

ORDINANCE 1317

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF THE TOWN OF JACKSON ORDINANCE NOS. 15, 89, 111, 115, 150, 162, 182 (PART), 294, 295, 590, 594, 610, 612, 635, 639, 725, 750, 797, 820, 822, 874 THROUGH 877, 950, 1014, 1064 THROUGH 1066, 1104 THROUGH 1106, 1177 AND 1200; SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 111, 115, 150, 162, 335, 433, 878 AND 879; SECTION 3 OF TOWN OF JACKSON ORDINANCE NOS. 111, 115, 150, 162, AND 879; SECTION 4 OF TOWN OF JACKSON ORDINANCE NOS. 14, 111, 115, 150, AND 162; SECTION 5 OF TOWN OF JACKSON ORDINANCE NOS. 150 AND 162; SECTION 6 OF TOWN OF JACKSON ORDINANCE NO. 131; SECTION 7 OF TOWN OF JACKSON ORDINANCE NOS. 14, 150, AND 162; SECTION 8 OF TOWN OF JACKSON ORDINANCE NOS. 14 AND 162; SECTIONS 9 AND 10 OF TOWN OF JACKSON ORDINANCE NOS. 162 AND 289; SECTIONS 11 THROUGH 15, 18 THROUGH 20, 22, 24, AND 26 THROUGH 31 OF TOWN OF JACKSON ORDINANCE NO. 162; SECTIONS 13 AND 14 OF TOWN OF JACKSON ORDINANCE NO. 289; AND SECTIONS 9.04.010 THROUGH 9.68.040 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING PUBLIC, MORALS AND WELFARE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

Section 1 of Town of Jackson Ordinance Nos. 15, 89, 111, 115, 150, 162, 182 (part), 294, 295, 590, 594, 610, 612, 635, 639, 725, 750, 797, 820, 822, 874 through 877, 950, 1014, 1064 through 1066, 1104 through 1106, 1177 and 1200; Section 2 of Town of Jackson Ordinance Nos. 111, 115, 150, 162, 335, 433, 878 and 879; Section 3 of Town of Jackson Ordinance Nos. 111, 115, 150, 162, and 879; Section 4 of Town of Jackson Ordinance Nos. 14, 111, 115, 150, and 162; Section 5 of Town of Jackson Ordinance Nos. 150 and 162; Section 6 of Town of Jackson Ordinance No. 131; Section 7 of Town of Jackson Ordinance Nos. 14, 150, and 162; Section 8 of Town of Jackson Ordinance Nos. 14 and 162; Sections 9 and 10 of Town of Jackson Ordinance Nos. 162 and 289; Sections 11 through 15, 18 through 20, 22, 24, and 26 through 31 of Town of Jackson Ordinance Nos. 162; Sections 13 and 14 Town of Jackson Ordinance No. 289; and Sections 9.04.010 through 9.68.040 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows: **Exhibit A**, copies of which are on file in the office of the Town Clerk and on the Town of Jackson website and available for inspection.

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the Ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE 2nd DAY OF MAY 2022.

PASSED 2ND READING THE 16th DAY OF MAY 2022.

PASSED AND APPROVED THE 6th DAY OF JUNE 2022.

TOWN OF JACKSON

Hailey Morton Levinson, Mayor

ATTEST:

Riley Taylor, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance ____ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the ____ day of ____ 2022. I further certify that the foregoing Ordinance was duly recorded on page ____ of Book ____ of Ordinances of the Town of Jackson, Wyoming.

Riley Taylor, Town Clerk

TITLE 9 PUBLIC PEACE, MORALS AND WELFARE

Chapters:

- 9.04 OBSTRUCTING POLICE AND FIRE DEPARTMENTS
- 9.08 EMERGENCY REGULATIONS FOR MOB ACTION OR CIVIL DISOBEDIENCE Repealed.
(Ord. 1317 § 1, 2022)
- 9.12 ACTIONS FOR VIOLATIONS OF ORDINANCES Repealed. (Ord. 1317 § 1, 2022)
- 9.16 ASSAULT AND BATTERY - AFFRAY – UNLAWFUL CONTACT OR TOUCHING – PROVOCATION
- 9.20 LARCENY AND SHOPLIFTING
- 9.24 SLANDER Repealed. (Ord. 1107 § 1, 2016)
- 9.26 ILLEGAL DISCRIMINATION
- 9.28 INDECENCY AND IMMORALITY
- 9.32 GAMBLING Repealed. (Ord. 1317 § 1, 2022)
- 9.34 CRUELTY TO ANIMALS
- 9.36 INTOXICATION
- 9.40 DISORDERLY CONDUCT
- 9.44 EXCESSIVE NOISE
- 9.48 VAGRANCY Repealed. (Ord. 1060, § 1, 2014)
- 9.50 MARIJUANA USE
- 9.52 INJURY TO OR DESTRUCTION OF PROPERTY
- 9.54 UNLAWFUL REMOVAL OR DESTRUCTION OF NEWSPAPERS
- 9.56 TRESPASS--UNAUTHORIZED ACCESS TO UTILITIES
- 9.60 CONSUMER PROTECTION (Reserved)
- 9.64 CONTRIBUTING TO DELINQUENCY--USE OF LIQUOR/TOBACCO OR NICOTINE
- 9.68 POSSESSION OR USE OF WEAPONS

Chapter 9.04
OBSTRUCTING POLICE AND FIRE DEPARTMENTS

Sections:

- 9.04.010 **Bringing weapons, tools or intoxicating drinks in jail.** Repealed. (Ord. 1317 § 1, 2022)
- 9.04.020 **Impersonating officers.** Repealed. (Ord. 1317 § 1, 2022)
- 9.04.030 **False alarms.** Repealed. (Ord. 1317 § 1, 2022)
- 9.04.040 **False record of crime.**
- 9.04.050 **Interference with Police Department.**
- 9.04.060 **Aiding prisoners to escape.** Repealed. (Ord. 1317 § 1, 2022)
- 9.04.070 **Following fire apparatus and/or driving over fire hose.** Repealed. (Ord. 1317 § 1, 2022, 2022)

9.04.010 Bringing weapons, tools or intoxicating drinks in jail. (Repealed).
(Ord. 1317 § 1, 2022; Ord. 289 § 9, 1982; Ord. 14 § 7, 1926.)

9.04.020 Impersonating officers. (Repealed)
(Ord. 1317 § 1, 2022; Ord. 289 § 10, 1982; Ord. 15 § 1, 1926.)

9.04.030 False alarms. (Repealed)
(Ord. 1317 § 1, 2022; Ord. 162 § 26, 1973.)

9.04.040 False record of crime.
A. It is unlawful for any person to make, or file with, the police department of the Town any false, misleading, or deceptive statement or report concerning the commission or alleged commission of any crime, or of the existence of an emergency occurring within the Town.
(Ord. 1317 § 1, 2022; Ord. 162 § 27, 1973.)

9.04.050 Interference with police.
A. Interference or Resisting Officer. It is unlawful for any person to obstruct, impede, interfere with, or resist any peace officer, while the officer is engaged in the lawful performance of their official duties.
B. Escape. It is unlawful for any person to escape or attempt to escape from the official custody of a peace officer or to assist or attempt to assist in the escape of any person from the official custody of a peace officer.
C. Cruelty to or Interference with Official Animals. It is unlawful for any person to knowingly torture, torment, tease, beat, kick, strike, mutilate, or injure any official animal or to interfere with or meddle with the lawful performance of an official animal. For the purposes of this section, an official animal includes any certified police dog, police horse, fire dog, or search and rescue dog.
(Ord. 1317 § 1, 2022; Ord. 295 § 1, 1982; Ord. 162 § 28, 1973.)

9.04.060 Aiding prisoners to escape. (Repealed)
(Ord. 1317 § 1, 2022; Ord. 1104 § 1, 2016; Ord. 162 § 31, 1973.)

9.04.070 Following fire apparatus and/or driving over fire hose. (Repealed)
(Ord. 1317 § 1, 2022; Ord. 162 § 29, 1973.)

Chapter 9.08
EMERGENCY REGULATIONS FOR MOB ACTION OR CIVIL DISOBEDIENCE

Repealed
(Ord. 1317 § 1, 2022; Ord. 115 §§ 1-4, 1968)

Chapter 9.12
ACTIONS FOR VIOLATIONS OF ORDINANCES

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

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

Sections:

9.16.010 Assault.

9.16.020 Battery.

9.16.025 Unlawful Contact or Touching.

9.16.030 Affray.

9.16.040 Criminal provocation. Repealed. (Ord. 1317 § 1, 2022)

9.16.010 Assault.

It is unlawful for any person, having the present ability to do so, to attempt to cause bodily injury to another person by use of physical force.

(Ord. 1317 § 1, 2022; Ord. 1105 § 1, 2016; Ord. 162 § 1, 1973.)

9.16.020 Battery.

It is unlawful for any person to intentionally, knowingly, or recklessly cause bodily injury to another person by use of physical force.

(Ord. 1317 § 1, 2022; Ord. 1105 § 1, 2016; Ord. 162 § 2, 1973.)

9.16.025 Unlawful Contact or Touching.

A. It is unlawful for any person to:

1. touch another person in a rude, insolent, or angry manner without intentionally using sufficient physical force to cause bodily injury to another; or
2. recklessly cause bodily injury to another person.

(Ord. 1317 § 1, 2022; Ord. 1105 § 1, 2016; Ord. 162 § 2, 1973.)

9.16.030 Affray.

It is unlawful for any person to physically fight by agreement with one or more persons in a public place. This section shall not apply to active participants of organized sporting events.

(Ord. 1317 § 1, 2022; Ord. 1105 § 1, 2016; Ord. 162 § 3, 1973.)

9.16.040 Criminal provocation. (Repealed)

(Ord. 1317 § 1, 2022; Ord. 1105 § 1, 2016; Ord. 162 § 4, 1973.)

Chapter 9.20
LARCENY AND SHOPLIFTING

Sections:

9.20.010 Petit larceny. Repealed. (Ord. 1317 § 1, 2022)

9.20.015 Theft

9.20.020 Receiving stolen goods. Repealed. (Ord. 1317 § 1, 2022)

9.20.030 Taking and using property without consent of owner. Repealed. (Ord. 1317 § 1, 2022)

9.20.040 Shoplifting--Defined.

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

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

Repealed. (Ord. 1317 § 1, 2022)

9.20.070 Shoplifting--Penalty. Repealed. (Ord. 1317 § 1, 2022)

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

Repealed. (Ord. 1317 § 1, 2022)

9.20.010 Petit larceny (Repealed).

(Ord. 1317 § 1, 2022; Ord. 874 § 1, 2008; Ord. 725 § 1, 2003; Ord. 162 § 12, 1973.)

9.20.015 Theft

A. It is unlawful for any person to knowingly take or exercise unauthorized control over or make an unauthorized transfer of an interest in the property of another person with the intent to deprive the other person of the property.

B. For the purposes of this section, the value of the property shall be less than \$1000.

(Ord. 1317 § 1, 2022)

9.20.020 Receiving stolen goods. (Repealed)

(Ord. 1317 § 1, 2022; Ord. 162 § 13, 1973.)

9.20.030 Taking and using property without consent of owner. (Repealed).

(Ord. 1317 § 1, 2022; Ord. 162 § 14, 1973.)

9.20.040 Shoplifting--defined.

It is unlawful for any person to willfully conceal or willfully take 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 and with intent to convert the goods to his own use without paying the purchase price.

(Ord. 1317 § 1, 2022; Ord. 111 § 1, 1968.)

9.20.050 Shoplifting--Reasonable detention and interrogation of person suspected of shoplifting; defense in civil or criminal action.

A. Any merchant or an employee thereof who has reasonable suspicion to believe a person committed the crime of shoplifting, as defined in Section 9.20.040, and immediately reports the suspected shoplifting to the police department, may detain such person in a reasonable manner and for a reasonable time. If a peace officer does not arrive within a reasonable time, then the person shall be released. Any peace officer who responds and has reasonable suspicion to believe a person has committed the crime of shoplifting may further detain and question the person in regard to the suspected violation in a reasonable manner, for a reasonable time, and in accordance with the person's constitutional rights.

B. In a civil or criminal action based upon a detention or interrogation pursuant to this section, it is a defense that the peace officer, merchant, or merchant's employee had reasonable cause to believe the person committed the offense of shoplifting, as defined in Section 9.20.040, and that the

detention or interrogation were conducted in a reasonable manner, for a reasonable time from the initial detention of the person, and in accordance with the person's constitutional rights.
(Ord. 1317 § 1, 2022; Ord. 111 § 2, 1968.)

**9.20.060 Shoplifting--Reasonable detention defense against action brought by person detained.
(Repealed).**
(Ord. 1317 § 1, 2022; Ord. 111 § 3, 1968.)

9.20.070 Shoplifting--Penalty. (Repealed)
(Ord. 1317 § 1, 2022; Ord. 111 § 4, 1968.)

**9.20.080 Buying, selling, possessing or concealing articles which have identifying marks removed.
(Repealed)**
(Ord. 1317 § 1, 2022; Ord. 294 § 1, 1982.)

Chapter 9.24
SLANDER

Repealed

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

Chapter 9.26
ILLEGAL DISCRIMINATION

Sections:

- 9.26.010 Legislative findings.
- 9.26.020 Declaration of policy, purpose and intent.
- 9.26.030 Definitions.
- 9.26.040 Employment discrimination prohibited. Repealed. (Ord. 1317 § 1, 2022)
- 9.26.050 Places of public accommodation; discrimination prohibited.
- 9.26.060 Housing; discrimination prohibited.
- 9.26.070 Other prohibited acts.
- 9.26.080 Retaliation.
- 9.26.090 Discriminatory effects.
- 9.26.100 Exceptions.
- 9.26.110 First amendment rights.
- 9.26.120 Violation and remedy.
- 9.26.130 Repealed.

9.26.010 Legislative findings.

- A. The Town of Jackson ("Town") is composed of and welcomes diverse individuals, groups, and communities.
- B. The Town values this diversity and encourages all residents and visitors to contribute to the commercial life and activities of Jackson, and to the cultural and social life of the Town.
- C. Discrimination and discriminatory practices based on sexual orientation or gender identity or expression inhibit and restrict the economic growth and opportunities of Jackson and its citizens and visitors, as well as the cultural, social and commercial activities and life of the Town.
- D. Discrimination disturbs or jeopardizes the public health, safety and welfare of the Town.
- E. While the vast majority of housing providers and places of public accommodation within the Town do not discriminate on the basis of actual or perceived sexual orientation and gender identity or expression, the town has received public testimony and written complaints reporting instances of discrimination.
- F. Although state and federal laws have been enacted to eliminate discrimination in housing, and public accommodations, the town finds that existing state and federal laws do not adequately address all discriminatory acts reported by the town's diverse residents, including lesbian, gay, bisexual, and transgender individuals that have not attained equal opportunity in housing and public accommodations. A barrier to the advancement of lesbian, gay, bisexual, and transgender individuals in their personal and professional lives within the Town is the potential discriminatory practices of providers of public accommodations and housing on the basis of actual or perceived sexual orientation and gender identity or expression, and thus the Town deems it necessary to adopt local regulations adapted to the needs of its citizens.
- G. Discrimination on the basis of actual or perceived sexual orientation and gender identity or expression impacts all citizens who may be lesbian, gay, bisexual, or transgender, because it limits the ability to fully and freely identify themselves as they seek housing and the services and products provided by public accommodations.
- H. Discrimination in housing makes it difficult for persons addressed in this chapter to find housing in close proximity to urban services, educational facilities, in price ranges that are within their earning ability, and may cause citizens to seek housing outside the Town.
- I. Discrimination in places of public accommodation is economically harmful to a prosperous community and is otherwise detrimental to the welfare and economic growth of the town and may cause citizens to seek public accommodations outside the Town.

- J. Discrimination must be prohibited in order to protect the health, safety and welfare of the town and to ensure the basic human rights of members of groups that have historically been subject to discrimination, including the right of such group members to live in peace where they wish.
- K. Prohibition of discrimination will attract new residents and businesses to the town, will encourage visitors and tourists to the town, and is necessary to raise and maximize revenue for the Town.
- L. The Town wishes to exercise its powers to the fullest extent allowed by the Constitution and statutes of the State of Wyoming and United States to prohibit and regulate discrimination.

9.26.020 Declaration of policy, purpose and intent.

- A. It is declared to be among the civil rights of the people of the Town of Jackson, Wyoming, to be free from discrimination in housing and public accommodations, and for it to be contrary to the policy of the town and unlawful to discriminate against any person because of sexual orientation or gender identity or expression in places of housing and public accommodation. It is also declared to be unlawful to retaliate against any person for making a complaint or assisting in an investigation or proceeding as set forth in this chapter.
- B. Consistent with the findings of the Town Council, it is the intent of the Town of Jackson that no person shall be denied his or her civil rights or discriminated against based upon his or her actual or perceived sexual orientation or gender identity or expression, as more specifically set out in this chapter.
- C. Consistent with the findings of the Town Council, and incorporating those findings, the ordinance from which this chapter is derived is enacted to exercise, to the fullest extent allowed by Wyoming Statutes and the Wyoming Constitution, the powers of the Town of Jackson to prohibit such discrimination in order to, without limitation, encourage the economic growth of the town, raise revenue for the town for the benefit of its residents, prevent activities that disturb or jeopardize the public health, safety, peace or morality of the town, provide for the health, safety and welfare of the town, and to generally encourage the growth and economic expansion of the town, and the ability of its residents to fully participate in the cultural, social and economic life of the town.

9.26.030 Definitions.

- A. As used in this chapter, the following definitions apply:
 - 1. *Discrimination, discriminate or discriminatory*: Any act, policy or practice that has the effect of unfavorably subjecting any person to different or separate treatment because of his or her actual or perceived sexual orientation, gender identity or expression, or association with a person or group of people so identified, or on the belief that a person has a particular sexual orientation or gender identity or expression, even if that belief is incorrect.
 - 2. *Gender identity or expression*: An actual or perceived gender-related identity, expression, or behavior, regardless of the individual's sex at birth.
 - 3. *Housing facility or housing accommodation*: A building or portion of a building, whether constructed or to be constructed, that is or will be used as the home, domicile, residence, or sleeping quarters of its occupants.
 - 4. *Perceived*: Refers to the perception of the actor, and not to the perception of the person for or against whom the action is taken.
 - 5. *Person*: A natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer of employee of any of them.
 - 6. *Public accommodation*:
 - a. The term "public accommodation" means a place, including the town and its agencies, however organized, offering services, facilities or goods to or soliciting patronage from members of the general public. This includes places of lodging, establishments serving food or drink, auditoriums and other places of public gathering, shopping facilities, medical and other professional service establishments, public transportation facilities, libraries and other

professional service establishments, places of entertainment and recreation, daycare centers and other social service establishments.

- b. The term "public accommodation" does not include an institution, club, or place of accommodation that proves that it is, by its nature, distinctly private. An institution, club, or place of accommodation is not by its nature distinctly private if
- i. It has more than 100 members;
 - ii. Provides regular meal service; and
 - iii. Regularly receives payment for dues, fees, use of space, facilities, services, meals, or beverages, directly or indirectly, from or on behalf of nonmembers, for the furtherance of trade or business.

For the purposes of this definition, any lodge of a recognized national fraternal organization is considered by its nature distinctly private.

7. *Sexual orientation*: Actual or perceived heterosexuality, bisexuality, or homosexuality.

9.26.040 Employment discrimination prohibited. (Repealed)

9.26.050 Places of public accommodation; discrimination prohibited.

- A. All persons of good deportment are entitled to the full and equal enjoyment of all public accommodations, including accommodations, advantages, facilities and privileges of all places or agencies which are public in nature, or which invite the patronage of the public, including Town facilities and services, without any distinction, discrimination or restriction on account of sexual orientation or gender identity or expression.

9.26.060 Housing; discrimination prohibited.

It shall be unlawful for any person, owner, manager, employee, or any entity whose business includes engaging in any residential real estate related transactions to discriminate on the account of sexual orientation or gender identity or expression in the sale, lease or rental of any housing facility, or to otherwise discriminate in the terms, conditions, maintenance, improvement, or repair of any housing facility. The rental of sleeping rooms in a private residence designed as a single dwelling unit in which the owner also resides is excluded from this section, provided that the owner rents no more than two sleeping rooms within the residence.

9.26.070 Other prohibited acts.

- A. No person shall adopt, enforce or employ any policy or requirement, sign or notice which discriminates or indicates discrimination in providing housing or public accommodations.
- B. No person shall discriminate in the publication or distribution of advertising material, information or solicitation regarding housing or public accommodations.
- C. No agent, broker, labor union, employment agency or any other intermediary shall discriminate in making referrals, listings or providing information with regard to housing or public accommodations.
- D. No person shall conspire with, assist or coerce another person to discriminate in any manner prohibited by this chapter.

9.26.080 Retaliation.

No person shall coerce, threaten, discharge, expel, blacklist, or otherwise retaliate against another person for opposing any practices prohibited by this chapter, or making a complaint, or assisting in an investigation or proceeding regarding an alleged violation of this chapter; nor shall any person require, request, conspire with, assist, or coerce another person to coerce, threaten, discharge, expel, blacklist or to retaliate against a person for making a complaint or assisting in an investigation or proceeding.

9.26.090 Discriminatory effects.

No person shall adopt, enforce or employ any policy or requirement which has the effect of creating unequal opportunities according to actual or perceived sexual orientation or gender identity or expression, for

an individual to obtain housing or public accommodations.

9.26.100 Exceptions.

- A. Notwithstanding anything contained in this chapter, the following practices shall not be violations of this chapter:
 - 1. For a religious organization or institution to restrict any of its facilities of housing or accommodations which are operated as a direct part of religious activities to individuals of the denomination involved or to restrict employment opportunities for officers, religious instructors and clergy to individuals of that denomination.
 - 2. For the owner of an owner-occupied one-family or two-family dwelling, or a housing facility or public accommodation facility, respectively, devoted entirely to the housing and accommodation of individuals of one sex, to restrict occupancy and use on the basis of sex.
 - 3. To limit occupancy in a housing project or to provide public accommodations or employment privileges or assistance to individuals who are of low income, over 55 years of age or disabled, in circumstances in which such limitations are appropriately designated.
 - 4. To engage in a bona fide effort to establish an affirmative action program to improve opportunities in employment for groups, including, but not limited to, minorities and women, where allowed or required by law.
 - 5. To refuse to enter a contract with an unemancipated minor.
 - 6. To refuse to admit to a place of public accommodation serving alcoholic beverages an individual under the legal age for purchasing alcoholic beverages.
 - 7. To refuse to admit individuals under 18 years of age to a business providing entertainment or selling literature which the operator of said business deems unsuitable for minors.
 - 8. For an educational institution to limit the use of its facilities to those affiliated with such institution.
 - 9. To provide discounts on products and services to students, minors and senior citizens.
 - 10. To discriminate in any arrangement for the sharing of a dwelling unit by an individual who is sharing the unit.
- B. Nothing herein shall be construed to prohibit any affirmative action laws passed by any level of government. Preferential treatment of or benefits conferred on any of the classes protected from discrimination under this chapter are permissible to the extent allowed by law.

9.26.110 First amendment rights.

This chapter fully acknowledges all rights guaranteed by the First Amendment of the United States Constitution.

9.26.120 Violation and remedy.

- A. *Procedure for filing complaints.*
 - 1. Any person who claims an unlawful housing practice or an unlawful public accommodation practice occurred to them subject to the Town's jurisdiction under this chapter may file a complaint with the Town Manager or a designee. A complaint must be filed within 90 calendar days after an alleged violation under this chapter has occurred.
 - 2. A complaint must be in writing, made under oath or affirmation, and contain the following information:
 - a. The complainant's name, address, telephone number and signature;
 - b. The date the alleged unlawful housing practice or unlawful public accommodation practice occurred;
 - c. A statement of the facts upon which the allegation of an unlawful housing practice or unlawful public accommodation practice occurred;
 - d. The name of the alleged violator, or facts sufficient to identify such person ("respondent"); and

- e. Whether a complaint concerning this same matter has been filed with another agency and the disposition of said complaint.
 3. Upon receipt of the complaint, the Town Manager or a designee shall assign such complaint to a person or entity (the "investigator") with the requisite knowledge, skills, and expertise to further investigate the complaint as herein described. Such assignment will be made at the sole discretion of the Town Manager or a designee. In the event said complaint involves persons employed by the Town, the investigator shall be an independent third party. In addition, any remedy provided herein is cumulative with internal disciplinary policies that may apply.
 4. Promptly upon receipt of the complaint from the Town Manager or a designee, the investigator shall:
 - a. Serve by certified mail with return receipt requested the respondent written notice that a complaint alleging the commission of an unlawful housing practice or unlawful public accommodation practice has been filed against the respondent;
 - b. Furnish a copy of the complaint to the respondent; and
 - c. Advise the respondent of their right to file an answer and the right to an investigation to the complaint as provided in this section, and to their procedural rights and obligations in the investigation.
 5. Not later than 30 calendar days after the post-mark date on the notice and copy of the complaint mailed to respondent, respondent may file an answer to the complaint. The answer must be in writing, made under oath or affirmation, and contain the following information:
 - a. The respondent's name, address, telephone number, and signature of the respondent or the respondent's attorney, if any; and
 - b. A concise statement of facts in response to the allegations in the complaint, including facts of any defense or exemption.
- B. *Investigation.*
 1. Upon receipt of the complaint and the corresponding answer, if any, the investigator shall commence an investigation to determine the facts behind the complaint and whether there is reasonable cause to believe the respondent committed an unlawful housing practice or unlawful public accommodation practice.
 2. No investigation may commence if, after reviewing the allegations of the complaint, the investigator determines that the complaint does not come within the scope of this chapter. Upon determining that a particular complaint does not come within the scope of this chapter, the investigator shall dismiss the complaint, notify the complainant and respondent and take no further action.
 3. In connection with any investigation of a complaint filed under this chapter, the investigator shall seek the voluntary cooperation of any person to:
 - a. Obtain access to premises, records, documents, individuals, and any other possible source of information;
 - b. Examine, record and copy necessary materials; and
 - c. Take and record testimony or statements of any person reasonably necessary for the furtherance of the investigation.
 4. The investigator may dismiss a complaint during the investigation and prior to referral to the town attorney if the investigator determines any of the below circumstances apply. If the complaint is dismissed pursuant to this section, the investigator shall notify the complainant and respondent in writing of the reason for the dismissal and take no further action.
 - a. The complaint was not filed within the required time period;
 - b. The location of the alleged unlawful housing practice or unlawful public accommodation practice is not within the Town's jurisdiction;
 - c. The alleged unlawful housing or unlawful public accommodation practice is not a violation of this chapter;
 - d. The complainant refuses to cooperate with the investigator in the investigation of the

complaint;

- e. The complainant cannot be located after the investigator has performed a reasonable search; or
- f. The investigator determines there is no reasonable cause to believe that an unlawful housing practice or unlawful public accommodation practice occurred.

C. *Disposition of a complaint.*

- 1. Upon completion of an investigation of a complaint, if the investigator determines there is reasonable cause to believe that an unlawful housing practice or unlawful public accommodation practice occurred, the investigator shall either dismiss the complaint upon the complainant and respondent entering into a written conciliation agreement or refer the complaint to the town attorney and provide written notice of such to the complainant and respondent.
- 2. Upon the referral of a complaint to the town attorney, the town attorney shall review the complaint and determine whether to file the complaint in municipal court or to decline to pursue the matter any further and dismiss the complaint. If the town attorney declines to pursue the complaint, then the town attorney shall provide written notice of such to the complainant and respondent and inform the parties the complaint will be dismissed.

9.26.130 Violation; Penalties (Repealed)

(Ord. 1317 § 1, 2022; Ord. 1200 § 1, 2018.)

Chapter 9.28
INDECENCY AND IMMORALITY

Sections:

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

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

9.28.030 Public indecency.

9.28.040 Voyeurism. Repealed. (Ord. 1317 § 1, 2022)

9.28.010 Dance houses with lewd or disorderly persons. (Repealed)

(Ord 1175 § 1, 2017; Ord. 289 § 12, 1982; Ord. 14 § 2, 1926.)

9.28.020 Disorderly houses and houses of ill fame. (Repealed)

(Ord 1176 § 1, 2017; Ord. 17 § 2, 1926; Ord. 15 § 8, 1926.)

9.28.030 Public indecency.

A. It is unlawful for any person to, while in a public place where it is reasonable to expect to be viewed by others or from a private premises where it is reasonable to expect it may be observed by others who are not a member or guest of the person's household, to:

1. Expose or show their private parts. Private parts mean the uncovered human genitals, pubic area, buttocks, or the human female breast. The act of breastfeeding in any place where the person is legally present does not constitute public indecency.
2. Engage in sexual conduct or masturbation; or
3. Engage in conduct which to an ordinary observer would appear to be sexual conduct or masturbation.

B. Violation, Penalty. (Repealed)

(Ord. 1317 § 1, 2022; Ord. 1106 § 1, 2016; Ord. 875 § 1, 2008; Ord. 612 § 1, 1998; Ord. 162 § 20, 1973.)

9.28.040 Voyeurism (Repealed)

(Ord. 1317 § 1, 2022; Ord. 797 §1, 2005)

Chapter 9.32
GAMBLING

Repealed

(Ord. 1317 § 1, 2022; Ord. 433 § 2, 1991.)

Chapter 9.34
CRUELTY TO ANIMALS

Sections:

9.34.010 Cruelty to animals.

9.34.010 Cruelty or neglect of animals.

- A. It is unlawful for any person, either through their action or omission, to:
1. Intentionally or knowingly unnecessarily injure or beat an animal;
 2. Knowingly carry an animal in a manner that poses undue risk of injury or death;
 3. Knowingly override an animal or drive an animal when overloaded;
 4. Abandon an animal. Relinquishment of an animal to a public or private animal shelter or like facility is not a violation of this subparagraph;
 5. Fail to provide adequate food, clean water, protection from the elements, adequate sanitation, adequate facilities, or standard and accepted veterinary care for an animal's health and well-being;
 6. Place, leave, or confine an animal, or allow an animal to be placed, left or confined, in a motor vehicle or trailer without providing adequate air, ventilation, food, water, sanitary conditions, bedding, shelter or protection from heat, cold or other environmental conditions or under other circumstances that may cause bodily injury or death of the animal;
 7. Cause the death, injury or suffering to an animal except when performed by a licensed veterinarian or veterinary office;
 8. Cause or allow an animal to remain in its own filth, urine, or feces;
 9. In the case of immediate, obvious, serious illness or injury to the animal, fail to provide the animal with appropriate care;
 10. Keep an animal in a manner that results in chronic or repeated serious physical harm to the animal;
 11. Attach or allow to be attached a collar or harness to an animal that is of an inadequate size so that it restricts the animal's growth or causes damage to the animal's skin;
 12. Attach or allow to be attached a tether that is not appropriately sized for the animal or so heavy as to restrict or burden the animal's movements which causes harm to the animal;
 13. Tease, taunt, or provoke an aggressive reaction from an animal; and
 14. Fail to place or attach a tether to avoid entanglement with chains of other animals or other objects so as to deny the animal convenient and safe access to shelter;
 15. Own, possess, keep, or train an animal with the intent to allow the animal to engage in an exhibition of fighting with another animal;
 16. For gain cause or allow any animal to fight with another animal;
 17. Promote any animal fighting; and
 18. Shoot, poison, or otherwise intentionally act to seriously injure or destroy any animal owned by another person while the animal is on property where the animal is authorized to be present.

A. An "animal" for purposes of this ordinance is defined as any living creature other than a human.
(Ord. 1317 § 1, 2022; Ord. 162 § 22, 1973.)

Chapter 9.36
INTOXICATION

Sections:

9.36.010 Public intoxication--Violation.

9.36.010 Public intoxication.

A. It is unlawful for any person to be in a place open to the public and under the influence of alcohol or an intoxicating substance to a degree which renders them:

1. Incapable of exercising care for their own safety;
2. An interference with, obstruction to, or hinderance to others' free use of a sidewalk, highway, street, alley, throughfare, or other public way; or
3. Violent, menacing, or disorderly to such an extent as to jeopardize the safety of others, others' property, or to cause a breach of the public peace.

B. It is unlawful for any person to be under the influence of alcohol or an intoxicating substance to a degree which renders them incapable of exercising care for their own safety and are found intruding upon any private premises without the consent of the owner or occupant.

(Ord. 1317 § 1, 2022; Ord. 876 § 1, 2008; Ord. 639 § 1, 1999; Ord. 335 § 2, 1985.)

Chapter 9.40
DISORDERLY CONDUCT

Sections:

9.40.010 Disturbing meetings.

9.40.020 Breach of peace.

9.40.030 Obstructive or disruptive conduct within governmental facilities prohibited.

9.40.010 Disturbing meetings.

It is unlawful for any person to interrupt, harass, or disturb any group convened for the purpose of worship, any lawful meeting or assembly of people, fair, exhibition, with any loud or unnecessary talking or shouting, by any threatening, abusive, profane, or obscene language, by violent actions, or by any other rude behavior.

(Ord. 1317 § 1, 2022; Ord. 877 § 1, 2008; Ord. 162 § 7, 1973.)

9.40.020 Breach of peace.

It is unlawful for a person to disturb the peace of a community or its inhabitants by unreasonably loud noise or music or by using threatening, abusive, or violent actions with knowledge or probable cause to believe they will disturb the peace.

(Ord. 1317 § 1, 2022; Ord. 877 § 1, 2008; Ord. 820 § 1, 2006; Ord. 590 § 1, 1998; Ord. 162 § 8, 1973.)

9.40.030 Obstructive or disruptive conduct within governmental facilities prohibited.

It is unlawful for any person, acting singly or in concert with others, to go into or upon facilities owned by, or under the control of, a governing body and by force, violence, or other conduct obstruct or disrupt the facilities or the public business occurring therein.

(Ord. 1317 § 1, 2022)

**Chapter 9.44
EXCESSIVE NOISE**

Sections:

- 9.44.010 Excessive Noise.
- 9.44.015 Maximum Sound Level Exemptions
- 9.44.020 Noise defined. Repealed. (Ord. 1317 § 1, 2022)
- 9.44.030 Nonconforming operation of vehicles or other activities unlawful. Repealed. (Ord. 1317 § 1, 2022)
- 9.44.040 Measurement for excessive noise.
- 9.44.050 Permit for relief from maximum sound levels--Application--Approval.
- 9.44.060 Use of loudspeakers and sound producing devices to attract public to buildings prohibited.
- 9.44.070 Attaching sound amplifying equipment to vehicles for advertising prohibited.
- 9.44.075 Compression brake
- 9.44.080 Exceptions. Repealed. (Ord. 1317 § 1, 2022)
- 9.44.090 Excessive noise--Penalty for violations. Repealed. (Ord. 1317 § 1, 2022)
- 9.44.100 Vehicle mufflers, horns and warning devices. Repealed. (Ord. 1317 § 1, 2022)

9.44.010 Excessive Noise.

- A. It is unlawful for any person to make or create an excessive or unusually loud noise within the Town as heard and measured in the manner prescribed in Section 9.44.040. A noise is excessive and unusually loud if it is impulsive, continuous, rhythmic, periodic, or shrill and it exceeds the maximum sound levels established for the times and zones listed in this section.
- B. Noises shall not exceed the maximum sound levels prescribed for the following times and zones:

<u>Type of Zone</u>	<u>Hours</u>	<u>Decibel Level</u>
<u>Residential</u>	<u>7 a.m. to 7 p.m.</u>	<u>55 decibels</u>
	<u>7 p.m. to 7 a.m.</u>	<u>50 decibels</u>
<u>Mixed Use/ Commercial</u>	<u>7 a.m. to 7 p.m.</u>	<u>60 decibels</u>
	<u>7 p.m. to 7 a.m.</u>	<u>55 decibels</u>
<u>Light Industrial</u>	<u>7 a.m. to 7 p.m.</u>	<u>70 decibels</u>
	<u>7 p.m. to 7 a.m.</u>	<u>75 decibels</u>

- C. For the purposes of this section, the aforementioned zones shall be defined as those set forth in the Land Development Regulations.

(Ord. 1317 § 1, 2022, Ord. 150 § 1(a), 1972.)

9.44.015 Maximum Sound Level Exemptions

- A. The following exemptions shall apply:

- i. Property maintenance appliances and tools. The noise from the use of property maintenance appliances and tools, such as lawnmowers, chainsaws, table saws and the like, that are maintained and used consistent with manufacturer's specifications and for regular property maintenance and preservation purposes, is exempt between the hours of 7:00 a.m. and 7:00 p.m. from the maximum sound levels permitted in Section 9.44.010.
- ii. Impact noises. Impact noises are those noises whose peak values are more than 6 decibels higher than the values indicated on the sound level metered and occur for only a short duration, such as the noise of a forging hammer or punch press. The maximum noise levels permitted in Section 9.44.010 may be increased by 10 decibels for impact noises.
- iii. Temporary construction operations. The noise from the use and operation of construction equipment at active, temporary construction sites in residential zones is exempt from the maximum sound levels permitted in Section 9.44.010 for the hours between 7a.m. and 7p.m. The noise from the use and operation of construction equipment at active, temporary construction sites in mixed use/commercial zones is wholly exempt from the maximum sound levels permitted in Section 9.44.010.
- iv. Public maintenance. The noise from the use and operation of any Town, Teton County, or State of Wyoming equipment or activities, whether for repair, replacement, improvement, construction, or maintenance, including but not limited to snow removal operations, street cleaning, trash removal, etc., are exempt from the maximum sound levels permitted in Section 9.44.010.
- v. Events. The noise from events conducted, sponsored, or approved by the Town, Teton County, or the State of Wyoming, or by authorized Town staff, including but not limited to dances, concerts, shows, festivals, sporting events, memorials, carnivals, and the like, are exempt from the maximum sound levels permitted in Section 9.44.010.
- vi. Permitted noise. The noise made pursuant to and in compliance with any permit issued under Section 9.44.050.
- vii. Emergency Vehicles. The noise from any authorized emergency vehicles.
- viii. Church or school chimes or bells. The noise from any church or school chimes or bells.
- ix. Church or school chimes or bells. The noise from any church or school chimes or bells.

(Ord. 1317 § 1, 2022)

9.44.020 Noise defined. (Repealed).

(Ord. 1317 § 1, 2022, Ord. 150 § 1(b), 1972.)

9.44.030 Nonconforming operation of vehicles or other activities unlawful. (Repealed)

(Ord. 1317 § 1, 2022, Ord. 150 § 1(c), 1972.)

9.44.040 Measurement for excessive noise.

For the purpose of determining and classifying any noise as excessive or unusually loud, the following test measurement and requirements shall be applied:

- A. The noise shall be measured on a decibel or sound level meter which conforms to American National Standards Institute standards and quality operated on an "A" weighing scale.
- B. If the noise is located within a dedicated public right-of-way, the noise shall be measured at a distance of at least twenty-five feet from the source of the noise.
- C. If the noise is located on private property or public property, it shall be measured at least twenty-five feet from the property line of the property on which the source of the noise is located.

- D. Measurements with sound level meters shall be made when the wind velocity at the time and place of measurement is not more than five miles per hour, and, if the wind is more than 5 miles per hour, a wind screen shall be used.

(Ord. 1317 § 1, 2022, Ord. 150 § 1(d), 1972.)

9.44.050 Permit for relief from maximum sound levels; Application; Approval.

- A. Applications for a permit for relief from maximum sound levels designated in Section 9.44.010 may be made in writing to the Town Manager, or their designee. Any permit granted by the Town Manager, or their designee, shall contain all conditions upon which the permit has been granted and shall specify a reasonable time that the permit shall be effective. The Town Manager, or their designee, may grant the permit if they find:
 - 1. The activity, operation, or noise will be of temporary duration, and cannot be done in a manner that would comply with this chapter;
 - 2. No other reasonable alternative is available to the applicant; or
 - 3. Failure to issue the permit would constitute an undue hardship.
- B. The Town Manager, or their designee, may prescribe any requirements deemed necessary to minimize adverse effects upon the community or the surrounding neighborhood as a condition to the issuance of a permit.
- C. The Town Manager, or their designee, shall either issue or reject any application submitted in writing within five business days after receipt of the application. The applicant may appeal, in writing to the Town Council, any decision of the Town Manager, or their designee, within ten business days after such decision is rendered.

(Ord. 1317 § 1, 2022, Ord. 150 § 2, 1972.)

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

Notwithstanding provisions in this chapter to the contrary, it is unlawful for any person to use, operate, or permit to be played, used or operated, any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any business, building, or structure.

(Ord. 1317 § 1, 2022, Ord. 150 § 3, 1972.)

9.44.070 Attaching sound amplifying equipment to vehicles for advertising prohibited.

No person shall operate, or cause to be operated within the Town any motor vehicle or horse drawn vehicle having mounted thereon or attached thereto any sound amplifying equipment with such sound amplifying equipment in operation for commercial sound advertising purposes.

(Ord. 1317 § 1, 2022, Ord. 150 § 4, 1972.)

9.44.075 Compression brake.

It is unlawful for any person to operate or use within the corporate limits of the Town any engine compression brake, or "jake brake," designed to be used in the braking or deceleration of any truck or vehicle. It is an affirmative defense to a violation of this section that the engine compression braking was used in an emergency to avoid damage to property or to avoid personal injury.

(Ord. 1317 § 1, 2022, Ord. 878 § 2, 2008; Ord. 610 § 1, 1998; Ord. 131 § 6, 1970.)

9.44.077 Vibration

- A. Except for active, temporary construction operations and blasting for avalanche control, no activity shall cause or create a displacement for the frequencies prescribed in the table below. Vibration shall be measured at the site boundary line.

Maximum Permitted Steady State Vibration Displacement

Frequency (cycles per second)	Vibration Displacement (inches)
10 and below	0.0008
10 – 20	0.0005
20 – 30	0.0003
30 – 40	0.0002
40 and over	0.0001

- B. *Impact Vibrations.* For impact vibrations, the maximum permitted vibration displacement shall be twice that permitted for steady state vibrations.
- C. *Temporary Construction Operations.* For temporary construction operations occurring between the hours of 7:00 a.m. and 7:00 p.m., steady state vibrations and impact vibrations shall not exceed 2 times that permitted for permanent operations.
- D. *Maximum Vibration Frequency.* In no instance, except for temporary construction operations, shall an activity be permitted which creates a vibration beyond the boundaries of the site of the activity sufficient to cause a displacement of 0.003 inches.
- E. *Measurement.* For the purposes of this Section, vibration refers to ground transmitted oscillations. earthborne vibrations are measured with a seismograph or accelerometer. With the portable seismograph, the earth vibrations are measured in 3 mutually perpendicular directions (1 vertical and 2 horizontal). The 3 motions are added vertically, and the resultant maximum vibration given as a single number. Steady state vibrations are earthborne oscillations that are continuous, with discrete pulses that occur at or more frequently than 100 times per minute. The frequency is the number of oscillations per second of vibration. Impact vibrations are earthborne oscillations occurring in discrete pulses at less than 100 pulses per minute.

(Ord. 1317 § 1, 2022)

9.44.080 Exceptions. (Repealed)

(Ord. 1317 § 1, 2022, Ord. 1014§ 1, 2012; Ord. 150 § 5, 1972.)

9.44.090 Excessive noise--Penalty for violations. (Repealed)

(Ord. 1317 § 1, 2022, Ord. 150 § 7, 1972.)

9.44.100 Vehicle mufflers, horns and warning devices. (Repealed)

(Ord. 1317 § 1, 2022, Ord. 162 § 30, 1973.)

Chapter 9.48
VAGRANCY

Sections:

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

Chapter 9.50
MARIJUANA USE

Sections:

9.50.010 Possessing, using, or being under influence of marijuana or THC.

9.50.020 Definitions for marijuana use.

9.50.030 Probation and discharge of first-time offenders.

9.50.010 Possessing, using, or being under influence of marijuana or THC.

It is unlawful for any person to knowingly possess marijuana or THC in an amount less than one ounce or to knowingly use or be under the influence of marijuana or THC.

(Ord. 1317 § 1, 2022; Ord. 182 § 1 (part), 1975.)

9.50.020 Definitions for marijuana use.

- A. "Marijuana" means all parts of the plant of the genus Cannabis, whether growing or not; the seed thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin.
- B. "Marijuana" does not include:
 - i. The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed or the plant which is incapable of germination.
 - ii. "Hemp" or "hemp product" as defined in W.S. § 11-51-101.
- C. "THC" is tetrahydrocannabinol, which means synthetic equivalents of the substances contained in the plant or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity.
- D. "THC" does not include "hemp" or "hemp product" as defined in W.S. § 11-51-101.

(Ord. 1317 § 1, 2022; Ord. 182 § 1 (part), 1975.)

9.50.030 Probation and discharge of first-time offenders.

Whenever any person who has not previously been convicted of any offense under any statute of the United States or of any state relating to narcotic drugs, marijuana, or stimulant, depressant, or hallucinogenic drugs pleads guilty or no contest to or is found guilty of using, possessing or being under the influence of marijuana or THC under Section 9.50.010, the court, without entering a judgment of guilt and with the consent of the accused and the prosecutor, may defer further proceedings and place them on probation upon terms and conditions satisfactory to the court. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against them. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of disqualifications or disabilities imposed by law upon conviction of a crime. There may be only 1 discharge and dismissal under this section with respect to any person. This section shall not be construed to provide an exclusive procedure. Any other procedure provided by law relating to suspension of trial or probation, may be followed, in the discretion of the court.

(Ord. 1317 § 1, 2022; Ord. 1065 § 1, 2014)

Chapter 9.52
INJURY TO OR DESTRUCTION OF PROPERTY

Sections:

9.52.010 Defacing or destroying property.

9.52.015 Destroying or interfering with property of another. Repealed. (Ord. 1317 § 1, 2022)

9.52.020 Tearing down notices and advertisements. Repealed. (Ord. 1317 § 1, 2022)

9.52.030 Endangering public and private property by careless burning.

9.52.040 Throwing stones or missiles.

9.52.050 Definitions.

9.52.060 Unlawful acts on and against public property

9.52.070 Camping on public property

9.52.010 Defacing or destroying property.

It is unlawful for any person to knowingly deface, injure, interfere, tamper with, remove, or destroy the property of another without the owner's consent.

(Ord. 1317 § 1, 2022; Ord. 289 § 13, 1982; Ord. 14 § 4, 1926.)

9.52.015 Destroying or interfering with property of another. (Repealed)

(Ord. 1317 § 1, 2022; Ord. 879 § 2, 2008; Ord. 610 § 1, 1998; Ord. 131 § 32, 1970.)

9.52.020 Tearing down notices and advertisements. (Repealed)

(Ord. 1317 § 1, 2022, Ord. 289 § 14, 1982; Ord. 14 § 8, 1926.)

9.52.030 Endangering public and private property by careless burning.

It is unlawful for anyone to burn trash, rubbish, grass, or any other material either in or out of an incinerator, which through lack of supervision or through carelessness causes a fire to spread to other property.

(Ord. 1317 § 1, 2022, Ord. 162 § 15, 1973.)

9.52.040 Throwing stones or missiles.

It is unlawful for any person to throw, shoot or propel an arrow, missile, pellet, stone, metal or other similar substance capable of causing physical harm to persons or property, in or on any public place, in or on the property of another, or from any private property into or onto any public place or the property of another. This section does not apply to supervised archery ranges or instruction nor when otherwise lawfully authorized.

(Ord. 1317 § 1, 2022, Ord. 162 § 25, 1973.)

9.52.050 Definitions.

- A. *Public property* means any publicly owned property within the Town of Jackson or property that is open to the general public, and includes, but is not limited to, any park, playground, sidewalk, road, street, alley, way, curb, vacant lot, undeveloped tract, or any part of any public right-of-way, including those devoted to any planting or park-like use.
- B. *To camp or camping* means the use of public property to undertake camping activities for the purpose of remaining overnight regardless of the intent of the individual. This definition excludes car camping.
- C. *Camping activities* include, but are not limited to, activities, such as storing personal belongings, cooking, building fires or igniting stoves, and setting up, placing, pitching, building, or occupying temporary shelters, in combination with one another or in combination with either sleeping or making preparations to sleep.
- D. *Car camping* means the use of public property to park a vehicle to undertake camping activities within and about said vehicle for the purpose of remaining overnight regardless of the intent of the individual.
- E. *Temporary shelters* include, but are not limited to, tents, huts, vehicles (such as passenger cars, trucks, recreational vehicles, and trailers), bivouacs, lean-tos, dug-out earthen enclosures, and canvass or tarpaulin enclosures.

- F. *Storing* means to put aside or accumulate for use at a later time or when needed; to place, cache, or stockpile for safekeeping; to collect or put away for future use.
- G. *Vehicles* includes all motor vehicles, such as passenger cars and trucks, SUVs, farm trucks, RVs, camper vans, and includes trailers attached to such vehicles.

(Ord. 1317 § 1, 2022, Ord. 1066 § 1, 2014)

9.52.060 Unlawful acts on and against public property.

- A. It is unlawful for any person on any public property to knowingly, and without authority:
 - 1. Buildings and other property. Deface, injure, interfere, tamper with, remove, displace, or destroy any building, railing, bench, signs, notices, placards, monuments, stakes, posts, boundary markers, wall or rock border, structures, equipment, facilities, or appurtenances thereof.
 - 2. Public utilities. Deface, injure, interfere, tamper with, remove, displace, or destroy any paving, paving material, curb marking, water line, or any facilities or property and equipment of any public utilities or parts or appurtenances thereof.
 - 3. Restrooms and Washrooms. Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.
 - 4. Removal of Natural Resources. To dig or remove any sand, soil, rock, stones, trees, shrubs, or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means.
 - 5. Erection of Structures. Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, any tent, fly or windbreak, or run or string any rope, cord, or wire into, upon, or across, any public property, except on special permit issued by the Town Council.
 - 6. Public Urination. Urinate or defecate, except in a public restroom.
 - 7. Parks, Trees, Shrubbery, Plants. Damage, cut, carve, burn, transplant, or remove any tree or plant, injure the bark of any tree, or pick the flowers or seeds of any tree or plant. No person shall dig or otherwise disturb, or in any other way injure or impair the natural beauty or usefulness of any park area. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant, with the exception that slacklining is allowed in Town parks, other than Miller Park and George Washington Park (Town Square), subject to the following rules and guidelines:
 - i. In the event metal poles have been placed in a Town park, slacklines shall be attached to the metal poles and not attached to trees;
 - ii. In the event metal poles are unavailable in a Town park, slacklines shall only be attached to trees greater than 12" in diameter;
 - iii. Slacklines shall be secured utilizing proper tree protection with no wire cables directly in contact with the tree;
 - iv. Slacklines shall be completely removed when not in use;
 - v. Slacklines shall not be left unattended; and,
 - vi. Slacklines shall be placed to not interfere with pedestrian traffic or other park use.
 - 8. Climbing Trees and Structures. Climb any tree, or climb, walk, stand, or sit upon monuments, fountains, railings, fences, planted areas, or upon any other property not designed or customarily used for such purposes.
 - 9. Interfering with Traffic. Stand, sit, or lie in or upon any street, sidewalk, stairway or crosswalk so as to prevent free passage of persons or vehicles passing over, along or across any street, alley, public way, sidewalk, stairway or crosswalk.

10. Refuse, Trash, and Littering. Drop, throw, place, discard, dump, leave or otherwise deposit any bottles, broken glass, garbage, ashes, paper, boxes, cans, dirt, rubbish, waste, refuse or other trash, except in waste containers provided therefore. No such refuse or trash shall be placed in any waters in or contiguous to any park, or planted area, or left anywhere on the grounds thereof.
11. Loitering and Boisterousness. (Repealed Ord. 1059 § 1, 2014)
12. Merchandise sales. Offer for sale or for show any goods or merchandise, or place any stand, cart, or vehicle for the transportation, sale, or display of any such goods or merchandise, without first obtaining a Town license.
13. Begging. (Repealed Ord. 1317 § 1, 2022).
14. Advertising in a Park. (Repealed Ord. 1317 § 1, 2022).
15. Signs. Paste, glue, tack, or otherwise post any sign, placard, advertisement, or inscription, or erect or cause to be erected any sign whatever on any public lands or highways or roads.

9.52.070 Camping on public property.

- A. It is unlawful for any person to camp on public property within the Town.
- B. It is unlawful for any person to car camp on any public property within the Town.
- C. Individuals may camp or car camp on public property under the following circumstances:
 1. With a Special Event Permit issued in connection with a Special Event in accordance with Jackson Municipal Code;
 2. With an approval from the Jackson Town Council; or
 3. With a permit issued under the Town of Jackson Land Development Regulations.

(Ord. 1317 § 1, 2022, Ord 1177 § 1, 2017; Ord. 1066 § 1, 2014; Ord. 950 § 1, 2009; Ord. 879 § 3, 2008; Ord. 635 § 1, 1999.)

Chapter 9.54
UNLAWFUL REMOVAL OR DESTRUCTION OF NEWSPAPERS

Repealed.
(Ord. 1317 § 1, 2022, Ord 822 § 1, 2006)

Chapter 9.56
TRESPASS--UNAUTHORIZED ACCESS TO UTILITIES

Sections:

9.56.010 Criminal trespass.

9.56.015 Criminal Entry

9.56.020 Willful injury to or destruction of property. Repealed. (Ord. 1317 § 1, 2022)

9.56.030 Unauthorized access to public utilities. Repealed. (Ord. 1317 § 1, 2022)

9.56.010 Criminal trespass.

It is unlawful for any person to enter or remain on or in the land or premises of another person, knowing they are not authorized to do so, or after being notified to depart or to not trespass either by personal communication to the person by the owner or occupant, or their agent, or by a peace officer, or by the posting of signs reasonably likely to come to the attention of intruders.

(Ord. 1317 § 1, 2022; Ord. 162 § 9, 1973.)

9.56.015 Criminal Entry

A. It is unlawful for any person, without authority, to knowingly enter a building, occupied structure, vehicle or cargo portion of a truck or trailer, or a separately secured or occupied portion of those enclosures.

B. It is an affirmative defense to prosecution under this section that:

1. The entry was made because of a mistake of fact or to preserve life or property in an emergency;
2. The enclosure was abandoned;
3. The enclosure was at the time open to the public and the person complied with all lawful conditions imposed on access to or remaining in the enclosure; or
4. The person reasonably believed that the owner of the enclosure, or other person empowered to authorize access to the enclosure, would have authorized them to enter.

(Ord. 1317 § 1, 2022)

9.56.020 Willful injury to or destruction of property. (Repealed)

(Ord. 1317 § 1, 2022; Ord. 162 § 10, 1973.)

9.56.030 Unauthorized access to public utilities. (Repealed)

(Ord. 1317 § 1, 2022; Ord. 162 § 11, 1973.)

Chapter 9.64
CONTRIBUTING TO DELINQUENCY--USE OF LIQUOR

Sections:

- 9.64.010 Selling or furnishing liquor to minors.**
- 9.64.020 Possession and consumption of liquor by minors.**
- 9.64.025 Purchase of liquor and falsification of identification by minors**
- 9.64.030 Minors entering liquor establishments.**

9.64.010 Selling or furnishing liquor to minors.

It is unlawful for any person, either directly or indirectly, to sell, offer for sale, furnish, give away, or deliver any alcoholic liquor or malt beverage to any person under the age of 21, who is not their legal ward, medical patient, or member of their own immediate family, or to permit a person under the age of 21 to enter or remain in any place that primarily sells alcoholic liquor or malt beverage. This section does not apply to sales by the Wyoming Liquor Division or a wholesaler to a liquor license holder.

(Ord. 1317 § 1, 2022; Ord. 594 § 1, 1998; Ord. 162 § 18, 1973.)

9.64.020 Possession and consumption of liquor by minors.

It is unlawful for any person under the age of 21 to possess or consume any alcoholic liquor or malt beverage or to have a measurable blood, breath, or urine alcohol concentration in their body, except as otherwise provided under W.S. § 12-6-101.

(Ord. 1317 § 1, 2022; Ord. 1064 § 1, 2014; Ord. 750 § 1, 2004; Ord. 162 § 19, 1973.)

9.64.025 Purchase of liquor and falsification of identification by minors

It is unlawful for any person under the age of 21 to purchase or attempt to purchase, or misrepresent his identity or age or use any false or altered identification for the purpose of purchasing or attempting to purchase any alcoholic liquor or malt beverage or to enter any place where the chief product of sale is alcoholic liquor or malt beverage.

(Ord. 1317 § 1, 2022)

9.64.030 Minors entering liquor establishments.

It is unlawful for any person under the age of 21 to enter or remain in any place where the chief product of sale is alcoholic liquor or malt beverage after being requested to leave by the liquor license holder, their agents, servants, or employees, or by any law enforcement officer

(Ord. 1317 § 1, 2022, Ord. 89 § 1, 1964.)

Chapter 9.68
POSSESSION OR USE OF WEAPONS

Sections:

9.68.020 Drawing dangerous weapons. Repealed. (Ord. 1317 § 1, 2022)

9.68.030 Carrying concealed weapons. Repealed. (Ord. 1108 § 1, 2016)

9.68.040 Discharging firearms prohibited.

9.68.020 Drawing dangerous weapons. (Repealed)

(Ord. 1317 § 1, 2022; Ord. 162 § 5, 1973.)

9.68.030 Carrying concealed weapons. (Repealed.)

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

9.68.040 Discharging firearms prohibited

- A. It is unlawful for any person, other than a law enforcement officer, to discharge any firearms within the Town, unless discharge occurs within the confines of an indoor range. For the purposes of this section, “firearm” means any weapon which will or is designated to expel a projectile by the actions of an explosive.
- B. This ordinance is enacted in conformance with Wyo. Stat. Ann. § 6-8-401 and pursuant to Wyo. Stat. Ann. § 15-1-103(a)(xviii), by regulating conduct which disturbs the peace and jeopardizes the public health, safety, and peace of the Town.

(Ord. 1317 § 1, 2022; Ord. 162 § 24, 1973.)