

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 3, SECTION 3-6 OF THE GILLETTE CITY CODE TO RENAME THE SECTION SOCIAL HOST ORDINANCE, ADD DEFINITIONS AND MAKE VARIOUS REVISIONS.

WHEREAS, the Governing Body of the City of Gillette desires to amend Chapter 3, Section 3-6 of the Gillette City Code.

THEREFORE, IT IS RESOLVED BY THE GOVERNING BODY OF THE CITY OF GILLETTE, WYOMING:

SECTION ONE. §3-6 of the Gillette City Code, is amended to read as follows:

§3-6 Social Host Ordinance.

- (a) Authority. Pursuant to WYO. STAT. § 15-1-103(xli), the City has the authority to adopt ordinances necessary for the health, safety, and welfare of the City.

- (1) The occurrence of social gatherings on private property where alcoholic beverages are served to or consumed by underage persons is harmful to the underage persons themselves and a threat to public health, safety, and welfare of the City.

- (b) Purpose. The purpose of this ordinance is:

- (1) Protect the public health, safety, and welfare of the City.
- (2) Enforce law prohibiting the service to and consumption of alcoholic beverages by Persons under 21 years of age at social gatherings.

- (c) Definitions.

- (1) "Person" means any individual.
- (2) "Alcohol" means Alcoholic Liquor as defined by WYO. STAT. § 12-1-10(a)(i) and (vii), and Malt Beverages as defined by WYO. STAT. § 12-1-10(a)(x).
- (3) "Control" means any form of regulation, dominion, or possessory right, including but not limited to owner, renter, tenant, keeper, caretaker; or control of over the persons allowed on the premises.
- (4) "Controlled Substance" is defined by WYO. STAT. §35-7-1002(a)(iv) - means a drug, substance, or immediate precursor in schedules I through V of article III.

- (5) "Residence or Premises" means a home, apartment, condominium or other dwelling unit, hotel or motel room, yard, a hall, meeting room or other place of assembly, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for social functions, and whether owned, leased, rented or used with or without permission or compensation.
- (d) A Person violates the Social Host Ordinance if the Person knowingly allows or permits a Person under the age of twenty-one (21) years of age to:
- (1) Enter or remain in a Residence under the Person's control in which unlawful activities involving Controlled Substances or Alcohol are maintained or conducted;
- or
- (2) Consume Alcohol or Controlled Substances in violation of the law in a place under the Person's Control.
- (e) Any Person that violates this ordinance is guilty of a misdemeanor and may be punished by a fine up to seven hundred fifty dollars (\$750.00), six months in jail, or both.
- (f) This ordinance does not apply to Persons under twenty-one (21) years of age specifically authorized to consume alcohol in accordance with WYO. STAT. § 12-6-101(a) and (d); or controlled substances by the Wyoming Controlled Substances Act of 1971, WYO. STAT. §35-7-1001 *et. seq.*

PASSED, APPROVED, AND ADOPTED this 2nd day of April 2019.

Louise Carter-King, Mayor

(S E A L)
ATTEST:

Cindy Staskiewicz, City Clerk