

Ridgway Municipal Code

CHAPTER 10

SECTION 3

Miscellaneous Offenses

Subsections:

10-3-1	Applicability.
10-3-2	Complicity.
10-3-3	Criminal Liability Of A Corporation.
10-3-4	Criminal Liability Of An Individual For Corporate Conduct.
10-3-5	Criminal Attempt.
10-3-6	Accessory To An Offense.
10-3-7	Destruction Of Property.
10-3-8	Unlawful Entry.
10-3-9	Trespass.
10-3-10	Discharge Of Guns Prohibited.
10-3-11	Interference With An Officer.
10-3-12	Resisting Arrest.
10-3-13	Indecent Conduct.
10-3-14	Disorderly Conduct.
10-3-15	Sleeping In Unlawful Places.
10-3-16	Fireworks Exhibitions.
10-3-17	Explosives.
10-3-18	Impersonating An Officer.
10-3-19	Petty Theft.
10-3-20	Posting Of Handbills.
10-3-21	Window Peeping.
10-3-22	False Alarms.
10-3-23	False Identification.
10-3-24	Unreasonable Noise.

10-3-1 APPLICABILITY.

All provisions of this Section shall apply within the Ridgway Town Limits and upon any property owned or under the control of the Town outside of the Town.

10-3-2 COMPLICITY.

A person is legally accountable as principal for the behavior of another constituting a violation of any provision of any Town ordinance, if, with the intent to promote or facilitate the commission of the offense, he aids, abets, or advises the other person in planning or committing the offense.

10-3-3 CRIMINAL LIABILITY OF A CORPORATION.

A corporation is guilty of an offense if the conduct constituting the offense consists of an

omission to discharge a specific duty of affirmative performance imposed on the corporation by ordinance; or the conduct constituting the offense is engaged in, authorized, solicited, requested, commanded or knowingly tolerated by the Board of Directors, or by a high managerial agent, acting within the scope of employment or in behalf of the corporation.

10-3-4 CRIMINAL LIABILITY OF AN INDIVIDUAL FOR CORPORATE CONDUCT.

A person is criminally liable for conduct constituting an offense which he performs or causes to occur in the name of or on behalf of a corporation to the same extent as if that conduct were performed or caused by him in his own behalf.

10-3-5 CRIMINAL ATTEMPT.

(A) A person commits criminal attempt, if, acting with the kind of culpability otherwise required for commission of a violation of a Town ordinance, he engages in conduct constituting a substantial step towards the commission of the offense. A substantial step is any conduct, whether act, omission or possession which is strongly corroborative of the firmness of the actor's purpose to complete the commission of the offense. Factual or legal impossibility of committing the offense is not a defense, if the offense could have been committed had the attendant circumstances been as the actor believe them to be, nor is it a defense if the crime attempted was actually perpetrated by the accused.

(B) A person who engages in conduct intending to aid another to commit an offense commits criminal attempt if the conduct would establish his complicity under Subsection 10-3-2 were the offense committed by the other person, even if the other is not guilty of committing or attempting the offense.

(C) It is an affirmative defense to the charge under this Subsection that the defendant abandoned his effort to commit the offense or otherwise prevented its commission under circumstances manifesting the complete and voluntary renunciation of his criminal intent.

10-3-6 ACCESSORY TO AN OFFENSE.

(A) A person is an accessory to an offense, if, with intent to hinder, delay, or prevent the discovery, detection, apprehension, prosecution, conviction or punishment of another for the commission of a violation of a Town ordinance, he renders assistance to such person.

(B) "RENDERS ASSISTANCE" means to:

- (1) Harbor or conceal the other; or
- (2) Warn such person of impending discovery or apprehension; or
- (3) Provide such person with money for transportation, weapon, disguise, or other things to be used in avoiding discovery or apprehension; or
- (4) By force, intimidation, or deception, obstruct anyone in the performance of any act which might aid in the discovery, detection, apprehension, prosecution, conviction or punishment of such person.

10-3-7 DESTRUCTION OF PROPERTY.

(A) It shall be unlawful for any person to willfully deface, destroy or damage real or personal property belonging to another.

(B) This Subsection shall not apply where, in a single criminal episode, the aggregate damage to personal and real property exceeds three hundred dollars.

10-3-8 UNLAWFUL ENTRY.

(A) It shall be unlawful for any person to enter upon the premises of another which are enclosed in a manner designed to exclude intruders, or are fenced, when he is not licensed, invited or otherwise privileged to do so.

(B) For purposes of this Subsection, "PREMISES" shall mean real property, buildings and other improvements on real property, excluding a dwelling or a motor vehicle.

10-3-9 TRESPASS.

(A) It shall be unlawful for any person to remain on the premises of another if he has been advised that his permission, license or privilege to be there has been revoked by the owner of the premises or other authorized person.

(B) For purposes of this Subsection, "PREMISES" shall mean real property, buildings and other improvements thereon, except a dwelling or a motor vehicle.

10-3-10 DISCHARGE OF GUNS PROHIBITED.

(A) It is unlawful for any person, other than a law enforcement officer, to discharge a firearm, spring gun, air gun, pellet gun, BB gun or any other gun within the Town, except upon a range totally enclosed within a building adequately constructed so that no noise or odor is observable and no projectiles travel off of the range premises.

(B) This Subsection shall not apply to the lawful use of a gun in protection of persons or property.

(C) This Subsection shall not apply when a permit has been granted by the Town Council for a special event. No permit shall be granted unless the Town Council determines that no nuisance, unreasonable noise or safety hazard will be created.

10-3-11 INTERFERENCE WITH AN OFFICER.

It shall be unlawful for any person to interfere with, or by using or threatening to use violence, force or physical interference or obstacle, to obstruct, impair, or hinder the enforcement of the law or preservation of the peace by a peace officer acting under color of his official authority, or the performance of a governmental function by an officer, employee or agent of the Town acting in the lawful performance of his duties.

10-3-12 RESISTING ARREST.

(A) It shall be unlawful to prevent or attempt to prevent a peace officer acting under color of his official authority, from effecting the arrest of the actor or another person by using or threatening to use physical force or violence against the peace officer or another, or by using any other means which creates a substantial risk of causing physical injury to the peace officer or another.

(B) It is no defense to a prosecution under this Subsection that the peace officer was attempting to make an arrest which in fact was unlawful, if he was acting under the color of his official authority, and in attempting to make the arrest he was not resorting to unreasonable or excessive force giving rise to the right of self-defense.

10-3-13 INDECENT CONDUCT.

It shall be unlawful for any person to urinate or defecate in any place except sanitary facilities constructed for that purpose connected to an authorized sewage collection system or authorized individual sewage disposal system.

10-3-14 DISORDERLY CONDUCT.

It is unlawful for any person to intentionally, knowingly or recklessly:

(A) Make a course and obviously offensive utterance, gesture or display in a public place and the utterance, gesture or display tends to invite the immediate breach of peace; or

(B) Fight with another person in a public place, except in an amateur or professional contest of athletic skill; or

(C) Not being a peace officer, display a deadly weapon in a public place in a manner calculated to alarm; or

(D) Make unreasonable noise in a public place or near a private residence that he has no right to occupy; or

(E) Abuse or threaten a person in a public place in an obviously offensive manner; or

(F) Strike, shove, kick or otherwise touch a person or subject him to physical contact with intent to harass, annoy or alarm.

10-3-15 SLEEPING IN UNLAWFUL PLACES.

It shall be unlawful for any person to sleep in any public or private place without permission of the owner or lawful occupant, or without license or privilege to do so, during the hours of darkness.

10-3-16 FIREWORKS EXHIBITIONS.

Permits for fireworks displays may be granted by the Town Council pursuant to the procedures and requirement of C.R.S. 12-28-103.

10-3-17 EXPLOSIVES.

The storage, transportation, use and manufacture of explosives within the Town shall be subject to the applicable provisions of state law.

10-3-18 IMPERSONATING AN OFFICER.

It shall be unlawful for any person to impersonate a peace officer or other Town officer, agent or employee and perform any act in that pretended capacity.

10-3-19 PETTY THEFT.

(A) It is unlawful for any person to knowingly obtain or exercise control over anything of value, having a value of less than THREE HUNDRED DOLLARS (\$300.00), of another without authorization or by threat or deception, or knowing said thing of value to have been stolen; and

(1) Intend to deprive the other person permanently of the use or benefit of the thing of value; or

(2) Knowingly use, conceal, or abandon the thing of value in such a manner as to deprive the other person permanently of its use or benefit; or

(3) Use, conceal or abandon the thing of value intending that such use, concealment, or abandonment will deprive the other person permanently of its use and benefit; or

(4) Demand any consideration to which he is not legally entitled as a condition of restoring the thing of value to the other person.

(B) If any person willfully conceals unpurchased goods, wares or merchandise owned or held by and offered or displayed for sale by any store or any other mercantile establishment, whether such concealment is on his own person or otherwise, and whether on or off the premises of such store or mercantile establishment, such concealment shall constitute prima facie evidence that such person intended to commit the offense of petty theft.

(C) The offense of petty theft shall not include theft from the person of another.

10-3-20 POSTING OF HANDBILLS.

(A) It shall be unlawful to post or attach any handbill, placard, poster, or printed material upon any building, fence, utility pole, vehicle, or other structure without permission of the owner or party in lawful possession of such structure or vehicle.

(B) Anything posted or attached in violation of this Subsection is hereby declared to be a nuisance which may be abated pursuant to law.

10-3-21 WINDOW PEEPING.

It shall be unlawful for any person to enter or remain upon the property of another with the intent to peer or peep into any window of a dwelling of another.

10-3-22 FALSE ALARMS.

It shall be unlawful to make, or cause to be made, any false fire alarm.

10-3-23 FALSE IDENTIFICATION.

It shall be unlawful for any person to offer or use any document, card, license, or any evidence of identification of age of such person for the purpose of making sales or purchases, cashing checks, gaining admission to any place, or for any other purpose where such identification is false, fraudulent, incorrect, forged or altered, or misrepresents such person or his age, or does not belong to such person.

10-3-24 UNREASONABLE NOISE.

(A) It is unlawful for any truck to use truck "JAKE" brakes within the Town.

(B) It is unlawful for any person to make, continue, cause, or permit to be made or continued any unreasonable, excessive, unnecessary or unusually loud noise, or any noise which unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others.

(C) Noises in violation of the provisions of this Subsection are hereby declared to be a nuisance which may be abated pursuant to law.