

CHAPTER 7-5

OFFENSES AGAINST THE PUBLIC PEACE

7-5-1

DISORDERLY CONDUCT

Any person who intentionally causes serious public inconvenience, annoyance, or alarm to any other person, or creates a risk thereof by:

- A. Engaging in fighting or in violent or threatening behavior;
- B. Making unreasonable noise;
- C. Disturbing any lawful assembly or meeting of persons without lawful authority;
or
- D. Obstructing vehicular or pedestrian traffic; is guilty of disorderly conduct.

Legislative History:
Ordinance No. 7, Article II,
§25, 4/8/74.

Authority:
SDCL §22-13-1.

7-5-2

DISTURBING THE PEACE

No person shall disturb the peace of the City or of any person by violent, tumultuous or offensive conduct, or by loud or unusual noises, or by profane, obscene, indecent, violent or threatening language or actions, or by assaulting, striking or attempting to assault or strike another person, or inviting or defying another person to fight or quarrel, or by engaging in a fight with another person.

Legislative History:
Ordinance No. 7, Article II,

Authority:
SDCL Chapter 22-13;
§26, 4/8/74.
See Also § 9-29-3.

7-5-3

DISORDERLY ASSEMBLIES

A disorderly assembly of persons in a public place is hereby prohibited and the police department or any law enforcement officer shall have the authority to disperse those persons and to require them to remove themselves from the place of assembly. Any person participating in a disorderly assembly who fails or refuses to disperse or vacate such place after having been commanded to do so by law enforcement officer shall be guilty of disorderly assembly.

For the purpose of this section, a "disorderly assembly" shall mean any assembly of two (2) or more persons, some or all of whom are engaged in conduct which threatens the public peace or safety through fighting or violent or threatening behavior, loud or profane language, unreasonable noise, obstruction of vehicular or pedestrian traffic or by littering or breakage.

For purposes of this section, "public place" shall mean any place, whether within or without a building, commonly and customarily open to or used by the general public.

Legislative History:
Ordinance No. 162, §27, 12/1/86.

Authority:
SDCL § 9-29-3.

7-5-4

RADIO OR STEREO NOISE

No person shall cause sound to emanate from a motor vehicle in a public place or on any public street, highway or alley from which said motor vehicle a stereo, tape player, compact disc player, radio or any other sound amplification device can be heard at distance of one hundred feet or more.

The provisions of this section may be enforced following personal observation and/or hearing by any police officer or upon receipt of a complaint made or filed with the Police Department by persons disturbed by such sound.

Legislative History:
Ordinance No. 296, 11/6/00.