

ORDINANCE NUMBER SIXTY- FOUR

DEFINING AND PROHIBITING PEACE DISTURBANCES, RESISTING AN OFFICER AND PUBLIC OFFENSES GENERALLY-- REPEALING ORDINANCES NUMBER THREE, FOUR, TEN AND SIXTEEN AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

SECTION 1. --- DISORDERLY CONDUCT - DRUNKENNESS. That it shall be unlawful for any person within the town of Mills to disturb the peace of others by any violent, disorderly, or riotous conduct, or by loud, unseemly, or offensive language calculated to constitute or to provoke a breach of the peace; or to jeopardize persons or property or to impair the public morals by drunkenness; and any person who shall appear in any highway or other public place within the corporate limits of the town of Mills in a drunken condition shall be deemed a violator of this section.

SECTION 2. --- ASSAULT, WITH OR WITHOUT PHYSICAL VIOLENCE. That it shall be unlawful for any person within the town of Mills to assault another, either with or without physical violence, as by the use of threatening and/or abusive expressions and language, or by striking or attempting or threatening to strike him; or to commit any act whatsoever against the peace and to the terror of any other person or persons.

SECTION 3. -- OFFICER SHALL SEARCH OFFENDERS -- WEAPONS PROHIBITED.

That any officer of the law of the town of Mills making an arrest of any person for an offense against any section of this ordinance shall have the right, and it is hereby made his duty, unless such procedure is in his opinion unnecessary, to search such person and to ascertain whether he is carrying or wearing, beneath his clothing or otherwise, any knife, gun, metal knuckles, billy, or other weapon or bludgeon intended for, or suitable to use in the perpetration of any assault upon or against any other person, persons, or property. And that upon the discovery by such officer of any weapon as aforesaid upon the person or in the possession of such arrested person, it shall be the duty of such officer to take such weapon or bludgeon into custody and to retain

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SECTION 3. --(Cont). OFFICERS SHALL SEARCH OFFENDERS - WEAPONS PROHIBITED . possession of the same until such time as the municipal court shall have heard and disposed of the case involving the owner or possessor thereof. And that any offender against any section of this ordinance being found to be carrying, wearing, or in possession of any weapon or bludgeon as heretofore specified, while engaged in the perpetration of such offense or in any preparation therefor, or upon sufficient evidence being adduced to prove that such person was carrying, wearing, or possessing any such weapon at such time for probable use in the perpetration of such offense, such person shall be charged with violation of the terms of this section, in addition to other offenses of which he may be guilty under this or any other ordinance of the town of Mills.

SECTION 4. --- PROHIBITING INDECENT EXPOSURE AND OBSCENE AND PROFANE LANGUAGE.

That it shall be unlawful for any person to appear in public or within the sight of other persons within the town of Mills, in a nude condition or insufficiently clad, or to make any indecent or offensive exposure or exhibition of his or her person, or of the person of any child or other irresponsible person under his jurisdiction, or to permit such exposure to be made by such child or irresponsible person; or to publish, expose, or exhibit any lewd or indecent picture, book, or other representation or device in the sight of others; or to use within the hearing of other persons any filthy, obscene or profane language; or in any manner to commit any lewd or immoral act.

SECTION 5. --- PEACEFUL ASSEMBLIES NOT TO BE DISTURBED. That no person shall disquiet or disturb any peaceful assemblage of persons within the town of Mills, either by means of rude and unseemly behavior/ or by profane discourse within the house of worship or other congregation,

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SECTION 5. PEACEFUL ASSEMBLIES NOT TO BE DISTURBED. (Cont.)

or by noise produced within such congregation or place of worship, or so near to the same as to disturb the order or solemnity of the meeting. Provided that the rules of this section shall apply equally to all peaceful assemblages, whether such assemblages shall be gathered for the purpose of religious worship or for any other reason.

SECTION 6. --- CRUELTY TO CHILDREN. That it shall be unlawful for any person, having the care or custody of any child, to unjustly or cruelly to beat or punish such child to such extent that any lasting injury, or any sickness, or permanent physical impairment, or death may thereby be caused to be suffered by such child; or wilfully to cause or permit such child to be placed or to be in such a situation that the life, health or morals of such child may be thereby impaired.

SECTION 7. --- CRUELTY TO ANIMALS. That it shall be unlawful for any person, being the owner or having the care of any livestock, as defines in Sec. 67-202 W.R.S., or of any domestic animal, to deprive such animal or animals of necessary sustenance, or to overwork, torture, torment, needlessly mutilate, or unnecessarily or cruelly to beat any such animal, or to do any act whereby unnecessary or unjustifiable pain or suffering is inflicted upon any such animal, or to be guilty of any omission or neglect whereby any such pain or suffering is permitted or continued when remedy or relief may reasonably be had; or otherwise to treat such animal in a cruel and inhuman manner.

SECTION 8. --- DISORDERLY HOUSE --- GAMBLING. And that any person who shall, within the town of Mills, keep an ill-governed or disorderly house, or who shall suffer any drunkenness, lewd dancing, or indecent exposure, or unlawful games, when within his power to prevent, in any house or upon any premises owned or possessed by him or under his

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SECTION 8. --- (Cont.) DISORDERLY HOUSE - GAMBLING.

management or control, or who shall conduct or permit or suffer to be conducted within or upon such premises as aforesaid, any gambling game, or who shall keep any instrument or device whatsoever with which or by means of which patrons of any grocery market, restaurant, bar, tavern, or of any other public ~~place~~ establishment are enticed, influenced, or permitted to wager or bet any money or other valuable thing upon the result or outcome thereof, or to play any game or engage in any sort of contest for the winning of any money or other valuable thing whatsoever, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined as provided in a succeeding section of this ordinance.

SECTION 9. --- PROHIBITING ASSEMBLAGE FOR PURPOSE OF COMMITTING AN UNLAWFUL ACT.

That it shall be unlawful for any two or more persons to assemble at any place within the town of Mills for the purpose of committing any unlawful act, or, being assembled, to mutually agree or act in concert to do any unlawful act with force or violence against the property of the town or against the person or property of another, or against the peace and to the terror of other persons, or to make any move or preparation therefor, or to fail to disperse when ordered by the marshal or other authority to do so; and every person present at any such assemblage who shall not endeavor to prevent the commission or perpetration of any unlawful act, shall be deemed individually responsible for such unlawful act and subject to penalty therefor under the provisions of this ordinance.

SECTION 10. ---- RESISTING AN OFFICER - ESCAPE FROM CUSTODY.

That no person within the town of Mills shall resist, or in any manner hinder or interfere with any officer of the law in the

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SECTION 10/ ----(Cont.) RESISTING AN OFFICER -- ESCAPE FROM CUSTODY. discharge of the duty of such officer, in the process of taking a person into custody or any other, no shall any person fail to comply with any legal order given by such officer so engaged. And any person who shall refuse to be peaceably taken into custody, or who shall escape from custody, or who shall attempt or offer to escape, or who shall rescue or attempt or offer to rescue any person or persons in custody or who shall in any manner assist or attempt or offer to assist in the escape of such persons, shall be deemed a violator under the terms of this section.

SECTION 11. ---- FORCIBLE RESISTANCE ---- PENALTY. And that any person within the town of Mills committing any assault, either with or without physical violence, against any officer of the law acting in his official capacity or engaged in the discharge of his official duty, or who shall use force in the resistance of such officer, or who shall in any manner forcibly resist, hinder or interfere with such officer in the performance of his duty, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not exceeding One Hundred (\$100.00) Dollars, and not less than Ten (\$10.00) dollars; and any person who shall employ foul, abusive, profane, obscene or threatening language in addressing any such officer as aforesaid shall be deemed a violator of this section.

SECTION 12. -- PENALTY FOR VIOLATION. That any person convicted of violating any of the provisions of any section of this ordinance shall be deemed guilty of a misdemeanor except as hereinbefore otherwise specifically provided and fined in any sum of not less than One (\$1.00) Dollar, nor more than One Hundred (\$100.00) Dollars, together with the costs of procedure, for each and every offense.

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SECTION 13. ---ORDINANCE NOT TO BE INVALIDATED. 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 effect the remaining portion of this ordinance which shall continue in force the same as though no deletion had been made.

SECTION 14. -- REPEALING ORDINANCE NUMBER THREE. That ordinance number three, which is an ordinance entitled: " Offenses Against Public Peace", shall be, and is, hereby repealed.

SECTION 15. -- REPEALING ORDINANCE NUMBER FOUR. That ordinance number Four, which is an ordinance entitled: "Lewd Acts or Language", shall be, and is , hereby repealed.

SECTION 16. ----REPEALING ORDINANCE NUMBER TEN. That ordinance number Ten, which is an ordinance entitled: "Public Offenses", shall be, and is, hereby repealed.

SECTION 17. --- REPEALING ORDINANCE NUMBER SIXTEEN. That ordinance number Sixteen, which is an ordinance entitled: "Resisting an Officer", shall be, and is, hereby repealed.

SECTION 18. --- THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE AFTER TEN DAYS FROM DATE.

APPROVED AND PASSED, THIS 6th DAY OF March, 1946.

Seal

(Sign)

[Signature]
Mayor

(Attest)

[Signature]
Clerk

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I, Agnes M. Sutphin, town clerk of the town of Mills, do hereby certify that the ~~text~~ foregoing is a true and correct copy of Ordinance number Sixty-Four, approved and passed by the town council of the town of Mills, at its regular meeting, held on the 6 day of March 1946.

(Sign)

Agnes M. Sutphin

I, regularly appointed, duly qualified and acting clerk of the town of Mills, Wyoming, do hereby certify that signed, attested, sealed and certified copies of this ordinance (No. Sixty-Four) entitled: "Defining and Prohibiting Peace Disturbances, Resisting an Officer and Public Of Offenses Generally -- Repealing Ordinance Number Three, Four, Ten, and Sixteen and All other Ordinances and Parts of Ordinances in Conflict Herewith", approved and passed as certified heretofore, were, following its passage by the town council as aforsaid, posted up in three public places within the town of Mills for a period of ten days, as required by law, and that this ordinance took effect and became in force as a legal ordinance of the town of Mills, Wyoming, the 29th Day of March, 1946

(Sign)

Agnes M. Sutphin