

CHAPTER 21

PUBLIC OFFENSES

ARTICLE I. PUBLIC PEACE AND SAFETY

§ 21-10	Disturbing the peace
§ 21-11	False reports and declaration under penalty of perjury
§ 21-12	Gambling
§ 21-13	Loitering or communicating with minors
§ 21-14	Picketing
§ 21-15	Discharge of firearms
§ 21-16	False burglar alarms
§ 21-17.	Businesses operating on county property
§ 21-18	Use of skateboards, roller skates, scooters, in-line skates or bicycles on county property

ARTICLE II. ADULT READING MATERIAL

§ 21-30.	Legislative findings
§ 21-31.	Definitions
§ 21-32.	Display of adult reading material--Limited
§ 21-33.	Violations
§ 21-34.	Exceptions
§ 21-35.	Public nuisance
§ 21-36.	Uniformity.

ARTICLE I. PUBLIC PEACE AND SAFETY

Sec. 21-10. Disturbing the peace

No person shall maliciously and willfully disturb the peace and quiet of any neighborhood or person by loud or unusual noise or by tumultuous or offensive conduct or threatening, traducing, quarreling, challenging to fight or by fights.

(Ord. No. 160, §6; Ord. No. 1691, §2)

Sec. 21-11. False statements and declaration under penalty of perjury

(a) No person shall knowingly falsify or conceal any fact, or make any false or fraudulent statement or misrepresentation, in any matter or proceeding within the jurisdiction of any department or agency of the county.

(b) No person shall knowingly use any false or misleading writing or document in any manner or proceeding within the jurisdiction of any department or agency of the county.

(c) Written statements submitted by applicants/recipients to welfare department personnel and required to establish eligibility or the amount of eligibility or to maintain monthly eligibility or the amount of eligibility shall contain a declaration under penalty of perjury that the facts declared are true and correct and the declaration shall be dated and signed by the applicant/recipient, and shall be in the following form:

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(Date)

(Signature)

(City and State where signed)

The foregoing, submitted under penalty of perjury to welfare department personnel, apply to the following documents which are required to establish or maintain eligibility and shall be on forms prescribed by the county welfare department:

- General assistance application, form 48-70-58;
- Statement of need to pay rent, form 48-70-30;
- General assistance job search report, form 48-70-12;
- General assistance income report, form 48-70-20.

(Ord. No. 423, §§ 1, 2; Ord. No. 1145, §1; Ord. No. 1691, §2)

Sec. 21-12. Gambling¹

No person shall, within the unincorporated area of the county, deal, play, or carry on, open or cause to be opened, or conduct, either as owner or employee, whether for hire or not, any game played with cards, dice or any device, for money, checks, or credit, as the result of any such game.

(Ord. No. 416, §1; Ord. No. 1691, §2)

Sec. 21-13. Loitering or communicating with minors

(a) No person shall, without the express permission of the chief probation officer of the county, or the chief probation officer's authorized deputy:

- (1) Communicate with any minor detained or sheltered in the county juvenile hall, or
- (2) Bring to or take from, for or on behalf of any such minor, any written matter, weapon, instrument, drug, tobacco or alcoholic beverage.
- (3) Communicate with any minor detained or sheltered in any camp, ranch or other facility, operated, maintained or supervised by the county for the care of juveniles, or
- (4) Bring to or take from, for or on behalf of any such minor, any written matter, weapon, instrument, drug, tobacco or alcoholic beverage.

(b) No person shall loiter, prowl or wander in or about the juvenile hall or the grounds belonging to or adjacent to it.

¹For state law as to gambling and gaming, see Penal Code § 330 et seq.

(c) No person shall loiter, prowl or wander in or about any camp, ranch, or other facility, operated, maintained or supervised by the county for the care of juveniles.

(d) No person shall visit or go upon the grounds of any such camp, ranch or facility, except during visiting hours, or during regular business hours as set forth in the order of the chief probation officer relating to such establishment.

(e) Every person who violates any provision of this section is guilty of a misdemeanor.

(Ord. No. 670, §§ 1 to 3; Ord. No. 671, §§ 1 to 4; Ord. No. 1691, §2)

Sec. 21-14. Picketing

(a) No person shall loiter, stand, or sit in or on any public highway, alley, sidewalk, or crosswalk so as to hinder or obstruct in any manner the free passage of persons or vehicles or to annoy or molest passing persons.

(b) No person shall picket premises where any person is employed or seeking employment, or any place or approach where an employee or person seeking employment lodges or resides, for the purpose of inducing the employee or person seeking employment, by means of compulsion, coercion, intimidation, threats, acts of violence, or fear, to quit his or her employment or to refrain from seeking or freely entering employment.

(c) No person in association or agreement with one or more other persons shall assemble, congregate, or meet together in the vicinity of any premises where other persons are employed or seek employment, or on the adjacent streets for the purpose of inducing the employees or persons seeking employment, by means of compulsion, coercion, intimidation, threats, acts of violence, or fear to quit their employment or to refrain from seeking or freely entering into contracts of employment.

(d) No person shall utter to, or within the hearing of, another any derogatory, indecent, abusive language or epithets, make any loud or unusual noise or tone, cry out or proclaim, or use any gestures for the purpose of inducing any person by means of compulsion, coercion, intimidation, threats, acts of violence, or fear to quit his or her employment or to refrain from seeking or freely entering into employment.

(e) Nothing contained in this section shall be deemed to prohibit peaceable picketing nor to prohibit labor from attempting to accomplish its aims in trade disputes by other peaceable means, including collective bargaining.

(Ord. No. 160, §§ 3, 4, 5, 8; Ord. No. 1691, §2)

Sec. 21-15. Discharge of firearms²

(a) The term "firearm" means any gun, pistol, revolver, rifle, automatic pistol or rifle, shotgun, air rifle, spring-operated BB gun, or any other weapon of a similar nature.

² For state law as to discharge of firearms, see Penal Code §§ 246 & 374c.

(b) No person shall discharge or fire any firearm on or into the highways and other public places in the County, except for the immediate apprehension of fugitives from justice and the preservation of the public peace.

(c) No person shall discharge or possess any firearms on, into or upon any lands belonging to or occupied by another unless he or she has in his or her possession the written permission of the owner to the lands or his or her agent or the person in possession of the lands.

(d) This section shall not apply to any peace officer or persons summoned by peace officers to assist in making an arrest or preserving the peace, or any person who is a member of the armed services of the United States, the national guard, or the state guard, or any person employed by the county, state, or by the United States to destroy predatory animals, birds, or pests, while such persons are acting in a lawful discharge of their duties.

(Ord. No. 168, §2; Ord. No. 1691, §2)

Sec. 21-16. False burglar alarms

(a) Any individual, firm, or business having three or more separate and distinct false burglar alarms in any three-month period will have violated this section as having excessive false alarms. A violation of this section will result in penalties as set forth below.

(b) "False burglar alarm," as used in this section, means an alarm signal necessitating a response by the county sheriff's department where an emergency situation does not exist.

(c) A three-month trial period shall be granted for any new burglar alarm system.

(d) False alarms caused as a result of power failures, power surges, or acts of nature shall not be considered as a false burglar alarm.

(e) Three or more separate and distinct false alarms in a three-month period will result in the following penalties:

First violation:	\$25.00
Second violation:	50.00
Third violation:	100.00
Fourth or more violations:	200.00

(Ord. No. 1314, §1; Ord. No. 1691, §2)

Sec. 21-17. Businesses operating on county property

(a) There shall be no use of county property for any business purpose or exclusive use without a written lease, license, agreement or permit from the Solano County Board of Supervisors or its authorized agent, separate and apart from the business license required by Chapter 14 of the Solano County Code.

(b) Any person who uses county property in violation of subdivision (a) is guilty of a misdemeanor, and any property placed by the person upon county property shall be subject to removal at the person's expense.

(Ord. No. 1646, §7; Ord. No. 1691, §2)

Sec. 21-18. Use of skateboards, roller skates, scooters, in-line skates or bicycles on county property

In order to promote public safety and under pursuant to the authority granted under Vehicle Code sections 21113(f), 21967 and 21969, no person shall ride, propel or operate a skateboard, scooter, roller skates or a bicycle on public property under the jurisdiction of the County of Solano when such property has been designated and posted as an area where such activity is prohibited. The County Administrator or his or her designee is authorized to designate and post signs indicating those areas of public property where riding, propelling or operating a skateboard, roller skates or in-line skates or riding a bicycle is prohibited.

(Ord. No. 1665, §1; Ord. No. 1691, §2)

ARTICLE II. ADULT READING MATERIAL

Sec. 21-30. Legislative findings

The county board of supervisors finds that there exists and has existed the display of adult reading material at grocery stores, convenience stores, drug stores, news racks, and other retail outlets within the unincorporated areas of the county. The adult reading material has been displayed within the open view of children and maybe easily accessible to them. The board finds and declares that it is necessary to restrict the display of adult reading material to juveniles and to adopt the following regulations so that the adverse impact upon the welfare of the children from this sexually explicit material is kept to a minimum.

(Ord. No. 1691, §2)

Sec. 21-31. Definitions

As used in this Article II of this chapter, the following words and phrases shall have the following meanings:

(a) Adult reading material means any magazine or newspaper which contains on the cover any photograph, picture, drawing, or depiction of any of the following which is distinguished or characterized by an emphasis on matter depicting, describing, or relating to:

(1) The exposure of the entire nipple area or entire areola area of any female breast, except those of infants.

(2) The exposure of the entire genitalia or buttocks of either male or female, except those of infants.

(b) Adult reading material does not include any of the following types of publications, which the board finds by their context or pervasiveness do not present a similar public problem with respect to children:

(1) Any art or photograph publication which devotes at least 25% of the lineage of each edition to articles and advertisements dealing with the subjects of art or photography;

(2) Any news periodical which reports or describes current events, and which, from time to time, publishes photographs of nude or semi-nude persons in connection with dissemination of the news;

(3) Publications which describe and report on different cultures, and which may, from time to time, publish photographs or depictions of nude or semi-nude persons when describing cultures in which nudity or semi-nudity is indigenous to the publication; or

(4) Medical publications or bona fide educational publications.

(c) Person means any individual, partnership, firm, association, corporation, or other legal entity.

(d) Display means 1) exhibiting for sale from news racks, newsstands, or shelves, located on or in the public right-of-way, in a manner which exposes to public view adult reading material; or 2) exhibiting for sale from racks or shelves in the immediate vicinity of a checkout counter or a cash register of any grocery store, convenience store, drug store, or similar general retail store in a manner which exposes adult reading material to customers waiting to pay for retail items purchased at the store.

(Ord. No. 1691, §2)

Sec. 21-32. Display of adult reading material

No person shall display adult reading material, or permit, or allow the display of adult reading material, or permit, or allow the display of adult reading material, except as follows: The shelf, rack, stand or ledge upon which adult reading material is displayed for sale shall have an opaque screen or border of sufficient height so that only the title of any adult reading material is visible.

(Ord. No. 1691, §2)

Sec. 21-33. Violations

Any violation of the provisions of section 21-30 through 21-32 shall be unlawful and subject to punishment as a criminal offense, as provided under Chapter 1, Section 1-7 of the Solano County Code. Every day any violation of the sections shall continue shall constitute a separate offense.

(Ord. No. 1691, §2)

Sec. 21-34. Exceptions

Section 21-32 shall not apply to any establishment or portion of it where, in fact, the entry of any person under 18 years of age is prohibited, and which has notice posted accordingly.

(Ord. No. 1691, §2)

Sec. 21-35. Public nuisance

Violation of any section or sections of this article II is declared to be a public nuisance, and may be abated by the county.

(Ord. No. 1691, §2)

Sec. 21-36. Uniformity

It is the intention of the board of supervisors that the provisions of this article shall be consistent with the provisions of similar ordinances adopted by the various cities in the county. This uniformity is necessary to insure that the merchants located in the adjoining unincorporated and incorporated areas of the county are subject to the same limitations, and neither is at a competitive disadvantage.

(Ord. No. 1384, §1; Ord. No. 1691, §2)

(Ord. No. 1149, §1; Ord. No. 1345, §3)