

AN ORDINANCE AMENDING THE NUMBERING OF ORDINANCE 563  
AND DECLARING AN EMERGENCY

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

**WHEREAS**, the Town has adopted Ordinance 563 to regulate and prohibit places where illegal activities are maintained; and

**WHEREAS**, there was an error in the codification numbering of Ordinance 563; and

**WHEREAS**, The error in the codification number of Ordinance 563 should immediately be corrected to avoid ambiguities in the codification of the Town Ordinances.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING**, that ~~§ 9.04.060~~, **9.04.065** 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 person 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.

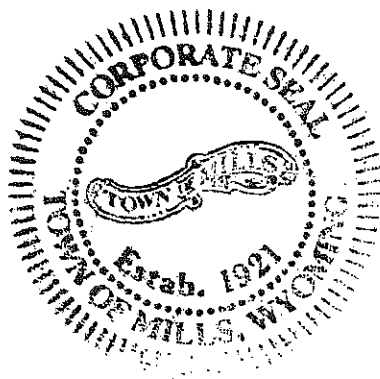
(ii) In the action, the court shall, upon the presentation of a petition alleging that the nuisance complained of exists, allow a temporary writ of injunction without bond, if it appears to the satisfaction of the courts by evidence in the form of affidavits, depositions, oral testimony or otherwise.

(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.

For the reasons set forth in the preamble of this Ordinance, the council finds and declares that an emergency exists; that this Ordinance is for the immediate preservation of the public peace, health, safety and welfare, and that it shall be in full force and immediately upon its approval.

PASSED , APPROVED, AND ADOPTED this 3 day of NOVEMBER,

2010.



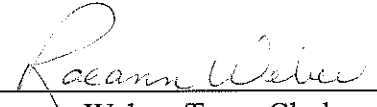
By: \_\_\_\_\_

Joe Dill, Mayor

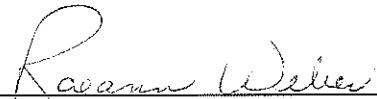
ATTEST:

Raeann Weber  
Raeann Weber, Town Clerk

I, Raeann Weber, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of ordinance No. 567, entitled ORDINANCE 567 AN ORDINANCE AMENDING THE NUMBERING OF ORDINANCE 563 AND DECLARING AN EMERGENCY passed on the 3 day of NOVEMBER, 2010, by the Town Council of the Town of Mills, Wyoming, at a meeting held by the Council Members on the 3 day of NOVEMBER, 2010.

  
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Raeann Weber, 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. 567 approved and passed as certified above, and following its passage by the Town Council, was posted in the Town Clerk's Office and at 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 15 day of NOVEMBER, 2010.

  
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Raeann Weber, Town Clerk