

## **TITLE XIII: GENERAL OFFENSES**

Chapter

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## **CHAPTER 130: GENERAL PROVISIONS**

### Section

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### **' 130.01 STATE CRIMINAL LAW ADOPTED.**

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

('88 Code, ' 14.804)

### **' 130.02 PARTY TO A CRIME; VIOLATION.**

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 title, whether individually or in connection with one or more other persons or as a principal, agent or accessory, shall, upon conviction, be guilty of a violation. Every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provisions shall be guilty of the offense.

('88 Code, ' 14.801)

### **' 130.99 PENALTY.**

(A) 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 title or for the violation of any other law or municipal ordinance shall have the same effect as a conviction after trial under the provisions. ('88 Code, ' 14.802)

(B) Unless otherwise provided herein, upon conviction, the violation of any section of this title shall be punishable by a fine of not more than \$500 or imprisonment for not more than 30 days, or both. (S.C. Code ' 14-25-65) ('88 Code, ' 14.803) (Am. Ord. 93-10-01, passed 10-12-93)



## **CHAPTER 131: OFFENSES AGAINST MORALITY**

### Section

- 131.01 Unlawful defrauding
- 131.02 Curfew
- 131.03 Indecent exposure
- 131.04 Bawdy houses
- 131.05 Immoral solicitation, information and transportation
- 131.06 Gambling; games of chance
- 131.07 Fortune telling
- 131.08 School disturbances
- 131.09 Public drunkenness
- 131.10 Spitting
- 131.11 Obscene material; display or sale
- 131.12 Interference with streets or sidewalks
- 131.13 Shoplifting
- 131.14 Loitering; obstructing passage
  
- 131.99 Penalty

### **' 131.01 UNLAWFUL DEFRAUDING.**

It shall be unlawful for any person, firm or corporation to obtain credit at any place where food is served or accommodations provided, by false pretense or any fraudulent device or, after obtaining food, accommodation or credit therefrom, to surreptitiously remove himself or his baggage therefrom and defraud the operator thereby.

('88 Code, ' 11.101) Penalty, see ' 131.99

### **' 131.02 CURFEW.**

(A) It shall be unlawful for any minor under the age of 17 years to loiter, wander, stroll, play or be in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, vacant lots or any other public place between the hours of 10:00 p.m. and 6:00 a.m. on the following

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day from Sunday through Thursday and between the hours of 11:00 p.m. and 6:00 a.m. on the following day on Friday and Saturday of each week. The provisions of this section shall not apply in the following instances:

(1) When the minor is accompanied by his or her parent, legal guardian or other adult person, over the age of 21 years, 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 the lawful care and custody of the minor;

(3) When the minor is returning directly home from a civic, school or recreational activity; or

(4) When the minor is returning directly home from lawful employment.

(B) It shall be unlawful for the parent, guardian or other person having custody or control of any child under the age of 17 years to permit, or by insufficient control, to allow the child to be in or upon the public streets or any other places described in division (A) above within the city between the hours of 10:00 p.m. and 6:00 a.m. on the following day from Sunday through Thursday and between the hours of 11:00 p.m. and 6:00 a.m. on the following day on Friday and Saturday of each week, except in circumstances set out in divisions (A)(1) through (A)(4).

(Ord. 94-10-01, passed 10-18-94) Penalty, see ' 131.99

### ' 131.03 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.

('88 Code, ' 14.301) Penalty, see ' 131.99

***Statutory reference:***

*Similar provision, see S.C. Code ' 16-15-130*

### ' 131.04 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 the 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.

('88 Code, ' 14.302) Penalty, see ' 131.99

**Statutory reference:**

*Degree of offense, see S.C. Code ' 16-15-110*

*Prostitution a misdemeanor, see S.C. Code ' 16-15-90*

*Use of buildings for lewdness a nuisance, see S.C. Code ' 15-43-10*

### ' 131.05 IMMORAL SOLICITATION, INFORMATION AND TRANSPORTATION.

(A) 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 the 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 the person to any place for immoral purposes. (S.C. Code ' 16-15-90) ('88 Code, ' 14.303)

(B) 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, direction, telephone or in writing. (S.C. Code ' 16-15-90) ('88 Code, ' 14.304)

(C) 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. (S.C. Code ' 16-15-90) ('88 Code, ' 14.305)

(D) It shall be unlawful for any person to take, rent, use or occupy any place for immoral purposes. (S.C. Code ' 15-43-10) ('88 Code, ' 14.306)  
Penalty, see ' 131.99

### ' 131.06 GAMBLING; GAMES OF CHANCE.

(A) It shall be unlawful for any person to engage in gambling or games of chance within the corporate limits. ('88 Code, ' 14.307)

(B) 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. ('88 Code, ' 14.308)

Penalty, see ' 131.99

**Statutory reference:**

*Statutory prohibitions, see S.C. Code ' 16-19-40*

**' 131.07 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.

(S.C. Code ' 40-41-310) ('88 Code, ' 14.309) Penalty, see ' 131.99

**' 131.08 SCHOOL DISTURBANCES.**

It shall be unlawful:

(A) For any person willfully or unnecessarily:

(1) To interfere with or to disturb in any way or in any place the students or teachers of any school;

(2) To loiter about the school premises;

(3) To act in an obnoxious manner thereon; or

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

(S.C. Code ' 16-17-420) ('88 Code, ' 14.310) Penalty, see ' 131.99

**' 131.09 PUBLIC DRUNKENNESS.**

(A) It shall be unlawful for any person to create a nuisance upon the public streets or in any public place in a drunken condition. ('88 Code, ' 14.311)

(B) It shall be unlawful for any person or persons to drink any kind of intoxicating alcoholic beverages on the streets, alleyways, highways or other public places. (S.C. Code ' 14-25-90) ('88 Code, ' 14.312)

Penalty, see ' 131.99

***Statutory reference:***

*Similar provisions, see S.C. Code ' 16-17-530*



**' 131.10 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.

('88 Code, ' 14.313) Penalty, see ' 131.99

**' 131.11 OBSCENE MATERIAL; DISPLAY OR SALE.**

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.

(S.C. Code " 14-25-90, 16-15-150 and 16-15-230) ('88 Code, ' 14.314) Penalty, see ' 131.99

***Statutory reference:***

*Statutory prohibition, see S.C. Code " 16-15-305 et seq.*

**' 131.12 INTERFERENCE WITH STREETS OR SIDEWALKS.**

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.

(S.C. Code ' 5-7-30) ('88 Code, ' 14.315) Penalty, see ' 131.99

**' 131.13 SHOPLIFTING.**

A person shall be guilty of shoplifting, which is hereby declared to be a misdemeanor, pursuant to the S.C. Code ' 16-13-110, if he:

(A) 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 cause 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 the merchandise without paying the full value thereof;

(B) Alters, transfers or removes any label, price tag marking, indication 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 the 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 the merchandise; or

(C) Transfers any merchandise displayed, filed, 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.

(S.C. Code ' 16-13-110) ('88 Code, ' 14.317) Penalty, see ' 131.99

#### **' 131.14 LOITERING; OBSTRUCTING PASSAGE.**

(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 Aloiter@ 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; and/or

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

('88 Code, ' 14.318) Penalty, see ' 131.99

#### **' 131.99 PENALTY.**

(A) Any person who violates any provision of this chapter for which no specific penalty is prescribed shall be subject to ' 130.99.

(B) A person convicted of violating ' 131.02 shall be subject to a fine of \$100 for the first offense, a fine of \$200 for each subsequent offense and/or 30 days confinement or 30 days public service work.

(Ord. 94-10-01, passed 10-18-94)

## CHAPTER 132: OFFENSES AGAINST PEACE

### Section

- 132.01 False alarms
- 132.02 Firearms and weapons
- 132.03 Disorderly conduct
- 132.04 Resisting officer; failure to aid
- 132.05 Disturbing public gatherings or meetings
- 132.06 Riots
- 132.07 Picketing, demonstrations and the like
- 132.08 Noises; disturbing the peace
- 132.09 Halloween activities
- 132.10 Drug-related activities
- 132.11 Crime watch area signs
- 132.12 Communications with prisoners
- 132.13 Property returned upon separation
- 132.14 Swearing falsely under oath

### ***Cross-reference:***

*Bonfires, ' 93.07*

*Burning of construction or demolition debris, ' 93.06*

*Burning of outdoor rubbish, see ' 93.05*

*Fireworks, see " 93.35 through 93.37*

*Racing or drag racing, see ' 71.055*

### **' 132.01 FALSE ALARMS.**

(A) It shall be unlawful for any person to knowingly give a false fire alarm by telephoning, informing any person that an emergency exists, knowing the same to be untrue, or in any other manner, communicating falsely to the Fire Department that an emergency exists. ('88 Code, ' 9.201)

(B) Any person, firm or corporation having a fire alarm, smoke detector or other type of alarm, and which alarm has a direct or indirect connection which calls for a response from the Fire Department, shall be allowed two false alarms during any one calendar year and will be charged a fee of \$50 for the third false alarm responded to by the Fire Department within such calendar year and \$100 for each false alarm responded to thereafter within such calendar year.

(C) If the possessor of the alarm shows to the satisfaction of the Fire Chief that the false alarm was not the result of negligence or improper maintenance such fee may be waived.

Penalty, see ' 130.99

***Statutory reference:***

*Statutory prohibitions, see S.C. Code ' 16-17-570*

**' 132.02 FIREARMS AND WEAPONS.**

(A) 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 inches in length, or other weapon usually used for the infliction of personal injuries. ('88 Code, ' 14.402)

(B) 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. ('88 Code, ' 14.403)

(C) 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. ('88 Code, ' 14.410)

Penalty, see ' 130.99

***Cross-reference:***

*Pointing pistols or guns, see ' 134.02*

***Statutory reference:***

*Statutory prohibitions, see S.C. Code ' 16-23-460*

**' 132.03 DISORDERLY CONDUCT.**

(A) 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;

(2) Making unreasonable noises, offensively coarse utterances, gestures or displays or addresses of abusive language to any person present;

(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.

(B) For the purpose of this section, Apublic@ means affecting or likely to affect any person or persons in a place to which the public or 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, and the like. ('88 Code, ' 14.404) Penalty, see ' 130.99

***Cross-reference:***

*Disturbing public gatherings or meetings, see ' 132.05*

*Indecent exposure, see ' 131.03*

*Public drunkenness, see ' 131.09*

**' 132.04 RESISTING OFFICER; FAILURE TO AID.**

(A) Any person or persons who shall resist or 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 S.C. Code " 14-25-65 and 16-5-50. ('88 Code, ' 14.405)

(B) 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. ('88 Code, ' 14.408)

(C) It shall be unlawful for any person to willfully and knowingly fail or refuse to stop when signaled, hailed or commanded to stop by a policeman or other officer. ('88 Code, ' 14.606)

(D) It is a defense to prosecution under this section that the interference alleged consisted of constitutionally protected speech only. Penalty, see ' 130.99

***Statutory reference:***

*Municipal authority, see S.C. Code ' 5-7-30*

*Similar provisions, see S.C. Code ' 16-5-50*

**' 132.05 DISTURBING PUBLIC GATHERINGS OR MEETINGS.**

(A) It shall be unlawful for any person to interfere with or disturb any religious worship or public gathering. (S.C. Code ' 16-17-520) ('88 Code, ' 14.406)

(B) 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. ('88 Code, ' 14.601)

Penalty, see ' 130.99

***Cross-reference:***

*Disorderly conduct, see ' 132.03*

***Statutory reference:***

*Similar provisions, see S.C. Code ' 16-17-520*

**' 132.06 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 to and liable for each offense.

(S.C. Code ' 16-5-120) ('88 Code, ' 14.407) Penalty, see ' 130.99

***Statutory reference:***

*Penalty, see S.C. Code ' 16-5-120*

*Other riotous acts, see S.C. Code ' 16-5-130*

**' 132.07 PICKETING, DEMONSTRATIONS AND THE LIKE.**

(A) (1) It shall be unlawful to picket, parade or march unless a permit to perform the 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 to the City Clerk between the hours of 8:30 a.m. and 5:00 p.m. of each work day, for subsequent approval by the City Administrator.

(2) A permit may be issued three days thereafter, excluding the date the application is submitted. The application shall state the time, duration, purpose, the area in which the picketing, parading or marching will occur and the individual, group of individuals or organization directing and responsible for the picketing, parading or marching.

(B) When picketing or engaging in Ademonstrations,@ no person shall:

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

(2) March, parade, protest or picket in any manner other than as permitted by this section, except with the express written consent and approval of the City Administrator;

(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;

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(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 with, in any manner, 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 the 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;

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

(e) No more than two 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 feet from every other picket; or

(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) A Demonstrate, @ other than in accordance with the following principles:

(a) Walking not more than two abreast upon the public sidewalks or in groups of not more than 100 persons;

(b) Observing 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; or



(d) Assembling peacefully and speaking peacefully for a period of time not exceeding 30 minutes and when traffic to and from places of business or employment is not at its peak, and in

circumstances as will not unduly disrupt the public peace, and conducted in a manner as not to deprive the public of adequate police and fire protection.

(S.C. Code ' 14-25-90) ('88 Code, ' 14.411) (Am. Ord. 08-06-01, passed 6-17-08) Penalty, see ' 130.99

### ' 132.08 NOISES; DISTURBING THE PEACE.

(A) *Definitions.* The following words, terms and phrases, when used in this section shall have the meanings ascribed to them in this division, except where the context indicates a different meaning:

(1) **CONSTRUCTION** means the assembly, erection, substantial repair, alteration, demolition, or site preparation for of public or private rights-of-ways, buildings, or other structures, utilities, or property.

(2) **DAYTIME HOURS** means the hours between 7:00 a.m. and 10:00 p.m., Monday through Saturday, and the hours between 9:00 a.m. and 10:00 p.m. on Sunday.

(3) **EMERGENCY** means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

(4) **EXCESSIVE NOISE** means any sound, the intensity of which exceeds the standards set forth in this section.

(5) **PREMISES** means any building, structure, land, or portion thereof, including all appurtenances, owned or controlled by a person.

(6) **PROPERTY MAINTENANCE** equipment means all engine or motor powered tools and equipment used occasionally in the repair and upkeep of interior property and including but not limited to lawn mowers, riding tractors, wood chippers, power saws, and leaf blowers.

(7) **PUBLIC EMERGENCY** sound signal means a device, either stationary or mobile, producing audibly signals associated with a set of circumstances involving actual or imminent danger to persons or damage to property that demands immediate action.

(8) **PUBLIC FACILITY MAINTENANCE** means all activity related to the clearing, cleaning, and upkeep of public roads, sidewalks, sewers, water mains, utilities, and publicly owned property.

(9) **SOUND** means a transmission of energy through solid, liquid, or gaseous media in the form of vibrations which constitute alterations in pressure or position of the particles in the medium and which, in air, evoke physiological sensations, including but not limited to an auditory response, when impinging on

the ear.

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(B) *Declaration of Policy.* Excessive noise must be controlled by the city to protect, preserve, and promote the public health, safety, and welfare. The Council recognizes the fact that people have a right to and should be ensured an environment free from excessive sound and vibration that may jeopardize their health, safety, or welfare.

(C) *Generally.* Subject to the following provisions, the creation of any unreasonably loud, disturbing or unnecessary noise in the town is 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 to be detrimental to the life or health of any individual or such noise as to disturb the quiet and peace of any citizen in the town.

(D) *Unlawful acts enumerated.* The following acts, among others, are declared to be loud, disturbing or unnecessary noises and are specifically prohibited by this section. The following shall not, however, necessarily include all such noises as may constitute a violation of division (C) of this section.

(1) *Blowing horns.* The sounding of any horns, whistle or signal device on any motor vehicle, except as a danger signal or as required by law, so as to create any unreasonably loud or harsh sound or the sounding of any device for any unreasonable amount of time is hereby prohibited.

(2) *Sirens.* The use of any gong, bell or siren on any motor vehicle other than police, fire, rescue or other emergency vehicle permitted by is hereby prohibited.

(3) *Sound amplifying devices.* The playing of any radio, stereo, compact disc player, record player, tape recorder, television, musical instrument or sound producing or sound amplifying device in such manner or with such volume as to annoy or disturb the quiet, repose or comfort of any person in any dwelling, hotel or other residence if hereby prohibited.

(4) *Blowing whistles.* The blowing of any steam whistle attached to a boiler except as a warning of danger, to give notice to start or stop work, or as an indicator of time, is hereby prohibited.

(5) *Noises to attract attention.* The use of any bell, drum, loudspeaker or other instrument for the purpose of attracting attention by the creation of noise to any performance, show, sale, display or advertisement of merchandise is hereby prohibited.

(E) *Emergency situations.* Noise caused in the performance of emergency work for the immediate safety, health or welfare of the community or individuals of the community or to restore property to a safe condition following a public calamity shall not be subject to the provisions of this section.

(F) (1) *Exclusions from section.* This section shall not apply to noise emitted

by or related to the following:

(a) Natural phenomena.

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- (b) The unamplified sound made by any wild animal.
- (c) A bell or chime from any building clock, school, or church.
- (d) A public emergency sound signal.
- (e) Farming equipment or farming activity.
- (f) An emergency.
- (g) Snow removal.

(2) *Exemptions from section.* The following shall be exempt from this section, subject to the special conditions noted:

(a) Noise created by the operation of property maintenance equipment during daytime hours.

(b) Noise generated by any construction equipment operated during daytime hours.

(c) Noise created by any recreational activities that are sanctioned by the city, including but not limited to parades, sporting events, concerts, and fireworks displays.

(d) Noise created by blasting is conducted between 8:00 a.m. and 5:00 p.m. local time and provided that a permit for such blasting has been obtained from state or local authorities.

(e) Noise created by refuse and solid waste collection, provided that such activity is conducted between 6:00 a.m. and 10:00 p.m.

(f) Noise created by a fire or intrusion alarm which, from the time of activation of the audible signal, emits noise for a period of time not exceeding ten minutes when such alarm is attached to a vehicle or thirty minutes when attached to any building or structure.

(g) Noise created by public facility maintenance during daytime hours.

(G) *Penalties.* Any person in violation of this article shall be deemed guilty of an offense and, upon conviction thereof, shall be fined in an amount not to exceed \$200. In lieu of arrest and issuance of a summons, a police officer may serve upon a violator an infraction notice, which shall be known as a noise ticket. Payment of the fine prescribed by such noise ticket within the time limit specified thereon

shall constitute a plea of nolo contendere and shall save the violator harmless from prosecution for the offense cited.

***Statutory reference:***

*Municipal authority, see S.C. Code ' 5-7-30*

**' 132.09 HALLOWEEN ACTIVITIES.**

It shall be unlawful for any person over 12 years of age to participate in the act of ATrick or Treat@ on Halloween night, and all persons under the age shall be accompanied by a parent or responsible person. All ATrick or Treat@ activities shall end by 8:00 p.m. This section shall not apply to organized and supervised Halloween parties.

('88 Code, ' 14.414) Penalty, see ' 130.99

**' 132.10 DRUG-RELATED ACTIVITIES.**

(A) The term Adrug 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, packaging, repackaging, 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 city with 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. ('88 Code, ' 14.415) Penalty, see ' 130.99

**' 132.11 CRIME WATCH AREA SIGNS.**

(A) The City Administrator and Police Chief shall designate Acrime watch areas@ and obtain official permission, to erect signs indicating the areas, from the South Carolina Department of Highways and Public Transportation (SCDHPT).

(B) ACrime watch area@ signs shall not exceed three feet by four feet and shall be placed on highway or street rights-of-way in accordance with SCDHPT regulations.

('88 Code, ' 14.416)

**' 132.12 COMMUNICATIONS WITH PRISONERS.**

(A) 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 Police Chief or his deputies. ('88 Code, ' 14.602)

(B) It shall be unlawful for any person or persons to willfully approach nearer than 20 feet to any police officer who has made, is making or attempting to make an arrest. ('88 Code, ' 14.603)  
Penalty, see ' 130.99

**' 132.13 PROPERTY RETURNED UPON SEPARATION.**

It shall be unlawful for any employee or member of Council to fail to return any public property entrusted to him, including this code, upon his resignation or any other reason for separation from municipal employment or service.  
( '88 Code, ' 14.604) Penalty, see ' 130.99

**' 132.14 SWEARING FALSELY UNDER OATH.**

It shall be unlawful for any person to willfully and knowingly swear falsely under oath in giving evidence in the Municipal Court, or at any other time or place within the corporate limits where an oath has been taken before any person who may be qualified to administer oaths.  
( '88 Code, ' 14.605) Penalty, see ' 130.99



## CHAPTER 133: OFFENSES AGAINST PROPERTY

### Section

- 133.01 Petty larceny
- 133.02 Damaging property
- 133.03 Failure to leave when ordered
- 133.04 Receiving stolen goods
- 133.05 Obtainment by false pretenses
- 133.06 Obtainment by impersonation of officer
- 133.07 [Reserved]
- 133.08 Trespassing
- 133.09 Fires and fireworks
- 133.10 Junkyards
- 133.11 Sneaking into public event

**Cross-reference:**

*Driving over fire hose, see ' 93.03*

*Riding on fire engines, see ' 32.33*

*Throwing objects, see ' 134.05*

### ' 133.01 PETTY LARCENY.

Petty larceny is hereby defined as any article of goods, chooses in action, bank bills, bills receivable, chattels or other article of personalty of which, by law, larceny may be committed or of any fixture or part or product of the soil as was severed from the soil by an unlawful act, in value of less than \$200, and the act is hereby declared to be a misdemeanor.

(S.C. Code ' 16-13-30) ('88 Code, ' 14.501)

**Cross-reference:**

*Larceny of bicycles, see ' 73.09*

### ' 133.02 DAMAGING PROPERTY.

(A) 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

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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. ('88 Code, ' 14.502)

(B) 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. (S.C. Code ' 16-11-650) ('88 Code, ' 14.504)

(C) 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. (S.C. Code ' 16-11-680) ('88 Code, ' 14.510)

Penalty, see ' 130.99

***Statutory reference:***

*Violations a misdemeanor, see S.C. Code " 16-11-51(B)(3) and 16-11-520(B)(3)*

**' 133.03 FAILURE TO LEAVE 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.

('88 Code, ' 14.503) Penalty, see ' 130.99

***Statutory reference:***

*Similar provision, see S.C. Code ' 16-11-620*

**' 133.04 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 deemed guilty of a misdemeanor.

(S.C. Code ' 16-13-180) ('88 Code, ' 14.505) Penalty, see ' 130.99

***Statutory reference:***

*Misdemeanors limited to stolen property valued at \$1,000 or less, see S.C. Code ' 16-13-180*

**' 133.05 OBTAINMENT 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 for 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 \$200, with the intent to cheat and defraud any person of the 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. (S.C. Code ' 16-13-240) ('88 Code, ' 14.506) Penalty, see ' 130.99

**' 133.06 OBTAINMENT BY IMPERSONATION OF OFFICER.**

(A) Whoever, with intent to defraud any government, firm or person, shall take upon himself to act as an officer or shall in the 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 \$20, shall be guilty of a misdemeanor. (S.C. Code ' 16-13-290) ('88 Code, ' 14.507)

(B) Anyone imitating the signal or call for a police officer, either through mischief or otherwise, shall be guilty of a misdemeanor. ('88 Code, ' 14.513) Penalty, see ' 130.99

**' 133.07 [RESERVED.]**

**' 133.08 TRESPASSING.**

(A) (1) Every entry upon the lands of another, after notice from the owner or tenant prohibiting entry, shall be a misdemeanor.

(2) When any owner or tenant of any lands shall post a notice in four conspicuous places on the borders of the 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. ( S.C. 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. (S.C. Code ' 16-11-610) ('88 Code, ' 14.509) Penalty, see ' 130.99



**' 133.09 FIRES AND FIREWORKS.**

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.

('88 Code, ' 14.511)

***Cross-reference:***

*Fire prevention; fireworks, see Ch. 93*

**' 133.10 JUNKYARDS.**

No junkyard, whether for automobiles, machinery or other junk equipment shall be operated, and no license shall be issued for a business. This section shall not apply to junk dealers who maintain their business in a completely enclosed building or which is fenced from the view of the general public.

('88 Code, ' 14.512)

**' 133.11 SNEAKING INTO PUBLIC EVENT.**

(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 the 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 the person paying the admission charge.

('88 Code, ' 14.514) Penalty, see ' 130.99



## CHAPTER 134: OFFENSES AGAINST PERSONS

### Section

- 134.01 Assault and battery
- 134.02 Pointing pistols or guns
- 134.03 Abandoned refrigerators
- 134.04 Abandoned wells
- 134.05 Throwing objects
- 134.06 Nuisances

### ' 134.01 ASSAULT AND BATTERY.

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

('88 Code, ' 14.701) Penalty, see ' 130.99

***Statutory reference:***

*Statutory prohibitions, see S.C. Code ' 16-3-610*

### ' 134.02 POINTING PISTOLS OR GUNS.

(A) It shall be unlawful for any person to point at any other person any loaded or unloaded firearm.

(B) 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.

(S.C. Code ' 16-23-410) ('88 Code, ' 14.702) Penalty, see ' 130.99

***Cross-reference:***

*Firearms and weapons, see ' 132.02*

### ' 134.03 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 the 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 airtight container to be placed on property under his control.

(S.C. Code ' 16-3-1010) ('88 Code, ' 14.703) Penalty, see ' 130.99

#### **' 134.04 ABANDONED WELLS.**

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.

(S.C. Code ' 16-3-1020) ('88 Code, ' 14.704) Penalty, see ' 130.99

#### **' 134.05 THROWING OBJECTS.**

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.

('88 Code, ' 14.705) Penalty, see ' 130.99

#### **' 134.06 NUISANCES.**

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

('88 Code, ' 14.706) Penalty, see ' 130.99

***Cross-reference:***

*Health and Sanitation, see Chapter 94*