

ST CLOUD'S DISRUPTIVE INTOX

Section 1002-Disruptive Intoxication

1002:10: Declaration of Policy. It is the policy of the City of St. Cloud to provide for the safety, health and welfare of the public while prohibiting certain harmful conduct of intoxicated persons.

1002:20: Definitions.

Subd. 1. Public Place: includes a building or place controlled by the City, a school, a place of worship, any public street, including public sidewalk, alley, walk or other publicly owned lands and any indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, express or implied, whether by payment of money or not. Public place excludes the premises of a licensed alcohol establishment.

Subd. 2. Intoxicated Person. A person who is presently impaired, mentally or emotionally, as a result of the presence of alcohol, drugs or a controlled substance in the person's body. Evidence of an intoxicated person may include, but is not limited to, any combination of the following indicators:

- (a) odor of intoxicants on the breath,
- (b) bloodshot, watery eyes,
- (c) dilated pupils,
- (d) stumbling or staggering
- (e) slurred speech
- (f) failure of Standardized Field Sobriety Test
- (g) failure of Drug Recognition Protocol
- (g) alcohol concentration of .08 or more.

Subd. 3. Public Disruption. Conduct by an individual to include loud, boisterous yelling, urinating in public, lewd or combative conduct, or disobeying a police officer's lawful command.

1002:30: Disruptive Intoxication: No person, while intoxicated, in a public place shall conduct him or herself so as to be a danger to themselves or others and/or engage in a public disruption.

1002:40: Sobriety Testing. No person shall be cited under this section without first having been offered and failed the Standardized Field Sobriety Test or a Portable Breath Test (PBT); however, a person incapable because the person is intoxicated or belligerent that performing SFST or a PBT would put the individual, peace officers or others at risk of harm and/or having refused Field Sobriety Testing or a PBT where officer has reasonable articulable suspicion to request testing may still be cited under the criteria set forth in Section 1002:20 Subd. 2.

1002:45: Misdemeanor. A violation of this Section is designated a misdemeanor

ST JOE'S DISRUPTIVE INTOX

CHAPTER X—NUISANCES & OFFENSES

ORDINANCE 1012 ORDINANCE PROHIBITING DISTRUPTIVE INTOXICATION

Section 1012.01: DECLARATION. It is the policy of the City of St. Joseph to provide for the safety, health and welfare of the public while prohibiting certain harmful conduct of intoxicated persons.

Section 1012.02: DEFINITIONS

Subd. 1: Public Place. Includes a building or place controlled by the City, a school, a place of worship, any public street, including public sidewalk, alley, walk or other publicly owned lands. Public place excludes the premises of a licensed alcohol establishment.

Subd. 2: Intoxicated Person. A person who is presently impaired, mentally or emotionally, as a result of the presence of alcohol, drugs or a controlled substance in the person's body. Evidence of an intoxicated person may include, but is not limited to, any combination of the following indicators:

- a) odor of intoxicants on the breath,
- b) bloodshot, watery eyes,
- c) dilated pupils,
- d) stumbling or staggering,
- e) slurred speech,
- f) failure of Standardized Field Sobriety Test,
- g) failure of Drug Recognition Protocol,
- h) alcohol concentration of .08 or more

Subd. 3: Public Disruption. Conduct by an individual to include loud, boisterous yelling, urinating in public, lewd or combative conduct, or disobeying a police officer's lawful command.

Section 1012.03: DISTRUPTIVE INTOXICATION: No person, while intoxicated, in a public place shall conduct him or herself so as to be a danger to themselves or others and/or engage in a public disruption.