

Disturbing the Peace:



The City of Powell and the State of Wyoming have several different ordinances and statutes that deal with disturbing the peace. The Powell Police can and does enforce both state statute and municipal ordinances. Usually most complaints revolve around excessive or unreasonable noise or loud music. It is important that the Powell Police receive a complaint from a citizen or resident of Powell, for the proper enforcement action to be taken there needs to be a victim. The victim is the person whose peace is being disturbed. When investigating a noise complaint, the police do not reveal the name of the person making the complaint, but that person who made the initial complaint may be called into court as a witness for the city, remember for a violation to occur there needs to be a victim.



Disturbing the Peace (Powell Municipal Ordinance 9.12.040)

- A.** A person commits a disturbance of the peace if he disrupts the peace of a Community or its inhabitants by unreasonably loud noise or music, or by using threatening, abusive or obscene language, or violent actions with the knowledge or probable cause to believe he will disturb the peace.
- B.** It is unlawful for any person to fight in a public place or challenge another person in a public place to fight. (Fine, up to \$750.00)



Disorderly Conduct (Powell Municipal Ordinance 9.08.040)

It is unlawful for any person in any public place to quarrel or fight with another, or aid or abet in any fight, or ask, invite or defy another to fight or quarrel, or to use abusive language and thereby intentionally create a risk of assault, or intentionally disrupt any lawful assembly or

meeting of persons without lawful authority, or intentionally obstruct vehicular or pedestrian traffic without lawful authority. (Fine, up to \$750.00)

Disorderly House (Powell Municipal Ordinance 9.08.010)

It is unlawful for any person being the owner, occupant, tenant or guest of an owner, occupant or tenant of any private home, apartment, or other residential unit of any kind whatever, whether temporary or permanent, to knowingly suffer any conduct thereon with knowledge or probable cause to believe that said conduct will disturb the peace of any other person, and the owner, tenant, occupant or guest of an owner, tenant or occupant of any such premises on which such disturbances occur, shall be presumed to have knowingly suffered the same. (Fine, up to \$750.00)



Excessive noise—Unlawful (Powell Municipal Ordinance 9.12.050).

The making and creating of excessive noise within the City is declared to be unlawful. (Fine, up to \$750.00)

Excessive noise—Definitions. (Powell Municipal Ordinance 9.12.060).

The term “excessive noise” shall have the following meaning:

- A. When related to a sound from a vehicle with a manufactures gross weight rating of ten thousand pounds during the hours of seven a.m. to six p.m. the term shall mean any sound which exceeds eighty-eight decibels.
- B. When related to all other sounds, from whatever source, the term shall mean any such sounds which exceed eighty decibels.



Determination of noise level. (Powell Municipal Ordinance 9.12.060)

For the purpose of determining and classifying any noise as excessive and in violation of this chapter, the following measurement and requirements shall be applied:

- A. The noise shall be measured on a sound meter which conforms to American Noise Standard Institute and International Standards and Quality, operated on an “A” weighing scale.

B. The noise shall be measured at a distance of at least thirty-five feet from its source, when located within a dedicated public right-of-way.

C. If the noise is located on private property or public property, other than a dedicated public right-of-way, it shall be measured at least twenty-five feet from the property line of the property on which its source is located.

Breach of Peace (Wyoming State Statute 6-6-102)

A. A person commits breach of peace if he disturbs the peace of a community or its inhabitants by unreasonably loud noise or music or by using threatening, abusive or obscene language or violent actions with knowledge or probable cause to believe he will disturb the peace.

B. Breach of the peace is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both.