

**TITLE 7**

**PUBLIC PEACE AND SAFETY**

## **Title 7**

### **PUBLIC PEACE AND SAFETY**

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- 7.10**      **Trespass**
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## Chapter 7.10

### TRESPASS

#### Sections:

- 7.10.010 Prohibition of Trespassing.**
- 7.10.020 Enforcement.**

**7.10.010 Prohibition of Trespassing.** It shall be unlawful for any person to do the following regarding the Dam:

- (1) Trespass on any part of the Dam;
- (2) Trespass on any real property owned by the City that is adjacent to the Dam;
- (3) Gain access to areas of the Dam by way of access points owned by City; and
- (4) Access or use any part of the Dam without the expressed consent of the City or its agents.

For purposes of the recommendation, the term “trespass” shall have the definition indicated by Indiana Code §35-43-2-2. (Ord. 2019-35, S2, Oct. 23, 2019)

**7.10.020 Enforcement.** This Chapter shall be enforced by the Jasper Police Department, a Jasper Code Enforcement Officer or any other designee established by the City of Jasper Board of Public Works and Safety. (Ord. 2019-35, S3, Oct. 23, 2019)

## Chapter 7.20

### DISCHARGING FIREARMS

#### Sections:

<b>7.20.010</b>	<b>Guns, Cannons, Crossbows</b>
<b>7.20.020</b>	<b>Bows, Compound Bows</b>
<b>7.20.030</b>	<b>Arrows - Prohibited</b>
<b>7.20.040</b>	<b>Penalty for violations</b>

**7.20.010 Guns, Cannons, Crossbows.** It shall be unlawful for any person to discharge or assist in discharging any gun, rifle, revolver, pistol, cannon, crossbow or other instrument producing like effect, within the corporate limits of the City of Jasper; provided, however, that nothing herein contained shall prohibit the discharge of guns or firearms by proper officials engaged in their official duties, or by persons on the premises of a licensed shooting gallery or an indoor archery range, or the discharge of firearms or cannon, with the permission of the Mayor, in public commemoration of an important event or the salute of any deceased person. (Ord. 2004-12, S2, Sept. 22, 2004) (Ord. 378, S1, Apr. 24, 1951)

**7.20.020 Bows, Compound Bows.** It shall be unlawful to discharge any arrow or other missile by use of a bow or compound bow outdoors, within the corporate limits of the City of Jasper, in violation of the following provisions:

- (1) A target must be used and must meet these requirements:
  - (a) Flat surface targets and bag targets are allowed; and
  - (b) Three-dimensional targets are NOT allowed; and
  - (c) Targets shall be placed in proximity to a backstop meeting the requirements of this section.
- (2) A backstop must be used and must be at least 100% larger than the target in each direction. In addition, the backstop must be one or more of the following:
  - (a) Earthen embankments with a minimum height of six (6) feet; or
  - (b) Buildings or structures of substantial construction with a minimum height of six (6) feet; or
  - (c) Ballistic cloth or ballistic netting; or

- (d) Adequately wooded areas void of human occupation; or
  - (e) Agricultural areas void of human occupation.
- (3) The following requirements with regards to distance and direction must be observed:
- (a) The maximum allowable distance from archer to target is ninety (90) feet; and
  - (b) All arrows shall be released parallel to the range surface. (Ord. 2004-12, S3, Sept. 22, 2004)

**7.20.030 Arrows - Prohibited.** Notwithstanding any other section of this Chapter, it shall be unlawful to discharge any arrow in a reckless manner. No broadhead arrows may be used on any range. Further, it shall be unlawful to discharge an arrow across any roadway, alley, or public right-of-way. (Ord. 2004-12, S4, Sept. 22, 2004)

**7.20.040 Penalty for violations.** Any person violating any of the provisions of this chapter shall be charged with an ordinance violation and shall be fined Twenty Five Dollars (\$25.00) for the first violation, Fifty Dollars (\$50.00) for the second violation and One Hundred Dollars (\$100.00) for each violation thereafter. The fine shall be payable at the Jasper Police Department. In the event said fine is not paid, at the discretion of the Police Chief and the City Attorney, the ordinance violation may be filed in court and the violator, if found to have committed the ordinance violation, shall be responsible for the fine, court costs, and attorney fees, if applicable. Every day any such violation shall occur shall constitute a separate offense. (Ord. 2004-12, S5, Sept. 22, 2004) (Ord. 378, S2, Apr. 24, 1951)

**Chapter 7.22**

**APPLICATION FEE FOR A HAND GUN LICENSE**

**Sections:**

- 7.22.010 Fee for application**
- 7.22.020 Partial refund if license not issued**
- 7.22.030 Deposit of collected fees**

**7.22.010 Fee for application.** There is hereby authorized and imposed a fee as per the attached Exhibit "A" for each application for a handgun license made to the Jasper Police Department. (Ord. 2009-5, S1, Feb. 18, 2009) (Ord. 2006-19, S2, June 21, 2006) (Ord. 1141 S1, 1983)

**7.22.020 Partial refund if license not issued.** That the amount of each application fee indicated on the attached Exhibit "A" shall be refunded if the handgun license is not issued. (Ord. 2006-19, S3, June 21, 2006) (Ord. 1141 S2, 1983)

**7.22.030 Deposit of collected fees.** That the fees collected hereunder shall be deposited into the Jasper Police Department firearms training fund or other appropriate training activities fund to be used by the Police Department to train law enforcement officers in the proper use of firearms or in other law enforcement duties. (Ord. 2006-19, S4, June 21, 2006) (Ord. 1141 S3, 1983)

**EXHIBIT "A"  
HANDGUN LICENSING FEE SCHEDULE**

<b><u>LICENSE TYPE</u></b>	<b><u>LOCAL FEE</u></b>
4 Year	\$10/\$5 Refundable*
Lifetime/No Current License	\$50/\$30 Refundable*
Lifetime/Current Valid License	\$40/\$30 Refundable*
Licensed Firearms Dealer	Exempt
Certain police officers, Sheriffs or Deputies, law enforcement officers, and correctional officers	Applicants shall pay the fee indicated above for the license type they desire. If applicant is exempt from paying the additional state fee, applicant may submit a request for refund to the City of Jasper along with proof from the state that applicant was exempt from paying the state fee and applicant's local fee will then be refunded to the applicant.

\*A portion of the local fee is refundable if a license is not issued. (Ord. 2009-5, Exhibit A, Feb. 18, 2009) (Ord. 2006-19, Exhibit "A", June 21, 2006)

## Chapter 7.24

### MISCELLANEOUS NUISANCES

#### Sections:

<b>7.24.010</b>	<b>Purpose</b>
<b>7.24.020</b>	<b>Cisterns and Vaults</b>
<b>7.24.030</b>	<b>Swimming Pools, Hot Tubs, and Spas</b>
<b>7.24.040</b>	<b>Noise</b>
<b>7.24.050</b>	<b>Penalty for Violations</b>
<b>7.24.060</b>	<b>Administrative Liability</b>
<b>7.24.070</b>	<b>Enforcement</b>
<b>7.24.080</b>	<b>Separability</b>
<b>7.24.090</b>	<b>Prior Ordinances</b>
<b>7.24.100</b>	<b>Effective Date</b>

**7.24.010 Purpose.** The intent and purpose of this Chapter is declared to be that all harassments, disturbances, and annoyances by unnecessary sound and noises to the peace and quiet of the Citizens of Jasper be prohibited, and it is hereby declared to be unlawful for any person, firm or corporation to create or cause to be created unnecessarily, any such disturbing, annoying, or harassing sound or noise. The further purpose of this Chapter is declared to be to prohibit all unnecessary, noxious, offensive or unhealthy smells or conditions and unsightly areas, to declare the same to be a public nuisance, and to provide penalties for the unlawful maintenance of said nuisances. (Ord. 1997-14, S7.24.10, 1997)

**7.24.020 Cisterns and Vaults.** All open or uncovered cisterns, cellars, wells, pits or vaults situated in any open or unfenced lot or place within the City of Jasper, are hereby declared to be public nuisances. Further, the cover placed on the cistern, cellar, well, pit, or vault must be covered with a heavy, permanent and tight cover, or filled with a tightly compacted material, and secured in such a manner and of such construction that a small child cannot open or remove the cover. (Ord. 1997-14, S7.24.20, 1997)

#### **7.24.030 Swimming Pools, Hot Tubs, and Spas**

- (1) **Private Residential Swimming Pools:** This section shall apply to private residential swimming pools, including a receptacle for water or an artificial pool of water having a depth of more than 42 inches, intended for the purpose of immersion or partial immersion therein of human beings, installed and maintained in or above the ground, outside of a building, used for a one and two family dwelling unit; provided that such private residential swimming pool is maintained by an individual primarily for the sole use of his household and guests and not for the purpose of profit or in



connection with any business operated for profit. A “private residential swimming pool” does not include natural or manmade lakes.

- (2) Hot Tubs and Spas. A unit constructed of wood, plastic, concrete, metal, or other solid non-collapsible material intended for the purpose of immersion or partial immersion therein of human beings, installed and maintained in or above the ground outside of a building used for a one and two family dwelling unit; provided that such device is maintained by an individual primarily for the sole use of his household and guests and not for the purpose of profit or in connection with any business operated for profit.
- (3) Fences & Covers. All private residential swimming pools shall be completely enclosed by a fence.
  - (a) Inground Swimming Pool Fences. For all fences installed as enclosures for inground swimming pools, no openings shall exist larger than four inches in dimension, except for doors and gates. All fence openings or points of entry into the pool shall be equipped with gates. The fence and the gates shall be a minimum of four feet in height above the walk grade level. All gates and doors shall be equipped with self-closing and self-latching devices placed at the top of the gate and made inaccessible to small children.
  - (b) Hot tubs, and spas. Hot tubs and spas need not be fenced if they are covered with a heavy, permanent and tight cover, and secured in such a manner and of such construction that a small child cannot open or remove the cover.
  - (c) Above-ground Swimming Pool Fences. Above-ground swimming pools need not be fenced if their side walls are at least four feet in height, or when a fence is secured on top of the side pool walls to a minimum of four feet in height as measured from ground level. Furthermore, an above-ground swimming pool, installed temporarily (not more than 48 hours) need not be enclosed by a fence.
- (4) Swimming pool covers shall not constitute an enclosure in lieu of a fence. (Ord. 2019-40, S1, Dec. 18, 2019)

**7.24.040 Noise.** The making, causing or permitting to be made of any unnecessary noise by any person that disturbs or that may tend to disturb the peace and quiet of the citizens of Jasper, is hereby declared to be a nuisance.

- (1) Sounding Horns or Bells: It shall be unlawful for any person, firm or corporation, to sound any motor vehicle or motor bicycle bell, horn, or other signal device within the City of Jasper, except as provided by the motor vehicle laws of the State of Indiana now or hereafter enacted; provided, however, that this section shall not apply to operators of motor vehicles or motor bicycles engaged in the enforcement of law and the protection of life and property.
- (2) Engine Noise: Muffler required. It shall be unlawful for any person, firm or corporation except as provided in this chapter, to operate within the confines of the City of Jasper any gas, gasoline, fuel oil, or internal combustion engine which shall unnecessarily create or cause to be created any noise which shall disturb the quiet or repose of or shall annoy any person or persons within the City of Jasper. It is specifically declared to be unlawful to operate or cause to be operated any gasoline motor, diesel engine, or internal combustion engine, either stationary or moving, within the City of Jasper, without having attached to said internal combustion engine a suitable muffler or muffler attachment to silence and quiet the explosions of said motor or engine. (Ord. 1997-14, S7.24.40, 1997)

**7.24.050 Penalty for Violations.** Any person, persons, firm or corporation causing or maintaining any nuisance, by violating any of the provisions of this chapter shall, upon conviction, be fined not less than twenty-five dollars nor more than one hundred dollars for the first violation. Second and subsequent violations will result in a fine of not less than fifty dollars nor more than two hundred dollars. In the event of a continuing or maintaining of a violation of any section of this chapter, any person, firm or corporation causing or maintaining said nuisance shall upon conviction, be fined in a sum not less than five hundred dollars. Each day's operation or maintaining of said nuisance or any part thereof shall be a separate violation. (Ord. 1997-14, S7.24.50, 1997)

**7.24.060 Administrative Liability.** No officer, agent, or employee of the City of Jasper shall render himself personally liable for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of his duties under this chapter. Any suit brought against any officer, agent or employee of the City of Jasper as a result of any act required or permitted in the discharge of his duties under this chapter shall be defended by the City attorney until the final determination of the proceedings therein. (Ord. 1997-14, S7.24.60, 1997)

**7.24.070 Enforcement.** The City Building Commissioner shall enforce the ordinance regulating cisterns, vaults, swimming pools, hot tubs, and spas. The Jasper Police Department shall enforce the noise ordinance. (Ord. 1997-14, S7.24.70, 1997)

## Chapter 7.28

### PICKETING IN RESIDENTIAL AREAS

#### Sections:

<b>7.28.010</b>	<b>Picketing unlawful when</b>
<b>7.28.020</b>	<b>Picketing - Defined</b>
<b>7.28.030</b>	<b>Picketing deemed nuisance</b>
<b>7.28.040</b>	<b>Violation - Penalty</b>

**7.28.010 Picketing unlawful when.** It shall be unlawful for any individual, group, association, or organization of any type to picket any home or dwelling place in the City of Jasper, Indiana. Nothing herein shall be deemed to prohibit the holding of a meeting or assembly on any premises commonly used for the discussion of subject of general interest. (Ord. 1122, S1, 1983).

**7.28.020 Picketing - Defined.** As used in this chapter, the following terms shall be defined as follows:

- (1) "To picket" means to patrol an area by walking back and forth, in front of, or around a location or to station oneself at a place while bearing some insignia or sign designed to persuade or protest.
- (2) "Dwelling place" refers to any building or habitation or part thereof in which an individual temporarily or permanently resides, provided that any building or habitation in which an individual resides, but in which said individual or any member of his household also carries on a business is not a dwelling place for purposes of this ordinance.
- (3) "Picketing a home or dwelling place" refers to any and all conduct involving one or more individuals patrolling back and forth in front of a dwelling place, or around a dwelling place, or stationing himself in front of a dwelling place, while bearing or carrying an insignia or sign directed to one or more of the inhabitants of the dwelling intended to persuade or to protest. (Ord. 1122, S2, 1983).

**7.28.030 Picketing deemed nuisance.** Any picketing in violation of Section 7.28.010 above shall be deemed a nuisance. (Ord. 1122, S3, 1983)

**7.28.040 Violation - Penalty.** Any person convicted of a violation of this Ordinance shall be fined in the amount of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00). (Ord. 1122, S4, 1983).

## Chapter 7.30

### ADDRESS NUMBERING OF LOTS, BUILDINGS AND STRUCTURES

#### Sections:

<b>7.30.010</b>	<b>House numbering required</b>
<b>7.30.020</b>	<b>Address log</b>
<b>7.30.030</b>	<b>Penalty</b>

**7.30.010 House numbering required.** All houses, buildings and structures in the City of Jasper shall be numbered in accordance with the following plan:

- (1) The number shall reflect the official address recognized by the City of Jasper and the 911 emergency systems.
- (2) It shall be the obligation of the owner of the property to place numbers on the house, building or structure; which numbers shall be a minimum of four (4) inches high, and, shall contrast with the background on which they are placed.
- (3) If the building or structure is a residence and is more than Seventy-five (75) feet from the roadway, then the numbers shall be attached to a fixture near the street.
- (4) Residential numbers may be attached to a rural mailbox post provided the mailbox post is on the same side of the roadway and only one (1) mailbox is present.
- (5) The street name and house number assigned to each structure shall be assigned with reference to the location of the front door of that structure.
- (6) Structures situated at an angle on corner lots shall be assigned a street name and number from the road that intersects the addressable driveway to that structure, or from the road in which the main access or entrance to the structure is oriented, at the discretion of the City Engineer.
- (7) If the building or structure is a business, the number must be affixed in a clearly visible location on the front of the building.
- (8) Each unit of a multi-family dwelling shall be addressed separately. (Ord. 2013-31, S1, Oct. 23, 2013) (Ord. 1992-22, S1, 1992) (Ord. 1992-19, S1, 1992)

**7.30.020 Address log.** The Engineering Department shall keep a chart or log showing the proper street number of every house, building or structure in the City. (Ord. 2013-31,

S2, Oct. 23, 2013) (Ord. 2003-43, S1, Aug. 20, 2003) (Ord. 1992-22, S2, 1992) (Ord. 1992-19, S2, 1992)

**7.30.030 Penalty.** Any person, firm or corporation failing to so number any house, building or other structure owned by him, or if after receiving notice to do so from the Jasper Police Department shall continue in his failure to so number such house, building or structure, shall be fined one dollar (\$1.00) for each day during or on which a failure to so number continues. (Ord. 2003-43, S2, Aug. 20, 2003) (Ord. 1992-22, S3, 1992) (Ord. 1992-19, S3, 1992)

## Chapter 7.50

### NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

#### Sections:

- 7.50.005 Purpose**
- 7.50.010 Official Incident Response System**
- 7.50.020 Training, exercise, and use of National Incident Management System (NIMS)**

#### **7.50.005 Purpose.**

- (1) The President in Homeland Security Directive (HSPD) - 5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity.
- (2) The collective input and guidance from all Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS.
- (3) It is necessary and desirable that all Federal, State, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management.
- (4) To facilitate the most efficient and effective incident management, it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters.
- (5) The NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes.

- (6) The Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs.
- (7) The National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.
- (8) The Board of Public Works and Safety of the City of Jasper, Indiana recommends adoption of the National Incident Management System (NIMS) as the City standard for incident management.
- (9) The Common Council of the City of Jasper, Indiana now determines it to be in the best interest of the City of Jasper and its citizens to establish the National Incident Management System (NIMS) as the City standard for incident management. (Ord. 2005-18, Whereas, July 20, 2005)

**7.50.010 Official Incident Response System.** That the City of Jasper, Indiana does hereby establish the National Incident Management System (NIMS) as the City's official incident response system and as its standard for incident management. (Ord. 2005-18, S1, July 20, 2005)

**7.50.020 Training, exercise, and use of National Incident Management System (NIMS).** That all incident managers and response organizations under the jurisdiction and control of the City of Jasper shall train, exercise and use NIMS in their response operations. (Ord. 2005-18, S2, July 20, 2005)