

## Title 9

### PUBLIC PEACE, MORALS AND WELFARE

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#### Chapter 9.04

### ASSAULT AND BATTERY

#### Sections:

- 9.04.010 Assault
- 9.04.020 Assault and Battery

9.04.010 Assault. Whoever, having the present ability to do so, unlawfully attempts to commit a violent injury on the person of another, is guilty of an assault misdemeanor.

9.04.020 Assault and Battery. Whoever, in a rude, insolent or angry manner, unlawfully touches another, is guilty of an assault and battery misdemeanor.

## Chapter 9.06

### INTERFERING WITH PUBLIC OFFICIALS

#### Sections:

9.06.010 Resisting, Obstructing or Threatening Public Officials

#### 9.06.010 Resisting, Obstructing or Threatening Public Officials.

A. It is unlawful for any person to knowingly resist, interfere with or impede or obstruct any police officer, fireman, municipal employee or other public official who is attempting to discharge or is in the course of discharging an official duty.

B. It is unlawful for any person to threaten violence, reprisal or other injurious act to any police officer, fireman, municipal employee or other public official who is engaged in the performance or attempted performance of his official duties or make a threat, verbally or otherwise, by reason or on account of the performance or attempted performance of his official duties.

## Chapter 9.08

### DISTURBING THE PEACE

#### Sections:

9.08.010 Public Intoxication

9.08.020 Disturbing the Peace-Obscene Language

9.08.030 Unlawful Assembly

9.08.040 Crowds

9.08.050 Fighting in Public Places

9.08.060 Unlawful Noise/Sound Amplifying Equipment

9.08.010 Public Intoxication. Any person who is drunk in any public place within the town of Hanna, shall be deemed guilty of a misdemeanor.

9.08.020 Disturbing the Peace-Obscene Language. Any person within the limits of the town of Hanna who makes or countenances or assists in making any improper noise, riot, hallooing, disturbance, or breach of the peace, or shall use profane or obscene language or fighting words to any person, shall be deemed guilty of a misdemeanor.

9.08.030 Unlawful Assembly. Any two or more who assemble together in the Town of Hanna with an intent to do an unlawful act, or being so assembled mutually agree to do an unlawful act, with force or violence, against private property of the town, or the person or property of another, or against the peace, or who make any movement or preparation therefore, shall be deemed guilty of a misdemeanor.

9.08.040 Crowds. All persons who collect in bodies or crowds for unlawful purposes, or for the purpose of disturbance of the citizens of the town of Hanna, shall be deemed guilty of a misdemeanor.

9.08.050 Fighting in Public Places. If two or more persons by agreement fight in any public place, the persons so offending shall be deemed guilty of a misdemeanor.

9.08.060 Unlawful Noise/Sound Amplifying Equipment.

A. It shall be unlawful for any person to allow, make, or create any loud, prolonged, unusual or unnatural noise that interferes with the health, comfort, or safety of another person or that disturbs the public peace.

B. It shall be unlawful for any person to use or operate any sound amplification device or equipment in a manner that interferes with the health, comfort, or safety of another person or that disturbs the public peace.

Chapter 9.12

DRIVING UNDER THE INFLUENCE

(Reserved)

Title 9.16

DRUGS

Sections:

9.12.010 Possession and Sale Prohibited-Definitions

9.12.020 Violations

9.16.010 Possession and Sale Prohibited-Definitions. No person shall have in his possession, sell, dispose of, give away or receive any of the following drugs or compounds or derivatives thereof except as otherwise provided by state law:

A. “Narcotics.” The term “Narcotics” includes heroin, morphine, methadone, opium, codeine, meperidine, Demerol, dilaudid, cocaine, ucaine, beta ucaine, alpha ucaine, or any sole compound or derivative thereof.

B. “Amphetamines (stimulants).” The term “Amphetamines” includes Benzedrine, Dexedrine or methedrine or any salt or optical isomer of amphetamines.

C. “Barbiturates (depressants).” The term “Barbiturates” includes phenobarbital, secanol, paraldehyde, pentobarbital, phenothiazines, chloral hydrate, or any silts of barbituric acid.

D. “Hallucinogens (psychedelics).” The term “Hallucinogens” include LSD (lysergic acid diethylamide), DOM (STP, 2-5 dimethoxy-4 methyl amphetamine), psilocybin and DMT (N-N-dimethyltryptamine) or any drug or compound that has hallucinogenic properties.

9.16.020 Violations. Any person violating the terms of this chapter shall be deemed guilty of a misdemeanor.

## Chapter 9.20

### DESTRUCTIN OF PUBLIC AND PRIVATE PROPERTY

#### Sections:

9.20.010	Destruction Unlawful
9.20.020	Throwing Stones or other Missiles Unlawful
9.20.030	Posting of Materials
9.20.040	Trespassing Prohibited
9.20.050	Violation-Penalty

9.20.010 Destruction Unlawful. It is unlawful for any person willfully and maliciously to destroy or injure any public and private property within the town limits of the Town of Hanna, Wyoming.

9.20.020 Throwing Stones or other Missiles Unlawful. It is 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.

9.20.030 Posting of Materials. It is unlawful for any person within the town limits of the town of Hanna, 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 the permission of the owner or agent thereof or upon public property.

9.20.040 Trespassing Prohibited. It is unlawful for any person or persons to walk, run, ride or in any other manner to cross over or upon any lawn, garden or otherwise improved lot or lots or damage the trees or shrubbery thereon, whether the same is separated by a fence or not, within the town limits of the Town of Hanna, without the permission of the owner or occupant thereof.

9.20.050 Violations-Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor.

#### Chapter 9.21

### PROPERTY DEFACEMENT AND DESTRUCTION

9.21 Property Defacement and Destruction. A person is guilty of property defacement and destruction if he knowingly defaces, injures, or destroys property of another, without the owner's consent and the cost of restoring the injured property, or the value of the property is less than five hundred dollars (\$500.00). If a series of defacements, injuries and/or destructions result from a single continuing course of conduct, a single violation of this section may be charged and penalties imposed based upon the aggregate cost or value of the property defaced, injured or destroyed.

#### Chapter 9.22

### CRIMINAL TRESPASS

9.22 Criminal Trespass. 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 the purposes of this section, notice is given by:

A. Personal communication to the person by the owner or occupant, or his agent, or by a peace officer; or

- B. Posting of signs reasonably likely to come to the attentions of intruders.

## Chapter 9.24

### SHOPLIFTING

#### Sections:

#### 9.24.010 Shoplifting Defined and Prohibited

9.24.010 Shoplifting Defined and Prohibited. 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 therefore is guilty of shoplifting, an act which is prohibited in the Town of Hanna and which is a misdemeanor.

## Chapter 9.25

### Larceny

#### 9.25 Larceny

A. A person who steals, takes and carries, leads or drives away property of another with intent to deprive the owner or lawful possessor is guilty of larceny, if the value of the property is less than five hundred dollars (\$500.00)

B. “Deprive” means

i) To withhold property of another permanently or for so extended a period as to appropriate a major portion of its economic value or with intent to restore only upon payment of reward or other compensation; or

ii) To dispose of the property so as to make it unlikely that the owner will recover it.

## Chapter 9.28

### DISCHARGING FIREARMS

#### Sections:

9.28.010 Shooting Prohibited

9.28.020 Organized Events

9.28.030 Violation-Penalty

9.28.010 Shooting Prohibited. Except as provided in this chapter, no person shall shoot or discharge any pistol, rifle, or other firearm within the town limits of the Town of Hanna, except when done in the lawful defense of the person, property, or family or in the necessary enforcement of the law. Except as provided in this chapter, no person shall, under any circumstances, fire or discharge a spring or air rifle or pistol within the town limits.

9.28.020 Organized Events. Firearms may be discharged within the town limits of the Town of Hanna if the discharge of firearms is in compliance with each and every of the following requirements:

A. The discharge of firearms must be pursuant to an organized event conducted and supervised by a community organization.

B. The community organization shall appear before the Town Council at a regular meeting preceding the organized shooting event to obtain a special permit issued by the Town Council for the event.

C. Upon issuance of the special permit, an prior to commencement of the activity, the premises and preparation shall be inspected by the chief of police of the Town of Hanna or his designated representative to insure the following;

1. That proper backstops are installed to adequately provide for the safety of all persons;

2. That appropriate safety training for all people involved in the event has been given;

3. That a segregated and properly protected area is provided for spectators if spectators are to be a part of the event.

9.28.030 Violation-Penalty. Violations of this chapter shall be misdemeanors in the town of Hanna.

## Chapter 9.32

### SALE OF ALCOHOLIC AND MALT BEVERAGES

#### Sections:

- 9.32.010 Unlicensed Bottle Clubs
- 9.32.020 Sale by Restaurant Liquor Licensees for off Premises Consumption Prohibited-Sales to Cease when Food Sales Cease
- 9.32.030 Hours of Sale Generally and on Sunday-Exceptions-Designation of Dates for Unrestricted Operation
- 9.32.040 Minors Restricted from Dispensing Rooms-Exception-Penalties
- 9.32.050 Prohibited Acts within Dispensing Rooms-Violation Cause for Suspension or Revocation of License or Permit
- 9.32.060 Sale to or Purchase by Underage Persons-Prohibited
- 9.32.061 Endangering the Welfare of an Underage Person-Alcoholic and Malt Beverages
- 9.32.062 Endangering the Welfare of a Minor-Controlled Substance

9.32.010 Unlicensed Bottle Clubs. It is unlawful to operate an unlicensed bottle club in the town of Hanna and any person operating an unlicensed bottle club is guilty of a misdemeanor and, upon conviction, shall be fined not more than seven hundred fifty dollars for each offense. Each day of operation shall be deemed a separate offense.

9.32.020 Sale by Restaurant Liquor Licensees for off Premises Consumption Prohibited-Sales to Cease when Food Sales Cease.

A. Restaurant liquor licenses shall not see alcoholic or malt beverages for consumption off the premises owned or leased by the licensee.

B. All sales of alcoholic and malt beverages authorized by a restaurant liquor license shall cease at the time food, sales and services cease or at the hours specified by 12-5-101(a), W.S. if food sales and services extend beyond the hours specified therein.

9.32.030 Hours of Sale Generally and on Sunday-Exceptions-Designation of Dates for Unrestricted Operations.

A. All licensees except trains holding liquor licenses shall be controlled by the following schedule for operating hours:

1. On all days except Sunday a licensee may open the dispensing room at six a.m., and shall close the dispensing room and cease the sale of both alcoholic and malt beverages promptly at the hour at two a.m. the following day and shall clear the dispensing room all persons other than employees by two-thirty a.m.; and

2. On Sundays licensees may open the dispensing room between the hours of twelve noon and ten p.m. and shall clear the dispensing room of all persons other than employees by then-thirty p.m.

B. The hours of operation designated in subsection A. of this section may be modified on no more than four days each calendar year by a resolution or agreement made each year by the appropriate licensing authority designating those dates during city or county fairs, rodeos, pageants, jubilees, special holidays or similar public gatherings when all licensees may operate their dispensing rooms for a period of twenty-four hours beginning at six a.m. on days other than Sunday, and beginning at twelve noon on Sundays.

#### 9.32.040 Minors Restricted from Dispensing Rooms-Exception-Penalties.

A. No licensee or agent, employee or servant thereof shall knowingly permit any person under the age of nineteen to enter or remain in the licensed room or rooms where alcoholic or malt beverages are dispensed.

B. When the licensed room or rooms are not open for the sale or dispensing of alcoholic or malt beverages, employees of the licensee under the age of nineteen may be permitted in the course of their employment to work in the room or rooms.

C. Any person violating subsection A of this section or aiding or abetting or inciting any violation thereof is guilty of a misdemeanor and upon conviction shall be fined not more than seven hundred fifty dollars.

#### 9.32.050 Prohibited Acts within Dispensing Rooms-Violation cause for Suspension or Revocation of License or Permit.

A. No licensee or agent or employee thereof shall knowingly permit prostitution, lewdness or assignation as defined by 6-5-106, W.S., unlawful act pursuant to 6-5-107, W.S., or gambling prohibited by 6-9-101, W.S., within any dispensing room, building or premises licensed under this chapter.

B. Any licensee or agent or employee thereof violating subsection A of this section, or aiding, abetting or inciting any violation thereof, is in addition to other penalties provided by the law, sufficient cause for the suspension or revocation of the license or permit.

#### 9.32.060 Sale to or Purchase by Underage Persons-Prohibited.

A. No person shall sell, furnish, give or cause to be sold, furnished or given away any alcoholic liquor or malt beverage to any person under the age of twenty-one who is not his legal ward, medical patient or member of his own immediate family.

B. Licenses issued under the provisions of this chapter shall not authorize the sale, gift or delivery of alcoholic and/or malt beverages to any person under the age of twenty-one or to any habitual drunkard and any such sale, gift or delivery shall be a violation of this chapter.

C. Any person under the age of twenty-one who has any alcoholic or malt beverage in his possession or who is drunk or under the influence of alcoholic liquor, malt beverages or drugs on any street or highway or in any public place is guilty of a misdemeanor. This subsection shall not apply to possession of alcoholic or malt beverages by a person under the age of nineteen.

D. Any person under the age of twenty-one who attempts in any manner to purchase alcoholic or malt beverages, who falsifies any identification or uses any false identification in order to obtain alcoholic or malt beverages is guilty of a misdemeanor.

E. a motor vehicle driver's license, a registration certificate issued under the Federal Selective Service Act, an identification card issued to a member of the armed forces or an identification card issued by the Department of Revenue is prima facie evidence of the age and identity of a person, proof that a licensee or his employee or agent demanded, was shown and acted in reasonable reliance upon the information contained in any one of the above documents as identification is a defense to any criminal prosecution or action for the suspension or revocation of a license.

9.32.061 Endangering the Welfare of an Underage Person-Alcoholic and Malt Beverages. A person who is not the parent or legal guardian of a person under the age of twenty-one years commits the misdemeanor of endangering the welfare of an underage person if the person knowingly allows or permits a person under the age of twenty-one years which is the legal age for consuming alcoholic and malt beverages, to:

A. Enter or remain in a place under the person's control in which activities involving alcoholic or malt beverages are maintained or conducted; or

B. Consume alcoholic or malt beverages in a place under the person's control. A place or property is considered to be "under the person's control," whether the person is physically present or not, when that person is the owner, renter, tenant, keeper, caretaker, or, in fact, has control over the persons allowed on the place or property.

9.32.062 Endangering the Welfare of a Minor-Controlled Substance. A person who is not the parent or legal guardian of a person under the age of eighteen years commits the misdemeanor of endangering the welfare of a minor if the person knowingly allows or permits a person under the age of eighteen years to:

A. Enter or remain in a place under the person's control in which activities involving controlled substances are maintained or conducted; or

B. Consume or use controlled substances in a place under the person's control. A place or property is considered to be "under the person's control," whether the person is

physically present or not, when that person is the owner, renter, tenant, keeper, caretaker, or , in fact, has control over the persons allowed on the place or property.

## Chapter 9.36

### CURFEW FOR MINORS

#### Sections:

- 9.36.010 Certain Activities Prohibited by Minors Under the Age of Eighteen Years
- 9.69.020 Curfew-Parents and Guardians Responsible
- 9.36.030 Violation-Penalty

9.36.010 Certain Activities Prohibited by Minors Under the Age of Eighteen Years. It is unlawful for any person under the age of eighteen (18) years to be in or on any public Alley's, street or thoroughfares, park, square, playground, SCHOOL YARDS or any public place or building of the town, EITHER ON FOOT OR IN OR UPON ANY CONYANCE BEING DRIVIN, RIDDEN OR PARKED THERON between the hours of ten (10) p.m. and five (5) a.m. except for Friday and Saturday nights, when the prohibited hours shall be from midnight to six (6) a.m., unless:

1. Such minor is accompanied by a parent or legal guardian having the care and custody of such minor or other adult person approved by a parent of such legal guardian;
2. Such minor is on a bona fide medical or other emergency, errand or lawful business directed by the parent or legal guardian having the care and custody of such minor;
3. Such minor is engaged in lawful employment, or going to or returning from lawful employment;
4. The presence of such minor in such place or traveling directly to such minor's residence immediately after having attended an event or place connected with some legitimate town, school, religious, service club, civic, youth related, business, trade, profession or occupation activity in which such minor is engaged which was approved by parent or legal guardian having the care and custody of such minor.

9.36.020 Curfew-Parents and Guardians Responsible. It shall be unlawful for any parent, guardian or other adult person having custody of any minor child under the age of eighteen (18) years who knowingly or through lack of diligence permits such child to be in violation of Section 9.36.010 herein.

9.36.030 Violation-Penalty. Violations of Section 9.36.010 and 9.36.020 are misdemeanors punishable as such under the ordinances of the Town of Hanna.

## Chapter 9.38

### SALE OR DELIVERY OF TOBACCO TO MINORS

#### Sections:

9.38.010	Definitions
9.38.011	Prohibited Sales or Delivery
9.38.012	Penalty for Violation of Section 9.38.011
9.38.013	Affirmative Defense to Prosecution Under 9.38.011
9.38.014	Posted Notice Required
9.38.015	Location of Vending Machines
9.38.016	Penalty for Violation of Sections 9.38.014 and 9.38.015
9.38.017	Purchase by Minors Prohibited
9.38.018	Penalty for Violation of Section 9.38.017
9.38.019	Possession or Use by Minors Prohibited
9.38.020	Penalty for Violation of Section 9.38.019
9.38.021	Affirmative Defense to Prosecution Under Section 9.38.019

#### 9.38.010 Definitions. As used in this ordinance:

A. "Tobacco Products" means any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, or dipping tobacco.

B. "Vending Machines" means any mechanical, electric or electronic or electronic self-service device which, upon insertion of money, tokens, or any other form of payment, dispenses tobacco products.

C. "Retailer" means a business of any kind at a specific location that sells tobacco products to a user or consumer.

9.38.011 Prohibited Sales or Delivery. No individual or retailer shall sell, offer for sale, give away or deliver tobacco products to any person under the age of eighteen (18) years.

9.38.012 Penalty for Violation of Section 9.38.011. Any individual or retailer violating Section 9.38.011 is guilty of a misdemeanor punishable by a fine of not more than:

A. Fifty dollars (\$50.00) for a first violation committed within a twenty-four (24) month period. The court may allow the defendant to perform community service and be granted credit against his fine and court costs at the rate of seven dollars and twenty five cents (\$7.25) for each hour of work performed.

B. Two hundred fifty dollars (\$250.00) for a second violation committed within a twenty-four (24) month period, regardless of the locations where the violations occurred. The court may allow the defendant to perform community service and be granted credit against his fine and court costs at the rate of seven dollars and twenty five cents (\$7.25) for each hour of work performed.

C. Seven hundred fifty dollars (\$750.00) for a third or subsequent violation committed within a twenty-four (24) month period, regardless of the locations where the violations occurred. The court may allow the defendant to perform community service and be granted credit against his fine and court costs at the rate of seven dollars and twenty five cents (\$7.25) for each hour of work performed.

9.38.013 Affirmative Defense to Prosecution Under 9.38.011. It is an affirmative defense to a prosecution under Section 9.38.011 that:

In the case of a sale, the person who sold the tobacco product was presented with and reasonably relied upon, an identification card which identified the person buying or receiving the tobacco product as being over eighteen (18) years of age.

9.38.014 Posted Notice Required. Any person who sells tobacco products shall post signs informing the public of the age restrictions provided by this ordinance at or near every display of tobacco products and on or upon every vending machine which offers tobacco products for sale. Each sign shall be plainly visible and shall contain a statement communicating that the sale of tobacco products to persons under eighteen (18) years of age is prohibited by law. Effective January 1, 2001, any person who owns, operates or manages a business where tobacco products are offered for sale at retail and at which persons under the age of eighteen (18) are allowed admission with or without an adult, shall maintain all tobacco products within the line of sight of a cashier or other employee or under the control of the cashier or other employee. For the purposes of the section:

(a) "Within the Line of Sight" means visible to a cashier or other employee while at the sales counter; and

(b) "Under Control" means protected by security, surveillance or detection methods.

9.38.015 Location of Vending Machine. No person shall sell or offer tobacco products through a vending machine unless the vending machine is located in:

(a) Businesses, factories, offices or other places not open to the general public;

(b) Places to which persons under the age of eighteen (18) years of age are not permitted access; or

(c) Business premises where alcoholic or malt beverages are sold or dispensed and where entry by persons under eighteen (18) years of age are prohibited.

9.38.016 Penalty for Violation of Section 9.38.014 and 9.38.015. Any person violating Sections 9.38.014 and 9.38.015 is guilty of a misdemeanor punishable by a fine of not more than fifty dollars (\$50.00). Each day of continued violation shall be deemed a separate offense.

9.38.017 Purchase by Minors Prohibited. No person under the age of eighteen (18) years shall purchase or attempt to purchase tobacco products, or misrepresent his identity or age, or use any false or altered identification for the purpose of purchasing or attempting to purchase tobacco products.

9.38.018 Penalty for Violation of Section 9.38.017. Any individual violating Section 9.38.017 is guilty of a misdemeanor punishable by a fine of not more than twenty-five dollars (\$25.00). Upon a conviction for violation of Section 9.38.018, the court may allow the defendant to perform community service and be granted credit against his fine and court costs at the rate of seven dollars and twenty-five cents (\$7.25) for each hour of work performed.

9.38.019 Possession or Use by Minors Prohibited. It is unlawful for any person under the age of eighteen years to possess or use any tobacco products.

9.38.020 Penalty for Violation of Section 9.38.019. Any individual Violating Section 9.38.019 is guilty of a misdemeanor punishable by a fine of not more than twenty-five dollars (\$25.00). Upon a conviction for violation of Section 9.38.019, the court may allow the defendant to perform community service and be granted credit against his fine and court costs at the rate of seven dollars and twenty-five cents (\$7.25) for each hour of work performed.

9.38.021 Affirmative Defense to Prosecution Under Section 9.38.019. It is affirmative defense to a prosecution under Section 9.38.019 that the defendant possessed or used the tobacco product in the home of, or under the direct supervision of his parent or guardian.