

## CHAPTER IV

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**ARTICLE I.****BREACHES OF PEACE AND ORDER.**

**4-101. DISORDERLY CONDUCT DEFINED.** The term "disorderly conduct" is hereby construed to mean any act, gesture, or noise which would have a tendency to hinder, impede, molest, annoy, insult, or put fear in any person or persons lawfully assembled or being within the limits of the City of Lisbon.

**4-102. DISORDERLY CONDUCT FORBIDDEN.** Any person who shall be found in a disorderly condition or who commits disorderly conduct while on any street, alley, public way or place or upon any private premises or within any building within the limits of the City of Lisbon, shall be subject to the penalty as hereinafter defined.

**4-103. ASSAULT PROHIBITED.** Any person who shall commit an assault shall be deemed guilty of disorderly conduct.

**4-104. ASSAULT AND BATTERY.** Any person who shall commit an assault and battery shall be deemed guilty of disorderly conduct.

**4-105. DISTURBING THE PEACE.** No person shall disturb the peace and good order of the City of Lisbon, by clamor, noise, fighting, brawling, or using profane or obscene language in the streets or other public places, or by lewd or lascivious behavior or by practicing any trick, game, or device with intent to cheat or swindle.

**4-106. RESISTING OFFICERS.** Any person who shall resist, delay or obstruct the Chief of Police, any policeman, the mayor, or any other peace or public officer while in the lawful discharge of his duty, or who shall rescue or attempt to rescue any prisoner from the Chief of Police, any policeman, the Mayor, or any peace officer shall, upon conviction thereof, be subject to the penalty as hereinafter described.

**4-107. MAKING FALSE REPORT TO POLICE UNLAWFUL.** It shall be unlawful for any person to knowingly make or submit to the police department of the City of Lisbon or any officer or employee thereof any report or complaint of the violation of any law of this state or of the United States or any ordinances of the City of Lisbon, which report or complaint shall in fact be false or untrue, and known to the person making or submitting the same to be false and untrue.

**4-108. DANGEROUS WEAPONS, PROHIBITED.** It shall be unlawful for any person to have in his possession, except within his own home, or to carry or use, a revolver or pistol of any description, shotgun or rifle, which may be used for the explosion of cartridges, or any air gun, gas-operated gun or spring gun, or any instrument, toy or weapon commonly known as a "peashooter," "slingshot," or "beany," or any boy made for the purpose of throwing or projecting missiles of any kind by any means whatsoever, whether such instrument is called by any name set forth above or by any other name, provided that nothing in this section shall prevent the use of any such instruments in shooting galleries or in any private grounds or residence under circumstances when such instrument can be fired, discharged, or operated in such a manner as not to endanger persons or property, and also in such manner as to prevent the projectile from traversing any grounds or space outside the limits of such gallery, grounds or residence; provided, further, that it shall be unlawful for any person to wear under his clothes, or concealed about his person, or to display in a threatening manner or to flourish, any dangerous or deadly weapon, including, but not by way of limitation, any pistol, revolver, short barreled rifle, shotgun, air gun, gas-operated gun or spring gun, sling shot, brass knuckles, or knuckles of any material whatsoever, or any bowie knife, dirk, dagger, or any knife resembling a bowie knife, or any other dangerous or deadly weapon; provided, that nothing herein shall be construed to apply to law enforcement officers in the performance of their duty to fire off or discharge any gun or firearms, sling-shot, bow and arrow, or other similar device.

In all cases of conviction hereunder any and all dangerous weapons found on the person accused shall be confiscated and become the property of the City of Lisbon and be sold for the benefit thereof at such times and in such manner as the City Council may from time to time direct.

**4-109. PERSONS LYING IN WAIT TO COMMIT CRIME.** No person shall lurk, lie in wait, or conceal themselves in any house or other building, or in any yard or other place within the limits of the City of Lisbon, with intent to do any mischief, or pilfer, or commit any crime or misdemeanor whatever.

**4-110. DISTURBING RELIGIOUS MEETINGS.** It shall be unlawful for any person or persons to disturb any lawful assemblage or association or congregation met for religious purposes, by making any noise or by rude or indecent behavior or disorderly or profane discourse within their place of worship, or so near the same as to disturb the order and solemnity of the meeting.

**4-111. PERSONS USING STREETS NOT TO BE MOLESTED.** Every person who shall, while tarrying or walking upon any of the streets sidewalks, or public ways in said City, or at any entrance to any place of business, meeting house, hall or church, wrongfully hinder or impede the passage of any person; or who shall, by rude, obscene, vulgar indecent, or threatening language, or by any indecent act, gesture or noise molest, annoy, insult, or put fear in any person passing or attempting to pass upon such sidewalk, way, street, or entrance, shall be guilty of a misdemeanor.

**4-112. THROWING MISSILES AGAINST BUILDINGS OR AT PERSONS.** No person shall throw, cast, or cause to be thrown or cast, nor countenance others in throwing or casting any stone or other missile into, upon, or at any building or erection, motor vehicle, or public or private property, or upon or at any person or persons in any street, alley or other enclosed or unenclosed place within the corporate limits of the City of Lisbon, nor shall any person in any way use a rubber sling or other instrument or apparatus for the purpose of casting or throwing any missile or projectile whatever, unless allowed by Section 4-108 above.

**4-113. INJURING OR DESTROYING PROPERTY PROHIBITED.** It shall be unlawful for any person to willfully damage or destroy tangible property of another within the City, or to willfully tamper with or damage any shrubbery, lawn, trees, fence, or building of another within the City, or to remove any dirt or rock from any lot or parcel of ground within the City. And any person found guilty under this section shall be liable to such owner for the value thereof and for all other damages done, in addition to the penalty as provided in Section 4-803. (Ord 94-5)

**4-114. REMOVING OR SECRETING PROPERTY OF ANOTHER, PROHIBITED.** It shall be unlawful for any person or persons to misplace, hide, or secret any personal property of another to his annoyance, or inconvenience, or who shall in any manner interfere with the possession, control or custody of the personal property of another without his consent. It shall be unlawful for any person or persons to knowingly take or exercise unauthorized control over the property of another with the intent to permanently deprive the owner thereof.

**4-115. INJURING OR DESTROYING PUBLIC PROPERTY.** It shall be unlawful for any person or persons to willfully injure or destroy any public property, real or personal, whether the same belongs to the City of Lisbon, or to the public generally, within the City of Lisbon, unless the same is done by lawful authority.

**4-116. LEWD NOTICES. PICTURES.** It shall be unlawful for any person or persons to open to the view of any class or collection of persons, or post up, place, write, mark, draw, cut, or make any obscene, lewd, or indecent notice, handbill, advertisement, picture, drawing, sentence, word, or design or figure.

**4-117. SABBATH BREAKING.** It shall not be lawful for any person, on the first day of the week, (commonly called Sunday) to engage in any ordinary labor, trade or business, or to keep open any house, trade, shop, place of business or amusement, except as permitted by state law; nor shall it be lawful for any person or persons, on the first day of the week (commonly called Sunday) to engage to the annoyance or disturbance of others, in the amusement of dancing, boxing or running horses.

**4-118. BEGGING PROHIBITED.** It shall be unlawful for any person, within the City of Lisbon, to place himself or herself on any sidewalk or public street for the purpose of begging or receiving alms without the written permission of the Mayor.

**4-119. POSTING HANDBILLS OR ADVERTISEMENTS ON PRIVATE OR PUBLIC PROPERTY.** No person shall, without first obtaining the consent of the owner or proprietor, paste up, stick up, or post handbills, placards, or posters, or make, print or mark any word, letter or advertisement of any kind upon any private house or other building, or upon any fence, railing, wall, vehicle, or other property; nor shall any person post up, stick up, nail up, or paste any handbills, placards or posters of any kind, or make print or mark any word, character or advertisement upon any public building, bridge, fence, railing, sidewalk, telegraph pole, telephone pole, electric light pole, vehicle or other public property within the City, except in compliance with the requirements of law in the posting of legal notices.

**4-120. THROWING OF TACKS, ETC., ON STREETS, PROHIBITED.** It shall be unlawful for any person or persons to throw or place upon any street or sidewalk in the City any tacks, crockery, scrap iron, glass, bottles, tin, wire or other article or thing, liable to cause punctures in the tires of automobiles, bicycles or other vehicles or to wound, injure or disable the riders thereof.

**4-121. BARBED WIRE FENCES PROHIBITED.** No person or persons shall, within the limits of the City of Lisbon, herein prescribed, erect, construct or maintain any fence or enclosure on any premises, piece or parcel of ground with what is known as barbed wire; provided, however, that such part of any fence so erected which is eight (8) feet or more above the ground may be erected or constructed of barbed wire; and provided further that no part of such barbed wire shall be permitted to extend beyond the lot line of the property upon which the same is so erected or constructed.

**4-122. CALLS OF NATURE, PROHIBITED WHEN.** It shall be unlawful for any person to defecate or urinate in said City upon any sidewalk, bridge, or crossing, or near any public or private gate or walk, or at any other place not proper to be used for such purposes.

**4-123. WEEDS.** It shall be unlawful for any owner, lessee, or occupant or any agent, servant, representative, or employee or any such owner, lessee or occupant having control of any lot or ground or any part of any lot any growth of weeds to a height of over one foot (the word "weeds" as used herein shall be held to include all rank vegetable growth which exudes unpleasant and obnoxious odors, and also high and rank vegetable growth that may conceal filthy deposits of any sort.

**4-124. SALE AND USE OF FIREWORKS IN THE CITY OF LISBON.** As used in this section the term "fireworks" means any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and includes blank cartridges, toy cannons, and toy canes in which explosives are used, the type of balloons which require fire underneath them to propel them, fire crackers, torpedoes, sky rockets, Roman candles, daygo bombs, sparklers, or other fireworks of like construction, and any fireworks containing any explosive or inflammable compound, or any tablets or other devices containing any explosive substance and commonly known as fireworks. The term "fireworks" shall not include toy pistols or toy guns in which paper caps containing 25 hundredths grains or less of explosive compounds are used, and toy pistol caps which contain less than 20 hundredths grains of explosive mixture.

Except as otherwise provided in this ordinance, it shall be unlawful for any person to offer for sale, expose for sale, sell at retail, or use or explode any fireworks within the limits of the City of Lisbon.

This ordinance shall not prohibit supervised public displays of fireworks by any organization or association within the City of Lisbon for which a permit shall have been first obtained from the City Council. The application for such permit, in such form as may be required by the City Council shall be filed with the City Auditor and by him referred to the Chief of the Fire Department for investigation to determine whether the operator of the display is competent, and whether the display is of such character and is to be so located, discharged, or fired that it will not be hazardous to property or endanger any person. The Chief of the Fire Department shall report the results of his investigation to the City Council who shall determine whether such permit shall be issued or the application rejected. In issuing such permit the City of Lisbon assumes no liability for any damage to persons or property resulting from such displays.

Nothing in this section shall be construed to prohibit the use of fireworks by operators of aircraft, railroad workers, or transportation agencies for signal purposes or illumination; or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports, or for use by military organizations.

**4-125. FIGHTING.** No person in the City shall physically fight another person except in boxing exhibitions duly authorized and licensed under law.

**4-126. WINDOW PEEPING.** No person in the City shall look, peer, or peep into, or be found loitering around or within view of, any window not on his own property with the intent of watching or looking through said window.

**4-127. UNLAWFUL TO HAVE OPEN RECEPTACLE CONTAINING BEER, ALCOHOL OR ALCOHOLIC BEVERAGES IN AUTOMOBILE, TRUCK AND BUS.** No person shall drink or consume any beer, alcohol, alcoholic beverages, or intoxicating liquor, as defined in these Revised Ordinances, in or on a motor vehicle, nor shall any person have in his possession on his person while in or on a motor vehicle, or keep in or on a motor vehicle, any bottle or receptacle, containing, alcohol, alcoholic beverages, or intoxicating liquor, as herein defined, which has been opened or the contents of which have been partially consumed.

**4-128. MARIJUANA POSSESSION.** It shall be unlawful for any person, except a person operating a motor vehicle, who shall be charged under State law, to possess not more than 1/2 ounce (14.175 grams) of marijuana, as defined by Section 19-03.1-01 of the North Dakota Century Code, within the City Limits of the City of Lisbon, Ransom County, North Dakota.

**4-129. TELEVISION OR RADIO SIGNALS AND EQUIPMENT - UNLAWFUL USE OF OR INJURY TO.** It shall be unlawful for any person or persons to obtain or attempt to obtain any cable television services from any cable television company, or any firm or private person with intent to cheat or defraud such cable television company, other firm or private person, by installing, re-arranging, or tampering with any facilities or equipment, or by any trick, stratagem, impersonation, pretension, falsification of fact, or contrivance, or by any other device or means whatsoever.

## ARTICLE II.

### CONTROL OF GAMBLING AND VAGRANCY.

**4-201. GAMBLING PROHIBITED.** It shall be unlawful to participate in any manner whatever or solicit, persuade, or entice any person to participate in any manner whatever, in any game of cards or other game of chance upon which money or property is wagered, or in which money or other property constitutes a stake, except when said activity is permitted under the laws of the State of North Dakota and the ordinances of the City of Lisbon.

**4-202. GAMBLING AND DISORDERLY HOUSES DECLARED NUISANCE.** Any house, building, room, or place where any table, cards, dice, or any article or apparatus or other game of chance, upon which property or money is usually wagered, are kept, or where persons resort or are permitted to resort for gambling, or disorderly house, building, room, or place of public resort, by which the peace, comfort or decency of the immediate neighborhood is disturbed, are hereby declared to be common nuisances, except such games of chance as are permitted under the laws of the State of North Dakota and the ordinances of the City of Lisbon.



**4-203. SLOT MACHINES, ETC., PROHIBITED.** It shall be unlawful for any person at anyplace within the city of Lisbon to own, operate, have, or keep in his possession any slot machine, wheel of fortune, or other instrument, device, or thing in or whereon any money, property, or thing of value or representing any thing of value may be wagered, lost, or won by chance or otherwise, except such games of chance as are permitted under the laws of the State of North Dakota and the ordinances of the City of Lisbon.

**4-204. APPARATUS A NUISANCE, WHEN.** Every article or apparatus maintained or kept in violation of Sections 4-202 and 4-203 is a common public nuisance.

**4-205. CITY LICENSING OF GAMES OF CHANCE, ELIGIBLE ORGANIZATION, GUIDELINES, REGULATIONS, PENALTIES.** Nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations are eligible to conduct games of chance under the conditions of this ordinance and state law. "Public-spirited organizations" are defined as nonprofit organizations recognized by the City Council by resolution as public-spirited. The entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, fraternal, religious, or other public-spirited uses as defined by this chapter.

The City may grant licenses and permits for those games of chance which are authorized by state law. When granting licenses and permits for games of chance, and when granting preliminary approval for a site for games of chance to be finally licensed by the Attorney General, the City shall apply the following guidelines and requirements:

1. The gaming committee of any applicant must have at least one  
(1) member who is a resident of the City of Lisbon.
2. All persons in gambling area must be 21 years of age.
3. No gambling shall be conducted on Sundays.
4. Gambling will be allowed only on premises holding an on sale or a combination on and off sale liquor or beer license, except the conducting of raffles or bingo.
5. No charitable organization will be allowed to have more than two permits at one time.
6. There will be a maximum of two blackjack tables per location.

7. No person, except a member or employee of an eligible organization or a member of an organization auxiliary to an eligible organization may assist in the holding, operating, or conducting of any games of chance.
8. There shall be a 45 day waiting period between opening the first and second operation by an organization.
9. If an organization changes a location, no one else can operate for a 60 day period at said location, and it must wait 60 days to operate in a new location. The organization must submit to the City Auditor a final report for the previous location, including the final money balance and explanation for closing previous location, and copies of all files must be submitted to the Attorney General's office.
10. All information submitted to the State by the applicant must be made available to the City Auditor, and all information furnished to the City by an applicant in connection with licenses from the attorney general.

Any person who knowingly makes a false statement in any application for an authorizing resolution or in any statement annexed thereto, or fails to keep sufficient books and records to substantiate the receipts, expenses, or uses resulting from games of chance conducted under this ordinance, or who falsifies any books or records so far as they relate to any transaction connected with the holding, operating and conducting of any game of chance, or who violates any of the provisions of this ordinance, or of any term of an authorization shall be subject to a fine in the maximum amount of Five Hundred dollars (\$500.00), imprisonment for a period not to exceed thirty (30) days, or both. Any organization so doing shall be subject to a fine not to exceed the amount of Five Hundred Dollars (\$500.00). If convicted, such organization or person shall forfeit any license or authorizing resolution issued to it pursuant to this ordinance and shall be ineligible to reapply for a license or authorization for two years thereafter. (Ord 1989-2)

**4-206. LOITERING.**

1. A person commits an offense if he:
  - a. Loiters in a place, at a time, or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the actor takes flight upon appearance of a peace officer, refuses to identify himself, or manifestly tries to conceal himself or any object.
  - b. Loiters in or about a school, not having any reason or relationship involving custody of, or responsibility for, a pupil or student, or any other specific, legitimate reason for being there, and not having written permission from a school administrator or other person authorized to grant such permission.
2. The word "loiter" means to delay or to stand idly around.
3. Unless flight by the actor or other circumstances makes it impracticable, a peace officer shall prior to any arrest for an infraction under this section, afford the actor an opportunity to dispel any alarm which would otherwise be warranted, by requesting him to identify himself and explain his presence and conduct.
4. No person shall be convicted of an offense under this section if the peace officer did not comply with subsection 3, or if it appears at the trial that the explanation given by the actor was true and, if believed by the peace officer at the time would have dispelled the alarm.
5. It shall be an affirmative defense that the defendant's acts were lawful and he was exercising his right of lawful assembly as a part of peaceful and orderly petition for the redress of grievances, either in the course of labor disputes or otherwise.

**ARTICLE III.****PROSTITUTION AND OBSCENITY.**

**4-301. DISORDERLY HOUSES, UNLAWFUL TO KEEP.** No person shall within the limits of the City of Lisbon, or within one (1) mile of the outer boundaries thereof, keep a bawdy house or any room or place resorted to for the purposes of prostitution or lewdness or permit or suffer to come together at such house, room, or place persons who shall commit or suffer to be committed therein any immoral, lewd, or other improper conduct or behavior, or who shall keep a disorderly or ill governed house or place of tippling, rioting, or disturbance.

**4-302. PROSTITUTION PROHIBITED.**

1. A person is guilty of the offense of prostitution if he:
  - a. Is an inmate of a house of prostitution or is otherwise engaged in sexual activity as a business; or
  - b. Solicits another person with the intention of being hired to engage in sexual activity.
2. Testimony of a person against his or her spouse shall be admissible to prove offenses under this section involving the spouse's prostitution.
3. In this section:
  - a. "Sexual activity" means sexual act or sexual contact as those terms are defined in NDCC Section 12.1-20-02.
  - b. A "house of prostitution" is any place where prostitution is regularly carried on by a person under the control, management, or supervision of another.
  - c. An "inmate" is a prostitute who acts as such in or through the agency of a house of prostitution.

**4-303. PERMITTING OR AIDING PROSTITUTION PROHIBITED.** No person in the City of Lisbon shall knowingly receive, or offer or agree to receive any person into any place or building for the purpose of performing a lewd act, an act of prostitution, or an act of moral perversion, or to knowingly permit any person to remain in any place or building for any such purpose.

No person in the City of Lisbon shall aid, abet, allow, permit, or participate in any of the acts prohibited in this section or section 4-302.

**4-304. UNLAWFUL TO REFUSE ADMITTANCE TO POLICE OFFICER.** No owner, keeper of, or any person within any gambling room, or any disorderly house or house within which a disturbance, noise, or tumult is then in progress, if within the City of Lisbon or within one (1) mile of the outer boundaries thereof, shall refuse to permit the Chief of Police or any police officer to enter the house for the purpose of seeing that the ordinances of the City are enforced, nor shall in any way hinder or in any way interfere with such officer in the discharge of his duties.

**4-305. INDECENT ACTS OF EXPOSURE.** No person shall appear in any public place in a state of nakedness, or in any indecent or lewd dress, make any indecent exposure of his or her person at any time or any place, or be guilty of any indecent, obscene, or lewd act or behavior.

**4-306. INDECENT PERFORMANCE PROHIBITED.** No person shall exhibit or perform any indecent, immoral, or lewd play or other representation.

**4-307. BUYING, SELLING, DISPLAYING, AND DESIGNING OBSCENE LITERATURE PROHIBITED.** No person shall buy, sell, display or cause to be sold, advertise, lend, give away, offer, or have in his possession with intent to sell, lend, give away, offer, show, exhibit, distribute, or cause to be distributed, or design, copy, draw, photograph, print, etch, engrave, cut, carve, make, publish, or otherwise prepare or assist in preparing, or receive subscriptions for any indecent or obscene book, pamphlet, paper, picture, print, drawing, figure, image, or any engraved, printed, or written matter, or any article or instrument of or for immoral use. No person shall hire, use, or employ any minor to sell, or give away or in any manner distribute or permit any minor in his custody or control, to give away, or distribute in any manner any indecent article or thing.

#### **ARTICLE IV.**

##### **REGULATION OF MINORS.**

**4-401. POOL HALLS, ETC., MINORS NOT ALLOWED IN.** It shall be unlawful for any owner or keeper of any pool or billiard hall, or any place under any name whatever where the game of pool, billiards, or cards is played, to allow any person under the age of eighteen (18) years, or any person attending a local high school, to be employed in said places, play any of said games, or be allowed to visit said places unless by the consent of one or both parents or guardian, or when accompanied by a parent or guardian.

**4-402. PERSONS UNDER TWENTY-ONE YEARS OF AGE PROHIBITED FROM PURCHASING, CONSUMING, OR POSSESSING ALCOHOLIC BEVERAGES.** It shall be unlawful for any person under the age of twenty-one (21) years to purchase alcoholic beverages, to attempt to purchase alcoholic beverages, to consume alcoholic beverages other than during a religious service, to be under the influence of alcoholic beverages, or to be in possession of alcoholic beverages, within the City of Lisbon. (Ord 92-7)

**4-403. LOITERING OF MINOR PROHIBITED.** It shall be unlawful for any minor under the age of eighteen (18) years to loiter, idle, wander, stroll, play, or drive or ride in cars, in or upon the public streets, highways, roads, alleys, parks, playgrounds, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places, between the hours of 10:30 P.M. Sunday through Thursday of each week and 11:30 P.M. on Friday and Saturday of each week, and 5:00 A.M. the following day, official city time; provided, however, that the provisions of this section do not apply to a minor accompanied by his or her parents, guardian, or other adult person having the care and custody of the minor. Any such minor upon such an emergency errand shall have a written permit signed by his or her parent or guardian carrying the hour and destination.

Each violation of the provisions of this section shall constitute a separate offense.

**4-404. RESPONSIBILITY OF PARENT.** Any parent, guardian, or other person having the lawful care, custody, and control of any minor found in violation Section 4-403 shall be guilty of a violation of this ordinance, provided, however, that any such parent, guardian, or other person who immediately after 10:30 P.M. on Sunday through Thursday, and 11:30 P.M. on Friday and Saturday reports to the Chief of Police or any city policeman that the whereabouts of a minor is unknown, shall be absolved of liability under this Section.

**4-405. UNLAWFUL FOR PLACE OF BUSINESS TO PERMIT LOITERING BY MINORS.** It shall be unlawful for any person, firm, or corporation operating or in charge of any place of amusement, entertainment or refreshment, or other place of business, to permit any minor under the age of eighteen (18) years to loiter, loaf, or idle in such place during the hours prohibited by this ordinance.

**4-406. DUTY OF OWNER OF PLACE IF BUSINESS.** Whenever the owner or person in charge or in control of any place of amusement, entertainment, refreshment or other place of business shall find persons under the age of 18 years loitering, loafing, or idling in such place of business, he shall immediately order such person to leave, and if such person refuses to leave the said place of business, the operator shall immediately notify the Police Department and inform them of the violation.

**4-407. ARREST OF MINOR AND PARENT.** Any member of the police force is authorized to arrest, with or without warrant, any person or persons violating the provisions of Sections 4-403, 4-404, and 4-405 of this article and any child unaccompanied by parent, guardian, or other adult person having the lawful care and custody of said minor child.

**4-408. ARTICLE CONSTRUED.** This ordinance shall not be construed as permitting the presence of any person under the age of eighteen (18) years in any place where his presence is now prohibited by an existing law or ordinance.

**4-409. FALSE STATEMENTS BY MINORS.** It shall be unlawful for a minor to make false statements, or to furnish, present, or exhibit any fictitious or false registration card, identification card, or note or other document, or to furnish, present, or exhibit such document or documents issued to a person other than the one presenting the same, for the purpose of gaining admission to prohibited places or for the purpose of procuring the sale, gift, or delivery of prohibited articles, including beer, liquor or wine.

**4-410. UNLAWFUL SERVICES OF OTHERS, MINORS.** It shall be unlawful for a minor to engage or utilize the services of any other person, whether for remuneration or not, to procure for such minor any article which the minor is forbidden by law to purchase.

**4-411. HANGING ON VEHICLES, MINORS.** It shall be unlawful for a minor to hang on to any moving vehicle from the outside of said vehicle.

**4-412. JUVENILE COURT JURISDICTION, WAIVER.** The Municipal Judge, at the time of apprehension of any person coming within the provisions of this ordinance who has violated this ordinance, shall refer the matter to the Juvenile authorities to ascertain whether or not the Juvenile Court desires to take jurisdiction of such person; in the event that the Juvenile Court waives jurisdiction over the person of such violator, then the penalty set forth hereafter shall apply upon conviction.

## ARTICLE V.

### CRUELTY TO ANIMALS.

#### 4-501. CRUELTY TO ANIMALS PROHIBITED.

1. It is an offense for any person to:
  - a. Overdrive, overload, torture, cruelly beat, neglect or unjustifiably injure, maim, mutilate, or kill any animal, or cruelly work any animal when unfit for labor.
  - b. Deprive any animal over which he has charge or control of necessary food, water or shelter.
  - c. Keep any animal in any enclosure without exercise and wholesome change of air.
  - d. Abandon any animal.
  - e. Allow any maimed, sick, infirm, or disabled animal of which he is the owner, or of which he has custody, to lie in any street, road or other public place for more than three hours after notice.

- f. No person shall willfully instigate, or in any way further, any act of cruelty to any animal or animals, or any act tending to produce such cruelty.
  - g. Cage any animal for public display except as allowed by NDCC Section 36-21.1-02(7).
  - h. Administer or expose any known poisonous substance or noxious drug, whether mixed with meat or other food or not, which may be eaten or is eaten by any domestic animal.
2. The word "animal" includes every living animal except the human race; the word "torture" or "cruelty" includes every act, omission, or neglect whereby unnecessary or unjustifiable pain, suffering, or death shall be caused or permitted.

#### ARTICLE VI.

##### ACCESSORY TO VIOLATION OF ORDINANCES.

**4-601. AIDING AND ABETTING PROHIBITED.** No person or persons shall aid or abet or assist or advise or encourage another in any violation of any ordinance of the City of Lisbon, nor shall before or after any violation thereof by another or others with knowledge thereof, aid, abet, assist, advise or conceal such person or persons with the intent that such person or persons may avoid arrest, trial, conviction or punishment.

#### ARTICLE VII.

##### DISORDERLY CONDUCT.

**4-701. DISORDERLY CONDUCT, VIOLATION OF ORDINANCE OR STATE LAWS.** Any person who, within the limits of the City of Lisbon, shall do any act or omit a duty required of him by city ordinance, or which is punishable under the laws of the State of North Dakota by a fine of not to exceed Five Hundred Dollars (\$500.00) or imprisonment in the County Jail of not to exceed thirty (30) days or both such fine and imprisonment, and said offense not being otherwise described and punishable under existing ordinances, shall be guilty of disorderly conduct, and punished as hereinafter provided.

**4-702. SAME: PROCESS.** The summons, complaint, or information charging a violation of this ordinance shall specify the facts constituting the violation and shall also state the Section and or Chapter of State Law claimed to be violated.



**ARTICLE VIII.**

**PENALTY.**

**4-801. SAVING CLAUSE.** Should any section, paragraph, sentence, clause, or phrase of this chapter be declared unconstitutional or invalid for any reason, the remainder of said chapter shall not be affected thereby.

**4-802. INJURIOUS ACTS NOT EXPRESSLY FORBIDDEN.** Every person who willfully and wrongfully commits any act which grossly injures the person or property of another, or which grossly disturbs the public peace or health, or which openly outrages public decency, and is injurious to public morals, although no punishment is expressly prescribed therefore by this compilation, is guilty of a misdemeanor.

**4-803. PENALTY FOR VIOLATION OF THIS CHAPTER.** Any person, firm, or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished by a fine not to exceed Five Hundred Dollars (\$500.00), or imprisonment not to exceed thirty (30) days or by both such fine and imprisonment in the discretion of the Court; the Court to have power to suspend said sentence and to revoke the suspension thereof.