

CHAPTER 13-400. INCHOATE OFFENSES.

PART 13-410. ATTEMPT.

13-411. ATTEMPT — ELEMENTS OF OFFENSE.

- A. For the purpose of this part a person is guilty of an attempt to commit any act made an offense by any ordinance of this municipality if, acting with the kind of culpability otherwise required for the commission of the offense, he engages in conduct constituting a substantial step toward commission of the offense.
- B. For purposes of this part, conduct does not constitute a substantial step unless it is strongly corroborative of the actor's intent to commit the offense.
- C. No defense to the offense of attempt shall arise:
 - 1. Because of the offense attempted was actually committed;
or
 - 2. Due to factual or legal impossibility if the offense could have been committed had the attendant circumstances been as the actor believed them to be.

13-412. ATTEMPT — CLASSIFICATION OF OFFENSES. Criminal attempt to commit:

- A. A class B misdemeanor is a class C misdemeanor;
- B. A class C misdemeanor is an infraction;
- C. An infraction is punishable by a penalty not exceeding one-half the penalty for an infraction.

PART 13-420. CRIMINAL CONSPIRACY.

13-421. CONSPIRACY — ELEMENTS OF OFFENSE.

For purposes of this part a person is guilty of conspiracy when he, intending that conduct constituting an offense under these ordinances whether he specifically intends to violate the ordinances or not, agrees with one or more persons to engage in or cause the performance of such conduct and any one of them commits an overt act in pursuance of the conspiracy, except where the offense is arson, or burglary, the overt act is not required for the commission of the conspiracy.

13-422. CONSPIRACY — CLASSIFICATION OF OFFENSES. Conspiracy to commit:

- A. A class B misdemeanor is a class C misdemeanor;
- B. A class C misdemeanor is an infraction;
- C. An infraction is punishable by a penalty not exceeding one-half the penalty for an infraction.