

unattended or discarded icebox, refrigerator, or any

kind which is airtight and has a snap lock or other device thereon without first removing said snap lock or locks, or door or doors, from said icebox, refrigerators or containers.

ARTICLE 52. DEMONSTRATIONS IN OR NEAR BUILDINGS HOUSING A COURT OR OCCUPIED AS RESIDENCE BY JUDGE, JUROR, WITNESS OR COURT OFFICER.

It shall be unlawful for any person, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of

influencing any judge, juror, witness, or court officer, in the discharge of his duty, to picket or parade in or near a building housing a court of the State of Louisiana, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent use any sound-truck or similar device or resort to any other demonstration in or near any such building or residence.

#### ARTICLE 53. FALSE ALARMS

It shall be unlawful for any person to intentionally make, turn in, or report a false alarm of fire or of need for police or ambulance assistance.

#### ARTICLE 54. FALSE REPORT OF CRIME

It shall be unlawful for any person to intentionally make to or file with, the police authorities any false, misleading or unfounded statement or report concerning the commission of a crime.

#### ARTICLE 55. FIREWORKS

(1) **Definition.** The term "pyrotechnics," whenever used in this Article shall be held to mean any sparkler, squib, rocket, firecracker, roman candle, signal lights, fireworks, or other devices or composition used to obtain visible or audible pyrotechnic display.

(2) **Possession or Sale Prohibited.** It shall be unlawful for any person to have, keep, store, use, manufacture, offer to sell, handle, or transport any pyrotechnics within the corporate limits except as herein provided, it being the intention of this Article to prohibit the sale of, distribution of, or discharge of pyrotechnics of any kind or description whatsoever within the corporate limits.

**Exceptions.** Nothing contained in this article shall be held to apply:

(a) To the possession or use of signaling devices for current daily consumption by railroads, trucks or vessels requiring them.

(b) To pyrotechnic display of fireworks in public parks or other open places, where a permit for such display has been issued by the Town of Dubach.

(c) To the possession, sale or use of normal stocks of flashlight

daily consumption by railroads, trucks or vessels requiring them.

(b) To pyrotechnic display of fireworks in public parks or other open places, where a permit for such display has been issued by the Town of Dubach.

(c) To the possession, sale or use of normal stacks of flashlight compositions by photographers or dealers in photographic supplies.

ARTICLE 56. UNNECESSARY NOISE

(1) **Unnecessary noise prohibited.** It shall be unlawful for any person to make, continue, or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the corporate limits.

(2) **Non-exclusive enumeration of unnecessary noise.** The following acts, among others, are declared to be loud, disturbing and unnecessary noises and noises in violation of this Article, but this enumeration shall not be deemed to be exclusive, namely:

(a) **Radio, phonograph or any musical instrument.** The playing of any radio, phonograph or any musical instrument in such a manner or with such volume, particularly between the hours of 11 P.M. and 7 A.M., as to annoy or disturb the quiet, comfort or repose of persons in any office, hospital, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

(b) **Yelling, shouting, etc.** Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11 P.M. and 7 A.M. or at any time or place so as to annoy or disturb the quiet, comfort, repose of persons in any hospital, dwelling, hotel, or other type of residence, or of any persons in the vicinity.

(c) **Animals, birds, etc.** The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

(d) **Defect in vehicle or load.** The use of any automobile, motorcycle, or vehicle so out of repair or loaded in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.

(e) **Exhausts.** The discharge of any steam engine, stationary internal combustion engine, motor vehicle or motor boat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(f) **Schools, courts, churches, hospitals.** The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use or adjacent to any hospital, which unreasonably interferes with the working of such institution or which disturbs or unduly annoys patients in a hospital.

(g) **Loading, unloading.** The creation of a loud and excessive noise in

hospital, which unreasonably interferes with the working of such institution or which disturbs or unduly annoys patients in a hospital.

**(g) Loading, unloading.** The creation of a loud and excessive noise in connection with loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers.

**ARTICLE 57. SOLICITING UPON PRIVATE RESIDENCE**

The going in and upon private residences in this municipality by solicitors, peddlers, hawkers, itinerant merchants, and transient vendors of merchandise, not having been requested or invited to do so by the owner or owners, occupant or occupants of said private residences, for the purpose of soliciting orders

for the sale of goods, wares and merchandise, and/or for the purpose of  
of disposing of and/or peddling or hawking the same, is hereby declared  
to be unlawful.

**ARTICLE 58. TELEPHONE COMMUNICATIONS, IMPROPER LANGUAGE, HARASSMENT**

A. No person shall:

(1) Engage in or institute a telephone call, telephone conversation,  
or telephone conference, with another person, anonymously or otherwise, and  
therein use obscene, profane, vulgar, lewd, lascivious, or indecent language,  
or make any suggestion or proposal of an obscene nature or threaten any  
illegal or immoral act with the intent to coerce intimidate, or harass another  
person; or

(2) Make repeated telephone communications anonymously or otherwise  
in a manner reasonably expected to annoy, abuse, torment, harass, embarrass  
or offend another, whether or not conversation ensues; or

(3) Make a telephone call and intentionally fail to hang up or  
disengage the connection; or

(4) Knowingly permit any telephone under his control to be used  
for any purpose prohibited by this Section.

B. Any offense committed by use of a telephone as set forth in this  
Section shall be deemed to have been committed at either the place where the  
telephone call or calls were originated or received.

**ARTICLE 59. RIOT**

A. It shall be unlawful for any person to participate in a riot or  
incite any other person to riot.

B. A riot is a public disturbance involving an assemblage of three or  
more persons acting together or in concert which by tumultuous and violent  
conduct, or the imminent threat of tumultuous and violent conduct, results  
in injury or damage to persons or property or creates a clear and present  
danger of injury or damage to persons or property.

C. Inciting to riot is the endeavor by any person to incite or procure  
any other person to create or participate in a riot.

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D. Any law enforcement, peace officer or public official responsible for keeping the peace may issue a command to disperse under the authority of R.S. 14:329.1-14:329.8 if he reasonably believes that riot is occurring or about to occur. The command to disperse shall be given in a manner reasonably calculated to be communicated to the assemblage.

**ARTICLE 60. WRONGFUL USE OF PUBLIC PROPERTY; PERMITS FOR USE OF PUBLIC PROPERTY.**

A. It shall be unlawful for any person to wrongfully use public property. Wrongful use of public property is:

(1) The intentional entering of or onto any public property without the permission of the lawful custodian thereof, or his designated representative, at any time when the public property is not open to the public and the remaining in or occupying of any public property after having been requested to leave by the lawful custodian thereof, or his designated representative, or any law enforcement or peace officer, and

(2) The depriving of the general public of the intended use of public property without a permit.

B. In accordance with the provisions of this code and the law of this state, permits to occupy or use public property may be obtained from the lawful custodian thereof, or his designated representative, upon written application therefor. All such applications shall (1) describe the public property sought to be occupied or used, and (2) state the period of time during which the public property will be occupied or used.

The lawful custodian, or his designated representative, may issue the permit if he determines that the use or occupation of the public property will not reasonably interfere with the intended or customary use of the public property by the general public and that the intended use will not destroy or damage the public property.

For the purpose of this section, the term "public property" means any public land, building, facility, structure or enclosure used for a public purpose or as a place of public gathering, owned and/or under the control of the state or one of its agencies or political subdivisions.

**ARTICLE 61. DESECRATION OF GRAVES**

It shall be unlawful for any person to desecrate a grave. Desecration of graves is the:

(1) Unauthorized opening of any place of interment, or building wherein



It shall be unlawful for any person to desecrate a grave. Desecration of graves is the:

(1) Unauthorized opening of any place of interment, or building wherein the dead body of a human being is located, with the intent to remove or to mutilate the body or any part thereof, or any article interred or intended to be interred with the said body; or

(2) Intentional or criminally negligent damaging in any manner, of any grave, tomb, or mausoleum erected for the dead.

**SECTION 8.** BE IT FURTHER ORDAINED that it is hereby declared to be the intention of the Town of Dubach that the sections, subsections, sentences, clauses and phrases of the Criminal Code of the Town of Dubach, Louisiana, are severable, and, if any section, subsection, paragraph, clause or phrase of such code shall be declared unconstitutional and invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, subsections, paragraphs, sentences, clauses and phrases of this code, since the same would have been enacted by this body without the incorporation in such code of any such unconstitutional or invalid section, subsection, paragraph, sentence, clause or phrase.

**SECTION 9.** BE IT FURTHER ORDAINED that a violation of the foregoing articles may be charged by the Chief of Police of the Town of Dubach, Louisiana, or his employees, by the issuance of a citation making reference to the Article of this Code setting forth that the conduct is unlawful; provided, however, that when the violation is one involving speed, the citation shall set forth the accuseds' speed and the speed limitation violated.

**SECTION 10.** BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Introduced on the 17th day of September, 1990.

NOTICE PUBLISHED in the official journal on the \_\_\_\_\_ day of \_\_\_\_\_,

FINALLY APPROVED AND ADOPTED on the 15th day of October, 1990, by the affirmative vote of Seth Tatum, J. T. Rogers, and Murel Graham.

NAYS: None

ABSENT Dwaine James and Darrell McAdams

C. R. Colvin  
C. R. Colvin, Mayor

ATTEST:

Margaret Rogers  
Margaret Rogers, Clerk