

ORDINANCE NO. 563

## AN ORDINANCE PROHIBITING DISORDERLY HOUSES WITHIN THE TOWN OF MILLS

**WHEREAS**, The Town of Mills is a duly authorized municipal corporation under the laws of the State of Wyoming and

**WHEREAS**, the Town believes it is in the best interest of health, safety and welfare to regulate and prohibit places where illegal activities are maintained and adopt an ordinance to provide for Disorderly Houses.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING**, that § 9.04.060, Disorderly Houses, of the Municipal Code be created as follows:

**A. DEFINITIONS.**

**As used in this article:**

(i) "Disorderly House" means any public or private building, structure, place, house, vehicle, public resort or public accommodation kept or maintained for the exclusive or non-exclusive purpose of carrying on or promoting:

- a) Prostitution, Public Indecency, Promoting or Soliciting Prostitution, Promoting Obscenity, or sexual exploitation of children;
- b) Illegal gambling or wagering;
- c) Fighting;
- d) Sale, consumption or disposition of alcoholic beverages, liquor or controlled substances, contrary to law; or

e) Any other illegal activity.

**B. UNLAWFUL FOR ANY PERSON TO KEEP DISORDERLY HOUSE.**

(i) it is unlawful for any perosn to keep or knowingly allow to be kept any disorderly house, by which the peace, comfort or decency of the immediate neighborhood is disturbed.

**C. UNLAWFUL FOR LANDLORD OR PROPERTY MANAGER, TO KEEP DISORDERLY HOUSE.**

(i) It is unlawful for any landlord or property owner or manager or any person having control of the property to maintain or keep or knowingly allow to be kept any building, structure, vehicle, inn, property, residence, apartment or tenement as a disorderly house, or for the purpose of prostitution or gambling, or for the purpose of manufacture, possession, sale or disposition of intoxicating liquor or any controlled substance in violation of law shall be held and deemed a public nuisance.

**E. ABATEMENT BY INJUNCTION.**

(i) Wherever a nuisance exists as defined in this article, the district, county or municipal attorney may maintain an action in the name of the State of Wyoming or the Town of Mills to perpetually enjoin the nuisance, the person maintaining the nuisance, and the owner or agent of the building or ground upon which the nuisance exists.

(ii) In the action, the court shall, upon the presentation of a petition alleging that the nuisance complained of exists, allow a temporary writ of

injunction without bond, if it appears to the satisfaction of the courts by evidence in the form of affidavits, depositions, oral testimony or otherwise.


(iii) Three (3) days notice in writing shall be given the defendant of the application, and, notice may be given by posting notice on the disorderly house. When an injunction has been granted, it shall be binding on the defendant throughout the judicial district in which it was issued, and any violation of the provisions of injunction shall be a contempt.

This Ordinance shall be in full force and effect from and after its passage of three readings, and publication, as provided by law.

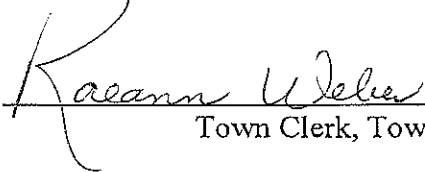
PASSED ON this 9 day of December, 2009, on 1st reading.

PASSED ON this 6 day of January, 2010, on 2nd and reading.

PASSED ON AND APPROVED this 3 day of February, 2010, on the 3rd and final reading.

  
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Joe DiL, Mayor

ATTEST

  
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Town Clerk, Town of Mills