1940). See also 1976 S. C. Code, Section 5-7-30.)

14.212. CARNIVALS AND SIMILAR ORGANIZATIONS.

- a. No carnival or similar organization, including a sideshow, circus, merry-go-round, peep show, puppet show, freak show, raree show or carousal shall be given a permit to conduct its activities within the corporate limits, unless sponsored by a local nonprofit organization.
- b. No permit shall be considered by the Mayor and Council, without first having been approved by the Chief of Police, or his agent, prior to its submission to the Mayor and Council.
- c. No permit shall be issued by the Town Clerk, unless approved by the Mayor and Council, as required by Section 14.205, hereof. A permit, when approved, shall be valid for thirty (30) days.
- d. The applicant shall hold The Town of Chesterfield harmless from any and all damages or liability, as a condition precedent to the issuance of a permit.
- e. The applicant shall furnish sufficient proof of adequate insurance by either the sponsoring organization or the organization it is sponsoring, to protect the public and the public welfare.
- f. The permit shall include a provision whereby the sponsoring organization shall agree to be responsible for any uncollected damages from the organization it is sponsoring, if the general public is involved.
- g. The permit shall contain a provision whereby the sponsoring organization shall be responsible to ensure adequate sanitary facilities which shall be subject to the approval of the Police Chief.

(Editor's Note. This section derives from Ordinance #53, adopted September 14, 1989. It supplements Section 14.205 which requires a permit and defines the conditions of issuance thereof.)

## ARTICLE II.I. NOISES

Editor's Note. Municipalities have the power to declare nuisances but must enact them by specific ordinance and, even then they are subject to judicial review. (Morrison v. Rawlinson, 193, SC 25, 7 SE, 2d 635 (1940))

14.2.201. NOISES; UNREASONABLE PROHIBITED.

a. The creation of any unreasonably loud, disturbing and noises of such character, intensity and duration as are reasonably calculated to be detrimental to the life or health of any ordinary, reasonable person are here prohibited.

b. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section; provided however, that such enumeration shall not be construed to be exclusive of other noises:

(1) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for any unnecessary and unreasonable period of time.

(2) The playing of any radio, phonograph or any musical instrument in such manner, or with such volume, as to create a noise such as is reasonably calculated to disturb a person of ordinary disposition under the same or similar circumstances residing in a dwelling or other type of residence in the vicinity.

(3) The use of any automobile, motorcycle or vehicle so out of repair, so loaded or operated in such manner as to create loud or unnecessary noises such as spinning or squealing tires, grating, grinding, rattling or other noise.

(4) The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger.

(5) The discharge into the open air of the exhaust of any steam engine, stationary internal-combustion engine, motor vehicle or boat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(6) The use of any mechanical device operated by compressed air, except pneumatic drills, unless the noise thereby created is effectively muffled and reduced.

(7) The erection, excavation, demolition, alteration or repair of any building in a residential or business district other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in case of urgent necessity in the interest of public safety and then only with a permit from the Town Council. Such permit may be renewed for a period of three (3) days or less, while the emergency continues.

(8) The creation of any excessive noise on any street adjacent to any school or court while the same are in session which unreasonably interferes with the working of such institution, provided conspicuous signs are displayed in such streets indicating the same is a school or a street on which a court might be in session.

(9) The creation of a loud and excessive noise in connection with the unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers.

(10) The sounding of any bell or gong attached to any building or premises which is reasonably calculated to disturb a person of ordinary disposition if such person were in the vicinity thereof.

(11) The shouting and crying of peddlers, hawkers and vendors which disturbs the quiet and peace of the neighborhood.

(12) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale of merchandise.

(13) The use of loudspeakers or amplifiers on trucks or other vehicles, except where specific permit is granted by the Chief of Police.

(14) The operation of any garage, service station, auto repair business, taxi business, plant, store, factory or other place of business between the hours of 8:00 p.m. and 7:00 a.m. in a manner as to create loud and disturbing noises, as to annoy or disturb the quiet and comfort of any citizen, and particularly the comfort peace or repose of any person in any dwelling, motel, boarding house or other type of residence.

(15) The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any persons in the vicinity. (Please refer to Chapter 3 of this code for additional animal or bird restrictions.)

ARTICLE III. OFFENSES AGAINST MORALITY,  
DECENCY AND PUBLIC WELFARE14.301. INDECENT EXPOSURE.

It shall be unlawful for any person to commit willful and malicious indecent exposure of his person in any public place, on property of others or to the view of any person on any street or highway or to appear in a public place in a state of nudity.

(1976 SC Code 16-15-130)

14.302. BAWDY HOUSES.

The keeping of a bawdy house, disorderly house or a house of prostitution within the corporate limits shall be deemed a misdemeanor for the owner or lessee of any dwelling house, or other building situated within the corporate limits, to let or sublet such dwelling house or other building to any person to be used, or with the knowledge that the same is intended to be used, and kept as a bawdy house or house of prostitution.

(1976 SC Code 16-15-90,16-15-110)

14.303. SOLICITATION FOR IMMORAL PURPOSES.

It shall be unlawful for any person to invite or entice any person upon any street, public square or enclosure to accompany, go with or follow such person to any place for immoral purposes, or to invite, entice or address any person from any door, window, porch or portico of any house or building to enter any house, go with or accompany such person to any place for immoral purposes.

(1976 SC Code 16-15-90)

14.304. INFORMATION OR DIRECTION FOR IMMORAL PURPOSES.

It shall be unlawful for any person to give information about any house or place for immoral purposes, whether the communication be by word of mouth, or direction, telephone or in writing.

(1976 SC Code 16-15-90)

14.305. TRANSPORTATION OF PERSONS FOR IMMORAL PURPOSES.

It shall be unlawful for any person to transport, carry, convey, or assist by aiding, abetting, encouraging, requesting or other, in transporting, carrying, conveying in or accompanying by any ways and means whatsoever any person for any immoral purpose.

(1976 SC Code 16-15-90)



14.306. PLACES FOR IMMORAL PURPOSES. UNLAWFUL TO RENT, USE, ETC.

It shall be unlawful for any person to take, rent, use or occupy any place for immoral purposes.

(1976 SC Code 15-43-10)

14.307. GAMBLING. GAMES OF CHANCE.

It shall be unlawful for any person to engage in gambling or games of chance within the corporate limits.

(1976 SC Code 16-19-40)

14.308 GAMBLING HOUSE.

It shall be unlawful for any person or persons to keep or maintain a gambling house, room or any other place where people engage in gambling or games of chance, or to permit gambling or games of chance in any building on their premises or under their control.

(1976 SC Code 16-19-40)

14.309. FORTUNE-TELLING.

It shall be unlawful to engage in the business, trade or profession of fortune-telling, palmistry, phrenology, clairvoyance or the prediction of future events by cards or other means or to offer to tell fortunes or predict future events by palmistry, astrology, clairvoyance, cards or other means as an inducement to promote some other business, trade or profession.

(1976 SC Code 40-41-310)

14.310. DISTURBANCE AT SCHOOLS.

It shall be unlawful:

1. For any person willfully or unnecessarily (a) to interfere with or to disturb in any way or in any place the students or teachers of any school attended by women or girls, (b) to loiter about such school premises or (c) to act in an obnoxious manner thereon; or

2. For any person to (a) enter upon any school premises or (b) loiter around the premises, except on business, without the permission of the principal or person in charge.

(1976 SC Code 16-17-420)

14.311. SUNDAY SALES OF MERCHANDISE. WORKING ON SUNDAY.

As provided in the 1976 South Carolina Code of Laws, Sections 53-1-40 through 53-1-90, on the first day of the week, commonly called Sunday, it shall be unlawful for any person to engage in worldly work, labor or business of his ordinary calling or the selling or offering to sell, publicly, privately or by telephone, at retail or wholesale, to the consumer any goods, wares or merchandise or to employ others to engage in work, labor, business or selling or offering to sell any goods, wares or merchandise, excepting work of necessity or charity.

14.312. PUBLIC DRUNKENNESS.

It shall be unlawful for any person to create any nuisance upon the public streets or in any public place in a drunken condition.

14.313. DRINKING IN PUBLIC.

It shall be unlawful for any person or persons to drink any kind of intoxicating alcoholic beverages on the streets, alleyways, highways or other such public places.

(1976 SC Code 14-25-90)

14.314. SPITTING.

It shall be unlawful for any person to spit upon any sidewalk or other public place, or upon the floor, walls or any other part of any building or room which is used by the public.

(1976 SC Code 14-25-90)

14.315. OBSCENE MATERIAL; DISPLAY OR SALE OF.

It shall be unlawful for any person to post or make any indecent, obscene or profane writing or pictures, or to make, sell, exhibit or offer for sale any indecent or lewd book, picture or anything of like character.

(1976 SC Code 14-25-90, 16-15-150 - 16-15-230)

14.316. INTERFERENCE WITH STREETS, SIDEWALKS, ETC.

It shall be unlawful for any person to close or in any manner interfere with the free use of any public street or thoroughfare, sidewalk or alley without the previous written consent of the Council.

(1976 SC Code 5-7-30)

14.317. SHOPLIFTING.

A person shall be guilty of shoplifting, which is hereby declared to be a misdemeanor, pursuant to the 1976 South Carolina Code of Laws, Section 16-13-110, if he:

1. Takes possession of, carries away, transfers from one person to another or from one area of a wholesale or retail mercantile establishment to another area, or causes to be carried away or transferred any merchandise displayed, held, stored or offered for sale by any wholesale or retail mercantile establishment with the intention of depriving the owner of the possession, use or benefit of said merchandise without paying the full value thereof.

2. Alters, transfers or removes any label, price tag marking, indicia of value or any other markings which aid in determining value affixed to any merchandise displayed, held, stored or offered for sale in a wholesale or retail mercantile establishment and attempts to purchase such merchandise personally or in consort with another at less than the established value with the intention of depriving the owner of the full value of said merchandise.

3. Transfers any merchandise displayed, held, stored or offered for sale by any store or other retail mercantile establishment from the container in which it is displayed to any other container with intent to deprive the merchant of the full retail value.

14.318. LOITERING, OBSTRUCTING PASSAGE, ETC.

a. It shall be unlawful for any person to loiter in or upon any street, park, public place or in any public building or obstruct the access to any public building or any part thereof, or obstruct the passage of any person through any public street, park or public place.

b. For the purpose of this Section, the term "loiter" shall encompass, but shall not necessarily be limited to, one or more of the following acts:

1. Obstruction of the unhampered passage of pedestrians or vehicles.

2. Obstructing, molesting or interfering with any person lawfully upon any street, park or other public place.

3. Refusing to move when requested to do so by a Peace Officer, provided the Peace Officer has exercised his discretion reasonably under the circumstances in order to preserve or promote public peace and order.

**Section 14.319. Curfew of minors.**

It shall be unlawful for any minor sixteen (16) years of age or younger to loiter, wander, stroll, or play in or upon the public streets, highways, roads, alley, parks, playgrounds or other public grounds, public places, vacant lots or any place unsupervised by an adult having the lawful authority to be at such places, between the hours of 11:00 p.m. until 6:00 a.m. on the following day on Monday through Thursday and 12:00 midnight until 6:00 a.m. on the following day of Friday and Saturday; provided that the provisions of this section shall not apply in the following instances:

- (1) When a minor is accompanied by his or her parent, legal guardian or other adult person (over 21 years of age) having the lawful care and custody of the minor;
- (2) When the minor is upon an emergency errand directed by his or her parent or legal guardian or adult person (over the age of 21 years) having lawful care and custody of the minor;
- (3) When the minor is returning directly home from a civic, school, or recreational activity;
- (4) When a minor is returning directly home from a lawful employment that makes it necessary for him to be in the above referenced places during the prescribed period of time.

**Section 14.320. Penalty of Curfew Violation.**

It shall be unlawful for the parent, guardian, or other person having custody or control of any child sixteen (16) years of age or younger to permit, or by insufficient control, to allow such child to be in or upon the public streets or any other places listed in section 14.319 within the town between the hours of 11:00 p.m. until 6:00 a.m. on the following day on Monday through Thursday and 12:00 midnight until 6:00 a.m. on the following day of Friday and Saturday; except in circumstances set out in subsections (3) and (4) of section 14.319.

Upon violation of this section for the first time, a person shall be given a warning citation. Upon conviction of this section, a person shall be subject to a fine not to exceed two hundred dollars (\$200.00) and costs, or imprisonment in jail for not more than thirty (30) days, or be subject to any one (1) or more of the stated penalties; subject to all limitations contained in the Charter of the town. Each violation of this section shall constitute a separate offense.

For similar state law, see SC Code 1962, 20-302. (Ord. 2004-11 11/11/2004).

a substantial group has access; among the places included are highways, transport facilities, schools, prisons, apartment houses, places of business or entertainment, governmental buildings, any neighborhood, in automobiles, etc.

(1976 SC Code 15-25-90)

14.405. RESISTING OFFICER MAKING ARREST.

Any person or persons who shall resist, obstruct any officer in the discharge of his duty who shall aid or abet any person or persons in resisting or obstructing any officer in the discharge of his duty, shall be deemed guilty of a misdemeanor, subject to the limitations prescribed by the 1976 South Carolina Code, Sections 14-25-65 and 16-5-50.

14.406. INTERFERING WITH WORSHIP. PUBLIC GATHERINGS.

It shall be unlawful for any person to interfere with or disturb any religious worship or public gatherings.

(1976 SC Code 16-17-520)

14.407. RIOTS.

Any person, upon conviction of engaging in a riot, rout or affray when no weapon was actually used and no wound inflicted, shall be subject and liable for each offense.

(1976 SC Code 16-5-120 and 16-5-130)

14.408. FAILURE TO AID POLICE.

It shall be the duty of each and every citizen to assist municipal officers to arrest violators of the law when requested, and it shall be unlawful for any person to fail to do so.

(1976 SC Code 5-7-30 and 23-15-70)

14.409. RESERVED.

14.410. DISCHARGE OF DANGEROUS DEVICES. FIREARMS.

It shall be unlawful, within the corporate limits, to fire or discharge any pistol, gun, air rifle, sling shot, or other device which may be potentially harmful to any person or property.

(1976 SC Code 14-25-90)

## ARTICLE IV. OFFENSES AGAINST THE PEACE

14.401. DISCHARGE OF FIREARMS.

It shall be unlawful for any person to discharge at any other person any loaded or unloaded firearm. Nothing contained herein shall be construed to abridge the right of self-defense or to apply to theatricals or like performances or to peace officers in the discharge of their duties.

(1976 SC Code 16-23-410)

14.402. CONCEALED WEAPONS.

It shall be unlawful for any person to carry concealed about his person any pistol, dirk, metal knuckles, razor, ice pick, hawkbill knife or any spring or clasp knife, which has a blade more than three (3) inches in length, or other weapon usually used for the infliction of personal injuries.

(1976 SC Code 16-23-460)

14.403. CARRYING WEAPONS.

It shall be unlawful for any person to carry about his person, whether concealed or not, any dirk, slingshot, metal knuckles, razor or other weapon usually used for the infliction of personal injury or injuries. This Section shall not apply to peace officers while in the discharge of their duties.

14.404. DISORDERLY CONDUCT.

It shall be unlawful to conduct oneself in a disorderly manner with the purpose to cause public inconvenience, annoyance, alarm or recklessly creating a risk thereof by:

1. Engaging in fighting, threatening, violent or tumultuous behavior, breach of the peace; or
2. Making unreasonable noise or offensively coarse utterance, gesture or display, or addresses of abusive language to any person present; or
3. Creating a hazardous or physically offensive condition by any act which serves no legitimate purpose of the act; or
4. Existence of any disorderly, lewd or indecent conduct by scurrilous, obscene, indecent or profane writing, picture, mark or figure on any wall, fence, house or structure.

For the purpose of this Section "public" means affecting or likely to affect any person or persons in a place to which the public or

14.411. PICKETING, DEMONSTRATIONS, PARADES. PERMIT REQUIRED.

It shall be unlawful to picket, parade or march unless a permit to perform such actions has been secured. To secure a permit, those desiring same shall make application, duly signed by the individual organizer or by an officer of the organization, and submit it unto the Municipal Clerk, for subsequent approval by the Council, between the hours of 8:30 a.m. and 5:00 p.m. of each work day. A permit may be issued three (3) days thereafter, excluding the date the application is submitted. The application shall state the time, duration, purpose, the area in which said picketing, parading or marching will occur and the individual, group of individuals or organization directing and responsible for said picketing, parading or marching. When picketing or engaging in "demonstrations," no person shall:

1. Use on the streets or public places any verbal abuse, including curses, insults or threats, or acts of violence, directed against any person.

2. March, parade, protest or picket in any manner other than as permitted by this Article, except with the express written consent and approval of the Council.

3. Engage in riotous and loud conduct which invades the privacy of homes or businesses.

4. Damage or destroy or injure the person or property of others.

5. Block, in any manner, the streets and means of ingress and egress to places of business.

6. Interfere with, in any manner, or obstruct any official in the performance of his duties.

7. Interfere in any matter with the attendance, during school hours, of children in the public schools, by inciting or urging them to participate in demonstrations or for any other unlawful purpose or reason, or permitting them to be or remain in churches or other places used in such demonstrations.

8. Picket other than in accordance with the following principles:

a. In small numbers.

b. In a manner so as not to interfere with pedestrians or vehicular traffic.

c. In a manner so as not to block entrances or exits to or from picketed establishments.

(Editor's Note. A 1961 Darlington court case established standards for the provisions of this Section. (See next page.)

d. No more than four (4) pickets posted at any one time at any one business establishment.

e. No more than two (2) business establishments picketed in the same block at the same time.

f. No picket trespassing upon the property of the business establishment being picketed.

g. Pickets patrolling on the sidewalk at a distance of not less than eight (8) feet from every other picket.

h. No person or persons, whether in sympathy with the pickets or not, shall assemble, loiter, congregate or engage in any kind of picketing of the establishment being picketed except those picketing in their official capacity.

9. "Demonstrate", other than in accordance with the following principles:

a. Walking not more than two (2) abreast upon the public sidewalks or in groups of not more than one hundred (100) persons.

b. Observe all traffic control devices.

c. Walking close to the building line or curb so as not to interfere with or obstruct other pedestrian traffic on the sidewalk.

d. Assemble peacefully and speak peacefully for a period of time not exceeding thirty (30) minutes and when traffic to and from places of business or employment is not at its peak, and in such circumstances as will not unduly disrupt the public peace, and conducted in such a manner as not to deprive the public of adequate police and fire protection.

(1976 SC Code 14-25-90.) (Darlington v. Stanley, 239 S. C. 139, 122 S. E. 2d 207 (1961))

14.412. AIDERS OR ABETTORS. HINDERING POLICE OFFICERS. ESCAPE.

It shall be unlawful for any person to counsel, advise, incite, abet, procure or aid any other person in the violation of any ordinances. Such person shall be held and deemed a principal.

(1976 SC Code 16-1-40) (State v. Westfield, 1 Bail. (17 S.C.L.) 132)

It shall be unlawful for any person to escape from custody of a police officer or to rescue or attempt to do so, hinder a police officer or offer to help, aid, assist, or abet, directly or indirectly, another person or persons to escape from the custody of an officer making an arrest or an officer assisting therein.

(1976 SC Code 16-9-420) (See also Sections 14.603 and 14.801, this chapter.)



**14.413 NOISES. DISTURBING THE PEACE.**

The creation and continuation of any loud, disturbing and unnecessary noise is hereby prohibited. It shall be unlawful for any person to cause, make or contribute to creating any loud or disturbing noise of such character, intensity, or duration as to be detrimental to the life or health of any citizen. The following acts, among others, are declared to be loud, disturbing, annoying and unnecessary noises in violation of this Section, but such enumeration shall not be deemed to be exclusive:

1. Noises to attract attention: The use of any drum, noises makers or other instrument or device for the purpose of attracting attention to any performance or event, show, sale or the display or advertisement of merchandise, by the creation of noise except by permit from the Chief of Police.
2. Loud speakers or amplifies on vehicles: The use of any mechanical loud speakers or amplifies on trucks or other vehicles for advertising or other purposes, except by special permission of the Council.
3. Business noises at night near residences: The operation of any garage, service station, auto repair business, plant, store, factory or other place of business, between the hours of 8:00 p.m. and 7:00 a.m., in such manner as to create loud and disturbing noises, of such frequency or such volume as to annoy or disturb the quiet and comfort of any such frequency and volume as to annoy or disturb the quiet, comfort, peace or repose of any person in any dwelling, boarding house or other type of residence. (1976 SC Code 5-7-30. Morision v. Rawlinson. 193 S.C, 25, 7 S.E. 2d 635 (1940))

**14.414. HALLOWEEN. TRICK OR TREAT.**

It shall be unlawful for any person over twelve (12) years of age to participate in the act of "Trick or Treat" on Halloween night, all persons under said age shall be accompanied by a parent or responsible person. Halloween shall normally be observed on the 31<sup>st</sup> of October with all "Trick or Treat" activities beginning no earlier than 6:00 pm and ending no later than 8:00 pm. However, Council shall have the right to modify the day and time for the act of "Trick or Treat" by majority vote at any scheduled meeting of the Council. This Section shall not apply to organized and supervised Halloween parties. (Ord. #191. 11-12-98, Ord. #2013-7 12-12-13, Ord. #2014-9 10-9-14)

**14.414. DRUG PARAPHERNALIA DEFINED. DECLARED UNLAWFUL.**

- a. The term "Drug Paraphernalia" is hereby defined as equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, preparing, testing, analyzing, package, repacking, storing, containers, concealing, injecting, ingesting, inhaling, or Supplement #20. 07-10-00

Supplement #20. 07-10-00

Section 17.203.3 is hereby amended to include subsection (g) that will read as follows:

It shall be unlawful for any person or business to operate a facility that will discharge amounts of grease, oil, sand, or other materials that will inhibit the normal flow within the town sewer system. Such persons or facilities will install interceptors that are suitable to the approving authority for the removal of such materials. Such interceptors will be readily available for cleaning and inspection and shall be maintained by the owner at his expense and operate efficiently at all times. Failure to operate and maintain such facilities may result in fines that cover the cost of corrective action.

storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.

b. It shall be unlawful to possess drug paraphernalia within the corporate limits with the intent of selling, donating, or otherwise distributing same for use to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this Section.

(Editor's Note. Act No. 400 of the 1982 S. C. Legislature amended Section 44-53-110 of the 1976 SC Code, as amended, relating to narcotics and controlled substances, so as to define paraphernalia as used in administering or preparing marijuana, hashish or oils thereof or cocaine, to provide certain exceptions, to include paraphernalia in the definition of deliver or delivery and to amend the 1976 code by adding Section 44-53-391 so as to make it unlawful to advertise for sale, manufacture, possess, sell or deliver or to possess with the intent to sell or deliver paraphernalia.)

#### 14.416. CRIME WATCH AREA SIGNS.

a. It shall be lawful within the corporate limits of the town or municipality to place on highway rights-of-way a sign or signs designating the community as a Crime Watch Area.

b. Such signs shall not exceed three (3) feet by four (4) feet and shall be placed on the highway rights-of-way in accordance with South Carolina Department of Highways and Public Transportation regulations.

(Ord. 9-10-81)

#### 14.417. SUMMONS AND PROCEDURE FOR OFFENSES OTHER THAN BREACH OF PEACE.

a. In all actions for the violation of the provisions of the ordinances of The Town of Chesterfield, not amounting to a breach of the peace, the initial process shall be a summons issued by the town officials or employees, who are authorized by subsection (d) of this section to issue a summons commanding the person named therein as defendant to appear before the Municipal Court at a time to be set in the summons. The summons shall cite only one violation per summons and must contain the following information:

- (1) Name and address of the person or entity charged;
- (2) The name and title of the issuing officer;
- (3) The time, date and location of the hearing;
- (4) A description of the ordinance violated;
- (5) The procedure to post bond; and
- (6) Any other notice or warning otherwise required by law.

14.417. SUMMONS ORDINANCE (continued)

b. Breach of peace shall be considered a generic term and shall include all violations of public peace or order and acts tending to be a disturbance thereof.

c. Any person who fails to appear before the Municipal Court as required by summons, without first having posted such bond as may be required or without having been granted a continuance by the court, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than two hundred dollars (\$200.00) nor imprisoned for more than thirty (30) days.

d. The Mayor and Council shall designate individuals who shall be authorized to issue municipal summons which shall be spread upon the minutes of Council. (See minutes of November 12, 1992, page 4)

e. This section shall not be construed as a limitation upon the power of any person, officer or employee to seek or pursue any other lawful process or legal remedy.

(Ord. #90. 12-03-92)

## ARTICLE V. OFFENSES AGAINST PROPERTY

14.501. PETTY LARCENY. DEFINED.

Petty larceny is hereby defined as any article of goods, choses in action, bank bills, bills receivable, chattels or other article of personalty of which, by law, larceny may be committed or of any such fixture or part or product of the soil as was severed from the soil by an unlawful act, in value of less than two hundred dollars (\$200.00), and said act is hereby declared to be a misdemeanor.

(1976 SC Code 16-13-30) (Ord. #111. 12-2-93)

14.502. DAMAGING PROPERTY.

Any person or persons who shall injure any animal, or who shall damage any goods, wares or merchandise, or other personal property of another person, or any public property, or who shall damage or destroy any fencing, trees, shrubbery or buildings on the land of another or belonging to any other person or persons shall be deemed guilty of a misdemeanor.

(1976 SC Code 16-11-510 and 16-11-520)

14.503. FAILURE TO LEAVE PREMISES WHEN ORDERED.

Any person or persons who, when requested to leave the premises of another or the house wherein any one or more persons shall conduct business (except offices of public officers), shall refuse to do so, shall be deemed guilty of a misdemeanor.

(1976 SC Code 16-11-620. State v. Hanapole, 255 S. C. 258, 178 S. E. 2d 247 (1970))

14.504. FENCES. REMOVING, DESTROYING, OR LEAVING DOWN.

Any person other than the owner who shall remove, destroy or leave down any portion of any fence intended to enclose animals of any kind, crops or uncultivated lands or who shall leave open any gate or leave down any bars or other structure intended for a like purpose shall be guilty of a misdemeanor.

(1976 SC Code 16-11-650)

14.505. RECEIVING STOLEN GOODS.

Any person who shall buy, receive, or have in his possession any goods or chattels or other property, knowing the same to have been stolen, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment, although the principal felon be not previously convicted and whether is amenable to justice

or not; provided, that when the chattel or other property stolen shall be of a greater value than one hundred dollars (\$100.00), this Section shall not apply.

(1976 SC Code 16-13-180, as amended by Act 76, May 21, 1981)

14.506. OBTAINING SIGNATURE OR PROPERTY BY FALSE PRETENSES.

Any person who shall, by any false pretense or representation, obtain the signature of any person to any written instrument or shall obtain from any other person any chattel, money, valuable security or other property, real or personal, if the sum of the written instrument or the value of the property so obtained does not exceed one hundred dollars (\$100.00), with the intent to cheat and defraud any person of such property, shall be guilty of a misdemeanor and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury.

(1976 SC Code 16-13-240, as amended by Act 76, May 21, 1981)

14.507. OBTAINING PROPERTY UNDER FALSE TOKENS OR LETTERS.

Whoever shall falsely and deceitfully obtain or get into his hands or possession any money, goods, chattels, jewels or other things of any other person by any false or counterfeit letter made in any other person's name shall, upon conviction thereof, suffer such imprisonment as the Court may adjudge; provided, that when the money, goods, chattels and other things so obtained exceed in value fifty dollars (\$50.00), this Section shall not apply.

(1976 SC Code 16-13-260)

14.508. OBTAINING CREDIT OR PROPERTY WITH EXPIRED OR FALSE CREDIT CARD.

a. The term "credit card", as used in this Section, means an identification card, credit number, credit device or other credit document issued to a person by a business organization which permits such person to purchase or obtain goods, property or services on the credit of such organization.

b. The word "notice", as used in this Section, shall be construed to include whether notice given to the purchaser in person or notice given to him in writing. Such notice in writing shall be presumed to have been given when deposited as registered or certified matter, in the United States mail, addressed to such person at his address as it appears in the files of the issuer of the credit card.

c. It shall be unlawful for any person to knowingly use for the purpose of obtaining credit or for the purchase of goods, property or services:

1. a credit card which has not been issued to such person and which is not used with the consent of the person to whom issued; or
2. a credit card which has been revoked or cancelled by the issuer of such card and notice thereof has been given to such person; or
3. a credit card which has expired; or
4. a credit card which is false, fictitious or counterfeit.

Any person violating the provisions of this Section, when the amount of credit or purchase obtained is less than fifty dollars (\$50.00), shall be guilty of a misdemeanor.

(1976 SC Code 16-13-270)

14.509. SECURING PROPERTY BY FRAUDULENT IMPERSONATION OF OFFICER.

Whoever, with intent to defraud any government, firm, or person, shall take upon himself to act as an officer or shall in such pretension or pretended character demand, obtain or receive from any government, firm or person any money, paper, document or other valuable thing of a less value than twenty dollars (\$20.00), shall be guilty of a misdemeanor.

(1976 SC Code 16-13-290)

14.510. FAILING TO RETURN BOOKS, ETC., BORROWED FROM CERTAIN PUBLIC INSTITUTIONS.

Whoever shall borrow from any library, school, museum, collection or exhibition any book, newspaper, magazine, manuscript, pamphlet, publication, recording, film or other article belonging to or in the care of said organizations, under any agreement to return it, thereafter shall fail to return said borrowed article, shall be given written notice, mailed to his last known address by certified mail or delivered in person, to return such borrowed article within fifteen (15) days; and in the event that such person shall thereafter willfully and knowingly fail to return such borrowed article within fifteen (15) days, such person shall be guilty of a misdemeanor.

(1976 SC Code 16-13-340)

14.511. TRESPASS.

a. Every entry upon the lands of another, after notice from the owner or tenant prohibiting such entry, shall be a misdemeanor. When any owner or tenant of any lands shall post a notice in four (4) conspicuous places on the borders of such land prohibiting entry thereon, a proof of the posting shall be deemed and taken as notice conclusive against the person making entry, as aforesaid, for the purpose of trespassing.

(1976 SC Code 16-11-600)

b. Any person entering upon the lands of another for the purpose of hunting, fishing, swimming, skiing, trapping, netting, gathering fruit, wild flowers, cultivated flowers, shrubbery, straw, turf, vegetables or herbs or cutting timber on the same, without the consent of the owner or manager thereof, shall be guilty of a misdemeanor.

(1976 SC Code 16-11-610)

14.512. ALTERING AND REMOVING LANDMARKS, TREES, ETC.

Any person who shall knowingly, willfully, maliciously or fraudulently cut, fell, alter or remove any boundary tree or other allowed landmark, lamp post, lamp, or shade tree shall be guilty of a misdemeanor.

(1976 SC Code 16-11-680)

14.513. FIRES AND FIREWORKS NEAR BUILDINGS.

It shall be unlawful for any person to build or ignite a fire or to shoot or discharge fireworks in any place within the corporate limits that would endanger any property or building.

(1976 SC Code 16-6-2)

14.514. JUNK YARDS PROHIBITED.

No junk yard, whether for automobiles, machinery or other junk equipment shall be operated, and no license shall be issued for such a business; provided, this Section shall not apply to junk dealers who maintain their business in a completely enclosed building or which is fenced from the general public.

14.515. IMITATING SIGNAL OR CALL FOR POLICEMAN PROHIBITED.

Anyone imitating the signal or call for a policeman, either through mischief or otherwise, shall, upon conviction, be guilty of a misdemeanor.



14.516. GAINING ADMISSION TO PUBLIC EVENT WITHOUT PAYING THEREFOR.

a. Prohibited. It shall be unlawful for any person, where an admission charge is made, to gain admittance to any athletic contest or other public event, without paying the price of admission.

b. Witnessing event. It shall be unlawful for any person, unless upon his own premises, to witness an athletic contest or other public event, where an admission is charged, without paying the price of said admission.

c. Aiding and abetting. It shall be unlawful for any person to aid, abet or assist in any way any other person to witness any athletic contest or other public event without said person paying the admission charge.

14.517. CHECKS, FRAUDULENT; UNLAWFUL TO ISSUE.

It shall be unlawful to issue fraudulent checks to another person, firm or corporation.

14.518. SAME. MUNICIPAL COURT TO TRY VIOLATORS.

The Municipal Court is hereby authorized to try any person, firm or corporation issuing fraudulent checks, pursuant to Section 34-11-60, et seq, of the 1976 South Carolina Code of Laws, as amended. Violators of this section shall be subject to a fine of not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00) as provided by said section.

(Ord. #63. 8-9-90)

## ARTICLE VI. OFFENSES AGAINST PUBLIC POLICY

14.601. DISRUPTION OF PUBLIC MEETINGS.

It shall be unlawful for any person to interrupt the proceedings of any public meeting, or be guilty of disorderly conduct therein, or to commit any contempt of either.

(Editor's Note. Section 2.305 prohibits the interruption of the Council or other official bodies.)

14.602. PRISONERS; COMMUNICATION WITH.

It shall be unlawful for any person, except authorized officials, to take anything to or in any way communicate with any prisoner confined unless permission to do so shall have first been obtained from the Chief of Police or his deputies.

14.603. APPROACHING WITHIN TWENTY FEET OF PERSON BEING ARRESTED.

It shall be unlawful for any person or persons to wilfully approach nearer than twenty feet to any policeman who has made, is making or attempting to make an arrest.

(Editor's Note. For additional reference, see Sections 14.412 and 14.801 of this Code.)

14.604. TOWN PROPERTY TO BE RETURNED UPON SEPARATION.

It shall be unlawful for any employee or member of Council to fail to return any town property, including this Code, entrusted to him upon his resignation or any other reason for separation from town employment or service.

14.605. SWEARING FALSELY WHEN TAKING OATHS.

It shall be unlawful for any person to wilfully and knowingly swear falsely under oath in giving evidence in the Municipal Court, or at any other time or place within the town where an oath has been taken before the Mayor or other officer of the town who may be qualified to administer oaths.

14.606. FAILURE TO STOP ON COMMAND OF OFFICER.

It shall be unlawful for any person to wilfully and knowingly fail or refuse to stop when signaled, hailed or commanded to stop by a policeman or other officer of the town.

## ARTICLE VII. OFFENSES AGAINST THE PERSON

14.701. ASSAULT AND BATTERY.

It shall be unlawful for any person to commit an assault or assaults and battery upon any other person.

(1976 SC Code 16-3-610)

14.702. POINTING PISTOL OR GUN AT ANY PERSON.

It shall be unlawful for any person to point at any other person any loaded or unloaded firearm. Nothing contained herein shall be construed to abridge the right of self-defense or to apply to theatrical or like performances or to peace officers in the discharge of their duties.

(1976 SC Code 16-23-410)

14.703. FAILING TO REMOVE DOORS FROM ABANDONED REFRIGERATORS.

It shall be unlawful for any person to abandon or discard an icebox, refrigerator, ice chest or any type of airtight container, of a capacity sufficient to contain any child, to neglect, prior to such abandonment, to remove the door, lid or other device for the closing thereof or for any owner, lessee or other person in charge of property to knowingly permit any such airtight container to be placed on property under his control.

(1976 SC Code 16-3-1010)

14.704. UNLAWFUL TO LEAVE ABANDONED WELLS OPEN.

It shall be unlawful for any owner or tenant to permit or allow any abandoned well to remain open and unprotected, curbed or fenced in, or any place or premises within the corporate limits.

(1976 SC Code 16-3-1020)

14.705. UNLAWFUL TO THROW OBJECT INJURING PERSON OR DAMAGING PROPERTY.

It shall be unlawful for any person to throw any stone, stick, or other object whereby any person may be, or shall be, hit or hurt, or any window broken, or other property belonging to another damaged or destroyed.

14.706. NUISANCES UNLAWFUL.

It shall be unlawful for any person to keep or maintain a nuisance in the corporate limits. The term "nuisance" includes everything that gives offense to senses, violates the laws of decency or obstructs reasonable and comfortable use of property.

## ARTICLE VIII. PENALTIES

14.801. PARTIES TO A CRIME.

Every person who, whether present or absent, commits, attempts to commit, conspires to commit or aids or abets in the commission of any act violating any provision of this Code, whether individually or in connection with one or more other persons or as a principal, agent or accessory, shall, upon conviction, be guilty of such violation. Every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any such provisions shall be guilty of such offense. (For cross-reference, see Sec. 14.412 and 14.602, this code.)

14.802. PLEA OF GUILTY OR NOLO CONTENDERE OR FORFEITURE OF BAIL  
SAME AS CONVICTION.

The entry of any plea of guilty or nolo contendere or the forfeiture of any bail posted for the violation of any provision of this Code or for the violation of any other law or Ordinance of the town shall have the same effect as a conviction after trial under such provisions.

14.803. PENALTIES.

Unless otherwise provided herein, upon conviction, the violation of any Section of this Code shall be punishable by a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than thirty (30) days, or both.

(1976 SC Code 14-25-65) (Ord. #101. 9-19-93)

14.804. ADOPTION OF CRIMINAL LAW OF STATE OF SOUTH CAROLINA.

All acts and conduct that constitute violation of the common law and statutory law, as set forth in the 1976 Code of Laws of South Carolina, and amendatory thereof, are hereby declared unlawful, when such acts, conduct or violations occur, insofar as such provisions and violations can have application and the punishment of which is within the jurisdiction of the Council.

(Editor's Note. The 1976 South Carolina Code, Section 5-7-30, permits municipalities to "...enact...ordinances, not inconsistent with the Constitution and general laws of this State...". The above Section is intended to allow law enforcement officials to prevent those crimes not specifically adopted by this Chapter or other ordinances.)