

CHAPTER 509  
Disorderly Conduct and Peace Disturbance

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CROSS REFERENCES

See sectional histories for similar State law  
 Use of force to suppress riot - see Ohio R.C. 2917.05  
 Cordoning off riot areas, prohibiting sales of firearms and explosives - see Ohio R.C. 3761.16  
 Emergency suspension of permits and sales by Director of Liquor Control - see Ohio R.C. 4301.251  
 Criminal trespass - see GEN. OFF. 541.05

509.01 RIOT.

(a) No person shall participate with four or more others in a course of disorderly conduct in violation of Section 509.03:

- (1) With purpose to commit or facilitate the commission of a misdemeanor, other than disorderly conduct;
- (2) With purpose to intimidate a public official or employee into taking or refraining from official action, or with purpose to hinder, impede or obstruct a function of government;
- (3) With purpose to hinder, impede or obstruct the orderly process of administration or instruction at an educational institution, or to interfere with or disrupt lawful activities carried on at such institution.

(b) No person shall participate with four or more others with purpose to do an act with unlawful force or violence, even though such act might otherwise be lawful.

(c) Whoever violates this section is guilty of riot, a misdemeanor of the first degree. (ORC 2917.03)

509.02 FAILURE TO DISPERSE.

(a) Where five or more persons are participating in a course of disorderly conduct in violation of Section 509.03, and there are other persons in the vicinity whose presence creates the likelihood of physical harm to persons or property or of serious public inconvenience, annoyance or alarm, a law enforcement officer or other public official may order the participants and such other persons to disperse. No person shall knowingly fail to obey such order.

(b) Nothing in this section requires persons to disperse who are peaceably assembled for a lawful purpose.

(c) Whoever violates this section is guilty of failure to disperse, a minor misdemeanor (ORC 2917.04)

#### 509.03 DISORDERLY CONDUCT; INTOXICATION.

(a) No person shall recklessly cause inconvenience, annoyance or alarm to another, by doing any of the following:

- (1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
- (2) Making unreasonable noise or offensively coarse utterance, gesture or display, or communicating unwarranted and grossly abusive language to any person;
- (3) Insulting, taunting or challenging another, under circumstances in which such conduct is likely to provoke a violent response;
- (4) Hindering or preventing the movement of persons on a public street, road, highway or right of way, or to, from, within or upon public or private property so as to interfere with the rights of others, and by any act which serves no lawful and reasonable purpose of the offender;
- (5) Creating a condition which is physically offensive to persons or which presents a risk of physical harm to persons or property, by any act which serves no lawful and reasonable purpose of the offender.

(b) No person, while voluntarily intoxicated shall do either of the following:

- (1) In a public place or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance or alarm to persons of ordinary sensibilities, which conduct the offender, if he were not intoxicated, should know is likely to have such effect on others;
- (2) Engage in conduct or create a condition which presents a risk of physical harm to himself or another, or to the property of another.

(c) Violation of any statute or ordinance of which an element is operating a motor vehicle, locomotive, watercraft, aircraft or other vehicle while under the influence of alcohol or any drug of abuse, is not a violation of subsection (b) hereof.

(d) When to an ordinary observer a person appears to be intoxicated, it is probable cause to believe such person is voluntarily intoxicated for purposes of subsection (b) hereof

(e) Whoever violates this section is guilty of disorderly conduct, a minor misdemeanor. If the offender persists in disorderly conduct after reasonable warning or request to desist, disorderly conduct is a misdemeanor of the fourth degree.  
(ORC 2917.11)

## 509.04 DISTURBING A LAWFUL MEETING.

(a) No person, with purpose to prevent or disrupt a lawful meeting, procession or gathering, shall do either of the following:

- (1) Do any act which obstructs or interferes with the due conduct of such meeting, procession or gathering;
- (2) Make any utterance, gesture or display which outrages the sensibilities of the group.

(b) Whoever violates this section is guilty of disturbing a lawful meeting, a misdemeanor of the fourth degree.

(ORC 2917.12)

## 509.05 MISCONDUCT AT AN EMERGENCY.

(a) No person shall knowingly:

- (1) Hamper the lawful operations of any law enforcement officer, fireman, rescuer, medical person or other authorized person, engaged in his duties at the scene of a fire, accident, disaster, riot or emergency of any kind.
- (2) Fail to obey the lawful order of any law enforcement officer engaged in his duties at the scene of or in connection with a fire, accident, disaster, riot or emergency of any kind.

(b) Nothing in this section shall be construed to limit access or deny information to any news media representative in the lawful exercise of his duties.

(c) Whoever violates this section is guilty of misconduct at an emergency, a minor misdemeanor. If violation of this section creates a risk of physical harm to persons or property, misconduct at an emergency is a misdemeanor of the fourth degree.

(ORC 2917.13)

## 509.06 INDUCING PANIC.

(a) No person shall cause the evacuation of any public place, or otherwise cause serious public inconvenience or alarm, by doing any of the following:

- (1) Initiating or circulating a report or warning of an alleged or impending fire, explosion, crime or other catastrophe, knowing that such report or warning is false;
- (2) Threatening to commit any offense of violence;
- (3) Committing any offense, with reckless disregard of the likelihood that its commission will cause serious public inconvenience or alarm.

(b) Subsection (a) hereof does not apply to any person conducting an authorized fire or emergency drill.

(c) Whoever violates this section is guilty of inducing panic, a misdemeanor of the first degree, if such violation does not result in physical harm to any person.

(ORC 2917.31)

## 509.07 MAKING FALSE ALARMS.

(a) No person shall do either of the following:

- (1) Initiate or circulate a report or warning of an alleged or impending fire, explosion, crime or other catastrophe, knowing that the report or warning is false and likely to cause public inconvenience or alarm;
- (2) Knowingly cause a false alarm of fire or other emergency to be transmitted to or within any organization, public or private, for dealing with emergencies involving a risk of physical harm to persons or property;
- (3) Report to any law enforcement agency an alleged offense or other incident within its concern, knowing that such offense did not occur.

(b) This section does not apply to any person conducting an authorized fire or emergency drill.

(c) Whoever violates this section is guilty of making false alarms, a misdemeanor of the first degree. (ORC 2917.32)

## 509.08 EMERGENCY CURFEW.

(a) The College Corner Mayor may declare a state of emergency within the City upon determining that property, real or personal, whether it be public or private is in danger of being damaged or destroyed; or that the health, safety and welfare of the inhabitants of the Village is in jeopardy; or that gatherings of rioters, protesters or demonstrators constitute a threat to the peace, quiet and good order of the Village.

(b) At such time that a state of emergency is declared and until time as the emergency is declared at an end, curfew shall prevail within the Village between the hours of 9:00 p.m. and 6:00 a.m.

(c) During the time that the curfew is in effect, no person shall loiter upon the streets, avenues, alleys, parks or other public place within the Village and no person shall be upon the streets, avenues, alleys, parks or other public place within the Village without being able to show just cause and to give a reasonable account of himself.

(d) All bars, taverns, restaurants, filling stations and other business establishments shall be closed during the hours of the curfew.

(e) Whoever violates this section is guilty of a minor misdemeanor.

- use of any such signaling device when traffic is for any reason held up or delayed.
- (2) Radios and Other Devices. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, 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 fifty feet from the building, structure or vehicle in which it is located shall be prima-facie evidence of a violation of this section.
  - (3) Construction or Repairing of Buildings. The erection, including excavating, demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 9:00 p.m. except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Mayor, which permit may be granted for a period not to exceed three days or while the emergency continues. If the Mayor determines that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways between the hours of 9:00 p.m. and 7:00 a.m., and if he further determines that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done between the hours of 9:00 p.m. and 7:00 a.m. upon application being made at the time the permit for the work is awarded or during the progress of the work.
  - (4) Schools, Courts, Churches and 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 institutions, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.
  - (5) Hawkers and Peddlers. The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of neighboring inhabitants.
  - (6) Between the hours of 11:00 p.m. and 7:00 a.m., the shouting, yelling, chanting, or making use of the human voice or vocal chords in a louder than normal conversational tone or pitch, other than in an emergency situation, in such a manner as to disturb the peace and quiet of neighboring inhabitants.

(b) Organizational liability as set forth in College Corner, Code Section 501.11 shall be applied to violations of this section.

(c) A violation of this section shall be a minor misdemeanor and any offender who persists in such violation after reasonable warning or request to desist by a member of the College Corner Police Division shall be guilty of a misdemeanor of the fourth degree. A second offense within six months of the first offense shall be punishable as a misdemeanor of the fourth degree. (See College Corner Code Section 501.99 (a) and (b).)

509.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification.)