

**Title 9
CRIMINAL CODE**

Chapters:

- 9.05 State Statutes Adopted**
- 9.10 Disorderly Conduct and Related Offenses**
- 9.15 Weapons and Fireworks**
- 9.20 Sexual and Related Offenses**
- 9.25 Alcoholic Liquor**
- 9.30 Offenses Relating to Minors**
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- 9.40 Offenses Relating to Animals**
- 9.45 Obstructing Governmental Administration**
- 9.50 Street and Sidewalk Offenses**
- 9.55 Miscellaneous**
- 9.60 General Provisions – Enforcement**

**Chapter 9.05
STATE STATUTES ADOPTED**

Sections:

9.05.010 Oregon Criminal Code adopted.

9.05.010 Oregon Criminal Code adopted.

A. Applicability of Criminal Laws. Oregon Revised Statutes, Chapters 161 through 167 and Chapter 475, except for any provision classified as a felony under state law, are hereby adopted by reference as modified and effective from the 1991 Oregon Legislative Session. Violation of an adopted provision of these chapters is an offense against this city.

B. The provisions of Oregon Revised Statutes, Chapter 161, relating to defenses, burden of proof, general principles of criminal liability, parties and general principles of justification apply to offenses defined and made punishable by this title.

C. Except where the context clearly indicates a different meaning, definitions appearing in the general definitional and other particular sections of chapters adopted by subsection A of this section are applicable throughout. (Ord. 930 § 2, 1991; Ord. 916 § 1, 1987)

**Chapter 9.10
DISORDERLY CONDUCT AND RELATED OFFENSES**

Sections:

9.10.010 Disorderly conduct at fires.

9.10.020 Unnecessary noise.

9.10.010 Disorderly conduct at fires.

A. No person at or near a fire shall obstruct or impede fighting of the fire, interfere with fire department personnel or fire department apparatus, behave in a disorderly manner, or refuse to observe promptly an order of a member of the fire or police department.

B. For purposes of this section, members of the fire department are endowed with the same powers of arrest as are conferred on peace officers for violations of city ordinances. (Ord. 916 § 2, 1987)

9.10.020 Unnecessary noise.

No person shall create or assist in creating or permit the continuance of unreasonable noise in the city. The following enumeration of violations of this section is not exclusive but is illustrative of some unreasonable noises:

A. Keeping an animal that, by loud and frequent or continued noise, disturbs the comfort and repose of a person in the vicinity.

B. Using an engine, thing or device that is so loaded, out of repair or operated in such a manner as to create a loud or unnecessary grating, grinding, rattling or other noise.

C. Using a mechanical device operated by compressed air, steam or otherwise, unless the noise created by it is effectively muffled.

D. Construction, excavation, demolition, alteration or repair of a building between the hours of 6:00 p.m. and 7:00 a.m., except by special permit granted by the city.

E. Using or operating an automatic or electric piano, phonograph, loudspeaker or sound-amplifying device so loudly that it disturbs persons in its vicinity, or in a manner that makes it a public nuisance. However, on application to the council, permits may be granted to broadcast music, news, speeches or general entertainment. (Ord. 916 § 4, 1987)

**Chapter 9.15
WEAPONS AND FIREWORKS**

Sections:

9.15.010 Discharge of weapons.

9.15.020 Fireworks.

9.15.010 Discharge of weapons.

A. No person, other than an authorized police officer, shall fire or discharge a firearm or other weapon, including spring or air actuated pellet guns, air guns, BB guns, or weapon which propels or projects out of the use of gun powder or other explosive jet, or rocket propulsion.

B. The provisions of this section shall not be construed to prohibit the firing or discharging of a weapon by any person in the defense or protection of his property, person, or family. (Ord. 916 § 17, 1987)

9.15.020 Fireworks.

The following sections of the Oregon Fireworks Law are adopted by reference and made a part of this chapter: ORS 480.110, 480.120, 480.130, 480.140(1), 480.150 and 480.170. (Ord. 916 § 18, 1987)

**Chapter 9.20
SEXUAL AND RELATED OFFENSES**

Sections:

9.20.010 Public indecency.

9.20.010 Public indecency.

No person shall, while in or in view of a public place, perform:

A. An act of sexual intercourse.

B. An act of deviate sexual intercourse.

C. An act of exposing his genitals with the intent of arousing the sexual desire of himself or another person.

D. An act of urination or defecation except in toilets provided for that purpose. (Ord. 916 § 36, 1987)

Chapter 9.25 ALCOHOLIC LIQUOR

Sections:

- 9.25.010 Definitions.**
- 9.25.020 Providing liquor to certain persons prohibited.**
- 9.25.030 Persons not allowed to drink alcoholic liquor on licensed premises.**
- 9.25.040 Purchase, possession or consumption of liquor by minor.**
- 9.25.050 Lawful consumption of liquor by minor.**
- 9.25.060 Loitering on licensed premises by minors.**
- 9.25.070 Minors not permitted to drink or loiter on licensed premises.**
- 9.25.080 Permitting minors on licensed premises.**
- 9.25.090 Delivering or selling liquor by minor.**
- 9.25.100 Interdicted persons.**
- 9.25.110 Sales by unlicensed persons prohibited.**
- 9.25.120 Intoxicated persons on licensed premises.**
- 9.25.130 Consumption of liquor in beer parlor.**
- 9.25.140 Disposal of liquor containers.**
- 9.25.150 Election day.**
- 9.25.160 Lawful hours of sale.**
- 9.25.170 Misrepresentation of true age of minor.**
- 9.25.180 Defense of written age statement.**
- 9.25.190 Bartender not to drink on duty.**
- 9.25.200 Possession of alcoholic liquor on premises to conform to license.**
- 9.25.210 Consumption of alcoholic liquors in public places prohibited.**
- 9.25.220 Possession of open container of alcoholic beverage in a public place.**
- 9.25.230 Liquor in public dance hall prohibited.**
- 9.25.240 Nuisances.**
- 9.25.250 Arresting officer to seize property.**
- 9.25.260 Responsibility of licensee for employees.**
- 9.25.270 Violation – Penalty.**
- 9.25.280 Liquor commission to be notified.**

9.25.010 Definitions.

A. As used in this chapter:

1. “Alcoholic liquor” means any alcoholic beverage containing more than one-half of one percent of alcohol by volume.

2. “Commission” means the Oregon Liquor Control Commission as provided for by the Oregon Liquor Control Act.

3. “Hard liquor” means any alcoholic beverage, including sweet wines and all spirituous liquors, containing 14 percent or more alcohol by volume.

4. “Licensee” means a person who has an alcoholic liquor license from the commission authorizing such person to sell or dispense alcoholic liquor.

5. "Licensed premises" means the room or enclosure at the address within the corporate limits of the city of Rainier for which a license has been issued by the commission for the serving, mixing, handling, or selling of alcoholic liquor.

6. "Malt beverage" means malt beverage as defined in the Oregon Liquor Control Act.

7. "Minor" means any person under the age of 21 years.

8. "Oregon Liquor Control Act" means the state law so designated by ORS 471.027 as now or hereafter amended and supplemented, and includes the Oregon Distilled Liquor Control Act as defined by ORS 472.020 as now or hereafter amended and supplemented.

9. "Other responsible relative" means:

a. An adult who is the spouse of a minor;

b. An adult, related to the minor, who has taken over the parental duties of governing the minor's actions; or

c. A duly appointed, qualified, and acting guardian who has taken over the parental duties of governing the minor's actions.

10. "Person" means an individual, partnership, corporation, association, or club.

11. "Sell" means soliciting or receiving an order for, or keeping, offering or exposing for sale, delivering for value or in any way other than gratuitous, peddling, keeping with intent to sell, to whatsoever, procuring or allowing to be procured alcoholic liquor for any other person.

B. As used in this chapter, the singular includes the plural and the masculine includes the feminine. (Ord. 642 § 1, 1954)

9.25.020 Providing liquor to certain persons prohibited.

No person shall sell, give, furnish, make available, or serve any alcoholic liquor to:

A. Any minor except as provided in RMC 9.25.050.

B. Any person visibly intoxicated.

C. Any person under an order of interdiction by any court. (Ord. 833, 1976; Ord. 642 § 2, 1954)

9.25.030 Persons not allowed to drink alcoholic liquor on licensed premises.

No person shall allow or permit any person who is visibly intoxicated, or who is under an order of interdiction issued by any courts, to drink or consume any alcoholic liquor upon any licensed premises. (Ord. 642 § 3, 1954)

9.25.040 Purchase, possession or consumption of liquor by minor.

Except as provided in RMC 9.25.050, no minor shall purchase, acquire, consume, or have in his possession any alcoholic liquor. (Ord. 833, 1976; Ord. 642 § 4, 1954)

9.25.050 Lawful consumption of liquor by minor.

Nothing in this chapter contained shall be construed as prohibiting a parent or other responsible relative of a minor from giving such minor alcoholic liquor and permitting him to consume the same within the home of such parent or other responsible relative of the minor, or at such other private place not in view of the public where the parent or other responsible relative is present. (Ord. 642 § 5, 1954)

9.25.060 Loitering on licensed premises by minors.

Except as provided in RMC 9.25.080, no minor, whether or not he is accompanied by a parent or other responsible relative shall enter, loiter, or remain on any licensed premises, or any portion thereof, which has been posted by the commission to prohibit the use thereof by minors. (Ord. 642 § 6, 1954)

9.25.070 Minors not permitted to drink or loiter on licensed premises.

No licensee or his employee or agent shall permit any minor to:

A. Consume any alcoholic liquor upon any licensed premises, whether or not such alcoholic liquor is

given to the minor by a parent or other responsible relative.

B. Loiter on such licensed premises which have been posted by the commission to prohibit the use thereof by minors, except as provided in RMC 9.25.080.

C. Remain upon such premises or any portion thereof except as provided in RMC 9.25.080.

D. The fact that a parent or other responsible relative has accompanied a minor upon any licensed premises shall not constitute a defense to any charge brought for violation of this section, except as provided in RMC 9.25.080. (Ord. 642 § 7, 1954)

9.25.080 Permitting minors on licensed premises.

A. The provisions of RMC 9.25.060 and 9.25.070 shall not be construed to prohibit:

1. Any minor from entering any licensed premises, or portion thereof, for the transaction of any business pursuant to his duties in the regular course of his lawful employment.

2. A minor spouse from entering and remaining on licensed premises or any portion thereof when he is in the immediate company of his spouse who is 21 years of age or older.

B. This section shall not be construed to authorize a minor spouse to consume alcoholic liquor on any licensed premises. (Ord. 642 § 8, 1954)

9.25.090 Delivering or selling liquor by minor.

A. No minor, either for himself, or as agent or employee of another, shall sell, offer for sale, or deliver any alcoholic liquor.

B. No person shall employ, hire, or engage any minor to sell, offer for sale, or deliver any alcoholic liquor. (Ord. 642 § 9, 1954)

9.25.100 Interdicted persons.

No person under an order of interdiction by any court shall possess, purchase, or attempt to purchase any alcoholic liquor. (Ord. 642 § 10, 1954)

9.25.110 Sales by unlicensed persons prohibited.

No person shall sell alcoholic liquor unless he has a license from the commission to sell alcoholic liquor. Sales by a licensee or his employee shall be only such sales as are authorized by the license issued for the premises. (Ord. 642 § 11, 1954)

9.25.120 Intoxicated persons on licensed premises.

No licensee or his employee or agent shall permit a visibly intoxicated person to enter or remain upon the licensed premises which the licensee controls. (Ord. 642 § 12, 1954)

9.25.130 Consumption of liquor in beer parlor.

No licensee or his employee or agent shall knowingly permit any alcoholic liquor containing more than four percent of alcohol by weight to be brought upon or consumed upon the premises which he controls where the license of that premises permits only the sale and consumption of malt beverages. (Ord. 642 § 13, 1954)

9.25.140 Disposal of liquor containers.

A. No licensee or his employee or agent shall permit any empty or discarded containers of alcoholic liquor to be in the public view on the exterior of his licensed premises or in parking areas maintained in connection with such premises.

B. Every licensee or his employee or his agent who is serving hard liquor under the provisions of a dispenser's license shall break and destroy all hard liquor bottles as such bottles are emptied.

C. No person shall discard, throw away, or dispose of any container of alcoholic liquor whether broken or not, upon any street, alley, public grounds, or public place. (Ord. 642 § 14, 1954)

9.25.150 Election day.

No person shall sell for consumption on the premises any alcoholic liquor during the time the polls are open on any day on which an election is held throughout the state. (Ord. 642 § 15, 1954)

9.25.160 Lawful hours of sale.

A. Subject to the provisions of subsection B of this section, no person shall sell, dispense, or allow the consumption of any alcoholic liquor on any licensed premises, nor shall any licensee or his employee or agent deliver or permit the removal of any alcoholic liquor to, on or from any licensed premises, between the hours of 1:00 a.m. and 7:00 a.m.

B. A licensee in lawful possession of a club, restaurant, or dispenser's license may permit the privileges granted by such licenses between the hours of 7:00 a.m. and 2:30 a.m. of the day following, and may allow, after closing hours, any person who is not visibly intoxicated to remove from the club or restaurant premises alcoholic liquor lawfully brought upon the licensed premises by such person. (Ord. 642 § 16, 1954)

9.25.170 Misrepresentation of true age of minor.

A. No minor shall falsely represent that he is of any age other than his true age, or produce any evidence that would falsely indicate his age, for the purpose of securing any right, benefit, or privilege denied minors by this chapter.

B. No person shall falsely represent a minor to be 21 years of age or older for the purpose of securing or assisting such minor in securing any right, benefit, or privilege denied to minors by this chapter. (Ord. 642 § 17, 1954)

9.25.180 Defense of written age statement.

If a licensee or his employee or his agent is prosecuted in the municipal court under this chapter for selling alcoholic liquor to a minor, or permitting a minor to consume alcoholic liquor or to enter or loiter upon the licensed premises, the licensee or his employee or agent may offer in his defense any written statement made by or for such minor prior to violation, which statement was made and taken pursuant to the laws of Oregon and the rules and regulations of the commission, and such statement shall constitute a prima facie defense. (Ord. 642 § 18, 1954)

9.25.190 Bartender not to drink on duty.

No bartender shall drink or consume any alcoholic liquor, or be under the influence of alcoholic liquor, while on duty in a licensed premises. (Ord. 642 § 19, 1954)

9.25.200 Possession of alcoholic liquor on premises to conform to license.

No licensee or his employee or agent shall have in his possession on the licensed premises any alcoholic liquor that is not included within the scope of his license. (Ord. 642 § 20, 1954)

9.25.210 Consumption of alcoholic liquors in public places prohibited.

No person shall drink or consume any alcoholic liquor in or upon any street, alley, public grounds, or other public place unless such place has been licensed for that purpose by the Oregon Liquor Control Commission. (Ord. 642 § 21, 1954)

9.25.220 Possession of open container of alcoholic beverage in a public place.

No person shall possess an open container of alcoholic beverage on any of the streets, highways or alleyways, sidewalks, parks, public buildings, schools, or like places open to the general public within the corporate limits of the city of Rainier. (Ord. 642 § 21(B), 1954)

9.25.230 Liquor in public dance hall prohibited.

No person shall possess, keep, sell, give away, or otherwise dispose of or consume alcoholic liquor in any public dance hall, or in any room or building used for public dancing, that is not licensed under the Oregon Liquor Control Act. (Ord. 642 § 22, 1954)

9.25.240 Nuisances.

Any room, house, building, boat, structure or place of any kind where alcoholic liquor is sold, manufactured, bartered, or given away in violation of the law, or where persons are permitted to resort for the purpose of drinking alcoholic liquors in violation of the law, or any place where alcoholic liquors are kept for sale, barter, or gift in violation of the law, and all alcoholic liquor whether purchased from or through the Oregon Liquor Control Commission or purchased or acquired from any source, and all property including bars, glasses, mixers, lockers, chairs, tables, cash registers, music devices, and all furniture, furnishings, and equipment, and all facilities for the mixing, storing, serving, or drinking of alcoholic liquor kept and used in such place, hereby are declared to be a common nuisance; and any person who maintains or assists in maintaining such common nuisance is guilty of a violation of this chapter. (Ord. 642 § 23, 1954)

9.25.250 Arresting officer to seize property.

When an officer arrests any person for violation of this chapter, the officer shall take into his possession all alcoholic liquor and other property included under RMC 9.25.240 which the person arrested has in his possession, or on his premises, which apparently is being used or kept in violation of this chapter. If the person arrested is convicted, and the court finds that the alcoholic liquor and other property have been used in violation of this chapter, such forfeiture proceedings as are authorized by ORS 471.605, 471.610, and 471.615 may be instituted. (Ord. 642 § 24, 1954)

9.25.260 Responsibility of licensee for employees.

Each licensee is responsible and liable to prosecution for any violation of any provision of this chapter pertaining to his licensed premises and for any act or omission of any servant, agent, or employee of such licensee in violation of any provision of this chapter. (Ord. 642 § 25, 1954)

9.25.270 Violation – Penalty.

A. Violation of any provision of this chapter is punishable, upon conviction in the municipal court, by a fine not exceeding \$500.00, or by imprisonment in the city jail not to exceed 30 days, or by both.

B. Any person found to be in violation of RMC 9.25.220 shall be subject to a fine of not more than \$500.00 or imprisonment in the city jail for not longer than 90 days, or both. (Ord. 642 §§ 26, 26(B), 1954)

9.25.280 Liquor commission to be notified.

When a conviction is obtained against any licensee of the commission, or a conviction is obtained against any person where the violation was committed on a licensed premises, the municipal court shall notify the Oregon Liquor Control Commission of such conviction. (Ord. 642 § 27, 1954)

**Chapter 9.30
OFFENSES RELATING TO MINORS**

Sections:

- 9.30.010 Endangering welfare of minors.**
- 9.30.020 Places of amusement.**

- 9.30.030 Providing liquor to minors.**
- 9.30.040 Purchase or possession of liquor by minor.**
- 9.30.050 Lawful consumption of liquor by minor.**
- 9.30.060 Purchase of property from minors.**

9.30.010 Endangering welfare of minors.

A. No person shall employ a person under 18 years of age in or about a cardroom, poolroom, billiard parlor or dance hall, unless the establishment is a “recreational facility” as defined in RMC 9.30.020(C).

B. No person shall solicit, aid, or cause a person under 18 years of age to:

1. Violate the law of the United States or a state, or to violate a city or county ordinance.
2. Run away or conceal himself from a person or institution having lawful custody of the minor.

(Ord. 916 § 41, 1987)

9.30.020 Places of amusement.

A. No person under 18 years of age shall enter, visit or loiter in or about a public cardroom, poolroom or billiard parlor.

B. No person operating or assisting in the operation of a public cardroom, poolroom or billiard parlor shall permit a person under 18 years of age to engage in a game of cards, pool, billiards, dice or games of chance, for amusement or otherwise.

C. This section shall not apply to playing billiards or pool in a recreational facility. As used in this section, recreational facility means an area, enclosure or room in which facilities are offered to the public to play billiards or pool for amusement only and:

1. Is clean, adequately supervised, adequately lighted and ventilated.
2. No alcoholic liquor is sold or consumed.

3. Where access does not require passing through a room where alcoholic liquor is sold or consumed. (Ord. 916 § 42, 1987)

9.30.030 Providing liquor to minors.

No person shall sell, give, serve or otherwise make available any alcoholic liquor to a minor except as provided in RMC 9.30.050. (Ord. 916 § 43, 1987)

9.30.040 Purchase or possession of liquor by minor.

A. Except as provided in RMC 9.30.050, no minor shall attempt to purchase, purchase or acquire, or have in his or her possession alcoholic liquor.

B. For the purposes of this section, possession of alcoholic liquor includes acceptance or consumption of a bottle of such liquor, or any portion of it, or a drink of such liquor. However, this section does not prohibit a person from accepting or consuming sacramental wine as part of a religious rite or service. (Ord. 916 § 44, 1987)

9.30.050 Lawful consumption of liquor by minor.

Nothing in this title shall be construed as prohibiting a parent or other responsible relative of a minor from giving the minor alcoholic liquor and permitting the minor to consume it within the home of the parent or other responsible relative, or at another private place not in view of the public where the parent or other responsible relative is present. (Ord. 916 § 45, 1987)

9.30.060 Purchase of property from minors.

No person shall purchase any property or article of value from a minor, or have dealings respecting the title of property in the possession of a minor without the written consent of the parent or guardian of the minor. (Ord. 916 § 46, 1987)

Chapter 9.35
CURFEW

Sections:

- 9.35.010 Curfew imposed.**
- 9.35.020 Curfew hours.**
- 9.35.030 Parental responsibility.**
- 9.35.040 Police custody.**
- 9.35.050 Violation – Penalty.**

9.35.010 Curfew imposed.

No minor under 18 years of age shall be on a street, highway, park, alley or other public place between the hours specified in RMC 9.35.020 unless:

A. The minor is accompanied by a parent, guardian or other person 21 years of age or over and authorized by the parent or by law to have custody of the minor;

B. The minor is engaged in a lawful pursuit or activity which requires the minor's presence upon the street, highway, park, alley or other public places; or

C. The minor is emancipated under ORS 109.550 to 109.565. (Ord. 909 § 1, 1987)

9.35.020 Curfew hours.

For the purposes of this chapter, the applicable hours of curfew are the hours between 12:00 midnight and 4:00 a.m. of the following morning. (Ord. 909 § 2, 1987)

9.35.030 Parental responsibility.

No parent, guardian or other person having legal custody of a minor under the age of 18 years shall permit the minor to be in violation of this chapter. (Ord. 909 § 3, 1987)

9.35.040 Police custody.

Any police officer is authorized to take a minor violating a provision of this chapter into custody as provided by ORS 419.569. (Ord. 909 § 4, 1987)

9.35.050 Violation – Penalty.

Violation of RMC 9.35.030 by a parent, guardian or person having legal custody of a minor is punishable by a fine not to exceed \$500.00. (Ord. 909 § 5, 1987)

Chapter 9.40
OFFENSES RELATING TO ANIMALS

Sections:

- 9.40.010 Cruelty to animals.**
- 9.40.020 Poisoning animals.**

9.40.010 Cruelty to animals.

A. Except as otherwise authorized by law, no person shall intentionally or recklessly:

1. Subject any animal under human custody or control to cruel mistreatment.

2. Subject any animal under his or her custody or control to cruel neglect.

3. Kill without legal privilege any animal under the custody or control of another, or any wild bird.

B. As used in this section, "animal" includes birds. (Ord. 916 § 51, 1987)

9.40.020 Poisoning animals.

No person shall put out or place poison where it is liable to be eaten by cattle, sheep, horses, hogs, dogs, or other domestic animals. (Ord. 916 § 52, 1987)

**Chapter 9.45
OBSTRUCTING GOVERNMENTAL ADMINISTRATION**

Sections:

9.45.010 Police and fire communications.

9.45.020 Deliveries to prisoners.

9.45.010 Police and fire communications.

No person shall operate any generator or electromagnetic wave or cause a disturbance of a magnitude that interferes with the proper functioning of a police or fire department radio communication system. Interference caused by equipment operated in compliance with Federal Communications Commission regulations does not violate this section. (Ord. 916 § 58, 1987)

9.45.020 Deliveries to prisoners.

No person shall deliver, by any means, intoxicating liquor, dangerous drugs or narcotic drugs, as defined by state law, to a person confined in the city detention facility or attempt to convey or deliver any article to a prisoner without the consent of the officer in charge. (Ord. 916 § 59, 1987)

**Chapter 9.50
STREET AND SIDEWALK OFFENSES**

Sections:

9.50.010 Obstruction of building entrances.

9.50.020 Open cellar doors or grates.

9.50.030 Obstruction of fire hydrants.

9.50.040 Vending goods on streets or sidewalks.

9.50.010 Obstruction of building entrances.

No person shall obstruct an entrance to a building. (Ord. 916 § 71, 1987)

9.50.020 Open cellar doors or grates.

No owner or person in charge of property shall permit a cellar door or grate located in or on a sidewalk or public pathway to remain open unless the entrance is being used and, when being used, there are adequate safeguards for pedestrians using the sidewalk. (Ord. 916 § 72, 1987)

9.50.030 Obstruction of fire hydrants.

No owner of property adjacent to a street upon which a fire hydrant is located shall place or maintain a bush, shrub or tree or other obstruction within eight feet of the fire hydrant. (Ord. 916 § 73, 1987)

9.50.040 Vending goods on streets or sidewalks.

No person shall use or occupy a portion of a street or sidewalk for the purpose of vending goods, wares or merchandise by public outcry unless a license has been obtained. (Ord. 916 § 74, 1987)

Chapter 9.55
MISCELLANEOUS

Sections:

- 9.55.010 Gambling.**
- 9.55.020 Soliciting alms in public places.**
- 9.55.030 Lodging in cars.**
- 9.55.040 Selling or pledging property of intoxicated persons.**
- 9.55.050 Notices and advertisements.**
- 9.55.060 Hauling.**

9.55.010 Gambling.

A. Except as provided by subsection B of this section, no person shall engage in social games or gambling within the city.

B. Gambling does not include bingo or lotto when operated by a charitable, fraternal or religious organization when no person other than the organization or player profits in any manner from the operation of the lottery and when the organization has complied with the provisions of subsection (2) of ORS 465.100.

C. For the purposes of this section, “gambling”, “social games”, and “bingo and lotto” are defined as provided by ORS 167.117. (Ord. 916 § 80, 1987)

9.55.020 Soliciting alms in public places.

No person shall accost another in a public place to solicit alms. (Ord. 916 § 81, 1987)

9.55.030 Lodging in cars.

No person shall lodge in a car, outbuilding or other place not intended for that purpose without permission of the owner or person entitled to possession. (Ord. 916 § 82, 1987)

9.55.040 Selling or pledging property of intoxicated persons.

No person shall purchase property from a person who is in an intoxicated condition or under the influence of a narcotic drug, or advance, loan money to, or have dealings with such person respecting the title to property. (Ord. 916 § 83, 1987)

9.55.050 Notices and advertisements.

No person shall attach or cause to be attached a placard, bill, advertisement or poster upon real or personal property, whether public or private, without first securing permission from the owner or person in control of the property. This section shall not be construed as an amendment to or a repeal of any city regulation of the use and location of signs. (Ord. 916 § 84, 1987)

9.55.060 Hauling.

No person shall haul sand, gravel, rock, wood or other substance in a vehicle or conveyance that is so constructed or in such condition as to allow the sand, gravel, rock, wood or other substance to fall on and litter public streets. (Ord. 916 § 85, 1987)

Chapter 9.60
GENERAL PROVISIONS – ENFORCEMENT

Sections:

- 9.60.010 Offenses outside city limits.**
- 9.60.020 Soliciting or confederating to violate.**
- 9.60.030 Attempt to commit offenses.**
- 9.60.040 Separate violations.**
- 9.60.050 Violation – Penalty.**
- 9.60.060 Nuisance abatement.**
- 9.60.070 Application of state statutes.**

9.60.010 Offenses outside city limits.

This title applies to acts committed on property owned or leased by the city that is outside the corporate limits of the city. (Ord. 916 § 91, 1987)

9.60.020 Soliciting or confederating to violate.

No person shall solicit, aid, employ or engage another, or confederate with another to violate a provision of any city ordinance. (Ord. 916 § 92, 1987)

9.60.030 Attempt to commit offenses.

A person who attempts to commit an offense mentioned in this title or any ordinance of the city but who, for any reason, is prevented from consummating such act is guilty of an offense. (Ord. 916 § 93, 1987)

9.60.040 Separate violations.

When in any city ordinance, an act is prohibited or is made or declared to be unlawful or an offense, or doing an act is required, or the failure to do an act is declared to be unlawful or an offense, each day a violation continues constitutes a separate offense. (Ord. 916 § 94, 1987)

9.60.050 Violation – Penalty.

Violation of a provision of this title is punishable by a fine not to exceed \$500.00. However, if a violation of a provision is identical to a state statute with a lesser penalty, punishment shall be limited to the lesser penalty prescribed in state law. (Ord. 916 § 95, 1987)

9.60.060 Nuisance abatement.

No provision in this title shall preclude abatement of a nuisance as provided in Chapter 8.15 RMC. (Ord. 916 § 96, 1987)

9.60.070 Application of state statutes.

Provisions of the Oregon Criminal Code of 1971, as now constituted, relating to defenses, burden of proof, general principles of criminal liability, parties and general principles of justification apply to offenses defined and made punishable by this title. (Ord. 916 § 99, 1987)