

**TITLE XIII: GENERAL OFFENSES**

Chapter

**130. GENERAL OFFENSES**



## CHAPTER 130: GENERAL OFFENSES

### Section

- 130.01 Diving and jumping from bridges
- 130.02 Firearms prohibited in the County Courthouse
- 130.03 Operation of skateboards and wheeling or sliding devices on certain county property prohibited

### ***Cross-reference:***

*Non-smoking areas designated, see ' 36.01*  
*Use and access to the County Courthouse lawn, see ' 36.03*

### **' 130.01 DIVING AND JUMPING FROM BRIDGES.**

It shall be unlawful for any person to jump, dive or fish from any bridge located in Howard County outside the corporate limits of the City of Kokomo, Town of Greentown or the Town of Russiaville. (^83 Code, ' 130.01) (Ord. 1970-9, passed 11-2-70; Am. Ord. 2007-BCC-42, passed 10-15-07) Penalty, see ' 10.99

### **' 130.02 FIREARMS PROHIBITED IN THE COUNTY COURTHOUSE.**

(A) *Firearms prohibited.* No person shall enter the Howard County Courthouse in possession of a gun or firearm of any type, whether loaded or unloaded, concealed or not concealed, operable or inoperable, with a permit or without a permit; provided, that this prohibition shall not apply to uniformed law enforcement or court security officers, or to plain-clothes law enforcement or court security officers who publicly display identification.

(B) *Posting.* Notice of this section shall be conspicuously posted at all entrances to the Howard County Courthouse.

(BCC Ord. 1995-18, passed 5-15-95) Penalty, see ' 10.99

### **' 130.03 OPERATION OF SKATEBOARDS AND WHEELING OR SLIDING DEVICES ON CERTAIN COUNTY PROPERTY PROHIBITED.**

(A) *Definitions.* For the purpose of this section the following definitions shall apply:

(1) ***COUNTY PROPERTY.*** The areas owned by Howard County adjacent to the Howard County Court House, Howard County Government Building and the Howard County Administration Center, including the lawn, walks, disability ramps, steps, walls, retaining walls, planters or curbs, but excluding the city sidewalks which bound such property.

(2) ***OPERATION.*** The act of moving, using, riding or setting in motion.

(3) ***SKATEBOARD.*** A foot board mounted upon wheels and usually propelled by the user who sometimes stands, sits, kneels or lies upon the device while it is in motion.

(4) ***WHEELING OR SLIDING DEVICES.*** Include but are not limited to skateboards, roller skates, in-line skates or bicycles, or any other device containing wheels which can be ridden on or otherwise utilized by an individual or individuals in order to move about other than walking.

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(B) *Operation prohibited.* The operation of a skateboard or wheeling or sliding device shall be prohibited upon county property at any time.

(C) *Violation.* Any person who violates this section shall be guilty of an infraction and may be fined in the amount of \$50 for the first violation and the amount of \$75 for each subsequent violation, payable to the Howard County Violations Clerk within 30 days pursuant to the Code of Howard County, ' 10.98.

(D) *Detention of violator.*

(1) Pursuant to I.C. 34-28-5-3, whenever any county law enforcement officer believes in good faith that a person has violated this section, such law enforcement officer may detain that person for a time sufficient to:

(a) Inform the person of the alleged violation;

(b) Obtain the person=s name, address and date of birth or driver=s license if in the person=s possession; and

(c) Deliver to such person a written notice of violation.

(2) If a law enforcement officer detains a person because the law enforcement officer believes that person has committed an infraction or ordinance violation, the law enforcement officer may not, without the consent of the person, extract or otherwise download information from a cellular telephone or another wireless or cellular communications device possessed by the person at the time the person is detained unless:

(a) The law enforcement officer has probable cause to believe that the cellular telephone or other wireless or cellular communications device has been used in the commission of a crime;

(b) The information is extracted or otherwise downloaded under a valid search warrant; or

(c) Otherwise authorized by law.

(E) *Exclusions.* Notwithstanding the definition of skateboard or wheeling or sliding device, nothing in this section shall prohibit the use of a wheelchair, a stroller, or similar devices for the purpose of helping an elderly, disabled individual, infant or other individual needing assistance in moving from place to place; nor shall it prohibit the use of a bicycle for transportation purposes.

(F) *Enforcing authority.* The authority for enforcing this section shall be with the Howard County sheriff=s department and the county court security officers.  
(Ord. BCC 1999-34, passed 8-16-99)