

# **Title 9 Public Peace, Morals and Welfare**

## **Title 9**

### **PUBLIC PEACE, MORALS AND WELFARE**

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## I. Offenses by or Against Public Officers and Government

### Chapter 9.04 OBSTRUCTING POLICE AND FIRE DEPARTMENTS

#### Sections:

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**9.04.010 Bringing weapons, tools or intoxicating drinks in jail.**

Any person who takes into the Town jail or delivers to any prisoner therein confined, or in the custody of any officer of the Town, any weapon, tool, intoxicating drink, or attempts to do so without the consent of the officer in charge, shall upon conviction thereof be punished as provided in Section 1.12.010 of this code. (Ord. 289 § 9, 1982; Ord. 14 § 7, 1926.)

**9.04.020 Impersonating officers.**

If any person in the Town impersonates the Chief of Police or any policeman of the Town, by wearing a star or in any other way, any such person upon conviction shall be punished as provided in Section 1.12.010 of this code. (Ord. 289 § 10, 1982; Ord. 15 § 1, 1926.)

**9.04.030 False alarms.**

No person shall intentionally make, turn in, or give a false alarm of fire, or need for police or ambulance assistance, or aid or abet in the commission of such act, and upon conviction thereof, such person shall be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 26, 1973.)

**9.04.040 False record of crime.**

No person shall make to, or file with, the police department of the Town any false, misleading, or unfounded statement or report concerning the commission or alleged commission of any crime occurring within the Town, and upon conviction thereof, such persons shall be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 27, 1973.)

**9.04.050 Interference with Police Department.**

A. Resisting Officer. No person shall resist any police officer, any member of the Police Department, or any person duly empowered with police authority, while in the discharge or apparent discharge of his duty, or in any way interfere with or hinder him in the discharge of

his duty, and upon conviction thereof, such person shall be punished as provided in Section 1.12.010 of this code.

- B. Assisting in Escape. No person shall offer or endeavor to assist any person in the custody of a police officer, a member of the police department or a person duly empowered with police authority to escape or to attempt to escape from such custody, and upon conviction thereof, a person violating this subsection shall be punished as provided in Section 1.12.010 of this code.
- C. Cruelty to or Interference with Police Dogs. No person shall wilfully or maliciously torture, torment, beat, kick, strike, mutilate, injure, disable or kill any dog used by the Police Department in the performance of the functions or duties of such department, nor shall any person unwarrantably interfere with or meddle with any such dog while being used by the police department or any officer or member thereof in the performance of any of the functions or duties of the department or of such officer or member, and upon conviction thereof a person violating this subsection shall be punished as provided in Section 1.12.010 of this code. (Ord. 295 § 1, 1982; Ord. 162 § 28, 1973.)

**9.04.060 Aiding prisoners to escape.**

If any person assists or aids, or attempts to assist or aid, any person detained or in custody of law enforcement within the jurisdiction of the Town or place wherein persons may be detained or kept in custody for violating Town ordinances, to escape from such place of detainment or custody, the person so offending is guilty of a misdemeanor, and, upon conviction, shall be punished as provided in Section 1.12.010 of this code. (Ord. 1104 § 1, 2016; Ord. 162 § 31, 1973.)

**9.04.070 Following fire apparatus and/or driving over fire hose.**

- A. The driver of any vehicle other than one on any official business shall not follow any fire apparatus traveling in response to a fire alarm, closer than five hundred feet, or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. Any person in violation of this subsection, upon conviction, shall be punished as provided in Section 1.12.010 of this code.
- B. No vehicle shall be driven over any unprotected hose of the Fire Department when laid down on any street or private driveway to be used at any fire or alarm of fire, without consent of the Fire Department official in command.

Anyone in violation of this subsection, upon conviction, shall be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 29, 1973.)

**Chapter 9.08**  
**EMERGENCY REGULATIONS FOR MOB ACTION OR CIVIL DISOBEDIENCE**

**Sections:**

**9.08.010 Emergency proclamation--Powers of Mayor Pro Tem.**

**9.08.020 Emergency proclamation--When effective.**

**9.08.030 Emergency proclamation--Termination.**

**9.08.040 Penalty for violation.**

**9.08.010 Emergency proclamation--Powers of Mayor Pro Tem.**

Whenever, in the judgment of the Mayor or in the event of his absence or inability to act, the Town Councilman serving as Mayor Pro Tem, determines that an emergency exists as a result of mob action or other civil disobedience causing danger or injury to or damages to persons or property, he or she shall have power to impose by proclamation any or all of the following regulations necessary to preserve the peace and order of the Town:

- A. To impose a curfew upon all or any portion of the Town thereby requiring all persons in such designated curfew areas to forthwith remove themselves from the public streets, alleys, parks, or other public places; provided, however, that physicians, nurses and ambulance operators performing medical services, utility personnel maintaining essential public services, firemen and state, Town and county authorized or requested law enforcement officers and personnel may be exempted from such curfew;
- B. To order the closing of any business establishments anywhere within the Town for the period of the emergency, such businesses to include, but not be limited to, those selling intoxicating liquors, malt beverages, gasoline or firearms;
- C. To designate any public street, thoroughfare or vehicle parking areas closed to motor vehicles and pedestrian traffic;
- D. To call upon regular and auxiliary law enforcement agencies and organizations within or without the Town to assist in preserving and keeping the peace within the Town. (Ord. 115 § 1, 1968.)

**9.08.020 Emergency proclamation--When effective.**

The proclamation of emergency provided herein shall become effective upon its issuance and dissemination to the public and it shall be deemed disseminated upon being posted in three public places within the Town and by delivery to the radio station and newspaper within the Town. (Ord. 115 § 2, 1968.)

**9.08.030 Emergency proclamation--Termination.**

Any emergency proclaimed in accordance with the provisions of this chapter shall terminate after forty-eight hours from the issuance thereof, or upon the issuance of a proclamation determining an emergency no longer exists, whichever occurs first; provided, however, that such emergency may be extended for such additional period of time as determined necessary by resolution of the Town Council. (Ord. 115 § 3, 1968.)

**9.08.040      Penalty for violation.**

Any person who willfully fails or refuses to comply with the orders of duly authorized law enforcement officers or personnel charged with the responsibility of enforcing the proclamation of emergency authorized herein is guilty of a misdemeanor, and upon conviction therefor, shall be punished according to Section 1.12.010 of this code. (Ord. 115 § 4, 1968.)

**Chapter 9.12**  
**ACTIONS FOR VIOLATIONS OF ORDINANCES**  
**Repealed**

(Ord. 871 § 1, 2008; Ord. 162 §§ 32-38, 1973)

## II. Offenses Against the Person

### Chapter 9.16 ASSAULT AND BATTERY - AFFRAY – UNLAWFUL CONTACT OR TOUCHING - PROVOCATION

#### Sections:

##### **9.16.010 Assault.**

##### **9.16.020 Battery.**

##### **9.16.025 Unlawful Contact or Touching.**

##### **9.16.030 Affray.**

##### **9.16.040 Criminal provocation.**

#### **9.16.010 Assault.**

Whoever, having the present ability to do so, unlawfully attempts to cause bodily injury on the person of another by use of physical force, is guilty of an assault, and shall be punished as provided in Section 1.12.010 of this code upon conviction. (Ord. 1105 § 1, 2016; Ord. 162 § 1, 1973.)

#### **9.16.020 Battery.**

Whoever intentionally, knowingly or recklessly causes bodily injury to another person by use of physical force is guilty of a battery, and shall be punished as provided in Section 1.12.010 of this code upon conviction. (Ord. 1105 § 1, 2016; Ord. 162 § 2, 1973.)

#### **9.16.025 Unlawful Contact or Touching.**

Whoever, in a rude, insolent or angry manner, unlawfully contacts or touches another without intentionally using sufficient physical force to cause bodily injury to another, or recklessly causes bodily injury to another person, is guilty of unlawful touching and shall be punished as provided in Section 1.12.010 of this code upon conviction. (Ord. 1105 § 1, 2016; Ord. 162 § 2, 1973.)

#### **9.16.030 Affray.**

If two or more persons by agreement fight in any public place, the persons so offending are guilty of an affray, and upon conviction, shall be punished as provided in Section 1.12.010 of this code. This section shall not apply to professional sporting events. (Ord. 1105 § 1, 2016; Ord. 162 § 3, 1973.)

#### **9.16.040 Criminal provocation.**

Whoever, by words, signs or gestures, provokes or attempts to provoke another, who has the present ability to do so, to commit an assault, or an assault and battery upon him is guilty of criminal provocation, and upon conviction shall be punished as provided in Section 1.12.010 of this code. (Ord. 1105 § 1, 2016; Ord. 162 § 4, 1973.)

## Chapter 9.20 LARCENY AND SHOPLIFTING

### Sections:

**9.20.010 Petit larceny.**

**9.20.020 Receiving stolen goods.**

**9.20.030 Taking and using property without consent of owner.**

**9.20.040 Shoplifting--Defined.**

**9.20.050 Shoplifting--Reasonable detention and interrogation of person suspected.**

**9.20.060 Shoplifting--Reasonable detention defense against action brought by person detained.**

**9.20.070 Shoplifting--Penalty.**

**9.20.080 Buying, selling, possessing or concealing articles which have identifying marks removed.**

### **9.20.010 Petit larceny.**

Whoever unlawfully steals, takes and carries, leads or drives away the personal goods of another, of the value of any sum less than one thousand dollars, is guilty of petit larceny, and upon conviction, shall be punished as provided in Section 1.12.010 of this code. (Ord. 874 § 1, 2008; Ord. 725 § 1, 2003; Ord. 162 § 12, 1973.)

### **9.20.020 Receiving stolen goods.**

Whoever buys, receives, conceals or aids in the concealment of anything of value, which has been stolen, taken by robbers, embezzled, or obtained by false pretense, knowing the same to have been stolen, taken by robbers, embezzled or obtained by false pretense, upon conviction shall be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 13, 1973.)

### **9.20.030 Taking and using property without consent of owner.**

Every person who shall unlawfully take without the consent of the owner, any horse, mare, gelding, foal or filly, ass or mule, or any buggy, automobile, or other vehicle or other personal property from the stable, lot, house, garage, premises or pasture of another, or from a hitching post or rack, or parking place or any other place aforesaid, having been lawfully placed there, with intent to set at large, injure or wrongly use the animal or vehicle so taken, is guilty of criminal trespass, and upon conviction, shall be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 14, 1973.)

### **9.20.040 Shoplifting--Defined.**

Any person who willfully conceals or willfully takes possession of any goods offered for sale by a wholesale or retail store or other mercantile establishment, without the knowledge or consent of the owner thereof and with intent to convert the goods to his own use without paying the purchase price therefor, is guilty of shoplifting. (Ord. 111 § 1, 1968.)

### **9.20.050 Shoplifting--Reasonable detention and interrogation of person suspected.**

Any peace officer, merchant or merchant's employee who has reasonable cause for believing that a person has committed the crime of shoplifting as defined under Section 9.20.040



may detain and interrogate such person in regard thereto in a reasonable manner and for a reasonable time. (Ord. 111 § 2, 1968.)

**9.20.060 Shoplifting--Reasonable detention defense against action brought by person detained.**

A peace officer, merchant or merchant's employee, with reasonable cause for believing that a person has committed the crime of shoplifting defined under Section 9.20.040 detains and interrogates such person in regard thereto, and such person thereafter brings against the peace officer, merchant or merchant's employee a civil or criminal action for slander, false arrest, false imprisonment, assault, battery or wrongful detention based upon the detention and interrogation, such reasonable cause shall be a defense to the action if the detention and interrogation were done in a reasonable manner and for a reasonable time. (Ord. 111 § 3, 1968.)

**9.20.070 Shoplifting--Penalty.**

Any person violating the provisions of Section 9.20.040 is guilty of a misdemeanor and upon conviction shall be punished according to Section 1.12.010 of this code. (Ord. 111 § 4, 1968.)

**9.20.080 Buying, selling, possessing or concealing articles which have identifying marks removed.**

Any person who knowingly buys, sells, receives, disposes of, conceals or has in his possession any mechanical or electrical device, appliance, material, piece of apparatus of equipment, from which the manufacturer's name plate, serial number or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed shall upon conviction thereof be punished as provided in Section 1.12.010 of this code. Any property described above which comes into the custody of any law enforcement officer shall be considered stolen or embezzled property for the purposes of this section, and prior to being disposed of, shall have an identification mark imbedded or engraved in, or permanently affixed to the item. (Ord. 294 § 1, 1982.)

**Chapter 9.24**  
**SLANDER**

**Repealed**

(Ord. 1107 § 1, 2016; Ord. 162 § 17, 1973.)

### III. Offenses Against Public Decency

#### Chapter 9.28 INDECENCY AND IMMORALITY

##### Sections:

**9.28.010 Dance houses with lewd or disorderly persons.** (Repealed Ord 1175 § 1, 2017)

**9.28.020 Disorderly houses and houses of ill fame.** (Repealed Ord 1176 § 1, 2017)

**9.28.030 Public indecency.**

**9.28.040 Voyeurism**

**9.28.010 Dance houses with lewd or disorderly persons.**  
(Repealed Ord 1175 § 1, 2017; Ord. 289 § 12, 1982; Ord. 14 § 2, 1926.)

**9.28.020 Disorderly houses and houses of ill fame.**  
(Repealed Ord 1176 § 1, 2017; Ord. 17 § 2, 1926; Ord. 15 § 8, 1926.)

**9.28.030 Public indecency.**

- A. Prohibited Acts. No person over twelve (12) years of age shall recklessly do any of the following, under circumstances in which his or her conduct is likely to be viewed or observed by and affront others from a public area, street, sidewalk, thoroughfare or other public place, or from private premises where it may be observed by others not members or guests of his or her household:
1. Expose or show his or her private parts, or engage in masturbation. Private parts means the uncovered human genitals, pubic area, buttocks, or the human female breast. This definition shall not include the incidental exposure of the human female breast while nursing an infant;
  2. Engage in sexual conduct;
  3. Engage in conduct which to an ordinary observer would appear to be sexual conduct or masturbation.
- B. Violation, Penalty. A person convicted under this section shall be punished as provided in Section 1.12.010 of this code.

(Ord. 1106 § 1, 2016; Ord. 875 § 1, 2008; Ord. 612 § 1, 1998; Ord. 162 § 20, 1973.)

**9.28.040 Voyeurism**

- A. It shall be unlawful for a person to look into or through, whether man made or natural, any window, door or hole or to use any video, electronic, optical or photographic implement to view any person or persons from within or upon the premises of the permanent or temporary domicile of said person or persons where there is a reasonable expectation of privacy, without the express knowledge of the person or persons being viewed.

- B. It shall be unlawful for a person to look into or through, whether man made or natural, any window, door or hole or to use any video, electronic, optical or photographic implement to view any person or persons where there is a reasonable expectation of privacy, without the express knowledge of the person or persons being viewed.
  - C. No provision of this section shall apply to members of law enforcement while engaged in the scope of their employment duties.
  - D. Any person found guilty of this section shall be punishable pursuant to Section 1.12.010 of the Town of Jackson Municipal Code.
- (Ord. 797 §1, 2005)

## **Chapter 9.32 GAMBLING**

### **Sections:**

#### **9.32.010 Statutory authority.**

#### **9.32.010 Statutory authority.**

Except as otherwise provided in this code, or other ordinances of the Town, the gambling provisions of the statutes of the State of Wyoming, being Wyo. Stat. Sections 6-7-101 through 6-7-104 as amended, are adopted by reference thereto, with the penalties to be as provided in this code. (Ord. 433 § 2, 1991.)

**Chapter 9.34**  
**CRUELTY TO ANIMALS**

**Sections:**

**9.34.010 Cruelty to animals.**

**9.34.010 Cruelty to animals.**

If any person inhumanly, unnecessarily or cruelly beats, injures or otherwise abuses any dumb animal within the limits of this Town, every person shall, on conviction, be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 22, 1973.)

## IV. Offenses Against Public Peace

### Chapter 9.36 INTOXICATION

#### Sections:

#### **9.36.010 Public intoxication--Violation.**

#### **9.36.010 Public intoxication--Violation.**

Any person who is drunk or in a state of intoxication or incapacitated by illicit drugs, alcohol, concentrated vapors, or inhalants in any highway, street, thoroughfare or other public place, or place open to the general public within this Town, so that he is impaired physically, mentally or emotionally, to a degree that he is unconscious or too weak or too disoriented to be able to care for his own needs or to recognize obvious dangers, or is likely to be a hazard to traffic, either vehicular or pedestrian, or is interfering with the peaceable use of the streets and sidewalks or other public property by other persons, is guilty of a misdemeanor and upon conviction shall be punished as provided in Section 1.12.010. (Ord. 876 § 1, 2008; Ord. 639 § 1, 1999; Ord. 335 § 2, 1985.)

## **Chapter 9.40 DISORDERLY CONDUCT**

### **Sections:**

#### **9.40.010 Disturbing meetings.**

#### **9.40.020 Breach of peace.**

#### **9.40.010 Disturbing meetings.**

Whoever, by any loud or unnecessary talking, hallooing, or by any threatening, abusive, profane, or obscene language, or violent actions, or by any other rude behavior, interrupts, molests or disturbs any collection of any inhabitants of this Town convened for the purpose of worship, or any lawful assembly of people, fair or exhibition, or any person present there at, or going to or returning therefrom; or who, in like manner interrupts, molests or disturbs any meeting of inhabitants of this Town, met together for any lawful purpose, upon conviction shall be punished as provided in Section 1.12.010 of this code. (Ord. 877 § 1, 2008; Ord. 162 § 7, 1973.)

#### **9.40.020 Breach of peace.**

A person commits the offence of breach of the peace if he uses speech or expressions that are not merely provocative or challenging, but are either obscene or likely to produce a clear and present danger of a serious substantive evil that rises far above public inconvenience or annoyance, words or expressions which by their very utterance inflict injury or tend to incite an immediate breach of the peace. A person also commits a breach of peace if he disturbs the peace of a community or its inhabitation by unreasonably loud noise or music, or by using threatening, abusive or violent actions with knowledge or probable cause to believe he will disturb the peace. Upon conviction, a violation of this section is punishable as provided in Section 1.12.010 and 1.16.020 of the Municipal Code of the Town of Jackson. (Ord. 877 § 1, 2008; Ord. 820 § 1, 2006; Ord. 590 § 1, 1998; Ord. 162 § 8, 1973.)



## **Chapter 9.44 EXCESSIVE NOISE**

### **Sections:**

**9.44.010 Making noise unlawful.**

**9.44.020 Noise defined.**

**9.44.030 Nonconforming operation of vehicles or other activities unlawful.**

**9.44.040 Test for excessive noise.**

**9.44.050 Permit for relief from noise levels--Application--Approval.**

**9.44.060 Use of loudspeakers and sound producing devices to attract public to buildings prohibited.**

**9.44.070 Attaching sound amplifying equipment to vehicles for advertising prohibited.**

**9.44.075 Compression brake or Jake brake**

**9.44.080 Exceptions.**

**9.44.090 Excessive noise--Penalty for violations.**

**9.44.100 Vehicle mufflers, horns and warning devices.**

### **9.44.010 Making noise unlawful.**

The making and creating of noise within the Town is unlawful. (Ord. 150 § 1(a), 1972.)

### **9.44.020 Noise defined.**

"Noise" has the following meaning:

- A. When related to a sound from a vehicle with a manufacturer's gross weight rating of ten thousand pounds on a prescribed truck route during the hours of six a.m. to nine p.m. on Monday through Saturday, the term means any such sound which exceeds eighty-eight decibels.
- B. When related to all other sounds, from whatever source, the term means any such sounds which exceed eighty decibels. (Ord. 150 § 1(b), 1972.)

### **9.44.030 Nonconforming operation of vehicles or other activities unlawful.**

No person shall operate any type of vehicle, machine, device or carry on any other activity in violation of this chapter. (Ord. 150 § 1(c), 1972.)

### **9.44.040 Test for excessive noise.**

For the purpose of determining and classifying any noise as excessive and in violation of this chapter, the following test measurement and requirements shall be applied:

- A. The noise shall be measured on a sound meter which conforms to ANSI and international standards and quality, operated on an "A" weighting scale.
- B. The noise shall be measured at a distance of at least twenty-five feet from its source, when located within a dedicated public right-of-way.
- C. If the noise is located on private property or public property, other than a dedicated public right-of-way, it shall be measured at least twenty-five feet from the property line of the property on which its source is located. (Ord. 150 § 1(d), 1972.)

**9.44.050 Permit for relief from noise levels--Application--Approval.**

- A. Applications for a permit for relief from noise levels designated in this chapter may be made to the Chief of Police. Any permit granted by the Chief of Police hereunder shall contain all conditions upon which the permit has been granted and shall specify a reasonable time that the permit shall be effective. The Chief of Police may grant the relief as applied for if he finds:
1. That additional time is necessary for the applicant to alter or modify his activities or operations to comply with this chapter; or
  2. That, the activity, operation or noise will be of temporary duration, and cannot be done in a manner that would comply with this chapter; or
  3. That no other reasonable alternative is available to the applicant; and
  4. That failure to issue the permit would constitute an undue hardship.
- B. The Chief of Police may prescribe any requirements he deems necessary to minimize adverse effects upon the community or the surrounding neighborhood, as a condition to the issuance of a permit.
- C. The Chief of Police shall either issue or reject any application submitted to him in writing within five days after receipt thereof, and the applicant may appeal, in writing to the Town Council, any decision of the Chief of Police, within ten days after such decision is rendered. (Ord. 150 § 2, 1972.)

**9.44.060 Use of loudspeakers and sound producing devices to attract public to buildings prohibited.**

Notwithstanding provisions in this chapter to the contrary it is unlawful for any person, firm or corporation to use, operate, or permit to be played, used or operated, any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure. The operation of any such set, instrument, phonograph, machine or device in such a manner as to be plainly audible at a distance of fifty feet from the building or structure in which it is located shall be prima facie evidence of a violation of this section. (Ord. 150 § 3, 1972.)

**9.44.070 Attaching sound amplifying equipment to vehicles for advertising prohibited.**

No person shall operate, or cause to be operated within the Town of Jackson, any motor vehicle or horse drawn vehicle having mounted thereon or attached thereto any sound amplifying equipment with such sound amplifying equipment in operation for commercial sound advertising purposes. (Ord. 150 § 4, 1972.)

**9.44.075 Compression brake or jake brake.**

No person shall operate or use any vehicle engine compression brake or "jake brake" within the corporate limits of the Town. (Ord. 878 § 2, 2008; Ord. 610 § 1, 1998; Ord. 131 § 6, 1970.)

**9.44.080 Exceptions.**

The requirements, prohibitions and terms of this chapter shall not apply to any authorized emergency vehicle when responding to an emergency call or when being used in an official capacity. (Ord. 1014§ 1, 2012; Ord. 150 § 5, 1972.)

**9.44.090 Excessive noise--Penalty for violations.**

Persons convicted of violating this chapter are guilty of a misdemeanor, and may be punished as provided in Section 1.12.010 of this code. (Ord. 150 § 7, 1972.)

**9.44.100 Vehicle mufflers, horns and warning devices.**

- A. Every motor vehicle shall at all times be equipped with a muffler or mufflers in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut-out, by-pass, or similar device upon a motor vehicle on the streets or alleys of Jackson. Anyone in violation of this subsection, upon conviction, shall be punished as provided in Section 1.12.010 of this code.
- B. Every motor vehicle shall be equipped with a horn in good working order, but no horn or warning device shall emit an unreasonably loud or harsh sound or a whistle. No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, bell or whistle except as follows: Any authorized emergency vehicle may be equipped with a siren, whistle or bell of a type approved by the police department but such siren shall not be used except when such vehicle is operated in response to any emergency call and then only when reasonably necessary to warn pedestrians and other drivers. Anyone in violation of this section, upon conviction, shall be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 30, 1973.)

**Chapter 9.48**  
**VAGRANCY**

**Sections:**

**9.48.010 Designated--Warrant. (Repealed Ord. 1060, § 1, 2014)**

## **Chapter 9.50 MARIJUANA USE**

### **Sections:**

**9.50.010 Using, possessing or being under influence of marijuana.**

**9.50.020 Definition of marijuana.**

**9.50.030 Probation and discharge of first-time offenders.**

### **9.50.010 Using, possessing or being under influence of marijuana.**

Any person, possessing less than one ounce of marijuana or any person who knowingly or intentionally uses, smokes or is under the influence of marijuana in any highway, street, thoroughfare, or other public place within this Town, or any private house or place, is guilty of a misdemeanor, and, upon conviction, shall be punished as provided in Section 1.12.010 of this code. (Ord. 182 § 1 (part), 1975.)

### **9.50.020 Definition of marijuana.**

"Marijuana" means all parts of the plant of the genus Cannabis, whether growing or not; the seed thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed or the plant which is incapable of germination. (Ord. 182 § 1 (part), 1975.)

### **9.50.030 Probation and discharge of first-time offenders.**

Section 35-7-1037 of the Wyoming Statutes, the same being the Probation and discharge of first time offenders, as such section may be amended from time to time, is hereby adopted by reference and incorporated herein as a part of this chapter in full as if completely set forth herein. (Ord. 1065 § 1, 2014)

## V. Offenses Against Property

### Chapter 9.52 INJURY TO OR DESTRUCTION OF PROPERTY

#### Sections:

**9.52.010 Defacing or destroying property.**

**9.52.015. Destroying or interfering with property of another.**

**9.52.020 Tearing down notices and advertisements.**

**9.52.030 Endangering public and private property by careless burning.**

**9.52.040 Throwing stones or missiles.**

**9.52.050 Unlawful acts against public property and property open to the public.**

#### **9.52.010 Defacing or destroying property.**

Any person who willfully injures, defaces or destroys any building and fixtures thereof, or injures or destroys, or secretes any goods, chattels, or valuable papers of another or prepares any deadfall or digs any pit or arranges any trap with intent to injure another's person or property; or takes down, injures or removes any monument, street sign or any tree mark, at the boundary of any land or Town lots; or destroys, defaces or alters the marks of any monument or street sign; or injures or destroys any fence or foundation, or any shade or fruit trees or any other public or private property, or defaces any sidewalks with painted or printed handbills, or signs, posters or advertisements, shall be punished in accordance with Section 1.12.010 of this code. (Ord. 289 § 13, 1982; Ord. 14 § 4, 1926.)

#### **9.52.015 Destroying or interfering with property of another.**

It is unlawful for any person in any way to willfully injure, mar, deface, mutilate, molest or destroy any automobile, motorcycle, or other property not his own or to drive or take or carry the same away, or to handle or tamper with the same, or any part thereof, or the machinery thereof within the Town of Jackson. (Ord. 879 § 2, 2008; Ord. 610 § 1, 1998; Ord. 131 § 32, 1970.)

#### **9.52.020 Tearing down notices and advertisements.**

Any person who without authority tears down or defaces any ordinance, bill, notice, advertisement, or other paper of a business of legitimate character, lawfully posted up within the limits of the Town, shall be punished in accordance with Section 1.12.010 of this code. (Ord. 289 § 14, 1982; Ord. 14 § 8, 1926.)

#### **9.52.030 Endangering public and private property by careless burning.**

It is unlawful for anyone to burn trash, rubbish, grass or other combustible material either in or out of an incinerator, which through lack of supervision or through carelessness, causes a fire to spread to other property and which in turn causes the fire department to be called to extinguish the blaze. Anyone in violation of this section, upon conviction, shall be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 15, 1973.)

**9.52.040 Throwing stones or missiles.**

No person shall throw any stone or any other missiles upon or at any building, or other public or private property, or upon or at any person on any street, public place, or private property, and upon conviction therefor shall be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 25, 1973.)

**9.52.050 Unlawful acts against public property and property open to the public.**

WHEREAS, the City of Jackson has an important governmental interest in ensuring the streets and public areas within the city are readily accessible and available to residents and the public at large; and

WHEREAS, the use of these areas for camping purposes interferes with the rights of others to use the areas for which they were intended; and

WHEREAS, the use of these areas for camping purposes can constitute a public health and safety hazard which adversely impacts the environment, commercial areas, and residential neighborhoods; and

WHEREAS, camping activities typically take place in areas with high levels of combustible vegetation and the unauthorized or inappropriate use of outdoor cooking equipment, open flame, fires or stoves typically associated with camping creates a major fire threat to life, safety and property, including public and private property; and

WHEREAS, the purpose of this chapter is to maintain streets, parks and other public property within the City of Jackson in a clean, sanitary and accessible condition and to adequately protect the health, safety and public welfare of the community, while recognizing that, subject to reasonable conditions, camping and camping activities associated with special events can be beneficial to the cultural and educational climate in the city; and

WHEREAS, it is not the intent of the City of Jackson to punish any citizen based solely upon such citizen's status alone, but to enact an ordinance ensuring ready and equal access to public property by the community while preserving the health, safety and welfare of all citizens; and

WHEREAS, nothing in this chapter is intended or shall be construed to interfere with the otherwise lawful and ordinary uses of public property.

(Ord. 1066 § 1, 2014)

**A. Definitions.**

a. "Public property" means any publicly owned property within the Town of Jackson, and includes, but is not limited to, any park, playground, sidewalk, road, street, way, curb, vacant lot, undeveloped tract, or any part of any public right-of-way, including those devoted to any planting or park-like use.

b. "To camp" or "camping" means the use of public property for a living accommodation by establishing a temporary shelter and carrying out camping activities for the purpose of remaining overnight. This definition excludes car camping.

c. "Camping activities" include, but are not limited to, activities such as making preparations to sleep (such as setting up temporary shelters and the laying down bedding

materials), storing personal belongings, cooking, building fires or igniting stoves, and placing, pitching, building, or occupying temporary shelters.

d. "Car camping" means the use of public property to park a vehicle to undertake camping activities within and about said vehicle and have persons sleep in said vehicle while parked.

e. "Temporary shelters" include, but are not limited to, tents, huts, vehicles (such as passenger cars, trucks, recreational vehicles, and trailers), bivouacs, lean-tos, dug-out earthen enclosures, and canvass or tarpaulin enclosures.

f. "Storing" means to put aside or accumulate for use at a later time or when needed; to place, cache, or stockpile for safekeeping; to collect or put away for future use.

g. "Vehicles" includes all motor vehicles, such as passenger cars and trucks, SUVs, farm trucks, RVs, camper vans, and includes trailers attached to such vehicles.

(Ord. 1066 § 1, 2014)

B. Unlawful Acts. On any public property and/or property open to the general public, it is unlawful for any person without authority to:

1. Buildings and other property:

a. Disfiguration and Removal. Willfully mark, deface, disfigure, injure, tamper with, displace, or remove, any building, railing, bench, paving, paving material, water line, or any facilities or property and equipment of any public utilities or parts or appurtenances thereof, signs, notices, or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, wall or rock border, or other structures or equipment, facilities or public property or appurtenances whatever, either real or personal,

b. Restrooms and Washrooms. Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of six years shall use the restrooms and washrooms designated for the opposite sex,

c. Removal of Natural Resources. To dig or remove any sand, soil, rock, stones, trees, shrubs, or plants, down-timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency,

d. Erection of Structures. Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, any tent, fly or windbreak, or run or string any rope, cord, or wire into, upon, or across, any public property, except on special permit issued by the Town Council,

e. Commit Nuisance. Urinate or defecate, except in a public restroom;

2. Trees, Shrubbery and Plants:

a. Injury and Removal. Without a Town permit, to damage, cut, carve, burn, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree



or plant. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant, with the exception that slacklining is allowed in Town parks other than Miller Park and George Washington Park (a/k/a Town Square), subject to the following rules and guidelines:

1. In the event metal poles have been placed in a Town park, slacklines shall be attached to the metal poles and not attached to trees;
2. In the event metal poles are unavailable in a Town park, slacklines shall only be attached to trees greater than 12” in diameter;
3. Slacklines shall be secured utilizing proper tree protection. No wire cables directly in contact with the tree;
4. Slacklines shall be completely removed when not in use;
5. Slacklines shall not be left unattended; and,
6. Slacklines shall be placed to not interfere with pedestrian traffic or other park use.

No person shall dig in or otherwise disturb, or in any other way injure or impair the natural beauty or usefulness of any park area.

(Ord. 1068, § 1, 2014; Ord. 950 § 1, 2009; Ord. 879 § 3, 2008; Ord. 635 § 1, 1999.)

- b. Climbing Trees, etc. Climb any tree, or walk, stand or sit upon monuments, fountains, railings, fences, planted areas, or upon any other property not designed or customarily used for such purposes, or to intentionally stand, sit or lie in or upon any street, sidewalk, stairway or crosswalk so as to prevent free passage of persons or vehicles passing over, along or across any street, sidewalk, stairway or crosswalk;
3. Refuse and Trash. Drop, throw, place, discard, dump, leave or otherwise deposit any bottles, broken glass, garbage, ashes, paper, boxes, cans, dirt, rubbish, waste, refuse or other trash on any public property and/or property open to the general public, except in waste containers provided therefore. No such refuse or trash shall be placed in any waters in or contiguous to any park, or planted area, or left anywhere on the grounds thereof;
4. Loitering and Boisterousness. (Repealed Ord. 1059 § 1, 2014)
5. Vending and Peddling. Expose or offer for sale any article or thing, or station or place any stand, cart or vehicle for the transportation, sale, or display of any such article or thing, without first obtaining a Town license therefore;
6. Begging. To beg or to go from door to door of private homes or commercial and business establishments, or place himself in or upon any public way or public place to beg or solicit to receive money or other things of value;
7. Advertising in a Park. Announce, advertise, or call the public attention in any way to any article or service for sale or hire;
8. Signs. Paste, glue, tack, or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any

public lands or highways or roads, without first obtaining permission of the Town Council;

C. Camping in Unlawful Places.

1. It is unlawful for any person to camp on public property within the Town of Jackson. Camping is taking place when, considering the totality of circumstances and activities engaged in, it reasonably appears that an individual(s) is in fact using public property as a living accommodation regardless of the intent of the individual(s).
2. It is unlawful for any person(s) to car camp on any public property within the Town of Jackson. Car camping is taking place when, considering the totality of circumstances and activities engaged in, it reasonably appears that an individual(s) is in fact using a car parked on public property as a living accommodation regardless of the intent of the individual(s).
3. Individuals may camp or car camp on public property under the following circumstances:
  - a. With a Special Event Permit issued in connection with a Special Event in accordance with Jackson Municipal Code § 12.28;
  - b. With an approval from the Jackson Town Council; or
  - c. With a permit issued under the Town of Jackson Land Development Regulations.
4. Any individual violating any of the provisions of this ordinance shall, upon conviction thereof, be punished as provided in Section 1.12.010 of this Code.

(Ord 1177 §, 2017; Ord. 1066 § 1, 2014; Ord. 879 § 3, 2008; Ord. 635 § 1, 1999.)

(Ord. 1066 § 1, 2014; Ord. 950 § 1, 2009; Ord. 879 § 3, 2008; Ord. 635 § 1, 1999.)

## **Chapter 9.54**

### **UNLAWFUL REMOVAL OR DESTRUCTION OF NEWSPAPERS**

#### **Sections:**

**9.54.010 Unlawful Removal or Destruction of Newspapers.**

**9.54.020 Definitions.**

**9.54.030 Unlawful removal of newspapers.**

**9.54.040 Unlawful removal of papers for sale or trade.**

**9.54.050 Unlawful purchase of newspapers by recyclers.**

#### **9.54.010. Unlawful Removal or Destruction of Newspapers.**

The purpose of this chapter is to prohibit the unauthorized removal of newspapers before they reach their intended reading public, including the unauthorized removal of newspapers circulated to the public free of charge, because such conduct injures the people of the Town of Jackson by depriving them of informative printed news, entertainment, and public notices.

#### **9.54.020. Definitions.**

A. Newspaper. For purposes of this chapter, "newspaper" shall mean any publication made available to the public on a periodic basis (whether daily, weekly, monthly or quarterly), regardless of whether a fee is charged for the publication. "Newspaper" includes magazine.

B. Newsracks. For purposes of this chapter, "newsracks" shall mean any self-service or coin-operated box, container, storage unit, or other dispenser, installed, used, or maintained for the display, distribution, or sale of newspapers.

C. Residential property. For purposes of this chapter, "residential property" shall mean any property attached or adjacent to a single-family residence, apartment, or other building used as a residential dwelling where a person would reasonably expect newspapers to be placed for the use of individuals residing in the building. Such property includes, but is not limited to, any front yard, driveway, or mailbox associated with such dwelling.

D. Storefront. For purposes of this chapter, "storefront" shall mean any property attached or adjacent to a business, including but not limited to grocery or convenience stores, where a person would reasonably expect newspapers to be placed for the use of the business.

E. Bundles. For purposes of this chapter, "bundles" shall mean a quantity of newspapers gathered or bound together by a publisher or distributor for the purpose of distribution to merchants, retailers, or its intended audience.

F. Bundle drop locations. For purposes of this chapter, "bundle drop locations" shall mean places where bundles are placed for subsequent distribution or sale by authorized delivery persons, merchants, or retailers.

**9.54.030. Unlawful removal of newspapers.**

It shall be unlawful for any person to:

A. Remove more than one copy of a newspaper from any newsrack, or to damage said newspapers, for the purpose of depriving others of the opportunity to read said newspapers. This prohibition shall not apply to the authorized representative of the owner or operator of any newsrack, or any publisher, authorized printer, or authorized distributor of said newspaper.

B. Remove a newspaper from any residential property, or to damage said newspaper, for the purpose of depriving others of the opportunity to read said newspapers. This prohibition shall not apply to the intended recipient at the residential property where the newspaper is delivered.

C. Remove a bundle from any storefront or bundle drop location, or to damage said newspapers, for the purpose of depriving others of the opportunity to read said newspapers. This prohibition shall not apply to the authorized representative of the owner or operator of any storefront, the intended recipient of said bundle, or any publisher, authorized printer, or authorized distributor of said newspaper.

**9.54.040. Unlawful removal of papers for sale or trade.**

It shall be unlawful for any unauthorized person to remove newspapers or a bundle from any newsrack, storefront, or bundle drop location, for the purpose of (1) selling such newspapers to any recycler, or (2) selling, trading, or bartering such newspapers to anyone for any payment. This prohibition shall not apply to the authorized representative of the owner or operator of any newsrack or storefront, the intended recipient of said bundle, or any publisher, authorized printer, or authorized distributor of said newspaper.

**9.54.050. Unlawful purchase of newspapers by recyclers.**

It shall be unlawful for a recycler, or any other person or entity, to purchase more than one copy of any newspaper, or to obtain more than one copy of any newspaper through trade or barter, from any person selling or trading said newspapers under circumstances that are sufficient to give a reasonable person knowledge that the seller or trader has removed, taken, or appropriated such newspapers without authorization before they reached their intended reading public. Circumstances sufficient to give a reasonable person such knowledge include, but are not limited to, being offered for purchase, trade or barter a bundle or bundles of multiple copies of the same edition of a newspaper by any person other than a publisher, printer, distributor, or retail seller of such newspaper, or an authorized representative of such a publisher, printer, distributor, or retail seller.

(Ord. 822 §1, 2006)

**Chapter 9.56**  
**TRESPASS--UNAUTHORIZED ACCESS TO UTILITIES**

**Sections:**

**9.56.010 Criminal trespass.**

**9.56.020 Wilful injury to or destruction of property.**

**9.56.030 Unauthorized access to public utilities.**

**9.56.010 Criminal trespass.**

Whoever, enters into or upon the land or premises of another, after being lawfully notified or forbidden to do so by the owner or occupant, or his agent or servant; or who, being upon the land or premises of another, shall be lawfully notified to depart therefrom by the owner or occupant, or his agent or servant, and thereafter neglects or refuses to depart therefrom, is guilty of criminal trespass and upon conviction shall be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 9, 1973.)

**9.56.020 Willful injury to or destruction of property.**

Any person who willfully injures or destroys any property of another or public property is guilty of a crime and shall be punished upon conviction as provided in Section 1.12.010 of this code. (Ord. 162 § 10, 1973.)

**9.56.030 Unauthorized access to public utilities.**

No unauthorized person shall have access to water, curb boxes, valve boxes, fire hydrants or stops, and to sewer manhole covers. Anyone in violation of this section, upon conviction, shall be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 11, 1973.)

**VI. Consumer Protection (Reserved)**

## VII. Offenses by or Against Minors

### Chapter 9.64

#### CONTRIBUTING TO DELINQUENCY--USE OF LIQUOR

##### Sections:

**9.64.010 Contributing to delinquency of minors.**

**9.64.020 Possession of liquor by minors.**

**9.64.030 Minors entering liquor establishments.**

**9.64.010 Contributing to delinquency of minors.**

It is unlawful for any person to cause or encourage any minor person to violate any law of the state of Wyoming or the Town, or for any person to send or cause to be sent, any such minor to, or permit any such minor to be or remain in, any house of prostitution or assignation, or any room, building or place where intoxicating liquor is kept, possessed, sold or bartered, or to buy for, give to, or furnish, either directly or indirectly, any intoxicating liquors or malt beverages to any person or persons under the age of twenty one years. Any such person in violation of this section, upon conviction, shall be punished as provided in Section 1.12.010 of this code. (Ord. 594 § 1, 1998; Ord. 162 § 18, 1973.)

**9.64.020 Possession of liquor by minors.**

Any person under the age of twenty-one years who has any alcoholic or malt beverage in his possession, or who is drunk or under the influence of intoxicating liquor within the Town of Jackson, and not falling within those exceptions set forth in W.S. § 12-6-101 is guilty of a misdemeanor. Anyone in violation of this section upon conviction shall be punished as provided in Section 1.12.010 of this code.

(Ord. 1064 § 1, 2014; Ord. 750 § 1, 2004; Ord. 162 § 19, 1973.)

**9.64.030 Minors entering liquor establishments.**

Any person under the age of twenty-one years who enters into and remains in any place which sells intoxicating or malt liquors after being requested to leave by the license holder, his agents, servants or employees, or by any law enforcement officers, is guilty of a misdemeanor. (Ord. 89 § 1, 1964.)

## VIII. Weapons

### Chapter 9.68

#### POSSESSION OR USE OF WEAPONS

##### Sections:

**9.68.020 Drawing dangerous weapons.**

**9.68.030 Carrying concealed weapons. (Repealed).**

**9.68.040 Firing gun or explosives unlawful.**

##### **9.68.020 Drawing dangerous weapons.**

Whoever draws or threatens to use any pistol, dirk, knife, slingshot, or any other deadly or dangerous weapon, already drawn, upon any other person, upon conviction shall be punished as provided in Section 1.12.010 of this code; provided, that the provisions of this section shall not apply to a person drawing or threatening to use such dangerous or deadly weapons in defense of his person or property, or in defense of those entitled to his protection by law. (Ord. 162 § 5, 1973.)

##### **9.68.030 Carrying concealed weapons.**

Repealed. (Ord. 1108 § 1, 2016; Ord. 162 § 6, 1973.)

##### **9.68.040 Firing gun or explosives unlawful.**

If any person, other than a law enforcement officer, within this Town, fires or discharges any cannons, guns, fowling piece, pistol or firearms of any description, or fires, explodes or sets off any squib, firecracker or other thing containing powder, or other combustible or explosive material, without permission from the Town Council, or written from the Mayor, which permission shall limit the time of such firing and shall be subject to be revoked by the Mayor or Town Council any time after the same has been granted, every such person shall, upon conviction, be punished as provided in Section 1.12.010 of this code. (Ord. 162 § 24, 1973.)