

Title 9

PUBLIC PEACE, MORALS AND WELFARE

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Chapter 9.04

OFFENSES AGAINST PROPERTY

Sections:

- 9.04.010** Vandalism, destruction of property and other related offenses.
- 9.04.020** Injuring or destroying public or private property.
- 9.04.030** Trespassing on public property.
- 9.04.040** Construction of fences—
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- 9.04.050** Defacing public property.
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9.04.010 Vandalism, destruction of property and other related offenses.

A. No person shall wilfully and maliciously, intentionally and without right:

1. Break down, injure, remove or destroy a monument erected for, or tree marked for, the purpose of designating the boundaries of a town or of a tract or lot of land, or a milestone, mileboard or guideboard erected upon a public way or railroad, or deface or alter the description of any such stone or board;

2. Mar or deface a building or signboard, or extinguish a light, or break, destroy or remove a lamp, lamp post, railing or post erected on a bridge, sidewalk, public way, court or passage;

3. Deface or other injure, remove, interfere with or destroy any traffic regulating sign, light signal, marking or device lawfully erected or placed under public authority on any public way;

4. Or wantonly and without cause, destroy, deface, mar or injure a schoolhouse, church or other building erected or used for purposes of education or religious instruction, or for the general diffusion of knowledge, or an outbuilding, fence, well or appurtenance of such schoolhouse,

church or building, or furniture, apparatus or other property belonging thereto or connected therewith;

5. Or wantonly and without cause, destroy, deface, mar or injure any playground apparatus or equipment located in a public park or playground;

6. Destroy, injure, deface or mar a dwelling house or other building, whether upon the inside or outside;

7. Mar or injure the wells, wainscoting or any other part of a courthouse, or any other building or room used for county business or any building belonging to the Commonwealth or any building belonging to the City or the appurtenances thereof, by cutting, writing or otherwise;

8. Maliciously remove, display, destroy, deface, mar or injure any monument, tablet or other device erected to mark an historic place or to commemorate an historic event.

B. Whoever violates any provision of this section in the presence of a police officer authorized to serve criminal process and the identity of such person is unknown to the officer, such person may be arrested by such officer and detained in a safe place without a warrant until his identity is ascertained. Reasonable diligence shall be exercised by the arresting officer in ascertaining the identify of the offender and when identified he shall be released from arrest unless a warrant was issued against him. If the offender is known to the police officer, he shall seek a complaint in court against such offender.

C. The organization(s) responsible for the distribution of posters or flyers with an intention that they be posted in violation of this section shall be responsible for the immediate removal of such posters or flyers and the names of organization(s) named on illegally posted posters or flyers shall be forwarded to the appropriate area businessmen's association so that the association may notify such organization that such acts are prohibited by City ordinance.

D. Upon conviction under this section, it is shown that the act committed was a first offense,

and if the person makes restitution to the party injured, the justice of the district court may continue the case without finding. (Ord. 964, 1981: prior code § 13-20)

9.04.020 Injuring or destroying public or private property.

A. No person shall, without proper authority, paint on, write on, or otherwise injure, deface, destroy or vandalize any public building or any public or private property.

B. Any person who violates this section shall be subject to a fine of three hundred dollars. (Ord. 1049 § 1, 1987: prior code § 13-2)

9.04.030 Trespassing on public property.

A. No person shall trespass on the roof of a public building or within a school building after regular school hours without the prior permission of a duly authorized public official.

B. At least two signs shall be posted on all public buildings with not less than one inch letters, not more than ten feet, and not less than six feet from the ground, black letters on white background as follows:

City of Cambridge
No Trespassing and
No Defacing of this public building.
Violators will be prosecuted to the
full extent of the law.
City Manager

C. Any person who violates any provision of this section shall be subject to a fine of not more than one hundred dollars (\$100.00) for the first offense, not more than two hundred dollars (\$200.00) for the second offense and not more than three hundred dollars (\$300.00) for subsequent offenses. (Ord. 1049 § 2, 1987: prior code § 13-3)

9.04.040 Construction of fences—Dangerous materials.

No person shall erect or maintain anywhere in the City a fence equipped with or having razor wire or razor ribbon. Nor shall any person erect or maintain a fence equipped with or having barbed wire, spikes or other dangerous materials, or any electric charge sufficient to cause shock, within ten feet of the ground level. (Ord. 1009, 1984: prior code § 13-17A)

9.04.050 Defacing public property.

No person shall paint or draw any words or figures, or post any written or printed matter, upon the property of any person, without the consent of the owner or occupant thereof, nor upon any property of the City, without the consent of the City Manager. (Prior code § 13-1)

9.04.060 Sale of certain paints and markers.

A. No person shall, within the City, sell, display, expose or keep for sale any aerosol spray paint can, or any marker containing a fluid which is not water soluble and which has a point, brush, applicator or other writing surface in excess of one-half inch, unless at the point of display or sale there is posted a sign with letters not less than one and one-half inches in height bearing the following words:

Sale of spray paint and broad indelible
markers to persons under eighteen and the
unlawful purchase or possession of paints and
such markers by persons under eighteen is
punishable by a three hundred dollar fine.

nor shall any person sell or deliver any aerosol spray paint, or any marker containing a fluid which is not water soluble and which has a point, brush, applicator or other writing surface in excess of one-half inch to any person under eighteen years of age or to any person of whatever age who refuses to submit for inspection if requested a driver's license, liquor purchase identification or other identification to establish the age of such

person, nor shall any person being under the age of eighteen purchase, conceal or remove from the premises such items; providing, that nothing in this section shall prevent the parent, guardian, employer or teacher of such a minor person from delivering such items to a minor intending the same to be lawfully used.

B. Any person who violates this section shall be subject to a fine of three hundred dollars. (Ord. 1049 § 3, 1987: prior code § 13-21)

9.04.070 Throwing objects in streets or on bridges.

No person shall play ball or throw a stone or other missile in any street, or upon or from any bridge. (Prior code § 13-16)

Chapter 9.08

**OFFENSES AGAINST PUBLIC PEACE
AND DECENCY**

Sections:

- 9.08.010** **Disorderly conduct—Profanity and insulting language.**
- 9.08.020** **Consumption of alcoholic beverages in certain public places.**
- 9.08.030** **Gaming.**
- 9.08.040** **Peeping and spying.**
- 9.08.050** **Nude swimming or bathing.**
- 9.08.060** **Loitering in streets.**

9.08.010 **Disorderly conduct—Profanity and insulting language.**

No person shall behave himself in a rude or disorderly manner, or use any indecent, profane or insulting language in any street or public place. No person shall make or cause to be made, any unnecessary noise or noises in any public street, private way or park, so as to cause any inconvenience or discomfort for the inhabitants of the City. (Prior code § 13-5)

9.08.020 **Consumption of alcoholic beverages in certain public places.**

No person shall drink any alcoholic beverages as defined in Chapter 138, Section 1 of the General Laws while on, in or upon any public way, or upon any way to which the public has a right to access, or any place to which the public has access as invitees or licensees, park or playground, or private place without the consent of the owner or person in control thereof. Whoever violates this section may be arrested without a warrant by an officer authorized to serve criminal process. All alcoholic beverages being used in violation of this section shall be seized and safely held until final adjudication of the charge against the person or

persons arrested or summoned into court, at which time they shall be returned to the person or persons entitled to lawful possession. Anyone found guilty of the violation of this chapter shall be punished by a fine of not over fifty dollars. (Ord. 933, 1980: Ord. 825, 1973: prior code § 13-19)

9.08.030 **Gaming.**

No person shall expose, in or upon any street, public ground or common, any table or device of any kind, by or upon which any game of hazard or chance can be played; nor shall any person play any such game at such table or device, in or upon any street, public ground or common. (Prior code § 13-6)

9.08.040 **Peeping and spying.**

No person other than an officer of the law acting in the performance of his legal duty shall enter upon the premises of any person with the intention of peeping into a dwelling or spying upon any person therein. (Prior code § 13-7)

9.08.050 **Nude swimming or bathing.**

No person in a nude state shall swim or bathe in any waters within the City, so as to be exposed to the view of passengers or other persons in any street or house within the City. (Prior code § 13-8)

9.08.060 **Loitering in streets.**

No person shall saunter or loiter in a street in such a manner as to obstruct or endanger travelers or in a manner likely to cause a breach of the peace or incite to riot; but nothing in this section shall be construed to curtail, abridge or limit the right of any person to exercise the right of peaceful persuasion guaranteed by Section 24 of Chapter 149 of the General Laws or to curtail, abridge or limit the intentment of any statute of the Commonwealth. (Prior code § 13-9)

Chapter 9.12**OFFENSES BY OR AGAINST MINORS****Sections:****9.12.010 Curfew.****9.12.010 Curfew.**

No minor under sixteen years of age shall be upon any street, highway, park or other public way or place in the City after nine-thirty p.m. of any day unless:

A. He is accompanied by a parent, guardian or other responsible adult person; or

B. He is returning with reasonable speed from employment, from the performance of some duty or from a supervised group event conducted by a church or by a social agency with, in either case, permission from his parent or guardian.

(Prior code § 13-14)

Chapter 9.16

WEAPONS

Sections:

- 9.16.010 Firearm discharge prohibited—Exception.**
- 9.16.020 Handgun transactions—Council findings.**
- 9.16.030 Handgun transactions—Handgun defined.**
- 9.16.040 Handgun transactions—Prohibited—Penalty.**
- 9.16.050 Handgun transactions—Exemptions from provisions.**
- 9.16.060 Bows, arrows and air gun discharge prohibited.**
- 9.16.070 Clubs and bludgeons prohibited.**
- 9.16.080 Toy pistols, slingshots and other weapons.**

9.16.010 Firearm discharge prohibited—Exception.

No person shall, except in the performance of some legal duty, discharge any gun, pistol or other firearm, within the City limits. (Prior code § 13-15)

9.16.020 Handgun transactions—Council findings.

The City Council finds and declares that:

- A. Handguns play a major role in the commission of homicide, aggravated assault, armed robbery and accidental injury and death;
- B. Handguns should therefore not be readily available within the City;
- C. In order to promote and protect the public health, safety and welfare, to preserve peace and good order, and to maintain the internal police of the City, it is necessary to regulate certain handgun transactions. (Ord. 1036 (part), 1986: prior code § 13-15A(a))

9.16.030 Handgun transactions—Handgun defined.

As used in this section and Sections 9.16.020, 9.16.040 and 9.16.050 of this chapter, “handgun” means any firearm, as defined in Section 121 of Chapter 140 of the General Laws, of which the length of barrel is less than ten inches. (Ord. 1036 (part), 1986: prior code § 13-15A(b))

9.16.040 Handgun transactions—Prohibited—Penalty.

Any person who sells, rents or leases a handgun shall be punished by a fine of not more than three hundred dollars. Each such sale, rental or lease shall constitute a separate offense. (Ord. 1036 (part), 1986: prior code § 13-15A(c))

9.16.050 Handgun transactions—Exemptions from provisions.

This section and Sections 9.16.020, 9.16.040 and 9.16.050 of this chapter shall not apply to:

- A. Any person who holds a license to sell, rent or lease firearms from the Chief of Police under section 121 of Chapter 140 of the General Laws, if the license was first issued on or before May 15, 1986; or
- B. Any person to whom any licensed mentioned in subsection A of this section is transferred; or
- C. Any person or circumstances mentioned in Section 128A of Chapter 140 of the General laws. (Ord. 1036 (part), 1986: prior code § 13-15A(d))

9.16.060 Bows, arrows and air gun discharge prohibited.

No person shall shoot with or use a bow and arrow or air gun in a street, or upon or from any bridge. (Prior code § 13-12)

9.16.070 Clubs and bludgeons prohibited.

No person shall have in his possession a club or bludgeon, on any street, with intent to use the same in a sport, sham-fight or strife, or to intimidate any person or horse. (Prior code § 13-13)

9.16.080 Toy pistols, slingshots and other weapons.

No person shall have in his possession a toy pistol, crotch, rubber sling or other device for throwing missiles of any kind, with intent to use it to the injury of persons or property, or to the annoyance or discomfort of any person, upon the street. (Prior code § 13-17)

9.20.010

Chapter 9.20

VIOLATION—PENALTY

Sections:

9.20.010 Violation—Penalty.

9.20.010 Violation—Penalty.

Unless otherwise specified, any person who violates any provision of this title shall be liable to a fine not exceeding fifty dollars for each offense. (Ord. 1017, 1984: prior code § 13-18)