

Article 3-3

OFFENSES CONCERNING PUBLIC
PEACE AND SAFETY

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3-301 **Fireworks--Sale or Discharge Prohibited.**

It shall be unlawful for any person, firm, company, corporation, or association to offer for sale, expose for sale, sell, possess, use or explode any toy cannon in which explosives are used; the type of balloon which requires fire underneath to propel the same; firecrackers, torpedoes, sky-rockets, Roman candles, bombs, or other fireworks of like construction or any fireworks containing any explosive or flammable compound or tablets or other device commonly used or sold as fireworks containing nitrates, chlorates, exalates, sulphides of lead, barium, antimony, arsenic, mercury, nitroglycerine, phosphorus or any compound containing any of the same or other explosives, or any substance or combination of substances or articles prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, except that this Ordinance shall not prohibit the use of toy cap pistols or sparklers. (Ord. No. 920, 6-9-47; Rev. Ord. 1963).

3-302 **Exceptions.**

Nothing in this Ordinance shall be construed to apply to the sale, storage or use of railroad track torpedoes, or other signalling devices used by railroads or airplanes, nor to the sale, storage or use of flashlight composition by photographers or dealers in photographic supplies. (Ord. No. 920, 6-9-47; Rev. Ord. 1963).

3-303 **May Be Used For Public Display--Application.**

The Mayor and City Council may, upon written application and the posting of suitable bond, grant a permit for the public display of fireworks by religious, fraternal or civic organizations, fair associations,

amusement parks, or other organizations or groups of individuals approved by the Mayor and City Council. Such display shall be of a character and so located, discharged or fired that it will not create a hazard to property or endanger any person. After such permit shall have been granted, sales, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. (Ord. No. 920, 6-9-47; Rev. Ord. 1963).

3-304 Contents of Application For Public Display.

All such written applications for permission to operate a public display of fireworks shall set forth:

(a) The name of the organization or person sponsoring the display, together with the name, ages and qualifications of persons actually in charge of the firing of the display.

(b) The date and time of the day at which the display is to be held.

(c) The exact location planned for the display.

(d) The number and kinds of fireworks to be discharged.

(e) The manner and place of storage of fireworks prior to the display. (Ord. No. 920, 6-9-47; Rev. Ord. 1963).

3-305 Bond May Be Required.

The Mayor and City Council may require a bond deemed adequate from the permittee in a sum not less than Five Hundred (\$500.00) Dollars, conditioned for the payment of all damages which may be caused either to a person or to property by reason of such permitted display or arising from any acts of the permittee, his agents or employees. Such bond shall run to the City of Rock Springs and shall be for the use and benefit of any person injured or the owner of any property damaged. (Ord. No. 920, 6-9-47; Rev. Ord. 1963).

3-306 Penalty For Violation.

Any person violating any of the provisions of sections 3-301 - 3-305, inclusive, shall be deemed guilty of a

misdemeanor, to which may be added the costs at the discretion of the Court. (Ord. No. 920, 6-9-47; Rev. Ord. 1963; Rev. Amended Ord. 2012-09, 12-18-12).

3-307 Riot and Breach of the Peace, Noise Pollution.

1. Riot and Breach of Peace.

(a) It shall be unlawful for any person to disturb, tend to disturb, or aid in the disturbing the peace of others by violent, tumultuous, offensive or obstreperous conduct, and no person shall knowingly permit such conduct upon any premises owned or possessed by him or under his control.

(b) It shall be unlawful for any person to start a fight or to fight in any public place in the City.

(c) 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.

2. Noise Pollution

(a) Noise from Electronic Devices Prohibited.

(1) No person shall operate, play or permit the playing of any radio, television, phonograph, tape recorder, compact disc player, sound amplifier, or similar electronic device which produces, reproduces, or amplifies sound, in such a manner as to disturb the peace, quiet, or comfort of any person in the City at any time with a louder volume than is necessary for convenient hearing by the person or persons who are in the room or vehicle in which the device is operated or who are in the immediate vicinity of the device and are voluntary listeners thereto. The operation of any such device so as to be clearly audible across property boundaries or through partitions common to two parties within a building or at a distance of fifty feet from the device is prima facie evidence of a violation of this section.

(2) "Clearly Audible" means any sound where the information content is communicated to the listener, such as, but

not limited to, understandable spoken speech, comprehension of whether a voice is raised or normal, or comprehensible musical rhythm.

(3) This section shall not apply to any public performance, gathering, or parade conducted in accordance with the provisions of any permit granted by the City for such purposes, nor does it apply to the operators of emergency vehicles who use amplified sound in the line of duty.

(4) The provisions of Sections 3-307 (2)(c) through Section 3-307 (2)(f) of this code remain in effect as to the matters regulated therein. In order to secure a conviction under this section, the City need not introduce proof of any of the matters mentioned in Sections 3-307 (2)(d) through 3-307 (2)(i).

(b) Noise Prohibited.

(1) The making and creating of an excessive or unusually loud noise, or a noise which is unreasonable and objectionable because it is impulsive, continuous, rhythmic, periodic or shrill within the City, as heard and measured in the manner prescribed in Section 3-307 (2)(d), is unlawful, except when made under and in compliance with a permit issued pursuant to Section 3-307 (2)(i). The time and location of the noise as well as the above-mentioned characteristics of noise shall be considered in reaching a decision under this chapter.

(2) It is unlawful for any person to operate or to allow or permit to be operated any type of vehicle, machine, motor, airplane or device or carry on any other activity in such a manner as would be a violation of subsection (1) of this section and of Section 3-307 (2)(d) or other applicable section contained in this chapter.

(c) Classification - Measurement of Noise. For purposes of determining and classifying any noise as "excessive or unusually loud," the following test measurements and requirements shall be applied:

(1) Noise occurring within the jurisdiction of the City shall be measured at a distance of at least twenty-five feet from a noise source located within the public right-

of-way, and if the noise source is located on private property or property other than the public right-of-way, at or beyond the property line of the property on which the noise source is located.

(2)

(A) The noise level shall be measured on the "A" weighing scale on sound level meter of standard design and quality having characteristics established by the American National Standards Institute. The manufacturer's published indication of compliance with such standards shall be prima facie evidence of compliance with this subsection.

(B) For purposes of this article, measurements with sound level meters shall be made when the wind velocity at the time and place of such measurement is not more than five miles per hour, or twenty-five miles per hour with a wind screen.

(C) In all sound level measurements consideration shall be given to the effect of the ambient noise level created by the encompassing noise of the environment from all sources at the time and place of such sound.

(d) Permissible Noise Levels.

(1) A noise measured or registered as provided above in this chapter from any source other than as provided in Section 3-307(2)(j) at a level which is equal to or in excess of the db(A) established for the time period and zones listed in this section, is declared to be excessive and unusually loud and is unlawful.

Zone	Seven a.m. to Next seven p.m. (in db(A))	Seven p.m. to next seven a.m. (in db(A))
Residential	55	50
Commercial	60	55
Light Industrial	70	65
Industrial	80	75

(2) For the purposes of this section, the aforementioned zones shall be defined as follows:

(A) "Commercial" means:

(i) An area where offices, clinics and the facilities needed to serve them are located;

(ii) An area with local shopping and service establishments located within walking distances of the residents served;

(iii) A tourist-oriented area where hotels, motels and gasoline stations are located;

(iv) A large integrated regional shopping center;

(v) A business strip along a main street containing offices, retail businesses and commercial enterprises;

(vi) A central business district; or

(vii) A commercially-dominated area with multiple unit dwellings.

(B) "Industrial" means an area in which noise restrictions on industry are necessary to protect the value of adjacent properties for other economic activity, but does not include agricultural operations.

(C) "Light Industrial" means:

(i) An area containing clean and quiet research laboratories;

(ii) An area containing light industrial activities which are clean and quiet;

(iii) An area containing warehousing; or

(iv) An area in which other activities are conducted where the general environment is free from concentrated industrial activity.

(D) "Residential" means an area of single-family or multifamily dwellings where businesses may or may not be conducted in such dwellings. The zone includes areas where multiple unit dwellings, high rise apartment districts, and redevelopment districts are located. A residential zone may include areas containing accommodations for transients such as motels and hotels and residential areas with limited office development, but it may not include retail shopping facilities. "Residential zone" includes educational facilities, hospitals, nursing homes and similar institutions.

(3) Adjacent Zones. When a noise source can be measured from more than one zone, the permissible sound level of the more restrictive zone shall govern.

(e) Permissible Increases.

(1) Between the hours of seven a.m. and seven p.m., the noise levels permitted in Section 3-307 (2)(d) may be increased by

ten db(A) for a period of not to exceed fifteen minutes in any one-hour period.

(2) The use of properly maintained and muffled common household power tools, such as lawnmower, chain saws, table saws and the like, shall be permitted between the hours of eight a.m. and eight p.m. for regular construction, maintenance and repair purposes on the subject premises.

(f) Periodic, Impulsive Noises.

Periodic, impulsive, or shrill noises are unlawful when such noises exceed a sound level of five db(A) less than those listed in Section 3-307 (2)(d).

(g) Construction Projects.

Construction projects shall be subject to the maximum permissible noise levels specified for industrial zones for the period within which construction is to be completed pursuant to any applicable construction permit issued by proper authority, or if no time limitation is imposed, then for a reasonable period of time for completion of the project.

(h) Railroad Rights-of-Way.

All railroad rights-of-way shall be considered as industrial zones for the purposes of this chapter, and the operation of trains shall be subject to the maximum permissible noise levels specified for such zone.

(i) Permit for Relief.

(1) Applications for a permit for relief from noise levels designated in Section 3-307 (2)(d) may be made to the Mayor. Any permit granted by the Mayor under this chapter shall contain all conditions upon which such permit has been granted and shall specify a reasonable time that the permit shall be effective. The Mayor is authorized to designate a fee which reasonably covers administrative costs incurred for the issuance of the permit. Relief may be granted if the Mayor finds:

(A) That additional time is necessary for the applicant to alter or modify activities or operations in order to comply with this chapter;

(B) The activity, operation or noise will be of temporary duration, and cannot be done in a manner that would comply with

this chapter;

(C) That no other reasonable alternative is available to the applicant;

(D) That failure to issue the permit would constitute an undue hardship.

(2) The Mayor may prescribe any requirements deemed necessary to minimize adverse effects upon the community of the surrounding neighborhood, as a condition to the issuance of a permit.

(3) The Mayor shall either issue or reject any application submitted in writing within five days after receipt thereof, and the applicant may appeal, in writing to the city council and decision of the Mayor, within ten days after such decision is rendered.

(j) Exception.

The requirements, prohibitions, and terms of this article shall not apply to those activities of a temporary duration, permitted by law and for which a permit therefor has been granted by the City, including but not limited to parades and fireworks displays.

(k) Vehicle Noise Limits.

(1) Vehicles Weighing Less than Ten Thousand Pounds. A noise measured or registered as provided from any vehicles weighing less than ten thousand pounds in excess of eighty decibels in the "A" weighing scale in intensity is declared to be excessive and unusually loud and unlawful.

(2) Vehicles in Excess of Ten Thousand Pounds. A noise measured or registered as provided in Section 3-307 (2)(c) from any vehicle weighing more than ten thousand pounds in excess of eighty-eight decibels in intensity on the "A" weighing scale is declared to be excessive and unusually loud and unlawful.

(3) Between the hours of seven a.m. and seven p.m., the above set out in subsections 1 and 2 of this section decibel levels shall apply to all streets within the City.

(4) Between the hours of seven p.m. and seven a.m., the above set out in subsections 1 and 2 of this section decibel levels shall apply only to designated streets within the City. Traffic on other than designated streets during these hours shall be subject to the decibel level as provided in subsection 1 above.

(5) Designated streets shall be named by the Mayor. In determining what streets shall be designated, the Mayor shall attempt to preserve low decibel noise levels within residential zones and give primary consideration to major arterial streets which allow travel to commercial areas requiring evening access.

(1) Emergency Vehicles Excepted.

The requirements, prohibitions and terms of this article shall not apply to any authorized emergency vehicle, when responding to an emergency call or acting in time of emergency, those activities of a temporary duration, permitted by law and for which a permit therefor has been granted by the City, including, but not limited to, parades and fireworks displays.

(m) Modifications Prohibited.

It is unlawful for any person to operate any vehicle, engine, motor or mechanical device with a device which when attached to or placed on any vehicle, engine, motor or other mechanical device results in a noise, measured or registered as provided in this chapter, at a level which is equal to or in excess of the db(A) established in Section 3-307 (2)(k). This section shall not apply to devices used for racing or pleasure purposes and used outside the City or in areas properly authorized by the City for pleasure or racing. It is unlawful for any person to operate such modified vehicle, engine, motor or device within the City and not in a properly authorized area.

(n) Motorcycles and Off-Highway Vehicles -- Scope.

Sections 3-307 (o) through 3-307 (s) shall not apply to the driving, riding and use of motorcycles, motor-driven cycles or off-highway motor vehicles on streets and highways or in other areas which are specifically governed or preempted by this code or the motor vehicle laws of the state.

(o) Motorcycles and Off-Highway Vehicles -- Definitions.

The following terms, as used in Sections 3-307 (2)(n) through 3-307(2)(r), shall have the meanings designated in this section, unless the context specifically indicates otherwise, or unless such meaning is

excluded by express provision:

(1) "Property" means any public or private property which is not an improved public street or highway, or an improved private street constructed in accordance with City standards and approved by the City.

(2) "Vehicle" means a motorcycle, motor-driven cycle or motor vehicle, as such vehicles are defined in the motor vehicle laws of the state, including, but not limited to motor scooters, motor bikes and minibikes.

(p) Regulating Vehicular Traffic in Roadless Areas.

No person shall ride, drive, operate or propel (other than by human power) a motor vehicle on a roadless area within three hundred feet (Buffer Zone) of a business or residence. Roadless areas shall mean those areas within the City, which are not properly dedicated or established streets or alley, and have not been otherwise developed or improved. The three hundred foot Buffer Zone may be used by motor vehicles for immediate ingress or egress to/from the roadless area intended for vehicle operation. The motor vehicle shall not exceed 5 mph in said Buffer Zone.

(q) Motorcycles and Off-Highway Vehicles -- Mufflers.

It is unlawful for any person to drive, ride or use a vehicle upon any property unless the vehicle is at all times equipped with an adequate muffler in constant operation and properly maintained so as to meet the requirements of the motor vehicle laws of the state, and the requirements of this chapter and no muffler exhaust system shall be equipped with a cutout, bypass or similar device.

(r) Motorcycles and Off-Highway Vehicles -- Other Regulations.

The regulations contained in Section 3-307 (2)(n) through 3-307 (2)(r) do not supersede or preclude the enforcement of zoning regulations or any other regulations contained in this code which are applicable to any conduct regulated hereby.

(s) Violation -- Penalty.

Every person convicted of a violation of this chapter shall be punished as provided in

Section 2-101.1. (Ord. No. 20, Art. I, Sec. 20, 8-4-04; 15-1 Rev. Ord. 1938; Rev. Ord. 1963; Ord. No. 94-15, 5-17-94; Ord. No. 94-33, 1-3-95; Ord. No. 95-05, 5-16-95).

3-308 Assemble For Unlawful Purpose.

It shall be unlawful for any two or more persons to assemble together, within the limits of this City, with intent to do any unlawful act, or being assembled, to mutually agree to do any unlawful act with force or violence, against the property of the City, or the person or property of another, or against the peace of another, or to make any movements or preparation therefor. (Ord. No. 20, Art. I, Sec. 8, 8-4-04; 15-2 Rev. Ord. 1938; Rev. Ord. 1963).

3-309 Disturbing Lawful Assemblage.

It shall be unlawful for any person to disturb any lawful assemblage of people in this City by rude, boisterous, or indecent behavior, or otherwise. (Ord. No. 20, Art. I, Sec. 9, 8-4-04; 15-3, Rev. Ord. 1938; Rev. Ord. 1963).

3-310 Disturbing Religious Worship.

It shall be unlawful for any person to annoy or disturb any congregation or assembly in this City, gathered together for religious worship, by making a noise, or by rude or indecent behavior, or profane discourse within the place wherein such congregation or assembly is gathered together, or so near the same as to be heard by or tending to disturb the persons so congregated or assembled. (Ord. No. 20, Art I, Sec. 9, 8-4-04; 15-3, Rev. Ord. 1938; Rev. Ord. 1963).

3-311 Discharging Firearms.

It shall be unlawful for any person to fire or discharge any cannon, gun, BB gun, air gun, pellet gun, bow and arrows, cross bow, fowling-piece, pistol or firearms of any description, or any device that propels or ejects any type of projectile; or fire, explode, or set off any other thing containing powder or other combustible or explosive material,

within the limits of the City of Rock Springs, without written permission of the Mayor or City Council, which permission shall limit the time of such firing and shall be subject to revocation by the Mayor or Council at any time after the same has been granted. This section shall not apply to specifically designated areas within any indoor shooting range authorized pursuant to Chapter 13 of these ordinances. (Ord. No. 20, Art. I, Section 13, 8-4-04; 15-6, Rev. Ord. 1938; Rev. Ord. 1963; Ord. No. 90-01, 9-4-90; Ord. 2017-08, 7/5/17).

**3-312 Carrying Concealed Weapons,
Carrying Weapons on School Property.**

(a) Definitions.

(i) School Bus -- means every motor vehicle that is owned by, leased to or registered to a school district, designed for and capable of carrying twelve (12) or more passengers, and is used to transport children to or from school or in conjunction with school activities. This definition shall not include buses operated by common carriers in transportation of school children or buses owned by a community college or the University of Wyoming.

(ii) Deadly Weapon -- means, but is not limited to; a firearm, explosive or incendiary material or other device, instrument, material or substance, which, in the manner it is used or intended to be used is reasonably capable of producing death or serious bodily injury.

(b) No person, except a sworn peace officer, shall possess, wear or carry a concealed deadly weapon unless authorized to do so pursuant to the provisions of W.S. § 6-8-104, 1977, as amended.

(c) No person, except a sworn peace officer, or a permittee pursuant to W.S. § 6-8-104, 1977, as amended, shall possess, wear or carry a deadly weapon on a school bus, as defined in this ordinance, or within the boundaries of real property owned or used by a school district or community college unless authorized to do so pursuant to the provisions of W.S. § 6-8-104, 1977, as amended.

(d) This ordinance shall not apply to

any person possessing a deadly weapon inside a motor vehicle within the boundaries of real property owned or used by a school district or community college, when such deadly weapon is in plain view through a window at all times and such deadly weapon is securely placed in a rack designed principally for the storage of said deadly weapon and when such weapon is entirely unloaded, with no ammunition in either the chamber or magazine.

(e) This ordinance shall not apply to any person possessing a visible deadly weapon within the boundaries of real property owned or used by a school district or community college at the specific time designated by the instructor of a course of study in the use of said deadly weapon and which such course is approved by the City of Rock Springs or school district. (Ord. No. 20, Art. II Sec. 1, 84-04; Ord. 114, 2-6-11; 15-7, Rev. Ord 1938; Rev. Ord. 1963; Ord. No. 94-35, 1-3-95).

3-313 Impersonating Officers.

It shall be unlawful for any person to falsely represent himself to be a Marshal, Deputy Marshal, or other officer of this City. It shall be unlawful for any person, without first being authorized to do so, to exercise or attempt any duty, power or function of any Marshal, Deputy Marshal, or other City Officer. (15-8 Rev. Ord 1938; Rev. Ord. 1963).

3-314 Resisting Officers.

It shall be unlawful for any person to hinder, obstruct, resist, or otherwise interfere with any Marshal, Deputy Marshal, or other City officer, in the discharge of his official duties, or to resist or attempt to prevent any such officer from arresting any person violating a City Ordinance, or to attempt to rescue or in any manner assist in the escape of any person in the custody of the Marshal, Deputy Marshal, or other City officer (Ord. No. 20, Art. II, Sec. 5, 8-4-04; 15-9 Rev Ord. 1938; Rev. Ord. 1963).

3-315 Refusal to Assist Officers.

It shall be unlawful for any person to

refuse to assist any Marshal, Deputy Marshal, or other City officer, in making an arrest or in quelling any disturbance, when requested so to do. (Ord. No. 20, Art. II, Sec. 6, 8-4-04; 15-10, Rev. Ord. 1938; Rev. Ord. 1963).

3-316 Assisting in the Breaking of Jail.

It shall be unlawful for any person to assist, aid or to attempt to assist or aid any person confined in the City Jail or places wherein prisoners may be confined for violating City Ordinances, to escape from such jail or place of confinement. (Ord. No. 20, Art. II, Sec. 3, 8-4-04; 15-11, Rev. Ord. 1938; Rev. Ord. 1963).

3-317 Delivering Articles to Prisoners.

It shall be unlawful for any person to take into the City Jail, or deliver to any prisoner, any weapon, tool, intoxicating drink, or other article, or to attempt to do so, without the consent of the officer in charge of such prisoner. (Ord. No. 20, Art. II, Sec. 4, 8-4-04; 15-12, Rev. Ord. 1938; Rev. Ord. 1963).

3-318 False Alarm of Fire or Need for Police or Ambulance Assistance.

(a) It shall be unlawful for any person to knowingly and willfully make, turn in, or give a false alarm of fire, or of need for police or ambulance assistance, or aid or abet in the commission of such act.

(b) Any person, company, or firm that renders a fire protection or fire alarm system inoperative during emergencies, maintenance, repairs, alterations, drills, or testing shall notify the Fire Department and the Fire Inspector immediately. The Fire Department and the Fire Inspector shall be notified when the fire protection or fire alarm system is returned to service. (15-13, Rev. Ord. 1938; Rev. Ord. 1963; Ord. No. 83-18,7-19-83; Rev. Amended Ord. 2012-09, 12-18-12).

(c) It shall be unlawful for any person to knowingly and willfully silence or reset a

fire alarm system until the cause of said alarm is known and corrected and the person is directed to do so by the Fire Department. (Amended Ord. 2012-09, 12-18-12)

(d) Any person, company, or firm found to be in violation of this Ordinance shall be guilty of a misdemeanor to which the costs incurred by the City in responding may be added to the costs of the action. (Amended Ord. 2012-09, 12-18-12)

3-319 Registration at Public Lodging Places.

It shall be unlawful for the operator of any hotel, motel, boarding house, rooming house, cabin camps or camp ground to fail to provide a system of registration for its guests. (Ord. No. 55, Sec. 1 and 2, 8-18-04; 15-14, Rev. Ord. 1938; Amend. Ord. 1537, 3-18-63; Rev. Ord. 1963).

3-320 Requirements.

It shall be unlawful for any person to obtain lodging in any hotel, motel, boarding house, rooming house, cabin camp or camp ground without registering, provided, however, that registration may be made in the following manner, viz: (a) Where a room is occupied by a man and wife, it shall be sufficient if the registration card or register is signed by either the man or the wife, giving the man's name and address and adding the words "and wife" after his name; (b) If a room is occupied by a man, wife and minor children, it shall be sufficient if the registration card or register is signed by either the man or the wife, giving the man's name and address and adding the words "wife and family" after his name and indicating the number of occupants; and (c) In all other cases the registration card or register shall show the names of each party and the address of at least one of the parties occupying the room. (Ord. No. 55, Sec. 1 and 2, 8-18-04; 15-14, Rev. Ord. 1938; Amend. Ord. 1537, 3-18-63; Rev. Ord. 1963).

3-321 Fortune Telling, Spiritualism, Mesmerism, Etc.

(Ord. No. 20, Art. I. Sec. 28, 8-4-04; 15-

15, Rev. Ord. 1938; Rev. Ord. 1963; Repealed Ord. No. 94-07, 3-1-94).

3-322 Baseball or Games on Streets or Alleys.

(a) It shall be unlawful for any person or persons to play baseball, or to engage in the practice of throwing and catching balls or other missiles or object whatever upon any of the streets or alleys within the City.

(b) It shall be unlawful for any person or persons to play any game of any kind or character upon the streets or alleys of the City of Rock Springs. (Ord. No. 51, Sec. 1, 8-18-04; 15-16, Rev. Ord. 1938; Rev. Ord. 1963).

3-323 Coasting on Streets, Alleys, or Sidewalks.

It shall be unlawful for any person to coast or slide down hill with any sled, sleigh, toboggan, or vehicle upon the public streets, sidewalks or alleys within the corporate limits of the City of Rock Springs; provided, however, that the Mayor may by public notice or proclamation authorize the use of any street or streets for coasting during the winter season; during the time for which said notice or proclamation shall be issued, coasting upon any such street or streets as shall be designated by said notice or proclamation shall be permissible and lawful. (15-17, Rev. Ord. 1938; Rev. Ord. 1963).

3-324 Penalty.

(Ord. No. 81-10, 3-3-81; Repealed Ord. No. 2000-07, 5/16/00).

3-324 Skateboarding, Bicycling or Rollerblading on Public Property.

The Governing Body may prohibit skateboarding, bicycling or rollerblading on public property when such activities create an unreasonable risk of injury to persons or property.

(a) To prohibit any of the aforementioned activities, the Governing Body may adopt a resolution describing the location on public property where the

prohibition will be in effect.

(b) Upon adoption of said resolution, the Department of Engineering and Operations shall erect signs near the property sufficient to give notice of the prohibition to all persons.

(c) Any person who violates any of the prohibitions of said signs shall be guilty of a misdemeanor. (Ord. No. 00-08, 5/2/00).

3-325 Emergency Because of Mob Action or Other Civil Disobedience.

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

(1) To impose a curfew upon all or any portion of the City 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 service, utility personnel maintaining essential public services, firemen and city authorized or requested law enforcement officers and personnel may be exempted from such curfew.

(2) To order the closing of any business establishments anywhere within the City for the period of the emergency.

(3) To designate any public street, thoroughfare or vehicle parking areas closed to motor vehicles and pedestrian traffic.

(4) To call upon regular and auxiliary law enforcement agencies and organizations within or without the City to assist in preserving and keeping peace within the City.

(b) The Proclamation of Emergency provided herein shall become effective upon its issuance and dissemination to the public.

(c) Any emergency proclaimed in accordance with the provisions of this

Ordinance shall terminate after forty-eight (48) 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 City Council.

(d) Any person who shall willfully fail or refuse 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 shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than One Hundred (\$100.00) Dollars.

(e) If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. (Ord. No. 1847, 1-19-70).

3-326 Telephone--Required in Public Places.

Repealed by Amended Ordinance 2012-09, 12-18-12.