

## TITLE 7. PUBLIC PEACE, MORALS, AND WELFARE

### Chapter 7.16

#### PUBLIC DISTURBANCE

##### Sections:

- 7.16.1 Failure to Disperse.
- 7.16.2 Disorderly Conduct.
- 7.16.3 False Reporting.
- 7.16.4 Disturbing the Peace.
- 7.16.5 Public Drunkenness; Drug Incapacitation.

##### **7.16.1. Failure to Disperse.** (a) A person is guilty of failure to disperse if:

(1) He or she congregates with a group of three or more other persons and there are acts of conduct within that group which create a substantial risk of causing injury to any person or substantial harm to property; and

(2) He or she refuses or fails to disperse when ordered to do so by a peace officer or other public servant engaged in enforcing or executing the law.

(b) Failure to disperse is a misdemeanor. (Res. 93-025 (part), passed Mar. 8, 1993)

##### **7.16.2. Disorderly Conduct.** (a) A person is guilty of disorderly conduct if he or she:

(1) Uses abusive language and thereby intentionally creates a risk of assault;

(2) Intentionally disrupts any lawful assembly or meeting of persons without lawful authority; or

(3) Intentionally obstructs vehicular or pedestrian traffic without lawful authority.

(b) Disorderly conduct is a misdemeanor. (Res. 93-025 (part), passed Mar. 8, 1993)

**7.16.3. False Reporting.** (a) A person is guilty of false reporting if with knowledge that the information reported, conveyed, or circulated is false, he or she initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of a fire, explosion, crime, catastrophe, or emergency knowing that such false report is likely to cause evacuation of a building, place of assembly, or transportation facility or to cause public inconvenience or alarm.

(b) False reporting is a gross misdemeanor. (Res. 93-025 (part), passed Mar. 8, 1993)

**7.16.4. Disturbing the Peace.** (a) A person is guilty of disturbing the peace if he or she, by means of a loud noise or disruptive act, endangers or disrupts the peace, tranquility, health, or welfare of any person or natural wildlife community.

(b) Disturbing the peace is a misdemeanor. (Res. 93-025 (part), passed Mar. 8, 1993)

**7.16.5. Public Drunkenness; Drug Incapacitation.** Any person who shall appear in any public place under the influence of alcohol or any other drug or narcotic to the degree that he or she may endanger him- or herself or another human or property or annoy any persons in his or her vicinity shall be sentenced to confinement for a period of not more than thirty (30) days or to pay a fine of not more than fifty dollars (\$50) or both, with costs. The Court may in its judgment order the person upon conviction to participate in any available alcohol or drug abuse program in lieu of the foregoing penalties, which may be imposed upon failure of the person to follow the orders of the Court. Drunkenness in the absence of the other elements of this section shall not be an offense. (Prior code Ch. III, Art. I, §55; and §7.2.10 renumbered during the 1995 supplement)

Note: All subsections in this chapter have been renumbered for consistency, as follows. (Res. 2016-090, Jun. 20, 2016)

All Arabic numerals (1, 2, 3, etc.) used as subsection headings have been changed to lower case letters (a, b, c, etc.)

All lower case letters have been changed to Arabic numerals

Example: What was previously 7.16.1(1)(a) is now 7.16.1(a)(1)