

- (iv) He engages in abusive or obscene language or makes obscene gestures in a public place; or
 - (v) He obstructs vehicular or pedestrian traffic.
2. "Public place," for the purpose of this section, means any place to which the public or a substantial group of the public has access and includes but is not limited to streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.
 3. Disorderly conduct is a class C misdemeanor if the offense continues after a request by a person to desist. Otherwise it is an infraction.

13-76-9-103. DISRUPTING A MEETING OR PROCESSIONS.

1. A person is guilty of disrupting a meeting or procession if, intending to prevent or disrupt a lawful meeting, procession or gathering, he obstructs or interferes with the meeting, procession, or gathering by physical action, verbal utterance, or any other means.
2. Disrupting a meeting or procession is a class B misdemeanor.

13-76-9-104. FAILURE TO DISPERSE.

1. A person is guilty of failure to disperse when he remains at the scene of a riot, disorderly conduct, or an unlawful assembly after having been ordered to disperse by a peace officer.
2. This section shall not apply to a person who attempted to but was unable to leave the scene of the riot or unlawful assembly.
3. Failure to disperse is a class C misdemeanor.

13-76-9-105. GIVING A FALSE ALARM.

1. A person is guilty of giving a false alarm if he initiates or circulates a report or warning of any fire, impending bombing, or other crime or catastrophe, knowing that the report or warning is false or baseless and is likely to cause evacuation of any building, place of assembly, or facility of public transport, to cause public inconvenience or alarm or action of any sort by any official or volunteer agency organized to deal with emergencies.
2. Giving a false alarm is a class B misdemeanor.

PART

13-76-9-200. TELEPHONE ABUSE.

13-76-9-201. TELEPHONE HARASSMENT.

1. A person is guilty of telephone harassment and subject to prosecution if, with intent to annoy or alarm another, he:
 - a. Makes a telephone call, whether or not a conversation ensues, without purpose of lawful communication; or
 - b. Makes repeated telephone calls at extremely inconvenient hours or in offensively coarse language; or

- c. Insults, taunts, or challenges another in a manner likely to provoke a violent or disorderly response.

2. Telephone harassment is a class B misdemeanor.

13-76-9-202. EMERGENCY TELEPHONE ABUSE.

1. A person is guilty of emergency telephone abuse if he:
 - a. Intentionally refuses to yield or surrender the use of a party line or public pay telephone to another person upon being informed that the telephone is needed to report a fire or summon police, medical, or other aid in case of emergency, unless the telephone is likewise being used for an emergency call; or
 - b. Asks for or requests the use of a party line or a public pay telephone on the pretext that an emergency exists, knowing that no emergency exists.
2. Emergency telephone abuse is a class C misdemeanor.
3. For the purposes of this section (1) "party line" means a subscriber's line or telephone circuit consisting of two or more main telephone stations connected therewith, each station with a distinctive ring or telephone number.
4. "Emergency" means a situation in which property or human life is in jeopardy and the prompt summoning of aid is essential to the preservation of human life or property.

PART

13-76-9-300. CRUELTY TO ANIMALS.

13-76-9-301. CRUELTY TO ANIMALS.

1. A person commits cruelty to animals if he intentionally or knowingly:
 - a. Tortures or seriously overworks an animal; or
 - b. Fails to provide necessary food, care, or shelter for an animal in his custody; or
 - c. Abandons an animal in his custody; or
 - d. Transports or confines an animal in a cruel manner; or
 - e. Kills, injures or administers poison to an animal without legal privilege; or
 - f. Causes one animal to fight with another.
2. It is a defense to the prosecution under this section that the conduct of the actor towards the animal was by a licensed veterinarian using accepted veterinary practice or directly related to a boni fide experimentation for scientific research not be unnecessarily cruel unless directly necessary to the veterinary purpose or scientific research involved.
3. Cruelty to animals is a class B misdemeanor.

13-76-9-301.5. SPECTATOR AT ORGANIZED ANIMAL FIGHT.

1. It is unlawful for any person to be a spectator at an organized animal fight.
2. For the purposes of this section only, an organized animal fight means a fight between animals for the benefit of spectators. There is no requirement than an admission fee be charged.
3. Cruelty to animals is a class B misdemeanor.

13-76-9-302 and 13-76-9-303. Reserved

9-76-9-304. ALLOWING VICIOUS ANIMAL TO GO AT LARGE. Any owner of a vicious animal, knowing its propensities, who willfully allows it to go at large or who keeps it without ordinary care, and any animal, while at large or while not kept with ordinary care, causes injury to another animal or to any human being who has taken reasonable precaution which the circumstance permitted is guilty of a class B misdemeanor.

13-76-9-305. OFFICERS' AUTHORITY TO TAKE POSSESSION OF ANIMALS - LIEN FOR CARE. Section 76-9-305, *Utah Code Annotated 1953*, is incorporated here in by reference and renumbered 13-76-9-305.

PART

13-76-9-400. OFFENSES AGAINST PRIVACY.

13-76-9-401. DEFINITIONS. For purposes of this part:

1. "Private place" means a place where one may reasonably expect to be safe from casual or hostile intrusion or surveillance.
2. "Eavesdrop" means to overhear, record, amplify, or transmit any part of a wire or oral communication of others without the consent of at least one party thereto by means of any electronic, mechanical or other device.
3. "Public" includes any professional or social group of which the victim of a defamation is a member.

13-76-9-402. PRIVACY VIOLATION.

1. A person is guilty of privacy violation if, except as authorized by law, he;
 - a. Trespasses on property with intent to subject anyone to eavesdropping or other surveillance in a private place; or
 - b. Installs in any private place, without the consent of the person or persons entitled to privacy there, any device for observing photographic, recording, amplifying, or broadcasting sounds or events in the place or uses any such unauthorized installation; or
 - c. Installs or uses outside of a private place any device for hearing, recording, amplifying, or broadcasting sounds originating in the place which would not ordinarily be audible or comprehensible outside, without the consent of the person or persons entitled to privacy there.
2. Privacy violation is a class B misdemeanor.

13-76-9-403. COMMUNICATION ABUSE.

1. A person commits communication abuse if, except as authorized by law, he:
 - a. Intercepts, without the consent of the sender or receiver, a message by telephone, telegraph, letter, or other means of communicating privately; this paragraph does not extend to:
 - (i) Overhearing messages through regularly installed instrument on a telephone party line or on an extension; or
 - (ii) Interception by the telephone company or subscriber incident to enforcement of regulations limiting use of facilities or to other normal operation and use; or
 - b. Divulges without consent of the sender or receiver the existence or contents of any such message if the actor knows that the message was illegally intercepted or if he learned of the message in the course of employment with an agency engaged in transmitting it.
2. Communication abuse is a class B misdemeanor.

13-76-9-404. CRIMINAL DEFAMATION.

1. A person is guilty of criminal defamation if he knowingly communicates to any person orally or in writing any information which he knows to be false and knows will tend to expose any other living person to public hatred, contempt, or ridicule.
2. Criminal defamation is a class B misdemeanor.

13-76-9-405. ABUSE OF PERSONAL IDENTITY.

1. A person is guilty of abuse of personal identity if, for the purpose of advertising any articles of merchandise for purposes of trade or for any other advertising purposes, he uses the name, picture, or portrait of any individual or uses the name or picture of any public institution of this state, the official title of any public officer of this state, or of any person who is living, without first having obtained the written consent of the person or, if the person be a minor, the written consent of his parent or guardian, or, if the person is dead, without the written consent of his heirs or personal representatives.
2. Abuse of personal identity is a class B misdemeanor.

PART

13-76-9-500. LIBEL AND SLANDER.

13-76-9-501. CONVEYING FALSE OR LIBELOUS MATERIAL TO NEWSPAPER OR BROADCASTING STATIONS. Any person who willfully states, conveys, delivers, or transmits, by any means whatsoever, to the manager, editor, publisher, reporter, or agent of any radio station, television station, newspaper, magazine, periodical, or serial for publication therein, any false or libelous statement concerning any person and thereby secures actual publication of the same, is guilty of a class B misdemeanor.

PART 13-76-9-600. OFFENSES AGAINST THE FLAG.

13-76-9-601. ABUSE OF A FLAG.

1. A person is guilty of abuse of a flag if he:
 - a. Intentionally places any unauthorized inscription or other things upon any flag of the United States or of any state of the United States; or
 - b. Knowingly exhibits any such flag, knowing the inscription or other thing to be unauthorized.
 - c. For purposes of advertising a product or service for sale or for distribution, affixes a representation of the flag of the United States or of a state of the United States to the product or on any display whereon the product or service is advertised.
 - d. Knowingly casts contempt upon the flag of the United States or of any state of the United States by publicly mutilating, defacing, defiling, burning, or trampling upon it.
2. Abuse of a flag is a class B misdemeanor.

PART 13-76-9-700. MISCELLANEOUS PROVISIONS.

13-76-9-701. INTOXICATION - RELEASE OF ARRESTED PERSON OR PLACEMENT IN DETOXICATION CENTER.

1. A person is guilty of intoxication if he is under the influence of intoxicating liquor, a controlled substance, or any substance having the property of pleasing toxic vapors, to a degree that the person may endanger himself or another, in a public place or in a private place where he unreasonably disturbs other persons.
2. A peace officer or magistrate may release from custody an individual arrested under this section if he believes imprisonment is unnecessary for the protection of the individual or another; or a peace officer may take the arrested person to a detoxification center or other special facility as an alternative to incarceration or release from custody.
3. An offense under this section is a class C misdemeanor.

13-76-9-702. LEWDNESS INVOLVING PERSON OVER 14.

1. A person is guilty of lewdness if the person under circumstances not amounting to rape, object rape, forcible sodomy, forcible sexual abuse, or an attempt to commit any of these offenses, performs an act of sexual intercourse or sodomy, exposes his or her genitals or private parts, masturbates, engages in trespassory voyerism, or performs any other act of gross lewdness in a public place or under circumstances which he or she should know will likely cause a front or alarm to, on, or in the presence of another who is 14 years of age or older.
2. Lewdness is a class B misdemeanor.

13-76-9-702.5 LEWDNESS INVOLVING A CHILD.

1. A person is guilty of lewdness involving a child if the person under circumstances not amounting to rape of a child, object rape of a child, sodomy upon a child, sexual abuse of a child, or an attempt to commit any of these offenses, performs an act of sexual intercourse or sodomy, exposed his or her genitals or private parts, masturbates, engages in trespassory voyeurism, or performs any other act of gross lewdness in a public place or under circumstances which he or she should know will likely cause a front or alarm to, on, or in the presence of another who is under 14 years of age.
2. Lewdness involving a child is class B misdemeanor.

13-76-9-703. LOITERING.

1. A person is guilty of loitering if he appears at a place or at a time under circumstances that warrant alarm for the safety of persons or property in the vicinity, and upon inquiry by a law enforcement official, he fails to give a reasonably credible account of his identity, conduct, or purposes.
2. No person shall be convicted under this section if the explanation he gave of his conduct and purposes was true and, if believed by the law enforcement official at the time, would have dispelled the alarm.
3. Loitering is a class C misdemeanor.

13-76-9-704. ABUSE OF A CORPSE.

1. A person is guilty of abuse of a corpse if he intentionally and unlawfully:
 - a. Removes, conceals, dissects, or destroys a corpse or any part thereof; or
 - b. Disinters a corpse that has been buried or otherwise interred.
2. An offense under this section is a class B misdemeanor.

CHAPTER 13-76-10-000. OFFENSES AGAINST PUBLIC HEALTH, SAFETY, WELFARE AND MORALS.

PART 13-76-10-100. CIGARETTES AND TOBACCO AND PSYCHOTOXIC CHEMICAL SOLVENTS.

13-76-10-101. "PLACE OF BUSINESS" AND "ENCLOSED PUBLIC PLACE" DEFINED. For the purposes of this part:

1. "Place of business" means any and all such places as shops, stores, factories, public garages, offices, theaters, recreation and dance halls, poolrooms, cafes, cabarets, restaurants, hotels, lodging houses, streetcars, buses, interurban and railway passenger coaches and waiting rooms.
2. "Enclosed public place" means the dining rooms in hotels, restaurants, cafes and cafeterias, theaters, arenas, passenger elevators, streetcars, buses, interurban and railway passenger coaches, motor and other passenger vehicles used by common carriers, railway station waiting rooms, and state, county and city buildings; but the owner or proprietor of any hotel dining room, restaurant, cafe, or cafeteria may designate the same as a public smoking room by a conspicuous sign at or near the