

ORDINANCE NO. 427

AN ORDINANCE TO AMEND AND RE-ENACT § 5.12.330 OF MILLS MUNICIPAL CODE PERTAINING TO ALCOHOLIC BEVERAGES--WHEN DELIVERY IS UNLAWFUL--WHEN POSSESSION UNLAWFUL--PUBLIC DRUNKENNESS--FALSIFICATION OF IDENTIFICATION--PRIMA FACIE IDENTIFICATION AS DEFENSE--PENALTIES.

WHEREAS, the Mills Town Council after discussion at a regularly scheduled council meeting conducted on February 8, 1995 determined that it would be advisable to amend and re-enact ordinance no. 5.12.330 of the Mills Municipal Code to comply with state law;

NOW THEREFORE, the council makes the following change in the Mills Municipal Code;

BE IT ORDAINED BY THE TOWN COUNCIL OF MILLS, WYOMING that Section 5.12.330, of the Mills Municipal Code, be in the same hereby is repealed and re-enacted to read as follows:

5.12.330 Alcoholic beverages--When delivery is unlawful--
When possession unlawful--Public drunkenness--Falsification of
identification--Prima facie identification as defense--Penalties.

(a) Every person who sells, furnishes, gives or causes to be sold, furnished or given away any alcoholic liquor or malt beverage to any person under the age of twenty-one, who is not his legal ward, medical patient or member of his own immediate family, is guilty of a misdemeanor.

(b) Any person under the age of twenty-one who has any alcoholic or malt beverage in his possession, or who is drunk or under the influence of alcoholic liquor, malt beverages or drugs on any street or highway or in any public place is guilty of a misdemeanor. This subsection shall not apply to possession of alcoholic or malt beverages by a person under the age of twenty-one:

(1) When making a delivery of alcoholic or malt beverages pursuant to his employment; or

(2) Who is in the physical presence of his parent or legal guardian.

(c) Any person under the age of twenty-one who attempts in any manner to purchase alcoholic or malt beverages, who falsifies any identification or uses any false identification in order to obtain alcoholic or malt beverages is guilty of a misdemeanor.

(d) Any person who violates this section, or aides, abets or incites any violation of this section, is guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars, imprisoned for not more than ninety days, or both.

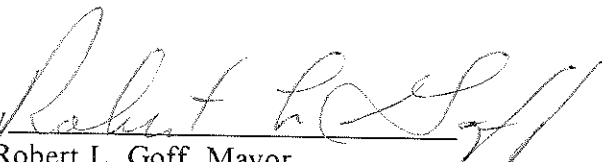
(e) A motor vehicle driver's license, a registration certificate issued under the Federal Selective Service Act, an identification card issued to a member of the Armed Forces or an identification card issued by the Department of Revenue is prima facie evidence of the age and identity of a person. Proof that a licensee or his employee or agent demanded, was shown and acted in reasonable reliance upon the information contained in any one of the above documents as identification is a defense to any criminal prosecution or action for the suspension or revocation of a license.

PASSED ON FIRST READING the 8th day of February 1995.

PASSED ON SECOND READING the 8th day of March 1995.

PASSED, APPROVED, and ADOPTED on THIRD and FINAL READING the 5th day of April 1995.

TOWN OF MILLS, a Municipal Corporation

By 
Robert L. Goff, Mayor

Attest:

Norene Kilmer, Clerk
Town of Mills

I, Norene Kilmer, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 427, entitled "AN ORDINANCE TO AMEND AND RE-ENACT § 5.12.330 OF MILLS MUNICIPAL CODE PERTAINING TO SALE, ETC. PROHIBITED--WHEN POSSESSION UNLAWFUL--PUBLIC DRUNKENNESS--FALSIFICATION OF IDENTIFICATION--PENALTIES--PRIMA FACIE IDENTIFICATION AS DEFENSE. Passed on Third Reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held at the Council Chambers on the 5th day of April 1995.

(Seal)



Norene Kilmer, Town Clerk

I, the regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming, do hereby certify that signed, attested, sealed and certified copies of this Ordinance No. 427 approved and passed as certified above, were, following its passage by the Town Council, posted in the Town Clerk's office and the Mills Post Office for a period of ten (10) days as required by law; that it took effect and became in force as a legal ordinance of the Town of Mills, Wyoming, on the 25th day of April 1995.

(Seal)



Norene Kilmer, Town Clerk