

TITLE XIII: GENERAL OFFENSES

Chapter

130. OFFENSES AGAINST MUNICIPAL REGULATIONS

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Section

- 130.01 Public intoxication and consumption of alcohol
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- 130.03 Placing signs on trees prohibited
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§ 130.01 PUBLIC INTOXICATION AND CONSUMPTION OF ALCOHOL.

(A) *Definition.*

(1) For purposes of this section, **PUBLIC PLACE** means a place to which the public or a substantial group of persons has access and includes but is not limited to highways, transportation facilities, schools, places of amusements, parks, places of business, playgrounds and hallways, lobbies and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence. An act is deemed to occur in a public place if it produces its offensive or proscribed consequences in a public place. (KRS 525.010)

(2) For violations of division (C), **PUBLIC PLACE** shall not include any public place where a license under state law to sell distilled spirits, wine or beer by the drink has been obtained. (KRS 222.201)

(B) A person is guilty of public intoxication when he appears in a public place manifestly under the influence of alcohol or other controlled or intoxicating substance, not therapeutically administered, to the degree that he may endanger himself or other persons or property, or unreasonably annoy persons in his vicinity. (KRS 222.202(1), 525.100(1))

(C) A person is guilty of drinking alcoholic beverages in a public place when he drinks an alcoholic beverage in a public place, or in or upon any passenger coach, or other vehicle commonly used for the transportation of passengers, or in or about any depot, platform, or waiting room. (KRS 222.202)
Penalty, see § 130.99

§ 130.02 INJURY OF ANIMALS; POSSESSION OF FIREARMS IN VISTA RIDGE PARK PROHIBITED.

(A) It shall be unlawful for any person to catch, kill, injure or pursue with such intent, any wild bird, squirrel or other game, within the limits of Vista Ridge Park.

(B) It shall be unlawful for any person to shoot or discharge any gun, pistol or other firearm within the limits of Vista Ridge Park.

(C) It shall be unlawful for any person to enter or cross Vista Ridge Park with any gun, pistol or other fire arm in his possession.

(Ord. passed - -) Penalty, see § 130.99

§ 130.03 PLACING SIGNS ON TREES PROHIBITED.

It shall be unlawful for any person to drive or place any nail, tack or screw in, or to place any sign, card, notice, advertisement or bill on, or in anyway to cut, saw, deface, damage or injure any tree in any street or other public place in the city.

(Ord. passed - -) Penalty, see § 130.99

§ 130.04 BATHING IN LAKE CLOUGH PROHIBITED.

It shall be unlawful for any person to bathe in Lake Clough.

(Ord. passed - -) Penalty, see § 130.99

§ 130.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is otherwise provided shall be guilty of a misdemeanor and shall be fined not more than \$500.

(B) Except as provided in division (C) of this section, a person guilty of violating § 130.01 shall, for a first or second offense be fined not less than \$25. For a third or subsequent offense within a 12 month period, the person shall be fined not less than \$25 nor more than \$100, or be imprisoned in the county jail for not less than five nor more than 90 days, or both. In addition to any other penalty, the court may sentence the person to an alcohol or substance abuse treatment or education program subject to the terms of KRS 222.990(5). (KRS 222.990(3) - (5))

(C) A person guilty of public intoxication by reason of a controlled or other intoxicating substance, excluding alcohol, shall be fined not more than \$250 or imprisoned not more than 90 days, or both.

Statutory reference:

Public intoxication by other than alcohol a Class B misdemeanor, KRS 525.100