

ORDINANCE NO. 221

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 10 OF ORDINANCE NO. 48, 1935, APPEARING IN THE MILLS MUNICIPAL CODE AS 5.12.110 ENTITLED "SALE TO CERTAIN PERSONS PROHIBITED" PERTAINING TO THE SALE, GIFT OR DELIVERY OF ALCOHOLIC AND/OR MALT BEVERAGES TO SPECIFIED PERSONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING.

SECTION 1. That Section 10 of Ordinance 48, 1935, be amended to read as follows:

SECTION 10.

(a) Every holder of a retail liquor license issued under the provisions of this chapter or his servant or employee who sells, gives or delivers alcoholic or malt beverages to any habitual drunkard or any incompetent person, and every holder of a retail liquor license, or his servant or employee, who permits any person under the age of nineteen (19) years to enter or remain in the place, except drugstores, in which he sells intoxicating or malt liquors is guilty of a violation of this chapter.

(b) Every person who sells, furnishes, gives or causes to be sold, furnished or given away any alcoholic or malt beverage to any person under the age of nineteen (19), who is not his legal ward, medical patient or member of his own immediate family, is guilty of a violation of this chapter. A motor vehicle operator's license, a registration certificate issued under the

Federal Selective Service Act, an identification card issued to a member of the armed forces, or a Wyoming liquor purchase identification card 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 of identification, is a defense to any criminal prosecution or to any proceeding for the suspension or revocation of any license hereunder.

(c) Any person under the age of nineteen (19) who has any alcoholic or malt beverage in his possession or who is drunk or under the influence of intoxicating liquor or drugs or malt beverages, on any street or highway or in any public place is guilty of a misdemeanor. This subsection shall not apply to possession by a person under the age of nineteen (19) making a delivery of such alcoholic beverages in pursuance of the order of his parent or pursuant to his employment.

(d) Any person who violates any of the provisions of this section, or aids, abets or incites any violation hereof, is guilty of a misdemeanor and upon conviction shall be fined not more than \$100.00 or imprisoned for not more than sixty (60) days. Any person under the age of nineteen (19) years who shall violate subsection (c) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$100.00 or be imprisoned for not more than sixty (60) days.

(e) Any person under the age of nineteen (19) who falsifies any identification or who uses any false identification in order to obtain intoxicating liquor or beverages is guilty of a misdemeanor.

SECTION 2. FORMER ORDINANCE REPEALED. Section 10 of Ordinance No. 48, 1935, and any and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. DECLARATION OF EMERGENCY.

WHEREAS the Forty-Second State Legislature of the State of Wyoming on the 5th day of March, 1973, passed an Act relating to the health, safety and welfare of the citizens of the State of Wyoming; and,

WHEREAS the Ordinances of the Town of Mills do not comply with the state law; and,

WHEREAS the Town Council of the Town of Mills, Wyoming, deems it in the best interests of public health, safety and welfare that the ordinances of the Town of Mills be uniform with the Statutes of the State of Wyoming; therefore an emergency is hereby declared and this Ordinance is passed as an emergency measure and the Town Council does, by the vote by which this Ordinance is passed, hereby declare that an emergency exists which makes it imperative that this Ordinance shall be effective forthwith in order to preserve the public health, safety and welfare of the citizens of the Town of Mills, Wyoming.

PASSED, APPROVED and ADOPTED this 11th day of July, 1973.

TOWN OF MILLS, a Municipal Corporation

Attest:

By: Lawrence Wilcox  
Lawrence Wilcox, Mayor

Norene Reed  
Norene Reed, Clerk of Town of Mills,  
a Municipal Corporation

I, Norene Reed, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 221 entitled "AN ORDINANCE TO AMEND AND RE-ENACT SECTION 10 OF ORDINANCE NO. 48, 1935, APPEARING IN THE MILLS MUNICIPAL CODE AS 5.12.110 ENTITLED "SALE TO CERTAIN PERSONS PROHIBITED" PERTAINING TO THE SALE, GIFT OR DELIVERY OF ALCOHOLIC AND/OR MALT BEVERAGES TO SPECIFIED PERSONS." Passed as an emergency ordinance by the Town Council of the Town of Mills, Wyoming, at a regular meeting held at the Council Chambers on the 11th day of July, 1973.

Sign: Norene Reed  
Norene Reed, Town Clerk

I, regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming, do hereby certify that signed, attested, sealed and certified copies of this Ordinance No. 221 approved and passed as certified above, were, following its passage by the Town Council, posted up in the Town Clerk's office and the Mills Post Office for a period of ten (10) days as required by law; that it took effect and became in force as a legal Ordinance of the Town of Mills, Wyoming, on the 27th day of July, 1973.

Signed: Norene Reed  
Norene Reed, Town Clerk