

CHAPTER 3

MORALS AND CONDUCT

The Town of Bethel repeals the previous ordinance with the same chapter and title adopted March 1, 1988 and replaces it with this Chapter 3 entitled "Morals and Conduct".

The Town of Bethel does hereby ordain:

Sec. 3-1. Drinking intoxicating liquors prohibited under certain conditions.

No person shall be in a drunk or intoxicated condition in or on any place in the Town that is open to the public. No person shall drink any intoxicating liquors on any street, highway, or parking lot, or in any motor vehicle not on private property, or upon private property without the express consent of the owner.

Sec. 3-2. Solicitation under false pretenses.

No person shall beg or solicit alms or charity under false pretenses in any public or private space within the Town.

Sec. 3-3. Regulating and prohibiting unnecessary and disturbing noises; exceptions.

(a) No person shall willfully make or cause to be made any loud, boisterous, raucous, or unseemly noise or disturbance within the Town to the

annoyance of any other person; provided, however, that nothing contained in this Section shall restrict or limit the normal use to be made of parks, recreation places, playing fields, and playgrounds.

- (b) No person shall, for commercial purposes, or in connection with any commercial enterprise, erect or locate any device or apparatus in or on the exterior of premises owned or occupied by him which, by mechanical or electrical means, emits any loud sounds or noises, so as to annoy or disturb passers-by on the street or the general public. The provisions of this Section shall not apply, in time of emergency, to any announcement or broadcast of any current events of public interest.
- (c) No person shall operate, or cause or allow to be operated, any engine of any motor vehicle or lawn mower in the Town unless the exhaust therefrom shall be so muffled, controlled, or insulated that it shall make no noise that will be harmful or offensive to any of the inhabitants.
- (d) No person shall play, use, operate, or permit to be played, used, or operated, any radio receiving set, musical instrument, stereo, "boom box," phonograph, or other machine or device for the production or reproduction of sound with louder volume than is necessary for convenient hearing of the person so playing, using, or operating such instrument, machine, or device, or in such manner as to disturb the peace,

quiet and comfort of neighboring inhabitants. The use or operation of any such instrument, machine, or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 100 feet from the building, structure, vehicle, or place in which it is used or operated, shall be *prima facie* evidence of a violation of this Section.

Nothing contained in this Section shall be construed to prohibit playing by a band or orchestra in a hall, building, or open air in the Town with a permit from the Council.

- (e) No hawker, peddler, or vendor, whether licensed or unlicensed, shall shout, announce, or broadcast his or her goods, wares, and merchandise upon a street or public place in the Town between the hours of 6:00 p.m. and 8:00 a.m. in such a manner as to be plainly audible at a distance of 100 feet from any residence in the Town. Any such shout, announcement, or broadcast shall be *prima facie* evidence of a violation of this Section.
- (f) No person shall, on Sunday at any time and on any other day of the week between the hours of 6:00 p.m. and 7:00 a.m., operate or use tools or equipment in conducting any excavation, demolition, erection, alteration, repair, or other construction which shall make any loud or disturbing noise within 1,000 feet of any dwelling or business property in the Town,

except in case of urgent necessity in the interest of public safety and then only upon obtaining a permit from the Town.

Sec. 3-4. Trespass prohibited; peeping prohibited.

(a) No person shall trespass in or upon premises occupied by another within the Town limits.

(b) No person shall, while on the property or premises of another, conduct himself or herself in a manner by which he or she peers or peeps into a window, door, or any other opening whatsoever.

Sec. 3-5. Open air burning prohibited without permit: exception.

(a) Subject to subsection (b) of this Section, no person shall burn or set afire any lot or land, refuse, garbage, waste, or other matter or thing within the Town limits without obtaining a special permit from the Council.

(b) This Section shall not prohibit the use of outdoor fireplaces or other devices for the preparation of food, nor the burning of leaves or other dead vegetation, provided such burning is done in a safe and reasonable manner and an adequate water supply is available for immediate use in the event of any emergency.

Sec. 3-6. Abandoned appliances prohibited.

No person shall store or leave in any place accessible to small children within the Town limits any unused or vacant refrigerators, ice boxes, freezers, or any like devices used for the preservation of foodstuffs.

Sec. 3-7. Junk yards prohibited; defined.

(a) No person shall establish, operate, or maintain, or permit to be established, operated, or maintained any junk yard within the Town limits.

(b) For purposes of this Section, "junk yard" shall mean a place or establishment where articles or things that have outlived their usefulness in their original form are stored or bought and sold, either to be used in their original form or to be converted into a product or thing of a different kind by some manufacturing or refurbishing process. For purposes of this Section, by way of clarification, "junk yard" shall also mean an establishment that conducts yard sales for commercial purposes.

Sec. 3-8. Bathing suits or other proper attire required.

No person shall appear on the Town dock, or on the shores of the Broad Creek or any other body of water within the Town limits, at any time without a bathing suit or other proper attire.

Sec. 3-9. Discharge of firearms prohibited; exceptions.

No person shall discharge a firearm within the Town limits, unless in self-defense, a law enforcement officer in the performance of his or her duty, or a person licensed by the State to carry a firearm in the execution of his or her normal vocation.

Sec. 3-10. Violations; fines.

Any person violating any provision of this Chapter shall be subject to a fine in the amount of \$25. Each incident of a violation shall be deemed a separate offense. In no event shall the aggregate fine for a violation of any provision of this Chapter exceed \$500.

Sec. 3-11. Enforcement; Procedures

The Council or the Alderman, if any, shall be responsible for enforcing the provisions of this Chapter. A proceeding to enforce any such provision may be commenced by the filing of a written complaint on the form provided by the Town Clerk and filed at the Town office. The procedure for notice and abatement of any violation shall be as set forth in Chapter 5, Section 5-2 of these Ordinances.