

This supersedes Ordinance No. 99-019 (Bill No. 16-001)

NUISANCES
SUBCHAPTER A – NUISANCES DEFINED

- 61.200 Garbage, etc., nuisance, when: The placing or throwing of rubbish, garbage, trash or other articles or materials which are obnoxious, dangerous, or detrimental to the public health, safety or welfare upon any street, sidewalk, alley or public place.
- 61.205 Stagnant pools, discharge of water: All ponds or pools of stagnant water and all foul or dirty water or liquids when discharged through any drain pipe, spout or otherwise upon any street, alley, or thoroughfare or private lot to the injury or annoyance of the public.
- 61.215 Dead animals: All carcasses of dead animals in the Town not slain for human food, not removed by the owner or other person entitled within twelve (12) hours after deaths.
- 61.220 Privies prohibited: All privies or private vaults not connected with a sanitary sewer, except construction privies required by law on the job site, or golf course privies and these privies shall be kept in a sanitary condition.
- 61.225 Dead animals, filth, etc., to be kept from streets: No person shall deposit any dead animal, filth, decayed or decomposed matter or other substance or thing obnoxious to the public upon a street, alley or public or private place in the Town.
- Exception: A land owner may, on his own property, use organic materials to create compost for his own gardening purposes in a proper container and located thirty-five feet (35') from the nearest building.
- 61.230 Defective drains, etc., nuisances: Any unclean, stinking, foul, defective or filthy drain, ditch, tank or gutter, or any leaking or broken slop, garbage or manure boxes, cans or containers.
- 61.235 Meats, etc., sale of tainted goods: No person shall sell or offer for sale to consumers for human food any meats, game, poultry, fish, vegetables or fruits that are tainted, diseased, corrupted or unwholesome, or meats from any cattle, hogs, sheep or calves that were unsound, sick, diseased or out of condition at the time they were slaughtered and such sale or offer for sale.
- 61.240 Rags and refuse, when a nuisance: Whenever there shall be found in or upon any lot or piece of ground, within the limits of the Town of Loma Linda, any dirt gathered in the

cleaning of yards, waste from industrial or business establishments, or any rags, damaged merchandise, wet, broken or leaking barrels, cases or boxes, or any materials which are offensive, or tend by decay to become putrid, or to render the atmosphere impure or unwholesome.

- 61.245 Unclean stables: Every person having charge or control of any stable, shed or apartment, or any yard or appurtenance thereof in which any horse, cow, or any other animal or animals shall be kept or any place in which manure or liquid discharges from such animals shall collect or accumulate, shall keep the same in a clean and wholesome condition so that no offensive smell shall be allowed to escape. No pig pens allowed, however kept or maintained, and provided further that nothing in this section shall be construed as to include manure deposits upon any private property for the cultivation of such property.
- 61.250 Nuisances in general defined: Every act or thing done or made, permitted, allowed or continued on any property, public or private, by any person or corporation, their agent or servant to the annoyance, inconvenience, detriment damage or injury of any inhabitants of this Town.
- 61.255 Owner or agent, how liable: Whenever any owner or agent shall rent, lease or hire out to be occupied any building, or part thereof, as a home or resident of more than two (2) families, living independent of each other, or any building to different persons for stores or offices in said building, giving to each family or person the common right to halls, basements, yards, toilets or urinals, or any of them, then such owner or agent shall be liable for the condition of such halls, basements, yards, toilets or urinals, and said owner or agent, the same as the occupant of premises, may be charged with the violation of any provision of this Chapter as a misdemeanor.
- 61.260 Violation a misdemeanor: Any person violating or failing to comply with any of the provisions of this Chapter, or causing, creating or maintaining nuisance shall be guilty of a misdemeanor, and each and every day he or she shall violate or fail to comply with any provisions of this Chapter shall constitute a separate offense.
- 61.265 It shall be the duty of the Town Marshall to observe the sanitary condition of the Town and to receive record and investigate all complaints or information from any source of a violation of any provision of this Chapter, or of any unsanitary condition in the Town which may constitute a nuisance. If in his discretion a nuisance exists, it shall be the duty of the Town Marshall to see that proper steps are taken to have the proper person prosecuted for carrying on or maintaining such nuisance until the same is suppressed and abated.
- 61.270 Notice to abate nuisance: The Town Marshall, before proceeding to abate or remove any nuisance, notify in writing, the owner, tenants, lessee or occupant, or his or her agent, employee or manager, having charge of, doing business in or on premises on

which any nuisance exists, to abate, discontinue or remove the same, which notice shall be served by the Town Marshall, Sheriff, Constable, or Deputy as writs of summons are served in civil suits. If such person cannot be so served in the Town of Loma Linda, then such notice shall be given by publication by one insertion in some newspaper of general circulation in the Town.

61.275 Failure to abate proceedings: If such nuisance shall not be abated, discontinued or removed within five (5) days after the service of or after the publication of the notice, the Town Marshall may proceed to abate or remove such nuisance.

61.280 Cost of abatement: The Board of Trustees may estimate the cost of abating or removing any nuisance and levy and assess the same as a special tax bill against the property involved in the same manner, and subject to the same penalties and conditions as tax bills issued by law for public involvement.

Violation of this ordinance is a misdemeanor and may result in a fine up to Five Hundred Dollars and No Cents (\$500.00) and up to thirty (30) days in jail or any combination thereof. Each day constitutes a new violation.

SUBCHAPTER B – SWIMMING POOLS

61.300 Definition – Swimming pools: A swimming pool is hereby defined to be a pool which is, or is intended to be, open for swimming by the public sector or private sector either with or without the payment of admission charge for the use thereof.

61.305 Application for construction: Before any swimming pool shall be constructed, application shall be made to the Architectural Board of the Town, written plans and specifications to accompany application. On the filing of such application the Architectural Board shall examine the plans and specifications and if the same be found in accordance with the recommendations of the Joint Committee of American Public Health Association and State Sanitary Engineers in effect at said time, the Commission shall issue a permit for construction or installation.

61.310 Inspection to be made: There is a minimum of six (6) inspections to be made on any outdoor pool; indoor pools require different specifications to be turned into the Architectural Board. The Building Inspector shall inspect the pool throughout its construction stages, and before giving permit for operation, shall ascertain that the

construction substantially complies with the plan and specifications presented when the permit was issued. The operation of any pool without permit shall be deemed a misdemeanor.

As often thereafter as may be necessary or advisable, the Building Inspector shall make inspection of such pool to ascertain whether it complies with the recommendations of the Joint Committee of American Public Health Association and State Sanitary Engineers, or whether a health menace of any nature exists or is indicated, and if the finding is adverse, the Building Inspector shall require immediate closure of the swimming pool for public/private use and require abatement of the health menace before it can be reopened for public/private use.

Violation of this ordinance is a misdemeanor and may result in a fine up to Five Hundred Dollars and No Cents (\$500.00) and up to thirty (30) days in jail or any combination thereof. Each day constitutes a new violation.

SUBCHAPTER C – PREVENTION OF MOSQUITOS

- 61.400 Collection of water unlawful, when: It shall be unlawful for any person to have, keep, maintain, cause, or permit, within the corporate limits of the Town of Loma Linda, any collection of standing or flowing water in which mosquitoes breed or are likely to breed unless such collection of water is treated so as effectually to prevent such breeding.
- 61.405 Collections likely to breed mosquitoes, described: collections of water in which mosquitoes breed or are likely to breed are those contained in ditches, ponds, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow walls, barrels, troughs (except horse troughs in frequent use), urns, cans, boxes, bottles, tubs, buckets, defective house roof, gutters, or flush closets, or other water containers.
- 61.410 Larvae as evidence of breeding: The natural presence of mosquito larvae in standing or running water shall be evidence that mosquitoes are breeding there.
- 61.415 Methods of treating water collections: Collections of water in which mosquitoes breed or are likely to breed shall be treated by such one or more of the following methods:
1. Screening with wire netting of at 16 meshes to the inch each way, or any other which will effectually prevent the ingress or egress of mosquitoes.

2. Complete emptying every seven (7) days of unscreened containers, together with their thorough drying or cleaning.
3. Using a larvacide approved and applied for that purpose.
4. Cover completely the surface of the water with kerosene petroleum or paraffin oil once every seven (7) days.
5. Cleaning and keeping sufficiently free of vegetable growth and other obstructions, and stocking with mosquito destroying fish.
6. Draining and filling so that water can no longer accumulate.
7. Proper disposal, by removal or destruction, of tin cans, tin boxes, broken or empty bottles, and other articles likely to hold water.

61.420 Violation and misdemeanor, when – abatement: In case the person responsible for the condition of the premises on which mosquitoes breed, or are likely to breed, fails or refuses to take necessary measures to prevent their breeding within three (3) days after notice in writing has been given him by the Town Marshall, or within such longer time after such notice as may be specified in the notice, the said person responsible shall be deemed guilty of a misdemeanor, and for each day after the expiration of three (3) days from the day on which such notice is given him, or for each day after the expiration of the time specified in the notice, as the case of such failure or refusal of the person responsible, the Town Marshall is authorized to take necessary measures to prevent the breeding of mosquitoes, and all necessary costs incurred for that purpose shall be charges against the person responsible.

61.425 Who is liable for violations: For the purpose of this Chapter, the person responsible for the condition of any premises is the person using or occupying the premises; the person who, by law, is entitled to the immediate possession of the same, or, in case the premises are used or occupied by two or more tenants of a common landlord, or from grounds appurtenant to a house occupied by two or more tenants of a common landlord, then the landlord; each tenant however, is responsible for that part of the premises which he occupies to the exclusion of the other tenants; provided, that in case the premises are occupied by a tenant under a yearly or monthly tenancy, or under a lease for not more than a year, or under any lease whereby the lessor is expressly or impliedly obligated to keep the premises in repair, and the collection of standing or flowing water in which mosquitoes breed or are likely to breed is owing to the disrepair of the building or buildings, or to any natural quality of the premises, or to any condition that existed at the time when the tenant entered into possession, or to anything done on the premises by the landlord during the existence of the tenancy or lease, then, and in such case, the landlord is the person responsible; provided, further, that any person who has caused to exist on any premises of which he is not the owner, landlord,

occupant or tenant any collection of water in which mosquitoes breed or are likely to breed is responsible, as well as the owner, landlord, tenant, or occupant as the case may be.

61.430 Town Marshall may go on premises: For the purpose of enforcing the provisions of this Chapter, the Town Marshall, or his lawful subordinate, may at all reasonable times enter in an upon any premises within the Town.

61.435 The Board of Trustees is authorized at their discretion to enter into and execute a contract with a qualified vendor to perform mosquito control services within the Town of Loma Linda.

61.436 Violation of this ordinance is a misdemeanor and may result in a fine up to Five Hundred Dollars and No Cents (\$500.00) and up to thirty (30) days in jail or any combination thereof. Each day constitutes a new violation.

This supersedes Ordinance No. 02-002

74.600 Resisting Officer: Any persons, who in this town shall hinder, obstruct, resist or otherwise interfere with any officer of the Town of Loma Linda, Missouri in the discharge of his official duties, or who shall attempt to prevent any such officer from discharging his official duties against any such person in his custody, shall be guilty of a misdemeanor.

74.601 Property Damage: A person commits the offense of property damage if he knowingly damages property of another, or if he damages property for the purpose of defrauding an insurer.

74.602 Trespass: A person commits the offense of trespass if he enters unlawfully upon real property of another, without license or privilege.

74.603 Peace Disturbance: A person commits the offense of peace disturbance if:

1. He unreasonably and knowingly causes alarm to another person or persons not physically on the same premises by:

- a. loud and unusual voice; or
- b. loud and abusive language; or
- c. threatening to commit a crime against any person; or
- d. fighting; or
- e. creating a noxious and offensive odor.

2. He is in a public place or on private property of another without consent and unreasonably and knowingly causes alarm to another person or persons by:

- a. loud and unusual voice; or
- b. loud and abusive language; or
- c. threatening to commit a crime against any person; or
- d. fighting; or
- e. creating a noxious and offensive odor.

3. He is in a public place or on private property of another without consent and purposely causes inconvenience to another person or persons by unreasonably and physically obstructing:

- a. vehicular or pedestrian traffic; or
- b. the free ingress or egress to or from public or private places.

- 74.604 Private Peace Disturbance: For the purposes of Sections 75.603 and 75.604:
1. “Property of another” means any property in which the actor does not have a possessory interest.
 2. “Private property” means any place which at the time is not open to the public. It includes property which is owned publicly or privately.
 3. “Public place” means any place which at the time is open to the public. It includes property which is owned publicly or privately.
 4. If a building or structure is divided into separately occupied units, such units are separate premises.
- 74.606 Vagrancy: A person commits the offense of vagrancy when he is:
1. Found loitering or strolling in, about, or upon any street, alley, or other public way or public place, or at any public gathering or assembly, or in or around any store, shop, or business or commercial establishment, or on any private property or place without lawful business, and who upon being ordered to move on about his business fails to do so.
 2. Found to occupy, lodge, or sleep in any vacant or unoccupied barn, garage, shed, shop, or other building or structure, or in any automobile, truck, railroad car, or other vehicle without owning the same or without permission of the owner or person entitled to the possession of the same, or sleeping in any vacant lot during the hours of darkness and not giving a reasonable explanation for his behavior.
 3. Found to be begging, or going from door to door of private homes or commercial and business establishments, or places himself in or upon any public way or public place to beg or receive alms for his own use.
- 74.607 Stealing: A person commits the offense of stealing if he appropriates property or services of another with the purpose to deprive him thereof, either without his consent or by means of deceit or coercion.
- 74.608 Possession of marijuana: Any person who shall be in possession of marijuana weighing less than 35 grams by weight shall be considered guilty of a misdemeanor.
- 74.609 Riotous assemblies forbidden: Any two or more persons who shall assemble together to, or who, being assembled, shall act in concert to do any unlawful act with force and violence against the property of the town, or the person or property of another, or against the peace or to the terror of others, and shall make any movement or preparation therefore, and every person present at such meeting or assembly who shall

not endeavor to prevent the commission or perpetration of such lawful act, shall be deemed guilty of a misdemeanor.

- 74.610 Disturbing religious worship, penalty: Any person who shall, in this town, disquiet or disturb any congregation or assembly met for religious worship by making a noise, or by rude or indecent behavior or profane discourses within their place of worship or so near the same as to disturb the order or solemnity of the meeting shall be deemed guilty of a misdemeanor.
- 74.611 Disturbing lawful assembly, penalty: Any person who shall, in this town, disturb any lawful assembly of people by rude and indecent behavior, or shall be found loitering at the corners of the streets, or in the vicinity of any place of amusement, restaurant or hotel, or thoroughfare, and refuse to disperse or vacate such place when requested to do so by a police officer, shall be deemed guilty of a misdemeanor.
- 74.612 Band music in street, when prohibited, penalty: It shall not be lawful for any military company or any procession or any body of persons accompanied by martial music to march or pass through, or for any person to play any musical instrument in any of the streets of the town within one block of any house of worship on Sunday during the hours of worship. Nor shall it be lawful for any band music to play in the streets for any procession with advertising devices or to move on said streets without a permit from the Chairman of the Board of Trustees; provided that nothing herein contained shall prevent any military company, organized under the laws of the state, from parading with a band of music on any day except Sunday. Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor.
- 74.613 Carrying sling shots, brass knuckles, etc.: Whenever there shall be found upon the person of anyone who had been found guilty of a breach of the peace any sling shot, colt or knuckles of lead, brass or other metals, or when upon trial, evidence shall be adduced proving that such weapons were in the possession or on the person of anyone while in the commission of the act aforesaid, such person shall be deemed guilty of a misdemeanor.
- 74.614 Carrying of concealed weapons prohibited: It shall be unlawful for any person to wear under his clothes, or concealed about his person, any pistol or revolver without a lawful permit or a billy, sling shot, brass knuckles or knuckles of lead, brass or other metal, bowie knife, razor, dirk knife, dirk, dagger or any knife resembling a bowie knife, or any dangerous or deadly weapon.
- 74.615 Weapons may be worn by officers: Nothing in the preceding section shall be so construed as to prevent any United States, state, county or Town Marshall or town officer, from carrying or wearing such weapons as may be necessary in the proper discharge of his duties.

- 74.616 Begging, penalty: Any person who shall be found begging within the Town of Loma Linda, Missouri shall be deemed guilty of a misdemeanor.
- 74.617 Burglar tools, possession of, penalty: Any person who makes, mends, designs or sets up, or who has in his custody or concealed about his person, any tool, false key, lock pick bit, nippers, fuse, force screw, punch, drill, jimmy, or any material, implement, instrument, or other mechanical device whatsoever, adapted, designed or commonly used for breaking into any vault, safe, warehouse, motor vehicle, street car, store, shop, office, dwelling house or door, window or shutter of any building shall be deemed guilty of a misdemeanor.
- 74.618 Indecent exposure, dress, literature, show, etc.: Any person who shall, in this town, appear in any public place in a state of nudity, or in a dress not belonging to his or her sex, or in an indecent or lewd dress, or who shall make an indecent exposure of his or her person, or be guilty of an indecent or lewd act behavior, or shall exhibit, sell or offer to sell any indecent or lewd book, picture or other thing, or shall exhibit or perform, or permit or be exhibited or performed upon premises under his or her management or control any indecent, immoral or lewd play, show, act or representation shall be deemed guilty of a misdemeanor.
- 74.619 Bawdy houses, etc. forbidden: Any person who shall, in this town, keep, maintain or manage any bawdy house or house of ill repute, or who shall frequent or be an inmate of such house or houses, or permit any house or room in his or her possession or under his or her control to be used for such purposes, or being a courtesan, prostitute, bawdy or lewd woman or inmate of a house of bad repute and found wandering about the streets in the night time or frequenting taverns or places of public resort or seeking to ply her vocation by word, action or sign on the streets or any public place, or at the door or window of any house or room or who shall be employed as a singer, dancer or waitress at any tavern, dram shop or place of public resort, or, being a male shall sleep at, inhabit or eat at any bawdy house or house of ill repute or be connected with the management, keeping or control of any such house or any inmate or inmates therein, shall be deemed guilty of a misdemeanor. The Town Marshall, whenever he becomes aware of the use of any house, rooms or tenements for any of the purposes mentioned in this section, shall give written notice of such fact to the owner or agent of the owner of such house, rooms or tenements.
- 74.620 Dramshops, employment of lewd persons forbidden: Any keeper of any tavern, dramshop or other place of public resort who shall employ a lewd person, or any person having the reputation of a prostitute, as a waitress, waiter, or otherwise, either in the day or night time, or to sing or dance in a lewd or indecent manner, shall be deemed guilty of a misdemeanor.

- 74.621 Gaming tables forbidden: Any person who shall set or keep any gambling device commonly called: keno, roulette, ABC, fargo bank, E O, Equality, or any kind of gaming table, or gambling device, adapted, devised or designed for the purpose of playing any game of chance in the Town of Loma Linda, Missouri shall be deemed guilty of a misdemeanor.
- 74.622 Betting on gaming table, etc., forbidden: Any person who shall bet any money or property of any nature upon any gambling device, pinball machine or device prohibited by the preceding section, or upon the play thereon of another person or who shall loan or furnish money or property to another for such play shall be deemed guilty of a misdemeanor.
- 74.623 Common gaming house prohibited: Every person who shall in the Town of Loma Linda, Missouri set up and keep a common gaming house shall be deemed guilty of a misdemeanor.
- 74.624 Keeper defined: Every person appearing or acting as a master or mistress or having in his care or management any prohibited gaming table or gambling device mentioned in this chapter shall be deemed a keeper thereof.
- 74.625 Gambling device, letting premises for, forbidden: Every person who shall lease or let to another any house or other building or any room therein for the purpose of setting up or keeping therein any gaming tales or devices mentioned in this chapter, or for the purpose of being used as a gaming house shall be deemed guilty of a misdemeanor.
- 74.626 Lotteries, sale of lottery tickets, prohibited: Any person who shall make, establish or assist in making or establishing, advertise or make public, any lottery, gift or enterprise, or scheme of drawing in the nature of a lottery for any purpose in the Town of Loma Linda, Missouri or knowingly permits to be used for such purposes any house, building, booth, lot or premises in this town, to him belonging, or by him occupied or of which he at the time has possession or control, or shall sell, expose for sale, keep on hand or cause to be sold or offered for sale any ticket for or share in any such lottery, gift, enterprise or scheme shall be deemed guilty of a misdemeanor. This section shall not apply to those lawful lotteries and games authorized by laws of the State of Missouri.
- 74.627 Fortune tellers prohibited: No person shall pursue or practice within the Town of Loma Linda, Missouri the avocation, profession or art of fortune teller, clairvoyant, spirit medium, necromancer, seer, astrologer, palmist, prophet, or other like crafty or occult art or divination, or pretended art of telling past events of another's life or affairs; of foretelling knowledge of future events of another's life or affairs; or in anywise revealing things of the past or future of a secret or hidden nature; or giving advice or assistance in matters of business or affairs of any kind or nature by means of such art; or of purporting to tell, foretell, reveal or give advice or assistance by means of such art; any

person who shall so pursue or practice in the Town of Loma Linda, Missouri said avocations or professions, or any of them, whether for a price or gratuity, and whether by offer or on request shall be deemed guilty of a misdemeanor, and the advertising, posting or maintaining of any sign, card, bill or announcement indicating the pursuit of any such avocation or art shall be sufficient evidence of a violation of this section.

- 74.628 Refusal to attend when subpoenaed, refusal to produce books and papers, penalty:
Every person who shall have been personally served with a subpoena issued by any board or officer of the Town of Loma Linda, Missouri having the power and authority to issue such subpoena, commanding the attendance of such person or the production of any books, papers or documents, who shall fail or refuse without reasonable and legal excuse to attend at the time and place therein specified, or who shall fail to refuse without reasonable and legal excuse to produce the books, papers and documents therein specified, or who being present shall fail or refuse without reasonable and legal excuse to testify fully as to his knowledge concerning the matters and thing then being lawfully investigated by such board or officer, shall be deemed guilty of a misdemeanor.
- 74.629 Impersonating an officer, penalty: Whoever in this town shall falsely represent himself to be a law enforcement officer or to be an officer in this town, or who shall, without being duly authorized by the town, exercise or attempts to exercise any of the duties, functions, or powers of a town officer or member of the town police department, or shall resist, hinder, obstruct or otherwise interfere with any policeman or town officer in the discharge of his official duties shall be deemed guilty of a misdemeanor.
- 74.630 Badges of authority, wearing of prohibited: It shall be unlawful for any person in the Town of Loma Linda, Missouri, without being authorized to do so, to wear, display or have on his person any badge, shield, button, pin or emblem which purports, represents or indicates that the wearer or possessor thereof is vested or endowed with official powers, or with authority to make arrests, or in any manner to exercise governmental or police powers, or which shall purport, represent or indicate that the wearer or possessor thereof is a duly appointed or elected sheriff, constable, deputy sheriff or constable, police officer, FBI member or agent, detective, town, state or federal officer, inspector or agent or private detective or watchman. Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor.
- 74.631 Badges of authority, sale of prohibited: Any person who shall It shall in the Town of Loma Linda, Missouri, sell, offer for sale, or display for the purpose of sale any badge, shield, button, pin or emblem which purports, represents or indicates that the wearer or possessor thereof is vested or endowed with official powers, or with authority to make arrests, or in any manner to exercise governmental or police powers, or which shall purport, represent or indicate that the wearer or possessor thereof is a duly appointed or elected sheriff, constable, deputy sheriff or constable, police officer, FBI

member or agent, detective, town, state or federal officer, inspector or agent or private detective or watchman, unless the purchaser thereof is authorized to wear or possess the same, shall be deemed guilty of a misdemeanor.

74.632 Damaging public or private property, penalty: Any person who shall damage or deface any building, structure, vehicle, equipment, appliance, furniture, tools, fence, tree, sign or property in the Town of Loma Linda, Missouri, belonging to said town or any property holder thereof, by cutting, injuring, defacing, breaking, daubing with paint or other substance, marking with chalk or destroying, mutilating or tearing down such property, shall be deemed guilty of a misdemeanor.

74.633 Removing articles from or depositing on premises, prohibited: Any person who, without the consent of the owner or occupant thereof, or his agent, enters upon any enclosed, improved or unimproved real estate in the Town of Loma Linda, Missouri and deposits on or removes from any material, substance, dirt, ashes, refuse, turf, article or thing shall be deemed guilty of a misdemeanor.

74.634 Driving motor vehicle without consent of owner: Any person who shall in the Town of Loma Linda, Missouri, steal, tamper with, take, or drive away from any garage, parking lot, space or location any automobile, wagon, golf cart or other vehicle not his own property without the consent or order of the owner thereof, shall be deemed guilty of a misdemeanor.

Violation of this ordinance is a misdemeanor and may result in a fine up to Five Hundred Dollars and No Cents (\$500.00) and up to thirty (30) days in jail or any combination thereof. Each day constitutes a new violation.