

CHAPTER 11

OFFENSES - - MISCELLANEOUS

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Sec. 11-1. Assault and battery.

It shall be unlawful to touch another person in a rude, insolent or angry manner. Any person committing an assault and battery shall be deemed guilty of a misdemeanor. (Ord. No. 86, art. I, §1.)

For state law as to assault and battery, see W.S., 1977, § 6-2-501 et seq.

Sec. 11-2. Attempts to commit offenses.

Every person who shall attempt to commit an offense prohibited by this chapter or together ordinances of the town and, in such attempt, does any act toward the commission of such offense but fails in the perpetration thereof or is prevented or intercepted from doing the same shall be deemed guilty of a misdemeanor. (Ord. No. 86, art. I, § 2.)

For state law as to attempts to commit offenses, see W.S., 1977, § 6-1-301.

Sec. 11-3. Breach of peace.

Any person who shall disturb the peace of others by loud and unusual noises, or who shall disturb others by violent, tumultuous, abusive or offensive language, or who shall use or utter any language tending or calculated to provoke a breach of the peace, or who shall permit any such conduct in or upon any house, building or premises in the town occupied, owned or possessed by him or under his management or control shall be

deemed guilty of a misdemeanor. (Ord. No. 86, art. I, § 3.)

For state law as to breach of peace, see W.S., 1977, § 6-6-102.

Sec. 11-4. Camping.

1. Subject to the provisions of this Ordinance, no person shall camp, live in a tent or live in a camper style trailer within the Town other than at a regularly established and maintained area set aside for camping by the Town Council. No area or location shall be used for camping, living in a tent or camper style trailer unless signs are prominently posted indicating such as a camping area.

2. Upon request by a property owner within the Town of Meeteetse, a temporary permit may be issued by the Town Clerk or Deputy Clerk to allow a camp trailer to be used for temporary use secondary to a primary residence on any property within the Town of Meeteetse for a limited period of time not to exceed 45 days in duration.

3. A base fee of one and a half times the hookup rate and use rate for water and sewer facilities and will be assessed during the term of the permitted use.

4. A use permit shall be issued by the Town Clerk or Deputy Clerk upon a finding that the temporary use will not be an impediment to pedestrian or vehicular traffic and shall not extend on to any platted roadway or street of the Town of Meeteetse.

5. A request for extension of the permit beyond the initial 45 day term may be allowed on approval by the Mayor and Town Council granted at any regular or special meeting of the Town Council. (Ord. 2013-04)

Sec. 11-4.1. Check Fraud Definitions.

As used in this section and section 11-4.2:

(a) "Check" means a written unconditional order to pay a sum certain in money, drawn on a bank, payable on demand and signed by the drawer.

(b) "Knowingly issues" means issues a check to obtain property or to pay a debt with intent to defraud and deceive any other person.

(c) "Drawee" means the bank or purported bank upon which a check is drawn.

(d) "Drawer" means a person, either real or fictitious, whose name appears on a check as the primary, obligor, whether the actual signature is that of himself or of a person authorized to draw the check in his behalf.

(e) "Insufficient funds" occurs when the drawer issues a check from the

drawee and has to checking account with the drawee, or has fund or credit in a checking account with the drawee in an amount less than the amount of the check plus the amount of all other checks outstanding at the time of issuance. A check dishonored for “no account”, “account closed” or “non-sufficient funds” shall also be deemed to be dishonored for “insufficient funds”.

(f) “Issue” means to make, draw, deliver or pass a check. (Ord. No. 87-1.)

Sec. 11-4.2 Same - - Prohibited; penalties.

(a) Any person who knowingly issues a check which is not paid because the drawer has insufficient funds or credit with the drawee has issued a fraudulent check and commits fraud by check.

(b) Fraud by check is a misdemeanor, if the fraudulent check was for a sum of less than five hundred dollars (\$500.00).

(c) Upon sentencing, the court may require any person convicted of check fraud to make restitution in an amount not to exceed twice the amount of the dishonored check, in addition to any other punishment imposed under this chapter. (Ord. No. 87-1.)

Sec. 11-5. Clubs, firearms, illegal knives or switchblade knives - - Definitions.

For the purpose of sections 11-6 and 11-7, the following words and phrases shall have the meaning respectively ascribed to them by this section:

Club. An instrument that is especially designed, made or adapted for the purpose of inflicting serious body injury or death by striking a person with the instrument, including, but not limited to, the following:

- (a) Blackjack.
- (b) Nightstick.
- (c) Mace.
- (d) Tomahawk.

Firearm. Any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. “Firearm” does not include antique or curio firearms that were manufactured prior to 1899 and that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by sections 11-6 and 11-7.

Switchblade knife. Any knife that has a blade that folds, closes or retracts into the handle or sheath and that:

- (a) Opens automatically by pressure applied to a button or other

device located on the handle; or

(b) Opens or releases a blade from the handle or sheath by the force of gravity or by the application of centrifugal force. (Ord. No. 105, § 1.)

For state law as to weapons offenses generally, see W.S., 1977, §§6-8-101 to 6-8-104.

Sec. 11-6. Same - - Carrying prohibited in certain places.

A person commits an offense if he intentionally, knowingly or recklessly carries on or about his person a club, firearm, illegal knife or switchblade knife:

(a) On any premises licensed or issued a permit by the town of the sale or service of alcoholic beverages; or

(b) On the premises of a school or an educational institution, whether public or private, unless pursuant to written regulations or written authorization of the institution; or

(c) On the premises of a polling place on the day of an election; or

(d) On the premises of the town hall, town parks or any recreational lands owned and/or controlled by the town, with the exception of specific areas designated for firearm shooting ranges. (Ord. No. 105, § 2.)

Sec. 11-7. Same - - Exceptions to section 11-6.

The provisions of section 11-6 do not apply to a person:

(a) In the actual discharge of his official duties as a peace officer, a member or agent of the owner of the premises and his primary responsibility is to act in the capacity of a private security guard to protect person or property. (Ord. No. 105, § 3.)

(b) On his own premises or premises under his control, or if he is an employee or agent of the owner of the premises and his primary responsibility is to act in the capacity of a private security guard to protect persons or property. (Ord. No. 105, § 3.)

Sec. 11-8. Same - - Penalties.

Any person who shall violate any of the provisions of sections 11-5 to 11-7 shall be fined a sum of not less than twenty-five dollars and not more than seven hundred fifty dollars (\$750.00), to which court costs shall be added. (Ord. No. 105, § 4.)

As to general penalty for violations of Code, see § 1-6 of this Code. As to actions for penalties of fines, see § 1-7.

Sec. 11-8.1 Coin machines - - Illegal operation.

(a) A person is guilty of a misdemeanor if, knowingly and without authorization, he:

(1) Operates a coin machine by use of a slug.

(2) Obtains property or services from a coin machine without depositing the amount of legal tender required by the owner of the coin machine for the property or service.

(b) A person is guilty of a misdemeanor if he manufactures or distributes slugs knowing or reasonably believing they will be used for fraudulent or unlawful purposes.

(c) As used in this section, "slug" means an article or object which can be deposited in a coin machine as an improper substitute for a genuine coin, bill or token. (Ord. No. 87-7.)

Sec. 11-8.2. Criminal entry.

(a) A person is guilty of a criminal entry if, without authority, he knowingly enters building, occupied structure, vehicle or cargo portion of a truck or trailer, or a separately secured or occupied portion of those enclosures.

(b) It is an affirmative defense to prosecution under this section that:

(1) The entry was made because of a mistake of fact or to preserve life or property in an emergency;

(2) The enclosure was abandoned;

(3) The enclosure was at the time open to the public, and the person complied with all lawful conditions imposed on access to or remaining in the enclosure; or

(4) The person reasonably believed that the owner of the enclosure, or other person empowered to license access to the enclosure, would have authorized him to enter.

(c) Criminal entry is a misdemeanor. (Ord. No. 87-1.)

Sec. 11-8.3 Criminal trespass.

(a) A person is guilty of criminal trespass if he enters or remains on or in the land or premises of another person, knowing his is not authorized to do so, or after being notified to depart or to not trespass.

For the purposes of this section, notice is given by:

1. Personal communication to the person by the owner or occupant, or his agent, or by a peace officer; or

2. Posting of signs reasonably likely to come to the attention of intruders.

(b) Criminal trespass is a misdemeanor.

(c) This section does to supersede Wyoming Statutes, 1977, section 1-20-1003. (Ord. No. 87-1.)

Sec. 11-9. Crossing lawns, etc.; tying animals to trees.

No person shall walk, run, ride or in any other manner cross over or upon any lawn, garden or otherwise improved lot, whether enclosed or not, without permission of the owner or occupant thereof. No person shall, without permission of the owner of a tree, destroy or mutilate or tie any animal to any growing tree or to the boxing around a tree. (Ord. No. 86, art. I, 5.)

As to animals and fowl generally, see ch. 4 of this Code.

Sec. 11-9.1. Curfew - - Persons under eighteen years of age.

Definitions:

(a) "Knowingly" includes knowledge which a parent should be reasonably expected to have concerning the whereabouts of the minor in the adult's custody.

(b) "Loiter" or "loitering" means remaining idle in essentially one location, and shall include the concepts of spending time idly, to be dilatory, to linger, to stay, to saunter, to delay, to stand around, and shall also include the colloquial expression "hanging around".

(c) "Person" or "persons", as used in Section 11-9.3, means any person and shall not be limited to include parent or parents, legal guardian or legal guardians, but shall include any other person having the care or custody of a child.

Sec. 11-9.2 Supervision and care of minors.

(a) It shall be unlawful for the parent or legal guardian having the care, control or custody of a person under the age of eighteen years, to knowingly permit or allow, including by insufficient control, such juvenile to loiter or otherwise violate Section 11-9-3.

(b) It shall be no defense to violation of Section 11-9.2 that the responsible adult was indifferent to the activities, conduct or whereabouts of the juvenile. The provisions of this subsection do not apply if the responsible adult has made a missing person notification to the appropriate authorities prior to the juvenile's violation of Section 11-9.3.

Sec. 11-9.3. Curfew - - Persons under eighteen years of age.

It shall be unlawful for any person under the age of eighteen (18) years to loiter, walk, run or ride, or in any other way be on or about any street, avenue, highway, road, sidewalk, curb, gutter, parking lot, alley, vacant lot, park, playground, yard, building, place of amusement, or eating place, whether public or private, without the consent or permission of the owner or occupant thereof, during the hours beginning at twelve o'clock (12:00) AM on Sunday night through Thursday night, unless the juvenile is accompanied by a legal parent or guardian.

Sec. 11-9.4 Not in violation – when.

- (a) Not loitering or
- (b) In a parked, standing or moving motor vehicle while accompanied by a parent or legal guardian; or
- (c) In a motor vehicle in interstate travel; or
- (d) Engaged in any employment, school, religious activity, or going to or returning from any such activity, or going to or from any other activities of any kind, which are supervised or directed by a parent or adult person over the age of twenty-one (21) years; or
- (e) Returning from, via a direct and uninterrupted route, without detour or stop, an event or activity expressly sanctioned by the parent or legal guardian; or
- (f) When attending or traveling directly to or from an organization of free speech, freedom of assembly or free exercise of religion; or
- (g) Married or an emancipated minor; or
- (h) Involved in a life or property threatening emergency.

Sec. 11-9.5. Determination of Enforcement Action.

Before taking any enforcement action under Section 11-9.3, a police officer shall ask the apparent offender's age and reason for being where the person is. The officer shall not issue a citation or make an arrest under Section 11-9.3 unless the officer reasonably believes that an offense has occurred and that, based upon any response and other circumstances, no defense in Section 11-9.4 is present.

Sec. 11-9.6. Violation – Penalty for Juveniles and Adults.

- (a) A violation of Section 11-9.3 by a juvenile is a criminal offense, punishable by fine of not more than seven hundred and fifty dollars (\$750.00) and/or probation.

(b) A violation of Section 11-9.2 by an adult is a criminal offense, punishable by fine of not more than seven hundred and fifty dollars (\$750.00).

Sec. 11-9.7. Tobacco; Purchase, Possession or use by a person under the ages of twenty-one (21) prohibited.

(a) Definitions:

ELECTRONIC CIGARETTE: Means a product that employs any mechanical heating element, battery or electronic circuit regardless of shape or size, that can be used to deliver doses of nicotine vapor by means of heating a liquid nicotine solution, plant, wax, solution or other substance contained in a cartridge or other delivery system, including but not limited to, electronic cigarettes, vaping pens or vaping mods.

TOBACCO PRODUCTS: Means any product made or derived from tobacco that contains nicotine, including, but not limited to, cigarettes, electronic cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco.

(b) **Purchase:** No person under the age of twenty one (21) years shall purchase tobacco products or electronic cigarettes, or misrepresent his or her identity or age, or use any false or altered identification for the purpose of purchasing tobacco products or electronic cigarettes.

(c) **Possess:** It is unlawful for any person under the age of twenty one (21) to possess or use any tobacco products or electronic cigarettes.

(d) **Defense:** It is an affirmative defense to a prosecution under subsection C of this section that the defendant possessed or used the tobacco product or electronic cigarette in the home of, or under the direct supervision of, his parent or guardian.

(e) **Sell, Offer for Sale Or Give Away:** No individual shall sell, offer for sale, give away or deliver tobacco products or electronic cigarettes to any person under the age of twenty one (21).

(f) **Violations:** Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be \$25.00 for the first offense. Second or subsequent offence will increase \$15.00 times the subsequent offense.

Sec. 11-10. Damaging public or private property generally.

No person shall wantonly or carelessly damage or injure any public property, or any private property without the consent of the owner thereof, within the corporate limits.

Sec. 11-10.1. Defrauding innkeeper, restaurant, etc.

(a) A person who, with intent to defraud, procures food, drink or accommodations at a public establishment without paying in accordance with his

agreement with the public establishment is guilty of a misdemeanor, if the value of food, drink or accommodations is less than five hundred dollars.

(b) As used in this section:

1. "Agreement with a public establishment" means a written or verbal agreement on the price charged for, and the acceptance of, food, beverages, services or accommodations, where the price charged is printed on a menu or schedule of rates shown to or made available by the public establishment to the patron. Acceptance of food, beverages, services or accommodations for which a reasonable charge is made is an agreement with a public establishment.

2. "Public establishment" means an establishment selling, or offering for sale, prepared food or beverages or leasing or renting overnight sleeping accommodations to the public generally. "Public establishment" includes restaurants, cafes, dining rooms, lunch counters, coffee shops, boardinghouses, hotels, motor hotels, motels and rooming houses, unless the rental thereof is on a month-to-month basis or for a longer period of time. (Ord. No. 87-1.)

Sec. 11-10.2. Offenses Against Property

a. Vandalism

i. *Vehicles.* It is unlawful for any person not the owner or operator thereof to tamper, meddle, or interfere with any vehicle, or to start or attempt to start the motor thereof, or to puncture or otherwise mutilate the tires, or to scratch, dent, mark or otherwise deface the body or any equipment, machinery, or apparatus thereon, or to take or remove from the vehicle any part or portion of the machinery, equipment or other apparatus, or to throw, cast or hurl any rock, snowball, glass, water, water-filled balloon or other thing or missile at any vehicle or the occupants thereof.

ii. *Traffic signs.* It is unlawful for any person to remove or tamper, meddle or interfere with any traffic sign, painted line, or other device, symbol or marking or street sign constructed or maintained in the town.

b. Posters and Placards

It is unlawful for any person to affix in any manner whatever any placard or other sign upon any pole or structure or other property of any kind belonging to the Town.

Sec. 11-11. Disorderly conduct.

A person shall be deemed guilty of disorderly conduct if he willfully:

(a) Commits an act in a violent and tumultuous manner toward another, whereby the property of any person is placed in danger of being destroyed or damaged.

(b) Causes, provokes or engages in any fight, brawl or riotous conduct so as to

endanger the life, limb, health or property of another.

(c) Incites, attempts to incite, or is involved in attempting to incite a riot. For the purposes of this section, the term "riot" shall mean a tumultuous disturbance of the peace by persons assembled and acting with a common intent to the terror of the people of the town, either in executing a lawful enterprise in a violent or turbulent manner or in executing an unlawful enterprise in a violent or turbulent manner.

(d) Obstructs, either singly or together with other persons, the flow of vehicular or pedestrian traffic in or on any public way and refuses to clear such public way when ordered to do so by any person known by him to be a policeman or other lawful authority.

(e) Damages, befoils or disturbs public property or the property of others, so as to create a hazardous, unhealthy or physically offensive condition.

(f) Fails to obey a lawful order to disperse by any person known by him to be a police officer, where one or more persons are committing acts of disorderly conduct in the immediate vicinity, and the public health and safety is imminently threatened.

(g) Resists or obstructs the performance of duties by any person known by him to be a police officer or any other authorized official of the town.

(h) Commits an act in a violent and tumultuous manner toward another person, whereby that other person is placed in danger of his life, limb or health.

(i) Interferes with another's pursuit of a lawful occupation by acts of violence.

(j) Uses abusive, profane or obscene language in any public place.

(k) Uses abusive, profane, obscene or disrespectful gestures toward the duly elected or appointed town officials and/or other town employees while they are in the performance of their official duties. (Ord. No. 86, art. I, § 7.)

For state law as to offenses against public peace generally, see W.S., 1977, § 6-6-101 et seq. As to authority of town to regulate, prevent or suppress disorderly conduct, see W.S., 1977, § 15-1-103(xviii).

Sec. 11-12. Disturbing assemblages, etc.

Any person who shall, within the limits of the town, disturb any congregation or assembly meet for religious worship by making a noise or by rude and indecent behavior or profane discourse, within their place of worship or so near the same as to disturb the solemnity of the meeting, or shall collect in crowds creating or assisting in creating public disorder, or for any unlawful purposes to the annoyance or disturbance of citizens, travelers or any public meeting lawfully assembled within the corporate limits shall be deemed guilty of a misdemeanor. (Ord. No. 86, art. I, § 8.)

For state law as to disturbing meetings, see W.S., 1977, § 16-4-406. As to authority of town to prevent, etc., disorderly assemblies, etc., see W.S., 1977, § 15-1-103(xviii).

Sec. 11-13. False alarms and reports.

(a) **False fire alarms.** No person shall knowingly give a false alarm of fire, except as given or caused to be given for test purposes by the chief of the fire department or other authorized personnel.

(b) **Use of all emergency phone number.** No person shall knowingly dial the 911 emergency phone number, falsely pretending or falsely giving information that there is an emergency.

(c) **False calls for police.** It shall be unlawful for any person to call any police officer to any place, falsely pretending or falsely giving such officer to understand that he is needed or wanted in any place.

(d) **False reports of bombs or other hazards.** It shall be unlawful for any person to knowingly give false information to the effect that a bomb will be exploded or that any other serious hazard exists in any public conveyance, church, school, theater, auditorium, assembly hall, factory, warehouse, industrial, commercial or residential building or any other place used for public gatherings. (Ord. No. 86, art. I, § 10.)

Sec. 11-14. Fences -- Barbed wire, electric, etc., fences prohibited.

It shall be unlawful for any person to erect or maintain upon residential and/or any other property in the town any barbed wire fence, electric fence or fence of any other nature which is so constructed as to be potentially dangerous to human beings. (Ord. No. 86, art. I, § 10.)

As to fences, hedges and walls generally, see § 5-10 of this Code.

Sec. 11-14.1. Fighting in public.

A person commits a misdemeanor if, by agreement, he fights with one or more persons in public. (Ord. No. 86, art. I, § 10.)

Sec. 11-15. Fire alarm system -- Interfering with.

No person shall interfere with any part of the fire alarm system, unless authorized by the chief of the fire department or other authorized personnel. (Ord. No. 86, art. I, § 12.)

Sec. 11-16. Fire hydrants, water mains, etc. -- Interfering with.

No person shall shut off or turn on or interfere in any way with any fire hydrant, valve or water main in the town. (Ord. No. 86, art. I, § 12.)

As to water generally, see ch. 17 of this Code. As to unauthorized opening or operation of fire hydrants, see § 17-6.

Sec. 11-16.1 Fraudulent use of materials.

A contractor or subcontractor who purchases materials on credit and represents that they will be used in a designated building or improvement, and who knowingly and with intent to defraud the seller uses the materials or allows them to be used in a building or improvement other than the one designated is guilty of a misdemeanor. (Ord. No. 87-1.)

Sec. 11-17. Iceboxes, refrigerators, etc.- - Abandonment.

It shall be unlawful for any person to leave or permit to remain outside of any dwelling, building or other structure, or within any unoccupied or abandoned building, dwelling or other structure under his control, in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or other container which has an airtight door or lid, snaplock or other locking device, which may not be released from the inside, without first removing such door or lid, snaplock or other locking device from such icebox, refrigerator or container; except that such containers will be allowed if the doors or lids are padlocked shut. (Ord. No. 54, § 1.)

For state law as to abandoned iceboxes or refrigerators, see W.S., 1977, § 35-10-407.

Sec. 11-17.1. Larceny.

(a) A person who steals, takes and carries, leads or drives away property of another with intent to deprive the owner or lawful possessor is guilty of larceny.

(b) A Bailee, a public servant as defined by Wyoming Statutes, 1977, section 6-5-101(a)(vi) or any person entrusted with the control, care or custody of any money or other property who, with intent to steal or to deprive the owner of the property, converts the property to his own or another's use is guilty of larceny.

(c) Larceny is a misdemeanor, if the value of the property is less than five hundred dollars. (Ord. No. 87-1.)

Sec. 11-17.2. Littering.

(a) A person guilty of littering if he places, throws, scatters or deposits garbage, debris, refuse or waste materials, objects or substances, including abandoned or junk vehicles, upon the property of another. Operators of motor vehicles are responsible under this section for the disposition or ejection of garbage, debris or other material from the

vehicle while the vehicle is being operated on the streets or alleys in the town or the highways of the state.

(b) This section does not apply to discharges which are regulated, controlled or limited by air, land or water quality laws or regulations.

(c) Littering is a misdemeanor. (Ord. No. 87-1.)

Sec. 11-18. Municipal employees - - Interfering with.

No person shall interfere in any way with any employee of the town in the performance of his work, or displace any stakes or landmarks deposited or installed by any employee, or in any way molest any tools, instruments or equipment of any employee, or in any way molest any tools, instruments or equipment used by such employee in the duties assigned to him.

For state law as to interfere with peace officer in performance of duties, see W.S., 1977, § 6-5-204.

Sec. 11-19. Noise - - Generally.

It shall be unlawful for any person to create or assist in creating, permit, continue or permit the continuance of any unreasonably loud, disturbing or unnecessary noise in the town. Noise of such character, intensity and duration as to be detrimental to the life or health of any individual is prohibited.

As to noisy or vicious dogs and cats, see § 14-17 of this code.

Sec. 11-20. Same - - Noises expressly prohibited.

The following acts, among others, are declared to loud, disturbing and unnecessary noises in violation of section 11-19, but such enumeration shall not be deemed to be exclusive:

- (a) The sounding of any horn or signal device or any device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time; except, that this subsection shall not apply to emergency vehicles.
- (b) The use of any gong or siren upon any vehicle, other than police, fire or other emergency vehicles.
- (c) The use or operation of any piano, manual or automatic, phonograph, radio, loudspeaker or any other instrument or sound amplifying device so

loudly as to disturb person in the vicinity thereof or in such a manner as renders the same a public nuisance; provided, that upon application to the Mayor, permits may be granted to responsible organizations to produce programs of music, speeches or general entertainment.

- (d) The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person in the vicinity, without written council approval.
- (e) The use of any automobile, motorcycle or other vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, rattling or other noise.
- (f) The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of danger.
- (g) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (h) The use of any mechanical device operated by compressed air, unless the noise created thereby is effectively muffled and reduced.
- (i) The erection, including excavation, demolition, alteration or repair of any building in a residential or business district other than between the hours of 7:00AM and 10:00PM on weekdays, except in the case of urgent necessity in the interest of public safety, and then only with a permit from the building inspector, which permit may be renewed for a period of three days or less while the emergency continues.
- (j) The creation of any excessive noise on any street adjacent to any school, institution of learning or court while the same is in session or within one hundred fifty feet of any hospital, which unreasonably interferes with the working of such institution; provided, that conspicuous signs are displayed in such streets indicating that the same are school, court or hospital streets.
- (k) The creation of any excessive noise on Sundays on any street adjacent to any church; provided, that conspicuous signs are displayed in such streets adjacent to churches indicating that the same are church streets.
- (l) The creation of loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
- (m) The sounding of any bell or gong attached to any building or premises, which disturbs the quiet or repose of persons in the vicinity thereof.

- (n) The shouting and crying of peddlers, barkers, hawkers and vendors, which disturbs the quiet and peace of the neighborhood.
- (o) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.
- (p) The use of any mechanical loudspeakers or amplifiers on trucks or other moving vehicles for advertising purposes or other purposes, except where specific license is received from the Town Council.
- (q) The conducting, operation or maintaining of any garage or filling station in any residential district so as to cause loud or offensive noises to be emitted therefrom between the hours of 11:00PM and 7:00AM.
- (r) The firing or discharging of any gun, squibs, crackers, gun powder or other combustible substance in the streets or elsewhere for the purpose of making noise or disturbance, except by permit from the Town Council. (Ord. No. 84-12, §§ 1, 2.)

Sec. 11-21. Nudity in public.

It shall be unlawful for any person to appear in a state of nudity in any public place. For the purposes of this section, the word "nudity" shall mean the showing of the human male or female genitals or pubic area or the areola of the female breast.

For state law as to public indecency, see W.S., 1977, § 6-4-201.

Sec. 11-22. Obtaining property by false pretenses.

A person who knowingly obtains property from another person by false pretenses with intent to defraud the person is guilty of a misdemeanor, if the value of the property is less than five hundred dollars. (Ord. No. 87-1.)

Sec.'s 11-23 to 11-25.

Repealed by Ordinance No. 84-7, § 1.

Sec. 11-26. Peeping.

It shall be unlawful for any person to invade, or attempt to invade, the privacy of another person by resorting to "peeping", which is hereby defined as the stealthy, clandestine or surreptitious visual invasion, or attempted visual invasion, of person's privacy.

Any person violating this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than fifty dollars and not more than seven hundred fifty dollars, to which shall be added court costs. (Ord. No. 73, §§ 1, 2.)

Sec. 11-26.1. Penalties - - Violations of chapter generally.

Any person found guilty of violating any of the provisions of this chapter shall be fined not less than fifty dollars not more than seven hundred fifty dollars. (Ord. No. 87-1.)

Sec. 11-27. Prostitution.

- (a) No person shall keep, set up, maintain or operate any place, structure, building or conveyance for the purpose of prostitution, or with knowledge or reasonable cause to know that the same is or is to be used for such purpose, or receive or offer to agree to receive any person in any place, structure, building or conveyance for the purpose of prostitution or permit any person to remain therein for such purpose.
- (b) No person shall direct, take, transport or offer or agree to take or transport any person to any place, structure or building or to any other person with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution.
- (c) No person shall reside in, enter or remain in any place, structure or building, or enter or remain in any conveyance for the purpose of prostitution.
- (d) No person shall engage in or solicit prostitution or aid or abet prostitution, by solicitation or by any means whatsoever.

For state law as to prostitution generally, see W.S., 1977, §§ 6-4-101 to 6-4-103. As to authority of town to restrain and punish prostitutes and regulate disorderly houses, see W.S., 1977, § 15-1-103(xvi) and (xvii).

Sec. 11-27.1. Refusal to appear to testify; avoidance of service of subpoena; summary proceedings for contempt.

- (a) A person is guilty of a misdemeanor if he:
 - (1) Refuses or intentionally fails to obey a lawful subpoena or citation which has been served upon him;

- (2) Secrets himself or leaves his residence to avoid being served with a subpoena; or
 - (3) Refuses to take an oath or affirmation or, being sworn or affirmed, refuses to answer a question required by the court or presiding officer.
- (b) This section shall not prevent summary proceedings for contempt. (Ord. No. 87-1.)

Sec. 11-28. Shoplifting.

- (a) It shall be unlawful for any person to willfully conceal or take possession of any goods offered for sale by wholesale or retail stores or other mercantile establishments, without the knowledge or consent of the owner thereof and with intent to convert the goods of his own use without paying the purchase price; provided, that such crime of shoplifting shall constitute a felony, pursuant to Wyoming Statutes, 1977, section 6-7-404, if the value of the goods concerned is one hundred dollars or more.
- (b) Any police officer, merchant or merchant's employees who has reasonable cause for believing that a person has committed a crime of shoplifting, as defined by subsection (a) of this section, may detain and interrogate such person in regard thereto in a reasonable manner and for a reasonable time.
- (c) When a police officer, merchant or merchant's employee, with reasonable cause for believing that a person has committed a crime of shoplifting, as defined by subsection (a) of this section, detains and interrogates such person in regard thereto, and such person thereafter brings against the police officer, merchant or merchant's employee a civil criminal action for slander, false arrest, false imprisonment, assault, battery or wrongful detention based upon the detention and interrogation, such reasonable cause shall be a defense to the action if the detention and interrogation were done in a reasonable manner and for a reasonable time.
- (d) Any person violating this section shall be guilty of a misdemeanor and shall be punished by a fine not more than seven hundred fifty dollars. (Ord. No. 60, §§ 1 to 4.)

For state law as to shoplifting, see W.S., 1977, §§ 6-3-404, 6-3-405.

Sec. 11-28.1. Stolen property-- Buying, receiving, etc.; venue of indictment.

- (a) A person who buys, receives, conceals or disposes of property which he knows, believes or has reasonable cause to believe was obtained in violation of law is guilty of a misdemeanor, if the value of the property is less than five hundred dollars.

- (b) A person may be indicted under this section in the county where he receives or possesses the property, notwithstanding that the wrongful taking occurred in another county. (Ord. No. 87-1.)

Sec. 11-28.2. Theft of services.

- (a) A person who, with intent to defraud, obtains services which he knows are available only for compensation, without paying for the services, is guilty of a misdemeanor, if the value of the services is less than five hundred dollars.
- (b) A person who tampers or otherwise interferes with or connects to, by any means, whether mechanical, electrical, acoustical or otherwise, any cables, wires or other devices used for distribution of services for the purpose of committing a violation of subsection (a) of this section is guilty of a misdemeanor, if the value of the service is less than five hundred dollars.
- (c) A person who knowingly manufactures, distributes, sells or offers for sale, rental or use any decoding or descrambling device or any plan or kit for such device, of this section, is guilty of a misdemeanor, if the value of the services is less than five hundred dollars.
- (d) As used in this section “services” includes, but is not limited to, electric, telephone, cable television, gas, water or sewer services. (Ord. No. 87-1.)

Sec. 11-28.3. Throwing burning substance from vehicle.

A person who throws a burning substance from a vehicle is guilty of a misdemeanor. (Ord. No. 87-1.)

Sec. 11-29. Unlawful acts concerning public and private property generally.

- (a) “Public property” defined. For the purposes of this section, “public property” means any public property owned by the town, except the traveled portion of public streets, and includes any park, sidewalk, curb or any part of any public right-of-way devoted to any planting or park-like use.
- (b) Disfiguration, removal, etc., of buildings or other public property. It shall be unlawful for any person on any public property to willfully mark, deface, disfigure, damage, tamper with, displace or remove any building, railing, bench, paving, paving material, water line, any facilities, property or equipment, property or equipment of any public utilities or part of appurtenance thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, wall or rock borders or any other structures or equipment, facilities or public property or appurtenance whatsoever, either real or personal.
- (c) Use of restrooms and washrooms. It shall be unlawful for any person on

- any public property to fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of six years shall use the restrooms and washrooms designated for the opposite sex.
- (d) **Erection of structures, etc.** It shall be unlawful for any person to construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or any tent, fly or windbreak, or to run nor string any rope, cord or wire into, upon or across any public property, except on special permit issued by the Town Council.
 - (e) **Urinating or defecating.** It shall be unlawful for any person to urinate or defecate while on any public property, except in a public restroom.
 - (f) **Offenses concerning tress, shrubbery and plants.**
 - (1) **Damage, removal, etc.** It shall be unlawful for any person on public property to, without a town permit, damage, cut, carve, burn, transplant or remove any tree or plant or damage the bark or pick the flowers or seeds of any tree or plant, or attach any rope, wire or other contrivance to any tree or plant. No person shall dig or otherwise disturb, or in any other way damage or impair the natural beauty or usefulness of, the park area.
 - (2) **Climbing trees, etc.** It shall be unlawful for any person to climb any tress or wall, stand or sit upon monuments, fountains, railings, fences , plated areas or any other property not designed or customarily used for such purpose or intentionally stand, sit or lie in or upon any street, sidewalk, stairway or crosswalk so as to prevent free passage of persons or vehicles passing along, over or across any street, sidewalk, stairway or crosswalk.
 - (g) **Refuse and trash.** It shall be unlawful for any person to drop, throw, place, discard, dump, leave or otherwise deposit any bottles, broken glass, garbage, ashes, paper, boxes, cans, dirt, rubbish, waste, refuse or other trash on any public property, except in waste containers provided therefore. No such refuse or trash shall be placed in any waters in or contiguous to any park or planted area or left anywhere on the grounds thereof.
 - (h) **Loitering, boisterousness, etc.** It shall be unlawful for any person on any public property to sleep in seats, benches, sidewalks, curbs, planters, walls or other areas; engage in loud, boisterous, threatening, abusive, insulting or indecent language; or engage in any disorderly behavior.
 - (i) **Vending and peddling.** It shall be unlawful for any person on any public property to expose or offer for sale any article or thing, or station or place any stand, cart or vehicle for the transportation, sale or display of any such

article or thing, without first obtaining a town license therefore.

- (j) **Begging.** It shall be unlawful for any person to beg or to go from door to door of private homes or commercial and establishments, or place himself in or upon any public way or public place to beg or to receive money or other things of value.
- (k) **Advertising in a park.** It shall be unlawful for any person in a park to announce, advertise or call the public attention in any way to any article or service for sale or hire.
- (l) **Signs.** No person shall paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatever, or erect or cause to be erected any sign whatever on any public lands, streets or alleys, without first obtaining permission of the Town Council.
- (m) **Occupying or sleeping in unlawful places.** It shall be unlawful for any person to occupy, lodge or sleep in any vacant or unoccupied barn, garage, shed, ship or other building or structure without permission of the owner or person entitled to the possession of the same, or to sleep on any vacant lot or any public place whatsoever.
- (n) **Profane language.** It shall be unlawful for any person within the town to utter or use within the hearing of one or more persons any profane or vulgar language, words. Epithets or expression having the tendency to incite or create a breach of peace. (Ord. No. 86, art. I, § 15.)

Sec. 11-29.1. Unlawful conduct within governmental facilities - - Definitions.

As used in section 11-29.2 and 11-29.3:

- (a) "Governing body" means any elected or appointed commission, board, agency, council, trustee or other body created or authorized by the laws of the state and vested with authority to perform specified governmental, educational, proprietary or regulatory functions.
- (b) "Facilities" means any lands, building or structures. (Ord. No. 87-1.)

Sec. 11-29.2. Same - - Prohibited.

No person, acting either singly or in concert with others, shall go into or upon facilities owned by or under the control of a governing body and obstruct or disrupt, by force, violence or other conduct which in act obstructive or disruptive, the activities conducted therein or thereon or the uses made thereof under the authority of the governing body. Obstructive or disruptive activities include restricting lawful:

- (a) Freedom of movement on or within a facility.
- (b) Designated use of a facility.

- (c) Ingress or egress on or within a facility. (Ord. No. 87-1.)

Sec. 11-29.3 Same - - Refusing to desist or remove oneself from facilities.

No person within or upon the facilities of a governing body shall refuse to desist from a course of conduct or to remove himself from the facilities upon request by an authorized representative of the governing body, after having been notified that the conduct or the presence of the person is contrary to or in violation of established policies, rules or regulations of the governing body which are reasonably related to the furtherance of the lawful purposes of the governing body and incident to the maintenance or orderly and efficient use of its facilities for the purpose for which acquired or designated. (Ord. No. 87-1.)

Sec. 11-30. Weapons, fireworks, etc., generally - - Selling, discharging, etc. fireworks; discharging or exploding firearms or explosives.

No person shall sell, cast, throw or fire any squib, rocket, cracker, torpedo, grenade or other combustible fireworks of any kind in the town, nor shall any such person discharge or explode within the town limits any rifle, revolver, pistol or firearm of any description or any combustible or explosive material except as provided for in Section 11-31 of the Meeteetse Town Code. (Ord. No. 26, § 1; Ord. No. 84-4, § 1.)
~~-(Ord. No. 26, § 1; Ord. No. 84 4, § 1.)~~

For state law as to dangerous or deadly weapons generally, see W.S.; 1977, § 6-8-101 et seq. As to fireworks generally, see W.S., 1977, § 35-10-201 et seq. As to authority of town to regulate sale, etc., of fireworks, see W.S., 1977, § 35-10-205.

Sec. 11-31. Same - - Discharge of weaponsing air guns, air rifles, etc.

It is unlawful for any person to shoot or discharge any gun or firearm, or to discharge any explosive substance or matter of any kind of description. It is further unlawful for any person in any manner to use airguns, BB guns, pellet guns, slingshots, flippers, or other potentially dangerous devices or weapons within the Town, except as follows:

A. Archery hunting for deer and turkeys will be allowed within the corporate limits of the Town of Meeteetse with the following restrictions:

1. Archery hunting only will be allowed within the corporate limits of the Town of Meeteetse.
2. To hunt deer, an individual must have a valid hunting license issued by the State of Wyoming for deer hunting in Areas 116 or 165.
3. To hunt turkeys, an individual must have a valid hunting license issued by the State of Wyoming for turkey hunting in Area 4.

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4. The individual must obtain a special hunting permit through the Town of Meeteetse for deer or turkeys. Said permits are issued on a first come first serve basis and at the Town of Meeteetse's discretion.
5. Hunting shall be limited to archery only, Type 1, 3, 6 and 8, as set forth in the Wyoming Game & Fish regulations.
6. Hunting will be allowed only in designated areas. The individual must obtain a map from the Town of Meeteetse for the designated areas approved for archery hunting.
7. During the spring hunting season, only tom turkeys may be hunted.
8. During the fall hunting season, tom and hen turkeys may be hunted.
9. When deer hunting, only the deer designated by the Game & Fish hunting license type will be allowed.

(Ord. No. 26, § 2.)

It shall be unlawful for any person to use or discharge any air gun, air rifle or other similar weapons within the town limits. (Ord. No. 26, § 2.)

Sec. 11-32. Same - - Discharging, throwing, etc., missiles.

It shall be unlawful for any person to use, discharge, throw, release, or explode any bow and arrow, crossbow, slingshot, dart, rock or other missile or object within the town limits except as provided for in Section 11-31 of the Meeteetse Town Code.
(Ord. No. 26, § 3.)

Sec. 11-33. Same - - Carrying weapons concealed or with avowed purpose of injuring persons or disturbing peace.

It shall be unlawful for any person to wear or carry any dirk, slingshot, bowie knife, dagger, sword or other dangerous or deadly weapon concealed, or to carry or wear such weapons openly with the avowed purpose of injuring his fellow man or of disturbing the peace of the town or any of the inhabitants thereof.

The provisions of this section shall not apply to duly appointed officers of the town, the county or the state, or of the United States of America, or other lawfully appointed peace officers in the lawful discharge of their duties as such. (Ord. No. 26, §§ 4, 5.)

For state law as to carrying concealed weapons, se W.S., 1977, § 6-8-104.

Sec. 11-34. Same - - Penalties.

Any person who shall violate any of the provisions of sections 11-30 to 11-33 shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not less than twenty-five dollars (\$25.00) and not more than seven hundred fifty dollars (\$750.00) and the costs of prosecution. (Ord. No. 26, § 6.)

As to general penalty for violations of Code, see § 1-6 of this Code. As to actions for penalties or fines, see § 1-7.