

Title 1

GENERAL PROVISIONS

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- 1.10 General Penalty**
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Chapter 1.05**GENERAL PROVISIONS**

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1.05.010 How code designated and cited.

The ordinances embraced in this code shall be designated and cited as “The Code of the Town of Wheatland, Wyoming.” [1996 Code § 1-1.]

For state law as to authority of town to cause compilations, codifications and comprehensive revisions of ordinances, see WS, 1977, 15-1-103. As to the manner and form of enactment of codifications or general revisions of ordinances, see WS, 1977, 15-1-115. As to the publication of recodification of ordinances, see WS, 1977, 15-1-116. As to adoption of Codes by reference see WS, 1977, 15-1-119.

1.05.020 Code adoption – Copy on file.

There is hereby adopted by the town council of the town of Wheatland a supplement to that code entitled “The Code of the Town of Wheatland, Wyoming,” which was previously supplemented pursuant to Ordinance No. 569 on November 4, 1985, containing certain ordinances of a general and permanent nature as compiled, consolidated, codified and indexed in Chapters 1 to 19, both inclusive, of which one copy has been and is now filed in the office of the town clerk. [Ord. 650 § 1, 1996; formerly § 1-1.1 of 1984 supplementation. 1996 Code § 1-2.]

1.05.030 Effective date – Repeal of earlier ordinances.

The provisions of this code shall be in force from and after third reading of Ordinance No. 650, and all ordinances of a general and permanent nature adopted before third reading of Ordinance No. 650, and not contained in such code are hereby repealed, except as hereinafter provided. [Ord. 650 § 2, 1996; formerly § 1-1.2 of 1984 supplementation. 1996 Code § 1-3.]

1.05.040 Effect of repeal on past actions and obligations.

The supplementation to the code and the adoption thereof shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing before final reading of the ordinance codified in this chapter; nor shall it affect any prosecution, suit or proceeding pending, or any judgment rendered prior to final reading of the ordinance codified in this section; nor shall it affect any ordinance or resolution promising or guaranteeing the payment of money from the town or authorizing the issuance of any bonds of the town or any evidence of the town’s indebtedness or any contract or obligation assumed by the town; nor shall it affect any annual tax levy; nor shall it affect any fee schedules or charges the town levies for services provided unless specifically stated; nor shall it affect any right or franchise conferred by ordinance or resolution of the town on any person or corporation; nor shall it affect any ordinance adopted for the purposes which have been consummated; nor shall it affect any ordinance which is temporary, although general in effect, or special, although permanent in effect; nor shall it affect any ordinance relating to the salaries of the town officers or employees; nor shall it affect any ordinance annexing territory to the town; nor shall it

affect any ordinance naming, renaming, accepting or vacating streets or alleys in the town; nor shall it affect any ordinance relating to zoning unless specifically provided for; nor shall it affect any ordinance adopted on final reading and passage after final reading of the ordinance codified in this chapter; nor shall it affect any ordinance concerning zoning, building, electrical, fire and other uniform codes unless specifically provided for; nor shall it affect any rates or fees for any utility services provided by the town of Wheatland, including but not limited to electrical rates, water rates, sewer rates and garbage rates. [Ord. 650 § 4, 1996; formerly § 1-1.3 of 1984 supplementation. 1996 Code § 1-4.]

1.05.050 Definitions and rules of construction.

In the construction of this code and all ordinances of the town, the following definitions and rules of construction shall be observed, unless they are inconsistent with the manifest intent of the town council or the context clearly requires otherwise:

For definitions and rules of construction for statutes generally, see WS, 1977, 8-1-102 and 8-1-103. NOTE: Statutes referred to have been corrected.

Computation of Time. The time within which an act is to be done shall be computed by excluding the first and including the last day unless the last day is a Saturday, a Sunday or a legal holiday, in which case the period shall run until the end of the next day which is not a Saturday, a Sunday or a legal holiday.

For state law as to legal holidays, see WS, 1977, 8-4-101 to 8-4-104.

“County” shall mean Platte County, Wyoming.

Gender. Words importing the masculine gender include the feminine and neuter.

“Governing body” shall mean the council constituting the elected legislative body of the town.

“In the town” or “in the corporate limits of the town” shall mean and include any territory within the corporate limits of the town, the police jurisdiction thereof and any other territory over which regulatory power has been conferred on the town by general or special act.

Joint Authority. All words giving a joint authority to three or more persons shall be construed as giving such authority to a majority of such persons.

“Month” shall mean a calendar month.

Number. Words used in the singular include the plural and words used in the plural include the singular.

“Oath” includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear” and “sworn” are equivalent to the words “affirm” and “affirmed.”

“Owner,” when applied to a building or land, shall include not only the owner of the whole but also any part owner, joint owner, tenant in common or joint tenant of the whole or a part of such building or land and shall include any agent of such owner, and where such owner is a body corporate, it shall include the managing agent or officer within the town.

“Person” includes a firm, partnership, association of persons, corporation, organization or any other group acting as a unit, as well as an individual.

For similar state law, see WS, 1977, 15-1-101.

“Personal property” includes every species of property, except real property.

“Preceding” and “following” shall mean next before and next after, respectively.

“Property” includes real and personal property.

“Real property” includes lands, tenements and hereditaments.

Shall, May. The word “shall” is mandatory and the word “may” is permissive.

“Sidewalk” means any portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

“State” shall mean the state of Wyoming.

State Law. References to “state law” and “Wyoming Statutes” shall mean the Wyoming Statutes of 1977, as amended. References to “rules of civil procedure” and “rules of criminal procedure” shall mean the Wyoming Rules of Civil Procedure as amended and the Wyoming Rules of Criminal Procedure as amended.

“Street” shall mean and include public streets, avenues, highways, roads, alleys, lanes, bridges and the approaches thereto and all other public thoroughfares in the town.

Tenant, Occupant. The words “tenant” and “occupant,” when applied to a building or land, shall mean any person who occupies the whole or a part of such building or land, whether alone or with others.

Tense. Words used in the past or present tense include the future as well as the past and present.

“Town” shall mean the town of Wheatland, Wyoming.

For state law definitions of “city or town,” and “town,” see WS, 1977, 15-1-101.

The “town council” shall consist of the elected or appointed councilpersons and, together with the mayor, shall constitute the legislative body of the town.

For similar state law, see WS, 1977, 15-1-101.

“Written” or “in writing” shall include printing, lithographing or other modes of representing words and letters; provided, that, in all cases where the written signature of a person is required, the proper handwriting of such person, or his mark, shall be required.

“Year” shall mean a calendar year. [Formerly § 1-2 of 1984 supplementation. 1996 Code § 1-5.]

1.05.060 Catchlines – Headings.

The catchlines of the sections and the headings of chapters, articles, divisions and subdivisions of this code are intended as mere catchwords to indicate the contents of the sections, chapters, articles, divisions and subdivisions and shall not be deemed or taken to be titles of such sections, chapters, articles, divisions and subdivisions nor as any part of any section, nor, unless expressly so provided, shall they be so deemed when any section, chapter, article, division or subdivision including its catchline or heading, is amended or reenacted. [Formerly § 1-3 of 1984 supplementation. 1996 Code § 1-6.]

1.05.070 Severability of parts of code.

The sections, paragraphs, sentences, clauses and phrases of the supplement to the code hereby adopted are severable, and if any phrase, clause, sentence, paragraph or section of the supplement to the code shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of the supplement to the code. [Ord. 650 § 6, 1996; formerly § 1-4 of 1984 supplementation. 1996 Code § 1-7.]

1.05.080 Violation – Penalty.

Whenever in the supplement of the code adopted by the ordinance codified in this chapter any act is prohibited or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided therefor, the violation of any such provision shall be punished by a fine not exceeding \$750.00.

Except where otherwise provided, every day any violation shall continue shall constitute a separate offense. [Ord. 650 § 5, 1996.]

Chapter 1.10**GENERAL PENALTY**

Sections:

1.10.010 General penalty – Remedies generally – Continuing violations.

1.10.010 General penalty – Remedies generally – Continuing violations.

(a) Whenever in this code or in any ordinance, resolution or regulation promulgated by any officer or agency of the town under authority vested by law or ordinance, any act is prohibited or is declared to be unlawful, an offense or a misdemeanor, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance, resolution or regulation shall be punished by a fine of not more than \$750.00; provided, that, the imposition of any such fine shall not bar institution of appropriate legal actions or proceedings by the town to restrain, correct or abate the violations, nor shall the institution of such legal actions or proceedings be deemed a bar to the imposition of such fine.

(b) Except as otherwise provided, each day any violation of this code or any such ordinance, resolution or regulation continues shall constitute a separate offense. [Formerly § 1-5 of 1984 supplementation. 1996 Code § 1-8.]

For state law as to authority of town to enforce ordinances, resolutions and regulations by imposition of fines or imprisonment, see WS, 1977, 15-1-103.

As to violations of development code, see WMC 18.05.080. As to violation of motor vehicle traffic laws, see WMC Title 10.

Chapter 1.15**TOWN SEAL**

Sections:

1.15.010 Town seal described.

1.15.010 Town seal described.

To begin the second 100 years of the town of Wheatland, the seal of the town of Wheatland shall be of the following design:

A circle about two inches in diameter, in the center of which is the silhouette of Laramie Peak, overlaid by three stalks of wheat. Above the impression of Laramie Peak and in approximately a half circle are engraved the words "Town of Wheatland, Wyoming", and in the lower half circle, below the impression of Laramie Peak are engraved the words "County of Platte". Immediately below the impression of the stalks of wheat are the words "Incorporated 1905."

[Ord. 100-1 § 1, 2006.]

Title 2

ADMINISTRATION AND PERSONNEL

Chapters:

- 2.05 Meetings – Council, Boards, Commissions and Other Agencies**
- 2.10 Mayor and Town Council**
- 2.15 Water and Sewer Commissioner**
- 2.20 Municipal Court**
- 2.25 Tree Board**
- 2.30 Officials’ Salaries**
- 2.35 Personnel Policies**
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Chapter 2.05**MEETINGS – COUNCIL, BOARDS, COMMISSIONS
AND OTHER AGENCIES**

Sections:

- 2.05.010 Meetings generally – To be open – Information required of attending public.
- 2.05.020 Meetings generally – Disruption of council meetings.
- 2.05.030 Meetings generally – Executive sessions.

For provisions of state constitution relative to municipal corporations generally, see Wyo. Const., Art. 13. As to public officials generally, see Wyo. Const., Art. 14. For state law as to cities and towns generally, see WS, 1977, Title 15. As to general powers granted to cities and town, see WS, 1977, 15-1-103.

2.05.010 Meetings generally – To be open – Information required of attending public.

(a) All meetings of the town council and all other boards, commissions and agencies of the town shall be open to the public at all times, except as provided in WMC 2.05.030. No action of such a body shall be taken except during a public meeting.

(b) A member of the public shall not be required, as a condition of attendance at any meeting, to register his name, to supply information, to complete a questionnaire or fulfill any other condition precedent to his attendance except that a person seeking recognition may be required to give his name and affiliation. [1996 Code § 2-11.]

For similar state law, see WS, 1977, 16-4-403.

2.05.020 Meetings generally – Disruption of council meetings.

If any council meeting is willfully disrupted by a person or group of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored without the removal of the person or persons who are willfully interrupting the meeting, the town council may order the removal of the person or group from the meeting room and continue in session, or may recess the meeting and reconvene at another location. [Added in 1984 recodification. 1996 Code § 2-12.]

For similar state law see WS, 1977, 16-4-406.

2.05.030 Meetings generally – Executive sessions.

Executive sessions of the town council and all other boards, commissions and agencies of the town may be held:

(a) With the town attorney, chief of police or their respective deputies, or other officers of the law, on matters posing a threat to the security of public or private property or a threat to the public's right of access;

(b) To consider the appointment, employment, right to practice or dismissal of a public officer, professional person or employee, or to hear complaints or charges brought against an employee, professional person or officer, unless the employee, professional person or officer requests a public hearing. The town council may exclude from any public or private hearing during the examination of a witness, any or all other witnesses in the matter being investigated. Following the hearing or executive session, the town council may deliberate on its decision in executive sessions;

(c) On matters concerning litigation to which the town is a party or proposed litigation to which the town may be a party;

(d) When the agency is a licensing agency while preparing, administering or grading examinations;

(e) To consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price;

(f) To consider the acceptance of gifts, donations and bequests which the donor has requested in writing be kept confidential;

(g) To consider or receive any information classified as confidential by law;

(h) To consider accepting or tendering offers concerning wages, salaries, benefits and terms of employment during all such negotiations. [Formerly referred to as § 2-12 of Town Code 1984. 1996 Code § 2-13.]

For similar state law, see WS, 1977, 16-4-405.

Chapter 2.10**MAYOR AND TOWN COUNCIL**

Sections:

- 2.10.010 Regular meetings.
- 2.10.020 Special meetings.
- 2.10.030 Emergency meetings.
- 2.10.040 Vacancies – Mayor – Town council.

For state law as to town council meetings, see WS, 1977, 15-1-105. See also WS, 1977, 9-11-101 to 9-11-107. For state law authorizing town council to determine rules for the conduct of its proceeding, see WS, 1977, 15-1-106. As to publication of minutes of meetings and titles of ordinances passed, see WS, 1977, 15-1-110.

2.10.010 Regular meetings.

Regular public meetings of the town council shall be held on the second Monday of each month at the hour of 7:00 p.m. [Ord. 590, 1989; Ord. 578, 1987. 1996 Code § 2-14.]

2.10.020 Special meetings.

Special meetings of the town council may be called by the mayor by giving notice of the meeting to each member of the town council and to each newspaper of general circulation, radio or television station requesting the notice. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting. [Ord. 650 § 3(B)(i), 1996; amended during 1995 supplementation. 1996 Code § 2-15.]

For state law as to special meetings of governing body, see WS, 1977, 16-4-404.

2.10.030 Emergency meetings.

The town council may hold an emergency meeting on matters of serious and immediate concern to take temporary action without notice. Reasonable effort shall be made to offer public notice. All action taken at an emergency meeting is of a temporary nature and in order to become permanent shall be reconsidered and acted upon at a regular or special meeting of the town council within 48 hours. [Ord. 650 § 3(B)(ii); added during 1995 supplementation. 1996 Code § 2-16.]

2.10.040 Vacancies – Mayor – Town council.

A vacancy exists in the office of mayor or council person if during the term for which elected, any mayor or council person:

- (a) Fails to reside within the town limits for the town of Wheatland in a fixed, permanent and customary place of habitation.
- (b) Is convicted of a felony.
- (c) Has been judicially determined to be mentally incompetent.
- (d) Is convicted of a crime involving moral turpitude or constituting a breach of his oath of office.
- (e) Refuses to take the oath of office, or to give or renew an official bond as required by law.
- (f) Has his election voided by a court decision.
- (g) Dies or resigns.

Once a vacancy is determined to exist, the governing body shall appoint an eligible person to the office vacated, who shall serve until his or her successor is elected at the next general municipal election and qualified. If the entire council is vacant, the district judge for the district in which the town of Wheatland is located shall appoint a person to fill each vacancy and serve until the next general municipal election, at which time a successor shall be elected to fill the unexpired portion of each term.

A vacancy in the office of the mayor shall be filled only from members of the governing body. The mayor pro tem (president of the council) shall occupy the office of the mayor until the vacancy is filled. [Ord. 646, 1995. 1996 Code § 2-18.]

Chapter 2.15**WATER AND SEWER COMMISSIONER**

Sections:

2.15.010 Creation of office – Appointment – Bond.

2.15.020 General duties.

2.15.010 Creation of office – Appointment – Bond.

There is hereby created the office of water and sewer commissioner. The water and sewer commissioner shall be appointed by the mayor by and with the consent of the town council. He shall have such experience as shall be necessary for the faithful performance of the duties of his office. Before entering upon the duties of his office he shall execute a bond to the town in the sum of \$1,000, with such sureties as the town council shall approve, conditioned for the faithful performance of the duties of his office. [1996 Code § 16-28. Prior Code § 16-101.]

2.15.020 General duties.

The water and sewer commissioner shall be the superintendent of sewers, and as such superintendent he shall have charge and management of the sewerage system of the town, and all property belonging or pertaining thereto, and shall see that the system is kept properly cleaned and in good working order and repair. He shall perform all such duties in connection with such system as shall be required of him by the town council. [1996 Code § 16-29. Prior Code § 14-401.]

Chapter 2.20

MUNICIPAL COURT

Sections:

Article I. Municipal Judges

- 2.20.010 Appointments.
- 2.20.020 Duties – Jurisdiction – Powers.
- 2.20.030 Sessions.
- 2.20.040 Salary.
- 2.20.050 Surety bond.

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- 2.20.060 Commencement of action for violation of Town Code – Filing of complaint – Form – Issuance of warrant.
- 2.20.070 Commencement of action for violation of Town Code – Filing of complaint – Citation in lieu of complaint.
- 2.20.080 Commencement of action for violation of Town Code – Filing of complaint – Entering case on court docket – Issuance of summons.
- 2.20.090 Commencement of action for violation of Town Code – Filing of complaint – Appearance of complainant at trial.
- 2.20.100 Defect of form.
- 2.20.110 Change of venue.
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- 2.20.160 Admission.
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Article I. Municipal Judges

For state law as to municipal judges generally, see WS, 1977, 5-6-102 to 5-6-105.

2.20.010 Appointments.

The mayor, by and with the consent of the town council, shall appoint a municipal judge and may appoint an alternate municipal judge, who shall serve at the pleasure of the mayor. [Ord. 650 § 3(H)(i), 1996; amended during August 1984 supplementation; Ord. 372, 1973. 1996 Code § 11-1.]

For state law as to appointment of municipal judges, see WS, 1977, 5-6-103 and 15-2-102.

For state law as to removal of municipal judges, see WS, 1977, 5-6-104 and 15-2-102.

2.20.020 Duties – Jurisdiction – Powers.

The duties of the municipal judge or alternate municipal judge shall be to preside at all regular or special sessions of the municipal court.

The municipal judge shall have exclusive jurisdiction of and shall hear and determine all cases arising under this code and other ordinances of the town. The forms, practice and procedure before such municipal judge in such cases, unless otherwise provided in this code or other town ordinances, shall conform as closely as possible to the forms, practice and procedure before justices of the peace of the state, insofar as such practices and procedures may be applicable. The municipal judge shall have the power to impose fines of no more than \$750.00 for any one offense, to which may be added costs. He shall have the authority to enforce due obedience to this code and all other town ordinances, rules and judgments made by him. He shall have the same power as does the district court in the issuance of warrants, subpoenas or other process that may be necessary, and may fine or imprison for contempt offered while holding court or to process issued, in the same manner and to the same extent as does the district court. [Ord. 650 § 3(H)(i), 1996; Ord. 645, 1995; amended during August 1984 supplementation; Ord. 372, 1973. 1996 Code § 11-2.]

2.20.030 Sessions.

The municipal court for the town of Wheatland shall be open and in session each week on Tuesday and Thursday, from 8:00 a.m. until 12:00 noon; provided, however, the municipal court will not be open or in session on those holidays set forth in WMC 2.35.030, if said holidays fall on a Tuesday or Thursday. [Ord. 645, 1995. 1996 Code § 11-2.]

2.20.040 Salary.

The municipal judge's salary shall be established by the mayor and town council. The municipal judge is not eligible for any municipal benefits, which include but are not limited to paid vacation, paid sick leave, or health insurance. [Ord. 650 § 3(H)(i), 1996; Ord. 645, 1995. 1996 Code § 11-2.]

For state law as to jurisdiction of municipal judges, see WS, 1977, 5-6-102.

2.20.050 Surety bond.

The municipal judge and alternate municipal judge shall be required to execute to the town a bond in the sum of \$1,000 with two or more sureties, conditioned substantially that he will well and truly perform all the duties of his office as is or may be prescribed by state law, this code and other ordinances of the town, and shall, with all reasonable skill, diligence, good faith and honesty, safely keep and be responsible for all funds coming into his hands by virtue of his office, and pay over without delay to the person authorized by state law, this code and other ordinances of the town to receive such, all monies which may come into his hands by virtue of his office, and shall well and truly deliver to his successor in office, or such other person as is authorized by

law to receive such, monies, books, papers and all else held by him as such officer. [Ord. 650 § 3(H)(i), 1996; amended during August 1984 supplementation; Ord. 372, 1973. 1996 Code § 11-3.]

For state law as to authority of town to require bond for municipal judges, see WS, 1977, 5-6-105.

For criminal procedure applicable to municipal courts, see Wyoming Rules of Criminal Procedure, Rule 2. See also WS, 1977, 5-6-106.

Article II. Court Procedure

2.20.060 Commencement of action for violation of Town Code – Filing of complaint – Form – Issuance of warrant.

Actions for violations of this code or other town ordinances may be commenced by filing with the municipal judge a statement or complaint stating the nature of the offense, signed by any member of the police department or any other person, which complaint shall be made in accordance with the forms required by law. If any person shall, on oath, make complaint that anyone has violated this code or any other ordinance of the town, setting forth the section of the code or other town ordinance which has been violated, the municipal judge may issue a warrant for the apprehension of the offender. [Ord. 650 § 3(H)(i), 1996; amended during August 1984 supplementation; Ord. 372, 1973. 1996 Code § 11-4.]

For rule of criminal procedure applicable to complaint in municipal court proceedings, see W.R. Cr. P., Rule 3. As to warrants, see W.R. Cr. P., Rule 4.

2.20.070 Commencement of action for violation of Town Code – Filing of complaint – Citation in lieu of complaint.

In addition to the procedure for issuance of citations now provided by law, a citation in lieu of a formal complaint may be issued charging any violation of the ordinances of the town for which any fine or imprisonment is specified, provided:

(a) The potential defendant has waived the right to have a formal complaint filed against him and has signed a promise to appear in municipal court;

(b) Prior to such waiver, the potential defendant has been advised that he need not consent to the issuance of the citation and that he has a right to have his case prosecuted upon a sworn complaint. [Ord. 467, 1977. 1996 Code § 11-4.1.]

2.20.080 Commencement of action for violation of Town Code – Filing of complaint – Entering case on court docket – Issuance of summons.

Upon the filing of such statement or complaint, the municipal judge shall enter the case upon his docket in the manner required by law, and shall issue a warrant or summons returnable forthwith or at such time, no longer than 10 days, as he may designate. [Ord. 650 § 3(H)(i), 1996; Ord. 372, 1973. 1996 Code § 11-5.]

2.20.090 Commencement of action for violation of Town Code – Filing of complaint – Appearance of complainant at trial.

No person who shall file a complaint in the municipal court which results in the arrest or the citation to the municipal court of the person complained of shall willfully fail, neglect or refuse to appear for the trial of such arrested or cited person and testify in support of the complaint. The police department shall provide such complaining person a written notice of the time for trial of such person arrested or cited pursuant to such complaint. [Amended during August 1984 supplementation; Ord. 372, 1973. 1996 Code § 11-6.]

2.20.100 Defect of form.

No action before the municipal judge shall be dismissed for any defect of form in the statement or complaint if it substantially sets forth the nature of the violation alleged so as to give the defendant notice of the charge which is required to be answered. Such statement or complaint may include several persons charged with the

same offense. [Ord. 650 § 3(H)(i), 1996; amended during August 1984 supplementation; Ord. 372, 1973. 1996 Code § 11-7.]

2.20.110 Change of venue.

No change of venue shall be granted in any case arising under this code or other ordinances of the town. [Ord. 372. 1996 Code § 11-8.]

2.20.120 Judgment by default.

Should a defendant duly summoned fail to appear in municipal court at the time his case is set for trial, the municipal judge shall hear and examine the testimony offered on the part of the town and shall render judgment by default against the defendant for such amount under this code or other town ordinances as the municipal judge shall deem just. [Ord. 650 § 3(H)(i), 1996; Ord. 372. 1996 Code § 11-9.]

2.20.130 Trial by jury.

In any case before the municipal judge for any violation of this code or other ordinances of this town, the defendant shall be tried by the municipal judge without intervention of a jury. [Ord. 650 § 3(H)(i), 1996; Ord. 372. 1996 Code § 11-10.]

2.20.140 Costs.

Upon each conviction on a complaint filed in the municipal court, the municipal judge shall levy and collect, in addition to any fine imposed, court costs of no more than \$10.00 and the fine and costs so collected shall be remitted to the town treasurer.

When a defendant is acquitted in any prosecution, the complainant may, in the discretion of the municipal judge, be adjudged to pay the costs of the proceeding if it appears to the municipal judge that the prosecution was instituted maliciously or without reasonable cause, and judgment shall be so rendered and execution shall issue therefor. [Ord. 650 § 3(H)(i), 1996; Ord. 372. 1996 Code § 11-11.]

For law as to disposition of fines, see WS, 1977, 5-6-303.

2.20.150 Witness fees.

Witnesses appearing in the municipal court of the town on behalf of the town shall be entitled to such fees as are allowed witnesses appearing in justice of the peace courts of the state. [Ord. 372. 1996 Code § 11-12.]

For state law as to witness fees, see WS, 1977, 1-14-102, 1-14-193, as amended.

Article III. Bail

2.20.160 Admission.

Any person charged with an offense under any provision of this code or other ordinances of the town shall be admitted to bail. [Ord. 372. 1996 Code § 11-13.]

2.20.170 Terms.

Any person charged with an offense shall be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the municipal judge, unless the municipal judge determines in the exercise of his discretion that such a release will not reasonably ensure the appearance of the person as required. When such a determination is made the municipal judge shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably ensure the appearance of the person for trial or, if no single condition gives that assurance, any combination of the following conditions:

- (a) Place the person in custody of a designated person or organization agreeing to supervise him;

- (b) Place restrictions on the travel, association, or place of abode of the person during the period of release;
- (c) Require the execution of an appearance bond in a specified amount and the deposit in cash, or other security as directed, of a sum not to exceed 10 percent of the amount of the bond, such deposit to be returned on the performance of the conditions of release;
- (d) Require the execution of a bail bond with sufficient solvent sureties or the deposit of cash in lieu thereof;
- (e) Impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours. [Ord. 650 § 3(H)(i), 1996; amended during August 1984 supplementation; Ord. 372, 1973. 1996 Code § 11-14.]

2.20.180 Failure to appear.

If any defendant shall fail to appear according to the conditions of the bond or appearing, shall depart the court without leave, the municipal judge may enter judgment against him and his sureties for the penalty of such bond.

Upon entering such judgment, the municipal judge shall issue process in behalf of the town against the parties liable on such bond, requiring them to appear before him on a day to be mentioned therein and show cause, if any, why judgment should not be confirmed against them, and execution issued on such judgment. Any judgment so entered may be set aside by the municipal judge if the defendant shall personally appear before him at the time named in such process and show good cause for setting aside the judgment. The sureties in such bond may appear before the municipal judge at the time aforesaid and make the same defense that is allowed for the nonappearance of the principal under the laws of this state in similar cases before the justice of the peace. [Ord. 650 § 3(H)(i), 1996; Ord. 372, 1973. 1996 Code § 11-15.]

Article IV. Work Program

2.20.190 Established – Purpose.

A work program is hereby established for the town. This program shall be for the sole purpose of permitting indigent defendants unable to pay fines levied in municipal court to work for the town and to have any wages earned from the work applied to the payment of any fine levied. [Ord. 560 § 1, 1983. 1996 Code § 11-17.]

2.20.200 Inability to pay fine – Agreement to participate.

If any person who has been fined in the municipal court shows financial inability to pay any such fine, the municipal judge shall require the person to certify to the court in writing that such person is indigent. If the municipal judge determines the person to be indigent, the person may be placed in the work program provided a voluntary agreement to participate in the program, a release and an assignment of all wages to the town be signed. [Ord. 650 § 3(H)(i), 1996; Ord. 560 § 2, 1983. 1996 Code § 11-18.]

2.20.210 Rate of compensation.

The rate of compensation to be paid to any such indigent shall be the minimum hourly rate established by the statutes of the state of Wyoming. [Ord. 560 § 3, 1983. 1996 Code § 11-19.]

2.20.220 Supervisor of program.

The chief of police shall supervise and direct all persons placed in the work program. [Ord. 560 § 4, 1983. 1996 Code § 11-20.]

NOTE: The phrase “police justice” has been changed to “municipal judge” to comply with Wyoming statutes. Revised by 1995 supplementation.

Chapter 2.25**TREE BOARD**

Sections:

- 2.25.010 Definitions.
- 2.25.020 Establishment of town of Wheatland tree board.
- 2.25.030 Duties of the tree board.
- 2.25.040 Review by the town council.
- 2.25.050 Arborist license.
- 2.25.060 Property owner exemption.
- 2.25.070 Public tree care.
- 2.25.080 Property owner responsibilities.
- 2.25.090 Injuring of trees on town property.
- 2.25.100 Tree topping.
- 2.25.110 Removal of stumps.
- 2.25.120 Obstruction of view.
- 2.25.130 Fire hydrants.
- 2.25.140 Utilities.
- 2.25.150 Prohibition of nuisance trees.
- 2.25.160 Clearance.
- 2.25.170 Penalty.

2.25.010 Definitions.

“Arborist” means any person, firm or corporation engaged in the business of cutting, trimming, pruning, removing trees for compensation.

“Large trees” means trees which attain a height of 30 feet or more at maturity.

“Park trees” are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks, and all areas owned by the city, or to which the public has free access as a park.

“Property owner” means any person owning property within the town of Wheatland, as shown by the records of the clerk of Platte County, Wyoming.

“Public nuisance” means any dangerous or unsafe tree or portions thereof on streets, in parks, on other public places or posing a hazard thereto or any destructive or communicable disease or pestilence which endangers the growth, health, life or wellbeing of trees or plants in the city.

“Small trees” means trees which attain a height of less than 30 feet at maturity.

“Town property” means all town-owned property, including parks, rights-of-way, boulevards and other real property.

“Tree topping” means the severe cutting back of limbs to stubs larger than three inches within the tree’s crown to such a degree so as to remove the normal canopy and disfigure the tree. [Ord. 680 § 1, 2000.]

2.25.020 Establishment of town of Wheatland tree board.

There is hereby created and established a tree board for the town of Wheatland, Wyoming. Board shall consist of five concerned volunteer individuals. Ex officio members will be the town of Wheatland park superintendent and the Platte County weed and pest supervisor and will serve as technical advisors to the tree board. The Wheatland town council shall approve the tree board. All members of the tree board shall serve without compensation. The term of all members are three years. All will be staggered terms. [Ord. 680 § 2, 2000.]

2.25.030 Duties of the tree board.

It shall be the responsibility of the board to study, investigate, counsel and develop and/or update annually, and administer a plan for the care, preservation, pruning, planting, or removal of trees on any town property.

Such plan will be presented to the town council and shall constitute the comprehensive tree plan for the town of Wheatland. [Ord. 680 § 3, 2000.]

2.25.040 Review by the town council.

The town council shall have the right to review the conduct, acts, and decisions of the tree board. Any person can appeal any decision, ruling, or order of the tree board to the town council who may hear the matter and make a final decision. The appeal must be submitted to the town clerk within 30 days of the tree board decision. [Ord. 680 § 4, 2000.]

2.25.050 Arborist license.

It shall be unlawful for any person or firm to engage in the business or occupation of cutting, trimming, pruning, or removing trees or shrubs for compensation within the town of Wheatland without obtaining an arborist license in advance. Before an arborist license will be granted, the applicant must meet the following criteria:

(a) The arborist must maintain general liability and property damage insurance with a minimum of \$50,000 bodily injury coverage, and \$100,000 property damage coverage.

(b) The arborist must successfully complete an annual competency test administered by the town of Wheatland.

(c) An arborist is required to pay an annual fee of \$25.00 at the time of licensing.

Failure of an arborist to comply with these conditions will be grounds to revoke such license in addition to the imposition of any other penalty provided by WMC 2.25.170. [Ord. 680 § 5, 2000.]

2.25.060 Property owner exemption.

A property owner or a member of his immediate family who trims, prunes, or cuts any tree or shrub within any public right-of-way which abuts his property shall not be required to obtain an arborist license. [Ord. 680 § 6, 2000.]

2.25.070 Public tree care.

The town of Wheatland shall have the right, but does not have the obligation, to plant, prune, preserve and remove trees, plants, and shrubs within the lines of all streets, alleys, boulevards, lanes, squares, and public property, as may be necessary to ensure safety when servicing town utilities or to preserve the symmetry and beauty of such public grounds. The town may, at its option when advised by the town tree board, remove or cause or order to be removed any tree or part thereof which is in an unsafe condition or which by its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is infected with any injurious fungus, insect or other pest. The trees planted for beautification of the downtown area will be maintained by the town of Wheatland which includes 800 block of Gilchrist, 900 block of Gilchrist, 600, 700 and 800 blocks of 9th Street and other projects. [Ord. 680 § 7, 2000.]

2.25.080 Property owner responsibilities.

It is the responsibility of the owner of any tree which is planted on or overhangs any street, right-of-way, or other town property to prune the tree to remove hazardous conditions such as dead, diseased, damaged, or dangerous trees or limbs which constitute a menace to public safety. Trees may not obstruct the light from any street light or the view of any intersection, or the visibility of any traffic control device or sign. Any tree which causes menace to the general public or in any way endangers the security and usefulness of any public street, highway, alley, sewer or sidewalk, or is so determined following an inspection, the same is declared to be a public nuisance. The town shall have the right to order the removal of any tree, branch, or other vegetation which constitutes a menace. The property owner will be notified in writing to remove the hazard. Removal will be done at the expense of the property owner within reasonable time after notice has been given. If the property owner fails to comply with such provisions, the town shall have the authority to remove such trees and charge the cost of removal to the property owner. [Ord. 680 § 8, 2000.]

2.25.090 Injuring of trees on town property.

It shall be unlawful for any person to intentionally cause harm to any tree on town property, including but not limited to carving, debarking, cutting, breaking limbs, nailing, stapling, or otherwise affixing any sign or notice to a tree. [Ord. 680 § 9, 2000.]

2.25.100 Tree topping.

It shall be unlawful for any person to top any tree on town property. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this chapter, at the determination of the tree board. [Ord. 680 § 10, 2000.]

2.25.110 Removal of stumps.

All stumps on town property shall be removed below the surface of the ground where possible. For safety reasons, the top of the stump should not project above the surface of the ground. [Ord. 680 § 11, 2000.]

2.25.120 Obstruction of view.

No tree, shrub, or other vegetation, on town property or private property, shall obstruct the view at any intersection of streets. On corner lots, no tree, shrub, or other vegetation shall interfere with the unobstructed view over 30 inches above the nearest street in a restricted triangular area formed by the three points established by the intersection of property lines at the corner, and by measuring 35 feet back from this intersection on each property line. WMC 17.35.010(c)(5). [Ord. 680 § 12, 2000.]

2.25.130 Fire hydrants.

No tree will be planted within 10 feet of any fire hydrant. [Ord. 680 § 13, 2000.]

2.25.140 Utilities.

No large trees will be planted under or within 25 lateral feet of any overhead primary electric line. No large trees will be planted over or within 10 lateral feet of any underground water main, sewer main, primary electric line or other utility. Service lines are exempt. [Ord. 680 § 14, 2000.]

2.25.150 Prohibition of nuisance trees.

The town tree board has the authority to prohibit any tree, bush, or other vegetation, which is deemed a nuisance, from being planted on town property in accordance with WMC 2.25.040. [Ord. 680 § 15, 2000.]

2.25.160 Clearance.

Trees must be removed so that any branch, which overhangs any road, alley, or right-of-way, is at a minimum height of 14 feet so as to provide safe clearance for vehicles. Any branch, which overhangs any sidewalk or pedestrian walkway, must be trimmed so that it is a minimum height of eight feet to provide safe clearance for pedestrians in accordance with WMC 17.35.010(c)(5). The tree board may recommend to the Wheatland town council alternative care. (See WMC 2.25.030.) [Ord. 680 § 16, 2000.]

2.25.170 Penalty.

Any person violating any provision of this chapter shall be, upon conviction thereof or plea of guilty, subject to a fine not to exceed \$750.00 per offense. [Ord. 680 § 17, 2000.]

Chapter 2.30**OFFICIALS' SALARIES**

Sections:

- 2.30.010 Mayor's salary.
- 2.30.020 Councilperson's salary.
- 2.30.030 Municipal justice's salary.

2.30.010 Mayor's salary.

The salary for the mayor of the town of Wheatland shall be \$750.00 per month. [Ord. 781, 2014; Ord. 627, 1994. 1996 Code § 2-17(a).]

2.30.020 Councilperson's salary.

The salary for each council person of the town of Wheatland shall be \$150.00 for actual attendance at each regular or special meeting. [Ord. 781, 2014; Ord. 627, 1994. 1996 Code § 2-17(b).]

2.30.030 Municipal justice's salary.

The municipal justice shall receive a salary of \$900.00 per month, excluding benefits. [Ord. 737 § 1, 2007; Ord. 694 § 1, 2003.]

Chapter 2.35**PERSONNEL POLICIES**

Sections:

- 2.35.010 Hours of work.
- 2.35.020 Attendance at work.
- 2.35.030 Holidays.
- 2.35.040 Classification of employees.
- 2.35.050 Vacation time.
- 2.35.060 Sick leave.
- 2.35.070 Additional leaves of absence.
- 2.35.080 Unauthorized absences.

For state law as to authority of town to appropriate money to pay salaries of employees, etc., see WS, 1977, 15-1-103. As to authority of town to regulate duties, etc., of appointed officers and employees, see WS, 1977, 15-1-103.

As to administration generally, see Chapters 2.05, 2.10 and 2.30 WMC.

2.35.010 Hours of work.

The hours of work for all municipal employees, except policemen, shall be 40 hours per week. Policemen may be required to work additional hours. Any variation in these hours shall be taken into account through a separate pay plan. [Ord. 469 § 1, 1977. 1996 Code § 14-1.]

2.35.020 Attendance at work.

Employees shall be at their place of work in accordance with rules and policies as established by the governing body. [Ord. 469 § 2, 1977. 1996 Code § 14-2.]

2.35.030 Holidays.

The following holidays shall be recognized by the town, and all employees, except police officers, shall be excused from work:

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Armistice Day (Veterans Day)
- Thanksgiving Day
- Christmas Day

If any holiday occurs on Saturday, it shall be observed the preceding Friday, and if any holiday occurs on Sunday, it shall be observed the succeeding Monday. [Ord. 664, 1998; Ord. 535, 1981; Ord. 469 § 3, 1977. 1996 Code § 14-3.]

2.35.040 Classification of employees.

Classification of employees will be those set forth in the Personnel Policies of December 29, 1994, as amended. [Ord. 650 § 3(J)(i), 1996; amended in 1995 supplementation. 1996 Code § 14-4.]

2.35.050 Vacation time.

Vacation time will be governed by Chapter 8 of the Personnel Policies of December 29, 1994, as amended. [Ord. 650 § 3(J)(ii), 1996; amended in 1995 supplementation. 1996 Code § 14-5.]

2.35.060 Sick leave.

Sick leave will be governed by Chapter 8 of the Personnel Policies of December 29, 1994, as amended. [Ord. 650 § 3(J)(iii), 1996; amended in 1995 supplementation. 1996 Code § 14-6.]

2.35.070 Additional leaves of absence.

Additional leave will be governed by the Personnel Policies of December 29, 1994, as amended. [Ord. 650 § 3(J)(iv), 1996; amended in 1995 supplementation. 1996 Code § 14-7.]

2.35.080 Unauthorized absences.

Any employee who absents himself from work for three days without authorization shall be deemed to have resigned and may be dismissed for cause. Any employee so dismissed shall forfeit all benefits. [Ord. 469 § 8, 1977. 1996 Code § 14-8.]

Chapter 2.40**CEMETERIES**

Sections:

- 2.40.010 Building fences or curbs on or around lots – Restrictions on use of lots.
- 2.40.020 Headstone.
- 2.40.030 Removal of unsightly structures.
- 2.40.040 Memorial garden – Designated – Restrictions.
- 2.40.050 Memorial garden – Restrictive covenant.
- 2.40.060 Fees for opening and closing of graves.
- 2.40.070 Fees for disinterments.
- 2.40.080 Fees for cemetery spaces.
- 2.40.090 Vaults.
- 2.40.100 Remains.

* Prior history: Prior Code §§ 21-101, 21-102, 21-103, 21-104 and 21-201.

For state law as to authority of town to establish and regulate cemeteries, see WS, 1977, 15-1-103. As to cemeteries and burials generally, see WS, 1977, 35-8-101 et seq. As to development code generally, see WMC Title 18. As to injuring buildings, etc., see WMC 9.05.030. As to malicious mischief generally, see WMC 9.05.170.

2.40.010 Building fences or curbs on or around lots – Restrictions on use of lots.

No person shall build any fence or curb on or around any lot in the cemetery.

The use of any cemetery lot is restricted to burial purposes and the planting of trees, shrubs, plants, flowers and grass, and for the placing of proper headstones. [Amended during August 1984 supplementation. 1996 Code § 5-1.]

2.40.020 Headstone.

No headstone shall stand at a height greater than five and one-half feet from the surface of the ground. [Amended during August 1984 supplementation. 1996 Code § 5-2.]

2.40.030 Removal of unsightly structures.

If any structure or other construction shall become in a state of disrepair or in an unsightly and dilapidated condition the same may be removed by the town. [Amended during August 1984 supplementation. 1996 Code § 5-3.]

2.40.040 Memorial garden – Designated – Restrictions.

All of block 5, except lots 1 through 65 inclusive of the municipal cemetery is hereby designated as a “memorial garden.” No headstone, monument, vault or other grave marker shall be erected upon the described premises except individual grave markers flush with the surface of the ground. [Amended during August 1984 supplementation. 1996 Code § 5-4.]

2.40.050 Memorial garden – Restrictive covenant.

Each deed conveying lots in block 5, except lots 1 through 63 inclusive, shall contain the following restrictive covenant:

As part of the consideration for the sale of this lot it is agreed that no headstone, monument or grave marker, except individual markers flush with the surface of the ground, shall be placed on the premises.

[Amended during August 1984 supplementation. 1996 Code § 5-5.]

2.40.060 Fees for opening and closing of graves.

The following fees will be charged for the opening and closing of graves:

- (a) For infant graves and for cremation:
 - (1) Fifty dollars for those opened and closed Monday through Friday, except for holidays.
 - (2) One hundred dollars for those opened and closed on Saturdays or holidays.
- (b) For all other graves:
 - (1) Two hundred twenty-five dollars for those opened and closed Monday through Friday, except for holidays.
 - (2) Three hundred fifty dollars for those opened and closed on Saturdays or holidays. [1996 Code § 5-6.]

2.40.070 Fees for disinterments.

The following fees will be charged for disinterments:

- (a) Two hundred fifty dollars per space when the casket is moved to a different cemetery.
- (b) Three hundred fifty dollars per space when the casket is moved within the town of Wheatland cemetery.
- (c) One hundred dollars per space when the casket of a child up to and including the age of two is moved to a different cemetery.
- (d) One hundred fifty dollars per space when the casket of a child up to and including the age of two is moved within the town of Wheatland cemetery. [1996 Code § 5-7.]

2.40.080 Fees for cemetery spaces.

The following fees will be charged for cemetery spaces:

- (a) Resident of Platte County, Wyoming: \$200.00.
- (b) Nonresident of Platte County, Wyoming: \$400.00. [1996 Code § 5-8.]

2.40.090 Vaults.

Commencing on December 1, 1993, all casket burials within the town of Wheatland cemetery shall also be required to use a vault; provided, however, a vault shall not be required for casket burials within the town of Wheatland cemetery for children up to and including the age of two. [1996 Code § 5-9.]

2.40.100 Remains.

Only human remains shall be buried within the boundaries of the Wheatland cemetery. [1996 Code § 5-10.]

(WMC 2.40.060 through 2.40.100: See Ordinances 617 and 621.)

Title 3
(Reserved)

Title 4
(Reserved)

Title 5

BUSINESS LICENSES AND REGULATIONS

Chapters:

- 5.05 Alcoholic Beverages**
- 5.10 Auctions**
- 5.15 Circuses and Exhibitions**
- 5.20 Gas Pipefitters, Electricians and Water Treatment Contractors**
- 5.25 Pawnbrokers and Secondhand Dealers**
- 5.30 Transient Merchants, Peddlers, Solicitors and Canvassers**
- 5.35 Enforcement**

For state law as to authority of town to license businesses see WS, 1977, 15-1-103.

As to administration generally, see Chapters 2.05, 2.10 and 2.30 WMC. As to land use generally, see WMC Title 18.

As to public utilities generally, see WMC Title 13.

As to transient merchants, peddlers, solicitors and canvassers, see Chapter 5.30 WMC.

As to sale of fireworks, see WMC 8.35.010.

Chapter 5.05**ALCOHOLIC BEVERAGES**

Sections:

- 5.05.010 Definitions.
- 5.05.020 Compliance required.
- 5.05.030 Application for annual license.
- 5.05.040 Restrictions upon applicants and license.
- 5.05.050 Grounds for denial of license.
- 5.05.060 Transfer of annual license.
- 5.05.070 Term of annual licenses.
- 5.05.080 Annual licenses and fees.
- 5.05.090 Temporary licenses and permits.
- 5.05.100 Hours of operation.
- 5.05.110 Drive-in facilities.
- 5.05.120 Falsification of application.
- 5.05.130 Possession by underage persons.
- 5.05.140 Sales to underage persons.
- 5.05.150 Use of false proof of age or identity.
- 5.05.160 Dispensing room restrictions.
- 5.05.170 Suspension of license or permit.
- 5.05.180 Delivery of alcoholic liquors and malt beverages.
- 5.05.190 Penalties.

5.05.010 Definitions.

Except as otherwise noted below, definitions used in this chapter shall be as found in WS 12-1-101.

“Clerk” shall mean the town clerk of the town of Wheatland.

“Governing body” shall mean the mayor and council of the town of Wheatland. [Ord. 655 § 3-1, 1996. 1996 Code § 3-1.]

5.05.020 Compliance required.

(a) For the protection of the health, safety and welfare of the residents, citizens and guests of the town, it is hereby declared to be in the best interest of the town, and the residents, citizens and guests hereof, that the sale, distribution, possession and traffic of alcoholic liquor and malt beverages shall be regulated to the extent that all such activity be, and the same hereby is, prohibited, except as provided in this chapter, and that no sale at retail or possession of such substances shall occur within the jurisdictional limits of the town except as authorized herein and the exceptions provided in WS 12-1-101 et seq., reserving certain powers to the state of Wyoming. It is the intent of this chapter to comply and coincide with provisions of WS 12-1-101, et seq., which regulate such substances.

(b) It is not the intent of the town to regulate, or interfere with the regulation by the state of limited transportation licenses issued in compliance with provisions of WS 12-2-202. [Ord. 655 § 3-1.1, 1996. 1996 Code § 3-1.1.]

5.05.030 Application for annual license.

(a) Any person desiring an annual license as authorized by this chapter shall make application to the town by delivering to the town clerk, on the form prepared by the Attorney General pursuant to WS 12-4-701 and provided to the applicant by the clerk, a completed, verified and signed form. The license fee, or any other fees related to a license, shall be paid the clerk at the time the application is filed or the clerk shall not commence processing the application. Renewal of an annual license, application for transfer of ownership and transfer of

location shall be made upon the same form and in the same manner. The information contained in the application shall conform to the requirements of WS 12-4-102.

(b) Upon receipt of an application, the clerk shall send one copy of the application to the Department of Revenue by certified mail, return receipt requested, and shall promptly prepare a notice of application, place a copy of the notice in a conspicuous place at the location shown in the application and publish the notice in the Platte County Record Times once a week for four consecutive weeks. The notice shall comply with the provisions of WS 12-4-104.

(c) On behalf of the licensing authority, the town clerk is authorized to request supporting documentation in conjunction with applications filed for a license or permit. Prior to issuance, review and inspections of the proposed premises may be conducted by various town department representatives as required by the town clerk. Representatives of town departments may enter licensed and permitted premises during regular business hours to make reasonable inspections. [Ord. 655 § 3-2, 1996. 1996 Code § 3-2.]

5.05.040 Restrictions upon applicants and license.

(a) Except as provided in subsection (b) of this section, all permit and license recipients must post the license or permit in a conspicuous place within the licensed dispensing room described in the application.

(b) Any license issued pursuant to WS 12-4-103(a)(iv) shall be held by the clerk in the clerk's office, or other location as designated by the clerk, until the license can be placed in a physically functional building. [Ord. 655 § 3-3, 1996. 1996 Code § 3-3.]

5.05.050 Grounds for denial of license.

A license shall not be issued, renewed or transferred if the governing body finds from evidence presented at the hearing required under WS 12-4-104 any of the conditions found under WS 12-4-104(b), including:

(a) The holder of an expired annual license, or one due for expiration, has a preference right to a renewal of that license for the same location, but such preference exists only to the extent explicitly authorized under WS 12-4-104(c). No other preference rights are authorized or recognized by the town of Wheatland. The preference right granted under this section shall expire 30 days after the expiration date shown on the most recently issued license or permit. [Ord. 655 § 3-4, 1996. 1996 Code § 3-4.]

5.05.060 Transfer of annual license.

A person seeking to transfer an annual license shall submit a new application form and shall pay to the clerk at the time of such application a nonrefundable additional license fee of \$100.00. The transfer application shall be set for public hearing and otherwise considered by the governing body in a manner consistent with WS 12-4-601. [Ord. 655 § 3-4.1, 1996. 1996 Code § 3-4.1.]

5.05.070 Term of annual licenses.

(a) Annual licenses shall be for a period of not more than one year, expiring each year on April 1st. Annual licenses shall be a personal privilege of the licensee.

(b) The executor or administrator of the estate of a deceased licensee, when the estate consists in whole or in part of a business selling alcoholic or malt beverages under an annual license issued by the town, may exercise the personal privilege of the deceased licensee under terms of the license until the expiration date of the license. If the license of the deceased licensee has not been transferred prior to the annual expiration date, the governing body shall consider the license of the deceased licensee as an unissued license. [Ord. 655 § 3-5, 1996. 1996 Code § 3-5.]

5.05.080 Annual licenses and fees.

(a) The governing body of the town of Wheatland is hereby authorized to issue the following annual licenses pursuant to state law and this chapter:

- (1) Retail liquor license, as defined in WS 12-4-201.
- (2) Limited retail liquor (special club) license, as defined in WS 12-4-301.

- (3) Restaurant liquor license, as defined in WS 12-4-407.
- (b) The annual fee for each license shall be payable at the time of application, shall be paid in cash or certified check, and shall be in the full amount as shown for each class of license below:
 - (1) For a retail liquor license, the annual fee shall be \$1,500.
 - (2) For a limited retail liquor (special club) license, the annual fee shall be \$100.00.
 - (3) For a restaurant liquor license, the annual fee shall be \$1,500.
- (c) No refund of all or any part of any license fee shall be made at any time following the issuance of the license.
- (d) In addition to paying an application fee at the time of application, the applicant shall also pay a nonrefundable publication fee in an amount designated by the town clerk to cover the cost of publishing public hearing notices. [Ord. 655 § 3-6, 1996. 1996 Code § 3-6.]

5.05.090 Temporary licenses and permits.

- (a) The governing body of the town of Wheatland is hereby authorized to issue the following temporary licenses pursuant to state law and this chapter:
 - (1) Malt beverage permit, as defined in WS 12-4-502(a).
 - (2) Catering permit, as defined in WS 12-4-502(b).
 - (3) Temporary dispensing room permit, as defined in WS 12-4-504 and 12-5-201(f), (g), (h) and (j).
 - (4) Extended club hours permit, as defined in WS 12-5-101(b).
- (b) The annual fee for each license shall be payable at the time of application, shall be paid in cash or certified check, and shall be in the full amount as shown for each class of license below:
 - (1) For a malt beverage permit, the fee shall not exceed \$100.00 per 24-hour period.
 - (2) For a catering permit, the fee shall be not exceed \$100.00 per 24-hour period.
 - (3) For a temporary dispensing room permit, the fee shall not exceed \$100.00.
 - (4) For an extended club hours permit, there shall be no fee.
- (c) No refund of all or any part of any temporary license or permit fee shall be made at any time following the issuance of the license.
- (d) In addition to paying an application fee at the time of application, the applicant shall also pay a nonrefundable publication fee in an amount designated by the town clerk to cover the cost of publishing public hearing notices. [Ord. 655 § 3-7, 1996. 1996 Code § 3-7.]

5.05.100 Hours of operation.

- (a) All licensees and permittees holding an annual or temporary license under this chapter shall be controlled by the schedule of hours set forth in subsection (c) of this section.
- (b) This section shall not apply to licensees holding limited retail liquor (special club) licenses who have been authorized by the governing body under WS 12-5-101(b) to have hours of operation other than those authorized by this section.
- (c) The hours of operation for all licensees and permittees, subject to the exceptions in subsection (b) of this section, shall be as follows:
 - (1) On all days, a licensee may open the dispensing room no earlier than 6:00 a.m. and shall close the dispensing room and cease the sale of alcoholic and malt beverages not later than 2:00 a.m. the following day, and the licensee shall clear the dispensing room of all persons other than employees no later than 2:30 a.m.
- (d) It is unlawful for any person to operate a bottle club in the town. Used herein, "bottle club" is defined as an operation or enterprise in which no alcoholic liquor or malt beverages are sold, but where food, soft drinks and mixes are sold, and the safekeeping of alcoholic and malt beverages is provided for individual club members who bring alcoholic liquor and malt beverages upon the premises for their own use and consumption. Income, profits or fees of the operator of a bottle club are typically derived from sales or furnishing of mixes, ice, food or glasses, or from dues, charges, contributions, membership cards or assessments.
- (e) Excessive drinking of alcoholic liquor and malt beverages or disorderly conduct in any place licensed under this chapter shall not be permitted by the licensee. In addition to any penalty provided by the code or

state law, excessive drinking or disorderly conduct may be cause for the initiation of suspension and/or revocation procedures. [Ord. 655 § 3-8, 1996. 1996 Code § 3-8.]

5.05.110 Drive-in facilities.

Upon approval of the original application by the governing body, or the renewal thereof, a drive-in area adjacent to or contiguous with the licensed room may be used by the holder of a retail liquor license for taking orders, making delivery of, and receiving payment for alcoholic or malt beverages under the terms and conditions found in WS 12-5-301. [Ord. 655 § 3-9, 1996. 1996 Code § 3-9.]

5.05.120 Falsification of application.

(a) It is unlawful for any person or organization to knowingly submit false information or false facts as true, or to submit a fact or piece of information without knowing such to be true or false, on an application for any license or permit authorized by this chapter. Each application which is submitted shall be sworn to be true to the best of the knowledge by the person submitting such application.

(b) If, in the opinion of the town attorney, a liquor license holder has acted in violation of this section, the town attorney shall upon action of the licensing authority take action on behalf of the licensing authority pursuant to WS 12-7-201 seeking revocation of the license or permit. Such action shall be in addition to any other penalties which may accrue to the license holder for violation of this section. [Ord. 655 § 3-10, 1996. 1996 Code § 3-10.]

5.05.130 Possession by underage persons.

It is unlawful for any person under the age of 21 years to possess, buy, sell, drink, consume or otherwise solicit the sale or purchase of alcoholic liquor or malt beverages in the town. As used in this section, possession shall also include alcohol which has been consumed and is present within the body at the time of determination. [Ord. 655 § 3-11, 1996. 1996 Code § 3-11.]

5.05.140 Sales to underage persons.

It is unlawful for any person to sell, give or deliver any alcoholic liquor or malt beverage to any person under the age of 21 years; provided, however, that such prohibition shall not apply to any parent or guardian providing such to his or her child in the confines of their home. [Ord. 655 § 3-12, 1996. 1996 Code § 3-12.]

5.05.150 Use of false proof of age or identity.

It is unlawful for any person under the age of 21 years to make, use or possess any identification which falsely indicates the person's age as greater than 21 years, whether in the person's correct name or not, or to attempt to obtain any alcoholic liquor or malt beverage using any false identification. [Ord. 655 § 3-13, 1996. 1996 Code § 3-13.]

5.05.160 Dispensing room restrictions.

(a) It is unlawful for any person under the age of 21 years to enter or remain in the dispensing room or brewing area of any premises licensed or permitted under this chapter to dispense or brew alcoholic liquor or malt beverages, except as provided for in this section.

(b) No licensee, permittee or agent, employees or servant of a licensee or permittee shall permit any person under the age of 21 years to enter or remain in a dispensing room or brewing area of a licensed premises owned, operated, leased or managed by them.

(c) This section shall not apply to a licensee's employee under the age of 21 years when, in the course of his employment, the employee is in the dispensing room and the dispensing room or brewing area is not open for the sale or dispensing of alcoholic beverages or brewing of malt beverages.

(d) No person shall permit gambling in a licensed dispensing room. [Ord. 655 § 3-14, 1996. 1996 Code § 3-14.]

5.05.170 Suspension of license or permit.

(a) The governing body may suspend any license or permit issued under this chapter if the licensee or permittee fails to pay sales taxes and the Wyoming Liquor Division has ceased sales of alcoholic liquor to the licensee or permittee pursuant to WS 12-2-306. Upon receipt by the clerk of a certified notice from the state of Wyoming issued pursuant to WS 12-2-306, and upon order of the governing body, the clerk shall notify the licensee or permittee, by certified mail that the town intends to hold a hearing on whether the license or permit should be suspended. The suspension hearing shall be conducted under the Wyoming Administrative Procedures Act (WS 16-6-101 et seq.) and rules adopted by the governing body. The certified notice from the state of Wyoming and all evidence presented to the state of Wyoming in support of the certified notice will be admitted and considered prima facie evidence of the licensee's or permittee's tax delinquency.

(b) In the event a license or permit is suspended in accordance with this section, the holder of the license or permit may appeal the suspension in accordance with the provisions of WS 12-7-103.

(c) The suspension of the license or permit shall remain in effect until either the governing body lifts the suspension, a court of competent jurisdiction lifts the suspension, or the clerk receives certified notice from the state of Wyoming that the sales tax liability has been satisfied.

(d) In the event a suspension occurs, the clerk shall send by certified mail one copy each of the suspension notice to the last known addresses of the license or permit holder and to the Director of the Wyoming Liquor Division for the state of Wyoming. Additionally, the clerk shall post one copy of the suspension notice on the licensed or permitted premises. Immediately upon the posting of the suspension notice, the sale, offering to sell, distributing or trafficking of alcoholic liquor or malt beverages shall be unlawful. Further, the licensee or permittee shall either remove all of the alcoholic liquor and malt beverages from the licensed premises or secure the alcoholic liquor and malt beverages in a manner approved in writing by the chief of police or his designee. [Ord. 655 § 3-15, 1996. 1996 Code § 3-15.]

5.05.180 Delivery of alcoholic liquors and malt beverages.

(a) No retail liquor licensee shall deliver or cause to be delivered any alcoholic or malt beverage to any person whatsoever, except at the licensed premises.

(b) No person shall engage in the business of making deliveries of alcoholic liquor or malt beverages from the place of any retail liquor licensee in the town. [Ord. 655 § 3-16, 1996. 1996 Code § 3-16.]

5.05.190 Penalties.

In addition to any penalties specifically set forth above in this chapter, any person or entity violating any of the provisions of this chapter is guilty of a misdemeanor and subject to the general penalties set forth in WMC 1.10.010. [Ord. 655 § 3-17, 1996. 1996 Code § 3-17.]

Chapter 5.10

AUCTIONS

Sections:

- 5.10.010 Auction defined.
- 5.10.020 Exceptions to chapter.
- 5.10.030 Compliance.
- 5.10.040 Auctions on streets, sidewalks, etc., prohibited.
- 5.10.050 Licenses required – Sales to be conducted by a holder of an auction business license only.
- 5.10.060 Application for license.
- 5.10.070 Investigation of applicant.
- 5.10.080 Bond required – Liability insurance policy may be submitted in lieu of bond.
- 5.10.090 License renewal – Fee – Term.
- 5.10.100 Revocation or denial – Grounds – Hearing.
- 5.10.110 Notice of hearing – Right to counsel.
- 5.10.120 Appeal to council.

5.10.010 Auction defined.

The word “auction,” as used in this chapter, shall be deemed to include all sales commonly known as “auctions,” as well as “Dutch auctions” and “auctions” wherein the auctioneer or salesman shall do any of the following:

- (a) Call for public bids;
- (b) Progressively decrease the price at which he will sell the merchandise until his offer is accepted;
- (c) Add additional merchandise to the original items until the auctioneer or salesman is able to receive a bid or offer for the accumulated items. [Ord. 481 § 1, 1978. 1996 Code § 9-10.]

5.10.020 Exceptions to chapter.

The provisions of this chapter shall not be applicable to auction sales conducted by executors, administrators, receivers, public officers acting under judicial process or any other lien sale held pursuant to law or any householder selling his own personal private property, distinguished from any property used in a trade or business. [Ord. 481 § 2, 1978. 1996 Code § 9-11.]

5.10.030 Compliance.

No personal property shall be sold at any auction in the town except in compliance with the provisions of this chapter. [Ord. 481 § 3, 1978. 1996 Code § 9-12.]

5.10.040 Auctions on streets, sidewalks, etc., prohibited.

No person shall conduct an auction sale of personal property on any of the streets, sidewalks or public property of the town. [Ord. 481 § 4, 1978. 1996 Code § 9-13.]

5.10.050 Licenses required – Sales to be conducted by a holder of an auction business license only.

No person shall sell, or cause or permit to be sold, at an auction, any personal property in the town unless such sale is conducted by a holder of a valid auction business license issued by the town clerk under this chapter. [Ord. 481 § 5, 1978. 1996 Code § 9-14.]

5.10.060 Application for license.

The application for each initial or renewal auction business license containing the following information shall be filed with the town clerk:

- (a) If an individual applicant:
- (1) Full name and residential address of the applicant; and
 - (2) All auction business addresses of the applicant; and
 - (3) Trade name used by the applicant; and
 - (4) The length of time for which an auction business license is desired; and
 - (5) A statement as to whether or not the applicant holds or has held an auctioneer's license or auction business license issued by any licensing authority; a list of such licenses and a statement specifying the time, place and by whom issued; a statement as to whether or not any licensing authority has ever refused to issue, refused to renew, or revoked an auctioneer's license or auction business license to the applicant together with a full and accurate statement as to the reasons for any such refusal or revocation; and
 - (6) A statement as to whether or not the applicant has ever been convicted of a felony or any crime involving moral turpitude and if so, the nature of each of the offenses and the punishment or penalty assessed therefor; and
 - (7) A two-inch by two-inch photograph of the applicant, taken within 60 days immediately prior to the date of the filing of the application, showing the head and shoulders of the applicant in a clear and distinguishing manner; the social security number of the applicant; the date of birth of the applicant; and the fingerprints of the applicant. The town clerk may waive the requirements of this subsection for any license renewal applicant; and
 - (8) The affidavits of at least two property owners residing in Platte County, Wyoming, stating that the applicant has a good moral character. The town clerk may waive the requirements of this subsection for any license renewal applicant.
- (b) Any applicant other than an individual:
- (1) Legal name of the applicant; and
 - (2) All auction business addresses of the applicant; and
 - (3) Trade name used by the applicant; and
 - (4) The length of time for which an auction business license is desired; and
 - (5) Each partner, shareholder, member, owner, officer, director and manager of applicant must fulfill the requirements specified in subsections (a)(1), (5), (6), (7) and (8) of this section by attaching such items to the application. [Ord. 481 § 6, 1978. 1996 Code § 9-15.]

5.10.070 Investigation of applicant.

Upon receiving an application for an auction business license, the town clerk shall immediately refer the application to the chief of police, who shall conduct such investigation of the applicant as he deems necessary for the protection of the public. Upon completing his investigation, the chief of police shall submit a written report to the town clerk disclosing the results of his investigation. Upon receiving such investigation report, the mayor shall determine whether the applicant is eligible for a license. [Ord. 481 § 7, 1978. 1996 Code § 9-16.]

5.10.080 Bond required – Liability insurance policy may be submitted in lieu of bond.

Every applicant for an auction business license shall file with the town clerk a surety bond running to the town in the amount of \$1,000, with surety acceptable to and approved by the mayor, conditioned that such applicant, if issued an auction business license, will comply fully with all provisions of this code or other ordinances of the town and the statutes of the state regulating and concerning auctions and auctioneers; will render true and strict accounts of all his sales to any person employing him to make the same; will not practice any fraud or deceit upon bidders or purchasers of property from him at any auction sale or suffer or permit any person in his employ to practice any such fraud or deceit; and will pay all damages which may be sustained by any person by reason of any fraud, deceit, negligence or other wrongful act on the part of the licensee, his agent or employees in the conduct of any auction or in the exercise of the calling of auctioneer. A liability insurance policy issued by an insurance company authorized to do business in the state which conforms to above require-

ments may be permitted by the mayor in his discretion in lieu of a bond. [Ord. 481 § 8, 1978. 1996 Code § 9-17.]

5.10.090 License renewal – Fee – Term.

The mayor may grant or renew an auction business license for all or any part of a calendar year to any person fulfilling the requirements of this chapter, upon the payment of a \$25.00 fee. All auction business licenses shall expire on the last day of December of each year and may be renewed annually for a period of one year by qualified license holders. [Ord. 481 § 9, 1978. 1996 Code § 9-18.]

5.10.100 Revocation or denial – Grounds – Hearing.

After notice and hearing, the mayor may revoke any auction business license issued under this chapter or may refuse to issue or renew an auction business license under this chapter for any of the following causes:

(a) The application of the applicant or licensee contains any false, fraudulent or misleading material statement;

(b) The applicant or licensee or any partner, shareholder, member, owner, officer, director or manager of the applicant or licensee:

(1) Is not a person of good moral character,

(2) Has made any false, fraudulent or misleading material statement in the course of conducting an auction or in any offering for sale at an auction,

(3) Has perpetrated a fraud upon any person, whether or not such fraud was perpetrated in the conduct of an auction,

(4) Has violated any of the statutes of the state relating to auctions or auctioneers,

(5) Has been convicted of any felony, or misdemeanor involving moral turpitude,

(6) Has conducted an auction in an unlawful manner or in such a manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public. [Ord. 481 § 10, 1978. 1996 Code § 9-19.]

5.10.110 Notice of hearing – Right to counsel.

Notice of the hearing provided for in WMC 5.10.100 shall be given in writing to the applicant or licensee. Such notice shall be mailed, postage prepaid, to the applicant or licensee at his last-known address at least five days prior to the date set for hearing.

The applicant or licensee shall have the right to be represented at such hearing by counsel. [Ord. 481 § 11, 1978. 1996 Code § 9-20.]

5.10.120 Appeal to council.

Any person aggrieved by the action taken by the mayor under WMC 5.10.100 shall have the right to appeal to the mayor for a rehearing. Such appeal shall be taken by filing a written statement setting forth the facts and grounds of appeal with the town clerk not later than 14 days after the date upon which the mayor took the action which aggrieved the appellant.

The mayor shall set a time and place for a rehearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as provided in WMC 5.10.110. The appellant shall have the right to be represented at such rehearing by legal counsel. The decision and order of the mayor on such appeal shall be final and conclusive. [Ord. 481 § 12, 1978. 1996 Code § 9-21.]

Chapter 5.15**CIRCUSES AND EXHIBITIONS**

Sections:

- 5.15.010 Required – Exceptions.
- 5.15.020 Application – Required information – Examination.
- 5.15.030 Fees.

For state law as to authority of town to license circuses, exhibitions, etc., see WS, 1977, 33-6-104.

5.15.010 Required – Exceptions.

No person shall own, conduct or manage any caravan, circus, street show, merry-go-round or other exhibition, show or amusement; or shall exhibit any natural or artificial curiosities or panoramic or other show or device of any kind; or shall give any concert or musical entertainment except musical concerts and exhibitions of painting or statuary, educational, scientific or literary entertainments given or made by the citizens of this town or under the auspices of any church or literary society of the town without first obtaining a license therefor. [Amended during August 1984 supplementation. 1996 Code § 9-7.]

5.15.020 Application – Required information – Examination.

Any person who shall own, conduct or manage any caravan, circus, street show, merry-go-round or other exhibition, show or amusement; or who shall exhibit any natural or artificial curiosities or panoramic or other show or device of any kind; or who shall give any concert or musical entertainment shall make application to the town clerk for a license. Every application shall set forth the name of the applicant and qualifications, together with such other information as may be required by the town. Each applicant shall submit to an examination as prescribed by the town to determine the fitness to hold any license. [Amended during August 1984 supplementation. 1996 Code § 9-8.]

See WS 33-6-101 for town's right to inspect the applicant's facilities, equipment, rides or other structures which are for public use.

5.15.030 Fees.

Each application shall be accompanied by a fee of \$200.00. [Amended during August 1984 supplementation. 1996 Code § 9-9.]

Chapter 5.20**GAS PIPEFITTERS, ELECTRICIANS AND
WATER TREATMENT CONTRACTORS**

Sections:

- 5.20.010 Definitions.
- 5.20.020 License required – Exceptions.
- 5.20.030 Application – Required information – Examination – Exemption from examination.
- 5.20.040 Application – Fees – Bond.
- 5.20.050 Issuance – Term.
- 5.20.060 Renewal.

5.20.010 Definitions.

For the purposes of this chapter the following definitions apply:

“Concrete contractor” shall be a person qualified, experienced and licensed in the installation of all concrete, concrete forms and masonry structures.

“Electrical contractor” shall be a person licensed by the state of Wyoming and the town of Wheatland as an electrical contractor.

“Excavation/grading contractor” shall be a person qualified, experienced and licensed to perform earth work and site preparation.

“Gas pipefitter” shall be a person qualified, experienced and licensed to install fuel gas pipe systems for heating and air-conditioning systems.

“General contractor A” shall be a person qualified, experienced and licensed in construction and overseeing the completion of any construction project, excluding the work required to be performed by licensed electrical, plumbing and HVAC contractors.

“Handy-man contractor” shall be a person licensed but limited to the following:

(1) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²).

(2) Fences, decks and patios.

(3) Retaining walls that are not over four feet (1,219 mm) in height.

(4) Sidewalks, stoops and driveways.

(5) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

(6) Prefabricated swimming pools that are less than 24 inches (610 mm) deep.

(7) Swings and other playground equipment.

(8) Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.

“Home owner” shall be a person constructing and/or remodeling their own dwelling unit and are required to occupy that dwelling for a period not to exceed one year after completion of project.

“Mechanical contractor” shall be a person licensed to contract or install heating, ventilation, air conditioning, refrigeration, and related systems in all construction.

“Owner contractor” shall be a person qualified, experienced and licensed to oversee the construction of their own commercial buildings, including buildings they do not occupy.

“Plumbing contractor” shall be a person qualified, experienced and licensed to repair and install complete water piping systems, sewage systems, heating pipe systems and install all plumbing fixtures and sanitary provisions.

“Residential contractor C” shall be a person qualified, experienced and licensed in construction and overseeing the completion of one- and two-family dwellings, excluding the work required to be performed by licensed electrical, plumbing and HVAC contractors.

“Residential property owner” is an individual who has an ownership interest in real property or personal property situated upon real property. A residential property owner may complete construction and/or remodeling on a dwelling unit they own, excluding the work required to be performed by licensed electrical, plumbing and HVAC contractors.

“Roofing contractor” shall be a person licensed for installation of any roof covering material.

“Shingle roofing contractor” shall be a person licensed only for the installation of asphalt and wooden type shingles.

“Siding contractor” shall be a person licensed to install exterior finish work on dwellings.

“Water treatment contractor” shall be deemed to be any person engaged in the business of making any connections to any waterlines within the town for the purpose of installing water softeners, underground lawn sprinkler systems, fire extinguishing sprinkler systems or any other connection made to any waterline other than those made by a licensed plumber. [Ord. 744, 2008; amended during August 1984 supplementation. 1996 Code § 9-1.]

5.20.020 License required – Exceptions.

(a) No person shall engage in business as a contractor in the town of Wheatland without first obtaining a license.

(b) Exempt entities include: homeowners, residential property owners, public utility companies, municipalities, cable-TV providers, and buildings constructed by a school or community college district as part of an industrial arts curriculum, under the direct supervision of a qualified industrial arts instructor. [Ord. 744, 2008; amended during August 1984 supplementation. 1996 Code § 9-2.]

5.20.030 Application – Required information – Examination – Exemption from examination.

(a) Every person desiring to obtain a license as a gas pipefitter, plumber, electrician or water treatment contractor, general contractor A, residential contractor C, mechanical contractor, roofing contractor, shingle roofing contractor, siding contractor, handy-man contractor, concrete contractor, excavation/grading contractor, or owner contractor shall make application to the town clerk for a license. Every application shall set forth the name of the applicant and his qualifications together with such other information as may be required by the town. Each applicant shall submit proof of a Wyoming Trades Certification examination or equivalent as prescribed by the town to determine the fitness to hold the license being requested.

(b) Exemption from Testing. Exemption from testing includes: handy-man contractors, excavation/grading contractors, home owners, and other exempt entities.

(c) Licensee Subject to All Town Codes, Regulations and Other Ordinances. All licenses issued under this chapter shall be subject to all town codes, regulations and other ordinances. In the event a licensee violates this chapter, any other ordinances, building codes, or state laws, the license shall be subject to revocation by the town of Wheatland.

(d) Revocation of License. The building inspector shall be entitled to revoke any contractor’s license for good cause. The revocation of the license shall be in writing, setting forth in detail the reasons for revocation. The contractor whose license is revoked shall have 10 days from the date of revocation to request in writing a hearing before the governing body. The governing body shall hear the matter within 30 days from the date the hearing is requested. The governing body can uphold the revocation, reverse the revocation and place conditions on the license being reinstated. [Ord. 744, 2008; amended during August 1984 supplementation. 1996 Code § 9-3.]

5.20.040 Application – Fees – Bond.

Each application shall be accompanied by a fee of \$100.00, proof of insurance, and a bond in the penal sum of \$2,000, executed in favor of the town, conditioned for the faithful performance of the duties for which the license is issued. [Ord. 744, 2008; amended during August 1984 supplementation. 1996 Code § 9-4.]

5.20.050 Issuance – Term.

Upon meeting the requirements set forth in WMC 5.20.030 and 5.20.040, every successful applicant shall receive a license. All licenses issued hereunder shall expire on December 31st of the year of issue. [Ord. 744, 2008; amended during August 1984 supplementation. 1996 Code § 9-5.]

5.20.060 Renewal.

Any license may be renewed yearly by payment of an annual fee of \$50.00. Every licensee who desires to renew a license shall make application for renewal to the town clerk within 30 days prior to the date of expiration of the license to be renewed. [Ord. 744, 2008; amended during August 1984 supplementation. 1996 Code § 9-6.]

Chapter 5.25**PAWNBROKERS AND SECONDHAND DEALERS**

Sections:

Article I. Pawnbrokers

- 5.25.010 Definition.
- 5.25.020 Licenses – Required.
- 5.25.030 Licenses – Fee – Transfer.
- 5.25.040 Licenses –Revocation.
- 5.25.050 Licenses – Secondhand dealer’s license not required.
- 5.25.060 Bond.
- 5.25.070 Records – Required – Contents.
- 5.25.080 Records – Delivery to police – Retention of copy.
- 5.25.090 Inspection of records, merchandise, etc.
- 5.25.100 Stolen or illegally obtained property.
- 5.25.110 Transactions with minors.

Article II. Secondhand Dealers

- 5.25.120 Definitions.
- 5.25.130 Exemptions.
- 5.25.140 Licenses.
- 5.25.150 Records generally.
- 5.25.160 Inspection of records, merchandise, etc.
- 5.25.170 Stolen or illegally obtained property.

Article I. Pawnbrokers**5.25.010 Definition.**

For the purpose of this article, the term “pawnbroker” shall mean any person who advances or loans money or other valuable things on the deposit of personal property on the condition of selling the same back at a stipulated price. [Ord. 713 § 1, 2005.]

5.25.020 Licenses – Required.

No person shall at any time carry on the business of a pawnbroker without obtaining a license therefor. Any person or entity carrying on the business of a pawnbroker at the time the ordinance codified in this chapter is passed shall have 30 days from the third and final reading to obtain a license. [Ord. 713 § 1-2, 2005.]

5.25.030 Licenses – Fee – Transfer.

The pawnbroker’s license fee shall be in the amount of \$100.00 per year or the prorated amount. Such license shall not be transferable. The license shall be renewed and the license fee paid each year by January 15th. [Ord. 713 § 1-3, 2005.]

5.25.040 Licenses – Revocation.

In addition to any other penalty which may be imposed for a violation of the provisions of this article, the governing body may require that any person who shall violate or fail to comply with any provision of this article shall forfeit his license as a pawnbroker. [Ord. 713 § 1-4, 2005.]

5.25.050 Licenses – Secondhand dealer’s license not required.

Persons holding a pawnbroker’s license and also engaged in business as a secondhand dealer shall not be required to be licensed as a secondhand dealer in addition to his pawnbroker’s license. [Ord. 713 § 1-5, 2005.]

5.25.060 Bond.

Any applicant for a license under this article shall execute to the town of Wheatland a bond in the penal sum of \$1,000 conditioned that in the conduct of such business he will respect and obey the provisions of this chapter and other ordinances of the town of Wheatland applicable thereto and will pay all damages that may accrue to any person by reason of any fraud or misconduct in managing such business. [Ord. 713 § 1-6, 2005.]

5.25.070 Records – Required – Contents.

Every pawnbroker shall keep at his place of business an accurate description of all property received on deposit or purchased, the time when the property was received or purchased and mentioning particularly any descriptive or identifying marks that may be on such property, together with the name, residence and accurate description of the person by whom the property was left and such other information as may be required by the chief of police. Such entries must be made on the day such property is received, using ink or indelible pencil or on a computer, and no entry shall be erased or obliterated. All records shall be clean and legible and in such form as the chief of police shall prescribe. [Ord. 713 § 1-7, 2005.]

5.25.080 Records – Delivery to police – Retention of copy.

Before noon of the first business day of each week, each pawnbroker shall deliver to the police department a true and accurate copy of the original record required by WMC 5.25.070 which shall include all of the business done during the preceding week and from the time of the last report to the day such report is made. The original of such report shall be kept by the pawnbroker for his permanent records. [Ord. 713 § 1-8, 2005.]

5.25.090 Inspection of records, merchandise, etc.

Every pawnbroker shall, upon request, during the ordinary business hours, submit and exhibit the records required by WMC 5.25.070 to the inspection of police officers and permit any officer to make a copy thereof. He shall also, upon request, exhibit for the inspection of any officer any property that may be received by him. [Ord. 713 § 1-9, 2005.]

5.25.100 Stolen or illegally obtained property.

Any pawnbroker who shall have accepted, obtained or bought any property, either new or secondhand, from any person, not knowing the same to have been stolen or illegally obtained, shall deliver the same into the hands of the lawful owner when such owner shall have made a reasonably accurate and certain identification by means of number or description in the presence of the peace officer; provided, however, if the pawnbroker disputes the ownership the property shall be taken into possession by a police officer until such time as the pawnbroker or the lawful owner obtains a court order directing the town to release the property. [Ord. 713 § 1-10, 2005.]

5.25.110 Transactions with minors.

No pawnbroker shall transact any such business with any person under the age of 18 years. [Ord. 713 § 1-11, 2005.]

Article II. Secondhand Dealers**5.25.120 Definitions.**

Every person who buys, sells, exchanges or deals in personal property that has been previously used, broken or disfigured shall be considered a secondhand dealer; provided, that merchants who deal in new furniture, dishes or other regular household furnishings and accept such articles for credit on the purchase price of new

or used articles sold contemporaneously which are of similar character to the goods so exchanged shall not be considered secondhand dealers for the purposes of this article. [Ord. 713 § 2-1, 2005.]

5.25.130 Exemptions.

Specifically exempted from this definition are those persons not operating as a pawnbroker, who buy, sell, exchange or deal in rare coins, antique furniture and home furnishings, sports memorabilia, dispersal auctions and not-for-profit fundraising activities. [Ord. 713 § 2-2, 2005.]

5.25.140 Licenses.

No person shall conduct any business as a secondhand dealer in the municipality without obtaining a license therefor, except holders of a pawnbroker's license. The fee for such license shall be \$100.00 per year or a pro-rated amount. The license shall be renewed and the license fee paid each year by January 15th. [Ord. 713 § 2-3, 2005.]

5.25.150 Records generally.

Every dealer licensed under this article shall keep at his place of business an accurate detailed record of every article purchased by him, exclusive of household furnishings. Such record shall include the date of purchase, name of seller, amount paid and a description of the article. Such records shall be clean and legible and a copy thereof delivered to the chief of police before noon of the first business day of each week. [Ord. 713 § 2-4, 2005.]

5.25.160 Inspection of records, merchandise, etc.

Every secondhand dealer shall, upon request, during ordinary business hours, submit and exhibit the records required by WMC 5.25.150 to the inspection of the chief of police or any regular police officer of the town of Wheatland and permit any officer to make a copy thereof. He shall also upon request exhibit for the inspection of such officers any personal property or merchandise, exclusive of household furnishings, that may be so received by him. [Ord. 713 § 2-5, 2005.]

5.25.170 Stolen or illegally obtained property.

Any secondhand dealer who shall have accepted, obtained or purchased any new or secondhand personal property or merchandise from any person, not knowing the same to have been stolen or illegally obtained, shall deliver the same into the hands of the lawful owner when such owner shall have made a reasonably accurate and certain identification by means of number or description in the presence of the peace officer; provided, however, if the secondhand dealer disputes the ownership the peace officer shall take possession of such property until such time as the secondhand dealer of the lawful owner obtains a court order directing the town to release the property. [Ord. 713 § 2-6, 2005.]

Chapter 5.30

**TRANSIENT MERCHANTS, PEDDLERS,
SOLICITORS AND CANVASSERS**

Sections:

Article I. In General

- 5.30.010 Definitions.
- 5.30.020 Bonds.
- 5.30.030 Service of process.
- 5.30.040 Signs prohibiting peddlers and solicitors.
- 5.30.050 Sale of products by farmers exempted.
- 5.30.060 Wholesalers exempted.
- 5.30.070 Association with local dealers, etc.
- 5.30.080 Visiting private residences without permission.

Article II. Licenses

- 5.30.090 Required.
- 5.30.100 Filing and contents of applications.
- 5.30.110 Investigation of applicant – Issuance – Records.
- 5.30.120 Fees.
- 5.30.130 Minimum term – Expiration.
- 5.30.140 Exhibition.
- 5.30.150 Transfer.
- 5.30.160 Revocation.

For case holding that taxation which leaves out-of-state sellers in the same position as in-state sellers does not violate the commerce clause of the United States Constitution, see *Breard v. City of Alexandria, Louisiana*, 341 U.S. 622, 91 L.E. 1223, 71 S.Ct. 920.

For case holding that ordinance barring nonresidents of state from selling by sample and taking orders for goods without first procuring license is in contravention of the commerce clause of the United States Constitution, see *Clements v. Town of Casper*, 4 Wyo. 494, 35 P. 472 (1894).

For case holding that when local police regulation has a real relation to suitable protection of the people and is reasonable in its requirement, it is not invalid because it may incidentally affect interstate commerce; provided, that it does not conflict with federal statutes, see *Town of Green River v. Bunger*, 50 Wyo. 52, 58 P.2d 456 (1936). Appeal to United States Supreme Court dismissed, see case of *J.L. Bunger v. Town of Green River, Wyoming*, 300 U.S. 638, 57 S. Ct. 510.

For case holding that only undue or discriminatory burdens upon commerce are forbidden by the commerce clause of the United States Constitution, see *Breard v. City of Alexandria, Louisiana*, 341 U.S. 622, 91 L.E. 1223, 71 S. Ct. 920.

As to administration generally, see WMC Title 2. As to licenses generally, see other chapters in this title.

Article I. In General

5.30.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

“Canvasser or solicitor” means any individual, whether a resident of the town or not, traveling either by foot, or any type of conveyance, from place to place or from house to house, or from street to street, taking or attempting to take orders for sale of goods, wares and merchandise, or personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether he is collecting advance payments on such sales or not; provided, that such definition shall include any person who, for himself, or for another person, hires, leases, uses or occupies any building, structure, tent, railroad boxcar, boat, hotel room, lodging house, apartment, shop or any other place within the town for the sole purpose of exhibiting samples and taking orders for future delivery.

“Peddler” means any person, whether a resident of the town or not, traveling by foot, wagon, automobile, vehicle or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale, or making sales and delivering articles to purchasers; provided, that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this chapter shall be deemed a peddler subject to the provisions of this chapter. The word “peddler” shall include the words “hawker” and “huckster.”

“Transient merchant” means any person whether as owner, agent, consignee or employee, whether a resident of the town or not, who engages in a temporary business of selling and delivering goods, wares and merchandise, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad boxcar, or boat, public rooms in hotels, lodging houses, apartments, shops or any streets, alleys or other places for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction; provided, that such definition shall not be construed to include any person who, while occupying such temporary location, does not sell from stock, but exhibits samples only for the purpose of securing orders for future delivery only. The term “transient merchant” shall include the terms “itinerant merchant” and “itinerant vendor.” [1996 Code § 19-1.]

For case discussing definition of peddlers, hawkers, etc., see *Clements v. Town of Casper*, 4 Wyo. 494, 35 P. 472 (1894).

5.30.020 Bonds.

Before any license to engage in any business regulated by this chapter shall be issued, the applicant for such license shall file with the town clerk a bond running to the town in the sum of \$1,000 executed by the applicant, as principal, and two sureties upon which service of process may be made in the state; such bond to be approved by the town attorney conditioned that the applicant shall comply fully with all of the provisions of this chapter and all of the provisions of this code and state law, regulating and concerning the business for which the applicant seeks a license and the payment of license fees, and will pay all judgments rendered against the applicant for any violation of such laws together with all judgments and costs that may be recovered against him by any person for damage growing out of any misrepresentation or deception practiced on any person transacting such business with such applicant, whether such misrepresentations or deceptions were made or practiced by the owners or by their servants, agents or employees, either at the time of making the sale or through any advertisement of any character whatsoever, printed or circulated with reference to the goods, wares and merchandise sold or any part thereof. Action on the bond may be brought in the name of the town to the use of the town or aggrieved person, as the case may be. Such bond must be approved by the town attorney both as to form and as to the responsibility of the sureties thereon. [1996 Code § 19-2.]

5.30.030 Service of process.

Before any license shall be issued for engaging in any business regulated by this chapter, such applicant shall file with the town clerk an instrument nominating and appointing the town clerk his true and lawful agent with full power and authority to acknowledge service or notice of process for and on behalf of the applicant in respect to any matters connected with or arising out of the business transacted under such license and the bond given as required by this chapter, or for the performance of the conditions of such bond or for any breach thereof, which instrument shall also contain recitals to the effect that such applicant for license consents and agrees that service of any notice or process may be made upon the agent, and when so made shall be taken and held to be as valid as if personally served upon the person applying for the license under this chapter, according to the law of this state and waiving all claim or right of error by reason of such acknowledgment of service or manner of service. Immediately upon service of process upon the town clerk, as herein provided, the town clerk shall send to the licensee at his last known address, by registered mail, a copy of such process. [1996 Code § 19-3.]

5.30.040 Signs prohibiting peddlers and solicitors.

It shall be unlawful for any peddler or solicitor or canvasser to ring the doorbell or knock on the door of any residence, dwelling, flat or apartment whereon a sign bearing the words "No Peddlers," or other words of similar import is painted or affixed or exposed to public view, or to attempt to gain admittance thereto; provided, that the provisions of this section shall not apply to any solicitor or canvasser who knocks at any door, or rings any bell at the invitation or with the consent of some member of the household at which he so applied for admission. [1996 Code § 19-4.]

5.30.050 Sale of products by farmers exempted.

Nothing in this chapter shall apply to any farmer or producer who sells or disposes of his own agricultural products, including fruits or vegetables, or of beef, mutton or pork; provided, that such meats are produced in accordance with all health regulations and laws, if such merchandise is produced by him in the state. [1996 Code § 19-5.]

5.30.060 Wholesalers exempted.

No license shall be required of drummers, traveling salesmen or other persons engaged in soliciting or taking orders exclusively from the trade or established wholesale or retail dealers, for the delivery of goods, wares or merchandise by wholesale. [1996 Code § 19-6.]

5.30.070 Association with local dealers, etc.

Persons engaged in any business regulated by this chapter shall not be relieved from complying with provisions of this chapter merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer or by conducting such transient business in connection with, as a part of, or in the name of any local dealer, trader, merchant or auctioneer. [1996 Code § 19-7.]

5.30.080 Visiting private residences without permission.

It shall be unlawful for any person to engage in the practice of going in and upon private residences in the town by solicitors, agents or representatives, peddlers, hawkers, itinerant merchants and transient vendors of merchandise, not having been requested or invited to do so by the owners or occupants of such private residences, for the purpose of soliciting orders for the sale of goods, wares and merchandise or for the purpose of disposing of or peddling or hawking the same or soliciting orders for goods or services or for taking orders for any type of contract for present or future completion or continuation. [1996 Code § 19-8.]

For case holding that ordinance declaring uninvited visitation of private residences by solicitors, peddlers, hawkers, itinerant merchants and transient vendors a nuisance punishable as a misdemeanor is valid exercise of police power to prevent disturbances and is not repugnant to the commerce clause of the United States Constitution, see Town of Green

River v. Bunger, 50 Wyo. 52, 58 P. 2d 456 (1936). Appeal to United States Supreme Court dismissed, see case of J.L. Bunger v. Town of Green River, Wyoming, 300 U.S. 638, 57 S. Ct. 510.

For case holding that an ordinance forbidding the going on private premises by solicitors, peddlers, hawkers, itinerant merchants and transient vendors in the absence of an invitation by the owners or occupants does not contravene the due process clause where reasonable bases exist for the ordinance, see Breard v. City of Alexandria, Louisiana, 341 U.S. 622, 91 L.E. 1223, 71 S. Ct. 920.

For case holding that an ordinance forbidding the going on private premises by solicitors, peddlers, hawkers, itinerant merchants and transient vendors in the absence of an invitation by the owners or occupants does not infringe upon the rights to free speech granted by the United States Constitution, see Breard v. City of Alexandria, Louisiana, 341 U.S. 622, 91 L.E. 1223, 71 S. Ct. 920.

For case discussing definition of peddlers, hawkers, etc., see Clements v. Town of Casper, 4 Wyo. 494, 35 P. 472 (1894).

For case holding that when local police regulation has a real relation to suitable protection of the people and is reasonable in its requirement, it is not invalid because it may incidentally affect interstate commerce; provided, that it does not conflict with federal statutes, see Town of Green River v. Bunger, 50 Wyo. 52, 58 P.2d 456 (1936). Appeal to United States Supreme Court dismissed, see case of J.L. Bunger v. Town of Green River, Wyoming, 300 U.S. 638, 57 S. Ct. 510.

For case holding that ordinance barring nonresidents of state from selling by sample and taking orders for goods without first procuring license is in contravention of the commerce clause of the United States Constitution, see Clements v. Town of Casper, 4 Wyo. 494, 35 P. 472 (1894).

Article II. Licenses

5.30.090 Required.

It shall be unlawful for a transient merchant, peddler, solicitor or canvasser to engage in any such business without first obtaining a license therefor in compliance with the provisions of this article. [1996 Code § 19-9.]

5.30.100 Filing and contents of applications.

Applicants for a license under this article shall file with the town clerk a sworn application in writing which shall give the following information:

- (a) The name and description of the applicant.
- (b) The permanent home address and full local address of the applicant.
- (c) A brief description of the nature of the business and the goods to be sold.
- (d) If employed, the name and address of the employer, together with credentials establishing the exact relationship.
- (e) The length of time for which the right to do business is desired.
- (f) The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time such application is filed and the proposed method of delivery.
- (g) A photograph of the applicant, taken within 60 days immediately prior to the date of the filing of the application, which picture shall be two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishing manner.
- (h) The names of at least two reliable property owners of the town who will certify as to the applicant's good character and business respectability, or, in lieu of the names of references, such other available evidence to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility.
- (i) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any town law, the nature of the offense and the punishment or penalty assessed therefor. [1996 Code § 19-10.]

5.30.110 Investigation of applicant – Issuance – Records.

(a) Upon receipt of such application, it shall be referred to the chief of police who shall cause investigation of the applicant's business and moral character to be made as he deems necessary for the protection of the public good.

(b) If the applicant's character or business responsibility is found to be unsatisfactory, the chief of police shall endorse on such application his disapproval and his reasons for the same, and return the application to the town clerk, who shall notify the applicant that his application is disapproved and that no permit and license will be issued.

(c) If the character and business responsibility of the applicant are found to be satisfactory, the chief of police shall endorse on the application his approval, execute a permit addressed to the applicant for the carrying on of the business applied for and return such permit, along with the application, to the town clerk, who shall upon payment of the prescribed license fee issue a license. Such license shall contain the signature and seal of the town clerk and shall show the name, address and photograph of the licensee, the class of license issued and the kind of goods to be sold thereunder, the amount of fee paid, the date of issuance and the period for which the same shall be operative, as well as the license number and other identifying description of any vehicle used. The town clerk shall keep a permanent record of all licenses issued. [1996 Code § 19-11.]

5.30.120 Fees.

The license fee which shall be paid to the town clerk upon the issuance of a license hereunder shall be as established by the town council from time to time; provided, that if any person has more than one person engaged in the business of peddling or uses more than one motor truck, wagon or other vehicle in such business of peddling, the license fees shall be paid for each of such persons, motor truck, wagon or vehicle used in such business; and provided, that if any person has more than one person engaged in the business of soliciting or canvassing, the foregoing license fee shall be paid for each person engaged in such business. [1996 Code § 19-12.]

5.30.130 Minimum term – Expiration.

The town clerk shall not issue any license hereunder nor accept any license fee for less than one day. A license issued for one day shall expire at 12:00 midnight of the date of issuance of such license. A license issued for one week shall expire at 12:00 midnight on the seventh day after issuance. A license issued for one month shall expire at 12:00 midnight on the thirtieth day after issuance, counting both the first and last days. A license issued for two months shall expire at 12:00 midnight on the sixtieth day after issuance, counting both first and last days. A license issued quarterly shall be issued only for the current quarterly periods commencing in January, April, July and October. All quarterly licenses issued shall expire upon the termination of the current quarterly period during which they shall have been issued. [1996 Code § 19-13.]

5.30.140 Exhibition.

Any person licensed under the provisions of this chapter shall exhibit his license at the request of any citizen. [1996 Code § 19-14.]

5.30.150 Transfer.

No license issued under the provisions of this chapter shall be transferred. [1996 Code § 19-15.]

5.30.160 Revocation.

(a) Licenses issued under the provisions of this chapter may be revoked by the town council after notice and hearing, for any of the following causes:

- (1) Fraud, misrepresentation or false statement contained in the application for license.
- (2) Fraud, misrepresentation or false statement made in the course of carrying on the business.
- (3) Any violation of this chapter.
- (4) Conviction of any crime or misdemeanor involving moral turpitude.

(5) Conducting the business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

(b) Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last known address at least five days prior to the date set for hearing. [1996 Code § 19-16.]

Chapter 5.35**ENFORCEMENT**

Sections:

5.35.010 Violation deemed misdemeanor.

5.35.010 Violation deemed misdemeanor.

Any person violating any provision of Chapters 5.10, 5.15 and 5.20 WMC shall be guilty of a misdemeanor.
[Amended during August 1984 supplementation. 1996 Code § 9-22.]

See WMC 1.10.010 for general penalties.

Title 6

ANIMALS

Chapters:

6.05 Animals and Fowl

Chapter 6.05**ANIMALS AND FOWL**

Sections:

- 6.05.010 Definition of terms.
- 6.05.020 Maintaining a vicious animal.
- 6.05.030 Cruelty to animals.
- 6.05.040 Keeping animals, fowl or livestock in offensive manner – Notice – Penalty.
- 6.05.050 Running at large prohibited.
- 6.05.060 Impoundment – Enforcement – Redemption fee.
- 6.05.070 Impoundment – Notification of owner – Disposition of impounded dog.
- 6.05.080 Impoundment – Fees applicable to impounded dog.
- 6.05.090 Licensing and registration of dogs – Duty of town clerk – Expiration date.
- 6.05.100 Licensing and registration of dogs – Fees.
- 6.05.110 Licensing and registration of dogs – Issuance and wearing of tags.
- 6.05.120 Licensing and registration of dogs – Impoundment – Requirement of dogs without valid license – Enforcement officer.
- 6.05.130 Breaking open, etc., pound.
- 6.05.140 Horses in municipal park.
- 6.05.150 Violations – Penalties.
- 6.05.160 Detention and observation of animals – Rabies.
- 6.05.170 Animal restraints.
- 6.05.180 Maintaining vicious animal – Post conviction.
- 6.05.190 Community cat control.
- 6.05.200 Definitions.

6.05.010 Definition of terms.

As used in this chapter, unless otherwise indicated, the following words and phrases shall have the following meanings.

“Animal control officer” shall be all police officers employed by the town and any other person designated by the town council to enforce this chapter.

“At large” means off of the premises of the owner, and being at places not under the physical control of the owner.

“Dog” shall include both male and female animals.

“Ferocious” shall mean any exhibition or tendency to fierceness and unrestrained violence and brutality.

“Fowl” shall include all chickens, roosters, turkeys, ducks, and geese.

“Livestock” shall include all cattle, horses, pigs, lambs, sheep, goats and buffalo.

“Owner” means any person or persons, firm, association or corporation owning, keeping or harboring a dog.

“Physical control” means on a leash or other restraint not exceeding eight feet in length with one end attached to the dog and the other end in physical possession of the owner.

“Pound” means the place provided by the town for the impounding of dogs.

“Premises” means an open area without houses, barns and other outbuildings.

“Unruly” shall mean not readily ruled, disciplined or manageable.

“Vaccinate” means the inoculation of a dog with an approved rabies vaccine that provides a minimum three year immunity which shall be administered under the direction of a licensed veterinarian, the cost of said vaccination to be borne by the owner of the dog.

“Vicious” shall mean dangerously aggressive, marked by violence and/or ferocity. [Ord. 650 § 3(D)(i) – (iii), 1996; amended in 1995 supplementation; Ord. 599 § 1, 1990; Ord. 579, 1987. 1996 Code § 4-1.]

6.05.020 Maintaining a vicious animal.

No person shall keep, feed, harbor or allow to stay about the premises occupied by such person any vicious, unruly or ferocious animal. [1996 Code § 4-2.]

6.05.030 Cruelty to animals.

No person shall willfully or maliciously torture, torment, deprive of necessary sustenance, beat, mutilate, kill, mistreat or carry an animal in a vehicle in a cruel or inhumane manner, or cause or procure it to be done; or having the charge and custody of any animal, unnecessarily fail to provide it with the proper food, drink or protection from the weather, or abandon it. [1996 Code § 4-3.]

As to the protection of domestic animals generally, see WS, 1977, 11-29-101 et seq. As to the livestock and sanitary board, see WS, 1977, 11-29-106 to 11-29-112. [Note change in stat. ref.]

6.05.040 Keeping animals, fowl or livestock in offensive manner – Notice – Penalty.

(a) No person shall keep any animal or fowl upon any premises within the town in such a manner as to be offensive or annoying. The keeping of any animal or fowl upon any premises in such a manner as to be offensive or annoying shall be deemed to be a nuisance.

(b) The owner, agent or occupant of any premises shall be held liable for compliance and, if such person shall refuse to comply with the provisions of this article, he shall be served with written notice requiring abatement of the nuisance within three days from the receipt of such notice.

(c) Any person who fails to comply with any written notice given pursuant to subsection (d) of this section shall be guilty of a misdemeanor.

(d) It shall be unlawful for any person to keep any livestock upon any premises within the town of Wheatland unless said premises are larger than one-half acre (21,780 square feet) in size. [Ord. 510, 1980. 1996 Code § 4-3.1.]

6.05.050 Running at large prohibited.

No person shall permit any animal or fowl to run at large nor shall any animal or fowl be permitted to run at large. [1996 Code § 4-4.]

For state law as to authority of town to regulate, etc., the running at large of animals, see WS, 1977, 15-1-103. As to strays generally, see WS, 1977, 11-24-101 et seq.

6.05.060 Impoundment – Enforcement – Redemption fee.

(a) If any animal or fowl shall be found running at large it shall be the duty of the animal control officer to impound such an animal in a secure pen, pound or other place provided for that purpose.

(b) No animal or fowl impounded shall be released until the owner shall pay the fees required by WMC 6.05.080. [1996 Code § 4-5.]

As to the authority of town to impound animals running at large, see WS, 1977, 15-1-103. As to feeding impounded animals, see WS, 1977, 11-29-103 and 11-29-104. For state law as to authority of town to establish a pound, appoint and compensate a pound master and prescribe his duties, see WS, 1977, 15-1-103. [Note change in stat. ref.]

6.05.070 Impoundment – Notification of owner – Disposition of impounded dog.

Every owner shall be immediately notified upon impounding of any animal and every animal impounded shall be held for a period of 72 hours after such notification. If not claimed within 72 hours by any person who pays the license and impounding fees, such animal may be disposed of. The pound master may at his discretion release the animal to some person who shall pay all costs incurred before release. If the owner is unknown and

the animal is not claimed by another, the pound master may dispose of any unclaimed animal five days after impoundment. [1996 Code § 4-6.]

For state law as to authority of town to provide for the sale or destruction of impounded animals, see WS, 1977, 15-1-103.

6.05.080 Impoundment – Fees applicable to impounded dog.

Upon payment of pound fees as established by the governing body, license fees and an animal control officer's fee, an owner may secure the release of any impounded animal. [1996 Code § 4-7.]

6.05.090 Licensing and registration of dogs – Duty of town clerk – Expiration date.

All dogs over four months of age kept, harbored or maintained in the town shall be licensed and registered. Licenses shall be issued by the town clerk or by an agent as may be designated by the clerk. No license shall be issued unless a dog has been vaccinated against rabies within 24 months immediately preceding the date of application for the license as evidenced by the certificate of a licensed veterinarian. All licenses shall expire on December 31st of the year in which the same are issued. [Ord. 729, 2006. 1996 Code § 4-8.]

6.05.100 Licensing and registration of dogs – Fees.

A fee as established by the governing body shall be paid upon application for a license. [1996 Code § 4-9.]

For state law as to authority of town to impose license fee on the keeping of dogs, see WS, 1977, 15-1-103.

6.05.110 Licensing and registration of dogs – Issuance and wearing of tags.

Upon payment of the license fee the clerk shall issue a license tag bearing the number under which the dog is registered. Such tag shall be secured to the neck of the registered animal and it shall be unlawful for any person to put any license upon a dog for which the same was not issued. [1996 Code § 4-10.]

6.05.120 Licensing and registration of dogs – Impoundment – Requirement of dogs without valid license – Enforcement officer.

Any dog found within the town without a current license is declared to be a public nuisance and it is the duty of the animal control officer to pick up and impound any such animal. [1996 Code § 4-11.]

As to authority of town to impound animals running at large, see WS, 1977, 15-1-103. As to feeding impounded animals, see WS, 1977, 11-29-103 and 11-29-104. [Note change in stat. ref.] For state law as to authority of town to establish a pound, appoint and compensate a pound master and prescribe his duties, see WS, 1977, 15-1-103.

6.05.130 Breaking open, etc., pound.

No person shall break open or assist in breaking open any pound, pen or other enclosure with the intention of releasing any animal confined therein. [1996 Code § 4-12.]

6.05.140 Horses in municipal park.

No person shall ride or permit any horse to remain within any municipal park. [Amended during August 1984 supplementation. 1996 Code § 4-13.]

6.05.150 Violations – Penalties.

Any person in possession of any dog not licensed or any person violating any provision of this chapter shall be guilty of a misdemeanor. [Amended during August 1984 supplementation; Ord. 534 § 3, 1981. 1996 Code § 4-14.]

6.05.160 Detention and observation of animals – Rabies.

Upon the written request of any person, any dog or other animal which has bitten someone, breaking the skin, shall be picked up and detained in isolation, at the town animal shelter, for 10 days for observation for symptoms of rabies. Unless the owner of such animal can furnish positive proof that the animal has a current vaccination. Any doubt as to whether the vaccination is current shall be resolved by presuming that the vaccination is not current. The owner of any animals so detained shall pay all expenses incurred as the result of any detention. [Ord. 650 § 3(D)(iv), 1996; added in 1995 supplementation. 1996 Code § 4-15.]

6.05.170 Animal restraints.

(a) All owners walking their dogs on sidewalks, parks, roadways and all other property not belonging to the owner shall keep their animal on a leash at all times.

(1) Leashes shall be constructed of strength adequate for the size of the dog.

(2) Leashes shall be at least three feet in length and no longer than 10 feet.

(b) All female animals considered to be in heat shall be confined in a building or secure enclosure so it cannot come in contact with a male with exception for planned breeding purposes.

(c) Animals tethered in their own yard shall have access to adequate shelter for current weather conditions and water.

(1) Animals may not be tethered in any yard longer than 12 hours in a 24-hour period.

(2) All tethers shall be no less than 10 feet in length and may not extend past the owner's property limits. [Ord. 806 § 1, 2017.]

6.05.180 Maintaining vicious animal – Post conviction.

(a) If an owner wishes to keep their animal after being convicted of maintaining a vicious animal, pursuant to WMC 6.05.020, the following conditions must be met:

(1) The owner shall provide proof of liability insurance at \$250,000 for the specific vicious animal harbored.

a. This policy shall specifically cover injuries, damages and death caused by owning a vicious animal.

b. Owner shall provide proof of the policy to the Wheatland police department at the time of registration.

(2) This vicious animal shall incur a \$100.00 annual registration fee and special tags must be worn at all times (orange in color).

(3) The animal, if being walked outside its owner's property boundary, shall be kept on a leash, wear a blaze orange muzzle, and the person walking the animal must be able to adequately maintain control of the animal.

(4) Any time the animal is kept outside, the animal shall be placed in a secure locking kennel and on a concrete slab with a roof or covering made of a chain link material.

(5) Failure to maintain these requirements will result in the forfeiture of the animal to the town of Wheatland.

(b) Any animal deemed vicious a second time shall be surrendered to the town of Wheatland.

(c) Biting of a family member shall not be an indicator of an animal's viciousness.

(d) An animal protecting its owner or property in which someone has entered illegally shall not be deemed vicious. [Ord. 806 § 2, 2017.]

6.05.190 Community cat control.

(a) The town of Wheatland recognizes the need for innovation in addressing the issues presented by community cats. To that end, it recognizes that trap-spay/neuter-return is the only effective and humane method to manage and, over time, reduce the population of community cats. Trap-spay/neuter-return shall be vetted through town staff or animal control officers.

(b) A trapped "ear-tipped" cat shall be released on site unless veterinary care is required.

(c) All community cats received by veterinarians or law enforcement shall be released by law enforcement back into the community once they are “ear-tipped” and clear of all veterinarian care.

(d) It shall be unlawful to feed feral cats on public property. [Ord. 806 § 3, 2017.]

6.05.200 Definitions.

“At large” means any animal not under restraint while on public or private property which does not belong to the owner of the animal. Any animal that may be chasing another animal, bicyclist, human or motor vehicle on public or private property which does not belong to the owner. [Ord. 806 § 4, 2017.]

Title 7
(Reserved)

Title 8

HEALTH AND SAFETY

Chapters:

- 8.05 Refuse, Garbage and Weeds**
- 8.10 Transportation of Solid Waste or Debris**
- 8.15 Landfill Regulations**
- 8.20 Animal Waste**
- 8.25 Fire Prevention and Protection**
- 8.30 Outdoor Burning**
- 8.35 Fireworks**

For state law as to authority of town to regulate the hauling of refuse, see WS, 1977, 15-1-103. As to powers of town with respect to health, safety and welfare generally, see WS, 1977, 15-1-103. As to animals and fowl, see Chapter 6.05 WMC. As to confiscated or abandoned property, see Chapter 9.10 WMC. As to fire prevention and protection, see Chapter 8.25 WMC. As to public utilities generally, see WMC Title 13. As to streets and sidewalks, see WMC Title 12 and Chapter 17.35 WMC.

Chapter 8.05**REFUSE, GARBAGE AND WEEDS**

Sections:

- 8.05.010 Definitions.
- 8.05.020 Maintenance of premises – Generally.
- 8.05.030 Maintenance of premises – Violations of chapter – Issuance of written notice.
- 8.05.040 Maintenance of premises – Failure to remove – Costs of removal.
- 8.05.050 Containers – Required.
- 8.05.060 Containers – Placement for collection.
- 8.05.070 Fees.
- 8.05.080 Tree trimmings.

8.05.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Abandoned Vehicle. A vehicle upon private property is an abandoned vehicle:

- (1) When any of the four tires of the main wheels of such vehicle have been removed or are deflated, other than for repair.
- (2) When any of the main wheels of the vehicle have been removed, other than for repair.
- (3) When such vehicle is totally or partially suspended above the ground by jacks, blocks or any other lifting devices, other than for repair.
- (4) When current license plates or valid temporary permits are not displayed on such vehicle; provided, that this shall not apply to vehicles in the possession of licensed dealers for the purpose of sale at the place licensed for such sale.
- (5) When any part of the mechanism of the vehicle has been removed so as to render the vehicle inoperable, other than for repair.

For state law on abandoned vehicles, see WS, 1977, 31-13-101.

“Garbage” means wastes resulting from the handling, preparation, cooking or consumption of foods; wastes from the handling, storage and sale of produce; any other matter whatsoever that may decompose and become foul, offensive, unsanitary or dangerous to health.

“Refuse” means combustible and noncombustible discarded materials including, but not limited to, paper, wood, glass, metal and cloth products, yard trimmings, tree branches, furniture, bedding, building materials, leaves, ashes and solid wastes resulting from industrial and manufacturing processes. [1996 Code § 17-1.]

8.05.020 Maintenance of premises – Generally.

(a) It shall be the duty of any owner, agent, tenant, purchaser, contractor or lessee of any premises within the town including places of business, dwelling houses, apartments, tenements, construction sites or other establishments, at all times, to maintain the premises in a clean and orderly condition, permitting no deposit or accumulation of materials other than those necessary or ordinarily attendant upon the use for which such premises are legally intended.

(b) It shall be the duty of any owner, occupant or agent having control of any lot or premises, as well as any portion of any alley adjoining the premises, to:

- (1) Mow, cut, destroy or spray all weeds;*
- (2) Remove all trash, garbage, junk, abandoned vehicles, unused vehicles, abandoned machinery, unused machinery, junk machinery, abandoned and discarded appliances and all other refuse.

(c) Any accumulation of trash, garbage, junk, abandoned vehicles, unused vehicles, abandoned machinery, unused machinery, junk machinery, abandoned and discarded appliances and all other refuse is hereby declared to constitute a nuisance and a nonconforming use of the premises. [Ord. 559 § 1, 1983; Ord. 453 § 1, 1977. 1996 Code § 17-2.]

* Code reviser's note: Ord. 767 reads, "Section 17-2(b)(1) shall not apply to real property zoned "Conservancy" under Section 7-65 of the Wheatland Town Code [WMC 18.60.010]."

8.05.030 Maintenance of premises – Violations of chapter – Issuance of written notice.

The owner, agent or occupant of any premises shall be liable for compliance with this chapter and if such person shall refuse to comply with the provisions of this chapter, he shall be given written notice requiring removal of the offending item within 21 days from the receipt of such notice. Notice shall be deemed delivered when personally served or deposited in the United States mail, by registered or certified mail, with postage prepaid, and addressed to the owner or occupant of the premises. [Ord. 656, 1996. 1996 Code § 17-3.]

8.05.040 Maintenance of premises – Failure to remove – Costs of removal.

(a) Upon failure to comply with any written notice given pursuant to WMC 8.05.030, the town shall have the authority to remove any offending item and charge the cost thereof as a special bill for refuse removal. In the event such bill is not promptly paid it shall become a lien against the property and collectible as such.

(b) The abatement of the nuisance by the town shall not relieve the person in charge or control of such property of any penalty imposed for violation of this chapter. [Amended during August 1984 supplementation; Ord. 453 § 3, 1977. 1996 Code § 17-4.]

8.05.050 Containers – Required.

(a) All garbage and refuse cans shall be furnished by the owner or occupant of the premises where used; shall be constructed of galvanized iron, metal or other material approved by the town; shall be water tight; shall have a close-fitting lid or cover which shall be attached to the container; shall not exceed 30 gallons in capacity; shall have handles; and shall at all times be maintained in a position so as to prevent water or insects from entering therein.

(b) All garbage and refuse shall be placed in containers as specified; provided, however, yard trimmings, grass, leaves and similar items may be placed in sturdy boxes, dumpsters or similar containers. [Ord. 547 § 1, 1982; Ord. 405, 1976. 1996 Code § 17-5. Prior Code § 20-107.]

8.05.060 Containers – Placement for collection.

All containers shall be placed at the rear of the premises near the alley where they are used and at a place easily accessible to the garbage collector. Where premises have no alley all containers shall be placed in a nearby alley or on a street easily accessible to the garbage collector and in no event shall any garbage collector be required to go upon private property for the purpose of collecting garbage, or removing such containers. [Ord. 405, 1976. 1996 Code § 17-6. Prior Code § 20-107.]

8.05.070 Fees.

The fees to be charged for the removal of garbage and refuse shall be as established by the town council from time to time. [1996 Code § 17-7.]

8.05.080 Tree trimmings.

Any person who shall trim trees on any property within the town shall be responsible for the removal, from the streets, alleys and other public ways of the town, of all trash, limbs and other debris created by such trimming. [Ord. 451, 1977. 1996 Code § 17-8.]

Chapter 8.10**TRANSPORTATION OF SOLID WASTE OR DEBRIS**

Sections:

- 8.10.010 Waste to be secured during transport.
- 8.10.020 Additional fees at landfill.
- 8.10.030 Penalties – Fees.

8.10.010 Waste to be secured during transport.

To prevent scattering of solid waste and debris, all persons transporting solid waste, debris or recyclable materials to the solid waste facility must secure the load with a tarp, wire mesh or some other means which secures the material from blowing or falling out of the vehicle. [Ord. 753 § 1, 2010.]

8.10.020 Additional fees at landfill.

Any person entering the landfill (solid waste facility) without complying with WMC 8.10.010 shall be assessed a surcharge as follows:

- (a) Cars, pickups (three-quarter-ton or less) and small trailers: \$10.00.
- (b) All other vehicles, including large trailers: \$50.00. The surcharge is in addition to any other fees assessed for using the landfill. [Ord. 753 § 2, 2010.]

8.10.030 Penalties – Fees.

In addition to the surcharge any person violating WMC 8.10.010 is guilty of a misdemeanor and can be fined up to \$75.00. [Ord. 753 § 3, 2010.]

Chapter 8.15

LANDFILL REGULATIONS

Sections:

- 8.15.010 Established.
- 8.15.020 Rules and regulations.
- 8.15.030 Dumping refuse, etc., outside of landfill.
- 8.15.040 Removing waste, etc., from landfill – Penalty.
- 8.15.050 Garbage rates for collection.
- 8.15.060 Violation – Penalty.

For state law as to authority of town to purchase, etc., land for deposit of refuse, see WS, 1977, 15-1-103.

8.15.010 Established.

There is hereby established a landfill to be used for the disposal of refuse, garbage and other waste matter or materials. [Ord. 452. 1996 Code § 17-9.]

8.15.020 Rules and regulations.

(a) Use – Transfer Station.

(1) The Wheatland solid waste transfer station (WSWTS) shall be open for use by all residents and businesses of Platte County.

(2) Non-Platte County residents and businesses shall require approval and contract for use of the WSWTS.

(b) Restrictions – Transfer Station.

(1) The following materials will not be accepted at the WSWTS and shall be unlawful for anyone to dispose of the following materials:

- a. Asbestos or materials containing asbestos.
- b. Concrete.
- c. Asphalt.
- d. Tires greater than 24.5 inches in size.
- e. Tires still mounted to a rim.
- f. Tires from businesses.
- g. Construction debris.
- h. Shingles.
- i. Dead animals.

(2) The following materials will be accepted subject to the stated conditions:

- a. Oil not to exceed 60 gallons per load.
- b. Batteries if they are not leaking.
- c. Antifreeze not to exceed 60 gallons per load.
- d. Paint no more than 50 gallons per load.

(3) The WSWTS supervisor or their designee shall have the final say on the acceptance of waste not specifically listed in this section.

(c) Fees – Transfer Station.

(1) The following fees shall apply to the dumping of tires, any refuse, garbage or other solid waste materials accepted to the Wheatland solid waste transfer station:

- a. No fee will be charged for any of the following:
 - i. Unpainted or unstained wood.
 - ii. Bicycle tires.
 - iii. Separated recyclables.

- iv. Household hazardous waste.
 - A. Oil, antifreeze, pesticides, herbicides, cleaners, gas.
- v. Clean metal.
- vi. Branches and grass clippings.
- b. Any resident disposing of rubber tires shall pay the following for each tire, measurement being the inside or bead diameter of the tire:
 - i. Motorcycle tires: \$5.00 per tire.
 - ii. Tires smaller than 17 inches: \$8.00 per tire.
 - iii. Tires 17 inches to 24.5 inches: \$10.00 per tire.
 - iv. Tires over 24.5 inches will not be taken.
 - v. Residents may not bring more than eight tires during any 30-day period.
- c. Appliances.
 - i. Appliances that contain or have contained hydrochlorofluorocarbons (freon) or chlorofluorocarbons (CFC) shall be charged as follows:
 - A. Forty dollars per appliance containing freon and/or CFC; doors must be removed.
 - B. If the appliance has been drained of freon and/or CFC (certificate from a licensed technician must accompany each appliance), the appliance shall be free from disposal fees as long as the door has been removed.
 - 1. If an accompanying certificate from a licensed technician does not exist for such appliance, see subsection (c)(1)(c)(i)(A) of this section for rate.
 - C. A \$10.00 fee will be applied to any appliance which contained or had contained freon or CFC, and the door remains.
 - ii. All other appliances, those never to have had the ability to contain CFC or freon, shall be free for disposal.
 - d. All other materials deposited at the WSWTS not described above shall be charged the sum of \$45.00 per ton. [Ord. 805 §§ 1 – 3, 2016; Ord. 777 § 1, 2013; Ord. 698 §§ 1, 2, 2003; Ord. 641, 1995; Ord. 636, 1995. 1996 Code § 17-10.]

8.15.030 Dumping refuse, etc., outside of landfill.

- (a) It shall be unlawful for any person to use land or places within the town other than the WSWTS or designated collection areas for the purpose of dumping of waste materials.
- (b) Any firm, corporation, or person violating any provision of this chapter shall be guilty of a misdemeanor. [Ord. 805 § 4, 2016; Ord. 777 § 2, 2013; Ord. 584, 1988; Ord. 452. 1996 Code § 17-11.]

8.15.040 Removing waste, etc., from landfill – Penalty.

All garbage, refuse, waste or matter of any kind disposed of at the town landfill shall become the property of the town and no person shall separate, collect, carry off or otherwise remove or dispose of anything whatsoever from the landfill, unless that person has obtained prior written permission from the town council. [Ord. 553; Ord. 471, 1978. 1996 Code § 17-12.]

8.15.050 Garbage rates for collection.

- (a) Residential Rates.
 - (1) The following dwellings shall be charged a rate of \$30.00 per unit per month for weekly collection:
 - a. Single-family residential.
 - b. Multifamily residential:
 - i. Fourplexes;
 - ii. Duplexes;
 - iii. Apartments;
 - iv. Senior citizen complexes;
 - v. Mobile home parks.

(b) Business Rates.

(1) The following types of business shall pay \$40.00 per month for twice-a-week collection or \$60.00 for five-day-a-week collection:

- a. Professional offices for each occupied office;
- b. Community organizations that do not sell food or alcoholic beverages;
- c. Day care centers not located within a personal residence;
- d. Churches;
- e. Platte County Library;
- f. Hardware/parts stores.

(2) The following types of business shall pay \$185.00 per month for six-day-a-week collection:

- a. Restaurants, including not-for-profit clubs that serve meals on a regular or sporadic basis;
- b. Convenience stores;
- c. Large department stores;
- d. Extended care facilities (not nursing homes).

(3) The following types of business shall pay \$225.00 per month for six-day-a-week collection:

- a. Small retail grocery.

(4) The following types of business shall pay \$525.00 per month for six-day-a-week collection:

- a. Large retail grocery;
- b. Hospitals;
- c. Nursing homes;
- d. Swing bed facilities.

(5) The following types of business shall pay rates as depicted for collection:

- a. Hotels/motels:
 - i. Thirty or less rooms: \$50.00 per month for twice-a-week collection;
 - ii. Thirty-one to 50 rooms: \$75.00 per month for three-day-a-week collection;
 - iii. More than 51 rooms: \$100.00 per month for five-day-a-week collection.
- b. RV parks:
 - i. Fifteen spaces or less: \$75.00 per month for twice-a-week collection;
 - ii. Sixteen to 30 spaces: \$150.00 per month for three-day-a-week collection;
 - iii. Over 30 Spaces: \$225.00 per month for five-day-a-week collection.

(c) Specific Business Rates.

(1) Platte County School District No. 1 (Libbey, West, WMS, WHS, Administration, Bus Barn, Old Junior High, Maintenance Building) shall pay \$750.00 per month for five-day-a-week collection;

(2) Platte County (Detention/Courthouse) shall pay \$325.00 per month for five-day-a-week collection.

(d) Other Rates.

(1) Residential dwellings operating a business shall be billed at the rates defined in subsection (b)(1) of this section.

(2) In the event of multiple businesses within one property, but operated by different entities, each separate business shall be billed at rates defined in subsection (b)(1) of this section.

(3) If multiple businesses exist on one property and are operated by the same entity, they will be considered one business.

a. Rates will be established by categorizing each business on the property through those definitions listed in the sections above.

i. The property will then be billed at the rate defined for the highest categorized business on the property.

b. Weekly collection will be determined in the same manner.

(4) Any other business not covered in this section shall be subject to the discretion of the clerk as to the appropriate rate to charge. [Ord. 804 §§ 1 – 4, 2016; Ord. 659, 1997; Ord. 637, 1995. 1996 Code § 17-13.]

8.15.060 Violation – Penalty.

Any person, firm or corporation violating any provision of this chapter shall be guilty of a misdemeanor.
[1996 Code § 17-14.]

Chapter 8.20**ANIMAL WASTE**

Sections:

- 8.20.010 Animal waste to be properly disposed of.
- 8.20.020 Owner's responsibility.
- 8.20.030 Violation – Penalty.

8.20.010 Animal waste to be properly disposed of.

A person owning, keeping, possessing or harboring any animal shall promptly remove and dispose of, in a sanitary manner, feces left by the animal on any public property and on any private property not owned by such person or lawfully occupied by such person. [Ord. 678 § 1, 2000.]

8.20.020 Owner's responsibility.

It shall be the responsibility of the owner of an animal to keep his property free and clear of animal waste so as not to present potential harm to the public health as determined by the city/county health officer or his designee. If the determination is made that a situation exists which is potentially dangerous to the public's health, the owner will be given written notice of a violation of this section, by certified mail, return receipt requested, and given five days from the date of mailing to correct the problem. In the event the owner fails to correct the violation of this section, the owner will be subject to the penalties set forth below. [Ord. 678 § 2, 2000.]

8.20.030 Violation – Penalty.

It shall be unlawful and a misdemeanor for any person to violate any of the provisions of this chapter, and a violation shall, upon conviction, be punished by a fine of not more than \$750.00, and not less than \$25.00. [Ord. 678 § 3, 2000.]

Chapter 8.25**FIRE PREVENTION AND PROTECTION**

Sections:

- 8.25.010 Fire limits – Established.
- 8.25.020 Fire limits – Self-service devices dispensing flammable liquids.
- 8.25.030 Leaving certain vehicles unattended, transporting gasoline, etc.
- 8.25.040 Inspection of buildings, etc., by fire chief – Order to remedy hazardous conditions.

For state law as to authority of town with respect of fire prevention, protection and to define fire limits, see WS, 1977, 15-1-103. As to fire protection generally, see WS, 1977, 35-9-101 et seq.

As to land use generally, see WMC Title 18. As to building inspector, see WMC 18.05.090. As to adoption of International Fire Code, see WMC 15.05.010. As to water system construction specifications, see Chapter 13.20 WMC. As to public utilities generally, see WMC Title 13. As to refuse, garbage and weeds see Chapters 8.05 and 8.15 WMC. As to streets and sidewalks generally, see WMC Title 12 and Chapter 17.35 WMC.

8.25.010 Fire limits – Established.

The fire limits in the town shall be that portion bounded as follows: commencing at the intersection of Water Street and 11th Street; thence running north to the intersection of 11th Street and Walnut Street; thence running east on Walnut Street to the westerly boundary of the Colorado and Southern Railway Company right-of-way; thence running in a southerly direction along the west boundary of the Colorado and Southern Railway Company right-of-way to such right-of-way's intersection with South Street; thence west of the intersection of South Street and 11th Street; thence running north on 11th Street to the point of beginning at the intersection of 11th and Water Streets. The fire limits will also include all areas annexed unto the town limits. [Ord. 650 § 3(F)(i), 1996; added during 1995 codification. 1996 Code § 8-1. Prior Code § 7-201.]

8.25.020 Fire limits – Self-service devices dispensing flammable liquids.

It shall be unlawful to install, maintain or operate any self-service dispensing device of Class I and Class II flammable liquids, as defined in the Fire Prevention Code, within any area of the town classified residential, residential high density, mobile home park, mobile home subdivision district or travel trailer park district. [Ord. 455, 1977. 1996 Code § 8-2.]

8.25.030 Leaving certain vehicles unattended, transporting gasoline, etc.

No person shall park a truck or vehicle used for the purpose of transporting inflammables such as gasoline and other highly inflammable and explosive substances on the streets or alleys of the town within a distance nearer than 150 feet of the closest building without a competent attendant. [1996 Code § 8-3.]

8.25.040 Inspection of buildings, etc., by fire chief – Order to remedy hazardous conditions.

It shall be the duty of the fire chief to inspect, as often as he/she deems necessary, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of this code or any other ordinance of the town affecting fire hazards.

Whenever the fire chief shall find in any building, or upon any premises or other place, combustible or explosive matter or dangerous accumulation of rubbish or unnecessary accumulation of waste paper, boxes, shavings or any other highly inflammable materials especially liable to fire, and which are so situated as to endanger property; or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the fire department or egress of occupants in case of fire; he shall order the same to be removed or remedied. Such order shall forthwith be complied with by the owner or occupant of such premises or buildings. [Ord. 650 § 3(F)(ii), 1996; amended during 1995 codification. 1996 Code § 8-4. Prior Code § 7-102.]

Chapter 8.30**OUTDOOR BURNING**

Sections:

8.30.010 Burning trash, leaves, etc.

8.30.010 Burning trash, leaves, etc.

(a) It shall be unlawful for any person to burn trash, lumber, leaves, straw or any other material within the town; provided, that this section shall not apply to indoor or outdoor fireplaces, cooking facilities, disposal of confidential documents or papers in an incinerator or to the burning or disposal of medical supplies, medicines and wastes in an incinerator by doctors or hospitals or burning of agricultural areas for agricultural purposes.

(b) It shall be unlawful for any person to burn any trash, lumber, leaves, straw or any other material at the town landfill; provided, however, the town shall be allowed to burn at the town landfill as allowed by the state of Wyoming. [Ord. 650 § 3(F)(iii), 1996; Ord. 364 § 1. 1996 Code § 8-5. Prior Code § 7-224.]

Chapter 8.35**FIREWORKS**

Sections:

8.35.010 Sale, etc., of fireworks – Public displays.

8.35.010 Sale, etc., of fireworks – Public displays.

(a) It shall be unlawful for any person to offer for sale, sell or give away any fireworks within the town of Wheatland without first obtaining a license therefor and paying a yearly license fee of \$500.00.

(b) Any person applying for a license to offer for sale, sell or give away any fireworks shall file with the town clerk a sworn application in writing which shall contain the following information:

(1) The name of applicant;

(2) The permanent home address and local address of the applicant and the representative thereof filing the application;

(3) A description of the nature of the business to be conducted;

(4) The place where the sale or giveaway of the fireworks will take place, which place must be approved by the town fire chief prior to the issuance of the license;

(5) In the event the applicant is a local, bona fide, nonprofit civic organization, no license fee will be charged, however the nonprofit civic organization must provide with their application a statement as to the proposed distribution of any proceeds received from the sale of the fireworks;

(6) The applicant must apply each year and pay the license fee each year.

(c) The sale or giveaway of any fireworks within the town shall only be from June 1st to July 31st of each year.

(d) It shall be unlawful for any person to discharge or detonate any fireworks within the town except for the following dates and times:

(1) June 30th, July 1st, July 2nd, July 3rd: from 8:00 a.m. until 10:00 p.m. each day.

(2) July 4th from 8:00 a.m. until 12:00 midnight without obtaining a special permit as set forth in subsection (e) of this section.

(e) The governing body of the town of Wheatland may issue a special permit to allow detonation of fireworks on dates other than those set forth in subsection (d) of this section, if an application is made to the governing body by an organization to detonate fireworks at a bona fide civic or athletic event for the general public. The following shall be set forth in the application:

(1) The date and time the fireworks will be detonated.

(2) The exact location the fireworks will be detonated.

(3) A written recommendation by the police chief of the town of Wheatland, indicating that the proposed location for the fireworks detonation is acceptable, and if not, the reasons therefor.

(4) A written recommendation by the fire chief of the Wheatland volunteer fire department, indicating that the proposed location for the fireworks detonation is acceptable, and if not, the reasons therefor. The fire chief shall also state whether or not the type and class of fireworks should be approved.

(5) The type of fireworks to be detonated, and the class of fireworks that will be detonated.

(6) The exact length of the fireworks show.

(7) A statement of whether or not insurance coverage for bodily injury and property damage will be provided.

After reviewing the application and any other relevant information, the governing body shall have in its full discretion the right to approve or deny the application.

(f) It shall be unlawful for any person to discharge or detonate fireworks on any property owned by the town, including but not limited to streets and highways within the town limits.

(g) In the event the board of Platte County commissioners finds that a fire danger exists within the confines of Platte County, Wyoming, and bans the discharge of fireworks within Platte County, Wyoming, excluding

the incorporated areas, then the governing body for the town of Wheatland, by resolution, at a regular or special meeting, can immediately restrict the sale of fireworks within the town of Wheatland.

(h) In the event the sale of fireworks is prohibited, then any license fee paid to the town of Wheatland will be prorated, and a refund given to any license holder. The fee will be pro-rated on a daily basis; provided, however, fees will not be pro-rated unless the governing body passes a resolution restricting or prohibiting the sale of fireworks within the town of Wheatland as set forth above.

(i) In the event any person or entity violates the prohibition on sale of fireworks, said violation will be a misdemeanor, and punishable by a fine of up to \$750.00 per day. Each day shall constitute a separate violation. [Ord. 685, 2001; Ord. 647, 1996; Ord. 642, 1995; Ord. 634, 1995; Ord. 603, 1991; Ord. 544, 1982. 1996 Code § 8-6.]

For state law as to authority of town as to sale, etc., or use of fireworks, see WS, 1977, 15-1-103, 35-10-203, 35-10-205.

As to fireworks generally, see WS, 1977, 35-10-201 to 35-10-207.

As to discharge of firearms, see WMC 9.05.090.

Title 9

PUBLIC PEACE, MORALS AND WELFARE

Chapters:

- 9.05** **Miscellaneous Offenses**
- 9.10** **Disposition of Confiscated or Abandoned Property**
- 9.15** **Littering**

Chapter 9.05**MISCELLANEOUS OFFENSES**

Sections:

- 9.05.010 Assault.
- 9.05.020 Assault and battery.
- 9.05.030 Buildings, etc. – Injuring, defacing, etc.
- 9.05.040 Curfew for minors – “Minors” defined.
- 9.05.050 Destruction of property.
- 9.05.060 Disorderly conduct.
- 9.05.070 Disturbing assemblages.
- 9.05.080 Fences around excavations.
- 9.05.090 Firearms, etc. – Discharge.
- 9.05.100 Firearms, etc. – Possession.
- 9.05.110 Use of archery equipment – Town property.
- 9.05.120 Gambling – Prohibited.
- 9.05.130 Gambling – Allowing on premises.
- 9.05.140 Gambling – Confiscation of devices.
- 9.05.150 Gambling – Exception.
- 9.05.160 Glue sniffing, etc.
- 9.05.170 Malicious mischief.
- 9.05.180 Municipal employees, etc. – Interfering with.
- 9.05.190 Narcotic paraphernalia.
- 9.05.200 Nudity in public.
- 9.05.210 Obscenity – Definitions.
- 9.05.220 Obscenity – Prohibited conduct.
- 9.05.230 Obscenity – Evidence, defenses.
- 9.05.240 Overnight camping.
- 9.05.250 Police – Aiding.
- 9.05.260 Police – Interference with or resisting.
- 9.05.270 Police – False report of crime filed with.
- 9.05.280 Prostitution.
- 9.05.290 Refrigerators, ice boxes, etc. – Abandonment.
- 9.05.300 Shoplifting.
- 9.05.310 Tennis courts – Unlawful uses.
- 9.05.320 Unlawful posting.

9.05.010 Assault.

Whoever, having the present ability to do so, unlawfully attempts to cause bodily injury on the person of another, is guilty of an assault. [Ord. 650 § 3(I)(i), 1995; revised in 1995 supplementation to comply with state law; amended during August 1984 supplementation; Ord. 534 § 8, 1981. 1996 Code § 13-1. Prior Code § 3-101.]

For similar state law, see WS, 1977, 6-2-501(a).

9.05.020 Assault and battery.

It shall be unlawful to touch another person in a rude, insolent or angry manner. [1996 Code § 13-2. Prior Code § 3-102.]

For state law as to authority of town to prevent or suppress affrays, etc., see WS, 1977, 15-1-103. As to similar state law, see WS, 1977, 6-2-501.

9.05.030 Buildings, etc. – Injuring, defacing, etc.

No person, unless he shall have a permit therefor from the town, shall cut, break, or in any way injure or deface any tree, shrub, plant, flower or turf, or any building, fence, bridge or other structure, or any street, alley, curb, or gutter, water or sewer line or sewer intake, or any tools, equipment, or anything whatsoever, that has been planted, built, constructed, installed, or is maintained by, or is the property of the town. [1996 Code § 13-3.]

9.05.040 Curfew for minors – “Minors” defined.

No minor shall remain, idle, wander, stroll or play in any public place either on foot or to cruise about without a set destination in any vehicle in, about or upon any place in the town between the hours of 12:00 p.m. and 5:00 a.m., unless accompanied by a parent, guardian, custodian or other adult person having custody or control of such minor or unless the minor is on an emergency errand or specific business or activity directed or permitted by his parent, guardian or other adult person having the care and custody of the minor or where the presence of such minor is connected with or required by some legitimate employment, trade, profession or occupation.

For purposes of this section, any person who has not attained the age of 18 years is hereby declared to be a minor. [Amended during August 1984 supplementation; Ord. 357, 1972; Ord. 348, 1971; Ord. 341, 1969. 1996 Code § 13-4.]

9.05.050 Destruction of property.

No person shall willfully injure or destroy any property of another or any public property. [Ord. 482, 1978. 1996 Code § 13-4.1.]

As to similar state law, see WS, 1977, 6-3-201(a).

9.05.060 Disorderly conduct.

No person shall:

(a) Commit an act in a violent and tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged.

(b) Cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another.

(c) Incite, attempt to incite, or be involved in attempting to incite a riot. For the purposes of this section the term “riot” shall mean a tumultuous disturbance of the peace by persons assembled and acting with a common intent to the terror of the people of the town, either in executing a lawful enterprise in a violent or turbulent manner or in executing an unlawful enterprise in a violent or turbulent manner.

(d) Obstruct, either singly or together with other persons, the flow of vehicular or pedestrian traffic or refuse to clear such public way when ordered to do so by the police or other lawful authority known to be such.

(e) Damage, defoul or disturb public property or the property of another so as to create a hazardous, unhealthy or physically offensive condition.

(f) Fail to obey a lawful order to disperse by a police officer, when known to be such an official, where one or more persons are committing acts of disorderly conduct in the immediate vicinity, and the public health and safety is imminently threatened.

(g) Resist or obstruct the performance of duties by police or any other authorized official of the town, when known to be such an official.

(h) Commit an act in a violent and tumultuous manner toward another whereby that other is placed in danger of his life, limb or health.

(i) Interfere with another's pursuit of a lawful occupation by acts of violence.

(j) Use abusive, profane or obscene language in any public place.

(k) By any loud talking, by threatening abusive, profane or obscene language, or violent actions or by any other rude behavior, interrupt or disturb the peace of the town or any of its inhabitants. [Ord. 516 § 1, 1980. 1996 Code § 13-5.]

For state law as to authority of town to restrain, prohibit, etc., disorderly conduct, see WS, 1977, 15-1-103. As to authority of town to suppress, etc., riots, etc., see WS, 1977, 15-1-103. As to authority of town to prohibit profane, etc., language, see WS, 1977, 15-1-103. As to breach of peace, see WS, 1977, 6-6-102. As to offenses against public peace generally, see WS, 1977, 6-6-101 to 6-6-302.

9.05.070 Disturbing assemblages.

No person shall disturb any lawful assemblage of people by rude, boisterous or indecent behavior or otherwise.

No person shall annoy or disturb any congregation or assembly, gathered together for religious worship, by making a noise, by rude or indecent behavior or profane discourse, within the place wherein such congregation or assembly is gathered together or so near the same as to be heard by or tending to disturb the persons so engaged or assembled. [1996 Code § 13-6.]

For state law as to authority of town to suppress disorderly conduct, see WS, 1977, 15-1-103. As to authority of town to prevent, etc., disorderly assemblies, etc., see WS, 1977, 15-1-103. As to disturbing public meetings, see WS, 1977, 16-4-406. As to disruption of meetings of public bodies, see WMC 2.05.020.

9.05.080 Fences around excavations.

No person shall leave any excavation in an open or uncovered condition, or in any such condition as may cause danger to life or property, upon any premises of which such person is the owner, agent or other representative unless the ground upon which excavation is situated is enclosed by a substantial fence. [1996 Code § 13-7. Prior Code § 18-404.]

9.05.090 Firearms, etc. – Discharge.

No person shall fire or discharge any cannon, gun, fowling piece, pistol or firearm of any description; or fire, explode or set off any squib, cracker or other thing containing powder or other combustible or explosive material, without written permission from the town council, which permission shall limit the time of such firing, and shall be subject to revocation by the town council at any time after being granted. [1996 Code § 13-8. Prior Code § 3-302.]

For state law as to dangerous or deadly weapons generally, see WS, 1977, 6-8-101 to 6-8-104. As to fireworks and explosives generally, see WS, 1977, 35-10-201 to 35-10-303. As to authority of town to regulate sale, etc., of fireworks, see WS, 1977, 35-10-205. As to sale and discharge, etc., of fireworks, see WMC 8.35.010.

9.05.100 Firearms, etc. – Possession.

No person, except authorized officers of federal, state or town government, shall keep or bear upon their person any pistol, revolver, knife, sling-shot, bludgeon or other lethal weapon. [Amended during August 1984 supplementation. 1996 Code § 13-9. Prior Code § 3-301.]

For state law as to carrying weapons, see WS, 1977, 6-8-104.

9.05.110 Use of archery equipment – Town property.

No person shall shoot or fire any archery equipment of any nature whatsoever on property owned by the town of Wheatland without first obtaining written permission from the town clerk for the town of Wheatland. The permission, if granted, shall limit the time and location of firing or shooting of archery equipment. The permission shall be subject to revocation by the town clerk at any time after being granted. [Ord. 616, 1993. 1996 Code § 13-9.1.]

9.05.120 Gambling – Prohibited.

No person shall play, deal, carry on or conduct any game whatsoever or any plan, scheme or device for money, checks, credits, goods, chattels or anything of value by means of cards, dice, wheels, slot machines, vending devices, tops, punchboards, lotteries, raffles or any contrivance, means, device or machine of any denomination or name whatsoever within the town, unless permitted by Wyoming law. [Ord. 650 § 3(I)(ii), 1996; amended in 1995 supplementation. 1996 Code § 13-10.]

For state law as to authority of town to restrain, prohibit, etc., gambling, see WS, 1977, 15-1-103. As to gambling generally, see WS, 1977, 6-7-101 to 6-7-103.

9.05.130 Gambling – Allowing on premises.

No person shall knowingly permit WMC 9.05.120 to be violated in or upon the premises owned, managed or controlled by him. [1996 Code § 13-11.]

9.05.140 Gambling – Confiscation of devices.

It shall be the duty of the police to seize any game, device, cards, tools and implements or other articles or things designed for the purpose of gambling, employed or used by or in the possession of parties arrested for gambling, and, upon conviction of the parties so arrested, and upon order of the judge, to confiscate and destroy the same. [Amended during August 1984 supplementation. 1996 Code § 13-12.]

For state law, see WS, 1977, 6-7-103.

9.05.150 Gambling – Exception.

Nothing in WMC 9.05.120, 9.05.130 or 9.05.140 shall be construed to apply to games of chance known as raffles or bingo conducted by charitable or nonprofit organizations if the tickets of such raffles or bingo are sold only within this state. [Ord. 363 § 1, 1973. 1996 Code § 13-13.]

For similar state law exception, see WS, 1977, 6-7-101.

9.05.160 Glue sniffing, etc.

(a) No person shall, for the purpose of causing or so as to result in a condition of intoxication, euphoria, excitement, exhilaration, stupefaction or dulling of the senses or nervous system, intentionally smell or inhale the fumes from any glue or similar toxic vapor or consume or use any otherwise legal substance for a purpose not in accordance with its legitimate use or purpose as is generally known, used and advertised; provided, that this section shall not apply to the following:

- (1) The inhalation of anesthesia for medical or dental purposes, when administered or directed by a licensed physician or dentist.
- (2) The use of tobaccos.
- (3) The drinking of intoxicating liquors or malt beverages by persons over 19 years of age.

(b) No person shall, for the purpose of violating or aiding another to violate any provisions of this section, intentionally possess, buy, sell, transfer possession or receive possession of any substances herein prohibited. [Amended during August 1984 supplementation. 1996 Code § 13-14. Prior Code §§ 3-1006, 3-1007.]

9.05.170 Malicious mischief.

No person shall wantonly or mischievously break or destroy, or attempt to break or destroy in any manner, any property of another. [1996 Code § 13-19.]

9.05.180 Municipal employees, etc. – Interfering with.

No person shall interfere in any way with any employee of the town in the performance of his work, nor displace any stakes or landmarks deposited or installed by any employee, nor in any way molest any tools, instruments or equipment of any employee, nor in any way molest any tools, instruments or equipment used by such employee in the duties assigned to him. [1996 Code § 13-20.]

9.05.190 Narcotic paraphernalia.

No person shall possess any device, contrivance, instrument or paraphernalia designed or used for smoking a controlled substance or to possess any hypodermic needle or syringe or any other device, contrivance, instrument or paraphernalia designed or used for injecting a controlled substance; except for the following persons:

(a) Licensed drug manufacturers, wholesale drug jobbers, pharmacists, physicians, dentists, podiatrists, veterinarians and nurses.

(b) Hospital research, teaching and clinical laboratories personnel, funeral directors and embalmers.

(c) Persons specifically authorized by a licensed physician, dentist or podiatrist to use a hypodermic needle or syringe for medical treatment purposes, while so using the needle or syringe.

(d) Persons using a hypodermic needle or syringe for the treatment of livestock. [Ord. 406 § 1, 1976. 1996 Code § 13-21.]

For state law as to narcotics generally, see WS, 1977, 35-7-1001 to 35-7-1005, Controlled Substances Act.

9.05.200 Nudity in public.

No person shall appear in a state of nudity in any public place. For the purposes of this section the word “nudity” shall mean the showing of the human male or female genitals or pubic area or female breasts with less than a full opaque covering. [1996 Code § 13-22.]

For state law as to public indecency, see WS, 1977, 6-5-301.

9.05.210 Obscenity – Definitions.

For the purposes of WMC 9.05.220 the following words and phrases shall have the meanings respectively ascribed to them by this section:

“Available to the public” means the matter or performance may be purchased or attended on a subscription basis, on a membership fee arrangement or for a separate fee for each item or performance.

“Disseminate” means to transfer possession of, with or without consideration.

“Knowingly” means being aware of the character and the content of the material.

“Material” means any book, magazine, newspaper or other printed or written material or any picture, drawing, photograph, motion picture, or other pictorial representation or any statue or other figure, or any recording, transcription or mechanical, chemical or electrical reproduction or any other articles, equipment or machines.

“Nudity” means the showing of the human male or female genitals or pubic area with less than a fully opaque covering, or the depiction of covered male genitals in a discernibly turgid state.

“Obscene” means that to the average person applying contemporary community standards:

(1) The predominant appeal of the matter taken as a whole, is to prurient interest; i.e., a shameful or morbid interest in sexual conduct, nudity or excretion; and

(2) The matter depicts or describes in a patently offensive manner sexual conduct; and

(3) The work, taken as a whole, lacks serious literary, artistic, political or scientific value.

“Performance” means any preview, play, show, skit, film, dance or other exhibition performed before an audience.

“Promote” means to cause, permit, procure, counsel or assist.

“Service to patrons” means the provision of services to paying guests in establishments providing food and beverages, including but not limited to hostessing, hat checking, bartending, serving, table setting and cleaning, waiter and waitressing, and entertaining. [Ord. 454, 1977. 1996 Code § 13-23.]

For state law as to authority of town to prohibit obscene language, see WS, 1977, 15-1-103. As to obscenity generally, see WS, 1977, 6-5-303 to 6-5-306.

9.05.220 Obscenity – Prohibited conduct.

No person shall:

- (a) Knowingly disseminate, distribute or make available to the public any obscene material; or
- (b) Knowingly engage or participate in any obscene performance made available to the public; or
- (c) Knowingly engage in commerce for commercial gain with materials depicting and describing explicit sexual conduct, nudity, or excretion utilizing displays, circulars, advertisements and other public sales efforts that promote such commerce primarily on the basis of their prurient appeal; or
- (d) Provide service to patrons in such a manner as to expose to public view:
 - (1) His or her genitals, pubic hair, buttocks, perineum, anal region or pubic hair region;
 - (2) Any device, costume or covering which gives the appearance of or simulates the genitals, pubic hair, buttocks, perineum, anal region or pubic hair region; or
 - (3) Any portion of the female breast at or below the areola thereof; or
- (e) Knowingly promote the commission of any of the above listed unlawful acts. [Ord. 454, 1977. 1996 Code § 13-24.]

9.05.230 Obscenity – Evidence, defenses.

- (a) Expert affirmative evidence that the materials or activities are obscene is not required when the materials or activities themselves are presented as evidence.
- (b) It shall be affirmative defense in any prosecution under WMC 9.05.210 and 9.05.220 that allegedly obscene material was disseminated or presented for a bona fide scientific, medical, educational, governmental, or judicial purpose by a physician, psychologist, teacher, clergyman, prosecutor, or judge. [Ord. 454, 1977. 1996 Code § 13-25.]

9.05.240 Overnight camping.

- (a) No person shall remain overnight in any tent, sleeping bag, vehicle, camper or in any other manner whatsoever on any property belonging to the town except in those areas specifically designated for overnight camping.
- (b) No person shall remain in any area specifically designated for overnight camping for a period in excess of three days in any 30-day period. [Ord. 432, 1976. 1996 Code § 13-26.]

9.05.250 Police – Aiding.

It shall be the duty of all persons in the town when called upon by any police officer or other member of the police department to promptly aid and assist him in the execution of his duties. [1996 Code § 13-27. Prior Code § 3-601.]

For state law as to refusal to aid officer, see WS, 1977, 6-8-601.

9.05.260 Police – Interference with or resisting.

- (a) No person shall resist any police officer or member of the police department in the discharge of any duty or shall in any way interfere with or hinder or prevent an officer from discharging the duties as such officer.

(b) No person shall in any manner assist any person in custody of any police officer to escape or attempt to escape from such custody or shall rescue or attempt to rescue any person so in custody. [1996 Code § 13-28. Prior Code § 3-602.]

For state law as to interference with officer, see WS, 1977, 6-5-204.

9.05.270 Police – False report of crime filed with.

No person shall knowingly make or file any false, misleading or unfounded statement or report concerning the commission or alleged commission of any crime occurring within the town. [Ord. 491 § 1, 1979. 1996 Code § 13-28.1.]

For state law as to false reporting, see WS, 1977, 6-5-210.

9.05.280 Prostitution.

(a) No person shall keep, set up, maintain or operate any place, structure, building or conveyance for the purpose of prostitution, or with knowledge or reasonable cause to know that the same is or is to be used for such purpose, or receive or offer to agree to receive any person in any place, structure, building or conveyance for the purpose of prostitution or permit any person to remain therein for such purpose.

(b) No person shall direct, take, transport or offer to agree to take or transport, any person to any place, structure or building or to any other person with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution.

(c) No person shall reside in, enter or remain in any place, structure or building, or enter or remain in any conveyance for the purpose of prostitution.

(d) No person shall engage in or solicit prostitution or aid or abet prostitution, by solicitation or by any means whatsoever. [1996 Code § 13-29. Prior Code §§ 3-801, 3-802.]

For state law as to authority of town to restrain and punish prostitutes and to regulate disorderly houses, see WS, 1977, 15-1-103. As to prostitution generally, see WS, 1977, 6-4-101 to 6-4-103.

9.05.290 Refrigerators, ice boxes, etc. – Abandonment.

No person shall leave or permit to remain outside of any dwelling, building or other structure, or within any unoccupied or abandoned building, dwelling or other structure under his control, in a place accessible to children, any abandoned, unattended, or discarded ice box, refrigerator or other container which has an airtight door or lid, snaplock or other locking device, which may not be released from the inside, without first removing the door or lid, snaplock or other locking device from such ice box, refrigerator or container. [1996 Code § 13-31.]

9.05.300 Shoplifting.

(a) No person shall willfully conceal or take possession of any goods offered for sale by wholesale or retail stores or other mercantile establishments, without the knowledge or consent of the owner thereof and with intent to convert the goods to his own use without paying the purchase price.

(b) Any police officer, merchant or merchant's employee who has reasonable cause for believing that a person has committed the crime of shoplifting, as defined by subsection (a) of this section, may detain and interrogate such person in regard thereto in a reasonable manner and for a reasonable time.

(c) When a police officer, merchant or merchant's employee, with reasonable cause for believing that a person has committed the crime of shoplifting, as defined by subsection (a) of this section, detains and interrogates such person in regard thereto, and such person thereafter brings against the police officer, merchant or merchant's employee a civil criminal action for slander, false arrest, false imprisonment, assault, battery or wrongful detention based upon the detention and interrogation, such reasonable cause shall be a defense to the action

of the detention and interrogation were done in a reasonable manner and for a reasonable time. [Ord. 409, 1976. 1996 Code § 13-32.]

For state law as to shoplifting, see WS, 1977, 6-3-404 to 6-3-405.

9.05.310 Tennis courts – Unlawful uses.

(a) No person shall engage in any activity or be upon any tennis court belonging to or being operated by the town except while actually participating in the sport universally known as tennis. [Ord. 514A §§ 1, 2, 1980. 1996 Code § 13-33.]

9.05.320 Unlawful posting.

No person shall paint, print, paste, stencil, or otherwise mark upon, or in any manner place upon or affix to any building, fence, wall or tree without the consent of the owner thereof, any word, letter, character, figure, sentence or device, or any handbill or notice. [Amended during August 1984 supplementation. 1996 Code § 13-34. Prior Code § 3-1201.]

For similar state law, see WS, 1977, 6-3-201 dealing with property destruction and defacement.

Chapter 9.10**DISPOSITION OF CONFISCATED OR ABANDONED PROPERTY**

Sections:

9.10.010 Definitions.

9.10.020 Disposition.

* Prior history: Ord. Nos. 346 and 407.

For state law as to disposition of property seized under authority of search warrant, see WS, 1977, 7-7-103. As to disposition of intoxicating beverages, see WS, 1977, 12-3-102. As to power of town to remove and sell abandoned motor vehicles, see WS, 1977, 15-1-103(a)(xliv). As to abandonment of refrigerators, ice boxes, etc., see WMC 9.05.290. As to refuse, garbage and weeds, see Chapters 8.05 and 8.15 WMC.

9.10.010 Definitions.

For the purpose of this chapter, the following words and phrases shall have the following meanings:

“Abandoned property” means any item of personal property coming into the possession of the town, its officers or employees, which property remains unclaimed by the owner for a period of 90 days.

“Confiscated property” means any item of personal property taken by any police officer of the town from any person when, under the circumstances, the possession by such person was a violation of this code, other ordinances of the town, or a violation of the laws of the state. [1996 Code § 6-1.]

9.10.020 Disposition.

(a) Any abandoned property in the possession of the town shall be sold by the town clerk in conformity with the laws of the state and the proceeds therefrom placed in the general fund.

(b) Any confiscated property shall be exhibited to the police justice who shall examine such property, record a description of the confiscated items in the docket and note the date that such property was exhibited. Upon final disposition of the case in the event of a conviction, the police justice shall, as part of the judgment, order the confiscated property turned over to the town clerk for sale or disposal.

(c) At least once during a calendar year the town clerk shall sell all items confiscated during the preceding year, except alcoholic and malt beverages, weapons and controlled substances. The property shall be sold at public auction for cash to the highest bidder after notice published by the town clerk in the official newspaper of the town one time at least 10 days prior to the date of the sale. The notice shall describe the items to be sold and the time and place of the sale. All proceeds from the sale shall be placed in the general fund.

(d) Any alcoholic and malt beverages, weapons or controlled substances confiscated shall, immediately after the court order becomes final, be destroyed under the supervision of the town clerk and a law enforcement representative. [1996 Code § 6-2.]

Chapter 9.15**LITTERING**

Sections:

9.15.010 Littering.

9.15.020 Violation, penalty.

9.15.010 Littering.

A person is guilty of littering if he places, throws, scatters or deposits garbage, debris, refuse or waste material, objects or substances, including abandoned or junk vehicles, upon the property of another. Operators of motor vehicles are responsible under this section for the disposition or ejection of garbage, debris or other material from the vehicle, while the vehicle is being operated on the roads or highways within the town of Wheatland. [Ord. 675 § 1, 1999.]

9.15.020 Violation, penalty.

Littering is punishable by a fine of not less than \$100.00 and not more than \$750.00. The court may suspend all or part of the sentence imposed under this chapter and require the person convicted of littering to perform up to 40 hours of labor in the form of cleaning litter debris from public roads, parks or other public areas or facilities. [Ord. 675 § 2, 1999.]

Title 10

VEHICLES AND TRAFFIC

Chapters:

- 10.05 State Statutes Adopted by Reference**
- 10.10 General Traffic Regulations**
- 10.15 Operation of Vehicles**
- 10.20 Stopping, Standing and Parking**
- 10.25 Pedestrians**
- 10.30 Administration and Enforcement**

As provided by WS, 1977, 31-5-103, the Uniform Act Regulating Traffic on Highways is applicable to all municipalities within the state. Although local governing authorities are authorized to adopt, by ordinance, local traffic regulations which are similar to, or in addition to, provisions of the state law, there is no authority to adopt any traffic regulations which conflict with the state law.

In the event of any such conflict, the provisions of the state Uniform Act Regulating Traffic on Highways shall apply. For state law as to authority of town to regulate motor vehicles and traffic, see WS, 1977, 31-5-109 and 31-5-110. As to the Uniform Act Regulating Traffic on Highways generally, see WS, 1977, 31-1-101 to 31-5-1214. As to the uniform application of the Uniform Act Regulating Traffic on Highways throughout the state, see WS, 1977, 31-5-108. As to authority of town to alter state speed limits, see WS, 1977, 31-5-303. As to authority of town relative to minimum speeds, see WS, 1977, 31-5-304.

Chapter 10.05**STATE STATUTES ADOPTED BY REFERENCE**

Sections:

10.05.010 State statutes adopted by reference.

10.05.010 State statutes adopted by reference.

The governing body of the town of Wheatland does hereby adopt WS 31-5-101 through 31-5-1214 (Lexis/Nexis 2015 as amended), commonly referred to as Uniform Act Regulating Traffic on Highways, by this reference as if fully set out herein, except for the following sections thereof which are specifically deleted therefrom:

- (a) WS 31-5-108 through 31-5-114, inclusive;
- (b) WS 31-5-118;
- (c) WS 31-5-213;
- (d) WS 31-5-227;
- (e) WS 31-5-233 through 31-5-235, inclusive;
- (f) WS 31-5-301;
- (g) WS 31-5-303;
- (h) WS 31-5-501 and 31-5-502;
- (i) WS 31-5-701 through 31-5-801, inclusive;
- (j) WS 31-5-911;
- (k) WS 31-5-930;
- (l) WS 31-5-932 through 31-5-940, inclusive;
- (m) WS 31-5-957 through 31-5-959, inclusive;
- (n) WS 31-5-961 through 31-5-962, inclusive;
- (o) WS 31-5-1101;
- (p) WS 31-5-1105 through 31-5-1214, inclusive.

The state statute adopted shall be deemed to pertain only to the operation of vehicles within the town despite reference to the contrary existing therein; the term “superintendent” shall be interpreted to mean “the chief of police”; powers so granted to the chief of police shall be subject to approval by the governing body; and the term “justice of the peace,” a circuit court judge shall be construed to refer to the municipal judge of the town; further provided, that the definitions contained in WS 31-5-102 shall apply to all articles and sections in this title; further provided, that the terms “division,” “department,” the “commission,” and “director” shall be construed to be the governing body of the town. One copy of said Act, excluding those sections deleted, shall be kept available in the office of the town clerk for examination and inspection by the public. [Ord. 807, 2017.]

Chapter 10.10

GENERAL TRAFFIC REGULATIONS

Sections:

- 10.10.010 Violation of chapter.
- 10.10.020 Operation of snowmobiles.
- 10.10.030 Golf carts.
- 10.10.040 Unlawful riding.
- 10.10.050 Driver's license required.
- 10.10.060 Vehicle license required.

10.10.010 Violation of chapter.

It shall be unlawful; and, unless otherwise declared in this chapter with respect to particular offenses, it shall be a misdemeanor for any person to do any act forbidden or fail to perform any act required in this chapter. [1996 Code § 10-6.]

10.10.020 Operation of snowmobiles.

No person shall operate a snowmobile upon the streets of the town. [Ord. 373, 1974. 1996 Code § 10-10.]

For state law as to registration of snowmobiles, see WS, 1977, 31-2-401 to 31-2-408. As to the operation of snowmobiles on highways, see WS, 1977, 31-5-801.

10.10.030 Golf carts.

(a) Definitions. Unless otherwise provided, the following definitions apply in this section:

(1) "Motor vehicle" means every vehicle which is self-propelled except vehicles moved solely by human power and golf carts as defined below.

(2) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks and except golf carts as defined below.

(3) "Golf cart" means a motor vehicle which:

- a. Has not less than three wheels in contact with the ground;
- b. Has an unladen weight of less than 1,300 pounds;
- c. Is designed to be or is operated at or not more than 15 miles per hour;
- d. Is designed to carry golf equipment and not more than four persons including the driver; and
- e. Is being used to transport an occupant directly to, or from or on a golf course, or is being used for special events or circumstances authorized by the city, town or county.
- f. Has attached to it in a visible location a current Wheatland golf club cart usage sticker.

(b) Operation.

(1) The driver of the golf cart must have a valid driver's license as defined by Wyoming statutes.

(2) The golf cart can only be operated on the public streets and roadways within the town of Wheatland during the daylight hours.

(3) The operation of golf carts on the public streets and roadways within the corporate boundaries of the town of Wheatland is hereby authorized; provided, however, the operation of golf carts on that portion of I-25 within the corporate boundaries of the town of Wheatland is prohibited. [Ord. 660 §§ 1, 2, 1997.]

10.10.040 Unlawful riding.

No person shall ride on any vehicle or on any portion thereof not designed or intended for the use of passengers. This section shall not apply to any employee engaged in the necessary discharge of a duty or to persons riding in or on truck bodies in space intended for merchandise. [1996 Code § 10-11.]

10.10.050 Driver's license required.

(a) No person shall drive any motor vehicle within the town unless such person has a valid operator's license for the type or class of vehicle being driven which complies with all other provisions of the laws of the state.

(b) No person, except those expressly exempted under state law, shall steer or, while in the passenger compartment of such vehicle, exercise any degree of physical control of a vehicle being towed by a motor vehicle upon a highway in this state unless the person has a valid operator's license under the provisions of the laws of the state. [Ord. 373, 1974. 1996 Code § 10-12.]

For similar state law, see WS, 1977, 31-7-106.

10.10.060 Vehicle license required.

Every vehicle, at all times while being driven, stopped or parked upon the streets and highways of this town, shall be currently licensed in the name of the owner thereof in accordance with the laws of the state. [Ord. 373, 1974. 1996 Code § 10-13.]

For state law as to registration and licensing of motor vehicles, see WS, 1977, 31-4-101 et seq.

Chapter 10.15**OPERATION OF VEHICLES**

Sections:

- 10.15.010 Driving on bicycle paths.
- 10.15.020 Incompetent drivers.
- 10.15.030 Play streets – Designation.
- 10.15.040 Play streets – Driving.
- 10.15.050 Quiet zones.
- 10.15.060 Railroad cars blocking streets, etc.
- 10.15.070 School zones – Designation.
- 10.15.080 School zones – Drivers to exercise due care.
- 10.15.090 School zones – Passing.
- 10.15.100 Speed limits – Generally.

10.15.010 Driving on bicycle paths.

No person shall drive, operate, park or place any vehicle on any area designated as a bicycle path. [Ord. 484 § 2, 1978. 1996 Code § 10-19.1.]

10.15.020 Incompetent drivers.

It shall be unlawful for any person physically or mentally disabled or incapacitated in any manner, temporarily or permanently, to operate or drive any vehicle. [Ord. 373, 1974. 1996 Code § 10-24.]

10.15.030 Play streets – Designation.

The chief of police shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same. [Ord. 373, 1974. 1996 Code § 10-38.]

10.15.040 Play streets – Driving.

Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed areas, and then any driver shall exercise the greatest care in driving upon any such street or portion thereof. [Ord. 373, 1974. 1996 Code § 10-39.]

10.15.050 Quiet zones.

The chief of police may authorize any person operating a hospital to erect suitable signs on the streets at or near such hospital, directing operators of vehicles to observe quiet movements while in such zones, which signs shall conform to the regulations of the town, and it shall be unlawful for the operator of any vehicle to fail to obey such signs. [Ord. 373, 1974. 1996 Code § 10-40.]

10.15.060 Railroad cars blocking streets, etc.

No engineer, fireman, conductor, or other person in the employ of any railway company shall permit any locomotive, tender, passenger, baggage or freight car to stand or be upon any crossing where the track of any railway company shall cross any of the streets, avenues or alleys of the town for a longer period than five minutes at any one time. [1996 Code § 10-41.]

10.15.070 School zones – Designation.

During the hours from 8:00 a.m. to 4:00 p.m. on the days only while the schools are in session, all alleys, streets and intersections adjacent to the public schools in the town and adjacent to all property used for school

and school play purposes are hereby designated as school zones together with all other alleys, streets and intersections in the town which are hereafter designated by the chief of police and marked as such. [Ord. 373, 1974. 1996 Code § 10-49.]

10.15.080 School zones – Drivers to exercise due care.

Every driver of a motor vehicle shall exercise extreme care in approaching and driving through such areas during the hours prescribed in WMC 10.15.070 on the days that the schools are in session. At all intersections in the school zones where stop signs are maintained, it shall be the duty of every driver of a motor vehicle to stop and remain stopped to permit any child to cross, when such child or children are waiting at the curb or within five feet thereof. [Ord. 373, 1974. 1996 Code § 10-50.]

10.15.090 School zones – Passing.

No passing shall be permitted in school zones. [Ord. 373, 1974. 1996 Code § 10-51.]

For state law as to authority of town to establish no-passing zones, see WS, 1977, 31-5-207.

10.15.100 Speed limits – Generally.

(a) No person shall drive a vehicle on a street at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing.

(b) Except when a special hazard exists that requires lower speed for compliance with subsection (a) of this section or Section 10-57, the limits specified in this section shall be maximum lawful speeds, and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits. The following maximum speeds are permitted:

(1) Twenty miles per hour when passing a school building, or grounds thereof, or a school crossing, during school recess or while children are going to or leaving school during opening or closing hours; provided, that the presence of such school building, ground thereof or school crossing is indicated plainly by signs or signals conforming to the provisions hereof.

(2) Thirty miles per hour in any urban district unless otherwise posted.

(3) Fifty-five miles per hour in any other location. All areas not herein otherwise designated.

(c) The chief of police, if he determines that the speed limit is too fast, has the authority to lower the maximum speed by posting the same in those areas so determined. [Ord. 650 § 3(G)(viii), 1996; revised by 1995 supplementation; Ord. 410, 1976. 1996 Code § 10-56.]

Chapter 10.20

STOPPING, STANDING AND PARKING

Sections:

- 10.20.010 Removal of improperly stopped, parked or standing vehicles – Responsibility for costs.
- 10.20.020 Businesses permitting vehicles parked, etc., on sidewalks, streets. etc., prohibited.
- 10.20.030 Parking on private property.
- 10.20.040 Illegal parking – Notice – Issuance.
- 10.20.050 Illegal parking – Notice – Failure to comply.
- 10.20.060 Illegal parking – Presumptions.
- 10.20.070 Diagonal parking – On certain streets.
- 10.20.080 Diagonal parking – Fifteen-minute limit in certain spaces.
- 10.20.090 Obstruction of traffic prohibited.
- 10.20.100 Parking in alley.
- 10.20.110 Parking adjacent to schools.
- 10.20.120 Idling of motor vehicles.
- 10.20.130 Recreation vehicles.

10.20.010 Removal of improperly stopped, parked or standing vehicles – Responsibility for costs.

(a) Whenever any police officer finds a vehicle stopped, parked or standing upon a street, highway or restricted parking area in violation of the provisions of this chapter, such officer is hereby authorized to move such vehicle, or to require the driver or other person in charge of the vehicle to move the same.

(b) The registered owner of any vehicle moved pursuant to subsection (a) of this section shall be responsible for all expenses for moving. [Amended during August 1984 supplementation; Ord. 373, 1974. 1996 Code § 10-72.]

10.20.020 Businesses permitting vehicles parked, etc., on sidewalks, streets. etc., prohibited.

No person, whether owner or occupant of any garage, sales rooms or other place of business, shall permit any motor vehicle whether the same is left for safekeeping, repair or storage, or whether same is stock in trade, to be or remain on any sidewalk, street or alley. [Ord. 373, 1974. 1996 Code § 10-75. Prior Code § 13-201.]

For state law as to authority of town to regulate the use of streets and sidewalks, see WS, 1977, 15-1-103.

10.20.030 Parking on private property.

No person shall drive or park upon any private property, or on any property where driving and parking is prohibited by order of the governing body, unless such operator has permission of the owner. Cost of removal of such vehicle will be borne by the owner of such trespassing vehicle. [Ord. 373, 1974. 1996 Code § 10-77.]

10.20.040 Illegal parking – Notice – Issuance.

Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this chapter or any other ordinance of this town, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a notice in writing for the driver to answer to the charge against him during the hours and at a place specified in the notice. [Ord. 373, 1974. 1996 Code § 10-78.]

10.20.050 Illegal parking – Notice – Failure to comply.

If a violator of the restrictions on stopping, standing or parking does not appear in response to a notice affixed to such motor vehicle, the chief of police may send to the owner of the motor vehicle to which the notice

was affixed a letter informing him of the violation and warning him that in the event such notice is disregarded, a complaint will be filed and warrant of arrest issued. [Ord. 373, 1974. 1996 Code § 10-79.]

10.20.060 Illegal parking – Presumptions.

In any prosecution charging a violation of any provision of this code or other town ordinance governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where and for the time during which such violation occurred. [Ord. 373, 1974. 1996 Code § 10-80.]

10.20.070 Diagonal parking – On certain streets.

All vehicles in the town when parked shall be placed adjacent to and parallel to the curb; except that all parking shall be diagonal on the following streets:

- (a) Water Street and Maple Street between 8th and 10th Streets.
- (b) The north side of Gilchrist Street from the railway right-of-way to 10th Street, and on the south side of Gilchrist Street from the railway right-of-way to 11th Street.
- (c) 8th Street and 10th Street between Water and Maple Streets.
- (d) The north side of Walnut Street between 8th and 9th Streets.
- (e) At any and all other locations which the police chief of the town of Wheatland has identified and marked as places that diagonal parking can take place. [Ord. 663, 1997; Ord. 373, 1974. 1996 Code § 10-81.]

10.20.080 Diagonal parking – Fifteen-minute limit in certain spaces.

(a) No person shall park or leave standing a motor vehicle in the spaces provided therefor along the west side of lots 17, 18, 19 and 20 of block 66 in the town for a period of time at any one time in excess of 15 minutes.

(b) No person shall park or leave standing a motor vehicle in the spaces provided therefor in the westerly three parking spaces along the south side of lot 20, block 66 of the town for a period of time at any one time in excess of 15 minutes. [Ord. 373, 1974. 1996 Code § 10-82.]

10.20.090 Obstruction of traffic prohibited.

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic. [Ord. 373, 1974. 1996 Code § 10-83.]

10.20.100 Parking in alley.

No person shall park a vehicle in an alley except while conducting business through any drive-up facility or loading or unloading freight and then not to exceed 30 minutes. [Ord. 506 § 2, 1979; Ord. 373, 1974. 1996 Code § 10-84.]

10.20.110 Parking adjacent to schools.

The chief of police is hereby authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation. When official signs are erected indicating no parking, no person shall park a vehicle in such a designated place. [Ord. 373, 1974. 1996 Code § 10-85.]

10.20.120 Idling of motor vehicles.

(a) It shall be unlawful for any owner, operator or anyone in control of a motor vehicle which operates on the diesel form of fuel to allow that motor vehicle to idle for extended periods of time within residential areas of the town of Wheatland.

“Extended periods of time” shall be any time that exceeds 60 minutes.

(b) Exceptions. This section shall not apply to emergency vehicles such as ambulances, fire equipment, police protection equipment or school buses.

This section shall not apply to motor vehicles which are at a specific location and actively unloading or loading freight and merchandise.

(c) Penalty. Any violation of this section will carry a penalty of not more than \$750.00. [Ord. 666 §§ 1 – 3, 1998.]

10.20.130 Recreation vehicles.

(a) Recreational Vehicle, Trailer – Defined.

(1) For purposes of this chapter, “recreational vehicle” means any vehicular-type unit that is primarily designed as a temporary living quarters for recreational, camping, or seasonal use; has its own mode of power or is mounted on or towed by another vehicle; and is regulated by the National Highway Traffic Safety Administration as a vehicle or vehicle equipment.

(2) For the purposes of this chapter, “trailer” means any of the following:

a. Any “semi-trailer” which is designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight or that of its load rests upon or is carried by another vehicle. “Semi-trailer” shall include any camper designed to be carried in or upon a truck or other motor vehicle, and any house trailer, as defined by Wyo. Stat. Ann. Section 31-5-102(a)(xv), if so designed or constructed that some part of its weight or that of its load rests upon or is carried by another vehicle.

b. Any “trailer” which is designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight or that of its load rests upon or is carried by another vehicle. “Trailer” shall include any camp trailer, tent trailer, or house trailer, as defined by Wyo. Stat. Ann. Section 31-5-102(a)(xv), if so designed or constructed that no part of its weight or that of its load rests upon or is carried by another vehicle.

(b) Parking Permitted in Certain Areas.

(1) In addition to the limitations specified in this chapter, recreational vehicles and trailers may be parked in the street only if the area in which any such vehicle is parked is immediately and entirely adjacent to real property which is owned by or occupied by the owner of the recreational vehicle or trailer.

(2) Any vehicle or its cargo exceeding a height of eight feet from the ground shall be parked at least 30 feet away from any intersection.

(3) Any recreation vehicle or vehicle towing any type of trailer shall not park in any space marked for diagonal parking.

(4) It shall be unlawful for any person to park, place or let stand any recreational vehicle or trailer on any public street within the town abutting the lot of a residential dwelling, other than that property owned or rented by the owner of the vehicle, for a period longer than 24 hours without the written permission of one or more of the owners of the abutting residential dwelling.

(c) Penalty.

(1) Any person in violation of this section shall be guilty of a misdemeanor and fined a sum not to exceed \$750.00.

(2) If the town of Wheatland must move your recreational vehicle for the interest of public safety, the owner of said recreational vehicle shall be responsible for all towing and impound fees. [Ord. 798 §§ 1 – 3, 2016; amended during August 1984 supplementation; Ord. 419 Ch. 4 § 12, 1976. 1996 Code § 10-71.]

Chapter 10.25**PEDESTRIANS**

Sections:

10.25.010 Rights and duties applicable to persons on roller skates, coasters, etc.

10.25.010 Rights and duties applicable to persons on roller skates, coasters, etc.

(a) No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street at a crosswalk and when so crossing such person shall be granted all the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street.

(b) No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach it or himself to any vehicle upon a roadway.

(c) No person operating a vehicle shall permit a passenger to ride on the fender or running board of the vehicle, nor shall any passenger ride on the fender or running board of a vehicle. This subsection does not apply to a commercial vehicle or a vehicle operated by or for a political subdivision of this state designed to permit a passenger to ride on a fender or running board, such as a fire department or trash collection truck. [Ord. 650 § 3(G)(xii), 1996; added during 1995 supplementation. 1996 Code § 10-99.]

Chapter 10.30**ADMINISTRATION AND ENFORCEMENT**

Sections:

- 10.30.010 Parties to crime.
- 10.30.020 Traffic citations – When required – Contents – When permissible.
- 10.30.030 Traffic citations – Appearance.
- 10.30.040 Fines – Schedule.
- 10.30.050 Fines – Failure to comply.
- 10.30.060 Fines – Disposition.

10.30.010 Parties to crime.

Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act declared herein to be a crime, whether individually or in connection with one or more other persons or as a principal, agent or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provision of this chapter is likewise guilty of such offense. [Ord. No. 373, 1974. 1996 Code § 10-125.]

For similar state law, see WS, 1977, 31-5-306.

10.30.020 Traffic citations – When required – Contents – When permissible.

(a) Whenever a person is halted by a police officer for any violation of this chapter, the officer shall prepare a written traffic citation containing a notice to appear in court.

(b) The time specified in the notice to appear must be at least five days after the alleged violation unless the person charged with the violation shall demand an earlier hearing.

(c) The place specified in the notice to appear must be before the municipal judge of the town.

(d) The person charged with the violation may give his written promise to appear in court by signing at least one copy of the written traffic citation prepared by the officer, in which event the officer shall deliver a copy of the citation to the person, and thereupon the officer shall not take the person into physical custody for the violation.

(e) Whenever a person is taken into custody by an officer for the purpose of taking him before a judge and no judge is available at the time of arrest, and there is no bail schedule established by the judge and no other lawful person is available and authorized to accept bail upon behalf of the judge, the person shall be released from custody upon the issuance to him of a written traffic citation and his signing a promise to appear as provided herein. [Ord. 373, 1974. Code 1996 § 10-126.]

For state law, see WS, 1977, 31-5-1205. As to nonexclusiveness of such procedures, see WS, 1977, 31-5-1207.

10.30.030 Traffic citations – Appearance.

(a) It shall be unlawful for any person to violate his written promise to appear given to an officer upon the issuance of a traffic citation regardless of the disposition of the charge for which such citation was originally issued.

(b) A written promise to appear in court may be complied with by an appearance by counsel. [Ord. 373, 1974. 1996 Code § 10-127.]

For similar state law, see WS, 1977, 31-5-1206. As to nonexclusiveness of such procedures, see WS, 1977, 37-5-1207.

10.30.040 Fines – Schedule.

The municipal judge shall designate the specified offenses under this chapter and other traffic ordinances of the town, and shall specify, by suitable schedules, the amount of such fines for first, second, and subsequent offenses, provided such fines are within the limits declared by state law or this code or other ordinances of the town, and shall further specify what offenses shall require appearance before the municipal judge. [Ord. 650 § 3(G)(ix), 1996; Ord. 373, 1974. 1996 Code § 10-128.]

10.30.050 Fines – Failure to comply.

In the event any person fails to comply with a notice given to such person or attached to a vehicle or fails to make appearance in the traffic court, or if any person fails or refuses to deposit bail as required and within the time permitted by the provisions of this code or other town ordinance, the municipal judge shall forthwith issue a bench warrant for his arrest. [Ord. 373, 1974. 1996 Code § 10-129.]

10.30.060 Fines – Disposition.

All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this chapter shall be paid to the town treasurer and deposited in the general fund of the town. [Ord. 373, 1974. 1996 Code § 10-130.]

Title 11
(Reserved)

Title 12

STREETS, SIDEWALKS AND PUBLIC PLACES

Chapters:

- 12.05 Construction and Repair of Sidewalks and Curbs**
- 12.10 Numbering of Buildings and Structures**
- 12.15 Overhanging Mailboxes**
- 12.20 Trees**

For state law as to authority of town to regulate the use of streets and sidewalks, see WS, 1977, 15-1-103. As to local improvements generally, see WS, 1977, 15-6-101 to 15-6-609. As to cemeteries, see Chapter 2.40 WMC. As to land use generally, see WMC Title 18. As to street names and numbering, see WMC 17.15.010. As to streets and drainage generally, see Chapter 17.35 WMC. As to motor vehicles and traffic, see WMC Title 10. As to public utilities generally, see WMC Title 13.

Chapter 12.05**CONSTRUCTION AND REPAIR OF SIDEWALKS AND CURBS**

Sections:

12.05.010 Responsibility for costs, etc.

12.05.020 Permit required – Specifications, etc.

12.05.010 Responsibility for costs, etc.

All sidewalks, curbs or gutters hereafter constructed or repaired within the town shall be constructed or repaired by the owners of the property abutting on such sidewalks, curbs or gutters or at the expense of such owners. [1996 Code § 18-2. Prior Code §§ 11-101, 12-101.]

12.05.020 Permit required – Specifications, etc.

No person shall build any sidewalk, curb or gutter along the streets of the town without first obtaining from the town clerk a permit therefor. The fee for such permit shall be \$3.00 for each lot along which such sidewalk, curb or gutter passes, to be paid to the town clerk before such permit shall be issued. When any such permit is issued, the person obtaining such permit shall notify the town engineer, and the town engineer shall proceed to establish the sidewalk line and grade for such sidewalk, curb or gutter. All sidewalks, curbs and gutters shall be built on the line and grade established by the town engineer, and any sidewalk, curb or gutter not so built shall be condemned. The town engineer shall have full power and authority to stop the construction of any sidewalk, curb or gutter not being built on such line and grade. [1996 Code § 18-3. Prior Code §§ 11-110, 12-103.]

Chapter 12.10**NUMBERING OF BUILDINGS AND STRUCTURES**

Sections:

- 12.10.010 Buildings generally.
12.10.020 Mobile homes – Located outside mobile home parks.
12.10.030 Mobile homes – Located within mobile home park.

12.10.010 Buildings generally.

Every person who shall own or control a dwelling house or other building within the town fronting on a street and avenue shall erect, maintain and display in a conspicuous place on such building the proper numbers as herein provided:

(a) Each dwelling or building number shall cover 50 feet fronting on the streets or avenues running north and south; 70 feet fronting on the streets and avenues running east and west, except as hereinafter provided.

(b) On all streets or avenues running north and south the even numbers shall be on the east side of the street and the odd numbers on the west. On all streets and avenues running east and west the even numbers shall be on the north side and the odd numbers on the south.

(c) From Zorn Street northward to Shiek Street the house numbers shall run consecutively from 100 to 109, both inclusive, and from Shiek Street northward to Johnston Street from 200 to 209, both inclusive, and generally the digit or digits designating the hundreds of any house number shall correspond to the number of the block it may be north of Zorn Street. Any further addition south of Zorn Street will follow a like system but will further use the designation of “south”; for example, South Tenth Street.

(d) From a point 300 feet due east of the east line of Eighth Street westward, the house numbers shall run from 750 to 757, both inclusive, and from Eighth Street westward to Ninth Street the house numbers shall run from 850 to 857, both inclusive, the alleys to be eliminated in computing the numbers, and generally the digit or digits designating the hundreds of any house number on streets running east and west shall correspond to the numbers of the street next east of such house number.

(e) Numbering of business houses or other buildings in Blocks 60, 61, 66, 67, 77, 78, 79, the east one-half of 85, and the east one-half of 86, will follow the method as shown in subsection (c) of this section, in regard to designating the hundreds, but shall cover 25 feet fronting on streets or avenues running north and south and 20 feet fronting on streets or avenues running east and west, alleys not being included in computing such numbers.

(f) Dwellings or business houses having apartments or offices above the ground floor will designate those entrances with the proper number for that foot frontage, but will further add the figure “1/2.” Additional dwellings, business houses or groups of buildings occupying the same level and footage covered by a single number shall further designate them by the addition of “A,” “B,” “C,” etc., to the extent of the number of separate entrances, for example, 701A, 701B.

(g) All buildings, whether located on regular or irregular lots and blocks, shall be numbered in accordance with the plan above set forth and a map thereof to be prepared and preserved in the office of the town clerk. [1996 Code § 18-4. Prior Code §§ 18-501 – 18-504.]

12.10.020 Mobile homes – Located outside mobile home parks.

Every mobile home not in a mobile home park shall be numbered as required by WMC 12.10.010. [Ord. 402 § 2, 1975. 1996 Code § 18-5.]

As to mobile home subdivision district, see Chapter 18.35 WMC.

12.10.030 Mobile homes – Located within mobile home park.

Every lot space within a mobile home park shall be numbered in consecutive numerical order beginning with the number one. The owner of every mobile home park shall place numbers on each mobile home within the park in numerals at least four inches in height and at least seven feet above ground level, the same to be placed on either corner of the mobile home on the approach side as determined by the Wheatland fire department. Every mobile home within a mobile home park shall be numbered to correspond to the lot space. [Ord. 543, 1982; Ord. 402 § 3, 1975. 1996 Code § 18-6.]

As to mobile home park division see Chapter 18.30 WMC.

Chapter 12.15

OVERHANGING MAILBOXES

Sections:

12.15.010 Overhanging mailboxes.

12.15.010 Overhanging mailboxes.

No mailbox shall be placed in such a position so that the box encroaches upon or overhangs any sidewalk or the improved or traveled portion of any street of the town. [Ord. 365 § 1, 1973. 1996 Code § 18-1.]

Chapter 12.20**TREES**

Sections:

12.20.010 Trees and other vegetative growth projecting over public ways.

12.20.020 Removal of dangerous or unsafe trees.

12.20.030 Penalty.

12.20.010 Trees and other vegetative growth projecting over public ways.

It shall be unlawful for any person who is the owner or person in control of any land within the town:

(a) To permit or allow to grow upon said land, curb of the street, alley, boulevard or public way, any tree or other vegetation which extends into any public street or alley more than one foot, and is lower than 14 feet.

(b) To allow any tree or other vegetation to have branches less than eight feet above the ground if the branches extend over a sidewalk. [Ord. 665 § 1, 1998.]

12.20.020 Removal of dangerous or unsafe trees.

If any part or the whole of any tree growing on public or private property which violates WMC 12.20.010 is found after inspection to be dangerous or unsafe or to otherwise constitute a public hazard or nuisance, the town may declare such tree or portion thereof a public nuisance, order the property owner to abate the nuisance or cause such nuisance to be abated. The property owner, or person in control of the property, shall pay to the town the actual cost and expenses of removing the nuisance, if the town is forced to remove or have its agent remove the nuisance. The town reserves the right to waive portions of the costs in the event of hardship. [Ord. 665 § 2, 1998.]

12.20.030 Penalty.

Any person found guilty of violating any provision of this chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$750.00 for each such offense, in addition to such abatement proceedings as may be taken by the town or by such persons as required by the town. [Ord. 665 § 3, 1998.]

Title 13

PUBLIC SERVICES

Chapters:

- 13.05 Utility Services Provided by Town or Franchise**
- 13.10 Utilities – Design**
- 13.15 Water Regulations**
- 13.20 Water System Construction Specifications**
- 13.25 Emergency Water Usage**
- 13.30 Sewer Regulations**
- 13.35 Sanitary Sewage System Construction Specifications**
- 13.40 Electricity**
- 13.45 Fees**
- 13.50 Antennas**

Chapter 13.05**UTILITY SERVICES PROVIDED BY TOWN OR FRANCHISE**

Sections:

- 13.05.010 Authority of town to provide services.
- 13.05.020 Furnishing of services by anyone other than town or franchised distributor.
- 13.05.030 Purchasing, etc., services from anyone not franchised.
- 13.05.040 Right of town to acquire property of unfranchised service.
- 13.05.045 Delinquency, disconnection.
- 13.05.050 Deposits for utility service.

13.05.010 Authority of town to provide services.

It is hereby declared to be the public policy of the town to preempt the exclusive power and authority to provide, furnish and distribute unto the citizens and occupants of the town and residing in or maintaining a place of business within the corporate limits of the town, all electrical power, all natural gas service, water service, television service, radio service, telephone and telegraph service, transportation and other utility services used by the citizens of the town, required by the citizens or subsequently furnished to the citizens, now or in the future; except such services that shall be provided by persons who have been granted a franchise from the town. [Amended during August 1984 supplementation. 1996 Code § 16-1. Prior Code § 28-101.]

For state law as to authority of town to grant utility franchises, see WS, 1977, 15-1-103.

13.05.020 Furnishing of services by anyone other than town or franchised distributor.

No person shall sell, provide, distribute or otherwise furnish electrical power, natural gas service, telephone service, telegraph service, water for domestic use and service, radio service, television service or other public utility service within the incorporated limits of the town; unless such person or public utility shall have first been granted a franchise and authority therefor to so do by the governing body. [Amended during August 1984 supplementation. 1996 Code § 16-2. Prior Code § 28-102.]

13.05.030 Purchasing, etc., services from anyone not franchised.

No person shall purchase, obtain, receive, use or consume any electrical power, any natural gas, telephone service, telegraph service, water for domestic use and service, radio service, television service or other public utility service within the corporate limits of the town, from any source other than the town or a person or company who shall have first been granted a franchise and authority to so furnish such service by the town. [Amended during August 1984 supplementation. 1996 Code § 16-3. Prior Code § 28-103.]

13.05.040 Right of town to acquire property of unfranchised service.

The town shall have the right to acquire by eminent domain all poles, lines, fixtures, pipelines, mains, and appurtenances of whatever nature of any electric company, telegraph company, telephone company, gas company, water company, television distributing company, radio distributing company, transportation company and of any other public utility company, association or corporation, so providing or undertaking to provide and furnish any of such public utility services within the corporate limits of the town when such public utility, company, association, corporation or otherwise is not then and there the holder of a franchise granted by the town to so provide such services. [1996 Code § 16-4.]

For state law as to authority of town to exercise power of eminent domain, see WS, 1977, 15-1-103.

13.05.045 Delinquency, disconnection.

(a) Delinquency. All accounts shall be paid in full by the fifteenth day of the month (NET 15). Any account with a remaining balance after the due date shall incur a \$10.00 late payment fee.

(1) If the fifteenth falls on a weekend or holiday, the utility bill shall be due the next business day.

(b) Disconnection. Any account with a balance on the twenty-fifth day of the month shall be subject to disconnection.

(1) All disconnected accounts must be paid in full plus a reconnect fee of \$50.00 for residential/\$100.00 for commercial service.

a. A customer's deposit may be applied to the utility bill by the town of Wheatland and any remaining balance shall be refunded to the customer of record.

(2) If the twenty-fifth falls on a weekend or holiday, disconnection shall fall on the next business day. [Ord. 796 §§ 3, 4, 2016.]

13.05.050 Deposits for utility service.

(a) Establishment of Service. The town of Wheatland may conduct credit history reviews and reserves the right to refuse service for credit risk or unpaid balances.

(b) Deposits. The town of Wheatland will collect security deposits for utilities and services. The town reserves the right to adjust deposit rates (higher or lower) based on credit risk.

Standard deposit rates shall be:

Residential	\$350.00
Residential All Electric	\$450.00
Commercial/Business	\$750.00

[Ord. 796 §§ 1, 2, 2016; Ord. 752 §§ 1, 2, 2010; Ord. 416 § 2. 1996 Code § 16-5.]

Chapter 13.10**UTILITIES – DESIGN**

Sections:

13.10.010 Utilities.

13.10.010 Utilities.

(a) All water and wastewater facilities shall be designed and constructed in accordance with Chapters 13.20 and 13.35 WMC.

(b) Street Lighting (Responsibility of the Town). The following table shows the minimum street lighting standards in the town. The values listed shall be increased by 40 percent at installation to account for illumination depreciation from age, dirtiness and luminaire loss.

Minimum lighting standards, foot-candles (divide by 0.6 at time of installation) are as follows:

<u>Type of roadway</u>	<u>Land use district</u>		
	<u>R, RH, PUD</u>	<u>MHP, MHS</u>	<u>HB, GUB, LID, HID</u>
Collector	0.6		1.2
Local	0.4	0.3	0.9
Pedestrian Walkways	0.2	0.1	0.9

Light bulbs shall have a minimum 400-watt rating, 20,500-lumen rating, and 24,000-hour expectancy. [Ord. 419 Ch. 6 § 2, 1976. 1996 Code § 7-106.]

Chapter 13.15

WATER REGULATIONS

Sections:

- 13.15.010 Water users located outside of town corporate limits – Applicable water rates.
- 13.15.020 Water users located outside of town corporate limits – Applicability of provision relative to water usages of chapter.
- 13.15.030 Permit for connection to town system – Required.
- 13.15.040 Permit for connection to town system – Application.
- 13.15.050 Water meter installation fees.
- 13.15.060 Payment of fees.
- 13.15.070 Responsibility for connection to town system.

For state law as to authority of town to establish and regulate water system, see WS, 1977, 15-1-103. See also WS, 1977, 15-7-101. As to waterworks generally, see WS, 1977, 15-7-401 to 15-7-490. As to constitutional limitations on debt incurred to supply water, see Wyo. Const., Art. 16, § 5. As to contracts to furnish water, see WS, 1977, 15-7-460 to 15-7-465. As to waterworks franchises, see WS, 1977, 15-7-480 to 15-7-490. See also WS, 1977, 15-1-103. As to storage of water for municipal uses, see WS, 1977, 41-14-401, 41-14-102, 41-14-103.

13.15.010 Water users located outside of town corporate limits – Applicable water rates.

Each water user residing outside the corporate limits of the town using water furnished through the mains of the town or using water supplied by the town shall pay one and one-half times the rates charged like consumers residing within the corporate limits. [Ord. 412 § 1, 1976. 1996 Code § 16-30.]

13.15.020 Water users located outside of town corporate limits – Applicability of provision relative to water usages of chapter.

All users of water from the town residing outside the corporate limits shall be deemed to have subscribed and agreed to all provisions of this chapter applicable to water usage. [Ord. 412 § 3, 1976. 1996 Code § 16-31.]

13.15.030 Permit for connection to town system – Required.

No person shall tap or connect to any part of the water system of the town or use any water therefrom without first obtaining a permit to do so from the town. [Ord. 415 § 1, 1976. 1996 Code § 16-32.]

13.15.040 Permit for connection to town system – Application.

Any person desiring to make a connection to the water system or to use water therefrom shall make written application to the town for a permit. The application for a permit to make any connection to the water system shall state the name of the person to whom the permit is to be issued, the size of the tap, the location thereof, the premises upon which the water is to be used and the purpose for which the water is to be used. All permits issued shall state the name of the person to whom the permit is issued, the date of the permit, the size of the tap, the premises upon which the water is to be used and the purpose for which the water is to be used. [Ord. 415 § 2, 1976. 1996 Code § 16-33.]

13.15.050 Water meter installation fees.

(a) There shall be assessed and collected a water meter installation fee in the amount of \$1,000 for each one-inch water meter connected to the main water distribution line of the town of Wheatland. In the event the actual costs of the materials exceeds \$1,000, then the actual costs of the materials will be assessed and collected.

(b) All new water meters shall be one inch. In the event someone desires to change their existing three-quarter-inch water meter to a one inch water meter, there shall be assessed and collected a water meter upgrade fee equal to the actual cost of the materials and labor for the upgrade.

(c) For any water meter installation of a meter larger than one inch, there shall be assessed and collected a fee equal to the actual cost of the materials and labor for any water meter larger than one inch connected to the main water distribution line of the town. [Ord. 614, 1993. 1996 Code § 16-34.]

13.15.060 Payment of fees.

All charges relative to connection to the town water system shall be paid to the town when the application for the connection permit is made.

All charges shall be paid prior to the actual connection of the water line and the installation of the meter to the main water distribution system of the town. [Ord. 415 §§ 7, 8, 1976. 1996 Code § 16-35.]

13.15.070 Responsibility for connection to town system.

All connections to the main water system of the town and all meter installations shall be made by a person duly employed by the town or under a town employee's supervision. [Ord. 415 § 6, 1976. 1996 Code § 16-36.]

Chapter 13.20**WATER SYSTEM CONSTRUCTION SPECIFICATIONS**

Sections:

- 13.20.010 Applicability.
- 13.20.020 Agreements.
- 13.20.030 Permit.
- 13.20.040 Generally.
- 13.20.050 Inspection.
- 13.20.060 Plans.
- 13.20.070 Materials.
- 13.20.080 Installations.
- 13.20.090 Testing.
- 13.20.100 Design.

13.20.010 Applicability.

The water distribution system for any subdivision or addition to the town shall be designed in conformance to the detailed criteria set forth in this section. [Ord. 419 Appx. 1 § 1, 1976. 1996 Code § 7-109.]

13.20.020 Agreements.

To assure continuity of the present town system, owners of areas platting within one mile of the town boundaries shall negotiate written agreements as to the timing, design and construction of water supply and distribution facilities prior to the mayor's signature being signed on any plats within such one-mile area. Such agreements may also call for the time of annexation of such parcels. [Ord. 419 Appx. 1 § 1, 1976. 1996 Code § 7-110.]

13.20.030 Permit.

Water distribution facilities coming within the scope of these regulations shall be constructed only after a permit for construction has been issued by the town. The permit will not be issued until after plans and specifications covering the proposed construction have been submitted to the town and approved by the town engineer. [Ord. 419 Appx. 1 § 1, 1976. 1996 Code § 7-111.]

13.20.040 Generally.

In general, the water distribution system shall be designed so that it is capable of furnishing the required design flow which includes maximum business and residential demand and fire flows simultaneously.

The water distribution system for any subdivision or addition to be served by the existing municipal water supply system shall be designed so that it can deliver the required design flow to the subdivision or additional or to any portion thereof served by an individual street main with the resulting residual pressure at any point to be less than 20 pounds per square inch. In addition, transmission and feeder mains to the subdivision or addition shall have sufficient capacity to also serve contiguous or adjacent areas which may be expected to be developed within a reasonable period in the future. Contiguous or adjacent areas to be provided for shall be as designated or approved by the town planning commission.

The design of the water distribution system serving any subdivision or addition shall conform to the long-range water distribution system plan as adopted by the planning commission and shall incorporate in the layout the principal transmission and feeder mains provided for in the long-range plan or those portions thereof that are within the boundaries of the area being developed. Features of the long-range plan shall be incorporated into the design of the particular addition or subdivision. [Ord. 419 Appx. 1 §§ 1, 2, 1976. 1996 Code § 7-112.]

13.20.050 Inspection.

There shall be no installation or backfill of any new water pipeline which will be or might become a part of the town water system unless a representative of the town engineer is present. All costs for inspection shall be paid for by the installer. [Ord. 419 Appx. 1 § 3, 1976. 1996 Code § 7-113.]

13.20.060 Plans.

Three complete copies of plans and specifications covering the proposed construction shall be submitted for approval. In general, plans shall consist of a detailed layout of the area to be served by the proposed construction, including any contiguous or adjacent areas which might be affected, together with sufficient details or supplemental drawings as may be necessary for complete review of the proposed construction.

Plans for water and sewage facilities may be combined in the same set of drawings. Plans for water distribution shall show the exact location of all water mains with respect to property lines and the proposed location of valves and fire hydrants. All plans must show the location and, where applicable, the elevation of existing facilities to which the proposed construction will connect, together with the location of other existing utilities which might be affected by the proposed construction. Specifications covering the materials to be used and construction requirements shall accompany the plans when presented for approval.

Plans shall be drawn on standard plan and profile sheets no larger than 24 inches by 36 inches and bound with the details and cover sheet of the same size.

All elevations shown on the plans shall be referenced to mean sea level and referenced to a USGS benchmark or town benchmark run from such USGS elevation. Benchmarks used for the preliminary and construction surveys shall be shown on the plans.

In compliance with state statutes, all designs, plans and specifications shall be prepared by a registered professional engineer licensed to practice in the state, and shall be submitted to the State Department of Environmental Quality, Water Quality Division, for their approval.

Within 30 days after completion of construction, one reproducible copy and two sets of prints of "as constructed" drawings shall be submitted for the permanent records of the town. [Ord. 419 Appx. 1 § 4, 1976. 1996 Code § 7-114.]

13.20.070 Materials.

All water mains shall be constructed of either cast iron pipe or ductile iron pipe with the pipe fittings, valves and other underground appurtenances as previously approved for specific locations; such underground pipes shall be protected by the use of a sand envelope backfill. Plastic pipe may be used within the platted areas of the town if it conforms to AWWA 6-900-75 Standard; minimum class 150 (SDR 18) with cast iron dimensions and rubber ring joints; and plastic pipe may be used outside the platted areas of the town if a master meter is installed at the termination of the town mainline; provided, the plastic pipe conforms to the standards set forth previously or to the Uniform Plumbing Code (minimum pressure rating of 160 PSI). If, in the judgment of the town engineer, any proposed waterlines in unplatted areas might possibly be extended in the future so that they would then become a part of the town water system, those waterlines may use plastic water pipe that conforms only to the standard set forth above. Installation and backfill of all new water pipelines which will be or might become a part of the town water system shall conform with Class B, Class C or Class D as detailed in ASCE Manual No. 37 (6) or with the recommended practices given in ASTM D 2321 (7) along with the recommendations of the pipe manufacturer and the town engineer.

Cast-iron pipe shall be designed for 150 pounds per square inch working pressure and five feet of cover with half-thickness cement lining and shall meet the requirements of AWWA standard C106 for one cast-iron pipe centrifugally cast in metal molds, or AWWA standard C108 for cast iron pipe centrifugally cast in sand-lined molds. Pipe shall be furnished with the single gasket push-on joint.

Copper service pipe shall meet the requirements of ASTM standard specification B88 for seamless copper water tube, type K. Fittings shall be equal to Mueller H-15430 (copper tube nut), and H-15400 (three part union). Corporation cocks shall be an all bronze cock Mueller thread inlet and copper service pipe outlet equal

to Mueller H-15000. Meter yokes shall be Ford or equal with inlet valve or an approved equal. Curb valves shall be Ford ball or Mueller Oviséal or equal.

Ductile iron pipe shall be designed for 150 pounds per square inch working pressure and five feet of cover, with half-thickness cement lining, meeting the requirements of AWWA Standard C151 for ductile iron pipe, centrifugally cast on metal molds or sand-lined molds. Pipe shall be furnished with the single-gasket push-on joint.

All fire hydrants shall be the Mueller A-24015 AWWA improved type with a six inch flanged inlet with two and one-half inch hose nozzles, one four inch pumper nozzle, a five-and-one-quarter-inch main valve, national standard hose threads and standard pentagon operating nut or equal. Hydrants shall be designed for a pipe depth of five feet (to top of pipe). Each hydrant shall be installed with a six inch flange x mechanical-joint auxiliary gate valve meeting the requirements previously specified.

Gate valves shall be iron-body, bronze-mounted, double-disc, parallel-seal valves meeting the requirements of AWWA Standard C500 for gate valves for ordinary water works service. All valves shall have nonrising stems and be furnished with "O-ring" packing. Valves shall be provided with a standard two inch square operating nut and shall open counterclockwise. Valves shall be equipped with mechanical-joint ends. Flange ends for hydrant auxiliary valves shall meet the requirements for ASA Class 125 cast iron pipe flanges with bolt holes straddling centerlines.

Valve boxes for both main line and hydrant auxiliary valves shall be a standard cast iron, two piece, screw-type adjustable valve box of correct size for the valve designed for a normal five-foot bury of the pipeline (to top of pipe).

Pipe fittings for either cast iron or ductile iron pipe shall meet the requirements of AWWA Standard C110 for cast iron pressure fittings. Except where otherwise specified by the town engineer, fittings shall be equipped with mechanical-joint couplings conforming to ASA Standard A21-11 for a mechanical joint for cast iron pressure pipe and fittings. [Ord. 419 Appx. 1 § 5, 1976. 1996 Code § 7-115.]

13.20.080 Installations.

(a) Generally. Trenches and excavations shall be kept free from water during excavation, fine grading, pipe laying and jointing. Where the trench bottom is mucky or otherwise unstable because of the presence of groundwater and in all cases where the static groundwater level is above the bottom of the trench, the groundwater shall be lowered by means of pumps or well points to the extent necessary to keep the trench free from water and the bottom stable.

The bottom of the trench at pipe grade shall be clean and free from rock, boulders or hard lumps and graded to provide a uniform and continuous bearing and support for the pipe on solid and undisturbed soil at every point between bell holes. Bell holes of sufficient size to permit the proper making up of joints shall be provided at each joint.

(b) Trench Depths. Trenches for water mains shall be excavated to provide a minimum depth of cover of five feet over the top of the water main unless otherwise directed. Greater depths may be required beneath existing utilities and in making connections to existing mains.

Trenches shall be excavated to provide a uniform and continuous bearing and support for the pipe on solid and undisturbed soil at every point between bell holes. The sub grade beneath the center-line of the pipe shall be fine-graded by hand immediately ahead of the pipe laying operation and shall be finished to a uniform grade between the pipe joints. Bell holes of sufficient size to permit the proper making up of joints shall be provided at each joint.

(c) Trench Widths. Trenches shall be of sufficient width to provide ample working space in handling pipe and fittings and the making up of joints, but shall not be less than 12 inches greater than the nominal pipe diameter.

(d) Backfill. Trenches shall be backfilled immediately after the pipe installation has been approved for backfilling. All backfill material shall be carefully placed to avoid displacement or damage to the pipe or adjacent structures. Backfill from the bottom of the trench to approximately one foot over the top of the pipe shall be placed by hand unless otherwise approved, taking particular care to completely fill under the pipe haunches.

This portion of the backfill for the full width of the trench shall be carefully compacted either by hand or by mechanical compaction equipment.

(e) Backfill from approximately one foot over the top of the pipe to the surface of the ground or pavement sub-grade where applicable may be placed by either hand or equipment, and shall be thoroughly compacted by either placing the backfill in 12-inch maximum lifts and compacting each lift by mechanical tamping equipment or by partially filling the trench in maximum lifts of three feet and compacting each lift with a mobile trench operator.

(f) Backfill Material. From the bottom of the trench to at least one foot over the top of the pipe backfill material shall be material as excavated from the trench selected to eliminate rock, stones, or similar hard objects that might damage the pipe during subsequent backfill compaction or future earth movement or settlement. The remaining backfill shall be material as excavated from the trench without selection.

(g) Grade and Alignment. Grade or water mains shall be as established in the field to provide the minimum depth of cover previously specified. Alignment of water mains shall be as shown on the drawings unless otherwise directed by the town engineer.

(h) Handling Pipe and Fittings. Handling, unloading from trucks and installation of all pipe, fittings, valves, hydrants and other materials shall be by such methods as will ensure their final installation in a sound and undamaged condition. Pipe and fittings shall under no circumstances be dropped to the ground from trucks or otherwise subjected to possible damage from impact, but shall be unloaded by means of hoists, cranes or by skidding. Pipe and fittings shall be lowered into the trench by means of hoists, booms and ropes.

(i) Installing Pipe and Fittings. Cutting of cast iron or ductile iron pipe shall be done with mechanical pipe cutters or metal-cutting power saws in such a manner as to avoid damage to the pipe and leave a smooth cut at right angles to the axis of the pipe. Where using a push-on joint the cut end shall be tapered with a grinder or file about one-eighth inch back at an angle of about 30 degrees. The interior of all pipe shall be cleaned of all foreign material before being installed and shall be kept clean until the work has been inspected and accepted. When pipe laying is stopped at the end of a day's work or for any other reason, the open end of the pipeline shall be kept sealed with a watertight plug. It is essential that no mud, trench water or any foreign material of any kind be permitted to enter the pipeline.

During installation each pipe length and fitting shall be carefully inspected for defects. Defective pipe and fittings shall be either rejected or salvaged by cutting off the damaged portion.

In making up mechanical joints it is important that the entering spigot is centered in and that the gland or follower ring is parallel to the face of the connecting bell. Deflections in the pipe joint shall be made after the bolts have been slightly and uniformly tightened. Final tightening shall be done using a ratchet wrench or impact wrench with a torque of between 60 and 90 foot-pounds bringing the follower gland towards the bell face evenly by alternate tightening of the bolts. As in the push-on joint it is essential that the gasket and surface of the pipe that will be in contact with the gasket are wiped clean before assembling the joint.

(j) Valves and Valve Boxes. Valves and boxes shall be set plum with each valve box placed directly over the valve and with the top of the box adjusted to be flush with the finished grade. After the valve box has been placed in position backfill material shall be carefully placed and thoroughly compacted around the valve and box to the full trench depth. After installation is completed each valve shall be checked with a valve key to determine if the key can be readily set on the operating nut.

(k) Fire Hydrants. Before installing, each hydrant shall be checked to see that the hydrant valve is clean and that the hydrant is in operating condition. Prior to setting a pit approximately two feet square and two feet in depth shall be dug below the centerline of the hydrant and filled with coarse gravel or crushed rock. The hydrant and auxiliary gate valve and box shall be set plum and braced into position until backfill with the elevation of the hydrant being set as directed. After bracing and after application of the polyethylene corrosion protection wrap, a concrete thrust block shall be installed back of the hydrant and additional gravel placed to a depth of about one foot over the top of the pipe completely surrounding the hydrant and auxiliary gate valve. The remaining backfill shall be placed and thoroughly compacted around the hydrant barrel to the full trench depth.

(l) Service Connections. All service connections from the street main to the water meter, regardless of the location of the meter, shall be constructed of copper water tube or service pipe with copper water tube flared fittings. Minimum size of any service shall be three-quarters of an inch. All service lines shall be installed to provide a depth of cover over the pipe of not less than five feet.

The town's public works department will furnish the corporation cock and make the main tap and will furnish for installation by the installer the copper water tube and fittings from the street main to the meter, the meter vault and the meter yoke. Where the water meter is installed within a house or other structure, the town will furnish the copper water tube from the street main to the curb stop adjacent to the property line, the curb stop and the meter yoke, with the installer to furnish the copper water tube and fittings from the curb stop to the meter location. [Ord. 419 Appx. 1 § 6, 1976. 1996 Code § 7-116.]

13.20.090 Testing.

Before final acceptance of the work by the town the water mains between valved sections shall be filled and tested for leakage at a pressure of 150 pounds per square inch for a period of not less than one hour. Leakage must not exceed 25 gallons per inch of diameter per mile of length per 24 hours. Where the leakage is in excess of this amount the installer shall locate and repair any leaks until the pipeline or main meets the leakage limitations. Test pump, pipe connections, pipe taps and similar facilities shall be furnished by the installer. Test gauges will be provided by the town. [Ord. 419 Appx. 1 § 7, 1976. 1996 Code § 7-117.]

13.20.100 Design.

(a) Design Flows. The design flow to be used for the sizing of the feeder and street mains shall be the calculated maximum domestic daily water demand based on the anticipated number of service connections with allowance for future areas to be served in the case of feeder mains plus the required fire flow to be provided.

The maximum domestic daily water demand shall be based on an allowance of 100 gallons per capita per day average water use times a factor of two and five-tenths to obtain the maximum per capita daily demand or 375 gallons per day. Allowing four persons per connection, the maximum daily demand per service connection will be 1,500 gallons per day or one and four-one-hundredths gallons per minute.

This maximum daily demand per service connection is based on an area having 500 service connections or more. For a lesser number of service connections, the above maximum daily demand shall be multiplied by the following diversity factors:

Number of services	Diversity factor
50 or less	1.50
100	1.30
250	1.20
500	1.00

Straight line interpolation shall be used for a number falling between those listed.

The required fire flow to be added to the maximum domestic daily water demand to obtain the design flow for sizing of water mains shall be as follows:

Type of construction	Fire flow
Residential	1,000 gallons per minute
School (in residential area)	1,250 gallons per minute
Institutional (hospital, nursing home, etc.)	1,500 gallons per minute
Commercial	1,750 gallons per minute

For use in determining the variation in operating water pressures, as subsequently specified, the anticipated peak hourly demand shall be the computed maximum domestic daily water demand multiplied by a factor of two.

(b) Fire Hydrants. In accordance with the recommendations of the appropriate bureau, fire hydrants shall be located so that each hydrant will serve an area of not more than 120,000 square feet, requiring a maximum hydrant spacing of 390 feet. In addition, a fire hydrant shall be located at each street intersection with the immediate hydrants along each street being approximately evenly spaced. Additional hydrants may be required where access to other hydrants needed in fighting a fire at a specific location may be blocked or excessive lengths of hose lines required.

Hydrants shall be installed at the exact location back of the street curb as designated by the town engineer. Intermediate hydrants along a street shall be located on the extension of lot lines.

(c) Layout. The layout of the water distribution system for any subdivision or addition shall consist of a closed-loop grid system with no dead-ends or stud mains.

Where a subdivision is being developed, it shall be planned so that each stage of development will be served by a close-loop section to be installed prior to any lot being served by the municipal water system.

Feeder or other water mains that can serve adjacent areas shall be provided with the required tees, crosses and valves as approved by the town engineer to facilitate connections to the main in the future.

All water mains, valves, hydrants and other water supply appurtenances shall be installed within the public dedicated streets or, if approved by the town engineer, in dedicated public easements having unrestricted access at all times with the easement to carry restrictions running with the land prohibiting construction of fences, structures or plantings that restrict, interfere or hinder access for maintenance, repair or replacement of the water main. Preferably, where such easements are planned, a dedicated public alley shall be provided.

All water mains shall be installed within the streets or other public ways at the exact location with respect to the street or property lines as designated by the town engineer. On curbed streets, the water mains shall be laid on a curve at the designated distance from the centerline of the street of the respective property line. No water mains or water main appurtenances shall be installed under curbs, gutters or sidewalks, or on private property, except service lines under crossings.

(d) Minimum Size. The minimum size of any public water mains shall be six inches, including branches to fire hydrants.

(e) Service Connections. Individual water service lines will be required for each lot or residence to be served. Dual service to more than one residence or more than one lot from a single service line connected to the street main will not be permitted.

In all subdivisions water service lines shall be extended to the meter location or curb stop at each lot prior to the installation of curbs, gutters or street paving.

(f) Valves. Valves shall be provided at the end of each street main and at immediate points along the main so that not over one block will be placed out of service in the event water main repairs are required. Maximum spacing of valves in a residential area and on feeder mains serving the area shall be 800 feet. Maximum spacing of valves in a commercial area or on street or feeder mains serving a commercial area and an adjacent residential area shall be 500 feet.

At points where water mains intersect no fewer than two valves will be required at a tee intersection and no fewer than three valves at a cross intersection.

All valves shall be uniformly installed on street or property lines extended unless otherwise designated by the town engineer.

(g) Water Pressure. The minimum static water pressure to be provided at the street main shall be 35 pounds per square inch with the preferred minimum static water pressure to be 40 pounds per square inch. The maximum static water pressure shall not exceed 110 pounds per square inch.

The normal maximum variation in water pressure at any point between the static pressure and the operating pressure during peak hourly demands, not including fire flow, shall not exceed 35 pounds per square inch. [Ord. 419 Appx. 1 § 2, 1976. 1996 Code § 7-118.]

Chapter 13.25**EMERGENCY WATER USAGE**

Sections:

13.25.010 Emergency.

13.25.020 Restrictions.

13.25.030 Penalty.

13.25.010 Emergency.

The governing body does hereby declare an emergency as to the water usage in the town of Wheatland. [Ord. 774, 2012.]

13.25.020 Restrictions.

(a) There shall be no lawn watering between the hours of 10:00 a.m. and 6:00 p.m. of each day.

(b) Residences can water every other day three times a week, with the exception of Sundays (no watering on Sundays).

(c) These restrictions apply to all residences and other entities (including business/governmental entities) that are using water from the town of Wheatland water system, even if they are not within the town limits.

(d) This chapter does not apply to those systems not on the town's potable water supply.

(e) Water only your lawn and not the sidewalk or the street. [Ord. 774 § A, 2012.]

13.25.030 Penalty.

Any violation of this chapter after the first written warning shall be punishable by a fine of up to \$750.00. [Ord. 774 § B, 2012.]

Chapter 13.30**SEWER REGULATIONS**

Sections:

- 13.30.010 Definitions.
- 13.30.020 Use of public sewers required within the town.
- 13.30.030 Private wastewater disposal.
- 13.30.040 Sanitary sewers, building sewers and connections.
- 13.30.050 Use of the public sewers.
- 13.30.060 Malicious destruction, etc. – Wastewater facilities or parts thereof.
- 13.30.070 Powers and authority of inspectors.

For state law as to authority of town to establish and regulate, etc., sewers, see WS, 1977, 15-1-103. As to sewerage system public improvements, see WS, 1977, 15-7-430 to 15-7-442. As to constitutional limitation on town debt incurred for sewerage systems, see Wyo. Const., Art. 16, § 5. For state law as to rates to be charged for sewer service generally, see WS, 1977, 15-7-436, 15-7-437. As to fixing rates by board of public utilities, see WS, 1977, 15-7-407.

13.30.010 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this division shall be as follows:

“Biochemical oxygen demand (BOD)” shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Centigrade, expressed in milligrams per liter.

“Building drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

“Building sewer” shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.

“Combined sewer” shall mean a sewer intended to receive both wastewater and storm or surface water.

“Easement” shall mean an acquired legal right for the specific use of land owned by others.

“Floatable oil” is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

“Garbage” shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

“Industrial wastes” shall mean the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

“Natural outlet” shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.

“May” is permissive.

“Person” shall mean any individual, firm, company, association, society, corporation or group.

“pH” shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of seven and a hydrogen-ion concentration of 10^{-7} .

“Properly shredded garbage” shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

“Public sewer” shall mean a common sewer controlled by a governmental agency or public utility.

“Sanitary sewer” shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

“Sewage” is the spent water of a community. The preferred term is “wastewater.” (See definition below.)

“Sewer” shall mean a pipe or conduit that carries wastewater or drainage water.

“Shall” is mandatory.

“Slug” shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

“Storm drain” (sometimes termed “storm sewer”) shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

“Superintendent” shall mean the head of the water and sewer department of the town, or his authorized deputy, agent or representative.

“Suspended solids” shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in “Standard Methods for the Examination of Water and Wastewater” and referred to as nonfilterable residue.

“Town” shall mean the town of Wheatland, Platte County, Wyoming.

“Unpolluted water” is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

“Wastewater” shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid- and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.

“Wastewater facilities” shall mean the structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

“Wastewater treatment works” shall mean an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with “waste treatment plant” or “wastewater treatment plant” or “water pollution control plant.”

“Watercourse” shall mean a natural or artificial channel for the passage of water either continuously or intermittently. [Ord. 606, 1991. 1996 Code § 16-37.]

13.30.020 Use of public sewers required within the town.

(a) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the town, or in any area under the jurisdiction of the town, any human or animal excrement, garbage or other objectionable waste.

(b) It shall be unlawful to discharge to any natural outlet within the town, or in any area under the jurisdiction of the town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(c) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

(d) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the town, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 30 days after date of official notice to do so; provided, that said public sewer is within 100 feet of the property line. [Ord. 606, 1991. 1996 Code § 16-38.]

13.30.030 Private wastewater disposal.

(a) Where a public sanitary or combined sewer is not available under the provisions of WMC 13.30.020(d), the building sewer shall be connected to a private wastewater system complying with the provisions of this section.

(b) Before commencement of construction of private wastewater disposal system the owner shall first obtain a written permit signed by the town engineer. The application for permit shall be made on a form furnished by the town, which applicant shall supplement by any plans, specifications and other information as are deemed necessary by the town engineer. A permit and inspection fee of \$20.00 shall be paid to the town at the time the application is filed.

(c) A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the town engineer. The town engineer shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the town engineer when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the town engineer.

(d) The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Public Health of the state of Wyoming. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than 43,560 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(e) At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in subsection (d) of this section, a direct connection shall be made to the public sewer within 60 days in compliance with this chapter, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

(f) The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the town.

(g) No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer. [Ord. 606, 1991. 1996 Code § 16-39.]

13.30.040 Sanitary sewers, building sewers and connections.

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the town engineer.

All work done under any permit shall be by a licensed plumber and shall be under the supervision of the water and sewer commissioner.

No person except one employed by the town shall connect any pipes with any sewer line of the town or any lateral therefrom.

(b) There shall be two classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the town engineer. A permit and inspection fee of \$20.00 for a residential or commercial building sewer permit and \$20.00 for an industrial building sewer permit shall be paid to the town at the time the application is filed.

(c) All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(d) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

(e) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the town engineer, to meet all requirements of this chapter.

(f) The size, slope, alignment, materials of construction of all sanitary sewers including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the town and the state of Wyoming. In the absence of suitable code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

(g) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(h) No person shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the town engineer and the Wyoming State Department of Health for purposes of disposal of polluted surface drainage.

(i) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the town and the state of Wyoming, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the town engineer before installation.

(j) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town. [Ord. 606, 1991; amended during August 1984 supplementation; Ord. 527 §§ (b), (c), 1981. 1996 Code § 16-40. Prior Code §§ 14-102, 14-103, 14-301.]

13.30.050 Use of the public sewers.

(a) No person shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, groundwater, roof runoff, subsurface drainage or cooling water to any sewer, except storm water runoff from limited areas, which storm water may be polluted at times, may be discharged to the sanitary sewer by permission of the town engineer and the Wyoming State Department of Health.

(b) Storm water other than that exempted under subsection (a) of this section and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to natural outlets approved by the town engineer and the Wyoming State Department of Health. Unpolluted industrial cooling water or process waters may be discharged, on approval of the town engineer, to a storm sewer, combined sewer, or natural outlet.

(c) No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(2) Any waters containing toxic or poisonous solids, liquids or other wastes, to contaminate the sludge of any sewage treatment process, constitute a hazard in or have an adverse effect on the waters receiving any discharge from the works. Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the town's treatment works shall pay for such increased costs.

(3) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage,

whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk, containers, etc., either whole or ground by garbage grinders.

(d) The following described substances, materials, waters or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, the sludge of any municipal system, the wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The town engineer may set limitations lower than the limitations established in the regulations below if, in his opinion, such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the town engineer will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plans, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the town engineer are as follows:

- (1) Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
- (2) Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
- (3) Wastewater from industrial plants containing floatable oils, fat or grease.
- (4) Any garbage that has not been properly shredded (see definition of properly shredded garbage in WMC 13.30.010). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- (5) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the town engineer for such materials.
- (6) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the town engineer.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the town engineer in compliance with applicable state or federal regulations.
- (8) Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.
- (9) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (10) Any waters or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

(e) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection (d) of this section, and which in the judgment of the town engineer may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the town engineer may:

- (1) Reject the wastes;
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (3) Require control over the quantities and rates of discharge; and/or
- (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of WMC 13.45.070.

If the town engineer permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the town engineer and the Wyoming State Department of Health.

(f) Grease, oil and sand interceptors shall be provided when, in the opinion of the town engineer, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in subsection (d)(3) of this section or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the town engineer and the Wyoming State Plumbing Code, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates and means of disposal which are subject to review by the town engineer. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently licensed waste disposal firms.

(g) Where pretreatment or flow-equalization facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(h) Every fish, fowl and animal slaughterhouse or establishment and every fish, fowl and meat packing or curing establishment and every soap factory, tallow rendering, fat rendering and hide curing establishment, or any other establishment from which considerable amounts of grease are likely to be discharged into any plumbing system, sewer system or private sewage disposal system, shall be connected to and shall drain or discharge into a grease interceptor of an approved design.

(i) Every private or public wash rack and/or floor or slab used for cleaning machinery or machine parts shall be adequately protected against storm or surface water and shall drain or discharge into a sand and grease interceptor of an approved design.

(j) When waste pretreatment is required, an approved-type grease interceptor shall be installed in the waste line leading from sinks, drains and other fixtures or equipment in the following establishments: restaurants, cafes, lunch counters, cafeterias, bars and clubs, hotels, hospitals, sanitariums, factory or school kitchens, or other establishments where grease may be introduced into the drainage or sewerage system in quantities that can effect line stoppage or hinder sewage treatment.

(k) When required by the town engineer, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the town engineer.

The structure shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(l) The town engineer may require a user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:

(1) Wastewater's discharge peak rate and volume over a specified time period.

(2) Chemical analyses of wastewaters.

(3) Information on raw materials, processes, and products affecting wastewater volume and quality.

(4) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.

(5) A plot plan of sewers of the user's property showing sewer and pretreatment facility location.

(6) Details of wastewater pretreatment facilities.

(7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

(m) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in WMC 13.15.030 through 13.15.070 and this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the town engineer.

(n) No statement contained in this article shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character

may be accepted by the town for treatment. [Ord. 606, 1991; Ord. 470 §§ 4 – 6, 1977. 1996 Code § 16-41. Formerly 16-43 – 16-45.]

13.30.060 Malicious destruction, etc. – Wastewater facilities or parts thereof.

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. [Ord. 606, 1991. 1996 Code § 16-42.]

13.30.070 Powers and authority of inspectors.

(a) The town engineer and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.

(b) The town engineer or other duly authorized employees of the town are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system.

The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors. [Ord. 606, 1991. 1996 Code § 16-43.]

Chapter 13.35

SANITARY SEWAGE SYSTEM CONSTRUCTION SPECIFICATIONS

Sections:

- 13.35.010 Materials.
- 13.35.020 Applicability.
- 13.35.030 Agreements.
- 13.35.040 Inspection.
- 13.35.050 Permits.
- 13.35.060 Design.
- 13.35.070 Installations.
- 13.35.080 Infiltration.
- 13.35.090 Plans.

13.35.010 Materials.

(a) All sanitary sewers, including house or service connections, within the public streets, alleys or easements shall be constructed of either vitrified clay, cast iron or polyvinyl chloride pipe.

Vitrified clay pipe and fittings shall meet the requirements of ASTM tentative specifications for extra strength clay pipe, designated C200. Vitrified clay pipe joints: all vitrified clay pipe and fittings shall be furnished with a factory fabricated joint meeting the requirements of ASTM specification for vitrified clay pipe joints having resilient properties, designation C425, for either types I, II or III material combinations.

Cast iron sewer pipe shall be Class 150 pipe meeting the requirements previously specified for cast iron pipe for water mains.

Plastic pipe may be used under approval from the town engineer, but with a specification of at least an SDR of 35.

(b) Manholes. All manholes shall be constructed of pre-cast reinforced concrete with an eccentric-cone top section and a 48-inch inside diameter. The pre-cast manhole sections shall meet the requirements of ASTM standard specification for reinforced concrete manhole sections being made using type V Portland cement. The pre-cast sections shall be installed on a plain concrete base slab. In fabricating the pre-cast sections allowance shall be made for thickness of the vitrified clay pipe as the base slab on which the bottom pre-cast section is placed shall be formed to the elevation of the outside bottom of the pipe. The bottom pre-cast section shall be fabricated with a flat base. Blocked out openings shall be provided in the sections for the incoming and outgoing sewer pipe or as an alternate such openings may be cut in the field.

Manhole steps shall be cast iron steps equal to the Clow F-3650 step. Wrought iron or steel steps will not be accepted.

Manhole rings and covers shall be the Comco No. 250C ring and cover or approved equal with the total weight of ring and cover to be not less than 275 pounds. The ring shall be provided with an interior retaining lip and shall have a net of five and one-half inches.

Concrete for manhole base slabs and interior concrete fill shall be mixed in the following proportions based on a one-yard batch:

Cement	564 lb. (6.0 sack)
Water	284 lb. (34.0 gal.)
Fine aggregate	1310 lb.
Coarse aggregate	1755 lb.
Air entraining agent	As required to entrain four and one-half percent air.

Water content above has been on an allowance of two percent moisture in the aggregate.

Water content shall be adjusted in the field to obtain a slump of three inches maximum. Grout for filling of the joints in the pre-cast concrete manhole sections and for grouting-in of pipe through the walls of the manhole shall consist of one part by volume of type V Portland cement to two and one-half parts volume of concrete fine aggregate with just sufficient water to make a workable mix that can be packed into the openings to be grouted. Mortar for grouting-in of the manhole ring and cover shall consist of the same mix with the addition of one-fourth parts by volume of hydrated lime to increase workability. [Ord. 419 Appx. 2 § 5, 1976. 1996 Code § 7-119.]

13.35.020 Applicability.

These regulations shall apply to the design of all sanitary sewerage facilities installed in streets, alleys or public easements within the corporate limits of the town. The regulations shall likewise apply to the design of sanitary sewerage facilities in areas contiguous or adjacent to the corporate limits which are planned to be connected with either now or in the future the sewerage systems of the town. [Ord. 419 Appx. 2 § 1, 1976. 1996 Code § 7-120.]

13.35.030 Agreements.

To assure continuity of the present town system, owners of area platting within one mile of the town boundaries shall negotiate written agreements as to the timing, design and construction of sanitary sewage treatment and collection facilities prior to the mayor's signature being signed on any plats within such one mile area. Such agreements may also call for the time of annexation of such parcels. [Ord. 419 Appx. 2 § 1, 1976. 1996 Code § 7-121.]

13.35.040 Inspection.

There shall be no installation of any new sewer pipe which, in the judgment of the town engineer, would be maintained by the town, unless a representative of the town engineer is present. All costs for inspection shall be paid for by the installer. [Ord. 419 Appx. 2 § 2, 1976. 1996 Code § 7-122.]

13.35.050 Permits.

Sanitary sewerage facilities coming within the scope of these regulations shall be constructed only after a permit for construction has been issued by the town. The permit will not be issued until after plans and specifications covering the proposed construction have been submitted to the town and approved by the town engineer. [Ord. 419 Appx. 2 § 1, 1976. 1996 Code § 7-123.]

13.35.060 Design.

(a) Generally. The design of any particular sewage system shall conform to the long-range sewage system plans adopted by the town. Features of the long-range plan shall be incorporated into the design of the particular addition or subdivision. In the case of unusually large sizes required by the long range plan, the town shall pay its proportionate share.

All sanitary sewers and appurtenances shall be designed to carry the design flows from all contiguous or adjacent areas which may within a reasonable period in the future be tributary thereto. Contiguous or adjacent areas to be included in the design and the tributary population to be provided for shall be subject to approval by the planning commission.

(b) Flow. Where actual flow measurements are not available or where data from existing water usage or sewage flows are not applicable, trunk or main sewers shall be designed on the basis of an average per capital flow of not less than 250 gallons per day; and lateral and sub-main sewers shall be designed for an average per capital flow of not less than 400 gallons per day. If design flows are based on sewer gaugings or flow measurements or on an analysis based on water usage records or similar data, an outline of the design procedure used shall be presented with the plans and specifications submitted for approval.

(c) **Minimum Size.** No public sanitary sewer shall be less than six inches in diameter. Six-inch sizes shall be used only in cul-de-sac or other special areas if approved by the town engineer. All other sewers shall be a minimum of eight inches in diameter.

The minimum size of all house connections shall be four inches. The minimum size of a connection for commercial and industrial service shall be six inches.

(d) **Velocity.** All sewers shall be signed and constructed with hydraulic slopes sufficient to give mean velocities when flowing full or not less than two feet per second based on Manning's formula using a value for "n" of thirteen-thousandths.

The following shall be minimum slopes to be provided:

Sewer size in inches	Slope in feet per foot
8	0.0040
10	0.0028
12	0.0022
14	0.0018
15	0.0016
16	0.0014
18	0.0012

Under special conditions, slopes slightly less than those required for the two feet per second velocity when full may be permitted. Such decreased slopes will only be considered where the depth of flow will be not less than four-tenths of the diameter for the design average flows and where computations of the depth of flow in such pipes at minimum, average and peak rates of flow are submitted showing the basis of design.

Maximum slopes for vitrified clay pipe shall be two-tenths for eight-inch, 10-inch and 12-inch sizes and twelve-hundredths for larger sizes. Cast iron pipe shall be used where steeper grades are required to drop manholes provided to reduce the slopes to the maximum specified.

House connections shall be installed on a minimum slope of two percent.

(e) **Depth of Cover.** Sanitary sewers shall be designed of sufficient depth to permit floor drains from basements to be connected unless in subdivisions or areas in which nonbasement houses are to be constructed. In no case shall sanitary sewers be designed for a depth of cover of less than 36 inches over the top of the pipe. Where shallower depths are unavoidable concrete encased pipe with or without insulation as circumstances may direct may be used. Proper allowance for loads on the sewer shall be made, because of the width of the depth of trench, by using concrete cradles or concrete encasement where required to increase the supporting strength of the pipe.

(f) **Location of Sewers.** Sewers shall be designed for uniform slope and alignment between manholes. Where alleys are provided sewers shall be installed as per approved plan. Where alleys are not provided sewers shall be installed within the dedicated public streets, manholes shall be located so that the required horizontal clearance from water mains can be maintained and no portion of the sewer shall be under curb, gutter or private property. The centerline of manholes shall be closer than six feet from the flow line of any gutter. On any individual street the sanitary sewer shall be located on one side or the other of the street water main with unavoidable crossings of the water main to be made at approximately 90 degrees to the water main.

(g) **Clearances.** Sanitary sewers shall be located to maintain a horizontal clearance of not less than 10 feet from any water main with a minimum vertical clearance of one foot between the outsides of the pipes and with the sewer to be installed below the water main. Where the required vertical clearance cannot be obtained or where the sewer must cross above the water main regardless of the clearance the sewer pipe shall be encased with a distance of 10 feet on each side of the water main. Sanitary sewers shall have a minimum clearance of six inches between the outside walls of the pipe from gas mains, drains and similar utilities other than water.

(h) House connections to the sanitary sewer shall also maintain the clearances from water services and other utilities as specified above.

(i) Manholes. Manholes shall be installed at the end of each line; at all changes in grade, size or alignments; at all intersections; and at distances not greater than 400 feet apart. Lampholes will be accepted as a substitute for manholes. Drop manholes shall be provided for a lateral sewer entering a manhole at an elevation of 24 inches or more above the manhole invert. Where sewers change in size at a manhole the tops of the sewers shall be placed at the same elevation.

A one-tenth foot drop shall be provided through manholes to allow for transition losses, except where conservation of grade is critical.

(j) House connections to any public sanitary sewer shall be made only by the use of a Y-branch or T-branch or approved type of cutting-in saddle. Saddles, if used, shall be of a type that will not project into the sewer or otherwise interfere with the flow in the pipe or the use of sewer cleaning equipment. Connections to the sanitary sewer system shall be made only after the necessary permit to do so has been obtained from the office of the town engineer. House connections within public streets, alleys or easements shall be constructed only of vitrified clay pipe, cast iron pipe or plastic pipe installed in accordance with applicable sections of these regulations.

In all subdivisions house sewer connections shall be extended to the property lines of each lot from the lateral or street sewer prior to the installation of curbs, gutters and street paving.

(k) Roof and Foundation Drain. Under no circumstances shall roof drains, foundation drains or sub-drains be connected to the sanitary sewer system. [Ord. 419 Appx. 2 § 4, 1976. 1996 Code § 7-124.]

13.35.070 Installations.

(a) Generally. Trenches and excavations shall be kept free from water during excavation, fine grading, pipe laying and jointing. Where the trench bottom is mucky or otherwise unstable because of the presence of groundwater and in all cases where the static groundwater level is above the bottom of the trench, the groundwater shall be lowered by means of pumps or well points to the extent necessary to keep the trench free from water and the bottom stable.

The bottom of the trench at pipe grade shall be clean and free from rock, boulders or hard lumps and graded to provide a uniform and continuous bearing and support for the pipe on solid undisturbed soil at every point between bell holes. Bell holes of sufficient size to permit proper making up of joints shall be provided at each joint.

Under no circumstances shall water and sewer service connections be installed in the same trench.

(b) Trench Depths. All trenches for sewers shall be excavated to such depths that the invert grades of the finished sewer will be as specified on the drawings and as staked in the field.

Machine excavation shall be carried lower than four inches above the specified grade elevation. The remainder of the excavation shall be done by hand at the time the pipe sub-grade is prepared and immediately prior to installing the pipe. The bottom of the trench at pipe sub-grade shall be shaped to fit the outside surface of the bottom quadrant of the pipe and to the exact grade required in such manner that the pipe shall have a continuous bearing on undisturbed soil for the full length of the pipe except for such distance as required for bell holes. The sub-grade shall be so shaped and graded that the spigot end of the pipe will be accurately centered in the adjacent pipe socket when laid without the raising or lowering of the pipe after installation in the trench.

Where the sub-grade is found to be sufficiently unstable to prevent proper placing and bedding of the pipe the installer shall excavate the trench not less than four inches below the specified pipe sub-grade and the full width of the trench filled to not less than four inches above pipe sub-grade with a pit-run sand or sand-gravel or other approved noncohesive material in which the pipe shall be bedded as provided above.

(c) Trench Width. The minimum trench width for sewers at the center of the pipe shall be not less than 12 inches greater than the nominal diameter of the pipe or as may be required for the proper making up of joints. In order that trench loadings will not exceed the allowable loading on the pipe for the bedding conditions specified above, the maximum trench-width at a point one foot above the top of the pipe shall not exceed three feet for sewers up to 10 feet in depth.

(d) Excavation for Manholes. Excavation for manholes shall be of such dimensions as to allow for the proper forming of the concrete base, the installation of the pre-cast concrete manhole sections and the grouting-in and making of connections to the manhole barrel. Finished excavation for the base slabs shall not extend below the exact grade of the bottom of the concrete.

(e) Backfill. Trenches shall be backfilled immediately after the pipe installation has been approved for backfilling. All backfill material shall be carefully placed to avoid displacement or damage to the pipe or adjacent structures. Backfill from the bottom of the trench to approximately one foot over the top of the pipe shall be placed by hand unless otherwise approved taking particular care to completely fill under the pipe haunches. This portion of the backfill for the full width of the trench shall be thoroughly compacted by either pneumatic or mechanical compaction equipment. Thorough compaction of this portion of the backfill is particularly important in order that the trench loading on the pipe can be properly distributed.

Backfill from approximately one foot over the top of the pipe to the surface of the ground or pavement subgrade, where applicable, may be placed by either hand or equipment and shall be thoroughly compacted by either the placing of the backfill in 12-inch maximum lifts and compacting each lift with mechanical tamping equipment, or by the partial filling of the trench in maximum lifts of three feet and compacting each lift with a mobile trench compactor. Care shall be taken in the backfilling around manholes to avoid unequal loadings on one side of the structure that would tend to displace the entire structure or open up the joints in one or more of the barrel sections.

(f) Backfill Material. From the bottom of the trench to at least one foot over the top of the pipe, backfill material shall be material as excavated from the trench selected to eliminate rock, stones or similar hard objects that might damage the pipe during subsequent backfill compaction or future earth movement or settlement. The remaining backfill shall be material as excavated from the trench without selection.

(g) Laying. The laying of pipe shall be commenced at the lowest point so that the spigot ends point in the direction of flow. Pipe shall be laid with ends abutting and true to line and grade. They shall be fitted and matched so that when laid in the work they will form a sewer with a smooth and uniform invert.

Trenches shall be kept free from water during jointing. The interior of the pipe and the outside of the spigot shall be kept clean during laying operations. Pipe shall be laid with ends abutting and true to line and grade. They shall be fitted and matched so that when laid in the work they form a sewer with a smooth and uniform invert.

Trenches shall be kept free from water during jointing. The interior of the pipe and the outside of the spigot shall be kept clean during laying operations. Pipe shall be lowered into the trench by such methods as will avoid damage and unnecessary handling in the trench.

Sewers shall be laid continuously through manhole locations, and the manhole built later. Pipe sections within the manholes shall not be broken out until after the manhole has been set and the interior concrete fill has hardened. Where, due to change in alignment, it is not practical to lay the sewer through the manhole by use of straight pipe or fittings, a portion of the manhole invert may be made of concrete formed to match the semicircular section of the sewer pipe.

The grade and alignment of sewers shall be determined and maintained by the use of a line parallel to the grade and line of the sewer. This line is to be supported above the ground surface on batter boards. Not less than three batter boards shall be kept in position at all times as a check on the accuracy of the grade line. Equivalent methods of maintaining grade and alignment may be used if approved by the town engineer.

The factory fabricated joint shall be installed in strict accordance with the manufacturer's instructions therefor. Care shall be taken that the jointing surfaces are wiped clean before jointing, that the spigot end of the pipe is seated evenly against the face of the bell and that the sealing gasket, if used, is properly seated in the gasket groove. Due to the close tolerances of this type of joint, it is essential that the spigot end of the pipe being installed is in exact alignment with the bell of the pipe before pushing the joint together; that spigot and bell ends are free from sand or other material; and that joint lubricant, if recommended for the type of joint furnished, is applied. Cutting of cast iron pipe shall be done with mechanical pipe cutters in such a manner as to avoid damage to the pipe and leave a smooth cut at right angles to the axis of the pipe. The cut end shall be tapered with a grinder or filed about one-eighth inch back at an angle of approximately 30 degrees. In making

up the push-on type of joint, the gasket shall be placed in the bell, the large round side of the gasket first, so it will spring into place over the bell head. The inside surface shall be lubricant furnished with the pipe. The joint shall be pulled together by the use of choker slings or by use of a bar used as a lever against the bell end of the pipe.

Manholes shall be constructed to the details shown on the town's standards manhole drawing. The concrete manhole base shall be formed and placed prior to the setting of the manhole barrel sections unless otherwise approved by the town engineer. In forming the concrete base at manholes having an invert drop, the base shall be formed to the elevation of the pipe being blocked-up to the invert drop elevation specified. After the manhole sections have been installed all joints shall be grouted-in and pointed-up and the interior concrete fill placed and floated to a smooth surface. After the concrete has hardened, the pipe within the manhole shall be broken out flush with the concrete fill and the walls of the manhole and pointed-up to form a smooth continuous invert channel through the manhole.

The full depth of the manhole cover shall be at the elevation of the surface of the street paving unless otherwise directed by the town engineer. [Ord. 419 Appx. 2 §§ 4, 6, 1976. 1996 Code § 7-125.]

13.35.080 Infiltration.

All sanitary sewers shall be constructed such that infiltration of groundwater into any section of the sewer, including house or sewer service connections, or infiltration of sewage from the sewer shall not exceed 250 gallons per inch of diameter per mile of sewer in 24 hours. The completed sewers or any section thereof shall be subject to infiltration or infiltration tests at the discretion of the town engineer. [Ord. 419 Appx. 2 § 7, 1976. 1996 Code § 7-126.]

13.35.090 Plans.

Three complete sets of plans and specifications shall be submitted for approval. In general plans shall consist of a detailed layout of the area to be served by the proposed construction, including any contiguous or adjacent areas which might be affected, together with the relationship of the project with the entire physical drainage area and sufficient details and supplemental drawings as may be necessary for complete review of the proposed construction.

Plans for sanitary sewers must include profiles of each individual sewer line and invert and top of ring elevations of each manhole. Plans shall show the elevation and location of existing facilities to which the proposed construction will connect, together with all utilities the proposed construction will cross or be affected by.

Specifications covering the materials to be used and construction requirement shall accompany the plans.

Plans shall be drawn on standard plan and profile sheets no larger than 24 inches by 36 inches and bound with the details and cover sheet of the same size.

All elevations shown on plans shall be referenced to mean sea level and referenced to a United States geological survey benchmark or town benchmark run from such USGS elevation. Benchmarks used for the preliminary and construction surveys shall be shown on the plans.

In compliance with the state statutes, all designs, plans and specifications shall be prepared by a registered professional engineer licensed to practice in the state, and shall be submitted to the State Department of Environmental Quality, Water Quality Division, for their approval.

Within 30 days after completion of construction one reproducible copy and two sets of prints of "as constructed" drawings shall be submitted for the permanent records of the town. [Ord. 419 Appx. 2 §§ 1, 3, 1976. 1996 Code § 7-127.]

Chapter 13.40

ELECTRICITY

Sections:

- 13.40.010 Conformance with National Electrical Code.
- 13.40.020 Permits required.
- 13.40.030 Electrician required when.
- 13.40.040 Access for inspections and meter reading.
- 13.40.050 Town powers.
- 13.40.060 Town and consumer responsibilities.
- 13.40.070 Reconnection to town system.
- 13.40.080 Tree limbs – Property owner responsibility.
- 13.40.090 Disconnecting service line for tree trimming.
- 13.40.100 Damage from tree limbs – Property owner responsibility.
- 13.40.110 Tree trimming by town.
- 13.40.120 Violation – Penalty.
- 13.40.130 Town electrical inspector.
- 13.40.140 Electrical services provided by town.

* Prior legislation: Ords. 490 and 614, and 1996 Code §§ 16-14, 16-15 and 16-17 – 16-20.5.

For state law as to authority of town to provide and regulate electrical power, see WS, 1977, 15-1-103, 15-7-101 and 15-7-201 to 15-7-212.

13.40.010 Conformance with National Electrical Code.

All electrical construction and installation, all electrical material and appliances, and all arrangement of electrical apparatus on the load side of the service shall be in conformity with the specifications, rules and regulations of the National Electrical Code, current edition, Batterymarch Park, Quincy, MA, and that said code is hereby adopted by reference as if set forth fully herein. [Ord. 714 § 1, 2006.]

13.40.020 Permits required.

(a) No person shall make any connection to the town electrical system on the line side of the service. No person shall construct or install any electrical wiring in any building or structure or conduct any electrical work in any addition to any building or structure without first obtaining a permit to do so, except existing maintenance.

(b) No permits shall be issued until the town of Wheatland and electrical inspector have reviewed and approved the electrical plan, and the person applying for the permit has paid all permit costs. The costs for electrical permits and inspection shall be determined from building permit fees as set forth in Ordinance No. 712(b)(2) total valuation, as amended.

(c) All inspections of electrical systems and work performed shall be scheduled 72 hours in advance with the electrical inspector.

(d) In the event the electrical inspector for the town of Wheatland cannot properly inspect the electrical work, then the electrical inspector, at his sole discretion, has the authority to deny hookup to the town of Wheatland's electrical system. [Ord. 714 § 2, 2006.]

13.40.030 Electrician required when.

No person, except an electrician licensed by the state of Wyoming and the town of Wheatland, shall, on the load side of the service, construct, repair, install or interfere with, in any manner, any electrical wiring or apparatus in the town except on residential property owned by a person when the person, his partner, or major stock-

holder of a family corporation is installing the equipment and the property will not be sold for one year. [Ord. 714 § 3, 2006.]

13.40.040 Access for inspections and meter reading.

(a) An agent of the town shall have reasonable access to all buildings and other structures at reasonable times for the purpose of inspection of all electrical wiring, connections and installations. No person shall deny any authorized agent of the town access for any reasonable inspection.

(b) No person shall deny any authorized agent of the town access to all property, buildings and other structures for the purpose of reading electrical meters or any other utility meter of the town during normal business hours, normal business hours being 8:00 a.m. to 5:00 p.m. Monday through Friday of each week. [Ord. 714 § 4, 2006.]

13.40.050 Town powers.

The town shall have the power and supervision over the placing, erecting and wiring of all electrical poles and wires in the town. No pole or wire shall be placed so as to create any unsafe or hazardous condition. [Ord. 714 § 5, 2006.]

13.40.060 Town and consumer responsibilities.

(a) The town of Wheatland shall furnish the meter and socket for overhead service, both single phase and three phase self-contained metering, however this specifically does not include CT metering. The consumer shall provide, install and pay for a service loop, weather head, and the point of attachment, whether the point of attachment is the house knob or a two-inch rigid mast above the roof of the structure.

It shall be the town's responsibility to run the necessary wire from the alley pole to the point of attachment on the building, and make the connections at the weather head. In addition, it shall be the town's responsibility to maintain said wire.

(b) In the event there is any obstruction installed or any obstruction has grown in front of or around any meter or pad mount transformers, the same will be removed or moved so that the town of Wheatland can replace or service said equipment, and read meters.

In the event the consumer fails to move or remove said obstructions within 24 hours after being requested to do so by the town, the town of Wheatland shall have the ability to move or remove said obstructions and bill the consumer for cost of removal.

(c) The town shall make all connections from the transformer to top of the meter for underground services. In the event of current transformer metering, the town will make all connections to meter.

(d) A demand meter will be installed on all three phase loads over 200 amps. The town shall make all connections for the metering and to the load side of the transformer, whether it be underground or overhead service.

The consumer will be responsible for the cost and installation of service wires from the load side of the transformer to the structure disconnect on the outside of all structures.

(e) In the event a subdivision within the town does not have an alley, but only a utility easement, the metering for any property shall be placed in the easement, and the consumer will be responsible for the installation and materials from the town's meter to the structure or mobile home disconnect.

(f) In the event of a meter pole installation, the town shall make all connections at the top of the pole to the weather head service only; provided, however, if the consumer or contractor requests the town to assist with the meter pole installation hookup, said consumer or contractor shall be charged for material and labor.

(g) In the event the town is required to re-install a service to a vacant lot that has had prior electrical service, the consumer shall be responsible for all time and material incurred by the town to replace the service.

After the effective date of the ordinance codified in this chapter, it will be the responsibility of the consumer to pay all costs associated with any existing service loops on the structure that are pulled down or disconnected.

In the event the point of attachment on a consumer structure is pulled loose, it will be the sole responsibility of the consumer to reinstall or attach said equipment; provided, however, if the town has to replace a house knob, the consumer shall pay for all costs and make provisions for the installation of said house knob.

All new three-phase services shall be 120/208 three-phase of 277/480 three-phase service.

(h) All multiple-family dwellings shall have all meters located in a central area and each meter shall be equipped with a separate disconnect. [Ord. 714 § 6, 2006.]

13.40.070 Reconnection to town system.

Any person desiring to reconnect to the town electrical system after being disconnected for nonpayment shall pay \$50.00 for each meter reconnected. [Ord. 714 § 7, 2006.]

13.40.080 Tree limbs – Property owner responsibility.

The property owner/occupant shall trim and be responsible to trim all tree limbs and other vegetation which may cause damage to service lines from the property owner's building to the utility pole. In the event there is a broken limb on the service line from the property owner's building to the utility pole, the town will remove said limb, but will not trim any trees on said property. [Ord. 714 § 9, 2006.]

13.40.090 Disconnecting service line for tree trimming.

In the event the property owner/occupant desires to trim the trees and other vegetation, the town of Wheatland will, upon request, and during working hours only, disconnect the service line and move it away from the trees and other vegetation which need to be trimmed, and will reconnect the service line once the trimming is completed at no charge to the property owner/occupant. [Ord. 714 § 10, 2006.]

13.40.100 Damage from tree limbs – Property owner responsibility.

In the event the service line from the utility pole to the property owner's building is damaged by limbs or trees, then the property owner shall pay for all costs (time and materials) associated with said repair. [Ord. 714 § 11, 2006.]

13.40.110 Tree trimming by town.

(a) The town of Wheatland shall have the authority and right to trim or otherwise remove trees, tree limbs or other vegetation that may cause damage to the town of Wheatland's electrical transmission system. Notice will be given on quarterly utility billing statements reminding citizens of tree trimming exercises. Residents shall contact the town of Wheatland if they are hiring an arborist to do the work. In the event of an emergency and the trimming of a tree, tree limb or vegetation shall be done to control the event, no notice will be given.

(b) For residents having arborists trim their trees, notice will be given when trees do not conform to electrical safety standards and the resident shall have 30 days in which to remedy and conform to safety standards or town of Wheatland personnel will trim the tree.

(1) Arborists must be licensed with the town of Wheatland and must carry proper credentials in which to trim around high voltage transmission lines. [Ord. 793, 2016; Ord. 714 § 12, 2006.]

13.40.120 Violation – Penalty.

In the event any person or entity violates the provisions of this chapter, said violation will be considered a misdemeanor punishable by a fine of up to \$750.00, plus court costs. [Ord. 714 § 13, 2006.]

13.40.130 Town electrical inspector.

The town of Wheatland electrical inspector shall be a master electrician licensed by the state of Wyoming, and shall be appointed by the mayor, with the approval of the governing body of the town of Wheatland. [Ord. 714 § 14, 2006.]

13.40.140 Electrical services provided by town.

(a) The town of Wheatland provides the following electrical services:

- (1) Residential;
- (2) Residential (all electric);
- (3) Commercial;
- (4) Large commercial;
- (5) Security/yard light.

(b) The above services are defined as follows:

“Commercial” means electrical services for nonresidential property and master metered property in which the property is used for providing a business or service. This shall include an electrical service provided to a residential property that provides business or services.

(1) “Master metered” means a method of metering the use of electricity of multiple customers metered cumulatively on one meter.

Example: an apartment building on master metering would receive one bill for all apartments measured through one meter.

“Large commercial” means an electrical service for nonresidential or master metered properties which require greater than 200 amperes of service and the property provides business or services.

“Residential” means electrical services for all properties that are used exclusively for living purposes and their outbuildings, with exception to outbuildings or homes being used for business purposes which are master metered, have a special use permit, or licensed by any government entity.

“Residential (all electric heat)” means electrical services provided for a property, defined above, in which the primary source of heat for the residence is electricity.

“Security/yard lights” means security lights mounted on a pole supplied and maintained by the town of Wheatland as a dawn to dusk service. [Ord. 792 §§ 1, 2, 2015.]

Chapter 13.45

FEES

Sections:

- 13.45.010 Establishment – Billing procedures.
- 13.45.020 Power acquisition cost defined.
- 13.45.030 Due date for monthly utility charges – Delinquent accounts – Reconnection fees.
- 13.45.040 Inspection fees for electrical, plumbing and gas pipe installations.
- 13.45.050 Connection fees for electrical system and sewer system – Enumeration.
- 13.45.060 Connection fees for electrical system and sewer system – When payable generally.
- 13.45.070 Connection fees for electrical system and sewer system – When payable for lots, tracts or other parcels in subdivisions – Exception.
- 13.45.080 Connection fees for electrical system and sewer system – Sewer connections.
- 13.45.090 Connection fees for electrical system and sewer system – Issuance of building permit.

13.45.010 Establishment – Billing procedures.

Charges for utility services provided by the town shall be as set, from time to time, by the town council. A copy of each ordinance establishing such charges shall be maintained on file in the office of the clerk of the town where it shall be available for inspection by the public during the normal office hours.

Billing and collection procedures shall be as established by the town council. [1996 Code § 16-6.]

Editor's note: Ordinance Nos. 624 (Water Rates), 620 (Electrical Rates), 605 and 625 (Sewer Rates), respectively, which set forth water, electric, and sewerage rates are saved from repeal. These ordinances are on file in the office of the town clerk and are available for public inspection during regular office hours.

13.45.020 Power acquisition cost defined.

(a) Whenever the power acquisition cost to the town is more than 27.5 mills per kilowatt-hour, there shall be corresponding increase per kilowatt-hour for all kilowatt-hours included in billing to the consumer equal to 1.0 mills per kilowatt-hour for each whole mill increase above 27.5 mills in the average cost to the town. Such adjustment, if any, shall be based on the costs in the month preceding the billing month.

(b) The power acquisition cost shall be defined to include all demand and energy charges billed to the town by its wholesale power suppliers, all dues, fees and charges which the town pays related to power acquisition and any debt service incurred in order to ensure future power supplies. [Ord. 556, 1983. 1996 Code § 16-6.1.]

13.45.030 Due date for monthly utility charges – Delinquent accounts – Reconnection fees.

All charges for water, sanitation, sewer and electrical services and all related charges shall be due and payable at the office of the town clerk on the tenth day of each month following use. Any account not paid by the eleventh day of each month shall be deemed delinquent and the town shall have the right to terminate all services until such time as all delinquent accounts are paid in full. In the event of termination of any services the user shall pay a reconnection fee of \$10.00 for all utilities except electrical service, which is set by WMC 13.40.070, to the town before any services are resumed. [Ord. 458, 1977. 1996 Code § 16-7.]

13.45.040 Inspection fees for electrical, plumbing and gas pipe installations.

An electrical inspection fee, plumbing inspection fee, and gas pipe inspection fee of \$10.00 for each domestic residence and \$20.00 for every other type of construction shall be paid to the town at the time a building permit is secured for any construction, remodeling or other activity for which any electrical, plumbing or gas pipe inspection is required. [Ord. 456, 1977. 1996 Code § 16-8.]

13.45.050 Connection fees for electrical system and sewer system – Enumeration.

(a) The following fees shall be paid for each connection of the electrical service system of the town when the connection is for single phase service:

(1) Five hundred dollars, or the cost of material, equipment and labor, whichever is greater, for each residential service other than a mobile home.

(2) Five hundred dollars, or the cost of material, equipment and labor, whichever is greater, for the first unit in multiple dwelling units, and the cost of material, equipment, and labor for an additional unit.

(3) Five hundred dollars, or the cost of material, equipment and labor, whichever is greater, for each residential mobile home when the same is not located in a mobile home park.

(4) Five hundred dollars, or the cost of material, equipment and labor, whichever is greater, for each residential mobile home located in a mobile home park.

(5) Five hundred dollars, or the cost of material, equipment and labor, whichever is greater, for any commercial establishment except motels.

(6) Five hundred dollars, or the cost of material, equipment and labor, whichever is greater, for the first unit of a motel, and the cost of material, equipment and labor for each additional unit.

(7) Five hundred dollars, or the cost of material, equipment and labor, whichever is greater, for any electrical connection for any other type of usage not otherwise specified herein.

(b) The following fees shall be paid for each connection of the electrical service system of the town when the connection is for three-phase service:

(1) Five hundred dollars, plus an amount equal to the difference in total cost of construction between single-phase electrical service for each connection to the electrical service system of the town for three-phase electrical service.

(c) The following fees shall be paid for each connection to the sewer system of the town:

(1) Three hundred dollars, or the cost of material, equipment and labor, whichever is greater, for each residential service other than a mobile home.

(2) Three hundred dollars, or the cost of material, equipment and labor, whichever is greater, for the first unit in multiple dwelling units, and the cost of material, equipment and labor, whichever is greater, for an additional unit.

(3) Three hundred dollars, or the cost of material, equipment and labor, whichever is greater, for each residential mobile home when the same is not located in a mobile home park.

(4) Three hundred dollars, or the cost of material, equipment and labor, whichever is greater, for each residential mobile home located in a mobile home park.

(5) Three hundred dollars, or the cost of material, equipment and labor, whichever is greater, for any commercial establishment except motels.

(6) Three hundred dollars, or the cost of material, equipment and labor, whichever is greater, for the first unit of a motel, and the cost of material, equipment and labor for each additional unit.

(7) Three hundred dollars, or the cost of material, equipment and labor, whichever is greater, for any sewer connection for any other type of usage not otherwise specified herein. [Ord. 604, 1991. 1996 Code § 16-9.]

13.45.060 Connection fees for electrical system and sewer system – When payable generally.

All fees shall be paid prior to the time any connection is made to the service systems and in the event of new construction where the facilities are not present all fees shall be paid prior to the commencement of any construction of the facilities which will be required to provide the services. [Ord. 436 § 2, 1976. 1996 Code § 16-10.]

13.45.070 Connection fees for electrical system and sewer system – When payable for lots, tracts or other parcels in subdivisions – Exception.

All connection fees for electrical services to be provided for all lots, tracts or other parcels in subdivisions, as the same are defined by the development code, shall be paid prior to the commencement of any construction of the facilities which will be required to provide the service.

In lieu of payment of all electrical service connection fees in advance of any construction a subdivider may provide collateral acceptable to the town council guaranteeing payment of the electrical service connection fees for all lots, tracts or other parcels in the entire subdivision.

The town council shall have the option of demanding payment in full in advance of construction or of accepting a guarantee in lieu thereof. [Ord. 436 § 3, 1976. 1996 Code § 16-11.]

13.45.080 Connection fees for electrical system and sewer system – Sewer connections.

Connections to the sewer service system shall include connections to the primary sewer service system of the town and connections to all feeder lines connected thereto, regardless of ownership of the lines. [Ord. 436 § 4, 1976. 1996 Code § 16-12.]

13.45.090 Connection fees for electrical system and sewer system – Issuance of building permit.

No building permit shall be issued by the building inspector until all fees assessed pursuant to WMC 13.45.050 are fully paid or a guarantee for such payment is approved and accepted by the town council. [Ord. 436 § 5, 1976. 1996 Code § 16-13.]

For state law as to authority of town to provide and regulate electrical power, see WS, 1977, 15-1-103, 15-7-101 and 15-7-201 to 15-7-212.

Chapter 13.50**ANTENNAS**

Sections:

- 13.50.010 Installation, etc., of outside antennas and towers – Special use permit required.
13.50.020 Installation, etc., of outside antennas and towers – Application for permit.
13.50.030 Installation, etc., of outside antennas and towers – Inspections, removal or repair.

13.50.010 Installation, etc., of outside antennas and towers – Special use permit required.

No person shall install or make any additions to any outside antenna, telecommunication or power generation towers used for receiving any communication signal and generating power placed upon any building or other location without first obtaining a special use permit from the town's planning and zoning board. Before any installation or construction is started a permit application shall be filed and be accompanied by a fee of \$100.00.

(a) The only areas which will be considered for a special use permit are those areas zoned heavy industrial, light industrial and conservancy district. It is specifically prohibited to permit or install any tower, including but not limited to wind generating towers and antennas, in any other district or area within the town of Wheatland.

(b) Setback requirements will be as follows:

In all districts: 150 feet (45.7 meters) from property lines or structures located in approved areas or 110 percent of tower height, plus antenna height or plus length to tip of the blade, whichever is greater.

(c) All tower foundations must be designed by a Wyoming licensed professional engineer for towers or antennas over 50 feet in height.

(d) No variances and/or waivers will be allowed for property line setbacks.

(e) Maximum tower height shall be 100 feet, unless otherwise approved by planning and zoning board.

(f) Exemptions. Satellite TV dishes for private residential viewing mounted on the dwelling, and private short wave radio antennas under 70 feet above ground, are hereby specifically exempted from this chapter. [Ord. 759, 2011. 1996 Code § 16-21.]

13.50.020 Installation, etc., of outside antennas and towers – Application for permit.

Any person desiring to install or make any addition to any outside antenna, telecommunication or power generating tower shall make application to the town building inspector. Each application shall contain such information as the town may require. [Ord. 759, 2011. 1996 Code § 16-22.]

13.50.030 Installation, etc., of outside antennas and towers – Inspections, removal or repair.

All towers shall be installed and anchored so as not to create any safety hazard to any person or property. The electrical inspector shall have the authority to periodically inspect all antennas for safety. Any antenna found to be unsafe shall be immediately removed or repaired. [Ord. 759, 2011. 1996 Code § 16-23.]

Title 14
(Reserved)

Title 15

BUILDINGS AND CONSTRUCTION

Chapters:

15.05 Building Codes Adopted

15.10 Flood Hazard Areas

Chapter 15.05**BUILDING CODES ADOPTED**

Sections:

- 15.05.010 International codes, Wyoming Outdoor Advertising Act, etc. – Adoption, amendments, additions and deletions.
- 15.05.020 International codes, Wyoming Outdoor Advertising Act, etc. – Filing and availability of codes and amendments.
- 15.05.030 Additional smoke detectors required.

For state law as to authority of town to regulate building construction, see WS, 1977, 15-1-103. For state law as to authority of town to adopt national building, etc., codes by reference, see WS, 1977, 15-1-119. For state law as to effect of additions or amendments by promulgating bodies, see WS, 1977, 15-1-119. For state law requiring filing of copy with clerk, see WS, 1977, 15-1-119.

15.05.010 International codes, Wyoming Outdoor Advertising Act, etc. – Adoption, amendments, additions and deletions.

(a) The following international codes, supplements and amendments thereto, are hereby adopted by reference as provided by WS 15-1-119 (Lexis/Nexis 2006), except those portions of such codes as amended, modified, added or deleted below and the provisions thereof shall be controlling within the town.

(b) The following International Building Code and International Residential Code, 2015 Edition, as adopted by the International Conference of Building Officials, International Association of Plumbing and Mechanical Officials, are hereby adopted by reference as if the same were fully set forth herein; provisions of the International Electric Code, and the International Energy Conservation Code, the International Fire Code, and the International Mechanical Code, are specifically not adopted herein. Provisions of the International Residential Code referencing the dwelling unit fire sprinkler system and appendices are specifically not adopted herein.

- (1) 2015 International Mechanical Code;
- (2) 2015 International Building Code;
- (3) 2015 International Plumbing Code;
- (4) 2015 International Fire Code;
- (5) 2015 International Residential Code;
- (6) 2015 International Existing Building Code;
- (7) 2015 NFPA-58 LP-Gas Code;
- (8) 2015 NFPA-54 Fuel Gas Code;
- (9) 2015 NFPA-101 Life Safety Code.

(c) All permit fees are those fees set forth in Wheatland building permit fees dated July 11, 2015.

(d) The town does hereby establish and create a fire district as required by the codes adopted herein. The fire district boundaries are shown on a map, a copy which is available to the public at the Wheatland Town Hall. The fire district map shall be marked as “Fire District Map, Ordinance No. 712.”

(e) Wyoming Outdoor Advertising Act, specifically excluding WS, 1977, 24-10-106(j)(i) and (ii), 24-10-107(c) and (3), 24-10-110; amending § 24-10-103(a)(iv) to read as follows:

“Commission” means the Planning and Zoning Commission for the Town of Wheatland; and amending § 24-10-107(a) and 24-10-109(b) to replace the word “commission” with “Town of Wheatland Building Inspector”.

(f) Wyoming State Highway Department rules and regulations entitled Outdoor Advertising, Chapter XVI, adopted in accordance with WS, 1977, 24-10-105, as amended, dated December 27, 1985; amending Section 2(c) to read as follows:

“Commission” means the Planning and Zoning Commission for the Town of Wheatland”;

(g) Subsections (d) and (e) of this section shall apply to the area within the town of Wheatland town limits, which is within 500 feet of Interstate 25. [Ord. 784, 2015; Ord. 779, 2014; Ord. 768, 2012; Ord. 757, 2011; Ord. 608, 1992. 1996 Code § 7-107.]

15.05.020 International codes, Wyoming Outdoor Advertising Act, etc. – Filing and availability of codes and amendments.

At least one copy of each code adopted by WMC 15.05.010 and any ordinance providing for amendments, modifications, additions or deletions in such codes adopted by the town council shall be maintained on file in the office of the town clerk where they shall be available for public inspection during the normal office hours of the town clerk. One copy of each ordinance amending or modifying such code shall be kept with each copy of such code and made available for public inspection at the same time as and in the same manner as such code. [Ord. 635 § 3, 1995; Ord. 462 § 2, 1977. 1996 Code § 7-108.]

15.05.030 Additional smoke detectors required.

(a) In addition to the smoke detectors required by the Uniform Building Code as adopted by the town of Wheatland, an additional smoke detector shall be placed in each furnace room, or if the furnace is not located in a separate room, then the smoke detector will be adjacent to the furnace location.

(b) The smoke detector shall be operated by electricity, with a battery backup.

(c) This additional smoke detector shall be required for all new construction, and shall apply to any and all remodeling that exceeds \$1,000. [Ord. 674 §§ 1 – 3, 1999.]

Chapter 15.10**FLOOD HAZARD AREAS**

Sections:

- 15.10.010 Definitions.
- 15.10.020 General provisions – Lands to which this chapter applies.
- 15.10.030 General provisions – Basis for establishing the areas of special flood hazard.
- 15.10.040 General provisions – Compliance.
- 15.10.050 General provisions – Abrogation and greater restrictions.
- 15.10.060 General provisions – Interpretation.
- 15.10.070 General provisions – Warning and disclaimer of liability.
- 15.10.080 Administration – Establishment of development permit.
- 15.10.090 Administration – Designation of the building inspector.
- 15.10.100 Administration – Duties and responsibilities of the building inspector.
- 15.10.110 Administration – Variance procedure.
- 15.10.120 Provisions for flood hazard reduction – General standards.
- 15.10.130 Provisions for flood hazard reduction – Specific standards.
- 15.10.140 Provisions for flood hazard reduction – Specific standards – Floodways.

15.10.010 Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

“Appeal” means a request for a review of the building inspector’s interpretation of any provisions of this chapter or a request for a variance.

“Area of special flood hazard” means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

“Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year.

“Development” means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of the special flood hazard.

“Existing manufactured home park or subdivision” means a manufactured home park for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) are completed before the effective date of the ordinance codified in this section.

“Expansion to an existing manufactured home park or subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

“Flood” or “flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Insurance Rate Map (FIRM)” means the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“Flood Insurance Study” means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Boundary-Floodway Map and the water surface elevation of the base flood.

“Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

“Lowest floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building’s lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this chapter.

“Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

“New manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

“New construction” means structures for which the “start of construction” commenced on or after the effective date of the ordinance codified in this section.

“Recreational vehicle” means a vehicle which is:

- (1) Built on a single chassis;
- (2) Four hundred square feet or less when measured at the largest horizontal projections;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

“Start of construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The “actual start” means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

“Structure” means a walled and roofed building or manufactured home that is principally above ground.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

“Substantial improvement” means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violation of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a “historic structure”; provided, that the structure’s continued designation as a “historic structure.”

“Variance” means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter. [Ord. 592, 1989. 1996 Code § 8A-1.]

15.10.020 General provisions – Lands to which this chapter applies.

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the town of Wheatland. [1996 Code § 8A-2.]

15.10.030 General provisions – Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, “The Flood Insurance Study for the town of Wheatland,” dated October 1978, with an accompanying Flood Insurance Rate Map (FIRM), are hereby adopted by reference and declared to be a part of this chapter. The Flood Insurance Study and FIRM are on file at the office of the building inspector located in the City Hall, Wheatland, Wyoming. [1996 Code § 8A-3.]

15.10.040 General provisions – Compliance.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations. [1996 Code § 8A-4.]

15.10.050 General provisions – Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another chapter, ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. [1996 Code § 8A-5.]

15.10.060 General provisions – Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

- (a) Considered as minimum requirements;
- (b) Liberally construed in favor of the governing body; and
- (c) Deemed neither to limit nor repeal any other powers granted under state statutes. [1996 Code § 8A-6.]

15.10.070 General provisions – Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the town of Wheatland, any officer or employee thereof, or the Federal Emergency Management Agency for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder. [1996 Code § 8A-7.]

15.10.080 Administration – Establishment of development permit.

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in WMC 15.10.030. Application for a development permit shall be made on forms furnished by the building inspector and may include, but not be limited to:

Plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- (a) Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;
- (b) Elevation in relation to mean sea level to which any structure has been floodproofed;
- (c) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in WMC 15.10.130(b); and
- (d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development. [1996 Code § 8A-8.]

15.10.090 Administration – Designation of the building inspector.

The building inspector is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions. [1996 Code § 8A-9.]

15.10.100 Administration – Duties and responsibilities of the building inspector.

(a) Duties of the building inspector shall include, but not be limited to:

(1) Review all development permits to determine that the permit requirements of this chapter have been satisfied.

(2) Review all development permits to determine that all necessary permits have been obtained from federal, state or local governmental agencies from which prior approval is required.

(3) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of WMC 15.10.140(a) are met.

(b) Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with WMC 15.10.030, the building inspector shall obtain, review and reasonably utilize any base flood elevation and floodway data available from any federal, state or other source as criteria for requiring that new construction, substantial improvements or other development in Zone A are administered in accordance with WMC 15.10.130.

(c) Information to Be Obtained and Maintained.

(1) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

(2) For all new or substantially improved floodproofed structures:

a. Verify and record the actual elevation (in relation to mean sea level) to which the structure has been floodproofed.

b. Maintain the floodproofing certifications required in WMC 15.10.080(c).

c. Maintain for public inspection all records pertaining to the provisions of this chapter.

(d) Alteration of Watercourses.

(1) Notify adjacent communities and the appropriate state and federal agencies prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.

(e) Interpretation of FIRM Boundaries. Make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in WMC 15.10.110. [1996 Code § 8A-10.]

15.10.110 Administration – Variance procedure.

(a) Appeal Board.

(1) The board of adjustment, as established by the town of Wheatland, shall hear and decide appeals and request for variances from the requirements of this chapter.

(2) The board of adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the building inspector in the enforcement or administration of this chapter.

(3) Those aggrieved by the decision of the board of adjustment or any taxpayer may appeal such decisions to the District Court, Eighth Judicial, Platte County, Wyoming, as provided by state law.

(4) In passing upon such applications, the board of adjustment shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and:

a. The danger that materials may be swept onto other lands to the injury of others;

- b. The danger to life and property due to flooding or erosion damages;
- c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;
- d. The importance of the services provided by the proposed facility to the community;
- e. The necessity to the facility of a waterfront location, where applicable;
- f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- g. The compatibility of the proposed use with the existing and anticipated development;
- h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- j. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
- k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets and bridges.

(5) Upon consideration of the factors of subsection (a)(4) of this section and the purposes of this chapter, the board of adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

(6) The building inspector shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Emergency Management Agency.

(b) Conditions for Variances.

(1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base level, providing subsections (a)(4)(a) through (k) of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justifications required for issuing the variance increases.

(2) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section.

(3) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(5) Variances shall only be issued upon:

- a. A showing of good and sufficient cause;
- b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in subsection (a)(4) of this section or conflict with existing local laws or chapters.

(6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk from the reduced lowest floor elevation. [1996 Code § 8A-11.]

15.10.120 Provisions for flood hazard reduction – General standards.

In all areas of special flood hazards, the following standards are required:

(a) Anchoring.

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure and capable of resisting the hydrostatic and hydrodynamic loads.

(2) All manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement and capable of resisting the hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is an addition to applicable state and local anchoring requirements for resisting wind forces. Specific requirements may be:

a. Over-the-top ties be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations, with manufactured homes less than 50 feet long requiring one additional tie per side;

b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with manufactured homes less than 50 feet long requiring four additional ties per side;

c. All components of the anchoring system be capable of carrying a force of 4,800 pounds; and

d. Any additions to the manufactured home be similarly anchored.

(b) Construction Materials and Methods.

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

(3) All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(c) Utilities.

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and

(3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(d) Subdivision Proposals.

(1) All subdivision proposals shall be consistent with the need to minimize flood damage;

(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

(4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or four acres (whichever is less). [1996 Code § 8A-12.]

15.10.130 Provisions for flood hazard reduction – Specific standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in WMC 15.10.030, Basis for establishing the areas of special flood hazard, or WMC 15.10.100(b), Use of Other Base Flood Data, the following provisions are required:

(a) Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to or above the base flood elevation.

(b) Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

(1) Be floodproofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;

(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

(3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this subsection. Such certifications shall be provided to the official as set forth in WMC 15.10.100(c)(2).

(c) Manufactured homes to be placed on a single lot or in a new or expansion to an existing manufactured home park or subdivision or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of a flood:

(1) It is required that manufactured homes that are placed or substantially improved within Zones A1-30, AH and AE on the community's FIRM on sites:

a. Outside of a manufactured home park or subdivision,
b. In a new manufactured home park or subdivision,
c. In an expansion to an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

(d) Manufactured homes to be placed in an existing manufactured home park or subdivision in which a manufactured home has not incurred substantial damage as a result of a flood:

(1) It is required that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, and AE on the community's FIRM that are not subject to the provision of subsection (c) of this section be elevated so that either:

a. The lowest floor of the manufactured home is at or above the base flood elevation, or
b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. [1996 Code § 8A-13.]

15.10.140 Provisions for flood hazard reduction – Specific standards – Floodways.

Located within areas of special flood hazard established in WMC 15.10.030 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions apply:

(a) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(b) If subsection (a) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section, provisions for flood hazard reduction. [1996 Code § 8A-14.]

Editor's Note: Ordinance No. 600, passed on third and final reading August 13, 1990, which made minor amendments to Ordinance No. 592, passed on third and final reading on May 22, 1989. Ordinance No. 592 repealed Ordinance No. 495, which was set forth in Chapter 8(a) of the Wheatland Town Code supplemented in 8/84.

Title 16
(Reserved)

Title 17

SUBDIVISIONS

Chapters:

- 17.05 General Provisions**
- 17.10 Standards**
- 17.15 Street Names and Numbering**
- 17.20 Design**
- 17.25 Improvements**
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Chapter 17.05**GENERAL PROVISIONS**

Sections:

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- 17.05.020 Acceptance by town of utilities, streets, etc.
- 17.05.030 Development by phases.
- 17.05.040 Lot splits smaller than land use requirements.
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- 17.05.110 Final plat – Form and content.
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- 17.05.140 Improvement guarantees.
- 17.05.150 Abbreviated method of platting land within part of an approved and platted subdivision.

17.05.010 Applicability.

The regulations of this title shall be in effect whenever two or more parcels are created by a person for the purpose of sale or building development. Unless the method of sale or lease is adopted for the purpose of evading this title, this title shall not apply to:

(a) The subdivisions of land for cemetery lots.

(b) Simple realignment of property lines which do not create additional lots; however, realignments of property lines which do not create additional lots are subject to submittal of plans to the town of Wheatland planning office for review and approval to ensure that the minimum standards and intent of the town development code are met. [Ord. 717, 2005. 1996 Code § 7-86.]

17.05.020 Acceptance by town of utilities, streets, etc.

Approval of a subdivision by the planning commission and the town council shall not constitute an acceptance by the town of the roads, streets, alleys, utilities or public lands for maintenance as indicated for dedication on the plat. The dedication of any of these lands for public use of any nature within the town shall be accepted by the council only by specific action of the council. [Ord. 419 Ch. 5 § 2, 1976. 1996 Code § 7-87.]

17.05.030 Development by phases.

A developer may develop subdivisions in phases, provided the phasing sequence allows for proper extension of roads and utilities. [Ord. 441 § 11, 1977. 1996 Code § 7-88.]

17.05.040 Lot splits smaller than land use requirements.

Lot splits which create lots smaller than allowed by the residential land use district regulations may be allowed only by permit from the planning commission. [Ord. 419 Ch. 5 § 1, 1976. 1996 Code § 7-89.]

17.05.050 Preliminary plan – Required.

The subdivider shall submit a preliminary plan, and its supplemental information detailed herein, for public review and hearing by both the planning commission and council. [Ord. 419 Ch. 5 § 4, 1976. 1996 Code § 7-90.]

17.05.060 Preliminary plan – Amendment.

If the subdivider wishes to amend the preliminary plan prior to recording a final plat, re-submittal of the preliminary plan in its entirety is necessary. [Ord. 419 Ch. 5 § 4, 1976. 1996 Code § 7-91.]

17.05.070 Preliminary plan – Period of validity.

The preliminary plan shall be valid for a period of one year after council approval, unless, upon application by the subdivider, the planning commission grants an extension of time beyond such a period. If a final plat has not been approved and recorded as required by the provisions of these regulations within such 12-month period, or any extension granted thereof, the preliminary plat must be resubmitted to the planning commission and council as if such plat had never been approved. [Ord. 419 Ch. 5 § 4, 1976. 1996 Code § 7-92.]

17.05.080 Preliminary plan – Referral and review.

Within five working days of the submittal of each plan, the planning office shall distribute copies of the prints of the plan together with accompanying data to the following persons or agencies for their review and recommendations:

- (a) The county park and recreation board.
- (b) School district No. 1.
- (c) Town clerk.
- (d) Platte County soil conservation district.
- (e) Town utilities department.
- (f) Town building inspector.
- (g) Town engineer.
- (h) Mountain Bell.
- (i) Kansas-Nebraska Gas Company.
- (j) Any other agencies deemed necessary by the planning office, such as REA, State Highway Department, irrigation districts, etc.

Such persons or agencies may submit their comments and recommendations to the planning office at least five days prior to the hearing date. If no comments have been received by that time or made at the hearing, the plan shall be deemed approved by that agency. [Ord. 419 Ch. 5 § 4, 1976. 1996 Code § 7-93.]

17.05.090 Preliminary plan – Contents and supplemental information.

- (a) The following information shall be included, as a minimum, on the preliminary plan:
 - (1) Scale (a scale adequate to illustrate the required information).
 - (2) Name of subdivision, which shall be different from that of any existing subdivision previously recorded in the county.
 - (3) General legal description including approximate acreage and an approximate survey tie to an accepted survey monument.
 - (4) Name and address of the person, firm or organization preparing the preliminary plan.
 - (5) Name and address of the subdivider.
 - (6) The names of adjacent subdivisions and property owners and the respective existing zoning.
 - (7) A vicinity map to locate the tract.
 - (8) Boundary lines of the proposed subdivision showing approximate length of lines.
 - (9) The location, width, and names of streets and other public ways, easements, irrigation ditches, railroad and utility rights-of-way, section lines and any municipal, county and/or district boundaries, such as sewer, water, school, fire, etc.
 - (10) Approximate length of street centerlines and radii of curves. Angles of street intersections will be as close to 90 degrees as possible.
 - (11) The approximate location of major watercourses, existing water bodies and other natural and historical features. The contour intervals within the tract of ground shall be two-foot intervals. All contours shall be extended onto adjacent properties a sufficient distance to establish proper topographical relationships.

(12) The approximate location of all existing structures that will remain on the property after the final plat is recorded.

(13) The approximate location of land intended to be conveyed or reserved for public use or reserved in deeds for the use of all property owners, or the public at large, in the proposed subdivision and the proposed methods of dedication and maintenance of such lands.

(14) The approximate widths, locations and uses of all existing or proposed easements for drainage, sewerage, public utilities, bridges and culverts, and intersections.

(15) The approximate lot layout, approximate dimensions of each lot, and approximate acreages of the lots.

(16) Notes on the plan sheet stating the disposition and maintenance responsibility of common areas and parks.

(b) Supplemental information to submit with the preliminary plan will include a drainage report, prepared by a registered professional engineer licensed in the state. This report shall show flow direction and quantity based on the engineer's preferred methodology, nonbuildable floodplain areas, and erosion preventing measures recommended to the subdivider/developer; and additional information which will help to prevent drainage and erosion problems resulting from the development. [Ord. 419 Ch. 5 § 5, 1976. 1996 Code § 7-94.]

17.05.100 Final plat – Submission – Review – Approval.

Within one year of approval of the preliminary plan, the subdivider shall submit the final plat to the planning office for review and final approval by the town council. If approved, the subdivider shall cause the plat and other necessary documents to be recorded by the planning office. The final plat shall be heard by the planning commission and council.

No building shall be erected nor shall a building permit be issued within the town before the final plat thereof has been recorded by the county clerk. Any parcels of land sold to evade this section shall not be eligible for a building permit until all parts of this section have been fulfilled. [Ord. 419 Ch. 5 §§ 3, 4, 1976. 1996 Code § 7-95.]

17.05.110 Final plat – Form and content.

(a) Materials and Dimensions. The final plat shall be drawn with permanent India ink or produced by a photographic process (silver image) on a linen or polyester film-based material. The overall plat dimension shall be 30 inches in length by 21.5 inches in height including one-half-inch borders. The final plat shall be drawn to a scale that will show all the details clearly.

(b) Information Required. The information required on the final plat shall include the following:

(1) The title or name of the subdivision on all sheets of the final plat.

(2) A statement, executed by the owners of all legal and equitable interests in the property being subdivided, which shall contain the following:

a. The names of the persons or entities executing the plat.

b. A description of the property being subdivided; if such description contains references to recorded documents, such information shall be properly indicated on the graphic portion of the plat.

c. A formal and complete statement of the title or name of the plat.

d. A dedication and acceptance statement regarding all public rights-of-way or land to be dedicated for public use.

e. The proper signatures of the subscribing persons and entities affirming the execution of the plat; in the event of execution by a corporation, the corporate seal must be affixed to the plat. All signatures shall be made with permanent India ink.

(3) Proper statutory acknowledgment by the owners of legal or beneficial interests of their approval of the plat and the dedication of streets and other public areas.

(4) Date of preparation, north point, written scale and graphic scale.

(5) A vicinity map to locate the subdivision.

(6) The location of land intended to be conveyed or reserved for public use or reserved in the deeds for the use of all property owners in the proposed subdivision.

Public tracts shall be dedicated by a statement on the plat; responsibility of maintenance of all other tracts shall be noted.

(7) All monuments shall be placed and set in accordance with the requirements of state statutes.

Monuments found and new monuments set shall be differentiated and described (material, markings, etc.).

The subdivision shall be tied by angles and distances to the nearest accepted monuments, which shall be accurately described on the final plat in accordance with the requirements of state statutes.

(8) A statement by the land surveyor explaining how bearings were determined must be included, in order to help tie future adjacent subdivisions together. The point of beginning must be called out on the description.

(9) Certification by a registered land surveyor or professional engineer of the state, to the effect that the layout represents a survey made by him and that all dimensional and other details are correct.

(10) Certificates for execution by each of the following or their duly appointed representatives, in the following order.

- a. Town engineer.
- b. Planning director.
- c. Chairman of the planning commission.
- d. Mayor.
- e. County clerk or recorder.

(c) Layout.

(1) The exact layout must be neatly drawn to scale, and shall include the boundary lines with accurate distance and either bearings or internal angles, and the exact location and width of all existing or recorded streets adjacent to the boundary of the tract. Minimum relative error of closure is one in 5,000.

(2) The central angles, radii and arc lengths of all curves or portions thereof, lengths of tangents, location of points of curvature and intersections shall be shown.

(3) Easements shall be designated on the plat as to use and size. They shall be represented by fine dashed lines or indicated by appropriate statements.

(4) All lines of lots, blocks and other parcels of land shall have accurate dimensions in feet and hundredths with bearings or angles to street and alley lines. Lots must close to one in 5,000 and must be surveyable by the information given on the final plat alone. Areas of all lots shall be shown.

(5) All lots and/or blocks in the subdivision shall be numbered consecutively throughout the tract with no omissions or duplications.

(6) The plat shall show the right-of-way lines, widths, locations and names of all existing and proposed streets or roads within the proposed subdivision. The centerline data or right-of-way data of all curbs shall be on the plat.

(d) Supplemental Information. Supplemental information to be submitted with the final plat shall include the following:

(1) Closure sheets (DMD or equivalent).

(2) A title insurance commitment or policy issued by a title insurance company or an attorney's opinion of title, certified to a date not more than 30 days prior to the submittal of the final plat to the planning office, showing the name of the owners of the land and all other persons who have an interest in, or an encumbrance on, the property described on the final plat. Upon request of the planning commission, the subdivider shall cause to be joined on such filing plat those parties necessary to give encumbered fee simple title to all public rights-of-way contained therein. As the alternative, such other parties may subordinate their interest to the dedication of public rights-of-way contained therein by a notarized ratification statement.

(3) Where school or park land is dedicated, a partial release of interest shall be required of any and all lienholders, to accompany deeds to the school districts or the town in order that unencumbered title is transferred to such jurisdictions.

(4) Plans and profiles shall be submitted which consist of centerline and flow line (gutter flow line) profiles of existing surface together with the proposed flow line grade of both sides of the street and a typical cross-section.

(5) If applicable, water and sewer pipe profiles (top and bottom) shall be included in the road plans and profiles, with manholes, cleanouts, hydrants, etc.

(6) If any structures (bridges, culverts, channelization, etc.) are required within the area to be platted, construction plans shall be submitted.

(7) Itemization of public improvements and collateral agreement once itemization is approved shall be submitted. (See "improvement standards," "improvement guarantees," WMC 17.05.140.) [Ord. 419 Ch. 5 § 5, 1976. 1996 Code § 7-96.]

17.05.120 Vacation plats – Required – Petitions in lieu of plats.

A vacation plat shall be submitted to vacate any tract of land legally established by a plat recorded in the county clerk's office. To vacate any tracts, lots, streets or easements originally created by resolution or by means other than platting, the owners may vacate the same by submitting a vacation petition to the council by a formal resolution. When a vacation plat is not required, the review process for the petition shall be the same as identified in this section for vacation plats. [Ord. 419 Ch. 5 § 4, 1976. 1996 Code § 7-97.]

17.05.130 Vacation plats – Form and content.

(a) Materials, Dimensions, Etc. The vacation plat shall be drawn with permanent India ink or produced by a photographic process (silver image) on a linen or polyester film base material.

The overall plat dimension shall be 30 inches by 21.5 inches including a one-half-inch border. A vacation and re-plat may be submitted as one petition and may be drawn onto one plat if convenient. The lots, blocks, rights-of-way or easements to be vacated shall be titled "TO BE VACATED," and the new description shall be titled "AS REPLATTED." All requirements of a re-plat and of a vacation shall be fulfilled.

(b) Information Required, Scale, Etc. The following information is required on vacation plat:

(1) The vacation plat shall be drawn to scale that will show all details clearly.

(2) The name of the vacation plat must begin with the following words: "A Vacation Plat of" or "A Vacation and Re-plat of."

(3) Statement, executed by the owners of all legal and equitable interests in the property being subdivided, which shall contain the following:

a. Names of persons or entities executing the plat.

b. Description of the property being vacated; if such description contains references to recorded documents and/or instruments, such information shall be properly indicated on the graphic portion of the plat.

c. A formal and complete statement of the title or name of the vacation plat.

d. Proper signatures of the subscribing persons and entities affirming the execution of the vacation plat. In the event of execution by a corporation, the corporate seal shall be affixed to the plat.

(4) Proper statutory acknowledgment by the owner or owners of legal or beneficial interests or their approval of the plat.

(5) Date of preparation, north point, and written and graphic scales.

(6) A vicinity map to locate the vacation plat.

(7) Certification by a registered land surveyor of the state to the effect that the plat to be vacated is a recorded plat.

(8) Certificate for execution of each of the following or their duly appointed representatives:

a. Town engineer.

b. Planning director.

c. Chairman of the planning commission.

d. Mayor.

e. County clerk and recorder.

The signatures for the above mentioned statements and acknowledgments will be made with permanent India ink.

(c) Layout. The exact layout shall include:

(1) Boundary lines. Pertinent boundary information with accurate distances and either bearing or internal angles.

(2) Easements. If easements are not to be vacated, a note so stating shall be on the plat.

(3) Lots, blocks and identification system. All lines of lots, blocks, identification systems and other parcels of land as recorded.

(4) Streets. The plat shall show any right-of-way lines and names of streets adjacent to the property being vacated.

(d) Supplemental Information. Supplemental information to be submitted with a vacation plat shall include proof that all people with encumbrances on or interests in the land have signed the vacation plat. [Ord. 419 Ch. 5 § 5, 1976. 1996 Code § 7-98.]

17.05.140 Improvement guarantees.

The subdivider shall submit an estimate of guarantee funds with the final plat if any public improvements are necessary. This form is available at the planning office. An administrative cost of 10 percent of estimated costs shall be added to the letter of credit to cover inspection, mileage, contingencies, administration and unknown costs.

If the estimate of guarantee funds has been checked and approved by the town engineer, the subdivider shall submit in favor of the town a corporate completion bond, an irrevocable letter of credit, a cashier's check, establish an escrow account, or provide other collateral acceptable to the council to secure to the town the actual construction of the improvements within a period of 18 months after the recording of the final plat. This must be submitted in order to have the approved final plat recorded. If the collateral has not been submitted within six months of the approval of the plat, a revised cost estimate must be submitted for approval in order to adjust to price and materials changes.

Recall of funds, if necessary, will be at the discretion of the council and by written request. Recalled funds may be credited to a special account and an accurate accounting of the costs incurred in the completion of defaulted work will be maintained.

As an alternate to the preceding method of handling defaulted work, the town engineer may elect to make contractual agreements wherein defaulted work will be completed under his supervision by contracts, with payment to the contractor direct from guarantee funds by order. Administrative expenses in the amount of 10 percent of contract amounts will be paid to the town upon order. Any residue of guarantee funds will be returned to the proper source.

Performance guarantees may be extended beyond the 18-month period with the following conditions:

(a) That the request for extension is made by the grantor at least 30 days prior to the terminating date of the active guarantee;

(b) That a schedule of completion be approved by the town engineer (priority for construction of arterial streets shall be a policy in evaluating a satisfactory schedule); and

(c) That the request be approved by the council.

Upon satisfactory completion of a phase of work or a portion thereof, the subdivider may make a request in writing for a partial release of funds. Amounts, so released, will be calculated on the same basis as used in the original estimate of funds. A retainer of not less than 10 percent will be deducted therefrom in accordance with the conditions as set forth in the following:

Upon the completion of all improvements to the satisfaction of the town engineer (as determined by final inspection) a release of all funds except those required to cover the inspection cost of the town engineer (maximum = 10 percent of guarantee funds) may be made on the recommendation of the town engineer and at the direction of the council.

Upon release of guarantee funds, the town will become responsible for maintenance responsibility of the public improvements. [Ord. 419 Ch. 5 § 6, 1976. 1996 Code § 7-99.]

17.05.150 Abbreviated method of platting land within part of an approved and platted subdivision.

The governing body for the town of Wheatland may, but is not required to, accept any previously approved documentation regarding lot size, utilities, etc., under the subdivision regulations and approve an application for a replat, if, at the minimum, the following are met:

(a) The tract of land or parcel of land is not being divided into more than three parcels, and each parcel has at least minimum dimensions and area, less any easements, as required by the applicable zoning regulations for the town of Wheatland.

(b) The tract of land or parcel of land lies within and is a part of an existing subdivision which has been approved by the governing body of the town of Wheatland.

(c) The owner/developer of the parcel of land takes all necessary steps to grant unto the appropriate entity any and all easements necessary for the following:

(1) All utility service, including but not limited to water, telephone, electric and cable television.

(2) Every parcel has frontage (minimum of 35 feet) on a dedicated public street.

(3) All necessary fire protection facilities.

(d) The owner/developer of the parcel of land shall pay all costs in advance for the required utility extensions and fire protection facilities. It is understood that the initial costs paid in advance will be estimates, however the owner/developer will be required to pay any amounts which are above the estimated costs, and will receive a refund if the costs are less than those estimated.

(e) The owner/developer of the parcel of land shall prepare application for the exemption setting forth all of the above facts and provide to the governing body a detailed plat of said property. The application and plat will be distributed to the town staff, including but not limited to the building inspector, fire chief, police chief, town planner, town engineers, and town attorney for their review and comments, at least three weeks prior to the council meeting when the application is to be considered.

(f) The owner/developer of the parcel of land will be required to meet all other zoning and building requirements within the town of Wheatland.

(g) Property owners of record within 140 feet, excluding streets, from the parcel in question shall be sent, by certified mail, a copy of the application at least 10 days prior to the council meeting when the application will be considered. [Ord. 670 § 1, 1998.]

Chapter 17.10**STANDARDS**

Sections:

17.10.010 Generally.

17.10.010 Generally.

(a) **Conformity.** The subdividers shall study any adopted land use plans and regulations, and design the subdivision to comply with those policies. The planning commission and council will study the plans as they relate to such adopted policies.

(b) **Buildable Lots.** All subdivisions shall result in the creation of lots which are developable and which have adequate building sites.

(c) **Access to Public Streets.** All lots or parcels created by a subdivision shall have frontage upon a publicly dedicated street which is a part of the integral network of town, city, county, state and federal roadways.

(d) **Character of the Land.** Throughout the design and ultimate development of the subdivision, the subdivider, developer and planner should consider of prime importance the preservation of the existing topsoil and the prevention of excessive erosion; the scenic beauty, including rock formations, trees and vegetation; the natural terrain and the natural drainage.

(e) **Hazards.** Land subject to hazardous conditions, such as landslides, mud flows, rock falls, mine subsidence, shallow water table and floods, shall be identified and shall not be subdivided unless the hazards have been eliminated or will be eliminated by the subdivision plans and construction plans.

(f) **Noise.** The disturbing effects of noise on the inhabitants of a subdivision should be a consideration of subdivision design.

(g) **Historical, Etc., Significance.** Matters of historical, archaeological or geologic significance shall be identified, and measures to preserve and enhance identified sites and landmarks shall be considered in subdivision plans in accordance with adopted preservation plans.

(h) **Traffic Circulation.** Automobile, transit and pedestrian circulation should be designed to provide safe, convenient access to schools, shops, parks, transportation facilities and other community facilities. [Ord. 419 Ch. 5 § 6, 1976. 1996 Code § 7-100.]

Chapter 17.15**STREET NAMES AND NUMBERING**

Sections:

17.15.010 Street names and numbering.

17.15.010 Street names and numbering.

Street names and numbering shall be subject to approval by the building inspector. Street names shall not be duplicated and shall not be too closely similar phonetically to any name of an existing street in the town area. Any street, which is a continuation or an approximate or logical continuation of any existing street, shall bear the same name as the existing street. Streets with north-south orientation shall be numbered and streets with east-west orientation shall be named.

(a) Street, avenue, or road: shall be reserved for principal or minor arterial streets, in conformance with the major street plan.

(b) Street, circle, lane, way or drive: shall be reserved for collector or local streets with continuity.

(c) Court, place, square, or terrace: shall be reserved for streets with no continuity, such as cul-de-sacs.
[Ord. 419 Ch. 5 § 6, 1976. 1996 Code § 7-101.]

Chapter 17.20

DESIGN

Sections:

- 17.20.010 Lots.
- 17.20.020 Easements.
- 17.20.030 Drainage systems.
- 17.20.040 Street plan.

17.20.010 Lots.

(a) The minimum area and dimensions shall conform to the appropriate land use district regulations.

(b) Widths and depths of lots shall be designed for the type of land use contemplated for the development. Whenever possible, the depth of a lot should not be greater than twice its width.

(c) Corner lots should be wide enough to permit building sites which could have orientation from either street and allow good traffic site distance. Lots with direct street frontage on both the front and rear should be avoided.

(d) Each lot shall have access to a public, dedicated street in the continuous integrated network of county, city, state, and federal roadways. A statement dissolving right of access from individual lots to arterial streets may be required on the final plat.

(e) Each lot shall have an adequate building area with consideration of poor soils, high water tables, flooding possibilities, or other limiting hazards to building sites, access or sanitary sewage facilities. Adequate area for fire protection vehicles to turn around on the developed lot should be considered.

(f) Lots should be numbered beginning at lot No. 1 and numbered consecutively upward for each filing. Lots in re-plats generally shall be alphabetically identified to avoid numerical confusion. Block numbers are discouraged in order to prevent confusion.

(g) Reserve strips controlling access to streets or utilities shall be prohibited except where their control is given to the town under conditions approved by the town council. [1996 Code § 7-102(a).]

17.20.020 Easements.

(a) Public Utility Easements. The subdivider shall discuss utility easements required with local utilities. Utility easements shall not be less than 12 feet in width, total, and providing the proper width to satisfy all public utilities requirements shall be the responsibility of the subdivider. Irrigation districts are considered to be public utilities.

(b) Drainage Easements. If a subdivision is traversed by a watercourse, drainage way or channel, then a storm water easement shall conform to the lines of such watercourse and shall be of such width or construction, or both, as may be necessary to provide adequate storm water drainage and for access to and maintenance thereof. Drainage areas generally should be left in a natural state unless channelization is recommended by the town engineer. [1996 Code § 7-102(b).]

17.20.030 Drainage systems.

The drainage system shall be designated to perform as follows:

(a) To permit the unimpeded flow of natural watercourses;

(b) To accommodate potential runoff from drainage areas upstream from the development;

(c) To provide adequate protection of development downstream by detaining storm runoff caused by the development of the subdivision so that peak flows downstream do not cause damage as a result of the development. [1996 Code § 7-102(c).]

17.20.040 Street plan.

(a) The street pattern shall be in conformity with these regulations and the town area major street plan. Location of existing, planned or platted streets shall be considered in street layout. Centerlines of streets not in alignment shall be offset by a minimum of 150 feet (4.6 meters).

(b) Proposed streets shall be extended to the boundary lines of the land to be subdivided, unless prevented by topography or other physical conditions or unless, in the opinion of the planning commission, such extension is not necessary for the connection of the subdivision with the existing thoroughfare layout or is not the most advantageous future development of adjacent tracts.

(c) In the case of stub-end streets which shall continue with future development, a temporary turnaround easement, being 100 feet in diameter, will be indicated at the end of the stub-end street. A note limiting the life of the easement shall be put on the final plat.

(d) Proposed streets and rights-of-way shall intersect one another as nearly as possible at right angles. The intersection of more than two streets is not permitted.

(e) Excessively long, straight residential streets, conducive to high speed traffic, shall be discouraged within individual subdivisions. Residential streets shall be arranged to discourage through traffic which should be on collector or arterial streets.

(f) Half streets and dead-end streets are not permitted.

(g) Streets shall have the following minimum right-of-way widths:

(1) Principal arterials: 100 feet (30.5 meters).

(2) Minor arterial streets: 80 feet (24.4 meters).

(3) Collector streets: 60 feet (18.3 meters).

(4) Local (residential) streets: 60 feet (18.3 meters).

(h) Permanent cul-de-sacs may serve no more than 20 lots and must be provided with a right-of-way at the turnaround of a 55-foot radius or more and the outside curb or pavement edge radius shall be 45 feet or more. [Ord. 419 Ch. 5 § 6, 1976. 1996 Code § 7-102(d).]

Chapter 17.25**IMPROVEMENTS**

Sections:

17.25.010 Improvements.

17.25.010 Improvements.

In order to provide for the orderly construction of public improvements as areas are built and developed and to promote the public health, safety and welfare and to ensure a serviceable and healthy living environment, the subdivider shall provide the following:

(a) **Water and Wastewater Systems.** The subdivider shall, at his expense, install water and wastewater systems with connections to all lots being platted. Fire hydrants shall comply with local and state requirements, and are the responsibility of the subdivider.

(b) **Utilities Generally.** All utilities within a subdivision shall be placed underground. Transformers, switching boxes, terminal boxes, meter boxes, pedestals and other facilities appurtenant to underground facilities may be placed above ground.

(c) **Street Name Signs.** The subdivider shall install street name signs in accordance with town requirements.

(d) **Erosion Control Measures.** The subdivider shall grade, develop and/or install improvements based on a rational plan for preventing erosion and undue sedimentation, and return topsoil to graded areas.

(e) **Minimum Street Improvements.**

(1) The subdivider shall, at his expense, install paving, curb, gutters, sidewalks and necessary drainage facilities in compliance with the approved drainage report.

(2) The subdivider shall dedicate the entire right-of-way for public streets to the town.

(3) The subdivider shall construct all improvements for collector and local streets.

The subdivider shall construct all improvements for arterial streets if such arterial is contained entirely within the area to be developed. If the arterial extends and serves people beyond the subdivision, the town shall be responsible for installing required paving only beyond the 40-foot width which is the subdivider's responsibility. The developer shall install any cross drains.

All bridges shall be funded and constructed by the subdivider in compliance with adopted specifications.

All major or minor arterial roadway bridges which serve arterial roadways contained entirely within a subdivision should be entirely funded and constructed by the developer in compliance with town specifications.

All major or minor arterial roadway bridges servicing arterial streets which extend beyond the subdivision shall be constructed by the subdivider, who shall pay for all costs of the bridge up to 40 feet in width. The town shall pay for that cost of the structure which exceeds 40 feet in width. The cost shall be determined by the total bridge cost divided by the total bridge width (outside width) to give a cost per foot figure, not to include channel improvements.

Each subdivision shall be individually considered in determining the responsibilities of the town and subdivider to control unusual situations and particular structures not mentioned above, the intent being to negotiate a reasonable and fair compromise of responsibility between the town and subdivider. [Ord. 419 Ch. 5 § 6, 1976. 1996 Code § 7-103.]

Chapter 17.30

PARKS AND OPEN SPACE

Sections:

17.30.010 Parks and open space.

17.30.010 Parks and open space.

(a) Review by Parks Board. The Platte County parks and recreation board, hereinafter called the parks and recreation board, shall, after review of master plans, preliminary plans and plats on a case-by-case basis, make recommendations to the local jurisdiction concerning the adequacy of provisions for parks.

The parks and recreation board shall consider the following criteria prior to making recommendations to the local jurisdictions and shall determine:

(1) That adequate provisions for recreational opportunities to serve the development with due consideration of the development’s size and density levels are met.

(2) The areas set aside for parks, recreation and open areas are in compliance with local and regional land use plans and are compatible with the local and regional recreation plans.

(3) The protection of natural and historical features, scenic vistas, watersheds, plant and animal life have been considered.

(b) Land Dedication or Fees. Dedication of land or fees in lieu thereof shall be made for park, recreation and open space needs in developments. This dedication, or payment of fees in lieu thereof, shall be made in consideration not only of land areas concerned but also in light of population densities to be encountered in the proposed development.

(1) Dedication Standards. Dedication of land for park, recreation and open space purposes shall be based on the following standards. These dedication standards shall apply only to potential increases in land use:

Dwelling units per acre*	Minimum percentage to be dedicated for public parks, recreation and open space
Less than 1	1.0
1 to 3.99	3.0
4 to 5.99	6.0
6 to 7.99	9.0
8 to 9.99	10.0
10 to 11.99	11.5
12 to 14.99	12.5
15 to 19.99	14.5
20 to 29.99	17.5
30 to 39.99	20.5
40 to 49.99	23.5
Greater than 50	25.0

* Gross acres means the total area, in acres, included in the perimeter of a proposed development.

(2) Fees in Lieu of Land. When, after recommendation of the parks and recreation board, dedication of all or portions of the required park, recreation and open space is deemed not feasible nor in the public interest, the park board shall recommend that the petitioner, in lieu of dedication, pay a fee to the town.

The fee shall be equal to the value of the land that would otherwise have been dedicated, based on the following prices per acre for the corresponding platting year.

Calendar Year	Fee
1976	\$4,326
1977	4,499
1978	4,679
1979	4,866
1980	5,061
1981	5,263
1982	5,474
1983	5,693
1984	5,921
1985	6,158

Thereafter increase 4% each year

(3) Density of Development. If the density of a proposed multifamily development within the subdivision cannot be determined at time of platting, then the requirements for such development shall be required when the site plan of development is considered by the planning commission.

(4) Procedure. The procedure for determining whether the petitioner is to dedicate land, pay a fee, or a combination, shall be as follows:

a. At the time of filing a preliminary plan for approval, the petitioner or his representative shall, as a part of the filing, designate the general area or areas he proposes for use as recreation or open space and shall indicate the number of acres for such purposes and the population density and the number and location of dwelling units in the development.

b. At the time of preliminary plan approval, the planning commission shall, with consideration of the park and recreation board recommendations, and after considering a plot plan of the proposed development, determine whether or not to require dedication of land, payment of a fee in lieu thereof, or a combination of both, and shall recommend this to council.

c. If dedication is required, the petitioner shall provide a deed to the property in favor of the town and a release of all encumbrances on the area covered by such deed, concurrent with the filing of the final plat.

d. Fees in lieu of land shall be paid concomitant with the filing of the final plat. Fees shall be held by the town for the future recreation facilities or park land acquisition expenses only.

(5) Credit for Private Open Space. Where provisions are made for private recreation and open space in a proposed development, and provisions are made that such areas will be maintained by the future residents of the development or other entities, such areas may be credited, in whole or in part, against the required dedication of land or fees in lieu thereof, if after proper review and consideration the park board finds it in the public interest to do so and the following standards are met:

a. The landowner must provide for and establish an organization for the maintenance of any recreation and open space, or other provisions for the maintenance of such space shall be made.

b. The proposed private recreation and open space shall be in an area suited for adequate development and use as recreation and open space.

c. The use of the private recreation and open space must be restricted for such uses, with recorded covenants which run with the land in favor of the future owners and residents of property within the development which cannot be defeated or eliminated without the approval of the town. [Ord. 419 Ch. 5 § 7, 1976. 1996 Code § 7-104.]

Chapter 17.35

STREETS AND DRAINAGE

Sections:

17.35.010 Streets and drainage.

17.35.010 Streets and drainage.

(a) Street Grades and Widths.

Street Classifications	Right-of-Way Width ft./m.	Back to Back Curb Width ft./m.	Allowable Maximum (%)	Grade Minimum (%)
Major arterial	100/30.5	75/23	5	0.5
Minor arterial	80/24.4	64/20	8	0.5
Collector streets	60/18.3	40/12.2	10	0.5
Local streets	60/18.3	40/12.2	10	0.5
Alleys (optional)	20/6.1			
Cul-de-sacs	50/15.2 radius of turnaround: 60/18.3	40/12.2 radius of turnaround: 50/15.2	5 at turnaround: 2	0.5 0.5

(b) Drainage Standards. The drainage improvements shall comply with the approved drainage and erosion control report (see WMC 17.05.090).

(c) Street Construction Specifications.

(1) Generally. The town engineer may request pavement designs by a state registered engineer in cases where subsurface conditions are questionable. Pavement designs, construction specifications and certification shall be submitted to the town engineer for approval.

(2) Minimum Pavement Design. The following general standards shall be minimum standards for streets:

Business or arterial streets.

Wearing surface	Seal coat and chips
Pavement structure	2 1/2" hot mix asphalted concrete
Base course	6" well graded base

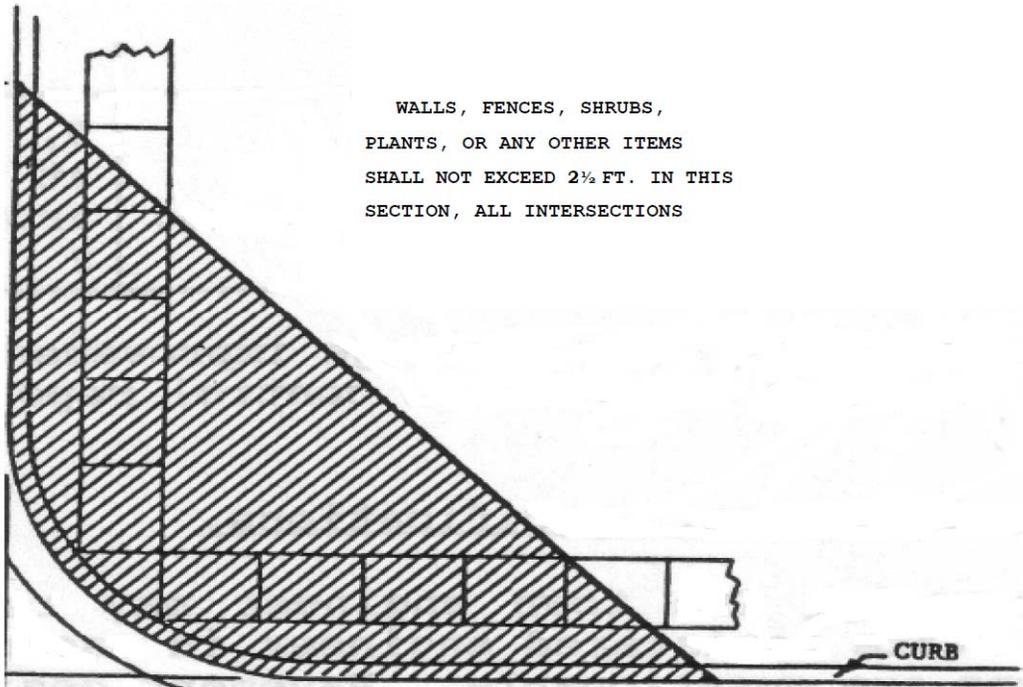
Residential streets.

Wearing surface	Seal coat and chips
Pavement structure	2" hot mix asphalted
Base course	6" well graded base

(3) Minimum Curb and Gutter. The minimum curb and gutter section shall be as specified by the town engineer but in no event shall be less than two feet in width.

(4) Minimum Sidewalks. Sidewalks shall be placed in the configuration approved by the town engineer, but in no case shall they be less than 42 inches wide and four inches in thickness.

(5) Sight Distance. Obstruction to sight distances shall be minimized by maintaining all obstructions below the minimum level specified in the accompanying chart entitled "Sight Distance Requirements."



[1996 Code § 7-105.]

Title 18

DEVELOPMENT CODE

Chapters:

- 18.05 General Provisions**
- 18.10 Planned Unit Development District (PUD)**
- 18.15 Residential District (R)**
- 18.20 Residential – High Density District (RH)**
- 18.25 Low Density Suburban Residential District (LDSR)**
- 18.30 Mobile Home Park Division (MHP)**
- 18.35 Mobile Home Subdivision District**
- 18.40 Highway Business District (HB)**
- 18.45 General Business District (GB)**
- 18.50 Light Industrial District (LID)**
- 18.55 Heavy Industrial District (HID)**
- 18.60 Conservancy District (C)**
- 18.65 Travel Trailer Park District (TTP)**
- 18.70 Regulations Applicable to All Districts**
- 18.75 Off-street Parking and Loading**
- 18.80 Signs**
- 18.85 Special Use Permits**
- 18.90 Nonconforming Uses**
- 18.95 Building Permits**
- 18.100 Home Occupations**
- 18.105 Trailers, Mobile Homes, Buses or Truck Vans as Accessory Buildings**

For state law as to “State Land Use Planning Act” generally, see WS, 1977, 9-8-101 to 9-8-302, formerly §§ 9-19-101 to 9-19-601. As to duty to adopt local land use plan, see WS, 1977, 9-8-302, formerly 9-19-301. As to town planning generally, see also WS, 1977, 15-1-601 to 15-1-612. As to authority to create town planning commission, see WS, 1977, 15-1-502. As to zoning generally, see WS, 1977, 15-1-601 to 15-1-611. As to authority to develop comprehensive town plan, see WS, 1977, 15-1-703.

As to administration generally, see Chapters 2.05, 2.10 and 2.30 WMC. As to cemeteries generally, see Chapter 2.40 WMC. As to fire prevention and protection, see Chapters 8.25 through 8.35 WMC. As to licenses generally, see WMC Title 5. As to public utilities, see WMC Title 13. As to refuse, garbage and weeds see Chapters 8.05 and 8.15 WMC. As to streets and sidewalks generally, see WMC Title 12 and Chapter 17.35 WMC.

Chapter 18.05**GENERAL PROVISIONS**

Sections:

- 18.05.010 Title.
- 18.05.020 Authority and jurisdiction.
- 18.05.030 Land use districts and maps established – Amendment of maps.
- 18.05.040 Purpose.
- 18.05.050 Interpretation of conflicting provisions.
- 18.05.060 Definitions.
- 18.05.070 Appeals.
- 18.05.080 Violations.
- 18.05.090 Building inspector and planner.

18.05.010 Title.

This chapter shall be known and may be cited as “the Wheatland Development Code.” [Ord. 419 Ch. 1 § 1, 1976. 1996 Code § 7-1.]

18.05.020 Authority and jurisdiction.

The provisions of this chapter are authorized by state law and shall apply to all land use within the town limits. [Ord. 419 Ch. 1 § 2, 1976. 1996 Code § 7-2.]

18.05.030 Land use districts and maps established – Amendment of maps.

The boundaries of the land use districts hereby established are shown on the map entitled “Official Land Use District Maps of Wheatland, Wyoming,” and are hereby made a part of this chapter.

Land use districts are hereby established as set forth in the land use district map and WMC Title 17.

The planning office shall be responsible for modifying the official land use district map and duly noting the revision both in its records and upon the official land use district map.

All amendments to the land use district maps, including subdivisions of land, shall be recorded by the planning office within 10 working days of the effective date of amendment. [Ord. 419 Ch. 1 § 3, Ch. 3 § 3, 1976. 1996 Code § 7-3.]

18.05.040 Purpose.

The purpose of this chapter is to:

- (a) Secure equitable handling of all petitions by providing uniform procedures and standards;
- (b) Lessen the congestion on streets;
- (c) Provide adequate light, air and space to prevent and fight fires;
- (d) Avoid undue congestion of population;
- (e) Improve housing standards;
- (f) Secure protection of the tax base;
- (g) Facilitate the adequate provision of transportation, water, wastewater, schools and other public facilities;
- (h) Prevent physical hazards for the community, such as flood damage, geologic and soil hazards and aircraft hazards;
- (i) Encourage the best location for buildings, structures and land for residence, recreation, commerce, trade, industry, transportation and other uses;
- (j) Conserve the environment from noxious, unhealthy and unsightly abuse;
- (k) Promote the public health, safety and welfare of the town and its surroundings;

- (l) Ensure the land is subdivided into lots that are of adequate size and configuration for the purpose for which they are intended to be used;
- (m) Specify the extent to which and manner in which roadways shall be graded and improved and to what extent water, wastewater and other utilities shall be required and installed;
- (n) Ensure that structures will harmonize with the physical characteristics of the site;
- (o) Protect and conserve the natural resources, preserving the natural vegetation, and promote the natural beauty of the town. [Ord. 419 Ch. 1 § 4, 1976. 1996 Code § 7-4.]

18.05.050 Interpretation of conflicting provisions.

Whenever the provisions of this chapter are found to be inconsistent with any other chapter of this code or other town ordinance, the code provision or ordinance imposing the more restrictive standards shall control. The provisions of this chapter are minimum requirements that do not preclude imposition of more restrictive standards by agreement or by law. [Ord. 419 Ch. 1 § 5, 1976. 1996 Code § 7-5.]

18.05.060 Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Any definition used in the applicable Wyoming Statutes may be used in this chapter, and if the statutory definitions conflict, the statutory definitions shall govern.

“Accessory building” means a building, structure or use which is clearly incidental or subordinate to the principal use and which is located on the same plot with the primary building structure or use. No residential building, tourist cabin or cottage shall be considered as accessory to any other residential building except as is expressly provided. Any accessory building or structure attached to a primary building or structure is deemed to be part of such primary building or structure in applying the land use controls.

“Advertising device” means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard or any other contrivance designed, intended or used to advertise or to give information in the nature of advertising and having the capacity of being visible from the traveled way of any public road or highway, except any advertising device on a vehicle using the highway. The term “vehicle using the highway” does not include any vehicle parked near such highway for advertising purposes.

“Annexation” means that process of becoming a part of or being encompassed within the legally constituted boundary of the town.

“Board of adjustment” means that entity appointed by the town council as provided by state law.

“Bridges” means structures having a clear span of 20 feet.

“Buffer area” means ground area of the plot in addition to any required side or rear yards, when required, or in addition to any required setback other than from a designated street line, an area which shall be left in its natural state or planted as may be required by an appropriate town agency. Parking, loading, storage or access is not an activity of a buffer area.

“Building development” means the construction or placement of permanent or temporary buildings which constitutes a change in or increase in the use of a parcel of land.

“Building inspector” means the officer charged with the enforcement of this chapter, or his duly authorized representative.

“Camping trailer” means a canvas, folding structure, mounted on wheels and designed for travel, recreation and vacation use.

“Child care facilities” means day care or other child care centers authorized or not requiring authorization under Wyoming Statutes.

“Compatible use” means the land use that mixes judiciously with dominant land uses and will not detract from the assets of the surrounding dominant land uses.

“Cul-de-sac” means a street open at one end only, and providing at the other end special facilities for the turning around of vehicular traffic.

“Density” means the designated number of dwelling units per gross acre.

“Developer” means any person, including a governmental agency, undertaking any development.

“Development” means any one or combination of the following:

- (1) The dividing of land into three or more parcels.
- (2) Annexation of a parcel of ground to the town.
- (3) A change in type of use of land or a change in use from one development class to another.
- (4) The making of any material change in noise levels, thermal conditions or emissions of waste material.
- (5) Alteration of a shore bank or floodplain of a stream, river, lake, pond or artificial body of water.
- (6) Reestablishment of a use which has been abandoned or suspended for one year regardless of the intended duration of the suspension.

“Dominant land use” means that particular land use that, along with its accessory buildings and uses, can be considered as the primary allowable or present use on a parcel.

“Family” means an individual, or two or more persons related by blood, marriage, adoption, as guardian and ward, or a group of not more than five persons, excluding servants, who need not be so related, living together in a one-family dwelling or in one unit of a two-family or multiple-family dwelling.

“Floodplain” means the relatively flat area or lowlands adjoining the channel or a stream or watercourse and subject to flood water overflow.

“Governing body” means the town council constituting the elected legislative body of the town of Wheatland, including the mayor. The words “town council” or “council” as used in this chapter shall be deemed to mean “governing body.”

“Height” means the vertical distance from the average elevation of the proposed finished grade along the wall of a building (or adjacent to the side of a nonbuilding use) to the highest point of the roof for flat roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs of such building (or nonbuilding use), except as specifically excepted.

“High water line” means engineering conclusions, based upon historical facts and/or generally accepted engineering principles, represented on a graph or other medium, showing the relationship of the water surface elevation of a flood to the lands surrounding the channel.

“Home occupation” means a profession or other occupation not otherwise permitted in the district, which is conducted as an accessory use in a residence.

“Junkyard” means an area of land, with or without buildings used for or occupied by a deposit, collection or storage, located outside a completely enclosed building, of used or discarded materials such as wastepaper, rags or scrap material; or used building material, house furnishings, machinery, vehicles or parts thereof with or without the dismantling, processing, salvage, sale or other use or disposition of the same. A deposit or the storage on a plot of two or more wrecked or broken down vehicles or parts of two or more such vehicles for one week or more in a residential district, or for three weeks or more in any other district, shall be deemed to be a junkyard.

“Land use” means the development that has or may occur on land.

“Land use district map” means a map defining land use districts.

“Land use districts” means the geographical area defined in the land use district map which identifies the uses for which the land contained therein may be utilized.

“Light industry” means any branch of trade, production or creative endeavor employing labor and capital in an industrial or manufacturing process which is not noxious or offensive by reason of the emission of odor, dust, smoke, gas, fumes, noise or vibrations whose waste products are not allowed to emerge or accumulate where they will cause discomfort to adjoining property owners or to the public generally.

Lot. See “Parcel.”

“Lot line, front” means a property line separating the narrowest street frontage of the lot from the street right-of-way.

“Mobile home” means a factory-assembled structure equipped with the necessary service connections and made so as to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit without a permanent foundation, which is at least eight feet wide and 33 feet long.

“Mobile home park” means a parcel of land upon which three or more mobile homes are harbored for the purpose of being occupied, either free of charge or for revenue purposes, and including any building, structure, vehicle or enclosure used or intended for use as a part of the equipment of such mobile home park.

“Mobile home subdivision” means a parcel of land subdivided into lots, each lot individually owned and utilized as the site for placement of a single-family mobile home and its facilities.

“Mobile home unit” means the leased or purchased area on which a mobile home is placed. The boundaries of the unit shall be used to measure setbacks.

“Newspaper” means the official newspaper as designated by the governing body of the town.

“Nonconforming building” means any legally existing building which does not conform to the location and bulk regulations of this chapter for the district in which such nonconforming building is located, either at the effective date of the establishment of the district or as a result of subsequent amendments which may be incorporated into this chapter.

“Nonconforming use” means any legally existing use, whether within a building or other structures or on a tract of land, which does not conform to the use regulations for the district in which such nonconforming use is located, either at the effective date of the resolution establishment of the district or as a result of subsequent amendments which may be incorporated into this chapter.

“Open space” means public or private land not planned or used for buildings or structures and reserved for active or passive recreation, scenic vistas or buffer areas.

“Parcel” means any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit. “Parcel” includes an easement supporting or related to a primary parcel, and also includes “lot.”

“Parking lot” means a yard for the sole purpose of storing motor vehicles which are in legal operating condition.

“Parking space” means the space required to park one motorized vehicle which space shall not be less than 180 square feet in area, exclusive of access drives.

“Person” means any natural person, firm, partnership, association or corporation; but this definition does not include any governmental unit.

“Planning commission” means the entity appointed by the governing body as provided by state law.

“Planning office” means the town planning office.

“Plat” means a map and supporting materials of certain described land prepared in accordance with subdivision regulations as an instrument for recording of real estate interests with the county clerk.

(1) “Preliminary plat” means a map showing the preliminary design of a proposed subdivision, together with such information, supporting data and other requirements as are necessary to comply with the provisions of this chapter.

(2) “Final plat” means a map indicating the final design of the proposed subdivision supported by the necessary engineering data and legal documentation.

(3) “Vacation plat” means a map indicating a proposed vacation of a dedicated street, road or easement, or a vacation of a subdivision to raw acreage.

“Primary building” means a building in which is conducted the main or dominant use of the parcel on which such building is situated.

“Property line” means the line which is used to delineate the boundary and location of any parcel of real property.

“Public access” means a publicly dedicated, maintained road constructed into the integral network of town, county, state and federal roadways.

“Public improvements” means all facilities constructed or erected by a subdivider within a subdivision to permit and facilitate the use of lots or blocks for a principal residential, business or manufacturing purpose.

“Right-of-way” means the entire dedicated tract or strip of land that is to be used by the public for various road purposes. The length and width of a right-of-way shall be sufficient to provide adequate accommodations for all the physical features to be included in such right-of-way.

“Screen or screening” means a strip at least three feet wide, densely planted, or having equivalent natural growth, with shrubs or trees of a type that will form a year-round dense screen at least six feet high; or an opaque wall or barrier or uniformly painted fence at least six feet high; or any other islands, barriers, emplacements, walls, fences, trees, plantings, shrubbery or other artificial or natural dividing strip or marker of any kind wherever located on the site, conditioned or required in any building permit, site plan, subdivision approval, special permit, variance, zone change or other requirements pursuant to this chapter.

“Setback” means the minimum distance between the lot line and a line parallel with that lot line, in which certain development is not permitted.

“Site plan” means a drawing or set of drawings showing the detailed location and layout of major and minor improvements or developmental elements and their relationship to the parcel boundaries and physical features.

“Special permit” means a permit to develop a parcel of land bearing certain conditions and restrictions.

“Specification” means a detailed technical description of the end product and the materials to be used in the development or construction of a project.

“Standards” means a set of standard designs governing development and construction parameters pertaining to specific elements of the development with which uniform compliance by all persons is mandatory.

“Street” means a road, highway or other public or private thoroughfare which affords a primary means of access to abutting property.

“Structure” means anything constructed, installed or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land which can be used for housing, business, commercial, agricultural or office purposes either temporarily or permanently; and also includes fences, billboards, swimming pools, pipelines, transmission lines and advertising signs.

“Subdivision” means the division of a tract or parcel of land into two or more parts for immediate or future sale or building development.

“Travel trailer” means a vehicle used and so constructed as to permit its being used as a conveyance upon public streets or highways and duly licensable as such, constructed in such a manner as will permit occupancy thereof as a temporary or seasonal dwelling.

“Truck camper” means any vehicle used or so constructed as to permit its being used as a conveyance upon the public streets or highways and duly licensable as such, constructed in such a manner that temporary facilities for dwelling or sleeping are provided upon the frame or bed of such vehicle. Such facilities may either be permanently or temporarily attached.

Unit. See “Mobile home unit.”

“Yard, front” means the shortest distance between the nearest wall of any building and the front lot line.

“Yard, rear” means the area between the foundation of the primary building and the rear lot line. On corner lots the owners have the option of which yard is rear yard and which is side yard.

“Yard, side” means the area between the foundation of the primary building and the side lot lines. On corner lots the owners have the option of which yard is rear yard and which is side yard. [Ord. 717, 2005; Ord. 650 § 3(E)(i), 1996; updated 1995 to reflect Wyoming law; Ord. 419 Ch. 2, Ch. 4 § 11, Ch. 5 § 6, 1976. 1996 Code § 7-6.]

18.05.070 Appeals.

(a) All appeals from decisions of the planning commission shall be made to the board of adjustment. Written appeal shall be given to the planning office within 15 days after the decision of the planning commission.

(b) All cases appealed shall be deemed contested cases and the procedure before the board of adjustment shall be as provided by rules adopted pursuant to the Wyoming Administrative Procedures Act and the appeal procedures detailed in Chapter 18.85 WMC.

See WS, 1977, 16-3-101 to 16-3-115, as amended, for Wyoming Administrative Procedures Act.

(c) Appeals from decisions of the board of adjustment shall be as provided by state law.

(d) Appeals of the decisions of the building inspector may be made to the board of adjustment. [Ord. 419 Ch. 1 §§ 6, S, 1976. 1996 Code § 7-7.]

18.05.080 Violations.

(a) The owner or agent of a building or premises in or upon which a violation of any provision of this chapter has been committed or shall exist; or the lessee or tenant of an entire building or entire premises in or upon which a violation has been committed or shall exist; or the agent, architect, building contractor or any other person who commits, takes part or assists in any violation or who maintains any building or premises in or upon which a violation has been committed or shall exist, shall be guilty of a misdemeanor.

(b) Any subdivider, or agent of a subdivider, who transfers or sells or agrees to sell or offers to sell any subdivided land before a final plat for such subdivided land has been approved by the council and recorded or filed in the office of the county clerk shall be guilty of a misdemeanor. [Amended during August 1984 supplementation; Ord. 534 § 4, 1981; Ord. 419 Ch. 1 § 8, 1976. 1996 Code § 7-8.]

As to general penalty for violations of this code, see WMC 1.10.010.

18.05.090 Building inspector and planner.

(a) There is hereby established the position of building inspector, whose duties shall be to enforce the provisions of this chapter; provided, that his enforcing activities herein permitted and directed shall not prevent or abolish the rights of other persons and officials to enforce this chapter as is now or as it hereafter may be provided by statute.

(b) There is hereby established the position of planning and zoning officer (planner), whose duties it shall be to enforce the provisions of the Wheatland Development Code of the Wheatland Town Code as amended; provided, that his enforcing activities herein permitted and directed shall not prevent or abolish the rights of other persons and officials to enforce this chapter as is now or as it hereafter may be provided by statute. [Ord. 723, 2006. 1996 Code § 7-9.]

As to fire prevention and protection generally, see Chapters 8.25 through 8.35 WMC.

Chapter 18.10**PLANNED UNIT DEVELOPMENT DISTRICT (PUD)**

Sections:

- 18.10.010 Purpose – Prohibited uses.
- 18.10.020 Permit procedure generally.
- 18.10.030 Authority of planning commission to limit or allow uses.
- 18.10.040 Development standards.
- 18.10.050 Development, maintenance and control.

18.10.010 Purpose – Prohibited uses.

The planned unit development (PUD) district is established to provide for development with multiple land uses to include residential, commercial, industrial or public uses designed to provide comparable, pleasing, efficient and economical environments.

Any uses, such as noxious, heavy industry, which detract from the livability or adversely affect the value of other uses within or adjacent to the district shall not be permitted, nor should proposed uses adversely affect existing industry. [Ord. 419 Ch. 4 § 1, 1976. 1996 Code § 7-28.]

18.10.020 Permit procedure generally.

A detailed site plan is required with a filing for a permit for a PUD, and shall require review by the planning commission.

A special permit shall be issued by the planning commission and town council after all negotiations have been made satisfactory to the town council and the requirements of this district are fulfilled. [Ord. 419 Ch. 4 § 1, 1976. 1996 Code § 7-29.]

18.10.030 Authority of planning commission to limit or allow uses.

The planning commission shall have the authority to limit or allow uses as a site plan review procedure; providing, the review is reasonable and within the purpose of the district. [Ord. 419 Ch. 4 § 1, 1976. 1996 Code § 7-30.]

18.10.040 Development standards.

- (a) Maximum building height shall be subject to fire protection capabilities.
- (b) Setback requirements for perimeter of district shall be:
 - (1) Front yard: 25 feet (7.6 meters).
 - (2) Side yard: 15 feet (4.6 meters).
 - (3) Rear yard: 15 feet (4.6 meters).
- (c) Public access to the district boundary is required. [Ord. 419 Ch. 4 § 1, 1976. 1996 Code § 7-31.]

18.10.050 Development, maintenance and control.

Documents establishing the continued responsibility, duties and assurance of ability to provide unified control and maintenance over common areas of the district, including, but not limited to, parking areas, malls, open spaces, recreational areas, signs and public restrooms shall be submitted with the plot plan. Such documents shall set forth the present ownership, and in the case of condominiums or apartments, the method of conveying title and the type of estate to be granted. Such documents shall be updated when any changes in ownership or responsibility are made and shall be kept on file with the planning office. Appropriate forms of unified control shall include corporations, partnerships, trusts, owners' associations or other legal entities having the right to assess individual landowners within the development and the power to enforce such assessments. If at any time such control and maintenance is discontinued, the town may assume such and impose a lien upon the district to cover the necessary expenses. [Ord. 419 Ch. 4 § 1, 1976. 1996 Code § 7-32.]

Chapter 18.15**RESIDENTIAL DISTRICT (R)**

Sections:

- 18.15.010 Purpose.
- 18.15.020 Permitted uses.
- 18.15.030 Development standards.
- 18.15.040 Site plans.

18.15.010 Purpose.

The residential (R) district is established to provide for single-family residential lots. [Ord. 419 Ch. 4 § 2, 1976. 1996 Code § 7-33.]

18.15.020 Permitted uses.

(a) Uses Not Requiring a Special Permit.

(1) Permanent single-family dwellings. This specifically does not include duplexes, townhouses, condominiums, or other structures which share common construction elements.

(b) Uses Requiring a Special Permit.

(1) Dwellings occupied by more than one family (for attached separate ownership residences the planning commission can include in conditions of approval that there is no property line setback required for interior common lot lines; however, required setbacks are still applicable for front, rear and exterior lot lines).

(2) Churches.

(3) Schools.

(4) Child care facilities.

(5) Parks.

(6) Recreation areas.

(7) Hospitals and health care facilities.

(8) Offices.

(c) Accessory Uses. Accessory uses are those clearly incidental to the use of the principal buildings within the district. [Ord. 717, 2005; Ord. 441 § 1, 1977; Ord. 419 Ch. 4 § 2, 1976. 1996 Code § 7-34.]

18.15.030 Development standards.

(a) Minimum lot area shall be 6,600 square feet. Lots with less area than 6,600 square feet may be allowed only by a special permit which must be granted by the planning commission in conformance with Chapter 18.85 WMC.

(b) Maximum height is subject to fire protection capabilities.

(c) Minimum width of lot at setback line shall be 66 feet (20.1 meters).

(d) Setback requirements shall be as follows:

(1) Front yard: 25 feet (7.6 meters).

(2) Side yard: six feet (1.8 meters) (unless the residence on a corner lot faces the side yard, in which case a 10-foot setback is required).

(3) Rear yard: six feet (1.8 meters). A one-story detached accessory building used as a tool and storage shed, provided the projected roof area does not exceed 120 square feet, may be built up to side and rear property lines in residential districts. If a designated alley exists, larger utility buildings and vehicle garages may be built to rear yard lot line provided the entryway does not open onto an alley. If vehicle garage door entryway opens on to an alley, any building must be set back a minimum of 10 feet. No portion of any structure shall extend beyond any property line.

A permit is not required for playhouses or structures for similar uses provided the projected roof area of the structure does not exceed 100 square feet. [Ord. 717, 2005; Ord. 552, 1983; Ord. 515 § 2, 1980; Ord. 419 Ch. 4 § 2, 1976. 1996 Code § 7-35.]

18.15.040 Site plans.

A site plan is required by the building inspector in order to obtain a building permit. [Ord. 419 Ch. 4 § 2, 1976. 1996 Code § 7-36.]

Chapter 18.20**RESIDENTIAL – HIGH DENSITY DISTRICT (RH)**

Sections:

18.20.010 Purpose.

18.20.020 Permitted uses.

18.20.030 Development standards.

18.20.010 Purpose.

The residential – high density (RH) district is established to provide for apartment buildings, condominiums, nursing homes and other permanent, multifamily dwellings in a way that enhances the surrounding development, but will not create hazards or nuisances due to the increased density. [Ord. 419 Ch. 4 § 3, 1976. 1996 Code § 7-38.]

18.20.020 Permitted uses.

(a) Uses Not Requiring a Special Permit.

- (1) Multifamily dwellings;
- (2) Churches;
- (3) Parks;
- (4) Hospitals and health care facilities;
- (5) Other uses which conform to the purpose of the district.

(b) Uses requiring a special permit are those uses which the building inspector declares not in conformance to the purpose of the district due to peculiar circumstances, and must be filed with the planning office in conformance to Chapter 18.85 WMC.

(c) Accessory uses allowed are those clearly incidental to the use of the principal buildings within the district. [Ord. 419 Ch. 4 § 3, 1976. 1996 Code § 7-39.]

18.20.030 Development standards.

(a) Public access to the development is required.

(b) Maximum height shall be subject to fire protection capabilities.

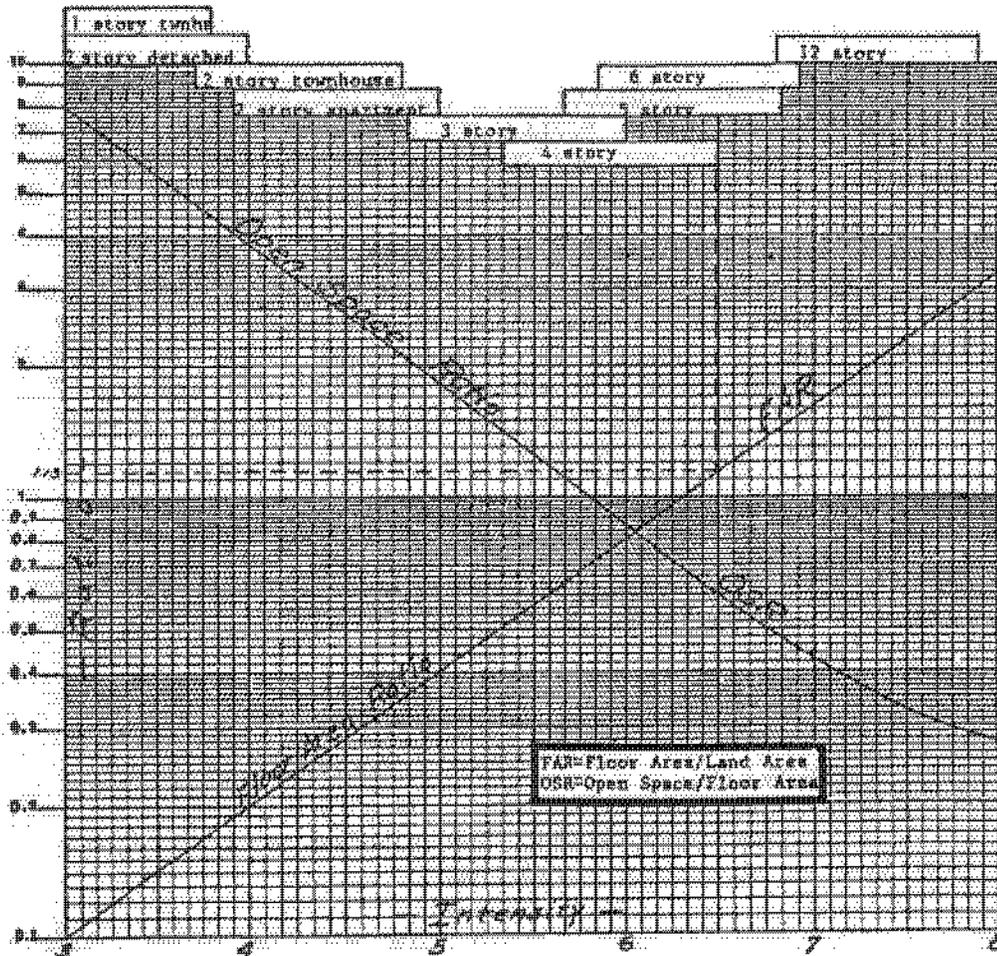
(c) Setback requirements on the perimeter of the development:

- (1) Front yard: 40 feet (12.2 meters) if fronting on arterial roadways; 25 feet (7.6 meters) otherwise.
- (2) Side yard: 12 feet (3.6 meters).
- (3) Rear yard: 25 feet (7.6 meters).

(d) Maximum length of continuous townhouse development: 200 feet (61.0 meters) with 12 feet (3.6 meters) firebreak between next building.

The following land use intensity chart shall govern the minimum required open spaces and maximum number of units per acre:

Note that the higher the intensity, the smaller is the possible open space, and therefore, the less desirable is the livability.



Example: how many units at 700 sq. ft./unit can be put on 0.4 acres with a four-story design?

$$\text{Max FAR} = 1.13 = \frac{? \times 700}{0.4 \times 43560} \quad ? = \frac{1.13 \times 0.4 \times 43560}{700} = 28 \text{ units}$$

[1996 Code § 7-40.]

Chapter 18.25

LOW DENSITY SUBURBAN RESIDENTIAL DISTRICT (LDSR)

Sections:

- 18.25.010 Purpose of LDSR.
- 18.25.020 Permitted uses within LDSR.
- 18.25.030 Development standards within LDSR.
- 18.25.040 Street plan within LDSR.
- 18.25.050 Drainage plan within LDSR.
- 18.25.060 Special note.

18.25.010 Purpose of LDSR.

The low density suburban residential district (LDSR) is established to provide an alternate zoning for residential areas designed with lots large enough to provide for:

- (a) The possibility for on-site storm water retention.
- (b) Off-street parking.
- (c) The possibility for on-site sewage disposal.
- (d) Access driveways with drainage culverts, thereby eliminating the need for curb and gutter and wider streets with on-street parking. [Ord. 755 § 1, 2010.]

18.25.020 Permitted uses within LDSR.

- (a) Uses Not Requiring a Special Permit.
 - (1) Permanent single-family dwellings. This specifically does not include duplexes, townhouses, condominiums, or other structures which share common construction elements.
- (b) Uses Requiring a Special Permit.
 - (1) Dwellings occupied by more than one family (for attached separate ownership residences the planning commission can include in conditions of approval that there is no property line setback required for interior common lot lines; however, required setbacks are still applicable for front, rear and exterior lot lines).
 - (2) Churches.
 - (3) Schools.
 - (4) Childcare facilities.
 - (5) Parks.
 - (6) Recreation areas.
 - (7) Hospitals and health care facilities.
 - (8) Offices.
- (c) Accessory Uses. Accessory uses are those clearly incidental to the use of the principal building within the district. [Ord. 755 § 2, 2010.]

18.25.030 Development standards within LDSR.

- (a) No individual wells allowed.
- (b) Minimum lot size shall be as follows:
 - (1) With On-Site Sewage Disposal. One acre and the development plan will demonstrate that the limit of on-site sewage treatment facilities including septic tanks and absorption fields shall be no closer than 50 feet from the property lines.

Lots larger than one acre may be required depending on the determination of adequacy of the soil in the engineering design report required for this option.

If individual lot on-site sewage disposal is proposed, the developer will provide public sewer main extensions across the proposed subdivision as required to provide the option for adjoining property to use the town's public sewer.

The governing body must approve any on-site sewage disposal within LDSR.

(2) With Public Sewer Provided. One-half acre with a minimum street frontage of 100 feet onto a dedicated public road.

(c) Maximum height is subject to fire protection capabilities.

(d) Minimum width of lot at setback line shall be 100 feet.

(e) Setback requirements shall be as follows:

(1) Front yard: 25 feet (7.6 meters).

(2) Side yard: 12 feet (3.7 meters).

(3) Rear yard: 25 feet (7.6 meters). [Ord. 755 § 3, 2010.]

18.25.040 Street plan within LDSR.

Development plans along any Wheatland Flats county roads within city limits will provide for additional right-of-way to extend a minimum of 40 feet from the section line except for instances where this additional right-of-way would encroach into the 25-foot front yard setback for existing residential dwellings. In this case the subdivision plan will provide an additional 20-foot-wide utility easement along the existing old county road right-of-way except where this additional 20-foot-wide easement would extend closer than five feet to the closest point on the existing dwelling.

(a) Minimum right-of-way requirement shall be as follows:

(1) All interior roads within the proposed subdivision shall be a minimum 60 foot right-of-way width.

(b) Pavement requirements shall be as follows:

(1) For lots abutting existing paved county roads within the city limits no widening of the existing pavement is required.

(2) No curb and gutter or sidewalk is required.

(3) Drainage facilities including culverts under driveways will be provided as identified in the required drainage report to be prepared by a licensed civil engineer.

Driveways shall be a minimum 12 feet wide tops at property line and shall have minimum 15-foot radius pavement wraps onto the street shoulders. Driveways shall be hard surface paved from the street to the street right-of-way boundary. Drainage culverts under driveways shall be of a minimum length to extend past slopes into the borrow ditch not steeper than 3:1.

(4) Where lots abut interior dedicated public roads, the streets shall have a minimum 22-foot-wide hard surface pavement. This pavement may be concrete or asphalt. The pavement cross-sections shall be a minimum six-inch-thick Portland cement concrete or a minimum three-inch-thick hot-mix asphaltic concrete on a minimum four-inch-thick crushed rock base. These are minimum pavement cross-sections and may require additional thickness in areas of poor sub-grade bearing capacity with an equivalent CBR ratio of less than 15.

Alternate hard surface paving plans may be approved based on engineering and geotechnical reports substantiating the adequacy and serviceability of an alternate hard surface paving plan. [Ord. 755 § 4, 2010.]

18.25.050 Drainage plan within LDSR.

Any drainage plan shall be prepared by a licensed civil engineer and shall specify specific drainage culvert sizes where required and shall demonstrate that no additional storm water runoff from the 100-year design storm event will collect beyond the proposed subdivision limits. Whenever the subdivision plan includes on-site storm water retention on individual lots and/or whenever the subdivision plan includes on-site sewage disposal on individual lots, these conditions will be stated in bold letters on any deed transferring ownership of the lot in conjunction with the required documentation on the subdivision plat. [Ord. 755 § 5, 2010.]

18.25.060 Special note.

Any proposed development along the north side of East Oak Street may be subject to the proposed realignment of an arterial street parallel with and north of the existing East Oak Street.

The provisions of this chapter are not intended to eliminate or circumvent the requirements for subdivision applications with preliminary and final plat submittals and reviews as required by the town's subdivision regulations. [Ord. 755 § 6, 2010.]

Chapter 18.30**MOBILE HOME PARK DIVISION (MHP)**

Sections:

- 18.30.010 Purpose.
- 18.30.020 Permitted uses.
- 18.30.030 Platting.
- 18.30.040 Development standards.
- 18.30.050 Site and preliminary plans.

18.30.010 Purpose.

The mobile home park (MHP) district is provided for ensuring and promoting a quality living environment in a mobile home development where spaces are rented to the occupants. [Ord. 419 Ch. 4 § 4, 1976. 1996 Code § 7-41.]

18.30.020 Permitted uses.

(a) Uses Not Requiring a Special Permit. In a mobile home park district, no uses shall be allowed other than single-family mobile homes, and those designed to serve the residents of the park and compatibly and harmoniously incorporated into the design of the park, as shown on a site plan.

(b) Uses Requiring a Special Permit. A mobile home sales area which: (1) shall be discontinued when the park is 90 percent developed; and (2) which is integrated into the park design. One advertising sign, not to exceed 32 square feet, for this sales area, may be used during this temporary development period. [Ord. 419 Ch. 4 § 4, 1976. 1996 Code § 7-42.]

18.30.030 Platting.

Mobile home parks with public streets must be platted in accordance with WMC Title 17. [Ord. 419 Ch. 4 § 4, 1976. 1996 Code § 7-43.]

18.30.040 Development standards.

(a) Generally.

- (1) The park shall be graded and drained to assure no pooling or drainage problems.
- (2) Public access to the mobile home park boundary is required.
- (3) If more than 20 units are proposed, at least two unobstructed accesses into the interior road systems must be constructed.
- (4) Minimum mobile home setback from a public right-of-way fronting on a mobile home park is 20 feet (6.1 meters).
- (5) Minimum setback from property line is 15 feet (4.6 meters).

(b) Space Requirements.

- (1) Setbacks.
 - a. Front yard: 20 feet (6.1 meters).
 - b. Rear yard: 10 feet (3.0 meters).
 - c. From any principal structure: 20 feet (6.1 meters).
- (2) Minimum distance between mobile homes: 25 feet (7.6 meters).
- (3) Minimum area of each unit shall be controlled by the setback requirements, but in no case shall the area be less than 3,000 square feet.
- (4) Off-street parking: one space/unit if the traveling width of the road fronting the unit is 36 feet (11 meters); two spaces/unit if the traveling width of the road fronting the unit is less than 36 feet (11 meters).

(c) Roadways and Walkways.

(1) If roadways are to be dedicated to the town, 60 feet (18.3 meters) of right-of-way and 40 feet of pavement are required, curb, gutter, and 42 inches of sidewalk shall be installed by developer, as minimums.

(2) All roadways, public or private, within the mobile home park shall be paved, with a minimum of 36-inch curb, gutter and sidewalk section. The minimum width of pavement shall be 24 feet (7.5 meters) on private roadways.

(3) Minimum Paving Specification.

- a. Seal coat and chips.
- b. Two-inch hot mix asphalt concrete.
- c. Six-inch well graded base.

(4) Minimum Curb-Gutter-Sidewalk Specifications.

- a. Six-inch Portland cement concrete.

(d) Lighting. Roadways and walkways shall be lighted to produce a minimum of 0.2 foot-candle throughout the street system. Intersections within the park shall be lighted to produce a minimum of 0.3 foot-candle at ground level. Lighting shall be the developer’s responsibility if roadway is private.

(e) Open space for the residents of the mobile home park shall be provided in accordance with the following standards:

Dwelling units per gross acre in development	Minimum percentage of development to be reserved for open space
1 to 3.99	3.0%
4 to 5.99	6.0%
6 to 7.99	9.0%
8 to 9.99	10.0%
10 to 11.99	11.5%

(f) Common Areas. Areas for storage and parking of travel trailers, boats, etc., shall be provided in the park for use by the occupants unless specifically denied by the owner. The planning commission will consider each site plan individually to govern the intent of this change.

(g) Disturbance of Natural Features. Where possible, the mobile home unit should be fitted to the terrain with a minimum disturbance of the land. Existing trees, rock formations, and other natural site features should be preserved to an extent which is practical. [Ord. 441 § 7, 1977; Ord. 419 Ch. 4 § 4, 1976. 1996 Code § 7-44.]

18.30.050 Site and preliminary plans.

A site plan shall be submitted with the filing for an MHP district permit for planning commission and town council review and consideration. A preliminary plan of the proposed plat must accompany the site plan if publicly dedicated streets are proposed. [Ord. 441 § 7, 1977; Ord. 419 Ch. 4 § 4, 1976. 1996 Code § 7-45.]

Chapter 18.35**MOBILE HOME SUBDIVISION DISTRICT**

Sections:

- 18.35.010 Purpose.
- 18.35.020 Permitted uses.
- 18.35.030 Site and preliminary plans.
- 18.35.040 Development standards.

18.35.010 Purpose.

The mobile home subdivision (MHS) district is established to provide private ownership of lots for single-family mobile homes, while ensuring and promoting a quality living environment. [Ord. 419 Ch. 4 § 5, 1976. 1996 Code § 7-46.]

18.35.020 Permitted uses.

No uses are permitted other than those designed to serve the residents of the mobile home subdivision, which are compatibly and harmoniously incorporated into the design of the subdivision as shown on the site plan. [Ord. 419 Ch. 4 § 5, 1976. 1996 Code § 7-47.]

18.35.030 Site and preliminary plans.

A preliminary plan and site plan shall accompany the filing for an MHS district permit. An approved final plat shall be recorded prior to the issuance of any building permits. [Ord. 419 Ch. 4 § 5, 1976. 1996 Code § 7-48.]

18.35.040 Development standards.

- (a) All mobile homes shall be fully skirted.
- (b) Setback requirements are as follows:
 - (1) Primary Structure.
 - a. Front yard: 20 feet (6.1 meters).
 - b. Side yards: 12 feet (3.7 meters).
 - c. Rear yard: 10 feet (3.0 meters).
 - d. Yards adjacent to public roadway: 20 feet (6.1 meters).
 - e. Yards adjacent to interstate right-of-way: 10 feet (3.0 meters).
 - (2) Detached Accessory Structures.
 - a. Front yard: 20 feet (6.1 meters).
 - b. Side yard: six feet (1.8 meters) (unless the residence on a corner lot faces the side yard, in which case a 10-foot setback is required).
 - c. Rear yard: six feet (1.8 meters) (If a designated alley exists, utility buildings and vehicle garages may be built to rear yard lot line provided the entryway does not open onto an alley. If vehicle garage door entryway opens onto an alley, any building must be set back a minimum of 10 feet. No portion of any structure shall extend beyond the property line).
- (c) All lots shall front onto the interior streets of the mobile home subdivision.
- (d) Minimum Lot Size. Lot size shall be controlled by the setback requirements; developers should design lots to satisfy double-wide mobile home owners as well as a single-wide; areas for storage of recreational vehicles, boats, etc., should be provided within a common area or on each lot.
- (e) Roadways and Walkways.
 - (1) If roadways are to be dedicated to the town, 60 feet (18.3 meters) of right-of-way and 40 feet of pavement are required; curb, gutter and 42 inches of sidewalk shall be installed by developer, as minimums.

(2) All roadways within the mobile home subdivision shall be paved, with a minimum of 36-inch curb, gutter and sidewalk section. In no case shall the pavement be less than 24 feet (7.5 meters) wide.

Minimum paving specification:

Seal coat and chips.

Two-inch hot mix asphalt concrete.

Six-inch well graded base.

Minimum curb-gutter-sidewalk specifications: six inches Portland cement concrete.

(f) Lighting. Roadways and walkways shall be lighted to produce a minimum of one-fifth foot-candle throughout the street system. Intersections within the park shall be lighted to produce a minimum of three-tenths foot-candle at ground level. Lighting shall be the developer's responsibility if roadway is private.

(g) Open Space. Open space for the residents of the mobile home subdivision shall be provided in accordance with the following standards:

Dwelling units per gross acre in development	Minimum percentage of development to be reserved for open space
1 to 3.99	3.0%
4 to 5.99	6.0%
6 to 7.99	9.0%
8 to 9.99	10.0%
10 to 11.99	11.5%

(h) Homeowner's Association. A homeowner's association is required unless there are other methods acceptable to the town for maintaining common properties. [Ord. 718, 2006; Ord. 441 § 7, 1977; Ord. 419 Ch. 4 § 5, 1976. 1996 Code § 7-49.]

Chapter 18.40**HIGHWAY BUSINESS DISTRICT (HB)**

Sections:

- 18.40.010 Purpose.
- 18.40.020 Permitted uses.
- 18.40.030 Development standards.
- 18.40.040 Site plans.

18.40.010 Purpose.

The purpose of the highway business (HB) district is to provide areas for the location of businesses established to serve a mobile public and which are dependent upon access by vehicular traffic. [Ord. 525 § 3, 1981; Ord. 419 Ch. 4 § 6, 1976. 1996 Code § 7-50.]

18.40.020 Permitted uses.

(a) Uses permitted in a highway business district are:

- (1) Service stations;
- (2) Auto washing establishments;
- (3) Motels and hotels;
- (4) Bowling alleys;
- (5) Drive-in restaurants;
- (6) Restaurants;
- (7) Convenience stores;
- (8) Grocery and drug stores;
- (9) Professional offices, including medical and dental clinics;

(10) A dwelling unit for occupancy by owners or managers. A residence attached to or part of a building which is one of the permitted uses is allowed if and only if the residence is occupied by the owner of or the manager of the business (permitted use). In the event the building does not house a permitted use, the portion used for a residence cannot continue. The residence cannot be rented. Prior to the residence being occupied, it must be inspected by the building inspector and a certificate of occupancy obtained.

(b) Uses requiring a special use permit as provided by Chapter 18.85 WMC are:

- (1) Hospitals;
- (2) Small animal and veterinary hospitals;
- (3) Tourist homes;
- (4) Commercial kennels;
- (5) Campgrounds;
- (6) Sales of passenger automobiles and pickup trucks rated one and one-half ton and under;
- (7) Television and radio stations;
- (8) Auto body repair shops;
- (9) Auto repair shops;
- (10) Commercial rental storage units;
- (11) Other uses similar to the permitted uses but not listed herein.

All other uses requiring a special use permit in subsection (b) of this section remain.

(c) Uses prohibited in highway business districts are:

- (1) Junk yards;
- (2) Storage of any wrecked or inoperable vehicle for a period in excess of six hours except in connection with a full-time auto body repair shop or auto repair shop. The storage of any vehicle on the premises of any auto body repair shop or auto repair shop shall be allowed only for bona fide business purposes in connection with the operation and conduct of any such business;

- (3) Any use permitted in a heavy industrial district and other similar uses permitted in such district;
- (4) Although otherwise permitted, any use which interferes with the free flow of traffic. [Ord. 739, 2007; Ord. 718, 2006. 1996 Code § 7-51.]

18.40.030 Development standards.

- (a) Minimum lot area shall be 10,000 square feet.
- (b) Maximum height shall be subject to fire protection capabilities.
- (c) Setback requirements shall be as follows:
 - (1) Front yard: 40 feet (12.2 meters).
 - (2) Side yard: 25 feet (7.6 meters) from residential property lines where abutting a residential zone; five feet where abutting an alley.
 - (3) Rear yard: 25 feet (7.6 meters) from residential property lines where abutting a residential zone; five feet where abutting an alley.
 - (4) Gasoline pumps: 15 feet (4.6 meters) front and side yard setback.
 - (5) Sales stands: 40 feet (12.2 meters) front yard setback.
 - (6) Adjacent to interstate right-of-way: 10 feet (3.0 meters).
- (d) Public access is required. [Ord. 493, 1979; Ord. 441 § 9, 1977; Ord. 419 Ch. 4 § 6, 1976. 1996 Code § 7-52.]

18.40.040 Site plans.

A site plan shall be submitted to the building inspector in order to obtain a building permit. A site plan may be required for review by the planning commission at its discretion. [Ord. 419 Ch. 4 § 6, 1976. 1996 Code § 7-53.]

Chapter 18.45**GENERAL BUSINESS DISTRICT (GB)**

Sections:

- 18.45.010 Purpose.
- 18.45.020 Permitted uses.
- 18.45.030 Development standards.
- 18.45.040 Site plans.

18.45.010 Purpose.

The purpose of the general business (GB) district is to provide for commercial activities, but limited to those which will not cause a detriment to the health, safety and welfare of the surrounding neighborhood. [Ord. 419 Ch. 5 § 7, 1976. 1996 Code § 7-54.]

18.45.020 Permitted uses.

- (a) Uses not requiring a special permit are those uses which conform to the purpose of this district, such as:
 - (1) Retail stores;
 - (2) Financial institutions;
 - (3) Repair shops;
 - (4) Professional offices;
 - (5) A dwelling unit for occupancy by owners or managers. A residence attached to or part of a building which is one of the permitted uses is allowed if and only if the residence is occupied by the owner of or the manager of the business (permitted use). In the event the building does not house a permitted use, the portion used for a residence cannot continue. The residence cannot be rented. Prior to the residence being occupied, it must be inspected by the building inspector and a certificate of occupancy obtained.
- (b) Commercial uses requiring a special permit are those which the building inspector declares not in conformance with the purpose of this district due to peculiar circumstances, and must be filed with the planning commission in conformance with Chapter 18.85 WMC for consideration.
- (c) Accessory uses allowed are those which are clearly incidental to the use of the principal buildings within the district. [Ord. 739, 2007; Ord. 419 Ch. 4 § 7, 1976. 1996 Code § 7-55.]

18.45.030 Development standards.

- (a) Minimum lot area shall be 10,000 square feet.
- (b) Maximum height shall be subject to fire protection capabilities.
- (c) Setback Requirements.
 - (1) Any building constructed or any addition made to any existing building located on Blocks 59, 60, 61, 62, 66, 67, 68, 77, 78, 79, E 1/2 of 84, 85 and E 1/2 of 86 in the town shall be constructed so that the building or addition is in line with any adjacent building and an equal distance from the property line as any adjacent building.
 - (2) Construction in any other general business district in the town shall conform to the following requirements:
 - (a) Front yard: 10 feet (3.0 meters) if required parking is provided by the developer at the side and rear yards.
 - (b) Side yard: 25 feet (7.6 meters) from residential property lines where abutting a residential zone; five feet where abutting an alley.
 - (c) Rear yard: 25 feet (7.6 meters) from residential property lines where abutting a residential zone; five feet where abutting an alley.
 - (d) Adjacent to interstate right-of-way: 10 feet (3.0 meters). [Ord. 493, 1979; Ord. 468, 1977; Ord. 441 § 9, 1977; Ord. 419 Ch. 4 § 7, 1976. 1996 Code § 7-56.]

18.45.040 Site plans.

A site plan shall be submitted to the building inspector in order to obtain a building permit. A site plan may be required for review by the planning commission, at its discretion. No additional filing fee shall be required. [Ord. 441 § 6, 1977; Ord. 419 Ch. 4 § 7, 1976. 1996 Code § 7-57.]

Chapter 18.50**LIGHT INDUSTRIAL DISTRICT (LID)**

Sections:

- 18.50.010 Purpose.
- 18.50.020 Permitted uses.
- 18.50.030 Development standards.
- 18.50.040 Site plans.

18.50.010 Purpose.

The light industrial (LID) district is established to provide for planned industrial sites for such uses as manufacturing, research, assembly or warehousing uses which are, to a considerable extent, clean, quiet and free of any objectionable nuisance or hazard. This district is intended for more than one lot, but may apply for a single industry if such is suited to the neighborhood. [Ord. 419 Ch. 4 § 8, 1976. 1996 Code § 7-58.]

18.50.020 Permitted uses.

(a) Uses permitted in a light industrial district are:

- (1) Warehousing (indoor);
- (2) Lumber yard;
- (3) Material storage;
- (4) Manufacturing which does not emit smoke, dust or excessive noise beyond the property lines;
- (5) Assembly plants;
- (6) Research and development establishments;
- (7) Bakery products;
- (8) Mobile home and trailer sales;
- (9) Sales and repair of trucks rated over one and one-half ton;
- (10) Farm equipment sales and repair;
- (11) Industrial and domestic construction equipment sales and repair;
- (12) Boat sales and service.

(b) All other uses require a special use permit as provided by WMC 18.85.010. [Ord. 525 § D, 1981; Ord. 419 Ch. 4 § 8, 1976. 1996 Code § 7-59.]

18.50.030 Development standards.

(a) Minimum district area shall be three acres.

(b) Maximum height is subject to fire protection capabilities.

(c) Public access is required.

(d) Setback requirements shall be as follows:

(1) Next to residential district (R, RH, MHP, MHS): 150 feet (45.7 meters); a lesser setback is allowable if audio and visual screening satisfactory to the planning commission is installed.

(2) Front yard: 40 feet (12.2 meters).

(3) Side yard: 25 feet (7.6 meters).

(4) Rear yard: 25 feet (7.6 meters).

(5) Adjacent to interstate right-of-way: 10 feet (3.0 meters).

(e) Minimum lot size: 10,000 square feet.

(f) Outside storage shall be permitted if adequate screening is provided.

(g) Landscaping. Any part of a lot not used for structures, off-street parking, loading and maneuvering areas, drives and pedestrian walks, shall be landscaped with vegetative or nonvegetative materials, all of which shall be properly maintained at all times. [Ord. 441 §§ 8, 9, 1977; Ord. 419 Ch. 4 § 8, 1976. 1996 Code § 7-60.]

18.50.040 Site plans.

A site plan shall be submitted with a filing for a LID permit for planning commission review and consideration. [Ord. 441 § 8, 1977; Ord. 419 Ch. 4 § 8, 1976. 1996 Code § 7-61.]

Chapter 18.55**HEAVY INDUSTRIAL DISTRICT (HID)**

Sections:

18.55.010 Purpose – Certain uses prohibited.

18.55.020 Permits and site plans.

18.55.030 Development standards.

18.55.010 Purpose – Certain uses prohibited.

The heavy industrial (HID) district is established for manufacturing, warehousing, and livestock purposes which require much open space and buffering areas, and transportation facilities such as highways and rail spurs. Heavy industrial uses which cause nuisance or economic hazards to surrounding land uses shall not be permitted. This district is intended for more than one lot, but may apply for a single industry if such is suited to the neighborhood. [Ord. 419 Ch. 4 § 9, 1976. 1996 Code § 7-62.]

18.55.020 Permits and site plans.

All industrial uses, except those in light industrial (LID), shall have a special permit from the planning commission before obtaining a building permit. Any application to change land use district boundary lines must be accompanied with a site plan of development.

A site plan shall be submitted with a filing for an HID permit for planning commission review and consideration. [Ord. 419 Ch. 4 § 9, 1976. 1996 Code § 7-63.]

18.55.030 Development standards.

(a) Minimum district area shall be 10 acres.

(b) Maximum height is subject to fire protection capabilities.

(c) Public access is required.

(d) Setback requirements shall be as follows:

(1) Next to residential district (R, RH, MHP, MHS): 150 feet (45.7 meters); a lesser setback is allowed if audio and visual screening satisfactory to the planning commission is installed.

(2) Front yard: 40 feet (12.2 meters).

(3) Side yard: 12 feet (3.7 meters).

(4) Rear yards: 12 feet (3.7 meters).

(5) Adjacent to interstate right-of-way: 10 feet (3.0 meters).

(e) Landscaping. The exterior side and rear yards of a district shall be fenced by an opaque screen or planting screen at least six feet in height, except where the developer can show through documentation that adjacent land owners/renters or the public use is not adversely affected.

(f) Junkyards shall have the area used for such purposes completely surrounded by an opaque barrier not less than six feet in height with solid gates for entry. The material stored within the junkyard shall not be stacked higher than the fence height. [Ord. 419 Ch. 4 § 9, 1976. 1996 Code § 7-64.]

Chapter 18.60**CONSERVANCY DISTRICT (C)**

Sections:

- 18.60.010 Purpose – District changes.
- 18.60.020 Permitted uses.
- 18.60.030 Setbacks.

18.60.010 Purpose – District changes.

This district is established for areas surrounding the existing built-up area of the town which are vacant or in agriculture and grazing, or for areas which are undevelopable due to flood hazards, geologic hazards or other extreme constraints. Parks, recreation and open spaces are principal uses of the conservancy district. Once a land use plan has been adopted, the town may change this district classification to comply with such land use plan. Any person may file for a district change if the intended development does not conflict with the purposes of this chapter. [Ord. 419 Ch. 4 § 10, 1976. 1996 Code § 7-65.]

18.60.020 Permitted uses.

- (a) Uses not requiring a special permit shall be:
 - (1) Agriculture, excepting feedlots, which are expressly not permitted;
 - (2) Permanent single-family dwellings;
 - (3) Golf courses;
 - (4) Recreation and open space;
 - (5) Plant nurseries;
 - (6) Temporary circuses;
 - (7) Temporary religious meetings;
 - (8) Trails.
- (b) Uses requiring a special permit shall be:
 - (1) Single-family mobile home.

Any developments other than those uses listed above shall require a land use district boundary change to that allowing such use.

All subdivisions shall require a land use district boundary change to that which permits the proposed development. [Ord. 718, 2006. 1996 Code § 7-66.]

18.60.030 Setbacks.

Setback requirements shall be as follows:

- (a) Front yard: 25 feet (7.6 meters).
- (b) Side yards: 12 feet (3.7 meters).
- (c) Rear yard: 25 feet (7.6 meters). [Ord. 419 Ch. 4 § 10, 1976. 1996 Code § 7-67.]

Chapter 18.65**TRAVEL TRAILER PARK DISTRICT (TTP)**

Sections:

- 18.65.010 Purpose.
- 18.65.020 Permitted uses.
- 18.65.030 Development standards.
- 18.65.040 Refuse handling.
- 18.65.050 Fire protection.
- 18.65.060 Register of occupants.

18.65.010 Purpose.

This district is established to provide areas for seasonal recreation-oriented campers, recreation vehicles and truck campers; to prevent nuisances such as odor, smoke, noise or lights within the park; to create a safe environment for the user, for the reputation of the community; and as a design tool for the developer. [Ord. 419 Ch. 4 § 11, 1976. 1996 Code § 7-68.]

18.65.020 Permitted uses.

- (a) Uses not requiring a special permit include:
 - (1) Travel trailers.
 - (2) Recreation vehicles.
 - (3) Truck campers.
 - (4) Convenience store.
 - (5) Management office.
 - (6) Restroom facilities.
 - (7) Shower/bath facilities.

Note: All travel trailer parks are subject to a permit from the state health department also.

- (b) Uses requiring a special development permit are any uses not specified above. No public facilities which would attract people, other than the occupants of the parks, are allowed. [Ord. 419 Ch. 4 § 11, 1976. 1996 Code § 7-69.]

18.65.030 Development standards.

- (a) With the exception of trailers, all uses and the parking areas primarily related to their operations shall not occupy more than 10 percent of the area of the park.
- (b) Such uses shall present no visible evidence of their commercial character which would attract customers other than occupants of the park.
- (c) Drainage. The park shall be adequately graded and drained to ensure runoff.
- (d) Public access is required.
- (e) Density. A maximum of 25 unit stands per acre are required and no unit can be located other than on its specified lot, unless a truck camper combination is also pulling a travel trailer.
- (f) Travel Trailer Lot Requirements.
 - (1) Units and stands must be set back at least 15 feet (4.6 meters) when adjacent to a property line.
 - (2) There shall be at least 20 feet (6.1 meters) between each trailer.
 - (3) Trailer and stand must be set back at least 25 feet (7.6 meters) when adjacent to a property line adjoining a local or collector street and 50 feet (15.2 meters) when adjacent to an arterial or expressway.
 - (4) Trailer and stand must be set back at least 20 feet (6.1 in.) from any principal structure, such as restroom facilities.

(g) Roadways.

(1) There shall be provided paved roadways with a pavement of Portland cement concrete of a minimum thickness of four inches, or a pavement consisting of at least four inches of untreated rock base with at least two inches of plant mixed asphaltic surfacing. The rights-of-way shall not be less than 25 feet for two-way and 18 feet for one-way. Radius on curves shall be 40 feet. If cul-de-sacs are used: adequately paved vehicular turning space shall be provided; a turning radius of 40 feet is required; road grades shall not be in excess of six percent. Walkways shall be provided to service, accessory and recreational buildings. Roadways and walkways shall be lighted so as to provide a minimum of 0.1 candlepower.

(2) The internal street system in a trailer park shall be privately owned, constructed and maintained, and shall be designed for safe and convenient access to 91 spaces and to facilities for common use by park occupants.

(h) Water Supply.

(1) The water distribution system for the travel trailer park shall be installed in accordance with all applicable laws and ordinances by the developer, and dedicated to the town.

(2) Travel trailer parks shall be served only by the town water supply, and subject to applicable town ordinances.

(i) Wastewater Disposal. The wastewater collection system shall be installed by the developer, in accordance with all applicable laws and ordinances and dedicated to the town.

(j) Service Buildings and Other Service Facilities.

(1) The requirements of this section shall apply to service buildings, recreation buildings and other service facilities such as:

- a. Management offices, repair shops, storage areas;
- b. Sanitary facilities;
- c. Laundry facilities;
- d. Indoor recreation areas;
- e. Commercial uses supplying essential goods or services for the exclusive use of trailer occupants.

(2) A central service building containing the necessary toilet and other plumbing fixtures specified shall be provided in travel trailer parking spaces for dependent trailers and shall be restricted to the occupants of the park. Service buildings shall be conveniently located within a radius of approximately 300 feet to the spaces to be served.

A central service building	1 – 15	16 – 30	31 – 45	46 – 60	61 – 80
Toilets	1	2	3	4	4
Men	2	2	3	4	4
Women	2	3	4	5	6
Urinals (men)	2	3	3	4	4
Lavatories					
Men	2	3	4	5	5
Women	2	3	4	5	5
Showers					
Men	2	2	3	3	5
Women	2	2	4	5	6
Other fixtures	1 service sink with a flushing rim				

For parking areas having more than 100 trailer spaces there shall be provided: one additional toilet and lavatory for each sex per each additional 30 travel trailer spaces; one additional shower for each sex per each additional 40 travel trailer spaces; and one additional men’s urinal per each additional 100 travel trailer spaces.

A service sink with a flushing rim shall be provided for disposal of liquid wastes unless a sanitary station is conveniently accessible for this purpose.

Where a travel trailer parking area is designed for and exclusively limited to use by self-contained trailers, only the following minimum emergency sanitary facilities shall be required: For each 100 trailer spaces, or fractional part thereof, there shall be one flush toilet and one lavatory for each sex. [Ord. 419 Ch. 4 § 11, 1976. 1996 Code § 7-70.]

18.65.040 Refuse handling.

(a) The storage, collection and disposal of refuse in the trailer parking area shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.

(b) All refuse containing garbage shall be stored in fly-tight, rodent-proof containers, which shall be located not more than 150 feet from any trailer space. Containers shall be provided in sufficient number and capacity to properly store all refuse.

(c) Where municipal or private disposal service is not available, the owner or operator of the travel trailer parking area shall dispose of the refuse by transporting to a disposal site approved by the health authority.

(d) Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration and facilitate cleaning around them.

(e) All refuse containing garbage shall be collected at least twice weekly. Where suitable collection is not available from municipal or private agencies, the owner or operator of the travel trailer parking area shall provide this service. All refuse shall be collected and transported in covered vehicles or covered containers. [Ord. 419 Ch. 4 § 11, 1976. 1996 Code § 7-71.]

18.65.050 Fire protection.

(a) Travel trailer parking areas shall be kept free of litter, rubbish and other flammable materials.

(b) Portable fire extinguishers of a type approved by the fire department shall be kept in service buildings and at all locations designated by the fire authority, and shall be maintained in good operating condition.

(c) Fires shall be made only in stoves and other facilities intended for such purposes. [Ord. 419 Ch. 4 § 11, 1976. 1996 Code § 7-72.]

18.65.060 Register of occupants.

Every travel trailer park owner or operator shall maintain a register containing a record of all mobile homes, travel trailers, truck campers, tent trailers and tent cars using the travel trailer park. The register shall be current. [Ord. 419 Ch. 4 § 11, 1976. 1996 Code § 7-73.]

Chapter 18.70**REGULATIONS APPLICABLE TO ALL DISTRICTS**

Sections:

- 18.70.010 Site plans.
- 18.70.020 Sign installations and construction.
- 18.70.030 Disposition of monies collected.
- 18.70.040 Wastewater disposal and water service.
- 18.70.050 Curb, gutter and sidewalk requirements.
- 18.70.060 Fences, walls and hedges.

18.70.010 Site plans.

A site plan where required by this chapter shall be drawn to scale and shall contain the following:

- (a) Location and height of each building in reference to property lines.
- (b) Proposed building setbacks.
- (c) Location and number of parking spaces, each space drawn to scale.
- (d) Location of any natural hazards and historic features.
- (e) Roadways, walks, malls, recreation areas, open spaces, and landscaping or screens.
- (f) Location, height and bulk of advertising signs.
- (g) Access to public roadways (approaches).
- (h) General vicinity map for ease in locating (township, range, section, streets, etc.).
- (i) Chart showing proposed population, densities and acreages of various land uses if applicable.
- (j) If mobile home are proposed, a "typical" lot layout.
- (k) Roadway grades (percent), if applicable.
- (l) If mobile homes are proposed, color differentiation between lots for 14-foot-wide mobile homes and those for greater than 14 feet wide.
- (m) Any other information which the developer considers important to the development. [Ord. 419 Ch. 4 § 12, 1976. 1996 Code § 7-74.]

18.70.020 Sign installations and construction.

Sign installations and construction shall comply with the Uniform Sign Code (1994 Edition), as adopted by reference in WMC 15.05.010. [Ord. 419 Ch. 4 § 12, 1976. 1996 Code § 7-78.]

18.70.030 Disposition of monies collected.

All monies collected under the provisions of this chapter shall be deposited in the general fund of the town. [Ord. 419 Ch. 4 § 12, 1976. 1996 Code § 7-84.]

18.70.040 Wastewater disposal and water service.

(a) No outdoor privies, cesspools, septic tanks or other individual wastewater disposal systems shall be allowed within the town limits, unless specific approval is granted by the town council where connecting to the public system is considered unfeasible.

(b) All buildings requiring water service constructed within the town limits, after adoption of the ordinance codified in this chapter, shall be connected to and served by the town water supply system. [Ord. 433, 1976; Ord. 419 Ch. 4 § 12, 1976. 1996 Code § 7-85.]

18.70.050 Curb, gutter and sidewalk requirements.

(a) Curbs, gutters and sidewalks shall be installed on any lot or plot of land at the time any residential, commercial or industrial building is placed thereon. All construction shall conform to the town engineer's specifications prior to the issuance of any occupancy permit.

(b) The town engineer may waive the requirement if it is determined not to be feasible to install the required improvements at the time a building permit is requested. If the requirement is waived by the town engineer, it shall be the responsibility of the property owner to install curbs, gutters and sidewalks at such time the town engineer deems it feasible. [Ord. 500, 1979; Ord. 479, 1978. 1996 Code § 7-85.1.]

18.70.060 Fences, walls and hedges.

Fences, walls and hedges are permitted in all districts in accordance with the following limitations:

(a) Front Yard Setback Area. No fence, wall or hedge shall exceed 30 inches in height (0.76 meters) on the front yard setback area of any lot.

(b) Corner Lot. No fence, wall or hedge shall exceed 30 inches (0.76 meters) in height on the side and rear yard setback area when adjacent to a street right-of-way.

(c) The building inspector may permit fences, walls or hedges to exceed the limits set forth in subsections (a) and (b) of this section if the same do not create a safety hazard.

(d) In no event shall any fence, wall or hedge exceed six feet (1.8 meters) in height. [Ord. 479, 1978. 1996 Code § 7-85.2.]

Chapter 18.75

OFF-STREET PARKING AND LOADING

Sections:

18.75.010 Off-street parking.

18.75.020 Off-street loading.

18.75.010 Off-street parking.

(a) All parking shall be off the public rights-of-way.

(b) All parking shall be on the lot which contains the principal uses requiring parking or within 300 feet except in GB or HB districts where the parking shall be supplied within the boundaries of the district.

(c) Requirements for particular ones shall be as follows (for those uses not specifically mentioned, the most similar use shall govern):

Bowling alleys:	5 spaces per lane.
Dance halls and skating rinks:	1 space per 100 square feet floor area.
Child care facilities:	1 space per 10 daily children.
Drive-in restaurants:	20 spaces.
Dwelling unit, single-family:	1 space.
Dwelling unit, two-family:	1 space per unit.
Dwelling unit, multifamily:	1 space per unit.
Hospitals:	1 space per bed plus 5 spaces.
Hotels, motels, travel trailer parks:	1 space per unit.
LID and HID:	1 space per 2 employees plus 5 spaces for visitors.
Museums:	1 space per 500 square feet floor area.
Mobile home parks:	See Chapter 18.30 WMC.
Homes:	1 space per 3 beds.
Offices:	1 space per 300 square feet floor area.
Service facilities:	1 space per 200 square feet floor area.
Service stations (gasoline stations):	1 space per 400 square feet building area plus 1 space for each garage stall.
Recreation building:	1 space per 300 square feet building area.
Restaurants, cocktail lounges, etc.:	1 space per 3 seats.
Retail:	1 space per 200 square feet gross leasable area.
Schools, elementary:	2 spaces per classroom.
Schools, senior high:	6 spaces per classroom.
Theaters:	1 space per 4 seats.
Warehouses:	1 space per 800 feet of indoor storage area.

(d) The board of adjustment shall have the authority to grant variances to off-street parking requirements. [Ord. 441 §§ 3, 4, 1977; Ord. 419 Ch. 4 § 12, 1976. 1996 Code § 7-75.]

18.75.020 Off-street loading.

Adequate space for standing, loading and unloading of motor vehicles shall be provided on nonresidential lots to avoid interference with the normal use of public streets and ways. The following design criteria shall be followed:

(a) Required Spaces.

Floor area of business or industrial establishment in square feet	Minimum required number and size of loading	Vertical clearance
1 – 9,999	1 (12 x 40 feet)	14 feet
10,000 – 24,999	2 (10 x 40 feet)	14 feet
25,000 – 39,999	2 (10 x 70 feet)	14 feet
40,000 – 99,999	3 (10 x 70 feet)	14 feet
100,000 – 249,999	4 (10 x 70 feet)	14 feet
Each additional 200,000	1 (10 x 70 feet)	14 feet (4.3 meters)

(b) Location. Required spaces shall be located on the same lot as the establishment served, except where an adjacent establishment's facilities are sufficient to serve both establishments. Off-street parking and off-street loading requirements shall be mutually exclusive.

(c) Setbacks.

(1) No space shall be less than 50 feet (15 meters) from a residential district unless screening is provided between districts.

(2) No space shall be less than 50 feet (15 meters) from the nearest point of intersection of two streets.

(3) Front lot line shall be set back 10 feet (3 meters).

(4) Side lot line shall be set back five feet (1.5 meters).

(d) Access. All spaces shall be designed with access to a street or alley which will least interfere with traffic movement. All spaces shall be of similar quality to the service street or alley to which it connects.

(e) Use. No vehicle repair or service work shall be regularly performed in loading spaces. [Ord. 419 Ch. 4 § 12, 1976. 1996 Code § 7-76.]

Chapter 18.80

SIGNS

Sections:

- 18.80.010 Purpose and scope of chapter.
- 18.80.020 General provisions.
- 18.80.030 Exempted signs.
- 18.80.040 Prohibited signs.
- 18.80.050 Allowable sign areas and setbacks.
- 18.80.060 Off-premises signs.
- 18.80.070 Temporary signs shall require a special permit.
- 18.80.080 Preexisting nonconforming signs.

18.80.010 Purpose and scope of chapter.

The purpose of this chapter is to permit signs that will not, by their reason, size, location, construction or manner of display, endanger the public safety of individuals, confuse, mislead or obstruct the vision necessary for traffic safety, or otherwise endanger the public health and safety. This chapter is intended to protect the safe and orderly development of the community through the regulation of signs and sign structures and to minimize the adverse effect of signs on nearby public and private property. Moreover, this chapter is intended to permit signs that will support and complement the land use objectives contained in this chapter and in the town's comprehensive plan and to permit only those signs which will preserve and maintain property values within the corporate limits of Wheatland.

This chapter shall apply to signs erected, altered and maintained by and for permitted uses in all zoning districts. Exterior advertising devices are signs. Signs governed by several regulations shall comply with all such regulations. If state regulations for signs along highways are in conflict with this chapter, the more restrictive rules shall apply. [Ord. 740 § 1, 2007.]

18.80.020 General provisions.

(a) The town of Wheatland has adopted the most recent edition of the International Building Code and may have other ordinances or regulations within this jurisdiction. Whenever the provisions of the town sign code are inconsistent with provisions of the International Building Code or other ordinances or regulations the more restrictive shall apply.

(b) All advertising devices as defined by the Town Code are signs. Any sign shall, by definition, be a structure. A building permit must be obtained before any sign is displayed. No signs shall be erected or maintained in any zoning district unless it is in compliance with the town's development code and any other codes or ordinances adopted by the town. The planning commission shall review all sign permit applications. At the discretion of the planning commission the base for freestanding signs over six feet in height must be designed by a Wyoming-licensed professional engineer. All signs shall be constructed in compliance with the building codes and shall be constructed in such a manner and of such material that they shall be safe and substantial. Scale drawings of the sign and manner of supports shall be furnished to the building inspector in the application for a sign permit.

(c) Signs shall be maintained in a good state of repair. Freestanding pole signs over 30 feet in height shall have the sign, all connection points and support structure inspected at least every five years to confirm and recertify the structural integrity of the freestanding pole sign. Copies of the inspection report shall be filed with the town of Wheatland building inspector.

(d) Signs unreadable because of deterioration and signs on vacant buildings or no longer advertising a business on the premises or otherwise obsolete may be ordered removed or repaired by the building inspector. If the owner of or the person responsible for the sign fails to remove the sign as ordered, the owner of the premises

shall be responsible. The work shall be done within 30 days following the date of the building inspector's order. The town building inspector shall make the determination of whether a sign is obsolete or not obsolete.

(e) No sign or sign structure shall be located along any street in such a manner as to obstruct free and clear vision nor in any location where by its position, shape or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device. No sign or sign structure shall be allowed to restrict visibility of other signs at the discretion of the building inspector with the oversight of the planning commission.

(f) The building inspector shall enforce permitting of all signs and shall enforce the limitations of those signs that shall not require a building permit. Notices of violation shall be sent to offending parties stating the need to obtain necessary permits. The owner of a sign that is located without required permits or not removed or repaired in a timely manner shall be guilty of a misdemeanor. [Ord. 740 § 2, 2007.]

18.80.030 Exempted signs.

The following types of signs shall not require a building permit; however, they shall meet all other applicable aspects of this chapter.

- (a) Signs required by law or authorized for a public purpose.
- (b) Signs erected by a public agency controlling or directing traffic, railroad crossing warning devices, and private signs used exclusively to direct traffic on private property.
- (c) Cornerstones and historical markers, as designated by town, state or other controlling authority.
- (d) Religious symbols and flags of a government or noncommercial institution, such as a school.
- (e) Warning signs and signs restricting access, such as "no trespassing" signs, not to exceed two square feet in size.
- (f) Works of art where the enterprise does not receive direct commercial gain.
- (g) Identifying signs and lettering on business doors.
- (h) One sign showing only name and/or address of occupant, not exceeding two square feet and mounted flat against a wall.
- (i) Real estate, "For Sale," rental and lease signs when located on the subject property that is actively for sale or lease. These signs shall not exceed six square feet in area, except that real estate and "For Sale" signs in industrial and business districts (GB, FIB, LI, HI) may not exceed 32 square feet in size.
- (j) Political campaign signs not exceeding eight square feet in size and not located in the right-of-way, unless approved by the jurisdiction having control of said right-of-way. Such signs shall not be erected more than 30 days prior to the primary election and shall be removed within seven days after the general election.
- (k) Contractor signs: temporary construction signs, not exceeding 12 square feet, identifying a contractor engaged in construction on the premises. Such signs are only permitted during the period of construction.
- (l) Sidewalk signs; such signs shall be permitted only in business and industrial districts. Each establishment may have only one such sign which shall take up a maximum of two feet width of the sidewalk. Any such sign may be no more than four feet in height, shall not impede pedestrian traffic, shall be restricted to the sidewalk adjacent to that establishment, must be movable and may only be displayed during business hours of that establishment.
- (m) Temporary signs for social or nonprofit activities or for yard or garage sales. Such signs shall be allowed for 72 hours prior to the activity and shall not be located on a public right-of-way or a utility structure without approval of that controlling authority. The person or entity putting up the sign shall be responsible for the removal of the sign within 48 hours of the end of the activity.
- (n) One sign for an approved home occupation that does not exceed two square feet and is mounted flat on the face of the structure and not illuminated.
- (o) Transient merchant signs when included in the town permitting of transient merchants.
- (p) Exempt signs that exceed the standards of subsections (a) through (n) of this section may only be allowed with an approved special permit and building permit. [Ord. 740 § 3, 2007.]

18.80.040 Prohibited signs.

(a) No “revolving beacon,” “fountain” or “flashing” signs which are of such intensity or so located that it could detract from safe driving or negatively impact residential uses. All allowed flashing signs shall require an approved special permit prior to issuance of a building permit.

(b) No person shall park any vehicle or trailer on public or private property so as to be visible from the public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same premises or other premises. Vehicles used in the normal day-to-day operations of the owner or a business and/or in normally accepted business practices may be excepted.

(c) No obscenities or profanities shall be allowed on any signage. Such determination shall be at the discretion of the building inspector, excepting that the affected party may appeal the decision of the building inspector to the board of adjustment. [Ord. 740 § 4, 2007.]

18.80.050 Allowable sign areas and setbacks.

(a) Wall and other attached signs per square footage of building:

(1) Up to 5,000 square feet; total sign area allowed: 300 square feet;

(2) Five thousand to 20,000 square feet, total sign area allowed: 400 square feet; over 20,000 square feet, total sign area allowed: 500 square feet.

(b) Freestanding pole signs: one sign with up to 100 square feet per face, except that lots with multiple street frontages may have a second pole sign with up to 64 square feet per face. May be double faced. Pole sign bases must be located a minimum of 10 feet from neighboring property lines. No portion of the sign may extend across a property line and no portion of the sign may extend into the right-of-way without approval of the controlling street authority, the town engineer or WYDOT. Where abutting a residential district the pole sign base must be set back a minimum of 20 feet.

(c) All pole signs and any other signs that extend within three feet of a driveway or within a parking or driving area shall have the lowest level of any overhanging portion of the sign at least 10 feet above the curb level.

(d) Ground signs: up to 40 square feet and must be located a minimum of 10 feet from neighboring lot lines and five feet from rights-of-way, unless approved to be closer by the controlling street authority. Where abutting a residential district the sign must be set back a minimum of 15 feet.

(e) Bench signs: 16 square feet maximum and shall not exceed five feet in height.

(f) Mobile home park or travel trailer park: 60 square feet per face. May be double faced.

(g) Center identification signs: two signs may be used to identify a commercial, industrial or professional center or complex, including a maximum of one freestanding sign and one wall sign, per the size restrictions noted above.

(h) Identification signs for churches, schools, hospitals, police stations, fire stations and other public facilities may not exceed 40 square feet in size. They may be illuminated, but not in any manner that will negatively affect residential uses. Bulletin board signs for such facilities may not exceed 12 square feet in size and may be illuminated with the same low-impact restrictions. These signs must meet a minimum setback of one-half the building setback when located in, or adjacent to, a residential district.

(i) Signs that may not be identified herein may be permitted upon review and approval by the planning commission who can require that any approval also require an approved special permit. [Ord. 740 § 5, 2007.]

18.80.060 Off-premises signs.

An “off-premises sign” is a sign advertising goods or services not sold on, or advertising an establishment not located on, the premises upon which the sign is located. Off-premises signs shall only be allowed with an approved special permit and shall only be allowed in general business (GB), highway business (HB), light industrial (LI), heavy industrial (HI) and conservancy (C) districts. Notwithstanding anything herein to the contrary, noncommercial copy may be substituted for commercial copy on any lawful sign permitted with an approved special permit.

Off-premises signs include advertising devices in and on athletic stadiums. Multiple signs at such a facility may be permitted under one special permit. [Ord. 740 § 6, 2007.]

18.80.070 Temporary signs shall require a special permit.

Exceptions that may be issued with only an approved building permit shall include special promotion, event and grand opening signs; however, such signs may be displayed not more than 30 consecutive days in any three-month period and not more than 60 days in a calendar year, shall not be erected more than 10 days prior to the event and shall be removed not more than two days after the event. [Ord. 740 § 7, 2007.]

18.80.080 Preexisting nonconforming signs.

All signs in violation of the provisions of this section, but existing one year before the effective date of the ordinance codified in this chapter, and for which no notice of violation has been issued or sent as of the passage of the ordinance codified in this chapter, shall be allowed to remain in place, and shall be treated as preexisting nonconforming signs. Such signs shall not be structurally altered except to meet safety requirements, expanded or re-established after being discontinued for 180 calendar days. All signs legally existing at the time of passage of this title may remain in use under the conditions of legal nonconformance. Signs in legal nonconformance shall not be enlarged, moved, lighted, or reconstructed; however, the change of the advertising display shall not be restricted except as previously stated. [Ord. 740 § 8, 2007.]

Chapter 18.85

SPECIAL USE PERMITS

Sections:

- 18.85.010 When required.
- 18.85.020 Annexations.
- 18.85.030 Compatibility factors.
- 18.85.040 Optional pre-application filing.
- 18.85.050 Public notice.
- 18.85.060 Filing procedure – Generally.
- 18.85.070 Filing procedure – Required application information.
- 18.85.080 Filing procedure – Signature of property owner – Proof of ownership.
- 18.85.090 Review by planning office – Preparation of report to planning commission.
- 18.85.100 Action by planning commission, etc.
- 18.85.110 Action by town council.
- 18.85.120 Issuance of permits.
- 18.85.130 Contested cases.
- 18.85.140 Board of adjustment – Appeals generally.
- 18.85.150 Board of adjustment – Meetings.
- 18.85.160 Board of adjustment – Powers generally.
- 18.85.170 Board of adjustment – Procedure – Fee – Deadline for filing – Public notice.
- 18.85.180 Board of adjustment – Action by board of adjustment – Further appeal.
- 18.85.190 Board of adjustment – Failure to timely file – Additional charges and penalties.

18.85.010 When required.

A special use permit is required for the following land use changes:

- (a) To change land use district boundary lines.
- (b) To allow uses not specifically allowed in a land use district (compatible use) by the building inspector or this code.
- (c) To develop parcels which require site plan review by the land use district regulations.
- (d) To subdivide.
- (e) To vacate (abandon) lot lines or rights-of-way.
- (f) To get property annexed into the town limits.
- (g) To operate a home occupation in a residential district. [Ord. 525 § A, 1981; Ord. 419 Ch. 3 § 1, 1976. 1996 Code § 7-10.]

18.85.020 Annexations.

All petitions for annexation shall be initiated by filing for a special permit with the planning commission in accordance with this chapter; the recommendation of the planning commission shall be transmitted to the governing body prior to governing body action. The applicant shall be responsible for compliance with applicable state statutes regarding annexation. [Ord. 419 Ch. 7 § 1, 1976. 1996 Code § 7-11.]

18.85.030 Compatibility factors.

In considering a petition for a special use permit, compatibility shall be determined on the basis of neighborhood character, parking needs, sign requirements and traffic congestion possibilities. [Ord. 441 § 2, 1977. 1996 Code § 7-12.]

18.85.040 Optional pre-application filing.

(a) Prior to filing for a permit, the developer may submit to the planning office a conceptual plan or declaration of intent. This does not require a formal filing nor fee, nor does it require planning commission review.

(b) The planning office shall discuss the plans with the petitioner or his representative, and shall recommend any possible changes, refer other public services, and provide aid in complying with these procedures. [Ord. 419 Ch. 3 § 2, 1976. 1996 Code § 7-13.]

18.85.050 Public notice.

(a) At the time the developer submits the filing (application), the planner (planning office) shall cause a certified letter with notice of the application to be sent to property owners of record within 140 feet, excluding streets, of the parcel in question at least 10 days prior to the hearing. The letter shall state that the adjoining property owner or his representative shall appear in person at the planning commission hearing if he desires to make comments regarding the proposed development.

(b) The planning office shall cause the filing and description of the area to be published in the official newspaper at least 15 days prior to the hearing of the filing by the planning commission.

The agenda of the planning commission meetings shall be made available to the news media and public no later than three days prior to the meeting. [Ord. 723, 2006; Ord. 419 Ch. 3 § 3, 1976. 1996 Code § 7-14.]

18.85.060 Filing procedure – Generally.

(a) Submission Deadline and Filing Fee. No filing need be heard by the planning commission unless it has been submitted at least 35 days prior to the regularly scheduled meeting date. All reports, documents and other supplementary materials required by this chapter must be included. Filings submitted within 35 days are subject to postponement by the planning commission.

(b) Forms. All filings require that the prescribed permit forms be filled out on or before the final submittal date. These are available in the planning office.

(c) Filing Fee. All filings shall be accompanied by a \$100.00 filing fee, plus \$10.00 per lot for subdivisions. In the event the applicant proceeds with activities requiring a special use permit pursuant to WMC 18.85.010 before obtaining a special use permit, an additional \$100.00 filing fee will be required. The additional fee does not mean the special use permit will be approved.

(1) The payment of the additional fee and/or the approval or denial of the special use permit does not preclude the town from pursuing criminal charges that may be applicable for violating any Wheatland Town Code provisions or ordinances.

(d) Hearing Date. All applications which are in full compliance with this section shall be heard by the planning commission on the appropriate date or else be deemed to have a favorable recommendation from the planning commission.

(e) Action by Planning Commission. If the planning commission determines that conditions are necessary in the plan submitted, the developer shall submit a revised plan to the planning office. If the planning office determines the conditions in the plan are fulfilled, the planning office may approve the modifications. If the planning office determines that the conditions have not been fulfilled, the planning commission shall review the revised plan in accordance with these procedures.

(f) Required Number of Prints. The planning office may require as many as 12 prints of any plans to be reviewed. The planning office may submit the plans to appropriate federal, state and local agencies for their review and recommendations. In the case of subdivisions, the final plat and necessary recording fees shall be submitted to the planning office within 12 months after approval of the preliminary plan or the permit shall be revoked. [Ord. 723, 2006; Ord. 419 Ch. 3 § 3, 1976. 1996 Code § 7-15.]

18.85.070 Filing procedure – Required application information.

The following items must accompany every filing, except those minimum requirements regarding subdivisions in WMC Title 17:

- (a) Completed permit application;

- (b) A list of adjoining property owners;
- (c) A plan of development, at a suitable scale and illustrated for ease of viewing by a public audience;
- (d) Number and gross density of units, if applicable;
- (e) Acres set aside for recreation or open space, if applicable;
- (f) If phased development is proposed, a general phasing plan;
- (g) Anticipated schedule of development or use;
- (h) How utilities will be provided. [Ord. 419 Ch. 3 § 3, 1976. 1996 Code § 7-16.]

18.85.080 Filing procedure – Signature of property owner – Proof of ownership.

All petitions shall contain the signature of each person possessing a present fee simple interest in the property. Proof of such legal interest shall be required upon request of the planning office. [Ord. 419 Ch. 3 § 3, 1976. 1996 Code § 7-17.]

18.85.090 Review by planning office – Preparation of report to planning commission.

(a) The planning office shall review each filing to determine if it is consistent with the standards set forth in these regulations and shall investigate the relationship between the proposed land use and existing or planned land uses.

(b) Upon completion of its review, but no later than five working days prior to the planning commission meeting, the planning office shall present its staff report, additional requirements and recommendations to the developer and planning commission.

(c) The planning office shall present each filing and its staff report and recommendations to the planning commission at its public hearing of the filing. [Ord. 419 Ch. 3 § 3, 1976. 1996 Code § 7-18.]

18.85.100 Action by planning commission, etc.

(a) Planning commission shall review each filing at a regularly scheduled public meeting. Prior to any action, the planning commission shall review the plans, reports, recommendations and comments from the planning office, the developer or his representative and interested citizens. The developer or his representative must be present at the hearings.

(b) Unless postponed at the request of the developer, the planning commission shall vote for or against the filing, and transmit both its vote and findings to the developer and, if a land use district boundary change, subdivision or annexation, to the town council. The planning commission may postpone the decision, for reasonable cause, for a maximum of 30 days. If action is not taken within 30 days, the permit shall be issued or referred to the town council accordingly.

(c) The planning commission action shall be based upon the purposes and intent of this chapter and local adopted land use plans in addition to the fulfillment of the minimum requirements herein.

(d) Upon any of the above actions or at the expiration of the maximum period for taking action, the filing shall be placed on the agenda of the next regularly scheduled meeting of the town council which allows time for the proper notice requirements, if any. [Ord. 419 Ch. 3 § 3, 1976. 1996 Code § 7-19.]

18.85.110 Action by town council.

(a) Only filings regarding land use district boundary changes, subdivisions, vacations and annexations shall be referred to town council for final adoption or rejection.

(b) Upon receipt of a recommendation from the planning commission, the town council shall consider the matter and, if approved, the applicant shall prepare an ordinance effecting the proposed change. If the council is in receipt of a signed petition against proposed land use district revisions and finds that 20 percent or more of the area of lots included within the revision or within a distance of 140 feet of the boundaries of such revision have petitioned against the revision, an affirmative vote of three-fourths of all members of the council shall be required to pass the ordinance. A copy of the ordinance when signed and passed shall be transmitted both to the planning commission and the applicant. [Ord. 419 Ch. 3 § 3, 1976. 1996 Code § 7-20.]

18.85.120 Issuance of permits.

Article III adopting the revised land use district shall serve as the special development permit to revise land use district boundary lines. For other filings, permits shall be issued by the planning office within 10 days after final approval. [Ord. 419 Ch. 3 § 3, 1976. 1996 Code § 7-21.]

18.85.130 Contested cases.

Contested cases shall be handled by procedures outlined in the Wyoming Administrative Procedures Act and subsequent rules of practice. [Ord. 419 Ch. 3 § 3, 1976. 1996 Code § 7-22.]

18.85.140 Board of adjustment – Appeals generally.

(a) The appeal board for the following types of permit disapproval is the town board of adjustment:

- (1) Special use permit (comparable uses);
- (2) Site plans or building plans;
- (3) Home occupations;

(4) Private property structures in public right-of-way; provided, however, if the board of adjustment approves the private property in public right-of-way the approval shall include an agreement with the town, clarifying the owner may be required to take any structures down at the owner's cost if the town needs the right-of-way space for any reason. The agreement shall be signed by the property owner and the mayor, and shall be filed with the office of the county clerk prior to approval of a building permit.

(b) Appeals for all other actions shall be directed to the district court. [Ord. 723, 2006; Ord. 419 Ch. 3 § 4, 1976. 1996 Code § 7-23.]

For state law as to board of adjustment generally, see WS, 1977, 15-1-707.

18.85.150 Board of adjustment – Meetings.

The board of adjustment shall meet regularly in accordance with its by-laws. All meetings shall be open to the public, and minutes of the proceedings shall be taken, and all other procedures set forth in the by-laws of the town board of adjustment shall be fulfilled. [Ord. 419 Ch. 3 § 4, 1976. 1996 Code § 7-24.]

18.85.160 Board of adjustment – Powers generally.

The board of adjustment has the following powers:

(a) To hear and decide appeals when it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter.

(b) To hear and decide special exemptions to the general provisions of this chapter, as provided for in this chapter.

(c) To vary or adjust the strict application of any of the requirements of this chapter in the case of an irregular, narrow, shallow or steep lot or other physical condition applying to a lot or building as a result of which strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved. No adjustment in the strict application of any provision of this chapter may be granted by the board unless it finds:

(1) That there are special circumstances or conditions, fully described in the findings of the board of adjustment, applying to the land or building for which the adjustment is sought, which circumstances or conditions are peculiar to the land or buildings and do not apply generally to land or buildings in the neighborhood, and have not resulted from any act of the applicant subsequent to the adoption of this chapter;

(2) That, for reasons fully set forth in the findings of the board of adjustment, the circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the land or building, that the granting of the adjustment is necessary for the reasonable use of the land or building, and that the adjustment as granted by the board is the minimum adjustment that will accomplish this purpose; and

(3) That the granting of the adjustment will be in harmony with the general purposes and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(d) To grant exceptions and variances upon request, after a showing that an illegal construction or a non-conforming building or use existed for a period of at least five years in violation of this code or any other ordinances of the town and the town has not taken steps toward enforcement. [Ord. 419 Ch. 3 § 4, 1976. 1996 Code § 7-25.]

Editor's note: This provision was originally incorporated verbatim from WS, 1977, 15-1-608. Its language has been amended to refer specifically to the Wheatland Development Code.

18.85.170 Board of adjustment – Procedure – Fee – Deadline for filing – Public notice.

Appeals to the board of adjustment shall be made in writing to the planner. Each notice of appeal shall be accompanied by a \$50.00 fee for administrative and advertising costs.

The planning office shall cause the filing and description of the area to be published in the official newspaper at least 15 days prior to the hearing of the filing by the board of adjustment. The planning office shall cause a certified letter with notice of the application to be sent to property owners of record within 140 feet, excluding streets, of the parcel in question at least 10 days prior to the hearing. [Ord. 723, 2006. 1996 Code § 7-26.]

18.85.180 Board of adjustment – Action by board of adjustment – Further appeal.

Upon review of all relevant documentation, arguments or briefs by the concerned parties, the board of adjustment will then take under advisement the facts pertaining to the appeal and render a decision.

If the board of adjustment finds in favor of the appellant, a permit shall be issued by the building inspector with any conditions desired by the board included on the permit form.

In the event of an adverse decision by the board of adjustment further appeal shall be to the district court. [Ord. 419 Ch. 3 § 4, 1976. 1996 Code § 7-27.]

18.85.190 Board of adjustment – Failure to timely file – Additional charges and penalties.

(a) Additional Fee. In the event the party appealing to the board of adjustment has already started or completed that which he is requesting the board to consider, the party shall be assessed an additional \$100.00 fee. It should be noted the board of adjustment can deny the appeal, even if the additional fee is paid.

(b) The payment of the additional fee and/or the approval or denial of the appeal does not preclude the town from pursuing criminal charges that may be applicable for violating any Wheatland Town Code provisions or ordinances. [Ord. 723, 2006. 1996 Code § 7-27.1.]

Chapter 18.90**NONCONFORMING USES**

Sections:

18.90.010 Nonconforming uses.

18.90.010 Nonconforming uses.

(a) Continuation of Use. A nonconforming use may be continued and a nonconforming building may continue to be occupied, except as otherwise provided in these regulations.

(b) Change of Use or Building. A nonconforming use or building may be changed to any conforming use or building.

(c) Abandonment of Use. If active and continuous operations are not carried on as a nonconforming use during a period of one year, the building, other structure or tract of land where such nonconforming use previously existed shall thereafter be occupied and used only for a conforming use. Intent to resume active operations shall not affect the foregoing. A nonconforming use or building, if changed to a conforming use, may not thereafter be changed back to any nonconforming use or building.

(d) Restoration. A nonconforming building may be restored whenever necessary or desirable to the use of such building or structure, but if a nonconforming building is damaged by fire or other cause to the extent of more than 60 percent of its value, as determined by the building inspector, such nonconforming building shall thereafter be discontinued.

(e) Enlargement of a Nonconforming Use. A nonconforming use, when in a building, may be extended throughout the same building devoted to such use at the time of the adoption of the resolution causing such use to become nonconforming; provided, that any structural alteration conforms to the requirements of these regulations. A nonconforming use of land shall not be extended or enlarged in any manner whatsoever.

(f) Alteration of a Nonconforming Building. A nonconforming building may be structurally altered, repaired or enlarged in any way permitted by these regulations; however, no alteration, repairs or enlargements shall be made in a nonconforming building which would increase the degree of nonconformity with the location and bulk regulations of this chapter.

(g) Unsafe Buildings. Any building or other structure containing a nonconforming use or any nonconforming building or portion thereof declared unsafe by the building inspector may be strengthened or restored to a safe condition.

(h) Mobile Homes. Mobile homes in C, R, RH, or PUD districts are nonconforming uses and may be replaced by mobile homes only if they are of equal or better quality than the mobile home previously placed there, and separate utility hookups were previously used, as determined by the building inspector. Otherwise, mobile homes are not allowed in these districts. If a unit in these districts is vacant for more than five years, mobile homes are not allowed. [Ord. 718, 2006. 1996 Code § 7-79.]

Chapter 18.95**BUILDING PERMITS**

Sections:

- 18.95.010 Building permits – Required – Issuance – Fees.
- 18.95.020 Building permits – Applications – Records.
- 18.95.030 Building permits – Substandard sized lots.
- 18.95.040 Building permits – Area within street plan.

18.95.010 Building permits – Required – Issuance – Fees.

The erection, construction, reconstruction, alteration, moving or change of use of any building or structure shall not be commenced without obtaining a written building permit from the building inspector. No permit shall be issued by the building inspector unless he is satisfied that the building or use contemplated complies with all the provisions of this chapter. Building permit fees are levied by the building inspector in accordance with Ord. No. 712. [1996 Code § 7-80.]

18.95.020 Building permits – Applications – Records.

The application for each permit shall be accompanied by two copies of a drawing, to scale, giving a description of the lot or tract of land involved and showing the actual dimensions of the lot or tract to be built upon or used; the location, size and intended use of the proposed buildings and accessory buildings, if any; the number of housekeeping units, if any, that the building is designed to accommodate; and such other information as may be required to facilitate the enforcement of this chapter. A complete record of all applications and drawings and of any action taken in connection therewith shall be kept in the office of the building inspector. [Ord. 419 Ch. 4 § 12, 1976. 1996 Code § 7-81.]

18.95.030 Building permits – Substandard sized lots.

Building permits may be granted for construction on substandard sized lots which existed prior to June 1, 1976, provided all other land use district requirements are met. [Ord. 441 § 5, 1977. 1996 Code § 7-82.]

18.95.040 Building permits – Area within street plan.

The building inspector shall not issue building permits nor permit building construction within the proposed lines of any street on the official major street plan or within the area of an obvious extension of an existing street. [Ord. 441 § 10, 1977. 1996 Code § 7-83.]

Chapter 18.100**HOME OCCUPATIONS**

Sections:

18.100.010 Home occupations.

18.100.010 Home occupations.

These home occupation requirements shall be applicable in residential districts only (R, RH, PUD).

- (a) Occupation shall be conducted only by occupants plus one outside employee.
- (b) Use shall clearly be an incidental function of the premises.
- (c) Use shall not exceed one-half of the floor area of dwelling.
- (d) Advertising shall not exceed two square feet and shall only identify the occupation.
- (e) No exterior storage of materials related to the occupation shall be allowed.
- (f) Businesses such as nursing homes, animal hospitals, junkyards or restaurants shall not be permitted as home occupations. [Ord. 419 Ch. 4 § 12, 1976. 1996 Code § 7-77.]

Chapter 18.105

**TRAILERS, MOBILE HOMES, BUSES OR TRUCK VANS
AS ACCESSORY BUILDINGS**

Sections:

18.105.010 Prohibited.

18.105.010 Prohibited.

The placement of semi-trailers, mobile homes, travel trailers, buses and/or truck vans as accessories to residential property is hereby prohibited within the town of Wheatland, Wyoming. [Ord. 750, 2010.]

Tables

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STATUTORY REFERENCES FOR WYOMING CITIES AND TOWNS

The statutory references listed below refer the code user to state statutes applicable to Wyoming cities and towns. They are current through the 2015 General Session.

General Provisions

Municipal corporations generally <i>Wy. Const. art. 13</i>	Alternative commission government <i>WS 15-4-101 et seq.</i>
Incorporation <i>WS 15-1-201 et seq.</i>	Alternative city manager government <i>WS 15-4-201 et seq.</i>
Annexation <i>WS 15-1-401 et seq.</i>	Mayoral powers generally <i>WS 15-1-108</i>
General powers <i>WS 15-1-103</i>	Meetings of governing bodies <i>WS 15-1-105 and 15-1-106</i>
Municipal elections <i>WS ch. 15-11</i>	Public meetings <i>WS 16-4-401 et seq.</i>
Ordinance passage and style <i>WS 15-1-110, 15-1-114 et seq.</i>	Municipal courts <i>WS ch. 5-6</i>
Ordinance codification <i>WS 15-1-103(a)(xxxviii)</i>	Fire and police departments <i>WS ch. 15-5 and 15-1-103(a)(xxxiv)</i>
Adoption by reference procedure <i>WS 15-1-119</i>	Municipal health department <i>WS 35-1-301 et seq.</i>
Ordinance violation and penalty <i>WS 15-1-103(a)(xli)</i>	Planning and zoning commissions <i>WS 15-1-501 et seq. and 15-1-604</i>
Eminent domain <i>WS 15-1-103(a)(xxxv)</i>	Boards of adjustment <i>WS 15-1-605 et seq.</i>
	Wyoming Homeland Security Act <i>WS ch. 19-13</i>

Administration and Personnel

Incorporated towns generally <i>WS ch. 15-2</i>	Revenue and Finance
First class cities generally <i>WS ch. 15-3</i>	Powers generally <i>WS 15-1-103(a)(vii—x)</i>
Election of officers <i>WS ch. 15-11</i>	Uniform Municipal Fiscal Procedures Act <i>WS 16-4-101 et seq.</i>
Town officers <i>WS 15-2-102, 15-2-103</i>	Local sales tax <i>WS 39-15-201 et seq.</i>
First class city officers <i>WS 15-3-201 et seq.</i>	Town finances <i>WS 15-2-201 et seq.</i>
	Funding and refunding bonds <i>WS ch. 15-8</i>

STATUTORY REFERENCES

Claims against cities and towns
WS 15-1-125

First class city financial statements
WS 15-3-306

Commission government finances
WS 15-4-109

City manager government finances
WS 15-4-302, 15-4-303

Appropriations for advertisement of resources
WS 15-1-111

Public and local improvement contracts
WS chs. 15-6, 15-7; and 15-1-113

Business Licenses, Taxes and Regulations

Regulations generally
WS 15-1-103(a)(xiii) and (xv)

Alcoholic beverages
WS 12-4-101 et seq.

Exhibitions and circuses
WS 33-6-104

Junk and secondhand dealers
WS 15-1-103(a)(xliii) and 33-18-106

Pawnbrokers
WS 15-1-103(a)(xliii)

Saloons, pool halls, bowling alleys and shooting galleries
WS 15-1-103(a)(xv)

Shooting ranges
WS ch. 16-11

Animals

Regulations generally
WS 15-1-103(a)(xiv)

Health and Safety

Nuisances generally
WS 15-1-103(a)(xix)

Health regulations
WS 15-1-103(a)(xxix)

Garbage and refuse disposal
WS 15-1-103(a)(xxi) and 35-10-101 et seq.

Weed and pest control
WS 11-5-115

Combustibles
WS 15-1-103(a)(xxviii)

Food safety system
WS 35-7-123 et seq.

Public Peace, Morals and Welfare

Regulations generally
WS 15-1-103(a)(xvi)—(xviii) and (xli)

Crimes and offenses
WS title 6

Vehicles and Traffic

Motor vehicles
WS title 31

Local traffic regulations
WS 15-1-119, 31-5-108—31-5-110

Off-street parking
WS 15-1-801

Snowmobiles
WS 31-5-801

Off-road recreational vehicles
WS 31-5-1601

Abandoned vehicles
WS 15-1-103(a)(xliv)

Streets, Sidewalks, and Public Places

Streets, alleys and sidewalks
WS 15-1-103(a)(xi)

Public parks
WS 15-1-103(a)(xi), (xii), (xxii) and 15-7-301 et seq.

Eminent domain

WS 15-1-103(a)(xxxv)

Local and public improvements

WS chs. 15-6 and 15-7

Public Services

Public utilities board

WS 15-7-401 et seq.

Sewage system

WS 15-1-103(a)(xxx) and (xlvi) and 15-7-501 et seq.

Water service system

WS 15-1-103(a)(xxx) and 15-7-601 et seq.

Utility franchises

WS 15-1-103(a)(xxxiii)

Emergency telephone service

WS 16-9-101 et seq.

Libraries

WS 15-1-103(a)(xxxii)

Off-street parking facilities

WS 15-1-801

Buildings and Construction

Construction regulations generally

WS 15-1-103(a)(xxiv) and (xxvi)

Adoption of national codes

WS 15-1-119

Fire limits

WS 15-1-103(a)(xxvii)

Numbering of buildings

WS 15-1-103(a)(xxxvi)

Urban renewal and downtown development

WS ch. 15-9

Industrial development projects

WS 15-1-701 et seq.

Subdivisions

Regulations generally

WS 15-1-415 and 15-1-510 et seq.

Zoning

Local regulations

WS 15-1-601 et seq.

Zoning board of adjustment

WS 15-1-605 et seq.

State Code Citation Table

This table lists Wyoming Statutes sections that are cited in the Wheatland Municipal Code. Thus, WS 1-14-102 is cited in WMC 2.20.150.

State Citation	Code Section	State Citation	Code Section
WS 1-14-102	2.20.150	WS 11-29-101	6.05.030
WS 1-14-193	2.20.150	WS 11-29-103	6.05.060
WS 5-6-102	2.20.040		6.05.120
WS 5-6-102 to 5-6-105	Chapter 2.20	WS 11-29-104	6.05.060
WS 5-6-103	2.20.010		6.05.120
WS 5-6-104	2.20.010	WS 11-29-106 to 11-29-112	6.05.030
WS 5-6-105	2.20.050	WS 12-1-101	5.05.010
WS 5-6-106	2.20.050		5.05.020
WS 5-6-303	2.20.140	WS 12-2-202	5.05.020
WS 6-2-501	9.05.020	WS 12-2-306	5.05.170
WS 6-2-501(a)	9.05.010	WS 12-3-102	Chapter 9.10
WS 6-3-201	9.05.320	WS 12-4-102	5.05.030
WS 6-3-201(a)	9.05.050	WS 12-4-103(a)(iv)	5.05.040
WS 6-3-404 to 6-3-405	9.05.300	WS 12-4-104	5.05.030
WS 6-4-101 to 6-4-103	9.05.280		5.05.050
WS 6-5-204	9.05.260	WS 12-4-104(b)	5.05.050
WS 6-5-210	9.05.270	WS 12-4-104(c)	5.05.050
WS 6-5-301	9.05.200	WS 12-4-201	5.05.080
WS 6-5-303 to 6-5-306	9.05.210	WS 12-4-301	5.05.080
WS 6-6-101 to 6-6-302	9.05.060	WS 12-4-407	5.05.080
WS 6-6-102	9.05.060	WS 12-4-502(a)	5.05.090
WS 6-7-101	9.05.150	WS 12-4-502(b)	5.05.090
WS 6-7-103	9.05.140	WS 12-4-504	5.05.090
WS 6-7-101 to 6-7-103	9.05.120	WS 12-4-601	5.05.060
WS 6-8-101 to 6-8-104	9.05.090	WS 12-4-701	5.05.030
WS 6-8-104	9.05.100	WS 12-5-101(b)	5.05.090
WS 6-8-601	9.05.250		5.05.100
WS 7-7-103	Chapter 9.10	WS 12-5-201(f), (g), (h) and (j)	5.05.090
WS 8-1-102	1.05.050	WS 12-5-301	5.05.110
WS 8-1-103	1.05.050	WS 12-7-103	5.05.170
WS 8-4-101 to 8-4-104	1.05.050	WS 12-7-201	5.05.120
WS 9-8-101 to 9-8-302	Title 18	WS Title 15	Chapter 2.05
WS 9-8-302	Title 18	WS 15-1-101	1.05.050
WS 9-11-101 to 9-11-107	Chapter 2.10	WS 15-1-103	1.05.010
WS 11-24-101	6.05.050		1.10.010

STATE CODE CITATION TABLE

State Citation	Code Section	State Citation	Code Section
	Chapter 2.05	WS 15-1-601 to 15-1-612	Title 18
	Chapter 2.35	WS 15-1-608	18.85.160
	Chapter 2.40	WS 15-1-703	Title 18
	Title 5	WS 15-1-707	18.85.140
	6.05.050	WS 15-2-102	2.20.010
	6.05.060	WS 15-6-101 to 15-6-609	Title 12
	6.05.070	WS 15-7-101	Chapter 13.15
	6.05.100		Chapter 13.40
	6.05.120		13.45.090
	Title 8	WS 15-7-201	Chapter 13.40
	Chapter 8.15	WS 15-7-201 to 15-7-212	13.45.090
	Chapter 8.25		Chapter 13.40
	8.35.010	WS 15-7-401 to 15-7-490	Chapter 13.15
	9.05.020	WS 15-7-407	Chapter 13.30
	9.05.060	WS 15-7-430 to 15-7-442	Chapter 13.30
	9.05.070	WS 15-7-436, 15-7-437	Chapter 13.30
	9.05.120	WS 15-7-460 to 15-7-465	Chapter 13.15
	9.05.210	WS 15-7-480 to 15-7-490	Chapter 13.15
	9.05.280	WS 16-3-101 to 16-3-115	18.05.070
	10.20.020	WS 16-4-403	2.05.010
	Title 12	WS 16-4-404	2.10.020
	13.05.010	WS 16-4-405	2.05.030
	13.05.040	WS 16-4-406	2.05.020
	Chapter 13.15		9.05.070
	Chapter 13.30	WS 16-6-101	5.05.170
	Chapter 13.40	WS 24-10-103(a)(iv)	15.05.010
	13.45.090	WS 24-10-105	15.05.010
	Chapter 15.05	WS 24-10-106(j)(i) and (ii)	15.05.010
WS 15-1-103(a)(xliv)	Chapter 9.10	WS 24-10-107(c) and (3)	15.05.010
WS 15-1-105	Chapter 2.10	WS 24-10-110	15.05.010
WS 15-1-106	Chapter 2.10	WS 31-1-101 to 31-5-1214	Title 10
WS 15-1-110	Chapter 2.10		10.05.010
WS 15-1-115	1.05.010	WS 31-2-401 through 31-2-408	10.10.020
WS 15-1-116	1.05.010	WS 31-4-101	10.10.060
WS 15-1-119	1.05.010	WS 31-5-102	10.05.010
	Chapter 15.05	WS 31-5-103	Title 10
	15.05.010	WS 31-5-108	Title 10
WS 15-1-502	Title 18	WS 31-5-108 through 31-5-114	10.05.010
WS 15-1-601 to 15-1-611	Title 18	WS 31-5-109	Title 10

State Citation	Code Section	State Citation	Code Section
WS 31-5-110	Title 10	WS 35-10-205	8.35.010
WS 31-5-118	10.05.010		9.05.090
WS 31-5-207	10.15.090	WS 41-14-401, 41-14-402, 41-14-403	Chapter 13.15
WS 31-5-213	10.05.010		
WS 31-5.227	10.05.010		
WS 31-5-233 through 31-5-235	10.05.010		
WS 31-5-301	10.05.010		
WS 31-5-303	Title 10 10.05.010		
WS 31-5-304	Title 10		
WS 31-5-306	10.30.010		
WS 31-5-501	10.05.010		
WS 31-5-502	10.05.010		
WS 31-5-701 through 31-5-801	10.05.010		
WS 31-5-801	10.10.020		
WS 31-5-911	10.05.010		
WS 31-5-930	10.05.010		
WS 31-5-932 through 31-5-940	10.05.010		
WS 31-5-957 through 31-5-959	10.05.010		
WS 31-5-961 through 31-5-962	10.05.010		
WS 31-5-1101	10.05.010		
WS 31-5-1105 through 31-5-1214	10.05.010		
WS 31-5-1205	10.30.020		
WS 31-5-1206	10.30.030		
WS 31-5-1207	10.30.020 10.30.030		
WS 31-7-106	10.10.050		
WS 31-13-101	8.05.010		
WS 33-6-101	5.15.020		
WS 33-6-104	Chapter 5.15		
WS 35-7-1001 to 35-7-1005	9.05.190		
WS 35-8-101	Chapter 2.40		
WS 35-9-101	Chapter 8.25		
WS 35-10-201 to 35-10-207	8.35.010		
WS 35-10-201 to 35-10-303	9.05.090		
WS 35-10-203	8.35.010		

Cross-Reference Table

This table provides users with the current disposition of the sections of the 1996 Wheatland Town Code.

Thus, 1996 Code § 1-1 currently appears in this code as 1.05.010.

The 1996 Code section information was derived from the Wheatland Town Code, adopted in 1996 by Wheatland, Wyoming.

1996 Code §	Herein	1996 Code §	Herein
1-1	1.05.010	4-1	6.05.010
1-2	1.05.020	4-2	6.05.020
1-3	1.05.030	4-3	6.05.030
1-4	1.05.040	4-3.1	6.05.040
1-5	1.05.050	4-4	6.05.050
1-6	1.05.060	4-5	6.05.060
1-7	1.05.070	4-6	6.05.070
1-8	1.10.010	4-7	6.05.080
2-11	2.05.010	4-8	6.05.090
2-12	2.05.020	4-9	6.05.100
2-13	2.05.030	4-10	6.05.110
2-14	2.10.010	4-11	6.05.120
2-15	2.10.020	4-12	6.05.130
2-16	2.10.030	4-13	6.05.140
2-17(a)	2.30.010	4-14	6.05.150
2-17(b)	2.30.020	4-15	6.05.160
2-17(c)	Not codified	5-1	2.40.010
2-18	2.10.040	5-2	2.40.020
3-1	5.05.010	5-3	2.40.030
3-1.1	5.05.020	5-4	2.40.040
3-2	5.05.030	5-5	2.40.050
3-3	5.05.040	5-6	2.40.060
3-4	5.05.050	5-7	2.40.070
3-4.1	5.05.060	5-8	2.40.080
3-5	5.05.070	5-9	2.40.090
3-6	5.05.080	5-10	2.40.100
3-7	5.05.090	6-1	9.10.010
3-8	5.05.100	6-2	9.10.020
3-9	5.05.110	7-1	18.05.010
3-10	5.05.120	7-2	18.05.020
3-11	5.05.130	7-3	18.05.030
3-12	5.05.140	7-4	18.05.040
3-13	5.05.150	7-5	18.05.050
3-14	5.05.160	7-6	18.05.060
3-15	5.05.170	7-7	18.05.070
3-16	5.05.180	7-8	18.05.080
3-17	5.05.190	7-9	18.05.090

CROSS-REFERENCE TABLE

1996 Code §	Herein	1996 Code §	Herein
7-10	18.85.010	7-51	18.40.020
7-11	18.85.020	7-52	18.40.030
7-12	18.85.030	7-53	18.40.040
7-13	18.85.040	7-54	18.45.010
7-14	18.85.050	7-55	18.45.020
7-15	18.85.060	7-56	18.45.030
7-16	18.85.070	7-57	18.45.040
7-17	18.85.080	7-58	18.50.010
7-18	18.85.090	7-59	18.50.020
7-19	18.85.100	7-60	18.50.030
7-20	18.85.110	7-61	18.50.040
7-21	18.85.120	7-62	18.55.010
7-22	18.85.130	7-63	18.55.020
7-23	18.85.140	7-64	18.55.030
7-24	18.85.150	7-65	18.60.010
7-25	18.85.160	7-66	18.60.020
7-26	18.85.170	7-67	18.60.030
7-27	18.85.180	7-68	18.65.010
7-27.1	18.85.190	7-69	18.65.020
7-28	18.10.010	7-70	18.65.030
7-29	18.10.020	7-71	18.65.040
7-30	18.10.030	7-72	18.65.050
7-31	18.10.040	7-73	18.65.060
7-32	18.10.050	7-74	18.70.010
7-33	18.15.010	7-75	18.75.010
7-34	18.15.020	7-76	18.75.020
7-35	18.15.030	7-77	18.100.010
7-36	18.15.040	7-78	18.70.020
7-37	Repealed by 515	7-79	18.90.010
7-38	18.20.010	7-80	18.95.010
7-39	18.20.020	7-81	18.95.020
7-40	18.20.030	7-82	18.95.030
7-41	18.30.010	7-83	18.95.040
7-42	18.30.020	7-84	18.70.030
7-43	18.30.030	7-85	18.70.040
7-44	18.30.040	7-85.1	18.70.050
7-45	18.30.050	7-85.2	18.70.060
7-46	18.35.010	7-86	17.05.010
7-47	18.35.020	7-87	17.05.020
7-48	18.35.030	7-88	17.05.030
7-49	18.35.040	7-89	17.05.040
7-50	18.40.010	7-90	17.05.050

1996 Code §	Herein	1996 Code §	Herein
7-91	17.05.060	8-3	8.25.030
7-92	17.05.070	8-4	8.25.040
7-93	17.05.080	8-5	8.30.010
7-94	17.05.090	8-6	8.35.010
7-95	17.05.100	8A-1	15.10.010
7-96	17.05.110	8A-2	15.10.020
7-97	17.05.120	8A-3	15.10.030
7-98	17.05.130	8A-4	15.10.040
7-99	17.05.140	8A-5	15.10.050
7-100	17.10.010	8A-6	15.10.060
7-101	17.15.010	8A-7	15.10.070
7-102(a)	17.20.010	8A-8	15.10.080
7-102(b)	17.20.020	8A-9	15.10.090
7-102(c)	17.20.030	8A-10	15.10.100
7-102(d)	17.20.040	8A-11	15.10.110
7-103	17.25.010	8A-12	15.10.120
7-104	17.30.010	8A-13	15.10.130
7-105	17.35.010	8A-14	15.10.140
7-106	13.10.010	9-1	5.20.010
7-107	15.05.010	9-2	5.20.020
7-108	15.05.020	9-3	5.20.030
7-109	13.20.010	9-4	5.20.040
7-110	13.20.020	9-5	5.20.050
7-111	13.20.030	9-6	5.20.060
7-112	13.20.040	9-7	5.15.010
7-113	13.20.050	9-8	5.15.020
7-114	13.20.060	9-9	5.15.030
7-115	13.20.070	9-10	5.10.010
7-116	13.20.080	9-11	5.10.020
7-117	13.20.090	9-12	5.10.030
7-118	13.20.100	9-13	5.10.040
7-119	13.35.010	9-14	5.10.050
7-120	13.35.020	9-15	5.10.060
7-121	13.35.030	9-16	5.10.070
7-122	13.35.040	9-17	5.10.080
7-123	13.35.050	9-18	5.10.090
7-124	13.35.060	9-19	5.10.100
7-125	13.35.070	9-20	5.10.110
7-126	13.35.080	9-21	5.10.120
7-127	13.35.090	9-22	5.35.010
8-1	8.25.010	10-1	Repealed by 807
8-2	8.25.020	10-2	Repealed by 807

CROSS-REFERENCE TABLE

1996 Code §	Herein	1996 Code §	Herein
10-3	Repealed by 807	10-44	Repealed by 807
10-4	Repealed by 807	10-45	Repealed by 807
10-5	Repealed by 807	10-46	Repealed by 807
10-6	10.10.010	10-47	Repealed by 807
10-7	Repealed by 807	10-48	Repealed by 807
10-8	Repealed by 807	10-49	10.15.070
10-9	Repealed by 807	10-50	10.15.080
10-10	10.10.020	10-51	10.15.090
10-11	10.10.040	10-52	Repealed by 807
10-12	10.10.050	10-53	Repealed by 807
10-13	10.10.060	10-54	Repealed by 807
10-14	Repealed by 807	10-55	Repealed by 807
10-15	Repealed by 807	10-56	10.15.100
10-16	Repealed by 807	10-57	Repealed by 807
10-17	Repealed by 807	10-58	Repealed by 807
10-18	Repealed by 807	10-59	Repealed by 807
10-19	Repealed by 807	10-60	Repealed by 807
10-19.1	10.15.010	10-61	Repealed by 807
10-20	Repealed by 807	10-62	Repealed by 807
10-21	Repealed by 807	10-63	Repealed by 807
10-22	Repealed by 807	10-64	Repealed by 807
10-23	Repealed by 807	10-65	Repealed by 807
10-24	10.15.020	10-66	Repealed by 807
10-25	Repealed by 807	10-67	Repealed by 807
10-26	Repealed by 807	10-68	Repealed by 807
10-27	Repealed by 807	10-69	Repealed by 807
10-28	Repealed by 807	10-70	Repealed by 807
10-29	Repealed by 807	10-71	10.20.130
10-30	Repealed by 807	10-72	10.20.010
10-31	Repealed by 807	10-73	Repealed by 807
10-32	Repealed by 807	10-74	Repealed by 807
10-33	Repealed by 807	10-75	10.20.020
10-34	Repealed by 807	10-76	Repealed by 807
10-35	Repealed by 807	10-77	10.20.030
10-36	Repealed by 807	10-78	10.20.040
10-37	Repealed by 807	10-79	10.20.050
10-38	10.15.030	10-80	10.20.060
10-39	10.15.040	10-81	10.20.070
10-40	10.15.050	10-82	10.20.080
10-41	10.15.060	10-83	10.20.090
10-42	Repealed by 807	10-84	10.20.100
10-43	Repealed by 807	10-85	10.20.110

1996 Code §	Herein	1996 Code §	Herein
10-85.1	Repealed by 807	10-122	Repealed by 807
10-86	Repealed by 807	10-123	Repealed by 807
10-87	Repealed by 807	10-125	10.30.010
10-88	Repealed by 807	10-126	10.30.020
10-89	Repealed by 807	10-127	10.30.030
10-90	Repealed by 807	10-128	10.30.040
10-91	Repealed by 807	10-129	10.30.050
10-92	Repealed by 807	10-130	10.30.060
10-93	Repealed by 807	11-1	2.20.010
10-94	Repealed by 807	11-2	2.20.020,
10-95	Repealed by 807		2.20.030,
10-96	Repealed by 807		2.20.040
10-97	Repealed by 807	11-3	2.20.050
10-98	Repealed by 807	11-4	2.20.060
10-99	10.25.010	11-4.1	2.20.070
10-100	Repealed by 807	11-5	2.20.080
10-101	Repealed by 807	11-6	2.20.090
10-102	Repealed by 807	11-7	2.20.100
10-103	Repealed by 807	11-8	2.20.110
10-104	Repealed by 807	11-9	2.20.120
10-105	Repealed by 807	11-10	2.20.130
10-106	Repealed by 807	11-11	2.20.140
10-107	Repealed by 807	11-12	2.20.150
10-108	Repealed by 807	11-13	2.20.160
10-109	Repealed by 807	11-14	2.20.170
10-109.1	Repealed by 807	11-15	2.20.180
10-110	Repealed by 807	11-16	Repealed by 650
10-111	Repealed by 807	11-17	2.20.190
10-112	Repealed by 807	11-18	2.20.200
10-113	Repealed by 807	11-19	2.20.210
10-114	Repealed by 807	11-20	2.20.220
10-115	Repealed by 807	13-1	9.05.010
10-116	Repealed by 807	13-2	9.05.020
10-117	Repealed by 807	13-3	9.05.030
10-118	Repealed by 807	13-4	9.05.040
10-119	Repealed by 807	13-4.1	9.05.050
10-120	Repealed by 807	13-5	9.05.060
10-120.1	Repealed by 807	13-6	9.05.070
10-120.2	Repealed by 807	13-7	9.05.080
10-120.3	Repealed by 807	13-8	9.05.090
10-120.4	Repealed by 807	13-9	9.05.100
10-121	Repealed by 807	13-9.1	9.05.110

CROSS-REFERENCE TABLE

1996 Code §	Herein	1996 Code §	Herein
13-10	9.05.120	16-7	13.45.030
13-11	9.05.130	16-8	13.45.040
13-12	9.05.140	16-9	13.45.050
13-13	9.05.150	16-10	13.45.060
13-14	9.05.160	16-11	13.45.070
13-15	Repealed by 650	16-12	13.45.080
13-16	Repealed by 650	16-13	13.45.090
13-17	Repealed by 650	16-14	Chapter 13.40
13-18	Repealed by 650	16-15	Chapter 13.40
13-19	9.05.170	16-16	Repealed by 669
13-20	9.05.180	16-17	Chapter 13.40
13-21	9.05.190	16-18	Chapter 13.40
13-22	9.05.200	16-19	Chapter 13.40
13-23	9.05.210	16-20	Chapter 13.40
13-24	9.05.220	16-20.1	Chapter 13.40
13-25	9.05.230	16-20.2	Chapter 13.40
13-26	9.05.240	16-20.3	Chapter 13.40
13-27	9.05.250	16-20.4	Chapter 13.40
13-28	9.05.260	16-20.5	Chapter 13.40
13-28.1	9.05.270	16-21	13.50.010
13-29	9.05.280	16-22	13.50.020
13-30	Repealed by 650	16-23	13.50.030
13-31	9.05.290	16-28	2.15.010
13-32	9.05.300	16-29	2.15.020
13-33	9.05.310	16-30	13.15.010
13-34	9.05.320	16-31	13.15.020
14-1	2.35.010	16-32	13.15.030
14-2	2.35.020	16-33	13.15.040
14-3	2.35.030	16-34	13.15.050
14-4	2.35.040	16-35	13.15.060
14-5	2.35.050	16-36	13.15.070
14-6	2.35.060	16-37	13.30.010
14-7	2.35.070	16-38	13.30.020
14-8	2.35.080	16-39	13.30.030
14-9	Repealed by 775	16-40	13.30.040
16-1	13.05.010	16-41	13.30.050
16-2	13.05.020	16-42	13.30.060
16-3	13.05.030	16-43	13.30.070
16-4	13.05.040	17-1	8.05.010
16-5	13.05.050	17-2	8.05.020
16-6	13.45.010	17-3	8.05.030
16-6.1	13.45.020	17-4	8.05.040

1996 Code §	Herein
17-5	8.05.050
17-6	8.05.060
17-7	8.05.070
17-8	8.05.080
17-9	8.15.010
17-10	8.15.020
17-11	8.15.030
17-12	8.15.040
17-13	8.15.050
17-14	8.15.060
18-1	12.15.010
18-2	12.05.010
18-3	12.05.020
18-4	12.10.010
18-5	12.10.020
18-6	12.10.030
19-1	5.30.010
19-2	5.30.020
19-3	5.30.030
19-4	5.30.040
19-5	5.30.050
19-6	5.30.060
19-7	5.30.070
19-8	5.30.080
19-9	5.30.090
19-10	5.30.100
19-11	5.30.110
19-12	5.30.120
19-13	5.30.130
19-14	5.30.140
19-15	5.30.150
19-16	5.30.160

Ordinance Table

This table lists all ordinances. If an ordinance is codified, its location in the code is cited by chapter number at the end of the ordinance description. Ordinances are codified if they are general, permanent, and/or include penalty provisions for noncompliance. "Not codified" indicates that the ordinance could have been codified but was not for some reason (superseded by a later ordinance, codified in a separate publication). "Special" means the ordinance was special in nature or for a specific period of time (e.g., budget, annexation, tax levy, street vacation).

1	Town seal, adoption of (Not codified)	38	Automobiles/motorcycles (Not codified)
2	Bonds, of town officers (Not codified)	39	Waterworks system, regulations etc. (Not codified)
3	Salary of officers (Not codified)		
4	Misdemeanors, defining and punishment (Not codified)	40	Electric light plant, establish/maintain/etc. (Not codified)
5	Police justice/court, practice/procedures (Not codified)	41	Sewerage, building of (Not codified)
6	Licenses, issuing of (Not codified)	42	Appropriations May 1, 1910 (Special)
7	Dogs, taxing of (Not codified)	43	Salaries/officials, amending (Not codified)
8	Animals at large (Not codified)	44	Bonds, electricity/light plant (Special)
9	President pro-tem/council (Not codified)	45	Bonds, sewer (Special)
10	Licensing, issuing (Not codified)	46	Bonds, water system (Special)
11	Fires, fire limits (Not codified)	47	Sewer/water connect (Not codified)
12	Licensing, issuing (Not codified)	48	Water service, rates/etc. (Not codified)
13	Elections, canvassing (Not codified)	49	Water meters (Not codified)
14	Licensing, issuing (Not codified)	50	Water rates, etc. (Not codified)
15	Appropriations F.Y. 1906 (Special)	51	Water rates, etc. (Not codified)
16	Tax levy (Special)	52	Amending Ordinance Number 48, water/services (Not codified)
17	Water supply, annual election (Not codified)	53	Electrical, rates/licenses (Not codified)
18	Well, purchase of property (Not codified)	54	Amending Ordinance Number 53, electrical rates/licenses (Not codified)
19	Salaries, town officers (Not codified)	55	Salaries/officers, amend (Not codified)
20	Water commissioner office, creation of (Not codified)	56	Salaries/town engineers, amend (Not codified)
21	Theater, opera houses/halls, licensing (Not codified)	57	Amending Ordinance Number 53, electrical rates/licenses (Not codified)
22	Dogs (Not codified)	58	Narrowing of 11th Street (Special)
23	Waterworks, construction of coupon bonds (Special)	59	Appropriations F.Y. 5/1/1912 (Special)
24	Appropriations F.Y. May 1, 1907 (Special)	60	Inspection of buildings, permits/regulations of (Not codified)
25	Tax levy (Special)	61	Theater/opera, amend (Not codified)
26	Bond issue, water system (Special)	62	Curfew (Not codified)
27	Fires/limits, amended (Not codified)	63	Appropriation exp/F.Y. 5/1/1913 (Special)
28	Appropriations 5/1/1908 (Special)	64	Town officers, salaries of, amended (Not codified)
29	Tax levy, F.Y. 1908 (Special)		
30	Street, sidewalk grades (Not codified)	65	Amending Ordinance Number 49, water meters (Not codified)
31	Businesses, Sunday opening, prohibiting (Not codified)	66	Appropriation F.Y. 5/1/1914 (Special)
32	Salaries/officers, amend (Not codified)	67	Appropriations F.Y. 5/1/1915 (Special)
33	Sidewalks (Repealed by 80)	68	Appropriations (Special)
34	Appropriations F.Y. 5/1/1909 (Special)	69	Appropriations (Special)
35	Vote/coupon bonds/water system (Special)	70	Rubbish/trash, disposal of (Not codified)
36	Tax levy, F.Y. 1909 (Special)	71	Vehicle, rules/regulations (Not codified)
37	Contractors/bonds/permits, sidewalks/crosswalks (Not codified)	72	Waterworks, improvement/maintenance (Not codified)

ORDINANCE TABLE

73	Bonds, waterworks (Special)	117	Liquor/intoxicating (Not codified)
74	Water/electric, payment dates (Not codified)	118	Appropriations (Special)
75	Appropriations 5/1/1918 (Special)	119	Mill levy/municipal band (Special)
76	Water rates, amend (Not codified)	120	Barber shop licensing (Not codified)
77	Water rates, amend (Not codified)	121	Plumber license/bond, amend (Not codified)
78	18-60 year olds, work during war (Not codified)	122	Electrician license, amend (Not codified)
79	Water, bonds (Special)	123	North cent, gas/pipelines (Not codified)
80	Sidewalks, repealing Ordinance Number 33 (Not codified)	124	Appropriations May 1931 (Special)
81	Water rates (Not codified)	125	Gas/lights/power (Not codified)
82	Electric wiring, inspections (Not codified)	126	Office of water, sewer commissions (Not codified)
83	Inflammable liquids (Not codified)	127	Gas fitting, inspection/etc. (Not codified)
84	Fire warden (Not codified)	128	Appropriations May 1932 (Special)
85	Waterworks, construction/maintenance (Not codified)	129	Fire house, construction of (Not codified)
86	Sewer system, building of (Not codified)	130	Amending Ordinance Number 129, firehouse (Not codified)
87	Appropriations 5/1/1920 (Special)	131	Bonds for firehouse (Special)
88	Burning of refuse (Not codified)	132	Appropriations for May 1933 (Special)
89	Street cleaning (Not codified)	133	Alcohol beverage licensing (Not codified)
90	Bonds, waterworks (Special)	134	Parking of autos (Not codified)
91	Bonds, sewer system (Special)	135	Licensing, revised (Not codified)
92	Vacate, Mason & Elliott (Special)	136	Appropriations May 1934 (Special)
93	Electrical rates (Not codified)	137	Bonds/sewer (Special)
94	Amending Ordinance Number 90-91, bonds, water/sewer (Special)	138	Wiring, regulations for elections (Not codified)
95	Appropriations 5/1/1921 (Special)	139	Alcoholic liquor, defined/etc. (Not codified)
96	Street name plates/house numbers (Not codified)	140	Appropriations May 1935 (Special)
97	Weeds (Not codified)	141	Bonds/water (Special)
98	Livestock ordinances (Not codified)	142	Mountain States Telephone/Telegraph (Special)
99	Electric supply (Not codified)	143	Colorado South Railroad, Bridge, Oak St. (Special)
100	Licensing, peddlers/agents (Not codified)	144	Appropriations May 1936 (Special)
100-1	Adopts town seal (1.15)	145	Appropriations May 1937 (Special)
101	Electric rates (Not codified)	146	Electric rates (Not codified)
102	Electric rates (Not codified)	147	Curbs & gutter construction (Not codified)
103	Appropriations 5/1/1927 (Special)	148	Bonds (Special)
104	Cemetery maintenance (Not codified)	149	Water supply policy (Not codified)
105	Storing on sidewalks (Not codified)	150	Curbs & gutter construction, amended (Not codified)
106	Auto dealers, licensing of (Not codified)	151	Appropriations May 1938 (Special)
107	Bonds, water (Special)	152	Garbage (Not codified)
108	Bonds, sewer (Special)	153	Improvement District #1 (Special)
109	Amending Ordinance Number 108, sewer bonds (Special)	154	Curb & sidewalk grades (Not codified)
110	Amending Ordinance Number 107, water bonds, appropriations 5/1/1928 (Special)	155	Street traffic, amended (Not codified)
111	Sidewalk, building of (Not codified)	156	Assessment roll, improving districts (Special)
112	Firecrackers/fire limits, amended (Not codified)	157	Amending Ordinance Number 139, alcohol (Not codified)
113	(Does not exist)	158	Electric rates, industrial (Not codified)
114	Appropriations May 1929 (Special)	159	Package liquor (Not codified)
115	Sidewalk, construction (Not codified)	160	Fireworks (Not codified)
116	Traffic/parking, etc. (Not codified)		

161	Appropriations May 1939 (Special)	198	Amending Ordinance Number 116, traffic (Not codified)
162	Businesses closing, Sundays (Not codified)	199	Appropriations May 1, 1951 (Special)
163	Electrician license, amend (Not codified)	200	Corporate limits, detaching (Not codified)
164	Street traffic (Not codified)	201	Amending Ordinance Number 82, electric wiring (Not codified)
165	Spec. assessment, sewer, appropriations May 1940 (Special)	202	Appropriation May 1, 1951 (Special)
166	Licensing, amended (Not codified)	203	Improvement district, south, 15th & 16th (Special)
167	Appropriations May 1941 (Special)	204	Municipal court/trial/etc., without jury (Not codified)
168	Sidewalks, c&g, radius, etc. (Not codified)	205	Appropriations May 1, 1952 (Special)
169	Improvement District #2 (Special)	206	Electricity, inspection/connection (Not codified)
170	Improvement District #2, addition (Special)	207	Misdemeanors (Not codified)
171	Appropriations F.Y. May 1, 1942 (Special)	208	Television antenna policy (Not codified)
172	Amending Ordinance Number 147, curbs/gutters, repair/construction of (Not codified)	209	Appropriations May 1, 1953 (Special)
173	Assessment roll Improvement #2 (Special)	210	Water use/irrigation/car wash (Not codified)
174	Appropriations F.Y. May 1, 1943 (Special)	211	Pedestrians/street traffic (Not codified)
175	Trucks/vehicles, parking/transportation of (Not codified)	212	Liquor sales to minors (Not codified)
176	Truck route through town (Repealed by 178)	213	Street vacate, 14th & 15th (Special)
177	Appropriations F.Y. May 1944 (Special)	214	Television antennas (Not codified)
178	Repeal Ordinance Number 176, truck route (Not codified)	215	Appropriations May 1, 1954 (Special)
179	Mountain States Telephone/Telegraph, appropriations F.Y. May 1945 (Special)	216	Swimming pool use (Not codified)
180	Dogs (Not codified)	217	Misdemeanors, defining of, amending/reenacting Ordinance Number 4 (Not codified)
181	Appropriations F.Y. 1945 & 1946 (Special)	218	Street traffic/parking, repealing all existing ordinances (Not codified)
182	Corporate limits, detaching (Not codified)	219	Misdemeanors, defining (Not codified)
183	Amending Ordinance Number 83, inflammable liquids (Not codified)	220	Municipal court procedures (Not codified)
184	Appropriations F.Y. 1947 (Special)	221	Licensing and permit procedures (Not codified)
185	Corporate limits, detaching (Not codified)	222	Television antennas (Not codified)
186	Improvement District #3 (Special)	223	Fires/fire limits (Not codified)
187	Amending Ordinance Number 149, water rates (Not codified)	224	Repealing outmoded ordinances (Not codified)
188	Amending Ordinance Number 80, curbside walk, establishment of (Not codified)	225	Zoning, regulations/restrictions (Not codified)
189	Appropriations May 1, 1948 (Special)	226	Appropriations May 1955 (Special)
190	(Does not exist)	227	Zoning restrictions/employment/regulating numbers (Not codified)
191	Garbage, charge for collection of (Not codified)	228	Park Avenue/Zorn/Shiek/Johnston/South St, improvement of (Special)
192	Assessment roll, improve district #3 (Special)	229	Various streets, improvements (Special)
193	Appropriations May 1, 1949 (Special)	230	Appropriations May 1955 (Special)
194	Appropriations May 1, 1950 (Special)	231	Mason/Elliott/Rowley/Oak/others, improvement of (Repealed by 251)
195	Amending Ordinance Number 116, traffic/parking (Not codified)	232	Vacating Mitchell Street (Special)
196	Voting/bonds/waterworks (Special)	233	Sewer code, amend (Not codified)
197	Water/rates/collections/supply (Not codified)	234	Appropriations May 1956 (Special)
		235	Appropriations May 1956 (Special)
		236	Misdemeanor (Not codified)

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237	Stone/missile, object throwing (Not codified)	277	Amending Ordinance Number 190, soil pipes/vents/pipes/waste pipes/pumps (Not codified)
238	Levi Park/Shiek, assessing of (Special)	278	School zones/vehicles, area of (Not codified)
239	Improvement District #3, bonds (Special)	279	(Does not exist)
240	Appropriations May 1958 (Special)	280	Television/electric lines, construction/operation/permission of (Not codified)
241	Appropriations May 1957 (Special)	281	Nominate candidates by petition (Not codified)
242	Corporate limits, extended (Not codified)	282	Appropriations F.Y. May 1, 1962 (Special)
243	Assessment of Ordinance 229 (Special)	283	Corporate limits extended (Not codified)
244	Assessment of District #4 (Special)	284	Vehicle parking limitations (Not codified)
245	Corporate limits, extended (Not codified)	285	Vehicle parking, amended (Not codified)
246	Appropriations May 1958 (Special)	286	Electric rates (Not codified)
247	Improvement of District #4 (Special)	287	Corporate limits extended (Not codified)
248	Garbage, indiscriminate disposal (Not codified)	288	Appropriations F.Y. 1963-1964 (Special)
249	No horses in Lewis Park (Not codified)	289	Liquor, dispensing rooms (Not codified)
250	Assessment of District #4 (Special)	290	Amending Ordinance Number 280, TV lines permission (Not codified)
251	Repealing Ordinance Number 231 (Repealer)	291	Corporate lines extended (Not codified)
252	Mason/Elliot/Rowley/Oak/others, improvement of (Special)	292	Motorcycles, operation on (Not codified)
253	Assessment of Ordinance Number 252 & 6 (Special)	293	Premises, offensives/nuisances (Not codified)
254	Curfew (Not codified)	294	Kansas/Nebraska, gas granting rights (Special)
255	Curfew (Not codified)	295	Appropriations F.Y. May 1, 1964 (Special)
256	Rabies vaccination, dogs (Not codified)	296	District #7, assessment of (Repealed by 302)
257	Appropriations May 1959 (Special)	297	District #8, assessment of (Special)
258	Vehicle parking (Not codified)	298	Sewer connections, size of (Not codified)
259	Amending Ordinance Number 255, curfew hours (Not codified)	299	Vacate park trail 35/Mountain View tracts (Special)
260	Zoning regulations (Not codified)	300	Gas pipes, bushing permitted, types (Not codified)
261	Privies/outdoor, prohibited (Not codified)	301	Zoning/re-zoning (Special)
262	Amending Ordinance Number 259, curfew hours (Not codified)	302	Assessment of District #7, repeal of Ordinance Number 296 (Special)
263	Plumbers, licenses/exams/fees (Not codified)	303	Kansas/Nebraska, gas rights, assessment of District #8 (Special)
264	Accident, stop at the scene of (Not codified)	304	Assessment of District #7a, improvement of (Special)
265	Vehicle parking (Not codified)	305	Assessment of District #8a, improvement of (Special)
266	Appropriations F.Y. May 1960 (Special)	306	Appropriations F.Y. May 1, 1965 (Special)
267	Mountain View tracts/zoning (Special)	307	Assessment of District #7a (Special)
268	Town employees, compensation plan (Not codified)	308	Assessment of District #8a (Special)
269	Curfew, minors (Not codified)	309	Revolving improvement fund, assessment of District #7a (Special)
270	Vehicle, maximum speed (Not codified)	310	Revolving improvement fund, assessment of District #8a (Special)
271	Gas service lines, size of (Not codified)	311	Alcoholic beverages, sale of (Not codified)
272	Driving while under the influence (Not codified)	312	Bottle club definition (Not codified)
273	Appropriations F.Y. May 1, 1961 (Special)		
274	Amending Ordinance Number 268, employees vacation (Not codified)		
275	Prisoners/indigents, appointing of an attorney (Not codified)		
276	Vehicle parking violations (Not codified)		

313	Excise tax levy (Not codified)	351	Fences/walls/hedges, prohibiting the street (Not codified)
314	Alcoholic beverages, sale of (Not codified)	352	Driving under the influence (Not codified)
315	Special meetings town council (Special)	353	Snowmobiles on the streets, prohibited (Not codified)
316	Vacate part of alley block 79 (Special)	354	Dead animals/city dumps, designated areas (Not codified)
317	District #7a/bonds, issue of (Special)	355	Garbage collection rates (Not codified)
318	District #8a/bonds, issue of (Special)	356	Alcoholic beverages, minors (Not codified)
319	Mountain View tracts/zoning (Special)	357	Curfew, minors (9.05)
320	Flammable liquids, hilltop additions, rezoning (Not codified)	358	Toilets, chemicals (Not codified)
321	Block 72, rezoning of 5 lots (Special)	359	Liquor dealers, annual license (Not codified)
322	Appropriations F.Y. May 1, 1966 (Special)	360	Garbage collection rates (Not codified)
323	Electrical distribution, promotion of right/authority (Not codified)	361	Special use permits (Not codified)
324	Alcoholic beverages, sale of (Not codified)	362	Jail visiting hours (Not codified)
325	Western Union, right to operate (Special)	363	Games of chance (9.05)
326	KCYN Pioneer Broadcasting, right to operate (Special)	364	Trash burning (8.30)
327	Hilltop Addition, rezoning of (Special)	365	Mail box placement (12.15)
328	Corporate limits, extension of (Not codified)	366	Pipes/soil/vents (Not codified)
329	Corporate limits, extension of (Not codified)	367	Liquor stores, closing hours of (Not codified)
330	Appropriations F.Y. May 1, 1967 (Special)	368	Mountain View Trail, vacate street/alley (Special)
331	Carey Addition, rezoning of (Special)	369	13th Street/between Oak and Cedar, vacate streets (Special)
332	Right hand turns, traffic lights (Not codified)	370	12th Street/13th Street, vacate street (Special)
333	Cemetery, memorial gardens (Not codified)	371	Special use (Not codified)
334	Dispensing rooms, defined as (Not codified)	372	Municipal court (2.20)
335	National Fire Code, adopted as (Not codified)	373	Traffic code (10.10, 10.15, 10.20, 10.30)
336	Glue sniffing prohibited (Not codified)	374	Trailer house/mobile home, parking of (Not codified)
337	Appropriations F.Y. May 1, 1968 (Special)	375	Mobile home, parking of, utility connections (Not codified)
338	County Road changed to Cole Street (Not codified)	376	12th Street/13th Street/Oak Street, vacate streets (Special)
339	Police justice salary (Not codified)	377	DUI/liquor, reckless/careless (Not codified)
340	Appropriations F.Y. May 1, 1969 (Special)	378	Electric/sewer, hook up charges for (Not codified)
341	Curfew, amended (9.05)	379	Corporate limits extended (Not codified)
342	Mayor/council, compensation of (Not codified)	380	Corporate limits extended (Not codified)
343	Fire limits (Not codified)	381	Alcoholic beverage, trafficking (Not codified)
344	Trash burning prohibited (Not codified)	382	Electric/sewer, hook up charges for, amended (Not codified)
345	Zoning, amended/redefined as a yard (Not codified)	383	Hookup charges, amended (Not codified)
346	Self service, unattended property, confiscated/abandoned (Not codified)	384	Water rates, residential/commercial (Not codified)
347	Planning/zoning commission, powers of (Not codified)	385	Electric rates, rules/regulations (Not codified)
348	Curfew (9.05)		
349	Dispensing rooms, closing hours of (Not codified)		
350	Pipes/soil/waste/vents (Not codified)		

ORDINANCE TABLE

386	Residential zoning, amended, lots 6-10/block 170-178 (Special)	418	Misdemeanors, valued at less than \$100.00 (Not codified)
387	Rezone, amended, Lots 9-10/Block 118/Business C-D (Special)	419	Development code (10.20, 13.10, 13.20, 13.35, 17.05, 17.10, 17.15, 17.20, 17.25, 17.30, 18.05, 18.10, 18.15, 18.20, 18.30, 18.35, 18.40, 18.45, 18.50, 18.55, 18.60, 18.65, 18.70, 18.75, 18.85, 18.95, 18.100)
388	Comprehensive development code (Not codified)		
389	Governing body, meeting times of (Not codified)	420	Power acquisition/Wyoming municipal elections, creation of (Not codified)
390	Sewer system, charges/usage (Not codified)	421	Speeding, acceleration contests (Repealed by 807)
391	Section 24-603, repeal of (Repealer)	422	Amending Ordinance Number 419, rezoning (Not codified)
392	Corporate limits extended (Not codified)	423	Amending Ordinance Number 372, municipal court (Not codified)
393	Dog licensing, amended/re-enacted (Not codified)	424	Land use, district/zoning, amended (Special)
394	Alcoholic beverages, amended/re-enacted, persons under the influence (Repealed by 398)	425	Amending Ordinance Number 419, development codes (Not codified)
395	Corporate limits extended (Not codified)	426	Corporate limits extended (Not codified)
396	Land use distribution map, amended (Special)	427	Amending Ordinance Number 419, development codes (Not codified)
397	Sidewalk requirement (Not codified)	428	Amending Ordinance Number 5-709, dogs (Not codified)
398	Repealing Ordinance Number 394, 5-615(c) (Repealer)	429	Amending Ordinance Number 419, development codes (Not codified)
399	Amending Ordinance Number 388, rezoning (Not codified)	430	Wyoming municipal joint powers board (Not codified)
400	Amending Ordinance Number 388, development code (Not codified)	431	Amending Ordinance Number 419, development codes (Not codified)
401	Amending Ordinance Number 388, development code (Not codified)	432	Camping overnight, prohibited (9.05)
402	Mobile home, numbering (12.10)	433	Amending Ordinance Number 403, private sewerage disposal (18.70)
403	Privies/outdoor, prohibited (Not codified)	434	Amending Ordinance Number 419, development codes (Not codified)
404	Liquor, license increase (Failed)	435	Amending Ordinance Number 419, development codes (Not codified)
405	Garbage containers, amended (8.05)	436	Electric/sewer, fees for connection (13.45)
406	Controlled substances (9.05)	437	Amending Ordinance Number 419, development codes (Not codified)
407	Confiscated/abandoned property (Not codified)	438	(Does not exist)
408	District created off street parking, improvement of (Not codified)	439	Corporate limits extended (Not codified)
409	Shoplifting (9.05)	440	Amending Ordinance Number 419, development codes (Not codified)
410	Motor vehicles (10.15)	441	Amending Ordinance Number 419, development codes (17.05, 18.15, 18.30, 18.35, 18.40, 18.45, 18.50, 18.75, 18.85, 18.95)
411	Electrical services, requirements for installation (Repealed by 463)	442	Amending Ordinance Number 290, community television service (Not codified)
412	Water rates (13.15)	443	Amending Ordinance Number 419, development codes (Not codified)
413	Land use distribution map, amended, rezoning (Special)		
414	Amending ordinance number 388, comprehensive development (Not codified)		
415	Water system, connection/meter installation (13.15)		
416	Deposits, utilities (13.05)		
417	Improvement district, Fertig Addition (Special)		

444	Amending Ordinance Number 419, development codes (Not codified)	476	Amending Ordinance Number 419, development codes (Not codified)
445	Amending Ordinance Number 419, development codes (Not codified)	477	Liquor license fee, retail (Not codified)
446	Police/judge alternates, salary (Not codified)	478	Police/judge, salary, amended (Not codified)
447	Dog licensing (Not codified)	479	Curbs/gutters, development code, amended (18.70)
448	Amending Ordinance Number 419, development codes (Not codified)	480	Amending Ordinance Number 419, development codes (Not codified)
449	Amending Ordinance Number 419, development codes (Not codified)	481	Auctioneers, fees/license/bonds (5.10)
450	Dancing (Failed)	482	Property, destruction of (9.05)
451	Tree trimmers (8.05)	483	Alcoholic beverages, minor (Not codified)
452	Sanitary landfill (8.15)	484	Bicycle paths (10.15)
453	Trash/garbage/junk, owners (8.05)	485	Amending Ordinance Number 419, development codes (Not codified)
454	Obscene conduct, material/etc. (9.05)	486	Amending Ordinance Number 419, development codes (Not codified)
455	Liquids, flammable (8.25)	487	All electrical rates (Repealed by 501)
456	Electric/plumbing/gas, inspection fees of (13.45)	488	Judge/alternates, salary of (Not codified)
457	Pipefitters/plumbers/electric/water treatment/contractors, licensing of (Not codified)	489	8th St/Walnut St/Pine St/Spruce St/Cedar St, improvement of (Special)
458	Utility payments (13.45)	490	Wires/transmitting/supply/electrical (Not codified)
459	National Election Code of 1975, adoption of (Not codified)	491	False crime reports (9.05)
460	(Defeated)	492	Cole St, improvement of (Special)
461	Antenna, installation permits (Repealed by 714)	493	Amending Ordinance Number 419, setback requirements (18.40, 18.45)
462	Uniform Plumbing Code, adoption of (15.05)	494	Amending Ordinance Number 419, development codes/rezoning (Not codified)
463	Repealing Ordinance Number 411, electrical service requirements, installation of (Not codified)	495	Flood areas, construction in/development of/permits/appeals (Not codified)
464	Rates, electrical (Repealed by 501)	496	Amending Ordinance Number 419, development codes/rezoning (Not codified)
465	Amending Ordinance Number 419, development codes (Not codified)	497	Amending Ordinances Numbers 290-442, community TV to cable TV (Not codified)
466	Amending Ordinance Number 419, development codes (Not codified)	498	Recodification, adoption of (Not codified)
467	Citation, traffic insurance (2.20)	499	Amending Ordinance Number 419, development codes (Not codified)
468	Setback requirements, general/business (18.45)	500	Amending Ordinance Number 479, curbs/gutters/sidewalks (18.70)
469	Work hours/holidays/vacation/sick days (2.35)	501	Repealing Ordinances Numbers 464 and 487, electrical rates (Repealer)
470	Wood foundations prohibited (13.30)	502	Corporate limits extended (Not codified)
471	Garbage/landfill, prohibited carrying off of (8.15)	503	Zoning (Not codified)
472	Wyoming Municipal Power Agency (Not codified)	504	Amending Ordinance Number 419, land use district (Not codified)
473	(Tabled)	505	Uniform Codes, adoption of (Not codified)
474	Uniform Building Code, adoption of (Not codified)	506	Amending Section 10-2, the park (10.20)
475	Section 5-701, amending of, animals at large (Not codified)	507	Amending Section 1-214/amending Ordinance Number 419, municipal court (Not codified)
		508	Bonds, Hilderbrand Project (Special)

ORDINANCE TABLE

509	Bonds, insurance/sales (Special)	545	Garbage collection rates (Not codified)
510	Animals/fowls, keeping of (6.05)	546	Police justice, salary of (Not codified)
511	Alcohol, minor (Not codified)	547	Garbage containers (8.05)
512	Amending Ordinance Number 419, land use district (Not codified)	548	Uniform Codes, adoption of (Not codified)
513	Amending Ordinance Number 419, land use district (Not codified)	549	Police justice, salary of (Not codified)
514	Mobile home park/tennis courts land use (Not codified)	550	Garbage rates (Not codified)
515	Board of buildings on residential lots adjustment/fees/construction/utilities (18.15)	551	Land district use, boundaries of (Special)
516	Disturbance of peace (9.05)	552	Amending Section 7-35, setback requirements (18.15)
517	Corporate limits extended (Not codified)	553	Amending Ordinance Number 471, refusing of garbage (8.15)
518	Zoning classification (Not codified)	554	Dead animals (Repealed by 555)
519	Amending Ordinance Number 419, development codes (Not codified)	555	Repealing Ordinance Number 554 (Repealer)
520	School buses, flashing red lights (Repealed by 807)	556	Wholesale power/auto pass through (13.45)
521	Annex Uniform Building Code 79 (Not codified)	557	Motorcycles, minors without headgear (Repealed by 807)
522	Police/judge, salary (Not codified)	558	Judges, salary of (Not codified)
523	Police officers, obedience to (Repealed by 807)	559	Weeds/trash, removal of (8.05)
524	Water meter installation fee (Not codified)	560	Work program/indigents/fines (2.20)
525	Amending Section 7-59, regulations of (18.40, 18.50, 18.85)	561	Handicapped parking (Repealed by 807)
526	Swimming pool, bonds \$300,000 (Special)	562	Police/judge, salary of (Not codified)
527	Amending Sections 16-39, sewer system (13.30)	563	National Electric Code (Not codified)
528	Amending Sections 10-14, traffic code (Repealed by 807)	564	Amending Ordinance Number 419, land use district (Not codified)
529	Amending Sections 10-17, careless driving (Repealed by 807)	565	Municipal power agency (Not codified)
530	Uniform Building Code (Not codified)	566	Employment, hearings for dismissal (Not codified)
531	Land district use, revision of (Not codified)	567	Bonds, general obligation (Special)
532	Amending Ordinance Number 419, land use district (Not codified)	568	Uniform Building Code (Not codified)
533	Animals/people who have been bitten (Not codified)	569	Supplement to town code (Not codified)
534	Penalty for ordinance violations (6.05, 9.05, 18.05)	570	Land use district map (Special)
535	Holiday observance, amended (2.35)	571	Land use district map (Special)
536	(Tabled)	572	Platte River cable franchise (Special)
537	(Tabled)	573	Land use district map (Special)
538	Black Mountain, rezoning (Special)	574	Land use district (Special)
539	Black Mountain, rezoning (Special)	575	Land use district (Special)
540	Corporate limits extended, annexed (Not codified)	576	Land use district (Special)
541	Zoning (Not codified)	577	Land use district (Special)
542	Council meeting time (Not codified)	578	Council meeting dates, Tuesdays (2.10)
543	Numbering of mobile homes (12.10)	579	Dogs, licensing/registration (6.05)
544	Fireworks (8.35)	580	Water rates (Not codified)
		581	U-turns (Repealed by 807)
		582	Land use district map, rezoning of (Special)
		583	Bars, 19-20 year olds, prevention of (Not codified)
		584	Landfill fees (8.15)
		585	Land use district, boundaries of/508 10th St, rezoning of (Special)
		586	Crosswalks, right-of-way (Repealed by 807)

587	Uniform Codes, standards of (Not codified)	628	1% sales tax (Not codified)
588	Rock Creek Estates, rezoning of/fire department, drill field (Special)	629	Water meter installation fees (Not codified)
589	Clerk/treasurer/judge/attorney/engineer/police chief, appointments of (Not codified)	630	Child restraints (Not codified)
590	Public meeting times (2.10)	631	Subdivision regulation changes (Not codified)
591	(Does not exist)	632	Fireworks (Failed)
592	Flood area (15.10)	633	Zone changes, residential to It industries (Special)
593	Garbage collection rates (Not codified)	634	Fireworks, restrict sale of (8.35)
594	Garbage collection rates, amended (Not codified)	635	Uniform Codes, adoption of, 1994 (15.05)
595	Repealing Ordinance Number 584, landfill parts/fees (Not codified)	636	Landfill, charges/restrictions (8.15)
596	Cable TV (Not codified)	637	Garbage/landfill collection fees (8.15)
597	K-N Energy/gas system, operation of (Special)	638	1993 national electric rates (Failed)
598	Special election/Charter Ordinance No. 1, copy of (Special)	639	1993 national electric rates (Failed)
599	Livestock, definition of (6.05)	640	Electrical rates (Failed)
600	Floodplain management (Not codified)	641	Tire disposal, establishing fees for (8.15)
601	Sewer rate ordinance (Not codified)	642	Fireworks, establishing dates for (8.35)
602	Land use district, Ed Melcher (Special)	643	Deprivation fund, establishment of (Not codified)
603	Fireworks (8.35)	644	Lot 6/Squaw Mountain/tracts, zone change (Special)
604	Electrical/sewer, connections (13.45)	645	Municipal court days, establishment of (2.20)
605	Sewer charges (Not codified)	646	Vacancy in the office of mayor or council (2.10)
606	Wastewater disposal (13.30)	647	Fireworks, discharge/permitting (8.35)
607	Budget amendment (Special)	648	Cole Street, assessment district (Special)
608	Outdoor advertising (15.05)	649	Electrical rates, decrease of (Not codified)
609	Annexation, Schlickemayer (Special)	650	Amends §§ 2-15, 2-16, 3-1, 3-7, 3-8(a), 3-10, 4-1, 4-15, 7-6, 8-1, 8-4, 8-5, 10-2, 10-22, 10-25, 10-27, 10-33, 10-36, 10-37, 10-56, 10-63, 10-65, 10-66, 10-67, 10-88, 10-99, 10-101, 10-128, Ch. 11, §§ 13-1, 13-10, 14-4, 14-5, 14-6, 14-7; repeals §§ 13-15, 13-16, 13-17, 13-18, 13-30, adoption and amendment of 1996 supplementation (1.05, 2.10, 2.20, 2.35, 6.05, 8.25, 8.30, 9.05, 10.15, 10.25, 10.30, 18.05)
610	Sanitation rates, residential (Not codified)	651	National Electric Code 1996, adoption of (Not codified)
611	East Cole/Y-O Ranch Road, assessment district (Special)	652	Gas department, creation of (Failed)
612	Tires, disposal of/landfill fee (Not codified)	653	33 gallon garbage containers, furnishing of (Not codified)
613	Frank Ahearn, rezone of (Special)	654	1% sales tax, continuation of (Not codified)
614	Electrical code (13.15)	655	Repeals and replaces Ch. 3, alcoholic beverages (5.05)
615	Uniform Codes, adoption of (Not codified)	656	Amends § 17-3, premises maintenance (8.05)
616	Archery, prohibition of (9.05)	657	Corporate limits, extended (Not codified)
617	Cemetery, set fee schedules (Not codified)	658	Cole Street, assessment district/establishing assessment roll (Special)
618	Garbage, rates/pickup schedules (Not codified)		
619	Country club addition, zoning (Not codified)		
620	Electric service rates (Not codified)		
621	Cemetery spaces, fees, amended (Not codified)		
622	Incentive rate ordinance (Not codified)		
623	Council meeting dates (Failed)		
624	Water rates (Not codified)		
625	Waste water service charge (Not codified)		
626	Annexation of airport (Special)		
627	Mayor/council, salary of (2.30)		

ORDINANCE TABLE

659	Amends § 17-13(e), garbage collection (8.15)	693	Fairacre Tracts assessment roll (Special)
660	Golf cart operation regulations (10.10)	694	Salary for municipal justice (2.30)
661	James Cable Inc franchise (Special)	695	Electrical rates, establishment of (Not codified)
662	Land acquisition reserve fund (Not codified)	696	Waste water rates, establishment of (Not codified)
663	Amends § 10-81, diagonal parking on certain streets (10.20)	697	Sanitation rates, establishment of (Not codified)
664	Amends § 14-3, holiday observance (2.35)	698	Sanitary landfill use regulations (8.15)
665	Trees and vegetation projecting over public rights-of-way (12.20)	699	Water usage, emergency restrictions (Not codified)
666	Prohibits diesel motor vehicle idling (10.20)	700	Landfill fees (Repealed by 777)
667	Jake brakes, prohibiting of (Did not pass)	701	Water rates (Not codified)
668	Uniform Building Codes, adoption of (Not codified)	702	1% sales tax, continuation of (Not codified)
669	Repeals § 16-16 (Repealer)	703	Amending Ordinance Number 419, Johnston Subdivision (Special)
670	Abbreviated method of replatting land within approved and platted subdivision (17.05)	704	Amending Ordinance Number 519, Arrow Investments (Special)
671	Landfill tire fees, establishment of (Repealed by 777)	705	20 Rompoon Road/Gaddy Property, annexation of (Special)
672	Mayor, salary of (Not codified)	706	Lots 20-28, Black Mountain Village, rezoned to conservancy (Special)
673	Excessive noise (Did not pass)	707	Huckfeldt Property/north of 9th and Rowley, rezoned to a mobile home subdivision (Special)
674	Smoke detectors (15.05)	708	Huckfeldt Property/north of 9th and Rowley, rezoned to a highway business (Special)
675	Littering (9.15)	709	Sherard/North 16th St, annexation of (Special)
676	Bowen/Hitt Property/west of 1-25, annexation of (Special)	710	Wheatland Medical Clinic, rezoning of (Special)
677	Amends § 10-109.1, child safety restraints (Repealed by 807)	711	Lebsack Property/North Deringer Park, rezoning of (Special)
678	Animal waste removal and disposal regulations (8.20)	712	2003 International Code/2005 National Electrical Code, adoption of (Not codified)
679	International Building/Fire/Mechanical/Electric Codes, adoption of (Not codified)	713	Pawnbrokers' and secondhand dealers' licenses (5.25)
680	Establishes tree board; tree planting, care and maintenance (2.25)	714	Electrical service regulations; repeals Ord. 461 (13.40)
681	1% sales tax, continuation of (Not codified)	715	Contractors licensing (Did not pass)
682	J.O. Enterprises/Hitt Property, annexation of (Special)	716	Lebsack Property/north Deringer Park, rezoning of (Special)
683	Seat belts (Did not pass)	717	Amends §§ 7-6, 7-34, 7-35 and 7-86, zoning (17.05, 18.05, 18.15)
684	Municipal court, fees of (Not codified)	718	Amends §§ 7-49(b), 7-51(b) and (c)(3), 7-66(a) and 7-79(h), zoning (18.35, 18.40, 18.60, 18.90)
685	Amends § 8-6(d), fireworks (8.35)	719	Rock Creek Estates/from the park to the street, changed to public use (Special)
686	Lot 43, rezoned to residential (Special)	720	Peak Wellness, issue of industrial revenue bonds (Special)
687	Circle Drive/Wilson Avenue/Canal Street, assessment district (Special)		
688	Mayor/council, salary of (Not codified)		
689	Black Mountain/Lots 1 & 2/Block 2, rezoning of (Special)		
690	Amends § 10-70, loading zones (Repealed by 807)		
691	Latchstring Court, rezoning of (Special)		
692	Lot 16/country club addition, rezoning of (Special)		

721	Lot 43/Assembly of God Church, rezoning of (Special)	751	Mayor's salary, increased to \$500.00 (Not codified)
722	Lots 5-6/Alley/Caldwell Bankers, rezoning of (Special)	752	Amends Ord. 416, utility deposits (13.05)
723	Adds [amends] § 7-27-1; amends §§ 7-9, 7-14(a), 7-15(c), 7-23(a) and 7-26, zoning (18.05, 18.85)	753	Transportation of solid waste to landfill (8.10)
724	Lot 1-3/Block 199/North 9th St, rezoning of (Special)	754	International Building Code 2006 Edition, adoption of (Not codified)
725	Lot 8/Block 100/South St, rezoning of (Special)	755	Establishes low density suburban residential district (LDSR) (18.25)
726	Lot 6-7/Block 100/High Street, rezoning of (Special)	756	North 1/North East 2/North West 4/Section 18/T24N/R67W/Madsen subdivision, rezoning of (Special)
727	457 Gilchrist St, rezoning of (Special)	757	Amends § 7-107(b)(6), electrical code (15.05)
728	Mayor/council, salaries, amended (Not codified)	758	Recreational vehicle, defined (Tabled)
729	Amends § 4-8, dog licensing (6.05)	759	Amends Art. IV of Ch. 16, antennas, telecommunication towers, and wind generation towers (13.50)
730	Lot 9 & 13/Squaw Mountain tracts/traveler trailer park, rezoning of (Special)	760	Electrical rates, increase of (Not codified)
731	Electric, rate increase (Not codified)	761	North park subdivision, rezoning of (Special)
732	Building/plumping/electrical/fire/mechanical codes, adoption of (Not codified)	762	Lots 1-3/country club addition, rezoning of (Special)
733	Sewer, rate increase to service state loan (Not codified)	763	Water rates, increase of (Not codified)
734	Amending Ordinance Number 733, sewer ordinance (Not codified)	764	Lot 3/Block 135/town of Wheatland, rezoning of (Special)
735	East Cole St, rezoning of (Special)	765	Lots 89-97/Lots 71-77/Lots 63-68/Lots 55-60/Lots 46-48/North 1/2 of Lot 54 & 49, rezoning of (Special)
736	Lot 1/Wright Subdivision/airport, rezoning of (Special)	766	Electric rates, increase of (Not codified)
737	Salary for municipal judge (2.30)	767	Exempts conservancy zoned property from the requirements of § 17-2(b)(1) (8.05)
738	East Cole St, rezoning of (Special)	768	Amends §§ 7-107(a) and (b)(1) through (10), building codes (15.05)
739	Amends §§ 7-51(a) and 7-55(a), permitted uses (18.40, 18.45)	769	Lot 10/Block 141/Carey Addition/300 13th St, rezoning of (Special)
740	Signs (18.80)	770	1% sales tax, continuation of (Not codified)
741	2008 National Electrical Code, adoption of (Not codified)	771	Animals, prohibited from parks/cemeteries/ballfields (Tabled)
742	Electrical rates, adoption of (Not codified)	772	Emergency ordinance banning fireworks in 2012 (Expired)
743	1% sales tax, continuation of (Not codified)	773	Emergency ordinance restricting the watering of lawns (Not codified)
744	Amends §§ 9-1 through 9-6, gas pipefitters, electricians and water treatment contractors (5.20)	774	Emergency water usage restrictions (13.25)
745	Sanitation rates, adoption of (Not codified)	775	Repeals § 14-9 and Ord. 469 § 9, retirement age (Repealer)
746	Lots 6 & 7/North 7/Lot 9/Block 199, rezoning of (Special)	776	Electrical rates, increase of (Not codified)
747	East 70/South 47/Lot 10/Block 141, rezoning of (Special)	777	Landfill fees; repeals Ords. 671 and 700 (8.15)
748	Bar & grill liquor licenses (Tabled)	778	Tract 3/Black Mountain/nursing home/assisted living, rezoning of (Special)
749	Electric rates, increase of (Not codified)		
750	Prohibits semi-trailers, mobile homes, etc., as accessories to residential property (18.105)		

ORDINANCE TABLE

779	Amends § 7-107(b)(6), electrical code (15.05)
780	Sanitation rates, establishment of (Not codified)
781	Salaries of mayor and council members (2.30)
782	Lots 1&2/Block 86/Irvine Home Trust, rezoning of (Special)
783	Lot 1/Block 1, North Park addition (Special)
784	Amends §§ 7-107(a) and (b)(1) through (10), building codes (15.05)
785	Source Gas franchise, granted (Special)
786	Lots 41-42/Black Mountain, rezoning of (Special)
787	Lots 6-8/Progress Subdivision, rezoning of (Special)
788	(Pending)
789	(Pending)
790	(Pending)
791	(Pending)
792	Defines electrical services provided by town (13.40)
793	Amends Ord. 614 § 13, tree trimming proximate to power lines (13.40)
796	Utility service establishment, deposit, delinquency (13.05)
798	Recreational vehicle parking restrictions (10.20)
804	Garbage collection rates (8.15)
805	Solid waste transfer station use, restrictions and fees (8.15)
806	Animal regulations (6.05)
807	Adopts Uniform Act Regulating Traffic on Highways; repeals §§ 10-1 – 10-5, 10-7 – 10-9, 10-14 – 10-16, 10-17 – 10-19, 10-20 – 10-23, 10-25 – 10-37, 10-42 – 10-48, 10-52 – 10-55, 10-57 – 10-60, 10-61 – 10-70, 10-73, 10-74, 10-76, 10-85-1 – 10-98, 10-100 – 10-123, traffic (10.05)