

ORDINANCE NO. 3-2012

TITLE 14

ORDINANCE REPEALING THE PROVISIONS OF TITLE 14 OF THE CODE OF THE TOWN OF MOORCROFT, WYOMING 1979 PRESCRIBING MISCELLANEOUS OFFENSES; ENACTING PROVISIONS IN REPLACEMENT THEREOF PRESCRIBING MISCELLANEOUS OFFENSES; AND PROVIDING FOR AN EFFECTIVE DATE.

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BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MOORCROFT, CROOK COUNTY, WYOMING that:

SECTION 1: The provisions of Title 14 of the Code of the Town of Moorcroft, Wyoming 1979 shall be and hereby are repealed.

SECTION 2: Title 14 of the Code of the Town of Moorcroft, Wyoming 1979 shall be and hereby is amended to provide and read in complete form as follows:

“TITLE 14

OFFENSES – MISCELLANEOUS

14-101 – CAMPING

14-102 – DISCHARGING FIREARMS

14-103 – FIREWORKS

14-104 – PUBLIC NUDITY

14-105 – PUBLIC URINATION AND DEFECATION

14-106 – CRIMINAL MISCHIEF

14-107 – INTERFERING WITH TOWN EMPLOYEES

14-108 – PUBLIC INTOXICATION

14-109 – OPEN CONTAINER

14-101 – CAMPING – No person shall camp within the Town except in areas which are developed, established and maintained for camping on public or private property.

14-102 – DISCHARGING FIREARMS – No persons other than peace officers as defined under Wyoming law shall fire or discharge any cannon, gun, rifle, pistol, revolver or other firearm of any description within the Town which emits a projectile by force of an explosive substance, compressed air, compressed gas or compressed spring, including but not limited to pellet guns, BB guns and paintball guns. Provided, however, that this Section shall not apply to the discharge of compressed air, compressed gas or compressed

spring guns of any description which are discharged on and the emitted projectile(s) is contained within the boundaries of private property with the consent of the private property owner(s). It is an affirmative defense to prosecution for violation of this Section if the cannon, gun, rifle, pistol, revolver or other firearm was discharged in self-defense or in the defense of another as allowed under applicable Wyoming law.

14-103 – FIREWORKS -- No person shall ignite, detonate, fire, explode or set off any squib, firecracker, skyrocket or other object or device containing an explosive substance, such as combustible powder or other combustible substance, within the Town to create an explosive noise or to propel the object or another object.

14-104 – PUBLIC NUDITY – Except as otherwise provided in this Section, it shall be unlawful for any person within the Town to be in or upon any public property, or in or upon any private property not open to the public but within public view, and expose one (1) or more intimate parts of his or her body. For the purpose of this Section, the following terms have the following meanings: (i) “intimate parts” of a person’s body means the external genitalia, perineum, anus or pubes of any person or the areola of a female breast; and (ii) “expose” means to not fully cover an intimate part of a person’s body with clothing or other material through which the intimate part cannot be seen, but does not include covering with paint or a similar substance or with an adhesive body covering such as pasties or tape. This Section shall not apply to: (i) persons under the age of twelve (12) years; (ii) the incidental exposure of the human female breast by the adjustment of clothing while nursing an infant; and (iii) as otherwise authorized by the Town.

14-105 – PUBLIC URINATION AND DEFECATION– No person over the age of twelve (12) years shall urinate and/or defecate within the Town in any place open to general public view, whether on public or private property, and shall only defecate in operating facilities with fixtures designed for such use.

14-106 – CRIMINAL MISCHIEF– No person shall within the Town:

- Directly or indirectly tamper with the tangible or intangible property or the electronic (cellular and internet) codes, access, accounts or security of another, causing pecuniary loss or inconvenience to the owner or to another person, without having the lawful right to do so or reasonable grounds to believe he or she had such right.
- Disrupt a lawful assembly or meeting of persons without having the lawful right to do so.
- Throw a stone or other object at a person, animal, vehicle, building or other public or private property without having the lawful right to do so.

- Obstruct the free and uninterrupted passage of persons on public sidewalks or on other public property and/or obstruct the free and uninterrupted passage of vehicles on public streets and alleys without having the lawful right to do so.

14-107 – INTERFERING WITH TOWN EMPLOYEES – No person shall interfere in any way with any employee of the Town in the performance of his/her work or duties, nor displace any stakes or landmarks placed or installed by any Town employee, nor in any way disturb any tools, instruments or equipment of the Town.

14-108 – PUBLIC INTOXICATION –

- No person shall be upon any public street, alley, roadway, sidewalk or other public property or property open to the public in the Town when he/she is under the influence of an alcoholic beverage to a degree which renders him/her a danger or hazard to himself/herself or others, or renders him/her incapable of caring for himself/herself, or renders him/her a nuisance.
- Violation of this Section is punishable by a fine of up to seven hundred fifty dollars (\$750.00), incarceration for up to five (5) days, or both.

14-109 – OPEN CONTAINER – No person shall consume or be in possession of any alcoholic beverage in an open container of any type while upon any public street, sidewalk, alley, roadway or other public property or property open to the public in the Town, except:

- On the licensed premise of the holder of a license to dispense alcoholic beverages (including malt beverages);
- On the premise described in a current malt beverage permit provided that only malt beverages are possessed and consumed;
- As may otherwise be authorized by the Town and subject to such rules, regulations, requirements, conditions and limitations as may be set by the Town.

Nothing contained herein shall be construed to permit the consumption of any alcoholic beverage (including malt beverages) or the possession of any alcoholic beverage (including malt beverages) in any open container of any type within a motor vehicle if such consumption or possession would be in violation of State law.”

SECTION 3: This Ordinance shall become effective after passage and upon publication as provided by law, and all ordinances or parts of ordinances in conflict herewith are repealed.

Passed on first reading: April 9, 2012
Passed on second reading: _____

PASSED, APPROVED AND ADOPTED on third reading this _____ day of _____, 2012.

TOWN OF MOORCROFT

Steve Blakeman
Mayor

ATTEST:

Tara Ferrell
Town Clerk/Treasurer