

TITLE XIII: GENERAL OFFENSES

Chapter

130. GENERAL OFFENSES

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Section

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Cross-reference:

Criminal activity nuisance properties, see §§ 99.45 through 99.48

§ 130.01 SALE OR USE OF TOXIC GLUE.

(A) For the purpose of this section the following definition shall apply unless the context clearly indicates or requires a different meaning.

"TOXIC GLUE." Any glue, adhesive cement, mucilage, plastic solvent, or other adhesive containing toluene, acetone, xylene, butyl, alcohol, hexane, tricresyl phosphate, or other toxic ingredient.

(B) No person shall, for the purpose of violating or aiding another to violate any provision of this section, intentionally possess, buy, sell, transfer possession, or receive possession of any toxic glue.

(C) No person shall sell or transfer possession of any toxic glue to another person under 21 years of age except that one tube of glue may be sold at any one time to a person under 21 years of age provided the tube is included in a kit for the assembly of a model airplane, automobile, boat, or other unassembled model, or that a kit not having glue packaged therein is sold in conjunction with the sale of one tube of glue.

(D) No person shall inhale, drink, eat, or otherwise introduce into his respiratory or circulatory system any toxic glue with the intent of becoming intoxicated, elated, paralyzed, irrational, or in any manner changing, distorting, or disturbing his eyesight, thinking processes, judgment, balance, or coordination. For the purpose of this section, any condition so induced shall be deemed to be an intoxicated condition.

(Ord. 1020.3, passed 12-21-65) Civil offense, see § 130.98

§ 130.02 SALE OF HYPODERMIC SYRINGES.

No person except a manufacturer, wholesaler, or retail dealer in surgical instruments, or the owner of a pharmacy, pharmacist, practitioner, nurse, or other person authorized to administer narcotic drugs, shall sell or possess a hypodermic syringe, needle, or any instrument or implement adopted for the purpose of administering habit-forming drugs, unless the sale or possession is authorized by the certificate of a physician issued within the period of one year.

(Ord. 1020.5, passed - -71) Civil offense, see § 130.98

§ 130.03 CARELESS SMOKING.

Any person who, by reason of carelessness or willful or wanton conduct in smoking, or in the use of lighters or matches in smoking, shall set fire to any bed, carpet, curtains, draperies, furniture, household equipment, any other goods or chattels, or any building, shall be fined as provided in § 130.98.

(Ord. 1020.2, passed 10- -59) Civil offense, see § 130.98

§ 130.04 DISCHARGE OF WEAPONS.

It shall be unlawful to discharge any firearm or airgun, BB gun, bow and arrow, sling shot, or other device which projects lead or any other missile within the city except in a regularly established shooting gallery. This section shall not be construed to prohibit any officer of the law from discharging a firearm in the performance of his duty.

(Ord. 240.04, passed 1-6-81; Am. Ord. 2011-1, passed 5-3-11) Civil offense, see § 130.98

§ 130.05 IMPERSONATION OF CITY EMPLOYEE.

No person shall falsely represent himself to be an officer, agent, or employee of the city, and in such assumed character, arrest, detain, or search in any manner the person or the property of anyone. No person shall, without the authority of the city, wear or present any official uniform, insignia, badge, or identification card or paper likely to be confused with the official uniform, insignia, or badge of the city or any of the departments of the city.

(Ord. 1020.6, passed 1-15-74) Civil offense, see § 130.98

§ 130.06 CONCEALED WEAPONS BAN IN CERTAIN PUBLIC BUILDINGS.

(A) Prohibition. No person shall carry a concealed firearm or other deadly weapon or combination of firearms and other deadly weapons

on or about his person within any building owned, leased or controlled by the city or any of its subsidiaries. This prohibition shall include, but is not limited to, the Dayton City Building, City Garage, all park buildings and the Dayton Housing Authority's Jamestown Village Administration building.

(B) Exception. In no case shall the prohibition contained in subsection (A) above apply to any building used for public housing by private persons, firing ranges and private dwellings owned, leased or controlled by the city. Further the prohibition shall not apply to any building owned by the city or any of its subsidiaries used for manufacturing or other industries and leased to private commercial businesses.

(C) Posted Notice Required. Signs announcing the prohibition contained in subsection (A) above shall be posted at the entrance to each and every building to which the prohibition applies.
(Ord. 1996-7, passed 6-4-96)

(D) Penalty. Any person found in violation of the prohibition contained in subsection (A) above shall be refused entry to the building, or if already in the building, shall be ordered to leave the building. Further, any employee of the city or any of its subsidiaries found in violation of the prohibition contained in subsection (A) above shall be subject to employee disciplinary measures.
(Ord. 1996-7, passed 6-4-96)

§ 130.98 CIVIL OFFENSE.

Violation of any provision of Chapter 130, §§ 130.01, 130.02, 130.03, 130.04 or 130.05, is declared to be a civil offense. Any person violating any provision shall be fined not more than five hundred dollars (\$500.00). Any person electing not to contest citation for said offense shall be fined five hundred dollars (\$500.00). Each day of violation shall constitute a separate offense.
(Ord. 1996-15, passed 10-1-96; Am. Ord. 1997-7, passed 3-4-97; Am. Ord. 2002-3, passed 5-7-02)

§ 130.99 PENALTY.

Whoever violates any provision of this chapter for which no other penalty is specifically provided shall be guilty of a violation and shall be fined not more than two hundred fifty dollars (\$250.00).

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