

Article 3-1

**OFFENSES CONCERNING PUBLIC
AND PRIVATE PROPERTY**

Sections:

- 3-101 Destruction of Property.**
- 3-101.1 Penalty for Destroying or Injuring Property.**
- 3-102 Throwing Stones or Missiles**
- 3-103 Posting Advertisements on Walls, Fences, Poles, Etc., Without Permission.**
- 3-104 Damaging City Maintained Property.**
- 3-105 Penalty for Violation.**
- 3-106 Trespass on Union Pacific Right-of-Way—Responsibility--Penalty.**
- 3-106.1 Trespass.**
- 3-107 Purchase of Merchandise by Junk Dealers.**
- 3-108 Penalty.**
- 3-109 Shoplifting.**
- 3-110 Evidence of Shoplifting.**
- 3-111 Penalty for Shoplifting.**
- 3-112 Defrauding Taxi Service.**

3-101 Destruction of Property.

(a) It shall be unlawful for any person to knowingly deface, injure, mar, destroy or vandalize the property of another, of whatever kind, nature or ownership, without the consent of the owner; or to knowingly aid or abet another to commit such an act.

(b) Anyone convicted of violating this ordinance shall be fined in any sum not to exceed Seven Hundred Fifty Dollars (\$750.00) or be imprisoned for any period not to exceed ninety (90) days or both. (Ord. No. 82-24, 6-1-82; Ord. No. 84-2, 3-6-84).

3-101.1 Penalty for Destroying or Injuring Property.

Repealed. (Ord. No. 81-6, 3-3-81).

3-102 Throwing Stones or Missiles.

It shall be unlawful for any person to throw any stone or any other missile upon or at any building, tree, electric light, or other public or private property, or upon or at any person in any street, public place, or enclosed or unenclosed public or private ground.(Ord. No. 20, Art.I, Sec. 7, 8-4-04; 13-2, Rev. Ord. 1938; Rev. Ord. 1963).

3-103 Posting Advertisements on Wall, Fences, Poles, Etc., Without Permission.

It shall be unlawful for any person within the corporate limits of the City of Rock Springs to print, paint, write, mark, or in any way post up any notice, card, advertisement, or other device, upon any wall, fence, tree, post, building, structure, bridge, hydrant, electric light poles, trash cans, sidewalks, or other property or cause the same to be done, without permission of the owner or agent thereof, or of the Mayor, if upon public property. (Ord. No. 21, Sec. 9, 8-12-04; 13-3, Rev. Ord. 1938; Rev. Ord. 1963).

3-104 Damaging City Maintained Property.

It shall be unlawful to park, ride or in any other manner cross over or upon any lawn, park, 'green belt,' or other improved property maintained by the City of Rock Springs with a motor vehicle, as defined by W.S. §31-1-101(xv), or any equipment or trailer attached to a motor vehicle, without first having the permission of the Governing Body of the City of Rock Springs, the Mayor or Director of Parks and Recreation. (13-4, Rev. Ord. 1938; Rev. Ord. 1963; Ord. No. 92-15, 6-16-92).

3-105 Penalty for Violation.

Any person violating any of the provisions of this article, for which a penalty is not otherwise specifically provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not to exceed One Hundred Dollars (\$100.00), to which may be added costs at the discretion of the Court.

3-106 Trespass on Union Pacific Right-of-Way—Responsibility--Penalty.

(a) Trespass on Union Pacific Right-of-Way Unlawful. It is hereby declared to be a misdemeanor on the part of any person, whether an adult or a minor, and dangerous to life and limb, to trespass upon the right of way and the tracks of the Union Pacific Railroad Company, at any place except regular designated crossings, for the purpose of crossing said right-of-way and tracks, such person having no other purpose than to use said right-of-way of the Union Pacific Railroad Company for his convenience in crossing from one side of said right-of-way to the other side, and such person not being an employee of the Union Pacific Railroad Company or an employee of the City of Rock Springs actively using said right-of-way as a patron or passenger of said Union Pacific Railroad Company, or accompanying and assisting passengers and patrons of said Union Pacific Railroad Company in the passenger, freight and other business thereof. (Ord. No. 812, 6-12-43; Rev. Ord. 1963).

(b) Parent of Trespassing Child Guilty of Misdemeanor. Parents of minor children allowing or directing said minor children to violate this Ordinance shall be deemed guilty of a misdemeanor and shall be subject to the penalties as fixed herein. (Ord. No. 812, 6-12-43; Rev. Ord. 1963).

(c) Duty of Union Pacific Railroad Company to Post No Trespassing Notices. The Union Pacific Railroad Company is hereby required to put suitable warning notices, on both sides of the tracks, forbidding trespassing on said right-of-way of said company. (Ord. No. 812, 6-12-43; Rev. Ord. 1963).

(d) Penalty For Violation. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum of not more than One Hundred (\$100.00) Dollars, to which may be added the costs at the discretion of the Court. (Ord. No. 812, 6-12-43; Rev. Ord. 1963).

3-106.1 Trespass.

(a) A person is guilty of criminal trespass if he enters or remains on or in the land or premises of another person, knowing he is not authorized to do so, or after being notified to depart or to not trespass. For purposes of this section, notice is given by:

(i) Personal communication to the person by the owner or occupant, or his agent, or by a peace officer; or

(ii) Posting of signs reasonably likely to come to the attention of intruders.

(b) Criminal trespass is a misdemeanor punishable by a fine of not more than Seven Hundred Fifty Dollars (\$750.00). (Ord. No. 81-37, 9-15-81; Ord. No. 84-3, 3-6-84).

3-107 Purchase of Merchandise by Junk Dealers.

It shall be unlawful for any junk dealer, junk peddler, junk picker, junk purchaser, pawn shop, pawnbroker, or second hand dealer, to purchase or receive junk or any other articles from any person except under the following conditions:

(a) At the time of said purchase or receiving of such junk or other articles, a purchase ticket shall be made out setting forth:

1. The date;
2. The name and address of said person;
3. Brief description of said person;
4. Driver's license number or some other type of identification;
5. The description of the junk or articles purchased, including a serial number, if any; and
6. The amount paid.

(b) The purchase ticket referred to in (a) hereof shall be signed by said person. If said person is a minor, the purchase ticket shall be countersigned by one of said minor's parents or his legal guardian.

(c) Said purchase ticket shall be kept on file for a period of at least three (3) years and made available for inspection by the Chief of Police, or any other member of the police force of the City. (Ord. No. 82-25, 6-1-82).

3-108 Penalty.

Any person violating any of the provisions of this, Section 3-107, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not more than One Hundred (\$100.00) Dollars, to which may be added the costs at the discretion of the Court. (Ord. No. 1418, Rev. Ord. 1938; Rev. Ord. 1963).

3-109 Shoplifting.

(a) 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.

(b) Any person who alters, defaces, changes or removes a price tag or marker on or about property offered for sale by a wholesale or retail store with intent to obtain the property at less than the marked or listed price is guilty of shoplifting. (Ord. No. 1933, 6-7-71; Ord. No. 87-15, 9-2-87).

3-110 Evidence of Shoplifting.

It shall be prima facie evidence that a person is guilty of shoplifting who, while in a wholesale or retail store or other mercantile establishment, takes and conceals upon his person merchandise belonging to said wholesale or retail store or mercantile establishment. (Ord. No. 1933, 6-7-71).

3-111 Penalty for Shoplifting.

Any person found guilty of shoplifting shall be fined as follows:

(a) For the first offense the person shall be fined in a sum not to exceed Five Hundred Dollars (\$500.00).

(b) For the second or subsequent offense the person shall be fined in a sum not to exceed Five Hundred Dollars (\$500.00); or be imprisoned for a period not to exceed ninety (90) days, or both. (Ord. No. 81-8, 3-3-81; Ord. No. 82-50, 11-2-82)

3-112 Defrauding Taxi Service.

(a) It shall be unlawful for any person to ride as a passenger in a taxi in the City of

Rock Springs without subsequently paying the fare or charge therefor.

(b) Any person violating the provisions of Subsection (a) above shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not to exceed Two Hundred and 00/100 Dollars (\$200.00), to which may be added costs at the discretion of the Court. (Ord. No. 81-31, 9-1-81)