

	Article 3-2		
	OFFENSES CONCERNING PUBLIC MORALS AND DECENCIES		
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3-201 Maintaining House of Ill-Fame.

It shall be unlawful for any person to keep a bawdy house or house of ill-fame, or house of assignation in the corporate limits of the City of Rock Springs. (Ord. No. 42, Sec. 3, 8-17-04; 14-1, Rev. Ord. 1938; Rev. Ord. 1963).

3-202 Allowing Buildings and Tenements To Be Used As House of Ill-Fame.

It shall be unlawful for any person to knowingly permit or allow any room or house owned by him or under his control, or to rent or lease any room or house under his control to be used in the City of Rock Springs for the purpose of a room or house of ill-fame, bawdy house or room, or house of assignation. (Ord. No. 42, Sec. 4, 8-17-04; 14-2, Rev. Ord. 1938; Rev. Ord. 1963).

3-203 Operating or Frequenting House of Ill-Fame.

It shall be unlawful for any person to be connected in any manner with the keeping, operation, maintenance, or running of a bawdy house, or house of assignation, or house of prostitution, or whore house, or house of ill-fame, in the City of Rock Springs. It shall be unlawful for any person to frequent or to be engaged in or about any bawdy house, or house of assignation, or house of prostitution, or whore house, or house of ill-fame, in the City of Rock Springs. (Ord. No. 42, Sec. 6, 8-17-04, Amend. Ord. 113, Sec. 1, 12-5-10; 14-3, Rev. Ord. 1938; Rev. Ord. 1963, Ord. No. 77-18, 5-17-77, Rev. Ord. 1979).

3-204 Frequenting or Loitering About House of Ill-Fame.

It shall be unlawful for any person, male or female, to frequent or loiter about any bawdy house, house of ill-fame, assignation house, or other place kept or maintained for the practice of fornication. (Ord. No. 42, Sec. 8, 8-17-04; 14-4, Rev. Ord. 1938; Rev. Ord. 1963).

3-205 Enticing to a House of Ill-

Fame.

It shall be unlawful for any person to inveigle or entice any female of good moral character to a house of ill-fame or assignation. It shall be unlaw-fill for any person to knowingly conceal or aid or abet in concealing any such female so deluded or enticed for the purpose of prostitution or lewdness. (14-5, Rev. Ord. 1938; Rev. Ord. 1963).

3-206 Soliciting.

(a) It shall be unlawful for any person in this City, by word, action, sign, or by any means whatever, to solicit, entice, offer, or attempt to entice any person for the purpose of prostitution or fornication or other immoral purposes.

(b) It shall be unlawful for the owner, lessee, manager, or operator of any property within the City, to knowingly allow or permit any person within said property or premises, to solicit, entice, offer, or attempt to entice, by word, action, sign or fornication or other immoral purposes. (14-6, Rev. Ord. 1938; Rev. Ord. 1963; Ord. No. 77-40, 10-4-77, Rev. Ord. 1979).

3-206.1 Penalties.

Any person convicted of violation of Sections 3-201, 3-202, 3-203, 3-204, 3-205, and 3-206 of the Revised Ordinances of the City of Rock Springs shall be fined in a sum not to exceed Two Hundred Dollars (\$200.00), or be imprisoned for a period not to exceed ninety (90) days, or both. (Ord. No. 81-9, 3-3-81).

3-207 Reputation Evidence.

It shall be competent on the trial of any person under charge of any offense under or in violation of the foregoing sections of this chapter, to introduce, and the Court shall admit testimony as to the general reputation of the person charged, and the reputation of the house such person is shown to have kept, rented out or inhabited, and the defendant may introduce testimony of like nature on his or her behalf to disprove the charge (14-7, Rev. Ord. 1938; Rev. Ord. 1963).

3-208 Indecent or Immoral Dress, Exposure, Play, Movies, Etc.-- Penalties.

(a) It shall be unlawful for any person to appear in any public place within this City in a state of nudity, or in an indecent or lewd dress, or to act or behave indecently, or to exhibit, sell or offer to sell or to exhibit or perform, any indecent, immoral, or lewd play or other indecent representation.

(b) The owner, operator or manager of any theater, playhouse, drama house, or motion picture house, shall display prominently the rating assigned to each motion picture, play, drama or other presentation, by the Motion Picture Code of Self-Regulation, as follows:

(1) Rating "G": Suggested for general audiences. All ages admitted.

(2) Rating "PG": Suggested for mature audiences. (Parental guidance suggested). All ages admitted.

(3) Rating "R": Restricted. Persons under 17 not admitted, unless accompanied by parent or adult guardian.

(4) Rating "X": Persons under 18 not admitted.

(c) It shall be unlawful for any owner, operator, or manager, of any theater, playhouse, drama house, or motion picture house, to allow any person under the age of 17 to enter or remain in such theater, playhouse, drama house or motion picture house when there is being shown or presented a motion picture, play, drama or other presentation which has a rating of "R", unless such person under the age of 17 is accompanied by his parent or adult guardian. Allowance of each person to enter or remain in violation of this sub-section shall constitute a separate offense.

(b) It shall be unlawful for any owner, operator, or manager of any theater, playhouse, drama house, or motion picture house, to allow any person under the age of 18 to enter or remain in such theater, playhouse, drama house or motion picture house, when there is being shown or presented a motion picture, play, drama or other presentation which has a rating of "X". Allowance of each person to enter or remain

in violation of this sub-section shall constitute a separate offense.

(e) It shall be unlawful for any person under the age of 17 to enter or remain in any theater, playhouse, drama house, or motion picture house, when there is being shown or presented a motion picture, play, drama or other presentation which has a rating of "R", unless such person under the age of 17 is accompanied by his parent or adult guardian.

(f) It shall be unlawful for any person under the age of 18 to enter or remain in any theater, playhouse, drama house, or motion picture house, when there is being shown or presented a motion picture, play, drama or other presentation which has a rating of "X".

(g) Any person convicted of violation of (a), (b), (c), (d) of this section shall be punished by a fine not exceeding One Hundred and no/100 (\$100.00) Dollars, or by imprisonment in the city jail for not to exceed thirty (30) days.

(h) Any person convicted of violation of subsection (e), or (f) of this section shall be punished by a fine not exceeding Twenty-Five and no/100 (\$25.00) Dollars. (Ord. No. 20, Art. I, Sec. 2, 8-4-04; 14-8, Rev. Ord. 1938; Rev. Ord. 1963; Ord. No. 2232, 8-5-74).

3-209 Ill-Governed or Disorderly House.

(a) It shall be unlawful for any person, firm or corporation to keep any common, ill-governed or disorderly house, or to allow any drunkenness, quarrelling, fighting, unlawful or riotous games, or disorderly conduct whatsoever on his premises.

(b) An "ill-governed or disorderly house" shall be deemed to include any place of residence or business wherein any person or persons engage in such drunkenness, quarreling, fighting, unlawful or riotous games, or conduct, so as to disturb, annoy, or interfere with the rights of others within or without such residence or business, or any place of business wherein there is exhibited or performed any motion picture, play or drama or other presentation in violation of the provisions of sub-sections (a), (c), or (d)

of Section 1 of Ordinance No. 2232 (3-208) of the City of Rock Springs, Wyoming. (Ord. No. 20, Art. I, Sec. 5, 8-4-04; 14-9, Rev. Ord. 1938; Rev. Ord. 1963; Ord. No. 2233, 8-5-74).

3-210 Gambling.

Repealed. Ord. No. 84-7, 7-3-84.

3-211 Permit Gambling.

Repealed. Ord. No. 84-7, 7-3-84.

3-212 Intoxication.

(a) It shall be unlawful for any person to be drunk, under the influence of liquor or to be in a state of intoxication in any highway, street, thoroughfare, or other public place within this City. Public place shall include any publicly owned or publicly maintained property and any privately owned property in which the public is invited including, but not limited to, taverns, restaurants, and retail stores.

(b) The City Marshal, or any Deputy Marshal, of this City, is hereby authorized and empowered and it is hereby made their duty to arrest or cause to be arrested, with or without process, any person found violating the provisions of subsection (a) hereof, and commit such person to the City Jail or other safe place in said City, until sober, at which time, or as soon thereafter as may be expedient, such person shall be taken before a Police Justice to be dealt with according to law.

(c) It shall be unlawful for any person under twenty-one (21) years of age to appear on any street, thoroughfare or public place within this city, six (6) hours after having drank or consumed any intoxicating liquor or malt beverage, and the odor of intoxicating liquor or malt beverage on the breath of said person shall be prima facie evidence that said person has, within six (6) hours, drank or consumed either alcoholic liquors or malt beverages. (Ord. No. 20, Art. 1, Sec. 4, 8-4-04; 14-11, Rev. Ord. 1938; Rev. Ord. 1963; Ord. No. 1686, 5-16-66; 2084, 5-21-73; Ord. No. 88-11, 6-21-88; Ord. No. 90-06, 6-19-90). (98-11, Amended, 08/04/1998)

3-213 Habitual Drunkards.

(Ord. No. 1293, Sec. 1, 7-21-58; Repealed Ord. No. 91-01, 2-19-91).

3-214 Restriction on Sale, Gift and Use of Tobacco.

It shall be unlawful for any person or persons to sell to, buy for, give to, or furnish, either directly or indirectly, any cigar, cigarettes, cigarette papers, or tobacco in any of its forms, to any minor under the age of eighteen (18) years. (Ord. No. 1274, 3-17-58; Rev. Ord. 1963).

3-215 Closing Hours--Dance Halls.

It shall be unlawful for any public dance hall to be permitted to run, between the hours of 2:00 A.M. and 6:00 A.M., excepting on Sundays, on which day it shall be unlawful for any public dance hall to be kept open, or to be kept open to run, at any time after 2:00 A.M. (Ord. No. 201, 1-3-21; 14-12, Rev. Ord. 1938; Amend. Ord. 847; Amend. Ord. 1234, 12-3-56; Rev. Ord. 1963; Ord. No. 1640, 5-17-65).

3-215.1 Penalty for Violation of Closing Hours--Dance Halls.

Any person violating any of the provisions of Sections 3-215, upon conviction thereof, shall be fined in any sum not less than Ten Dollars (\$10.00), nor more than One Hundred Dollars (\$100.00) for each offense. (Ord. No. 1640, 5-17-65).

3-216 Vagrancy.

(Ord. No. 14-13, Rev. Ord. 1938; Rev. Ord. 1963, Ord. No. 2234, 8-5-74; Repealed Ord. No. 94-06, 3-1-94).

3-217 Minors on Streets, Alleys or Public Places at Night.

It shall be unlawful for any person under eighteen years of age to be or remain in or upon any of the streets, alleys or public places in the City of Rock Springs, Wyoming, between the hours of 10:00 P.M. and 6:00 A.M. on Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays, and between the hours of 12:00 A.M. and 6:00

A.M. on Fridays and Saturdays, unless such person is accompanied by a parent, guardian, or other person having the care and custody of such minor person or is in the performance of an errand, or duty directed by such parent, guardian, or other person having the care and custody of such minor person, or whose employment makes it necessary to be upon said streets, alleys, or other public places during the night time after said specified hours. Public place shall include any publicly owned or publicly maintained property and any privately owned property in which the public is invited including, but not limited to, taverns, restaurants, and retail stores.
(98-12, Amended, 08/04/1998)

3-218 Parent or Guardian Responsibility.

It is unlawful for any parent, guardian or other person having the care and custody of any person under eighteen years of age, to allow or permit any such child, ward, or other person under such age, to go or be in or upon any of the streets, alleys, or public places in said City within the time prohibited in section 3-217 hereof, unless there exists a reasonable necessity therefor.

3-219 Observance of Parent or Guardian Responsibility.

No child or minor person arrested for violating the provisions of section 3-217 hereof shall be placed in confinement until the parent, guardian, or other person having the care and custody of such minor person, shall have been notified of such arrest and shall have refused to be held responsible for the observance of the provisions of this Ordinance by said minor person. (Ord. No. 8, Art. I, Sec. 1, 8-4-04; Ord. 43, Sec. 1, 8-17-04; 14-14, Rev. Ord. 1938; Ord. 1273, 3-17-58; Rev. Ord. 1963).

3-220 Minors Under 18 in Billiard Halls, Etc.

It shall be unlawful for any person who conducts a billiard, pool or card table, or other games or gaming tables to allow any person under the age of eighteen years to

visit, frequent, or remain in their establishment or hall, or play at the game of billiards, pool, cards, or other games of amusement in their place of business or building where such games are conducted; provided, however, that where an amusement establishment is conducted primarily for minors, and there are no card games permitted in such establishment, it shall be lawful to permit minors to frequent and to play billiards or pool, in said amusement place. (Ord. No. 175, Sec. 1, 8-18-19; 14-15 Rev. Ord. 1938; Ord. 1362, 8-17-59; Rev. Ord. 1963; Ord. No. 1717, 4-18-67).

3-221 Gambling.

Repealed. (Ord. No. 89-14, 9-19-89)

3-222 Penalty.

Unless otherwise provided for in the ordinances themselves, the penalties for violations of the following ordinances shall be:

Any person violating any of the provisions of Sections 3-209, 3-212, 3-213, 3-216, 3-217, 3-218 and 3-220, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not to exceed Five Hundred Dollars (\$500.00), to which may be added costs at the discretion of the Court. (Ord. No. 82-49, 11-2-82).

3-223 Prohibited Sales of Liquor to Minors.

It shall be unlawful for any person to sell, furnish or give alcoholic liquors or malt beverages to any person under the age of twenty-one (21) years who is not his legal ward, medical patient, or child. (7-21-58, Ord. 1293, Sec. 2; Rev. Ord. 1963; Ord. No. 2085, 5-21-73; Ord. No. 88-11, 6-21-88).

3-224 Prohibited From Entering Premises.

Repealed. (Ord. No. 92-05, 4-7-92).

3-225 Licensed Building Restrictions

(a) Except as provided in this section, no license or agent, employee or server

thereof shall knowingly permit any person under the age of twenty-one (21) years to enter or remain in the licensed building where alcoholic or malt beverages are dispensed in an establishment where the primary source of revenue from the operation is from the on-premises sale or consumption of alcoholic or malt beverages unless:

(i) The establishment is operating a restaurant with a commercial kitchen where the primary source of revenue from the operation is from the sale of food and not from sale of alcoholic or malt beverages; or

(ii) The establishment operates a commercial kitchen, persons under the age of twenty-one (21) years may enter or remain in the licensed building until 10:00 p.m.; or

(iii) The establishment is approved by the governing body for operation in a bowling alley, hotel, theater, civic/event center, or family entertainment center.

(b) Employees of the licensee under the age of twenty-one (21) may be permitted in the course of their employment to work in the licensed building.

(c) Limited Retail Licenses (Clubs) are exempt from the age restrictions listed above;

(i) Limited Retail License holders may dispense alcoholic or malt beverages from locations outside of their licensed building as approved by the governing body.

((Ord. No. 1293, Sec. 4, 7-21-58; Rev. Ord. 1963; Ord. No. 1741, 9-18-67; 2087, 5-21-73; Ord. No. 88-11, 6-21-88; Ord. No. 92-05, 4-7-92; 97-08, Amended, 06/03/1997Ord. 2017-05, 7/1/17).

3-226 Unlawful Possession by Minor.

It shall be unlawful for any person under the age of twenty-one (21) years to have alcoholic liquors or malt beverages in his possession, provided, however, that this section shall not apply to possession by a person under the age of twenty-one (21) years making a delivery of such alcoholic liquors or malt beverages pursuant to his employment or otherwise allowed by law.

(Ord. No. 1293, Sec. 5, 7-21-58; Rev. Ord. 1963; Ord. No. 2088, 5-21-73; Ord. No. 88-11,6-21-88).

3-227 Falsification of Age.

It shall be unlawful for any person under the age of twenty-one (21) years to falsify any identification or to use any false identification in order to obtain alcoholic liquors or malt beverages. (Ord. No. 1293, Sec. 6, 7-21-58; Rev. Ord. 1963; Ord. No. 2089, 5-21-73; Ord. No. 88-11, 6-21-88).

3-228 Medicinal Uses Excepted.

This act shall not be construed to include duly licensed physicians and surgeons prescribing alcoholic liquors or malt beverages for medicinal purposes, or drugstores from delivering alcoholic liquors or malt beverages to minors pursuant to a prescription from a regularly licensed physician or surgeon. (Ord. No. 1293, Sec. 7, 7-21-58; Rev. Ord. 1963).

3-229 Aiding, Abetting and Inciting.

It shall be unlawful for any person to aid, abet, or incite anyone to violate any of the provisions of this act. (Ord. No. 1293, Sec. 8, 7-21-58; Rev. Ord. 1963).

3-230 Penalty for Violation.

Any person who shall violate any of the provisions of sections 3-223 - 3-229, inclusive, shall, upon conviction thereof, be fined not more than One Hundred (\$100.00) Dollars. (Ord. No.1293, Sec. 9, 7-21-58; Rev. Ord. 1963).

3-231 Restriction on Sale, Gift and Use of Tobacco.

(a) It shall be unlawful for any person or persons to sell to, buy for, give to, or furnish, either directly or indirectly, any cigar, cigarettes, cigarette papers, tobacco products, electronic cigarettes, or any liquids or other substances designed or intended to be used in electronic cigarettes, whether or not they contain nicotine or are derived from tobacco to any minor under the age

of eighteen (18). (Ord. No. 1274, 3-17-58; Rev. Ord. 1963).

- (b) "Tobacco products" means any substance containing tobacco leaf, or any product made or derived from tobacco that contains nicotine, including, but not limited to, cigarettes, electronic cigarettes and their components, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco.
- (c) "Electronic Cigarette" means a product that employs any mechanical heating element, battery or electronic circuit, regardless of shape or size, that can be used to deliver doses of vapor by means of heating a liquid solution, plant, wax, or other substance contained in a cartridge or other delivery system, including, but not limited to, electronic cigarettes, vaping pens or vaping mods. (Ord. No. 2019-07, 4-2-19)

3-232 Unlawful Possession.

It shall be unlawful for any minor under eighteen (18) years of age to possess or to use tobacco products, electronic cigarettes, or any liquids or other substances designed or intended to be used in electronic cigarettes whether or not they contain nicotine or are derived from tobacco. (Ord. No. 1274, 3-17-58; Rev. Ord. 1963; Ord. 2019-07, 4-2-19).

3-233 Penalty For Violation.

Any person violating any of the provisions of sections 3-231 or 2-232 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined by the Court in any sum not to exceed Seven Hundred Fifty (\$750.00) Dollars, to which may be added costs. (Ord. No. 1274, 3-17-58; Rev. Ord. 1963; Ord. 2019-07, 4-2-19).

3-234 Closing Hours for Liquor Establishments.

All persons or establishments issued a liquor license by the City of Rock Springs, a municipal corporation, may, on all days,

begin both alcoholic or malt beverage sales in the licensed building at 4:00 A.M., and shall cease the sale of both alcoholic and malt beverages promptly at the hour of 2:00 A.M. the following day, and shall clear the licensed building and premises of all persons other than employees by 2:30 A.M. The hours of operation designated herein may be modified on no more than four (4) days each calendar year by resolution or agreement made each year by the Rock Springs City Council designating those dates during city or county fairs, rodeos, pageants, jubilees, special holidays or similar public gatherings when all licensees may sell alcoholic or malt beverages for a period of twenty-four (24) hours beginning at 6:00 A.M. on days other than Sunday, and beginning at 12:00 noon on Sundays. (Ord. No. 1634, 4-19-65, 1719, 5-15-67; 2091, 5-21-73; Ord. No. 82-11,3-16-82).

(96-11, Amended, 07/16/1996; Ord. 2016-06, 11/1/16; Ord. 2017-05, 7/1/17)

3-234.1 Persons Prohibited From Remaining on Premises During Closing Hours.

It shall be unlawful for any person or establishment issued a liquor license by the City of Rock Springs, and any agent, servant, or employee of such person or establishment, to permit any person, except an agent, servant or employee, to remain in a retail liquor store or in any room connecting thereto, during any times when such retail liquor store is required by Section 3-234 to be closed. (Ord. No. 76-3, 1-20-76; amended Ord. 2016-06, 11/1/16; Ord. 2017-05, 7/1/17).

3-234.2 Penalty for Violation of Ordinance Prohibiting Persons Remaining on Premises During Closing Hours.

Any person violating the provision of Section 3-234.1 upon conviction thereof, shall be fined in any sum not more than Two Hundred and No/100 (\$200.00) Dollars for each offense. Each person allowed to remain on such premises in violation of the

provisions of Section 3-234.1 shall be considered as a separate offense. (Ord. No. 76-3, 1-20-76).

3-235 Penalty for Violation of Closing Hours.

Any person violating any of the provisions of Section 3-234 upon conviction thereof, shall be fined in any sum not less than Ten Dollars (\$10.00) not more than One Hundred Dollars (\$100.00) for each offense. (Ord. No. 1634, 4-19-65).

3-236 Minors Prohibited From Entering Dispensing Room Where Alcoholic Beverages Are Dispensed--Penalty.

Repealed. Ord. No. 88-11,6-21-88.

3-237 Drinking Alcoholic Beverages on the Streets Prohibited.

(a) It shall be unlawful for any person to drink malt beverages or intoxicating liquor on the streets, sidewalks, alleys, parking lots or other similar such public places within the City of Rock Springs. Public places and public parking lots shall include any publicly owned or publicly maintained property, and any privately owned property in which the public is invited, including, but not limited to restaurants and retail stores. Public areas shall not, for the purposes of this ordinance, include taverns, dining decks constructed pursuant to Article 13-819 of these ordinances, or other businesses which are licensed by the City of Rock Springs to dispense alcoholic or malt beverages at that location. This section shall not apply if the owner of the property has granted prior permission to the individual for the consumption of alcoholic beverages on his or her property. (Ord. 18-11, 6/19/18)

(i) Notwithstanding the provisions of subsection (a) above, drinking of malt beverages or intoxicating liquor upon the streets, sidewalks, alleys, parking lots or other public places within the City of Rock Springs may be permitted by the Governing Body for a specified period of time if the following conditions can be met:

(A) The public area upon which drinking of malt beverages or intoxicating liquors is to be permitted must be enclosed, blocked off or cordoned off in a manner that is acceptable to the Chief of Police and the Fire Chief.

(B) The dates and hours during which drinking of malt beverages or intoxicating liquors in the designated areas are accepted by the Governing Body and the Chief of Police.

(C) Such other conditions as the Governing Body deems to be necessary and appropriate under the circumstances.

(b) It shall be unlawful for any person to drink any malt beverage or intoxicating liquor while operating a motor vehicle within the City of Rock Springs.

(c) It shall be unlawful for any person to drink any malt beverages or intoxicating liquor in any public park or recreation area within the City of Rock Springs, except in appropriate places at the North Recreation/Golf Course Complex and the County Fairgrounds and in such other recreation areas as the Governing Body by majority vote may, from time to time, designate for such use either on a regular basis or for a specified period during some special event.

(d) Any person found guilty of violating the provisions of this Ordinance shall be fined a sum not to exceed Two Hundred Dollars (\$200.00) and costs as provided by law. (Ord. No. 2111, 7-2-73; Ord. No. 75-1, 1-6-75; Ord. No. 83-23, 9-20-83). (Ord. 98-13, Amended, 08/04/1998)

3-238 Penalty for Drinking Alcoholic Beverages on the Streets.

Repealed. (Ord. No. 83-16, 7-19-83).

3-239 Sniffing of Glue and Similar Toxic Vapors--Penalty.

(a) No person shall, for the purpose of causing or resulting in a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulling of the senses or nervous system, intentionally

smell or inhale the fumes from any glue or similar toxic vapor; or consume or use any otherwise legal substances for a purpose, or not in accordance with, its legitimate use or purpose as is generally known, used, and advertised; provided, however, that this section shall not apply to the inhalation of any anesthesia for medical or dental purposes, when administered or directed by a licensed physician or dentist.

(b) No person shall for the purpose of violating or aiding another to violate any provisions of this ordinance, intentionally possess, buy, sell, transfer possession, or receive possession of any substance herein prohibited.

(c) Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and the penalty for violation hereof shall be that set forth in Section 3-324, 1963 Revised Ordinances of the City of Rock Springs, Wyoming.

(d) Should any section, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason the remainder of this chapter shall not be affected thereby. (Ord. No. 1755, 5-20-68).

3-240 Window Peeping.

It shall be unlawful for any person to trespass in, on, around, or upon any property owned or occupied by another or to loiter in, on, around, or upon any private property in which such person has gained lawful access for the purpose of looking, peering or peeping into any window, door, skylight or other opening in any house, room, apartment, trailer, or any other building or structure occupied as a residence in order to observe the actions of the occupants thereof; and, furthermore, it shall be unlawful for any person to loiter in a public street, alley, parking lot or other public place for such purpose. (Ord. No. 1914, 2-1-71; Ord. No. 85-8, 7-2-85).

3-241 Sale of Alcoholic Beverages in Open Container Prohibited.

(a) It shall be unlawful for the holder of

a liquor license issued by the City of Rock Springs, Wyoming, or the servant or employee of such holder, to sell or permit the sale of any malt beverages or intoxicating liquor in an open container from a drive-up window, door or other opening, or to sell any malt beverages or intoxicating liquor in an open container for consumption off the licensed premises, or to permit the removal of alcoholic beverages from the licensed premises in an open container.

(b) Any person found in violation of this Ordinance shall be fined in a sum not to exceed Three Hundred Dollars (\$300.00) for each offense and costs as provided by law. (Ord. No. 83-15, 7-19-83).

3-242 Keg Identification Required.

(a) All licensees operating within the City of Rock Springs who sell keg beer for consumption off licensed premises shall place an identification tag onto all kegs of beer at the time of sale and require the signing of a receipt therefor by the purchaser in order to allow kegs to be traced if the contents are used in violation of this chapter. The keg identification shall be in the form of a numbered label prescribed and supplied by the Chief of Police which identifies the seller and which is removable or obliterated when the keg is processed for refilling. The receipt shall be on a form prescribed and supplied by the Chief of Police and shall include the name and address of the purchaser and such other information as may be required by the Chief of Police. All receipts shall be kept by the licensee for a period of six (6) months and shall be subject to inspection by the Chief of Police or his agent when conducting an investigation.

(b) Anyone selling beer for off premises consumption who fails to require the signing of a receipt at the time of sale or fails to place a numbered identification label onto the keg is guilty of a misdemeanor.

(c) Possession of a keg containing beer purchased within the City of Rock Springs, which is not identified as required by subsection (a) above is a misdemeanor.

(d) Any purchaser of keg beer who knowingly provides false information on the

receipt required by subsection (a) above shall be guilty of a misdemeanor.

(e) As used in this section, "keg" means any brewery-sealed, individual container of beer having a liquid capacity of seven and three-fourths (7 3/4) gallons or more. (Ord. No. 91-08, 7-16-91).

3-243 Regulation of Body Piercing

a) No person shall knowingly pierce the skin of another person under the age of eighteen (18) years, for the purpose of attaching any jewelry or ornaments, unless:

1. The person performing such piercing of the skin shall first have obtained the specific written consent of the parent or legal guardian of the person to receive such piercing; or

2. The parent or legal guardian of the person to receive such piercing is physically present during such piercing.

b) It shall be unlawful for any person to knowingly solicit or cause another to solicit or perform the piercing of the skin of a person in violation of this section.

c) It shall be unlawful for any person under the age of eighteen (18) years to falsely represent their age to another for the purpose of receiving body piercing under the provisions of this ordinance.

d) It shall be a complete defense to a charge of violating this section if, at the time the piercing was performed:

1. The person receiving such piercing falsely represented that he or she was eighteen (18) years of age or older;

2. Such person performing the piercing carefully inspected and retained for a period of twelve (12) months a photocopy of a driver's license or an identification card issued by the State of Wyoming or any other of the United States', a registration card issued pursuant to the Federal Selective Service Act, an identification card issued to a member of the armed forces of the United States, a valid United States passport, an identification issued by the Wyoming Department of Transportation or a birth certificate.

(98-19, Added, 11/03/1998)

3-244 Daytime Curfew.

(a) It is unlawful for any minor under the age of eighteen years, who is subject to compulsory education, to loiter, idle, wander, or be in or upon the public streets, highways, roads, alleys, parks, playgrounds, or other public grounds, public places, public buildings, places of amusement and eating places, vacant lots or any unsupervised place during the hours of 8:00 a.m. and 2:30 p.m. on days when school is in session. This section does not apply:

(i) When the minor is accompanied by his or her parent, guardian, or other adult person having the care or custody of the minor; or

(ii) When the minor is on an emergency errand directed by his or her parent or guardian or other adult person having care or custody of the minor; or

(iii) When the minor is going or coming directly from or to their place of gainful employment or to or from a medical appointment; or

(iv) To students who have permission to leave school campus for lunch or school related activity and have in their possession a valid, school issued, off-campus permit; or,

(v) When the minor is exempt by law from compulsory education; or

(vi) When the minor is authorized to be absent from his or her school pursuant to any applicable state or federal law.

(b) Notwithstanding Rock Springs City Ordinance 2-101.1, violation of this section shall be punishable by a fine of not more than Seven Hundred Fifty Dollars (\$750.00). (Ord. No. 2008-18, 9/2/2008).