

ORIGINAL ORDINANCE NO.

INTRODUCED BY: _____

ENROLLED ORDINANCE NO.

AN ORDINANCE TO AMEND SECTIONS 9.12.010, 9.12.020, 9.12.030 and 9.16.070 OF THE LARAMIE MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE, WYOMING that:

Section 1. Laramie Municipal Code Sections 9.12.010, 9.12.020, 9.12.030, 9.12.130 and 9.16.070 shall be amended as follows:

~~9.12.010 – Disorderly houses.~~

~~No person shall keep any common, ill-governed or disorderly house or suffer any drunkenness, quarreling, fighting, unlawful games or riotous games or disorderly conduct whatever on his premises.~~

9.12.010. - Disorderly party or gathering prohibited.

No person shall participate in any party or gathering consisting of two or more people when such party or gathering:

1. Occurs in residentially zoned or used areas or buildings between the hours of 10:00 p.m. and 6:00 a.m. and when said party or gathering gives rise to unreasonable noise likely to cause significant discomfort or annoyance to a reasonable person of normal sensitivities present in the area, in consideration of the time of day and the residential character of said area or building. Noise of such volume as to be clearly audible at a distance of 50 feet from the structure or building in which the party or gathering is occurring, or in the case of apartment buildings, in the adjacent hallway or apartment, shall be prima facie evidence of unreasonable noise in violation of this article.
2. When fighting or disorderly conduct occurs on the premises.
3. When minors are consuming alcohol on the premises.

~~9.12.020 – Houses of ill fame – Prohibited.~~

~~No bawdy house, house of ill fame, house of prostitution or assignation or other place for the practice of fornication or common, ill-governed or disorderly house, shall be kept or maintained within the city. No person shall keep any such house or shall be an inmate of or in any manner connected with any such house or contribute to its support.~~

9.12.020. - Order to disperse—Refusal prohibited.

When a police officer determines that a party or other gathering has become disorderly, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person shall refuse to leave the premises after being ordered by a police officer to do so.

9.12.030 - Houses of ill fame ~~Disorderly Houses~~—Permitting such use.

No person shall permit any building or tenement in his possession or under his control to be used or occupied for any of the purposes mentioned and prohibited in Section 9.12.020, or permit any building or tenement used or occupied for any such purpose to stand upon any lot or parcel of land within the city owned, held, possessed or controlled, either as agent, owner or otherwise, by him.

9.12.030 - Tenant or owner—Cooperation required.

Every owner of such premises, or tenant in charge of such premises, who has knowledge of the disturbance shall cooperate with such police officer and shall make reasonable effort to stop the disturbance.

9.12.130 - Disorderly conduct—Generally.

A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or carelessly creating a risk thereof, he or she:

- A. Engages in fighting or other violent or tumultuous conduct or in conduct creating the threat of imminent fighting or other violence; or
- B. Makes or uses to or of another and in his or her presence any gesture, display, opprobrious words, profane, obscene, or abusive language which would reasonably tend to incite or abet a person to engage in fighting or other violent or tumultuous conduct; or
- C. Creates loud and offensive noise or utters profane or obscene language in any public street or other public place, or place to which the public is invited; or
- D. Places himself or herself or with another or others congregates, in or on any public way so as to reasonably tend to halt or interfere with the free and regular flow of vehicular or pedestrian traffic and refuses to clear such public way when ordered by the police or other lawful authority; or
- E. Is found in any public place under the influence of intoxicating liquor or drug or any combination of any intoxicating liquor or drug, in such a condition that he or she is unable to exercise care for his or her own safety or the safety of others, or by reason of his or her being under the influence of intoxicating liquor or drug or any combination of any intoxicating liquor or drug, interferes with or obstructs or prevents the free use of any street, sidewalk, or other public way; or
- F. While loitering, prowling, or wandering upon the private property of another, in the nighttime, peeks in the door or window of any inhabited building or structure located thereon, without visible or lawful purpose.
- G. This section does not apply to constitutionally-protected activity. If an individual claims to have been engaged in a constitutionally-protected activity, the court shall determine the validity of the claim as a matter of law and, if found valid, shall exclude evidence of the activity.

9.16.070 - Damaging—Property—Generally.

No person shall ~~carelessly, recklessly or intentionally~~ damage the tangible property of another. in any way deface the windows, walls or other parts of buildings, whether occupied or unoccupied, within the city nor in any manner injure the awnings, awning posts, fences, enclosures or other improvements of any kind or character whatsoever, either private or public property, nor fill up, obstruct or otherwise damage any ditch or clog any intakes or pipes in the storm sewer system constructed in the city nor injure, mark or deface any trees, flowers or shrubs.

Section 2. This ordinance shall become effective after passage, approval and publication.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

David A. Paulekas, Mayor and President
of the City Council of the City of
Laramie, Wyoming

ATTEST:

Angie Johnson
City Clerk

First Reading August 15, 2016
Second Reading August 6, 2016
Third Reading September 20, 2016

Duly published in the Laramie Daily Boomerang this _____ day of _____, 2016.