

Chapter 13

OFFENSES, MISCELLANEOUS PROVISIONS*

Art. I. In General, §§ 13-1—13-15

Art. II. Curfew for Minors, §§ 13-16—13-18

ARTICLE I. IN GENERAL

Sec. 13-1. ADOPTION OF STATE LAW MISDEMEANORS

The commission, while in the City, of any misdemeanor set forth in the general laws of the state or any amendment thereto is hereby declared to be a violation of this Code. (Code 1971, § 15-1)

Case law annotations-Adoption of state law relating to misdemeanors by city upheld, see McFarland v. Roberts, 74 502d 88; adoption of state law misdemeanors by reference includes laws both in existence at the time and those later adopted by the state legislature, see State v. Smith, 189 502d 846.

***State law reference-Penalty for misdemeanors, F.S. §§ 775.082, 775.083. See also Fla. Stats. general index under heading "Fines and Civil Penalties" for listing of state law misdemeanors.**

Sec. 13-2. STATE OF EMERGENCY

The Mayor or chief law enforcement officer of the city shall have the power to declare a state of emergency and perform the duties and powers granted in Florida Statutes §§ 870.041-870.048. (Code 1971, § 15-87-15-92)

Sec. 13-3. DISCHARGING FIREARMS AND MISSILES

*Cross references-Nuisances, Ch. 12; police, Ch. 16; traffic and motor vehicles, Ch.

Any person firing any gun, pistol or other firearm, or projecting any missile dangerous to the person or property of citizens within the city, shall be deemed guilty of a misdemeanor. (Code 1971, § 15-67)

State law reference-Discharging firearms in public, F.S. § 790.15.

Sec. 13-4. OBSTRUCTION OF RAILROAD CROSSINGS

It shall be unlawful for any railroad car or locomotive to be placed upon any street crossing in such a manner as to obstruct the safe passing of persons and vehicles over and across any street crossing the tracks of any railroad in the City for a longer period of time than ten (10) minutes. (Code 1971, § 15-8)

Sec. 13-5. ALARM SYSTEMS

Repealed. (Ord. 2-2001, 4-23-01)

Sec. 13-6—13-15. RESERVED

ARTICLE II. CURFEW FOR MINORS

Sec. 13-16. ESTABLISHED; EXCEPTION

It shall be unlawful for any minor to loiter, idle, wander, stroll or to engage in the selling of merchandise of any kind, or play in or upon the public streets, alleys, parks, playgrounds, public buildings, places of amusement, or any public place, between the hours of 10:00 p.m. and 6:00 a.m. of the following day; provided, however, that the provisions of this section shall not apply to a minor accompanied by his parent, guardian or other adult responsible person having the care and custody of the minor. (Code 1971, § 15-78)

Sec. 13-17. RESPONSIBILITY OF PARENTS, ETC.

It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor to knowingly permit such minor to loiter, idle, wander, stroll or to engage in the selling of merchandise of any kind, or play in or upon the public streets, alleys, parks, playgrounds, public buildings, places of amusement or any public place, between the hours of 10:00 p.m. and 6:00 a.m. of the following day; provided, however, that the provisions of this section do not apply when the minor is accompanied by his or her parent, guardian or other adult person having the care and custody of the minor. (Code 1971, § 15-79)

Sec. 13-18. DUTIES OF POLICE DURING SCHOOL HOURS

All police officers of the city are hereby empowered and authorized to apprehend and to question any minor who shall loiter, idle, wander, stroll or engage in the selling of merchandise of any kind, or play in or upon the public streets, alleys, parks, playgrounds, places of amusement or any public place during the regular public school hours fixed by the authorities and officers in charge of the running and management of the public schools in the city and to report the name of any minor apprehended to the public school authorities and to the officers charged with the enforcement and carrying out of the compulsory education laws. (Code 1971, § 15-80)