

ORDINANCE NUMBER FIFTY-NINE

DEFINING AND PROHIBITING NUISANCES- REPEALING CONFLICTING AND/OR PARALLELLING ORDINANCES.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLS, WYOMING:

SECTION 1.----- OFFENSIVE AND UNWHOLESOME BUSINESSES PROHIBITED. That all

unwholesome or offensive businesses or establishments within the town of Mills are hereby declared to be public nuisances, and any person, firm, partnership, or corporation who shall establish, keep, conduct, or operate, or cause to be established, kept, conducted or operated, within the town of Mills or within one mile of the limits thereof, any such unwholesome or offensive business or establishment, shall be deemed to have violated the provisions of this section and upon conviction thereof, shall be fined as provided in a subsequent section of this ordinance.

SECTION 2.-- ALL PROPERTIES TO BE KEPT CLEAN AND FREE OF GARBAGE AND TRASH-- CESSPOOLS NOT TO BE EMPTIED EXCEPT BY PERMIT.

That every owner, occupant, or proprietor of any place or abode or place of business within the town of Mills, shall provide or cause to be provided, and shall at all times keep and maintain, suitable and sufficient metallic receptacles for receiving and containing all garbage, ashes and/or other trash that may accrue from said dwelling, place of business, or upon such premises or the portion thereof for which he is responsible. All such receptacles to be so placed as not to be obnoxious to occupants of adjacent buildings, or constitute any fire hazard to adjacent buildings, fences, ect., and to comply with the sanitation ordinances of the town of Mills; and the same shall be kept covered with lids either solid or made of wire netting or of other vented, metallic material, and the contents thereof shall be desposed of in such manner and at such times as may be provided by law. And no person shall empty or clean any vault, privy, cesspool, or greastrap, except pursuant to a permit therefor, obtained from the head of the Sanitation Department. That each owner, occupant, or proprietor of premises within the town of Mills shall dispose of all combustible trash accruing from his household or establishment by burning; such burning to be done on any day of the week except Sunday, but not to be done at any time which may for any particular reason be offensive to his neighbors. And any person who shall permit dry weeds or other rubbish to accumulate upon his premises within the town of Mills to such extent that the sightliness of his neighborhood is hereby impaired and/or a fire hazard created thereby, or who shall permit ashes, garbage, or any other trash to accumulate as aforesaid to such extent that any offensive odor is produced or a condition unsanitary or unsafe to health thereby created, shall be deemed a violater of this section.

SECTION 3.---- NO MANURE OR OFFAL, OR DEAD ANIMAL OR FOWL TO BE PERMITTED TO REMAIN ON PREMISES.

That it shall be unlawful for any owner, occupant, or proprietor of any property within the town of Mills to permit any manure or offal from any domestic animal or fowl to accumulate upon his premises, and any such manure or offal so accumulating is hereby declared to be a public nuisance, and the owner, occupant, or proprietor as aforesaid who shall permit such accumulation upon any property for which he is responsible and, having be ordered by competent authority to remove such accumulation, shall refuse or fail for a period of one week to do so, shall be deemed to have violated this section. Provided that, for the purpose of this section the word "offal" shall be construed to include any carcass or carcasses of any

DEFINING AND PROHIBITING NUISANCES----REPEALING CONFLICTING AND/OR
PARALLELLING ORDINANCES.

SECTION 3.----- NO MANURE OR OFFAL, OR DEAD ANIMAL OR FOWL TO BE PERMITTED
TO REMAIN ON PREMISES.

animal, animals, fowl, or fowls. Provided further, that this section shall not be construed to prohibit any fertilization of any garden or lawn by the placing thereon of a light top dressing of manure. And it shall likewise be unlawful for any person within the town of Mills to house any sheep, goat, hog, cow, horse, or other livestock, within a distance of _____ feet from any neighboring dwelling; or to harbor any of the aforesaid animals, or any poultry, or any other creature, or creatures, in such place or in such manner that other persons residing in his neighborhood are disturbed or annoyed thereby, either by loud and clamorous noises uttered by such animals or poultry, or by offensive odors arising therefrom, or by any general unsightliness, unsanitary or unhealthful condition, or by any nuisance whatever thereby created.

SECTION 4.-----ALL DOMESTIC ANIMALS AND POULTRY TO BE CONFINED. That

any person, being the owner, or possessor, of any dog, cat, or other domestic or domesticated animal, in addition to those designated by section 2 of ordinance 46A, or of any duck, goose, turkey, chicken, or other domestic fowl, shall confine the same on his own premises. And any of the aforesaid animals or poultry which shall be permitted or suffered to run at large and to trespass upon the property of others, or upon the public streets and thoroughfares, are hereby declared to be a public nuisance. Provided that, in the case of trespass committed by any of the animals or poultry aforesaid, no process shall issue against the person responsible for the confinement of such animal or poultry, except upon the filing of a written complaint, setting forth the kind and nature of the offence and signed by the complaining witness.

SECTION 5.-----TRESPASSING INTERPRETED AS NUISANCE. That it shall be

unlawful for any person within the town of Mills to enter upon the premises of another with intent to do harm thereto, or to enter upon the premises of another in any case in which he has been ordered not to do so; whether such order shall have been voiced orally or given by means of signs posted upon such premises; or, being entered upon such premises and having been ordered by the proprietor thereof to depart therefrom, to remain upon such premises for any period longer than that strictly necessary for the gathering up of any articles or goods brought there by him. This section is to be construed to apply particularly to children playing habitually upon the property of persons other than their parents or guardians, and to itinerant salespeople.

SECTION 6.-----PROPERTY DAMAGE PROHIBITED --CULTIVATION OF NOXIOUS PLANTS--
DUMPING OF WASTE MATERIAL.

That it shall be unlawful for any person to commit any act calculated to inflict damage upon the person or property of another or upon the property of the town of Mills, or in any manner to damage such property; or to throw or cause to be thrown by means of any pea-shooter, bean-shooter, sling-shot, or other contrivance or device, any stone, snowball, or other missile, toward or against any person, or toward or against any building, tree, livestock/poultry, or other property belonging to another person or to the town of Mills; or to place or deposit upon such property of any other person or of the town of Mills, any waste matter whatsoever which may foul or in any way damage such property; or to persist in the cultivation of any plant which either by climbing or clinging to adjacent fences, buildings,

DEFINING AND PROHIBITING NUISANCES-----REPEALING CONFLICTING AND/OR
PARALLELLING ORDINANCES.

SECTION 6.----PROPERTY DAMAGE PROHIBITED---CULTIVATION OF NOXIOUS PLANTS--
DUMPING OF WASTE MATERIAL (Continued)

tree, or shrubbery, or by begetting a noxious host of seedling progeny upon the property of another, becomes a nuisance to adjacent premises. Any person convicted of violating any part of this section shall be deemed the author of a public nuisance and shall be fined as provided in a subsequent section of this ordinance.

SECTION 7.--- LOUD AND UNNECESSARY NOISES PROHIBITED. That no person

within the town of Mills shall utter or make, or by any means whatsoever, cause to be emitted, any loud, clamorous, unusual, or otherwise offensive noise or sound at such time, or in such manner, that other persons are thereby disturbed. And any person sounding an automobile horn for any period longer than thirty- seconds (approximately) or sounding such horn at all during the hours after nine o'clock P.M., and before seven o'clock A.M., for any purpose other than that of signalling in the case of converging traffic shall be deemed to have violated the provisions of this section. And no person shall give or make, or cause to be given or made, any fire-alarm or other general call for help, when no conflagration or other dangerous condition threatens.

SECTION 8.--- EACH WEEK NUISANCE IS CONTINUED IN EXISTANCE TO CONSTITUTE
SEPERATE OFFENSE----PARENTS TO BE RESPONSIBLE FOR OFFENSES BY CHILDREN.

That, in the case of any person being guilty of maintaining any nuisance as set forth herein or in any other ordinance of the town of Mills, in any case wherein the offense consists of a condition rather than the commission of any specific act, the person responsible for such nuisance having been ordered by competent authority to abate the same, but refusing to do so, each week that said nuisance is continued in existance after the aforesaid order has been issued, shall constitute a separate offense under the provisions of this section and penalty, shall be imposed therefor as provided in a subsequent section of this ordinance.

And any person being the parent or legal guardian of any child or other irresponsible person who shall commit any offense or do any act prohibited by any of the provisions of this or of any other ordinance of the town of Mills, shall be held responsible for such offense or illegal act committed by such child or irresponsible person; and such parent or legal guardian of any child or other irresponsible person shall be penalized under the provisions of this ordinance for any offense or illegal act committed by such child or other irresponsible person, the same as though such parent or legal guardian had, himself, committed such offense or illegal act.

SECTION 9.---PENALTY FOR VIOLATION. That any person convicted of viol-

ating any of the provisions of any section of this ordinance shall be deemed guilty of a misdemeanor and fined in a sum not more than fifty dollars (\$50.00) nor less than five dollars (\$5.00) together with the costs of procedure, for each and every offense.

SECTION 10.-----ORDINANCE NOT TO BE INVALIDATED BY ANY PART HEREOF.

That, if any section, sentence, clause, or phrase of this ordinance is, for any reason, declared unconstitutional or in violation of the statutes of the state of Wyoming, such decision shall not affect the

DEFINING AND PROHIBITING NUISANCES--REPEALING CONFLICTING AND/OR
PARALLELLING ORDINANCES.

SECTION 10.---ORDINANCE NOT TO BE INVALIDATED BY ANY PART HEREOF. (Cont.)

remaining portion of this ordinance which shall continue in force the same
as though no deletion had been made.SECTION 11.---- REPEALING ORDINANCE NUMBER ELEVEN. That ordinance
number eleven, which is an ordinance entitled,;" Dogs-- License", shall be,
and is, hereby repealed.SECTION 12.-----REPEALING ORDINANCE NUMBER THIRTEEN. That ordinance
number Thirteen, which is an ordinance entitled; "Ash Cans", shall be, and is,
hereby repealed.SECTION 13.--- REPEALING ORDINANCE NUMBER FIFTEEN. That ordinance number
Fifteen, which is an ordinance entitled: "Throwing stones - Sling shot,"
shall be , and is, hereby repealed.SECTION 14.---REPEALING ORDINANCE NUMBER THIRTY-ONE. That ordinance
number Thirty-one, which is an ordinance entitled: "Curfew," shall be, and is,
hereby repealed.SECTION 15.---THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE AFTER
TEN DAYS FROM DATE.APPROVED AND PASSED, THIS 9th DAY OF January, 1945

(Sign)

Fred Steink
Mayor

(Seal)

(Attest)

Agnes M. Sutphin
ClerkI, Agnes M. Sutphin, clerk of the town of Mills, do hereby certify that the
above is a true and correct copy of ordinance number fifty-nine entitled
"Defining and Prohibiting Nuisances-- Repealing conflicting and/or parallell-
ing ordinances"; passed by the town council of the town of Mills, at its regu-
lar meeting, January 9th, 1945, that it was since that by me posted up in
three public places within the town of Mills, and that it took effect and
became effective as a legal ordinance of the town of Mills, the 9th day
of January, 1945.

#59

Agnes M. Sutphin