

PART

13-840. OFFENSE AGAINST PUBLIC PROPERTY.

13-840-1. "PUBLIC MONEYS" DEFINED. As used in this part, "public moneys" includes all bonds and evidences of indebtedness and all money belonging to the municipality and all money, bonds, and evidences of indebtedness received or held by municipal officials in their official capacity.

13-840-2. MISUSING PUBLIC MONEYS.

- A. Every officer of this municipality and every other person charged with the receipt, safekeeping, transfer or disbursement of moneys of this municipality commits an offense if he:
1. Without authority of law appropriates the money or any portion thereof to his own use, or to the use of another; or
 2. Loans the money or any portion thereof without authority of law; or
 3. Fails to keep the money in his possession until disbursed or paid out by authority of law; or
 4. Unlawfully deposits the money or any portion in any bank or with any other person; or
 5. Knowingly keeps any false account, or makes any false entry or erasure in any account of or relating to the money; or
 6. Fraudulently alters, falsifies, conceals, destroys, or obliterates any such account; or
 7. Willfully refuses or omits to pay over, on demand, any public moneys in his hands, upon the presentation of a draft, order, or warrant drawn upon such moneys by competent authority; or
 8. Willfully omits to transfer the money when the transfer is required by law; or
 9. Willfully omits or refuses to pay over, to any officer or person authorized by law to receive it, any money received by him under any duty imposed by law so to pay over the same.
- B. A violation of this section is a class B misdemeanor.

13-840-3. FAILURE TO KEEP AND PAY OVER PUBLIC MONEYS. Every officer charged with the receipt, safekeeping, or disbursement of public moneys who neglects or fails to keep and pay over the money, in the manner prescribed by law, is guilty of a class B misdemeanor.

13-840-4. MAKING PROFIT OUT OF, OR MISUSING PUBLIC MONEYS. Any public officer who shall make a profit out of public moneys, or shall use the same for a purpose not authorized by law, is guilty of a class B misdemeanor.

13-840-12. STEALING, DESTROYING OR MUTILATING PUBLIC RECORDS BY CUSTODIAN. Every officer having the custody of any record, map, or book, or any paper or proceedings of any court, filed or deposited in any public office, or placed in his hands for any purpose, who is guilty of stealing, willfully destroying, mutilating, defacing, altering, falsifying, removing, or secreting the whole or any part thereof, or who permits any other person so to do, is guilty of a class B misdemeanor.

13-840-13. STEALING, DESTROYING OR MUTILATING PUBLIC RECORDS BY ONE NOT CUSTODIAN.

Every person, not an officer such as is referred to in the preceding section, who has committed any of the acts specified in that section is guilty of a class B misdemeanor.

13-840-14. RECORDING FALSE OR FORGED INSTRUMENTS. Every person who knowingly procures or offers any false or forged instrument to be filed, registered, or recorded in any office of this municipality, which instrument, if genuine, might be filed or registered or recorded under any law or ordinance of this state or municipality or of the United States, is guilty of a class B misdemeanor.

13-840-15. INJURING OR REMOVING MONUMENTS OF OFFICIAL SURVEYS. Every person who willfully injures, defaces, or removes any signal, monument, building, or appurtenance thereto, placed, erected or used by persons engaged in the United States or state survey or survey of this municipality is guilty of a class B misdemeanor.

13-840-16. TAKING TOLL OR MAINTAINING ROAD, BRIDGE, OR FERRY WITHOUT AUTHORITY — REFUSAL TO PAY LAWFUL TOLL. Any person who demands or receives compensation for the use of any bridge or ferry, or who sets up or keeps any road, bridge, or ferry, or constructed ford, for the purpose of receiving remuneration for its use without authority of law; and any person who refuses to pay on demand the compensation or fee authorized to be collected for use of a licensed toll road, bridge, ferry, or constructed ford after having used it is guilty of a class B misdemeanor.