

TABLE OF CONTENTS

TITLE 1

Administration

LaGrange Town Code	1
Saving Clause	2
Definitions	3
General Penalty	4
General And Corporate Provisions	5
Election Of Town Officials	6
Town Council	7
Municipal Court	8

TITLE 2

Business And License Regulations

Alcoholic Beverages	1
Billiard And Pool Tables (Rep. by Ord. 55, 1-9-2014)	2
Solicitors, Peddlers, Hawkers, Itinerant Merchants And Transient Merchants	3
Sexually Oriented Businesses	4

TITLE 3

Public Health And Safety

Nuisances	1
Refuse, Garbage And Weeds	2

TITLE 4

Police Regulations

General Offenses	1
Animal Control	2
Animals	2A
Dogs	2B

TITLE 5

Motor Vehicles And Traffic

Vehicle Regulations	1
---------------------------	---

TITLE 6

Reserved

TITLE 7

Water And Sewer

Water	1
Sewer	2

TITLE 8

Building Regulations

Property Boundary Building Permit	1
Manufactured Homes; Travel Trailers	2

INDEX

TITLE 1
ADMINISTRATION

Subject	Chapter
LaGrange Town Code	1
Saving Clause	2
Definitions	3
General Penalty	4
General And Corporate Provisions	5
Election Of Town Officials	6
Town Council	7
Municipal Court	8



CHAPTER 1
LAGRANGE TOWN CODE¹

SECTION:

- 1-1-1: Title
 1-1-2: Acceptance
 1-1-3: Amendments
 1-1-4: Code Alterations

1-1-1: **TITLE:** Upon the adoption by the town council, this town code is hereby declared to be and shall hereafter constitute the official town code of LaGrange. This town code of ordinances shall be known and cited as the *LAGRANGE TOWN CODE* and is hereby published by authority of the council and shall be supplemented to incorporate the most recent legislation of the town as provided in section 1-1-3 of this chapter. Any reference to the number of any section contained herein shall be understood to refer to the position of the same number, its appropriate chapter and title heading, and to the general penalty clause relating thereto, as well as to the section itself, when reference is made to this town code by title in any legal document. (2011 Code)

1-1-2: **ACCEPTANCE:** The town code, as hereby presented in printed form, shall hereafter be received without further proof in all courts and in administrative tribunals of this state as the ordinances of the town of general and permanent effect, except the excluded ordinances enumerated in section 1-2-1 of this title. (2011 Code)

1-1-3: **AMENDMENTS:** Any ordinance amending the town code shall set forth the title, chapter and section number of the section or sections to be amended, and this shall constitute sufficient compliance with any statutory requirement pertaining to the amendment or revision by ordinance of any part of this town code. All such amendments or

1. For authority to codify, WS § 15-1-103(a)(xxxviii).

revisions by ordinance shall be immediately forwarded to the codifiers, and the said ordinance material shall be prepared for insertion in its proper place in each copy of this town code. Each such replacement page shall be properly identified and shall be inserted in each individual copy of the town code. (2011 Code)

1-1-4: **CODE ALTERATIONS:** It shall be deemed unlawful for any person to alter, change, replace or deface in any way any section or any page of this town code in such a manner that the meaning of any phrase or order may be changed or omitted. Replacement pages may be inserted according to the official instructions when so authorized by the town council. The town clerk shall see that the replacement pages are properly inserted in the official copies maintained in the office of the clerk. Any person having custody of a copy of the town code shall make every effort to maintain said code current as to the most recent ordinances passed. Such person shall see to the immediate insertion of new or replacement pages when such are delivered or made available to such person through the office of the town clerk. Said code books, while in actual possession of officials and other interested persons, shall be and remain the property of the town and shall be returned to the office of the town clerk when directed so to do by order of the town council. (2011 Code)

CHAPTER 2
SAVING CLAUSE

SECTION:

- 1-2-1: Repeal Of General Ordinances
- 1-2-2: Public Ways And Public Utility Ordinances
- 1-2-3: Court Proceedings
- 1-2-4: Severability Clause

1-2-1: **REPEAL OF GENERAL ORDINANCES:** All general ordinances of the town passed prior to the adoption of this town code are hereby repealed, except such as are included in this town code or are by necessary implication herein reserved from repeal (subject to the saving clauses contained in the following sections), and excluding the following ordinances which are not hereby repealed: tax levy ordinances; appropriation ordinances; ordinances relating to boundaries and annexations; franchise ordinances and other ordinances granting special rights to persons or corporations; contract ordinances and ordinances authorizing the execution of a contract or the issuance of warrants; salary ordinances; ordinances establishing, naming or vacating streets, alleys or other public places; improvement ordinances; bond ordinances; ordinances relating to elections; ordinances relating to the transfer or acceptance of real estate by or from the town; and all special ordinances. (2011 Code)

1-2-2: **PUBLIC WAYS AND PUBLIC UTILITY ORDINANCES:** No ordinance relating to railroad crossings with streets and other public ways, or relating to the conduct, duties, service or rates of public utilities shall be repealed by virtue of the adoption of this town code or by virtue of the preceding section, excepting as the town code may contain provisions for such matters, in which case, this town code shall be considered as amending such ordinance or ordinances in respect to such provisions only. (2011 Code)

1-2-3: COURT PROCEEDINGS:

- A. **Prior Acts:** No new ordinance shall be construed or held to repeal a former ordinance, whether such former ordinance is expressly repealed or not, as to any offense committed against such former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before the new ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinance in force at the time of such proceeding, so far as practicable. If any penalty, forfeiture or punishment may be mitigated by any provision of a new ordinance, such provision may be, by consent of the party affected, applied to any judgment announced after the new ordinance takes effect.
- B. **Extend To All Repeals:** This section shall extend to all repeals, either by express words or implication, whether the repeal is in the ordinance making any new provisions upon the same subject or in any other ordinance.
- C. **Currently Pending Actions:** Nothing contained in this chapter shall be construed as abating any action now pending under or by virtue of any general ordinance of the town herein repealed, and the provisions of all general ordinances contained in this code shall be deemed to be continuing provisions and not a new enactment of the same provisions; nor shall this chapter be deemed as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the town under any ordinance or provision thereof in force at the time of the adoption of this town code. (2011 Code)

1-2-4: SEVERABILITY CLAUSE: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this town code or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this code, or any part thereof. The town council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective. (2011 Code)

CHAPTER 3
DEFINITIONS

SECTION:

- 1-3-1: Construction Of Words
- 1-3-2: Definitions, General
- 1-3-3: Catchlines

1-3-1: **CONSTRUCTION OF WORDS:**

- A. Whenever any word in any section of this town code importing the plural number is used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words may not have been used. When any subject matter, party or person is referred to in this town code by words importing the singular number only, or a particular gender, several matters, parties or persons and the opposite gender and bodies corporate shall be deemed to be included; provided, that these rules of construction shall not be applied to any section of this town code which contains any express provision excluding such construction or where the subject matter or context may be repugnant thereto.
- B. The word "ordinance" contained in the ordinances of the town has been changed in the content of this town code to "title", "chapter", "section" and/or "subsection" or words of like import for organizational and clarification purposes only. Such change to the town's ordinances is not meant to amend passage and effective dates of such original ordinances.
- C. Definitions found throughout this code in various chapters, articles or sections are specific to that chapter, article or section and not definitions applying to those terms found elsewhere in this town code. (2011 Code)

1-3-2: **DEFINITIONS, GENERAL:** Whenever the following words or terms are used in this code, they shall have such meanings herein ascribed to them, unless the context makes such meaning repugnant thereto:

AGENT:	A person acting on behalf of another with authority conferred, either expressly or by implication.
CLERK:	The town clerk of the town of LaGrange.
CODE:	The municipal code of the town of LaGrange.
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, Sunday or legal holiday.
COUNCIL:	Unless otherwise indicated, the mayor and town council of the town of LaGrange.
COUNTY:	Goshen County, in the state of Wyoming, in which the town of LaGrange is located.
EMPLOYEES:	Whenever reference is made in this code to a town employee by title only, this shall be construed as though followed by the words "of the town of LaGrange".
GENDER:	A word importing either the masculine or feminine gender only shall extend and be applied to the other gender and to persons.
GOVERNING BODY:	The elected legislative body of the municipality.
LICENSE:	The permission granted for the carrying on of a business, profession or occupation.
MAY:	Permissive.
MONTH:	A calendar month.

MUNICIPALITY OR MUNICIPAL:

The town of LaGrange.

NUISANCE:

Anything offensive to the sensibilities of reasonable persons, or any act or activity creating a hazard which threatens the health and welfare of inhabitants of the town, or any activity which by its perpetuation can reasonably be said to have a detrimental effect on the property of a person or persons within the community.

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".

OCCUPANT:

As applied to a building or land, shall include any person who occupies the whole or any part of such building or land whether alone or with others.

OFFENSE:

Any act forbidden by any provision of this code or the omission of any act required by the provisions of this code.

OFFICERS:

Whenever reference is made in this code to a town officer by title only, this shall be construed as though followed by the words "of the town of LaGrange".

OPERATOR:

The person who is in charge of any operation, business or profession.

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 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 of LaGrange.

PERSON:	Any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, fraternal organization, company, corporation, business, trust, or their manager, lessee, agent, servant, officer, or employee or any of them.
PERSONAL PROPERTY:	Shall include every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.
PRECEDING, FOLLOWING:	The next before and next after, respectively.
PROPERTY:	Includes both real and personal property.
RETAILER:	Unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things direct to the consumer.
RIGHT OF WAY:	The privilege of the immediate use of the roadway or other property.
SHALL:	Mandatory.
STATE:	The state of Wyoming.
STREET:	Means and includes public streets, avenues, boulevards, highways, roads, alleys, lanes, viaducts, bridges and the approaches thereto and all other public thoroughfares in the town of LaGrange.
TENANT; OCCUPANT:	As applied to a building or land, shall include any person who occupies the whole or any part of such building or land, whether alone or with others.

1-3-2

1-3-3

TOWN: The town of LaGrange, county of Goshen, state of Wyoming.

WHOLESALER: The terms "wholesaler" and "wholesale dealer" as used in this code, unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things to persons who purchase for the purpose of resale.

WRITTEN, IN WRITING: Includes printing, lithographing or 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: A calendar year. (2011 Code)

1-3-3: **CATCHLINES:** The catchlines of the several sections of the town code are intended as mere catchwords to indicate the content of the section and shall not be deemed or taken to be titles of such sections, nor be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any division or section hereof, nor unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted. (2011 Code)



CHAPTER 4
GENERAL PENALTY

SECTION:

- 1-4-1: General Penalty
- 1-4-2: Application Of Provisions
- 1-4-3: Liability Of Officers

1-4-1: **GENERAL PENALTY¹:**

- A. General Penalty; Remedies Generally: Whenever in this code, or in any ordinance, resolution or regulation promulgated by any officer or agency of the town under authority vested in him by law or ordinance, any act is prohibited or is declared to be unlawful or an offense or a misdemeanor, 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, 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 seven hundred fifty dollars (\$750.00), or imprisonment not exceeding six (6) months, or both; provided, however, 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 violation nor shall the institution of such legal actions or proceedings be deemed a bar to the imposition of such fine.
- B. Continuing Violations: Except as otherwise provided, each day any violation of this code or any such ordinance, resolution or regulation continues shall constitute a separate offense. (2011 Code)

1. WS §§ 5-6-301, 6-10-103, 15-1-103(a)(xli). WS § 6-10-105 for commitment for refusal to pay fine or costs, rate per day.

1-4-2: APPLICATION OF PROVISIONS:

- A. The penalty provided in this chapter, unless otherwise provided, shall be applicable to every section of this town code the same as though it were a part of each and every separate section.
- B. In all cases where the same offense is made punishable or is created by different clauses or sections of this town code, the prosecuting officer may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.
- C. Whenever the doing of any act or the omission to do any act constitutes a breach of any section or provision of this town code and there shall be no fine or penalty specifically declared for such breach, the provisions of this chapter shall apply. (2011 Code)

1-4-3: LIABILITY OF OFFICERS: No provision of this town code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the town council to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty. (2011 Code)

CHAPTER 5

GENERAL AND CORPORATE PROVISIONS

SECTION:

- 1-5-1: Ordinances
1-5-2: Legal Surveys

1-5-1: **ORDINANCES:**

- A. Style: All ordinances passed by the town and the style of such ordinances shall be: "Be it ordained by the Town Council of the Town of LaGrange". (Ord. 22, 1-7-1969)
- B. Publication: Every bylaw, ordinance or resolution, unless in case of emergency, shall be published by posting certified copies thereof in three (3) public places in said town at least ten (10) days before the same shall take effect. Ordinances requiring publication, i.e., election proclamations, liquor licenses, annexations, etc., are published in the Torrington Telegram. (Ord. 22, 1-7-1969; amd. 2011 Code)
- C. Required Signatures; Recording: All bylaws and ordinances shall, within five (5) days after the passage of the same, be signed by the mayor and attested by the clerk and recorded in a book kept for that purpose.
- D. Voting:
1. Recording Of Ayes And Nays: On the passage of any bylaw, ordinance or resolution, the "ayes" and "nays" shall be taken and entered in the journal.
 2. Vote Required For Passage: A majority vote of the town council shall be required by the passage of all bylaws, ordinances and resolutions. (Ord. 22, 1-7-1969)

1-5-2: LEGAL SURVEYS:

- A. Adoption Of Corporate Limits Survey: The town hereby adopts the survey commissioned to and completed by BenchMark, P.C., of Torrington, Wyoming, as recorded in book 2, page 128, in the Goshen County clerk's office and dated October 3, 2003, as the official survey of its corporate limits and all references to the town corporate limits and boundaries shall be in accordance with same, effective October 3, 2003.
- B. Adoption Of Street Survey: The town hereby adopts the survey commissioned to and completed by Jones Land Surveying, Inc., of Cheyenne, Wyoming, as recorded in book 2, page 192, in the Goshen County clerk's office and dated September 11, 2006, as the official survey of its streets, and all references to the town streets shall be in accordance with the same, effective September 11, 2006.
- C. Adoption Of Alleys Survey: The town hereby adopts the survey commissioned to and completed by Jones Land Surveying, Inc., of Cheyenne, Wyoming, as recorded in book 2, page 24, in the Goshen County clerk's office and dated April 29, 2008, as the official survey of its alleys, and all references to the town alleys shall be in accordance with the same, effective April 29, 2008. (Ord. 49, 11-13-2008)

CHAPTER 6
ELECTION OF TOWN OFFICIALS

SECTION:

- 1-6-1: Charter Ordinance
- 1-6-2: Determination To Conduct Elections
- 1-6-3: Special Municipal Election In 1976
- 1-6-4: Regular Municipal Elections
- 1-6-5: Officers Elected And Term Of Office
- 1-6-6: Qualifications Of Officers
- 1-6-7: Proclamation Of Election
- 1-6-8: Canvassing Board
- 1-6-9: Ballot Propositions
- 1-6-10: Polling Place And Hours Of Election
- 1-6-11: Precinct Officials
- 1-6-12: Nonapplication Of Sections
- 1-6-13: Nominations
- 1-6-14: Vacancies In Nomination
- 1-6-15: Duties Of Town Clerk
- 1-6-16: Absentee Voting
- 1-6-17: Commencement Of Term Of Office
- 1-6-18: Oath Of Office
- 1-6-19: Application Of Election Laws Generally

1-6-1: **CHARTER ORDINANCE:**

This charter ordinance adopted pursuant to authority vested in cities and towns of the state of Wyoming by the Wyoming constitution, article 13, section 1, and Wyoming Statutes of 1957, section 22.1-315.1. (Ord. 27, 12-9-1975)

1-6-2: **DETERMINATION TO CONDUCT ELECTIONS:**

The town council does hereby elect to conduct elections pursuant to the terms of this charter ordinance and not in the same manner as statewide elections. (Ord. 27, 12-9-1975)

July 2014

1-6-3: SPECIAL MUNICIPAL ELECTION IN 1976:

A special municipal election shall be held in the town on the second Tuesday of May of 1976 at which election a mayor shall be elected to serve for a term of one year and two (2) council members shall be elected to serve for a term of three (3) years. The mayor, so elected, shall replace the mayor who was elected in May of 1973 and reappointed in May of 1975. The council members, so elected, shall replace the two (2) council members who were elected in May of 1971 and reappointed as council members in May of 1975. (Ord. 27, 12-9-1975)

1-6-4: REGULAR MUNICIPAL ELECTIONS:

A regular municipal election shall be held in the town on the second Tuesday of May of each odd numbered year beginning in the year 1977. (Ord. 27, 12-9-1975)

1-6-5: OFFICERS ELECTED AND TERM OF OFFICE:

At each regular municipal election, two (2) councilmen shall be elected each for a term of four (4) years. Every four (4) years at a regular election, a mayor shall be elected for a term of four (4) years. (Ord. 27-A-2, 12-10-2013; amd. Ord. 73, 5-11-2023)

1-6-6: QUALIFICATIONS OF OFFICERS:

No person shall be nominated, elected or permitted to serve as mayor or council member of the town unless he or she be a qualified elector of the town. (Ord. 27, 12-9-1975)

1-6-7: PROCLAMATION OF ELECTION:

Wyoming Statutes of 1957, section 22.1-12, as it applies to the town, is hereby amended to read as follows:

TOWN CLERK TO PUBLISH PROCLAMATION: Between thirty (30) and fifteen (15) days before each town election, the town clerk shall publish once in a legal newspaper of general circulation in the town and post conspicuously in not less than three (3) public places in such town a proclamation setting forth the date of the forthcoming election, the polling place, the titles and terms of the offices to be filled at the election, the hour that the polls will open and close, the number of persons required by law to fill the offices, the requirements for filing statements of campaign receipts and expenditures, and,

in addition, before the election, the legislative description of each proposed ballot proposition submitted to the voters of the town.

(Ord. 27, 12-9-1975)

1-6-8: **CANVASSING BOARD:** The town council shall sit as a canvassing board to canvas and declare the results of the election following the election. (Ord. 27A, 11-9-2006)

1-6-9: **BALLOT PROPOSITIONS:** Wyoming Statutes of 1957, section 22.1-319, as it applies to the town, is amended to read as follows:

CERTIFICATION OF BALLOT PROPOSITIONS: A town ballot proposition to be voted on at an election shall be printed on the town ballot by the town clerk.

(Ord. 27, 12-9-1975)

1-6-10: **POLLING PLACE AND HOURS OF ELECTION:** All residents of the town shall vote at the town hall and the polls shall open at nine o'clock (9:00) A.M. and close at seven o'clock (7:00) P.M. on election day. (Ord. 27A, 11-9-2006)

1-6-11: **PRECINCT OFFICIALS:** Prior to the date of the election, the town council, by resolution, shall designate two (2) judges and one clerk of election to conduct the election in accordance with the election law of the state of Wyoming and each of whom shall take and subscribe to the oath required by law. The judges and clerk shall receive pay at the same rate as provided for officials for county elections, with a similar number of voters. (Ord. 27, 12-9-1975)

1-6-12: **NONAPPLICATION OF SECTIONS:** Wyoming Statutes of 1957, sections 22.1-320, 22.1-322, 22.1-323, 22.1-324, 22.1-325, and 22.1-326, shall not apply to the town. (Ord. 27, 12-9-1975)

1-6-13: NOMINATIONS:

- A. **Nomination By Caucus:** Candidates for the office of mayor and council members in the town shall be by a caucus or public meeting of qualified voters of the town.
- B. **Call Of Caucus; Notice; Officers:** The caucus or public meeting of the voters of the town may be called by any qualified voter who shall prepare the notice of the call of the meeting in writing, specifying the time, place and purpose of the meeting including the offices to be filled by nomination, and the notice shall be posted in one public place at least three (3) days before the meeting. The call shall designate the name of the person who will call the meeting to order and who will preside until a chairman has been chosen. In case the person so designated is absent, the meeting may choose a temporary chairman to act in place of such person. The organization of the meeting, as the first order of business, shall choose a chairman, clerk and such other officers as the meeting may require.
- C. **Written Ballot:** A written ballot shall be taken for the choice of any candidate to be selected by such meeting where there is more than one candidate seeking the nomination for any one office.
- D. **Certificate Of Nomination:** At the conclusion of the caucus or public meeting, a certificate of nomination shall be prepared which shall contain the name of the political party or principal that the candidate or candidates represent, the name of each person nominated, his or her residence, his or her business, and the office or offices for which he or she is nominated. The certificate shall be signed by the chairman and attested by the secretary of the meeting.
- E. **Voting; Penalty:** No person shall vote at any caucus or public meeting who is not a legally qualified elector of the town. No person shall vote or attempt to vote more than once at any one balloting. No person, who has cast a vote at a caucus or public meeting for the nomination of a candidate for an office, shall cast a vote at a different caucus or public meeting for the purpose of nominating a candidate or candidates for the same office. Any person violating any provision of this subsection, upon conviction, shall be fined not more than fifty dollars (\$50.00) or imprisoned in jail for more than three (3) months, or both such fine and imprisonment. (Ord. 27, 12-9-1975)

1-6-14: **VACANCIES IN NOMINATION:** Wyoming Statutes of 1957, section 22.1-327, as it applies to the town, is amended to read as follows:

VACANCIES IN NOMINATION: A vacancy in nomination for a town office to be filled at a town election occurs if at the time of the town election there are no nominees for the office of mayor or there is less than one nominee for each office of councilman. A vacancy in nomination shall be filled by the town council.

(Ord. 27, 12-9-1975)

1-6-15: **DUTIES OF TOWN CLERK:** Wyoming Statutes of 1957, sections 22.1-328, 22.1-331, 22.1-332, as they apply to the town, are amended to read as follows:

A. Examine Proceedings: The town clerk shall examine the proceedings of each caucus and public meeting at which candidates were nominated to determine that the voters at the caucus or public meeting were qualified electors and shall determine that the candidates nominated are also electors of the town and qualified to run for their respective offices.

B. Prepare Ballots: The town clerk shall prepare the ballots in substantially the same form as the general election non-partisan ballot at county general elections.

C. Secure Voter Registry List And Poll Books: The town clerk shall secure the voter registry list of qualified electors and poll books from the county clerk and otherwise provide all necessary equipment for the conduct of the election. The town clerk, at the close of the election, shall receive from the election officials the certified poll books and ballots and shall deliver the same to the town council for canvassing.

D. Notify Successful Candidates; Obtained Signed Oath: Upon the certification of the results of the election by the canvassing board (the town council) the town clerk shall notify all successful candidates of their election. The notice shall be given in writing and mailed to them by regular mail. The town clerk shall obtain from the successful candidates a signed oath of office accepting and affirming to faithfully perform the duties of the office for which elected. In the event that a

candidate fails, neglects or refuses to accept the nomination or to sign the oath within five (5) days after receiving the written notice, the office shall be declared vacant and the vacancy shall be filled by appointment by the council.

E. Expenses Of Election: The town shall bear all expenses of the election.

(Ord. 27, 12-9-1975)

1-6-16: **ABSENTEE VOTING:** Absentee voting shall be permitted at any special or regular municipal election held in the town in conformity with the provisions of Wyoming Statutes of 1957, sections 22.1-134 through 22.1-158. (Ord. 27, 12-9-1975)

1-6-17: **COMMENCEMENT OF TERM OF OFFICE:** Wyoming Statutes of 1957, section 22.1-333, as it applies to the town, is amended to read as follows:

COMMENCEMENT OF TERM OF OFFICE: The term of office of a person elected at a town election commences on June 1 following the election or the first business day thereafter if June 1 falls on a Sunday or legal holiday.

(Ord. 27, 12-9-1975)

1-6-18: **OATH OF OFFICE:** Wyoming Statutes of 1957, section 22.1-334, as it applies to the town, is amended to read as follows:

CONSTITUTION OATH REQUIRED: Before entering upon his duties, a person elected to a town office shall sign and file with the town clerk the same constitutional oath of office as county officers.

(Ord. 27, 12-9-1975)

1-6-19: **APPLICATION OF ELECTION LAWS GENERALLY:** Except as those sections of the Wyoming Statutes which have been amended or modified by this charter ordinance, all matters with respect to

elections for town office or for ballot propositions of the town shall be held in accordance with the provisions of the Wyoming election code of 1973 and any amendments, modifications or revisions thereof. (Ord. 27, 12-9-1975)



CHAPTER 7
TOWN COUNCIL

SECTION:

1-7-1: Meetings

1-7-1: **MEETINGS:**

- A. Regular Meetings: The regular meetings of the town council shall be held on the second Thursday of each month at the hour of seven o'clock (7:00) P.M. in the council chambers of the town hall, unless previously arranged otherwise.
- B. Special Meetings: Special meetings may be called by the mayor or at the written request of two (2) council members. Written notice of the meeting, signed by the town clerk, shall be given to each member of the town council in person or by leaving the same at their place of residence. The notice shall specify the time and place of the special meeting and the business to be transacted. The written notice shall also be posted as soon as practicable at the town hall and given to each newspaper of general circulation, radio or television station, if requested. No other business shall be considered at such meeting except that which was contained in the notice.
- C. Emergency Meetings: Emergency meetings may be called by a quorum of the town council and may be held on matters of serious and immediate concern to take temporary action without notice. Reasonable efforts 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 forty eight (48) hours.
- D. Quorum: A majority of all the members elected to the council shall constitute a quorum at any regular, special or emergency meeting of

the council. In the absence of a quorum, the council and mayor or presiding officer may adjourn such meeting from time to time until a quorum shall be in attendance. (Ord. 47, 9-7-2006)

CHAPTER 8
MUNICIPAL COURT¹

SECTION:

- 1-8-1: Established
1-8-2: Municipal Judge
1-8-3: Court Procedure
1-8-4: Trial Costs
1-8-5: Process

1-8-1: **ESTABLISHED:** There is hereby created and established in the town, a municipal court. (Ord. 21, 1-7-1968)

1-8-2: **MUNICIPAL JUDGE:**

- A. Number Of Judges; Jurisdiction: There shall be one judge of such municipal court to be styled municipal judge. The municipal judge shall have jurisdiction of all offenses arising under the ordinances of the town. (Ord. 21, 1-7-1968)
- B. Appointment; Qualifications: The municipal judge shall be appointed by the mayor, by and with the consent of the town council, and be a qualified elector of the state of Wyoming. (Ord. 21-A-1, 12-10-2013)
- C. Term: The term of office of such municipal judge shall be the same as that of any other appointed officers of the town, unless previously removed for cause, as provided by law or ordinance of the town. (Ord. 21, 1-7-1968)
- D. Bond: The municipal judge shall give a bond to the town in the amount of one thousand dollars (\$1,000.00), conditioned for the performance of all his duties in accordance with law and the ordinances of town, and that he will turn over to the town clerk all money collected by him by virtue of his office as municipal judge. (Ord. 21, 1-7-1968; amd. 2011 Code)

1. WS § 5-6-101 et seq.

- E. Compensation: The municipal judge shall receive such compensation as the town council shall determine by resolution.
- F. Powers: The municipal judge shall, in addition to the powers vested in him by ordinances of the town, exercise such further and additional powers as are now or from time to time vested in him by the general laws of the state of Wyoming. (Ord. 21, 1-7-1968)

1-8-3: **COURT PROCEDURE:** The procedure in such municipal court, shall, as nearly as possible, conform to that provided by the general laws of the state of Wyoming circuit court, and appeals to the district court from the judgments and decisions of such municipal judge shall be allowed in all cases; such appeals to be taken in the manner now provided by the general laws of the state of Wyoming for appeals from the judgments and decisions of the circuit court. (Ord. 21-A-1, 12-10-2013)

1-8-4: **TRIAL COSTS:** The costs in all trials before the municipal court of the town shall be the same as those now provided by law or which from time to time be provided by the laws of the state of Wyoming for similar services in the circuit court¹. All costs collected by such municipal judge shall be turned in to the clerk of the town, except as hereinafter provided. (Ord. 21-A-1, 12-10-2013)

1-8-5: **PROCESS:**

- A. Style Of Process; Information Or Complaints: The style of all process issued out of such court shall be "State of Wyoming, County of Goshen, Town of LaGrange", and all information or complaints filed in such court shall conclude "Contrary to the ordinance in such case made and provided, and against the peace and dignity of the State of Wyoming". (Ord. 21, 1-7-1968)
- B. Directed To Sheriff; Costs Of Service: All process shall be directed "To the Sheriff of the County of Goshen", and such officer shall receive for serving such process the same fees or compensation as is provided or may from time to time be provided by the general laws of the state of Wyoming for similar services in the circuit court. (Ord. 21-A-1, 12-10-2013)

1. W.S. 5-6-108.

TITLE 2

BUSINESS AND LICENSE REGULATIONS

Subject	Chapter
Alcoholic Beverages	1
Billiard And Pool Tables (Rep. by Ord. 55, 1-9-2014)	2
Solicitors, Peddlers, Hawkers, Itinerant Merchants And Transient Merchants	3
Sexually Oriented Businesses	4



CHAPTER 1
ALCOHOLIC BEVERAGES

SECTION:

- 2-1- 1: Purpose; Intent
- 2-1- 2: Definitions
- 2-1- 3: Annual Licenses
- 2-1- 4: License Application
- 2-1- 5: License Fees
- 2-1- 6: Term Of Annual License
- 2-1- 7: Grounds For Denial; Preference Right
- 2-1- 8: Restrictions Upon Applicants And License
- 2-1- 8-1: Location Restrictions
- 2-1- 9: Transfer Of Annual License; Fee
- 2-1-10: Temporary Licenses And Permits; Fees
- 2-1-11: Hours Of Operation
- 2-1-12: Bottle Club
- 2-1-13: Drive-In Facilities
- 2-1-14: Dispensing Room Restrictions
- 2-1-15: Minors
- 2-1-16: Delivery Of Alcoholic Liquor And Malt Beverages
- 2-1-17: Excessive Drinking Or Disorderly Conduct
- 2-1-18: Drinking In Public
- 2-1-19: Falsification Of Application
- 2-1-20: Power To Maintain Order; Inspections By Governing Body
- 2-1-21: Suspension For Failure To Pay Sales Tax
- 2-1-22: Revocation
- 2-1-23: Penalty

2-1-1: **PURPOSE; INTENT:**

- A. Purpose: 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 thereof, 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 is hereby, 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 the foregoing Wyoming Statutes sections 12-1-101 through 12-8-301 reserving certain powers to the state of Wyoming. It is the intent of this chapter to comply and coincide with provisions of the foregoing state statutes, which regulate such substances.

- B. Intent: It is not the intent of the town to regulate or interfere with the regulation by the state of Wyoming of limited transportation licenses issued in compliance with provisions of Wyoming Statutes section 12-2-202. (Ord. 43, 11-6-2003)

2-1-2: **DEFINITIONS:** Except as otherwise noted herein, definitions used in this chapter shall be as are set forth in Wyoming Statutes of 1977, sections 12-1-101 through 12-8-301, as may be amended from time to time. (Ord. 43, 11-6-2003; amd. 2011 Code)

2-1-3: **ANNUAL LICENSES:** The governing body of the town is hereby authorized to issue the following annual licenses pursuant to state law and this chapter:

- A. Retail liquor license as defined in Wyoming Statutes section 12-4-201.
- B. Limited retail liquor license (special club) as defined in Wyoming Statutes section 12-4-301.
- C. Restaurant liquor license as defined in Wyoming Statutes section 12-4-407. (Ord. 43, 11-6-2003)

2-1-4: **LICENSE APPLICATION:**

- A. Application For Annual License: 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 Wyoming Statutes section 12-4-102 and provided to the applicant by the clerk, a completed, verified and signed form. The license fee, the cost of publication of the notice and any other fees related to a license, shall be paid to the clerk at the time that the application is filed or the clerk shall not commence

processing the application. Renewal of any annual license or application for transfer of ownership or 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 Wyoming Statutes section 12-4-102.

- B. Forwarding To Department Of Revenue; Notice Of Application: Upon receipt of an application, the clerk shall send one copy of the application to the Wyoming 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 this notice in the Torrington Telegram newspaper once a week for four (4) consecutive weeks. The notice shall comply with the provisions of Wyoming Statutes section 12-4-104.
- C. Supporting Documentation; Review And Inspection Of Premises: On behalf of the licensing authority, the 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 an appropriate representative or representatives of the town, as authorized by the governing body. The representative or representatives may enter licensed premises and permitted premises or premises proposed to be licensed or permitted to make reasonable inspections. (Ord. 43, 11-6-2003)

2-1-5: **LICENSE FEES:**

- A. Annual Fee: The annual fee for each license shall be payable at the time of application in cash or certified check and shall be in the full amount as shown for each class of license listed below:
1. Retail Liquor License: For a retail liquor license, the annual fee shall be the sum of five hundred dollars (\$500.00).
 2. Limited Retail Liquor (Special Club) License: For a limited retail liquor (special club) license, the annual fee shall be the sum of one hundred dollars (\$100.00).
 3. Restaurant Liquor License: For a restaurant liquor license, the annual fee shall be the sum of five hundred dollars (\$500.00).

- B. Refund: No refund of all or any part of any license fee shall be made at any time following the issuance of the license.
- C. Publication Fee: In addition to paying the annual license fee in advance at the time filing the application, the applicant shall also pay a nonrefundable publication fee in an amount designated by the clerk to cover the cost of publishing the public hearing notices. (Ord. 43, 11-6-2003)

2-1-6: **TERM OF ANNUAL LICENSE:**

- A. Term: Annual licenses shall be for a period of not more than one year, expiring each year on July 31. Annual licenses shall be a personal privilege of the licensee.
- B. Deceased Licensee: The personal representative 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 the 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. 43, 11-6-2003)

2-1-7: **GROUNDS FOR DENIAL; PREFERENCE RIGHT:** A license shall not be issued, renewed or transferred if the governing body finds, from evidence presented at the hearing required under Wyoming Statutes section 12-4-104, any of the conditions found under Wyoming Statutes section 12-4-104(b); however, 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 Wyoming Statutes section 12-4-104(c). No other preference rights are authorized or recognized by the town. The preference right granted under this section shall expire thirty (30) days after the expiration date shown on the most recently issued license or permit. (Ord. 43, 11-6-2003)

2-1-8: **RESTRICTIONS UPON APPLICANTS AND LICENSE:**

- A. Posting Of License: 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. The same shall remain so posted during the effective term of the license or permit.
- B. License Held By Clerk: Any license issued pursuant to Wyoming Statutes section 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 posted in a physically functional building. (Ord. 43, 11-6-2003)

2-1-8-1: **LOCATION RESTRICTIONS:**

A. Definitions:

ALCOHOLIC As those terms are defined under Wyoming
LIQUOR AND Statutes section 12-1-101(a)(i) and (x).
MALT
BEVERAGE:

CHILDCARE Any building or home used for the purpose of
FACILITY: providing childcare, said facility being recog-
nized by the state of Wyoming to the extent
required by law.

CHURCH: A building used for the regularly scheduled
purpose of religious worship.

SCHOOL: Any building or campus used for the purpose of
educating students at the primary, secondary
and postsecondary levels, public or private.

B. Restrictions On Sale Of Liquor:

1. No license shall be granted for the sale or manufacture of any alcoholic liquor or malt beverage, as defined above, within three hundred feet (300') of any school, childcare facility, church or other building regularly used as a place of religious worship, except that when a school, childcare facility, church or place of worship shall hereafter be established within three hundred feet (300') of any place

of business licensed to sell alcoholic liquors or malt beverages, the license shall not be denied for this reason.

2. This section shall not apply to any premises holding a license issued prior to the enactment of this section. (Ord. 54, 1-10-2013)

2-1-9: **TRANSFER OF ANNUAL LICENSE; FEE:** 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 one hundred dollars (\$100.00). The transfer application shall be set for public hearing and otherwise considered by the governing body in a manner consistent with Wyoming Statutes section 12-4-601. (Ord. 43, 11-6-2003)

2-1-10: **TEMPORARY LICENSES AND PERMITS; FEES:**

A. Licenses Authorized To Issue: The governing body of the town is hereby authorized to issue the following temporary licenses pursuant to state law and this chapter:

1. Malt beverage permit as defined in Wyoming Statutes section 12-4-502(a).

2. Catering permit as defined in Wyoming Statutes section 12-4-502(b).

3. Temporary dispensing room permit as defined in Wyoming Statutes sections 12-4-504 and 12-5-201(f), (g), (h) and (j).

4. Extended club hours permit as defined in Wyoming Statutes section 12-5-101(b). (Ord. 43, 11-6-2003)

B. Fee: The 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: (Ord. 43, 11-6-2003; amd. 2011 Code)

1. For a malt beverage permit, the fee shall not exceed one hundred dollars (\$100.00) per each twenty four (24) hour period.

2. For a catering permit, the fee shall not exceed one hundred dollars (\$100.00) per each twenty four (24) hour period.

3. For a temporary dispensing room permit, the fee shall not exceed one hundred dollars (\$100.00).
 4. For an extended club hours permit, there shall be no fee.
- C. Refund: 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 or permit.
- D. Publication Fee: 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 clerk to cover the cost of publishing public hearing notices. (Ord. 43, 11-6-2003)

2-1-11: **HOURS OF OPERATION:**

- A. Applicability: All licensees and permittees holding an annual or temporary license under this chapter shall be controlled by the schedule of hours set forth in subsections B and C of this section.
- B. Hours: The hours of operation for all licensees and permittees shall be as follows:
1. All licensees and permittees may open the dispensing room at six o'clock (6:00) A.M. and shall close the dispensing room and cease the sale of both alcoholic and malt beverages promptly at the hour of two o'clock (2:00) A.M. the following day. In addition, licensees and permittees shall clear the dispensing room of all persons other than employees by two thirty o'clock (2:30) A.M.
 2. The hours of operation designated in subsection B1 of this section may be modified on no more than four (4) days each calendar year by a resolution or agreement made by the appropriate licensing authority designating those dates during city or county fairs, rodeos, pageants, jubilees, special holidays or other similar public gatherings



when all licensees and permittees may operate their dispensing rooms for a period of twenty four (24) hours beginning at six o'clock (6:00) A.M.

- C. Sunday Sales: No licensee or permittee shall sell any alcoholic or malt beverage on Sundays, except from one minute after twelve o'clock (12:01) A.M. until two o'clock (2:00) A.M. (Ord. 43A, 12-13-2007)

2-1-12: **BOTTLE CLUB:**

- A. Definition: As 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/or malt beverages are provided for individual club members who bring alcoholic liquor and/or 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.
- B. Prohibited: It is unlawful for any person to operate a bottle club in the town. (Ord. 43, 11-6-2003)

2-1-13: **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 holders 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 Wyoming Statutes section 12-5-301. (Ord. 43, 11-6-2003)

2-1-14: **DISPENSING ROOM RESTRICTIONS:**

- A. Minors Entering And Remaining: It shall be unlawful for any person under the age of twenty one (21) years to enter or remain in the dispensing room of any licensed premises. (Ord. 43, 11-6-2003; amd. 2011 Code)
- B. Allowing Minors To Enter And Remain: No licensee, permittee or agent, employee or servant of a licensee or permittee shall permit

any person under the age of twenty one (21) years to enter or remain in a dispensing room of a licensed premises, owned, operated, leased or managed by them.

- C. Exception: This section shall not apply to a licensee's employee under the age of twenty one (21) years, when in the course of his or her employment, the employee is in the dispensing room and the dispensing room is not open for the sale or dispensing of alcoholic or malt beverages. (Ord. 43, 11-6-2003)

2-1-15: **MINORS:**

- A. Use Of False Proof Of Age Or Identity: It shall be unlawful for any person under the age of twenty one (21) years to make, use or possess any identification which falsely indicates the person's age as being greater than twenty one (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.
- B. Possession By Underage Persons: It shall be unlawful for any person under the age of twenty one (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 of the person at the time of determination.
- C. Sales To Underage Persons: It shall be unlawful for any person to sell, give or deliver any alcoholic liquor or malt beverage to any person under the age of twenty one (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. 43, 11-6-2003)

2-1-16: **DELIVERY OF ALCOHOLIC LIQUOR AND MALT BEVERAGES:**

- A. No retail liquor licensee shall deliver or cause to be delivered any alcoholic or malt beverage to any person whomsoever, except at the licensed premises.
- B. No person shall engage in the business of making deliveries of alcoholic liquor or malt beverages from the licensed or permitted premises within the town. (Ord. 43, 11-6-2003)

2-1-17: EXCESSIVE DRINKING OR DISORDERLY CONDUCT:

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 terms of this chapter or state law, excessive drinking or disorderly conduct may be cause for the initiation of suspension and/or revocation procedures. (Ord. 43, 11-6-2003)

2-1-18: DRINKING IN PUBLIC: The drinking of alcoholic or malt beverages in public, except in the place of business of a retail liquor dealer licensed under the provisions of this chapter or in a dining room or restaurant operated in connection therewith, is hereby prohibited and declared a misdemeanor. (Ord. 2, 6-1-1938)

2-1-19: FALSIFICATION OF APPLICATION:

- A. Prohibited: It is unlawful for any person or organization to knowingly submit false information as true, or to submit as fact a piece of information without knowing such to be true or false, on any application or permit authorized by this chapter. Each application which is submitted shall be sworn to be true to the best of the knowledge of the person submitting such application.
- B. Action By Town Attorney: If, in the opinion of the town attorney, a liquor license holder has acted in violation of this section, the town attorney, upon the authorization and direction of the governing body, shall take action on behalf of the town pursuant to Wyoming Statutes section 12-7-201 seeking the 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 chapter. (Ord. 43, 11-6-2003)

2-1-20: POWER TO MAINTAIN ORDER; INSPECTIONS BY GOVERNING BODY:

The police officers of the town are hereby authorized, empowered, and directed to maintain order in the place of business of any and all retail liquor dealers licensed under the provisions of this chapter and may enter said places of business for the purpose of enforcing the provisions of this chapter, and the mayor and the members of the town council may enter said places of business at any time during the business hours to inspect the same and to ascertain whether or not said

licensees are complying with the provisions of this chapter and said act of the legislature. (Ord. 2, 6-1-1938)

2-1-21: SUSPENSION FOR FAILURE TO PAY SALES TAX:

- A. **Power To Suspend:** 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 Wyoming Statutes section 12-2-306.
- B. **Notice Of Hearing:** Upon receipt by the clerk of a certified notice from the state of Wyoming issued pursuant to Wyoming Statutes section 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 the issue as to whether or not the license or permit should be suspended.
- C. **Suspension Hearing:** The suspension hearing shall be conducted in accordance with the provisions of the Wyoming administrative procedure act¹ and the rules adopted by the governing body.
- D. **Prima Facie Evidence:** The certified notice from the state of Wyoming and all evidence presented to the state of Wyoming in support of the issuance of the certified notice shall be admitted and considered prima facie evidence of the licensee's or permittee's tax delinquency.
- E. **Right Of Appeal:** In the event that 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 Wyoming Statutes section 12-7-201.
- F. **Duration Of Suspension:** 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 a certified notice from the state of Wyoming that the sales tax liability has been satisfied.
- G. **Notice Of Suspension:** In the event a suspension occurs, the clerk shall send, by certified mail, one copy each of the suspension notice

1. WS § 16-3-101 et seq.

to the last known address 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.

- H. Further Sales Prohibited; Securing Of Alcoholic Liquor And Malt Beverages: Immediately upon the posting of the suspension notice, the subsequent sale, subsequent offering to sell, or the subsequent distribution or traffic in 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 mayor of the town or his designee. (Ord. 43, 11-6-2003)

2-1-22: **REVOCATION:**

- A. Grounds For Revocation: Any violation of the terms and provisions of this chapter or any violation of any of the provisions of Wyoming Statutes sections 12-7-101 through 12-7-103 shall be grounds for the suspension of the license or permit as specifically set forth in Wyoming Statutes section 12-7-102.
- B. Gross Violation: Any gross violation of the terms and provisions of this chapter or any gross violation of any of the provisions of Wyoming Statutes sections 12-7-101 and 12-7-201 shall be grounds for the revocation of the license or permit.
- C. Suspension Or Revocation Procedure: The suspension or revocation procedure shall conform to that set forth in Wyoming Statutes section 12-7-201. (Ord. 43, 11-6-2003)

2-1-23: **PENALTY:** In addition to the suspension and/or revocation of a license or permit as heretofore set forth, any person or entity violating any of the provisions of this chapter shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Each violation shall constitute a separate offense and shall subject the person or entity to a separate penalty hereunder. (Ord. 43, 11-6-2003; amd. 2011 Code)



CHAPTER 2
BILLIARD AND POOL TABLES

(Rep. by Ord. 55, 1-9-2014)



CHAPTER 3

**SOLICITORS, PEDDLERS, HAWKERS, ITINERANT
MERCHANTS AND TRANSIENT MERCHANTS¹**

SECTION:

- 2-3-1: Unrequested By Owner Or Occupant Declared Nuisance
2-3-2: Abatement By Town Marshal
2-3-3: Penalty

2-3-1: **UNREQUESTED BY OWNER OR OCCUPANT DECLARED NUISANCE:** The practice of going in and upon private residences in the town by solicitors, peddlers, hawkers, merchants and vendors of merchandise, products, goods or wares of whatsoever nature, not having been requested or invited to do so by the owner or owners, occupant or occupants, of said residences, for the purpose of soliciting orders for sale of merchandise, products, goods or wares of whatsoever nature, and/or for the purpose of disposing of and/or peddling the same or hawking the same, is hereby declared a nuisance, and punishable as such nuisance as a misdemeanor. (Ord. 24, 1-7-1969)

2-3-2: **ABATEMENT BY TOWN MARSHAL:** The town marshal is hereby required and directed to suppress the same, and to abate any such nuisance as is described in section 2-3-1 of this chapter. (Ord. 24, 1-7-1969)

2-3-3: **PENALTY:** Any person convicted of perpetrating a nuisance as described and prohibited in this chapter, upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code. (Ord. 24, 1-7-1969; amd. 2011 Code)

1. WS § 33-20-210 et seq.



CHAPTER 4

SEXUALLY ORIENTED BUSINESSES

SECTION:

- 2-4-1: Definitions
- 2-4-2: Restrictions

2-4-1: **DEFINITIONS:**

ALCOHOLIC LIQUOR AND MALT BEVERAGE: As those terms are defined under Wyoming Statutes section 12-1-101(a)(i) and (x).

CHILDCARE FACILITY: Any building or home used for the purpose of providing childcare, said facility being recognized by the state of Wyoming to the extent required by law.

CHURCH: A building used for the regularly scheduled purpose of religious worship.

SCHOOL: Any building or campus used for the purpose of educating students at the primary, secondary and postsecondary levels, public or private.

SEXUALLY ORIENTED BUSINESS: Any business or enterprise that provides a venue for any form of nude dancing or exhibition or for the sale of any materials appealing to prurient interests.

SIGN: Any billboard, placard, poster or any other form of advertisement, identification, illustration or description, whether as a temporary or permanent fixture. (Ord. 53, 1-10-2013)

2-4-2: RESTRICTIONS:

- A. No sexually oriented business shall operate within one thousand feet (1,000') of any school, childcare facility, church or other building regularly used as a place of religious worship.
- B. No sexually oriented business shall be issued a liquor license and shall not serve, sell or provide any alcoholic liquor or malt beverage in any manner.
- C. No sexually oriented business shall, in any manner, utilize more than one sign to identify, describe or advertise the business; said sign shall not be larger than twelve (12) square feet or of a dimension other than four feet by three feet (4' x 3'); and said sign shall not extend greater than five feet (5') above ground level. (Ord. 53, 1-10-2013)

TITLE 3
PUBLIC HEALTH AND SAFETY

Subject	Chapter
Nuisances	1
Refuse, Garbage And Weeds	2



CHAPTER 1

NUISANCES

SECTION:

3-1-1: Signs, Posters And Billboards Advertising Alcoholic Beverages Or Intoxicating Liquors

3-1-1: **SIGNS, POSTERS AND BILLBOARDS ADVERTISING ALCOHOLIC BEVERAGES OR INTOXICATING LIQUORS:**

- A. Nuisance Declared: The posting, placing or maintenance of signs, posters or billboards within the town limits, which in any way advertise alcoholic beverages or intoxicating liquors is hereby declared to be a nuisance, except upon certain defined premises that have been specifically authorized by the town to sell or dispense such alcoholic beverages or intoxicating liquors and such authorization is in full force and effect.
- B. Notice To Remove: When the town clerk or assistant town clerk shall have knowledge, upon complaint or otherwise, that such signs, posters or billboards exist, which constitute a nuisance in accordance with subsection A of this section, he shall forthwith direct the owner, agent, or occupant of the premises on which such nuisance may exist, by written notice, to remove or remedy the same within 48 hours of date on written notice.
- C. Failure To Comply; Removal By Town: If the owner, agent or tenant neglects or refuses to conform to the directions of such officer, then in such event, the officer shall cause the same to be removed or remedied at the expense of the town, and such owner, agent or tenant shall become liable to the town for any expense, loss, or damage occasioned to the town by reason of the abatement of such nuisance.
- D. Penalty: Any person, firm or corporation who shall create or cause to be created any such nuisance mentioned in subsection A of this section, or any person, firm or corporation who shall neglect or refuse to conform to the directions to abate such nuisance in the prescribed time, as provided in this

September 2023

chapter, shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. (Ord. 10, 7-5-1957; amd. 2011 Code; Ord. 74, 6-8-2023)

CHAPTER 2

REFUSE, GARBAGE AND WEEDS

SECTION:

- 3-2-1: Definitions
- 3-2-2: Maintenance Of Premises
- 3-2-3: Garbage Service
- 3-2-4: Dumpsters
- 3-2-5: Rate Schedules
- 3-2-6: Tree Trimmings
- 3-2-7: Landfill
- 3-2-8: Dumping Refuse Outside Landfill; Travel Off Access Road; Obstructing Access
- 3-2-9: Burning
- 3-2-10: Violation; Penalty

3-2-1: **DEFINITIONS:**

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

GARBAGE: 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: 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. (Ord. 30, 5-9-2002)

July 2014

3-2-2: MAINTENANCE OF PREMISES:

- A. **Duty To Maintain:** 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. **Duty To Mow, Cut, Spray Or Remove:** 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, and destroy or spray all weeds.
 2. Mow grass on a consistent basis such that grass does not exceed fourteen inches (14") in height.
 3. Remove all trash, garbage, junk, abandoned vehicles, abandoned mobile homes, abandoned machinery, junk machinery, abandoned and discarded appliances and all other refuse.
 4. No person shall possess four (4) or more abandoned vehicles on his property or on property which is in his lawful possession or control, if any four (4) or more of the vehicles are visible from a public roadway for more than thirty (30) consecutive days.
 5. For purposes of this section a vehicle shall be presumed to be abandoned if it is in an inoperable condition or deemed uninhabitable and/or is not currently registered.
 6. This section shall not apply to antique or historic motor vehicles as defined by Wyoming Statutes 31-1-101(a)(xv)(A); vehicles kept in an enclosed garage or storage building; vehicles used for riprap on rivers, streams or reservoirs, or for erosion control; persons licensed in accordance with Wyoming Statutes 31-13-114 and in compliance with zoning ordinance; or vehicles used for educational or instructional purposes at a school.
- C. **Nuisance Declared:** Any accumulation of trash, garbage, junk, abandoned vehicles, abandoned 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.

D. **Notice To Comply:** The owner, agent or occupant of any premises shall be liable for compliance with this section, and if such person shall refuse to comply with the provisions of this section, he shall be given written notice requiring removal of the offending item within seven (7) 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.

E. **Failure To Remove; Costs Of Removal:**

1. **Authority To Remove; Costs; Lien:** Upon failure to comply with any written notice given pursuant to subsection D of this section, 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, including reasonable attorney fees.

2. **Abatement By Town Not Relief From Penalty:** 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 section. (Ord. 30, 5-9-2002; amd. Ord. 30A-1, 4-10-2014; Ord. 75, 6-8-2023)

3-2-3: **GARBAGE SERVICE:**

Garbage services shall be supplied to, and all residents and businesses of the town of LaGrange, shall pay a monthly charge for garbage service unless the resident or business is vacant from the property for at least thirty (30) days. The town of LaGrange is authorized to contract with TDS Collection Service, Inc., for garbage collection services and all residents and businesses shall abide, to the extent applicable, by the terms therein. (Ord. 46A-1, 2-13-2014)

3-2-4: **DUMPSTERS:**

A. **Required:**

1. **Furnished By Town:** All garbage dumpsters shall be furnished through the town of LaGrange by a third party contract and shall be constructed of galvanized iron, metal or other material approved by the town.

2. **Use Of Dumpsters Required; Exceptions:** All garbage and refuse shall be placed in dumpsters as specified; provided, however, yard trimmings, grass, leaves and similar items shall be taken by property owner to a collection site designated by the town council.

September 2023

3. Placement Of Garbage: No garbage shall be left outside of the dumpster. It is the responsibility of the property owner and will not be picked up by the town unless prior arrangements have been made.
- B. Placement For Collection: All dumpsters 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 dumpsters 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 without written consent of the property owner for the purpose of collecting garbage or removing such dumpsters. (Ord. 30A-1, 4-10-2014; amd. Ord. 75, 6-8-2023)

3-2-5: **RATE SCHEDULES:**

- A. The rate schedule policy for garbage pick-up shall be set by the LaGrange Town Council on an annual basis prior to the annual budget. The rate will include the current contracted garbage pick-up with fuel surcharge fees and administration fees. The rate schedule policies will be kept in the office of the Town Clerk.
- B. The foregoing charges shall be due and payable on or before the twentieth day of each month for the garbage service for the preceding calendar month. All payments made toward the monthly utility billing of water, sewer and garbage will be applied to the balance incurred for all utilities. Any unpaid balance is a delinquency in payment of all utilities.
- C. If any customer chooses to pay the entire utility service including water, sewer and garbage on an annual basis a discount fee of two percent (2%) will be given to the customer at time of payment.
- D. If any customer fails to pay the monthly minimum charge, when the same is due, under the terms of this section, the town shall have the right to charge a recurring ten percent (10%) service charge on the unpaid balance of the entire bill after the first month of delinquency. (Ord. 46A-1, 2-13-2014; amd. Ord. 75, 6-8-2023)

3-2-6: **TREE TRIMMINGS:**

- A. 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.

September 2023

- B. Anyone wanting to trim or remove a tree located in the town right-of-way or town property must first obtain permission from a town representative/official. (Ord. 30, 5-9-2002; amd. Ord. 75, 6-8-2023)

3-2-7: LANDFILL:

- A. Established: A landfill was previously established for the purpose of disposal of refuse, garbage and other waste matter or materials. As of June 1, 2011, the landfill is closed to all wastes other than lumber, yard waste and concrete per Department of Environmental Quality and is in the process of final closure.
- B. Removing Waste From Landfill: 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 written permission from the public works director. (Ord. 30, 5-9-2002; amd. Ord. 30A-1, 4-10-2014; Ord. 75, 6-8-2023)

3-2-8: DUMPING REFUSE OUTSIDE LANDFILL; TRAVEL OFF ACCESS ROAD; OBSTRUCTING ACCESS:

- A. Dumping Outside Landfill: It shall be unlawful for any person to use land or places within the town other than the landfill for the purpose of dumping refuse, garbage and other waste material.
- B. Obstruction Of Access: No person shall obstruct the access to the pits or other areas designated for dumping.
- C. Travel Off Access Road: No person shall be permitted off the access road and landfill properties without expressed permission from landowners. (Ord. 30, 5-9-2002)

3-2-9: BURNING:

It shall be unlawful for anyone in the town to burn or cause to be burned any buildings, fences, garbage, trade waste or trash. (Ord. 46, 12-30-2004)

3-2-10: VIOLATION; PENALTY:

Any person violating any of the above sections, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Each person shall receive one warning before penalties are assessed. (Ord. 46, 12-30-2004; amd. 2011 Code)

September 2023



TITLE 4
POLICE REGULATIONS

Subject	Chapter
General Offenses	1
Animal Control	2
Animals	2A
Dogs	2B



CHAPTER 1
GENERAL OFFENSES

SECTION:

4-1-1:	Breach Of Peace
4-1-2:	Fight Or Encourage To Fight
4-1-3:	Firearms
4-1-4:	Gambling
4-1-5:	Obstruction Of Peace Officers
4-1-6:	Public Intoxication
4-1-7:	Unlawful Touching
4-1-8:	Use Of Obscene, Indecent Language
4-1-9:	Penalty

4-1-1: **BREACH OF PEACE¹**: Every person who shall, within the corporate limits of the town, either upon private or public property, wilfully disturb the peace and quiet of any person, family, neighborhood, social or religious meeting, or private or public gathering of any character, either by words, language or conduct, shall be deemed guilty of a misdemeanor. (Ord. 3, 1-7-1969; amd. 2011 Code)

4-1-2: **FIGHT OR ENCOURAGE TO FIGHT²**: Every person who shall fight with any other person or persons or engage in any way in any fight, or encourage another to fight, either by word or act, within the corporate limits of the town shall be deemed guilty of a misdemeanor. (Ord. 3, 1-7-1969; amd. 2011 Code)

4-1-3: **FIREARMS:**

A. Draw In Hostile Manner; Concealed Weapons: (Rep. by Ord. 57, 9-11-2014)

1. WS § 6-6-102.

2. WS § 6-6-101.

- B. Discharge Prohibited; Exception: Every person, who shall, within the corporate limits of the town, discharge or shoot any firearm or gun of any description, save and excepting the town marshal or deputy marshal or any other officer of the law in the discharge of their duty, without reasonable cause or necessity for so doing, shall be deemed guilty of a misdemeanor. (Ord. 3, 1-7-1969; amd. 2011 Code)

4-1-4: **GAMBLING¹:** Every person who shall, within the limits of the incorporated town, deal, play, carry on, open or cause to be opened, or who shall conduct, either as owner or employee, whether for hire or not, any slot machine, game of faro, monte, roulette, lansquenet, rondo, vingt-et-un, commonly known as twenty one, keno, props, or any other game played with cards, dice or other device of whatever nature, for money, checks, credits, or other representative of value, shall be subject to penalty as provided in section 4-1-9 of this chapter. (Ord. 3, 1-7-1969; amd. 2011 Code)

4-1-5: **OBSTRUCTION OF PEACE OFFICERS:** Every person who shall, within the corporate limits of the town, resist, oppose, obstruct, threaten, or in any manner attempt to intimidate, obstruct, or resist the town marshal or any of his deputies or any other officer of the law in the discharge of any of his or their official duties, shall be deemed guilty of a misdemeanor. (Ord. 3, 1-7-1969; amd. 2011 Code)

4-1-6: **PUBLIC INTOXICATION:** Every person who shall become intoxicated and be or appear upon any street, avenue, alley, lane or other public place, or in any private dwelling or place and disturb the occupants thereof or any other persons within the corporate limits of the town shall be deemed guilty of a misdemeanor. (Ord. 3, 1-7-1969; amd. 2011 Code)

4-1-7: **UNLAWFUL TOUCHING:** Any person within the incorporated limits of the town who shall, in a rude, insolent and angry manner, unlawfully touch another shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to penalty as provided in section 4-1-9 of this chapter. (Ord. 3, 1-7-1969; amd. 2011 Code)

1. For power to prohibit, WS § 15-1-103(a)(xvi)(A).

4-1-8: **USE OF OBSCENE, INDECENT LANGUAGE:** Any person who shall use any obscene, indecent or profane language in any private or public place within the corporate limits of the town, to the disturbance or annoyance of any person, family or neighborhood, shall be deemed guilty of a misdemeanor. (Ord. 3, 1-7-1969; amd. 2011 Code)

4-1-9: **PENALTY:** Any person who shall violate any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. (2011 Code)



CHAPTER 2
ANIMAL CONTROL
ARTICLE A. ANIMALS

SECTION:

- 4-2A-1: Animal Confinement
- 4-2A-2: Running At Large
- 4-2A-3: Animal Pens
- 4-2A-4: Filth That May Produce Disease
- 4-2A-5: Filthy, Unwholesome Or Offensive Premises
- 4-2A-6: Keeping Of Certain Animals; Restrictions Within The Town

4-2A-1: **ANIMAL CONFINEMENT:**

A. Prohibited: It shall be unlawful for any person, company, corporation or anyone else to confine any livestock on property less than two (2) contiguous acres (87, 120 square feet).

B. Definition: The term "livestock" shall include cattle, horses, pigs, lambs, sheep, goats and all exotic animals. (Ord. 58, 9-11-2014)

4-2A-2: **RUNNING AT LARGE¹:**

A. Prohibited: It shall be unlawful for any person, company or corporation, or anybody else to allow or permit any livestock, dogs or other animals to run at large within the limits of the town.

B. Penalty: Anyone violating the provisions of this article shall, upon conviction, be subject to penalty as provided in section 1-4-1 of this code in addition to being liable for any damages done to any person or person's property. (Ord. 58, 9-11-2014)

1. For power to regulate or prohibit, WS § 15-1-03(a)(xiv).

4-2A-3: ANIMAL PENS:

- A. **Allowing To Become Offensive Or Annoying Prohibited:** It shall be unlawful for any person, firm or corporation to keep, use or maintain any yard, pen or place on his or their premises, or premises under his control within the incorporated town, in which any number of cattle, swine or other animals may be kept in such manner as to become offensive to any person residing within the vicinity or annoying to the public.
- B. **Violation:** If any person, firm or corporation shall own, keep or use any yard, pen or place on his or their premises, or premises under his or their control, within the town, in or upon which any number of cattle, swine or other animals shall be kept in such manner as to become offensive to any persons residing within the vicinity, or annoying to the public, such person, firm or corporation shall be deemed guilty of a misdemeanor and be deemed to maintain a nuisance in the town.
- C. **Penalty:** Any person found guilty of the violation of this section before a municipal judge of the town shall be subject to penalty as provided in section 1-4-1 of this code. (Ord. 58, 9-11-2014)

4-2A-4: FILTH THAT MAY PRODUCE DISEASE:

- A. **Order Of Mayor To Abate:** Whenever any place within the corporate limits of the town shall, in the judgment of the mayor, tend to produce sickness or disease, the mayor shall order the owner, lessee, or occupant of said premises within such time as the mayor may direct, to cleanse, purify the same and abate any nuisance therein and remove therefrom all substances in his judgment tending to produce sickness.
- B. **Failure To Comply; Abatement By Town:** In case of failure or refusal on the part of said owner, occupant or lessee to comply with such order within such time, it shall be lawful for the mayor to cause said premises to be cleansed and purified and all nuisances therein to be abated.
- C. **Deposit Or Accumulation Prohibited¹:** It shall be unlawful for any person owning, occupying or using any place or premises within the corporate limits of the town to deposit in the streets or alleys adjacent thereto, or permit to accumulate in the streets or alleys any filth, straw, tree branches or limbs, manure, offal, rubbish or other accumulation and any person so doing shall be punished as provided in subsection D of this section.

1. See also subsection 3-2-2A of this code.

- D. Penalty: Any person failing or refusing to obey any order of the mayor given in pursuance of this section, shall, upon conviction thereof before the municipal court of the town, be subject to penalty as provided in section 1-4-1 of this code, and for each day's continuance, which shall be deemed a separate offense, a like penalty shall be imposed. (Ord. 58, 9-11-2014)

4-2A-5: **FILTHY, UNWHOLESOME OR OFFENSIVE PREMISES:**

- A. Maintenance Prohibited: Any person or association of persons, corporation or corporations who shall maintain a filthy, unwholesome, or offensive house, hotel, bathhouse, sanatorium, dwelling, stable, privy or privy vault, drain pipe or sewer which shall be a menace to the public health shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code.
- B. Dead Animals: Any person who shall deposit or leave, or cause to be deposited or left, the carcass of any dead animal in any part of this town without the same being buried, limited to small animals, shall be deemed guilty of a nuisance and, upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code. Burial of livestock is not permitted. (Ord. 58, 9-11-2014; amd. Ord. 76, 6-8-2023)

4-2A-6: **KEEPING OF CERTAIN ANIMALS; RESTRICTIONS WITHIN THE TOWN:**

Chickens may be kept in the town; subject to the following requirements and all other applicable provisions of this chapter:

- A. It will be unlawful to keep more than 20 chickens on one property at one time. (Ord. 76, 6-8-2023; amd. Ord. 82, 11-9-2023)

CHAPTER 2
ANIMAL CONTROL
ARTICLE B. DOGS

SECTION:

- 4-2B-1: Definitions
- 4-2B-2: Dog License
- 4-2B-3: Tampering With License
- 4-2B-4: Kennel License Prohibited; Number Of Dogs Allowed
- 4-2B-5: Running At Large
- 4-2B-6: Abandonment
- 4-2B-7: Nuisance Dogs (Rep. by Ord. 77, 6-8-2023)
- 4-2B-8: Vicious Dogs
- 4-2B-9: Impoundment
- 4-2B-10: Right Of Entry
- 4-2B-11: Hindering Animal Control Officer

4-2B-1: **DEFINITIONS:**

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

ANIMAL CONTROL OFFICER:	Any law enforcement officer employed by the Town and any other person designated by the Town Council to enforce this article.
AT LARGE:	Off the premises of the owner and not under the control of the owner or any other person by means of leash, rope, chain or otherwise.
DOG:	All dogs, whether male, female, or neutered.
OWNER:	Any person, firm, association, or corporation owning, keeping, or harboring any dog.

September 2023

VICIOUS DOG: A dog which, by its unprovoked actions, puts any person in reasonable fear of bodily injury, or actually injures or attacks any person while such person is engaged in any lawful activity. (Ord. 31, 1-9-2003; amd. Ord. 31A, 10-12-2006; Ord. 77, 6-8-2023)

4-2B-2: DOG LICENSE:

- A. **Required:** It shall be unlawful for any owner to keep or harbor any dog over the age of six (6) months within the limits of the Town without having first obtained a license therefor as provided by this section.
- B. **Rabies Vaccination Required:** No license shall be issued under the provisions of this section unless the applicant therefor shall have first exhibited to the Town Clerk a certificate or tag issued by a licensed veterinarian showing that said dog sought to be licensed has been vaccinated for rabies and is current on vaccination immediately preceding the date of the application.
- C. **License Expiration And Renewal:** Any license issued under the provisions of this section may be issued at any time during the year and shall expire on January 1 each year, at which time such license shall be renewed upon payment of the required fee.
- D. **License Fees:** Any person obtaining a license under the provisions of this section shall pay therefor to the Town Clerk for each dog the required rate stated in the Rate Schedule Policy in the office of the Town Clerk.
- E. **Penalties For Violation:** Any person who shall keep or harbor any dog in violation of this section, or who shall attempt to evade any of the provisions hereof, shall be deemed guilty of a misdemeanor.
 - 1. **First Conviction:** Upon the first conviction hereof, such person shall be fined the sum of fifty dollars (\$50.00), plus court costs.
 - 2. **Second Conviction:** Within five (5) business days and upon the second conviction hereof, such person shall be fined the sum of one hundred dollars (\$100.00), plus court costs.
 - 3. **Third Conviction:** Upon the third conviction hereof, such person shall be fined the sum of one hundred fifty dollars (\$150.00), plus court costs and dog(s) stated in the conviction will be required to be removed from town limits indefinitely. (Ord. 31, 1-9-2003; amd. Ord. 31A-2, 6-25-2012; Ord. 65, 11-9-2017 Ord. 77, 6-8-2023)

4-2B-3: TAMPERING WITH LICENSE:

Any person who shall deprive a licensed dog of its tag or collar or shall put a registered tag on any dog not registered shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined one hundred dollars (\$100.00), plus court costs. (Ord. 31A-2, 6-25-2012)

4-2B-4: KENNEL LICENSE PROHIBITED; NUMBER OF DOGS ALLOWED:

- A. Prohibited: Kennel licenses are not permitted in the corporate limits of the Town of LaGrange.
- B. Limitation: It shall be unlawful for any owner to keep or harbor more than three (3) adult dogs, over the age of six (6) months, longer than seven (7) days on any premises within the corporate limits of the Town.
- C. Penalties For Violation: Any person who shall keep or harbor any dog in violation of this section, or who shall attempt to evade any of the provisions hereof, shall be deemed guilty of a misdemeanor.
 - 1. First Conviction: Upon the first conviction hereof, such person shall be fined the sum of fifty dollars (\$50.00), plus court costs.
 - 2. Second Conviction: Upon the second conviction hereof, such person shall be fined the sum of one hundred dollars (\$100.00), plus court costs.
 - 3. Third Conviction: Upon the third conviction hereof, such person shall be fined the sum of one hundred fifty dollars (\$150.00), plus court costs and dog(s) must be removed from household to meet the number of dogs allowed by ordinance. (Ord. 31A-2, 6-25-2012; amd. Ord. 65, 11-9-2017; Ord. 77, 6-8-2023)

4-2B-5: RUNNING AT LARGE:

- A. Prohibited: It shall be unlawful for the owner of any dog to permit the same to run at large whether licensed or unlicensed.
- B. Penalty: The violation of this section by any person is hereby declared to be a misdemeanor.
 - 1. First Apprehension: Upon the first apprehension hereof, such person shall be fined the sum of fifty dollars (\$50.00), plus court costs.

September 2023

2. Second Apprehension: Upon the second apprehension hereof, such person shall be fined the sum of one hundred dollars (\$100.00), plus court costs.

3. Third Apprehension: Upon the third apprehension hereof, such person shall be fined the sum of one hundred fifty dollars (\$150.00), plus court costs and dog(s) stated in the conviction will be required to be removed from town limits indefinitely. (Ord. 31A-2, 6-25-2012; amd. Ord. 65, 11-9-2017; Ord. 77, 6-8-2023)

4-2B-6: **ABANDONMENT:**

- A. Definition: "Abandonment" shall include leaving an animal for a period in excess of twenty four (24) hours without food, water, and reasonable supervision of the animal's condition.
- B. Prohibited: It is unlawful for any person to abandon, release or allow to be released any animal within the Town. All animals which are abandoned shall be considered surrendered to the Town for impoundment or disposal.
- C. Right Of Entry; Care Furnished By Town: If an animal is restrained or confined without food, water or proper attention or is injured or threatened with injury, the Town may enter into and upon any property where the animal is restrained or confined and supply it with necessary food, water or attention.
- D. Impoundment: If necessary for the health of the animal, the Town may remove and impound the animal, all at the expense of the owner or keeper thereof.
- E. Liability: The Town shall not be liable to any action for entry or for taking possession of any such animal.
- F. Penalty: Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this Code. (Ord. 31, 1-9-2003; amd. 2011 Code)

4-2B-7: **NUISANCE DOGS:**

(Rep. by Ord. 77, 6-8-2023)

4-2B-8: VICIOUS DOGS:

- A. Prohibited: Any owner who shall keep or allow to run at large any vicious dog shall be deemed guilty of a misdemeanor.
- B. Penalty: Any dog suspected to be a vicious dog will be apprehended and kept in an animal control facility at the expense of the owner until a court decision has been made.

1. First Conviction: Upon the first conviction hereof, such person shall be fined the sum of two hundred dollars (\$200.00), plus court costs and said animal must leave Town or be destroyed by order of the court. (Ord. 58, 9-11-2014; amd. Ord. 65, 11-9-2017; Ord. 77, 6-8-2023)

4-2B-9: IMPOUNDMENT:

- A. Duty To Impound: It shall be the duty of the animal control officer of the Town to apprehend any dog found by them to be in violation of this article, if deemed necessary to enforce provisions herein.
- B. Notice Of Impoundment: Upon the capture of any dog, it shall be the duty of the law enforcement officer to notify the owner, thereof, if such owner can be ascertained, which notice may be given by telephone or in person, and shall advise of the fact of the capture and the date of the impounding of said dog. If the owner of any dog so captured and impounded is unknown or notice cannot be given to such owner, then and in such event notice shall be given by posting the same at three (3) conspicuous places within the Town, describing the dog so impounded and the place and time of taking such dog.
- C. Unlicensed Dogs: No unlicensed dog may be reclaimed, unless the person reclaiming the dog shall pay the required license fees to properly license such dog in accordance with this article.
- D. Failure To Reclaim: Any dog impounded under the provisions of this article which shall not have been reclaimed as herein provided within five (5) days after being impounded shall be destroyed. Any person whether he be the owner thereof or not, may, after three (3) days, redeem any dog impounded. (Ord. 58, 9-11-2014)

4-2B-10: RIGHT OF ENTRY:

In the enforcement of any of the provisions of this article, the animal control officer of the Town is authorized to enter the premises of any person and take possession

September 2023

of licensed or unlicensed dogs when in fresh pursuit of such dog at the time the dog goes upon private property. (Ord. 31A, 10-12-2006)

4-2B-11: **HINDERING ANIMAL CONTROL OFFICER:**

Any person who shall hinder any animal control officer in the discharge of his duties as provided in this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not greater than two hundred dollars (\$200.00), plus court costs. (Ord. 31A, 10-12-2006)

TITLE 5
MOTOR VEHICLES AND TRAFFIC

Subject	Chapter
Vehicle Regulations	1



CHAPTER 1
VEHICLE REGULATIONS

SECTION:

5-1-1: Adoption

5-1-1: **ADOPTION:** The uniform act regulating traffic on highways in title 31, Wyoming Statutes, 1977, as amended, is hereby adopted in its entirety, as applicable, along with the following:

Statute Section	
24-1-110	Exhibition of acceleration
31-4-101	Vehicle registration
31-4-103	Compulsory auto insurance
31-7-110	Instruction and temporary driver's permit
31-7-116	Carrying and displaying
31-7-117	Restricted licenses
31-7-133	Unlawful use of license
31-7-135	Permitting unlicensed person to drive
6-3-107	Throwing burning substance from vehicle; penalties
6-3-204	Littering

(Ord. 60, 12-11-2014)



CHAPTER 1

OPERATION OF MOTOR VEHICLES AND BICYCLES¹

SECTION:

- 5-1-1: Definitions
- 5-1-2: Use Of Roadway
- 5-1-3: Excessive Speed
- 5-1-4: Reckless Driving
- 5-1-5: Driving Under Influence
- 5-1-6: Parking
- 5-1-7: Leaving Curb

5-1-1: **DEFINITIONS:** As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

BICYCLE: Every vehicle propelled solely by human power upon which any person may ride, having two (2) tandem wheels except scooters and similar devices.

MOTOR VEHICLE: Every vehicle which is self-propelled except vehicles moved solely by human power, motorized skateboards and golf carts as defined in Wyoming Statutes section 31-5-102(a)(ix). (Ord. 8, 2-3-1948, eff. 2-3-1948; amd. 2011 Code)

5-1-2: **USE OF ROADWAY:**

A. Driving On Right Side Of Roadway; Exceptions:

1. Exceptions: Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:

1. See title 6, chapter 1 of this code for traffic regulations regarding a fire.

a. When overtaking and passing another vehicle proceeding in the same direction under the rules governing the movement;

b. When a stationary obstruction exists making it necessary to drive to the left of the center of the highway, but any person so doing shall yield the right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;

c. Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon; or

d. Upon a roadway designated and signposted for one-way traffic.

2. Driving In Right Hand Lane: Upon all roadways except one-way streets, any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right hand lane then available for traffic, or as close as practicable to the right hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into an alley, private road or driveway.

3. Two-Way Movement Of Traffic: Upon any roadway having four (4) or more lanes for moving traffic and providing for two-way movement of traffic, no vehicle shall be driven to the left of the centerline of the roadway except when authorized by official traffic control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use the lanes, or except as permitted under subsection A1b of this section. This subsection does not prohibit the crossing of the centerline in making a left turn into or from an alley, private road or driveway.

B. Turning At Intersections: The driver of a vehicle intending to turn shall do so as follows:

1. Right Turns: Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.

2. Left Turns: The driver of a vehicle intending to turn left shall approach the turn in the extreme left hand lane lawfully available to traffic moving in the direction of travel of the vehicle. Whenever practicable, the left turn shall be made to the left of the center of the

intersection and so as to leave the intersection or other location in the extreme left hand lane lawfully available to traffic moving in the same direction as the vehicle on the roadway being entered.

3. Two-Way Left Turn Lanes: Where a special lane for making left turns by drivers proceeding in opposite directions has been indicated by official traffic control devices:

a. A left turn shall not be made from any other lane.

b. A vehicle shall not be driven in the lane except when preparing for making a left turn from or onto the roadway or when preparing for a U-turn when otherwise permitted by law.

4. Traffic Control Devices Placed: The highway department and local authorities in their respective jurisdictions may cause official traffic control devices to be placed and thereby require and direct that a different course from that specified in this subsection be traveled by turning vehicles and when the devices are so placed, no driver shall turn a vehicle other than as directed and required by the devices.

C. Turning Movements And Required Signals:

1. No person shall turn a vehicle or move right or left upon a roadway unless and until the movement can be made with reasonable safety nor without giving an appropriate signal in the manner provided by this subsection.

2. A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet (100') traveled by the vehicle before turning.

3. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal required by this section to the driver of any vehicle immediately to the rear when there is opportunity to give the signal.

4. The signals required on vehicles by Wyoming Statutes section 31-5-218(b) shall not be flashed on one side only on a disabled vehicle, flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle except as may be necessary for compliance with this section.

5. No person shall drive a motor vehicle upon private or public property to gain access to another roadway for the purpose of avoiding a traffic control device.

D. Signals By Hand And Arm Or Signal Lamps:

1. Any stop or turn signal when required under this section shall be given either by means of the hand and arm or by signal lamps, except as otherwise provided in subsection D2 of this section.

2. Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of the motor vehicle exceeds twenty four inches (24"), or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet (14'). The latter measurement shall apply to any single vehicle and to any combination of vehicles.

E. Manner Of Giving Hand And Arm Signals: All signals required under this section given by hand and arm shall be given from the left side of the vehicle in the following manner and the signals shall indicate as follows:

1. Left turn: Hand and arm extended horizontally;

2. Right turn: Hand and arm extended upward;

3. Stop or decrease speed: Hand and arm extended downward. (2011 Code)

5-1-3: **EXCESSIVE SPEED:** Every person who shall drive or operate an automobile in the town at a speed to exceed twenty five (25) miles an hour, except at intersections of streets, which shall not exceed twenty (20) miles an hour, shall be subject to penalty as provided in section 1-4-1 of this code. (Ord. 3, 1-7-1969; amd. 2011 Code)

5-1-4: **RECKLESS DRIVING¹:**

A. It shall be unlawful for any person to drive a motor vehicle upon the streets in a careless or heedless manner, or without due caution, or

1. WS § 31-5-229.

at a speed or in such manner so as to endanger or be likely to endanger any person or property. (Ord. 3, 1-7-1969; amd. 2011 Code)

5-1-5: **DRIVING UNDER INFLUENCE¹:** It is unlawful for any person who is under the influence of intoxicating liquor or controlled substance to a degree which renders him incapable of safely driving a motor vehicle, to drive any vehicle within the town. (Ord. 3, 1-7-1969; amd. 2011 Code)

5-1-6: **PARKING:**

- A. Method Of Parking: Every motor vehicle and/or bicycle shall be parked at an angle headed towards the curb and when parked shall be brought to a stop not more than twelve inches (12") from the right front wheel to the curb. No such vehicle shall park closer than three feet (3') from any other vehicle. All vehicles parking shall park toward the curb to the right hand of said vehicle.
- B. Double Parking: No vehicle shall be permitted to remain or stand parallel to the curb and in the line of traffic. (Ord. 8, 2-3-1948, eff. 2-3-1948)

5-1-7: **LEAVING CURB:** When parked at a curb, no driver shall drive therefrom until the line of traffic from the rear, proceeding in the same direction, is sufficiently clear to permit him to enter traffic without accident. (Ord. 8, 2-3-1948, eff. 2-3-1948)

1. WS § 31-5-233.



CHAPTER 2
BICYCLES¹ AND MOTORCYCLES

SECTION:

5-2-1: Riding On Sidewalks

5-2-1: **RIDING ON SIDEWALKS:**

- A. Prohibited: No person shall operate, drive or ride a bicycle propelled by muscular power or motorcycle propelled by motor power upon any sidewalk within the town except at designated street crossings.
- B. Penalty: Any person violating any terms of this chapter shall, upon conviction, be subject to penalty as provided in section 1-4-1 of this code. (Ord. 7, 10-7-1946; amd. 2011 Code)

1. WS § 31-5-701 et seq.



CHAPTER 3
THROUGH AND STOP STREETS

SECTION:

5-3-1: Designated
5-3-2: Stop Required

5-3-1: **DESIGNATED:** The following thoroughfares or portions thereof are hereby designated as through or stop streets:

- A. Second Avenue from "A" Street north to and including "D" Street.
- B. The county road from Second Avenue east to and including Sixth Avenue. (Ord. 25, 1-7-1969)

5-3-2: **STOP REQUIRED:** Every driver of a vehicle shall stop before entering any through street. (Ord. 25, 1-7-1969)



TITLE 7
WATER AND SEWER

Subject	Chapter
Water	1
Sewer	2



CHAPTER 1

WATER¹

SECTION:

- 7-1-1: Consumer's Contract
- 7-1-2: Street Excavations; Permit
- 7-1-3: Permit To Tap Main
- 7-1-4: Water Supplied To Other Families By Consumer Prohibited
- 7-1-5: Boilers; Liability For Damage
- 7-1-6: Right Of Entry
- 7-1-7: Size Of Garden Hose And Underground Sprinkler Lines; Limitations
- 7-1-8: Service Pipe Specifications
- 7-1-9: Depth Of Trench
- 7-1-10: Stopcocks And Dual Check Valves
- 7-1-11: Stop And Waste Or Curb Stop
- 7-1-12: Excavation Requirements
- 7-1-13: Connections To Main
- 7-1-14: Water Extension
- 7-1-15: Hydrants
- 7-1-16: Individual Fire Mains
- 7-1-17: Meters; Deposits; Testing
- 7-1-18: Accounts
- 7-1-19: Water Rates
- 7-1-20: Disconnection; Reconnection And Resumption Of Service
- 7-1-21: Use Of Private Wells By Consumers
- 7-1-22: Public Works Director

7-1-1: **CONSUMER'S CONTRACT:**

The provisions of this chapter shall be considered a part of the contract with every person who is supplied with water through the waterworks of this town. Every person taking from the system shall be considered and held to be bound thereby. Whenever any of the provisions of this chapter are violated, the water service shall be cut off from the building or place of such violation even though two (2) or more parties may receive water through the same pipe. Water service shall not be

¹ See section 7-2-3 of this title for plumbing and conditions constituting a nuisance

restored except by order of the public works director, and then only after the payment of all delinquent water charges, the removal of the cause for the original disconnection, and the payment of the fees and charges for the disconnection and reconnection as set forth in section 7-1-20 of this chapter. (Ord. 44, 11-6-2003)

7-1-2: STREET EXCAVATIONS; PERMIT:

- A. Permit, Town Approved Installers Required: Excavations in streets or alleys of the town, in connection with its waterworks system, shall be made only by town approved installers after issuance to them of a water permit issued by the town clerk upon written application for water service.
- B. Application; Form: Every person desiring a supply of water must make such application to the town clerk upon blanks supplied by the town for that purpose. The application shall specify, in detail, all uses to which the water is to be applied and no different or additional use will be allowed except by permission of the town council.
- C. Special Permission Required To Serve Additional House: Not more than one house shall be supplied from one tap except by special permission of the town council. (Ord. 44, 11-6-2003)

7-1-3: PERMIT TO TAP MAIN:

The water mains shall not be tapped except by a town approved installer and then only after the payment of the tap fee prescribed in section 7-1-13 of this chapter and the issuance by the town clerk of a water permit. Installers are strictly prohibited from turning water into any service pipe except after the issuance of the water permit. This rule shall not be construed to prevent any installer from admitting water to test pipes and for that purpose only. (Ord. 44, 11-6-2003)

7-1-4: WATER SUPPLIED TO OTHER FAMILIES BY CONSUMER PROHIBITED:

No consumer shall supply water to other consumers or suffer them to take or in any manner use the same off of his premises. After water has been introduced into any building or upon any premises, no person shall employ any installer or permit any other person to make any tap or connection with the service pipes upon any premises for alteration, extension, or attachment without the permission of the town council. It shall be unlawful for any person to take or utilize water upon his premises unless a water permit has been obtained therefor. (Ord. 44, 11-6-2003)

7-1-5: BOILERS; LIABILITY FOR DAMAGE:

- A. Construction: All house boilers shall be constructed with one or more air holes near the top of the inlet pipe sufficiently strong to bear the pressure of the atmosphere under vacuum.
- B. Design; Maintenance: The stopcocks and other appurtenances must be designed and maintained so as to bear the pressure and run off the water in the mains. All persons taking water shall keep their own service lines, stopcocks and apparatus in good repair, protect them from frost at their own expense, and shall prevent all unnecessary waste of water.
- C. Claim For Damage: No claim for damage shall be sustainable against the town or any of its officials or representatives by reason of the failure of the system of a consumer.
- D. Reservation Of Right: The town reserves the right to shut off the water supply at any time, at its discretion, for the purpose of maintenance or repair and neither it nor its officials or representatives shall be liable for damages occasioned thereby. (Ord. 44, 11-6-2003)

7-1-6: RIGHT OF ENTRY:

Every consumer using the water system of this town shall permit the public works director or his duly authorized agent, at all hours of the day between seven o'clock (7:00) A.M. and six o'clock (6:00) P.M., to enter his premises or buildings to examine the pipes and fixtures, the manner in which the water is used, and must at all times, frankly and without concealment, answer all questions relative to consumption of water. (Ord. 44, 11-6-2003)

7-1-7: SIZE OF GARDEN HOSE AND UNDERGROUND SPRINKLER LINES; LIMITATIONS:

- A. Size: Hoses larger than one inch (1") and underground sprinkler lines larger than one and one-fourth inches (1¹/₄") will not be permitted. No hose or underground sprinkler shall be used unless water is furnished through a meter.
- B. Right To Suspend Use: The right is reserved to suspend the use of fountains and hoses sprinkling yards and gardens and underground sprinklers whenever, in the opinion of the public works director, the public exigency may require. (Ord. 44, 11-6-2003)

7-1-8: SERVICE PIPE SPECIFICATIONS:

- A. Specifications: All service pipes from the point of union with the commercial main to the meter shall be of type K copper or a minimum class 150 PE clear core. Every copper service pipe must be sufficiently waving to allow not less than one foot (1') extra length, and laid in such manner as to prevent rupture by settling.
- B. Failure To Replace Service Pipe After Notice: Should any consumer fail, neglect or refuse to replace his service pipe with the service pipe specified in subsection A of this section after ten (10) days' notice, in writing, to do so, such service pipe may be cut off until the specified service pipe is installed. (Ord. 44, 11-6-2003)

7-1-9: DEPTH OF TRENCH:

All service pipes must be laid at the same depth as the main in the street, unless otherwise ordered by the public works director, and in all cases shall be so protected so as to prevent rupture by freezing. (Ord. 44, 11-6-2003)

7-1-10: STOPCOCKS AND DUAL CHECK VALVES:

Every service line must be provided with a stopcock and dual check valve in the meter pit, easily accessible, and so situated that the water can be conveniently shut off. Stopcocks and the dual check valve model shall be determined by the public works director. (Ord. 44, 11-6-2003)

7-1-11: STOP AND WASTE OR CURB STOP:

There shall be a stop and waste cock or a curb stop attached to every service line at a point after the meter to permit the water supply to be shut off and to allow drainage of the customer's system. (Ord. 63, 5-12-2016; amd. Ord. 78, 6-8-2023)

7-1-12: EXCAVATION REQUIREMENTS:

- A. Inconvenience To Public: In making excavations in streets or alleys for the laying of service lines or making repairs, the planks or paving, stones and earth removed must be deposited in a manner that will occasion the least inconvenience to the public and provide for passage of water along gutters.

- B. Barricades; Lights: No person shall leave any excavation made in a street or alley open at any time without barricade and, during the night, warning lights must be maintained at such excavation. (Ord. 44, 11-6-2003)
- C. Backfilling: After service lines are laid, in backfilling, the earth must be laid in layers of not more than one foot (1') in depth, and each layer shall be thoroughly tamped and mechanically compacted. (Ord. 63, 5-12-2016)
- D. Restoration Of Streets And Sidewalks: The streets and sidewalks must be restored to as good condition as previous to making the excavation. All paved surfaces shall be bored beneath. All dirt, stones and rubbish must be removed immediately after completion of work.
- E. Work Incomplete Or Improper: If an excavation in any street or alley shall be left open or unfinished for the space of twenty four (24) hours, or if the work shall be improperly done, or if the rubbish shall not be removed, the public works director shall have the right to finish or correct the work. All expenses, so incurred, shall be charged to the consumer and shall be paid by the installer, drain layer or other person authorized by the consumer to do the excavating work, or by the consumer, before the water service is provided.
- F. Frozen Ground: No main shall be tapped or connections made when the ground is frozen, except by special permission of the town council. (Ord. 44, 11-6-2003)

7-1-13: **CONNECTIONS TO MAIN:**

- A. Tap Fee: The town of LaGrange, Wyoming, shall charge the following tap fee for the use of its waterworks system for a one-inch (1") tap, but not exceeding one and one-fourth inch (1 1/4) tap
 - 1. The rate schedule for the water tap fee for any new connection and/or reconnection shall be set by the LaGrange Town Council on an annual basis prior to the annual budget. The rate schedule policy will be kept in the office of the Town Clerk
 - 2. The tap fee shall be paid in full at the time a permit for connection is granted or the fee may be paid in twelve (12) monthly installments with the first installment being paid at the time a permit for connection is granted with each additional payment being made for the next consecutive eleven (11) months.
 - 3. Connection will be made within twelve (12) months of the initial payment and approval of permit application. Permit will be voided after twelve (12)

September 2023

months without refund of initial payment. A onetime extension for an additional year may be considered by the town council at the cost of ten percent (10%) of the current tap fee.

- B. Taps: All taps will be provided with a service saddle.
- C. Responsibility of Applicant: The applicant, at his own expense, shall procure the services of a registered installer, under the general supervision of the public works director, to tap the town's main at the point where the applicants service line will be joined, and shall furnish and install at his own expense, ferrules or clamps, corporation cock and stopcock. The applicant shall furnish lines, trenching, labor and attachments to bring water service from the town's main to the customers point of use. All parts necessary for connection to the main to the meter pit must be purchased from the town of LaGrange.
- D. Property Outside Corporate Limits: Applicants for water service, whose property is situated outside the corporate limits, shall pay a connection fee in such sum as the mayor and council shall fix; provided, however, nothing herein shall be construed so as to obligate the town to furnish water service to nonresidents unless it is able to do so without curtailing the demands of resident consumers and/or without overloading its pumps, machinery, or other equipment.
- E. Meter Pits: All meter pits shall be set by the applicant or consumer, at his own expense, at a point near the property line in town rights of way and shall be of such design as sanctioned and approved by the public works director; provided, that all meters shall be set in a horizontal position so that the same may be easily read by the public works director.
- F. Reading Meter; Resetting Meter: The public works director shall, whenever it is convenient to make readings of any meter, now set or hereafter to be set in meter pits, be empowered to give consumer twenty (20) days' notice, in writing, to reset said meter in a horizontal position, and, if the consumer refuses or neglects to do so, then the public works director shall reset or cause to be reset said meter horizontally and the cost thereof shall be charged to and paid by said consumer as water rent. (Ord. 44A-3, 2-7-2013; amd. Ord. 63, 5-12-2016)

7-1-14: **WATER EXTENSION:**

The mayor and town council, from time to time, may authorize the construction of extensions of water mains into areas not supplied with water, upon such terms and conditions as appear appropriate or by means of special improvement districts. (Ord. 44, 11-6-2003)

September 2023

7-1-15: HYDRANTS:

No hydrants, except for public drinking fountains, shall be placed within the limits of any street, and no drinking fountain shall be erected for general use which has openings by which it can be used as a source of domestic supply; provided, the town may place fire hydrants at such points in streets and other public areas as the mayor and council deem necessary. (Ord. 44, 11-6-2003)

7-1-16: INDIVIDUAL FIRE MAINS:

If proprietors of lumberyards, factories, halls, stores, elevators, warehouses, hotels or public buildings, regular consumers of water from the water system, wish to lay large pipes with hydrants and hose couplings to be used only in case of fire, they will be permitted to connect with street mains at their own expense upon application to the town council, and under their directions, and will be allowed the use of water for fire purposes only, free of charge. (Ord. 44, 11-6-2003)

7-1-17: METERS; DEPOSITS; TESTING:

- A. **Meters Required:** All water service connected with the water plant and system of the town shall be set up for metering. The town will furnish, at no cost to the consumer, a dual check valve and a one inch (1") water meter with a remote reading device. Said meter, at all times, shall remain the property of the town, and will not be removed from the premises except by employees of the town.
- B. **Non-Refundable Service Deposit:** The public works director or the town clerk, as the case may be, when application for water service is made, shall require applicant to pay fifty dollars (\$50.00) by way of a service deposit to protect the town from loss arising out of the water service furnished; the town clerk is hereby empowered to demand and collect said service deposit from any consumer at any time.
- C. **Installation And Maintenance:** All meters and dual check valves set and installed will be kept in repair at the expense of the town unless the damage done was caused by the negligence, the wilful conduct, or the act of the user. When the meters and check valves shall be entirely worn out, they will be replaced by the town.
- D. **Testing:** All meters may be tested at the expense of the town at any reasonable time.
- E. **Remote Reading Device:** To the extent feasible, all water meters shall hereafter be located in a meter pit unless town council determines upon special

circumstance the meter must be placed in a building. All water meters shall be equipped with remote reading device. The remote reading device shall be supplied at the expense of the town. All remote reading devices so set and installed may be kept in repaired at the expense of the town, unless the damage done was caused by negligence, the willful conduct, or the act of the consumer. When remote reading devices shall be entirely worn out, they shall be replaced by the town. The remote reading device shall be the property of the town and shall not be removed from the premises by the owner of the premises.

- F. Meter Pits: Meter pits are required for all outside meter installations and the expense of said meter pits shall be borne by the consumer and constructed in a manner approved by the public works director with a double lid, frost free cover. (Ord. 44, 11-6-2003; amd. Ord. 78, 6-8-2023)

7-1-18: **ACCOUNTS:**

When the town shall enter upon any contract as provided in section 7-1-1 of this chapter, and water is supplied to such applicant thereunder, it shall be the duty of the public works director, or the town clerk under the direction of the public works director, to keep a separate, detailed and accurate account of all water rents and charges due from each consumer with all debits and credits as the case may be. (Ord. 44, 11-6-2003)

7-1-19: **WATER RATES:**

- A. Tariff Of Water Rates: The following is established as a tariff of water rates to consumers from the water system of the town of LaGrange based on capital costs and operation and maintenance of the system. The monthly minimum charge for water service shall be as follows:
1. Single-Family Dwellings: Twenty dollars (\$20.00).
 2. Multi-Family Dwelling Per Unit: Twenty dollars (\$20.00).
 3. Commercial Property: Twenty dollars (\$20.00). All over ten thousand (10,000) gallons will be subject to review by the town of LaGrange.
 4. Mobile Home Park: Mobile home park with two (2) or more hookups on one meter will be charged for each filled space (connected or not): Twenty dollars (\$20.00).

5. Public School: The public school shall pay a monthly fee of two hundred five dollars and forty-four cents (\$205.44).
6. Frontier School Of The Bible: The average daily occupancy of its dormitories shall be ascertained for the preceding school year. This daily average enrollment figure shall be divided by seven (7), and multiplied by twenty dollars (\$20.00). The resultant number shall be the monthly minimum payable by the bible school for each dormitory. As to buildings other than dormitories, the monthly service charge shall be twenty dollars (\$20.00) per month for each building or apartment.
- B. Annual Review: At the date of passage hereof, the town does not anticipate the necessity of charging for actual water use by the consumers of the town; however, the town council, on an annual basis, shall review the income from its water systems, its bond debt service requirements, its operation and maintenance costs, and if necessary, it may expand the foregoing tariff to require a periodic reading of meters and a charge for water usage by the consumers. The rate schedule policy for water service shall be set by the LaGrange Town Council on an annual basis prior to the annual budget. The rate schedule policy will be kept in the office of the Town Clerk.
- C. Payment Due Date: The same shall be due and payable whether the premises are vacant or occupied on or before the twentieth day of each month for the water service for the preceding calendar month. All payments made toward the monthly utility billing of water, sewer and garbage will be applied to the balance incurred for all utilities. Any unpaid balance is a delinquency in payment of all utilities.
- D. Annual Payment: If any customer chooses to pay the entire utility service including water, sewer and garbage on an annual basis, a discount of two percent (2%) will be given to the customer at time of payment.
- E. Delinquency: If any customer fails to pay the monthly minimum charge, when the same is due, under the terms of this section, the town shall have the right to charge a recurring ten percent (10%) service charge on the unpaid balance of the entire bill after the first month of delinquency. After the third month of delinquency, the customer's water service will be disconnected in accordance with section 7-1-1 of this chapter and, in addition thereto, the town shall have the right to take civil action to compel payment of the same, and all delinquent charges, as permitted by law. (Ord. 44A-2, 6-25-2012; amd. Ord. 63, 5-12-2016; Ord. 66, 5-9-2019)

September 2023

7-1-20: **DISCONNECTION, RECONNECTION AND RESUMPTION OF SERVICE:**

In the event any tap or hookup charge levied under section 7-1-14 of this chapter is not paid by the payment date fixed under section 7-1 -19 of this chapter, the water service to the premises shall immediately be disconnected and no further service to the premises shall be provided to such customer until all delinquencies shall have been fully paid. Prior to the resumption of service, the customer shall pay unto the town a fee which will include all associated disconnection and reconnection costs as stated in the Disconnection: Reconnection Rate Policy. In addition, thereto, the town shall have the right to take civil action as permitted by law. Reconnection fees will be waived if delinquent accounts are paid in full within two (2) business days of disconnection. (Ord. 63, 5-12-2016; amd. Ord. 78, 6-8-2023)

7-1-21: **USE OF PRIVATE WELLS BY CONSUMERS:**

No consumer taking water service from the town system shall connect his system to a private well. (Ord. 44, 11-6-2003)

7-1-22: **PUBLIC WORKS DIRECTOR:**

- A. Office Created: There is hereby created the office of the public works director.
- B. Appointment: The public works director shall be appointed by the mayor by and with the consent of the town council.
- C. Qualifications: The public works director shall have such required certifications as shall be necessary for the faithful performance of the duties of his office. He shall not engage in or be in any manner interested in the business of a plumber.
- D. Duties:
 - 1. Compliance with Rules and Regulations: The public works director shall see that the construction, maintenance and control of the plumbing, drainage and ventilation of all buildings in the town shall conform to any comply with the rules and regulation of this chapter.
 - 2. Approval of Plans: all plans filed with the town clerk, as hereinafter provided, shall be submitted to the public works director for his approval.

3. Management of System: As such public works director, he shall have charge and management of the town water system 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.?
4. Inspections: The public works director shall have the authority to inspect plumbing in houses in the course of erection, undergoing alteration or repair as often as may be necessary, and shall see that all work for plumbing, drainage and ventilation is done in accordance with the provisions of the ordinances of the town.
5. Notations: The public works director shall note on all plans and specifications submitted to him, whether approved or rejected, whether for new or old buildings, notations of the plumbing or want of plumbing and water connections in each such building as will enable successors to trace sources of filth in cases of sickness and to enforce the best sanitary conditions. Plans shall be approved or rejected within three (3) days of receipt thereof.
- E. Authority: The public works director shall have the right and power, where a building is under construction or being remodeled, to enter and examine all work pertaining to plumbing at any time and shall have the power to stop any and all work not complying with the regulations of this chapter and other ordinances of the town.
- F. Interference or Obstruction: Any person refusing to allow such right of entry or who hinders or obstructs the public works director in carrying out the power conferred by this section shall be brought before the town council. (Ord. 78, 6-8-2023)

September 2023

CHAPTER 2

SEWER

SECTION:

- 7-2- 1: Definitions
 - 7-2- 2: Public Works Director
 - 7-2- 3: Plumbing Or Sewerage Conditions Constituting A Nuisance
 - 7-2- 4: Approval Of Tapper
 - 7-2- 5: Outdoor Privies
 - 7-2- 6: Connection Required
 - 7-2- 7: Public Policy
 - 7-2- 8: Administrative Officers
 - 7-2- 9: Tap Fees
 - 7-2-10: Stubs And Service Lines
 - 7-2-11: Service Charges
 - 7-2-12: Damage To Property And Equipment Of Sewer Utility
 - 7-2-13: Trespass, Interference, Deposit Of Refuse
 - 7-2-14: Connection With Sewer Lines Or Sewer Mains
 - 7-2-15: Permit Required To Connect To Or Open Town Sewers
 - 7-2-16: Sewer Permit
 - 7-2-17: Sewer Services On Private Property
 - 7-2-18: Sewer Service Line
 - 7-2-19: Connection With Sewer Utility
 - 7-2-20: Connection Of Sanitary Sewer With Storm Drains,
Downspouts, Steam Exhausts
 - 7-2-21: Prohibited Deposits
 - 7-2-22: Blockage
 - 7-2-23: Sand And Grease Traps
 - 7-2-24: Duty To Maintain Service Lines And Fixtures
 - 7-2-25: Agreement To Rules Of Sewer Utility
 - 7-2-26: Failure To Comply With Rules
 - 7-2-27: Drainage Specifications
 - 7-2-28: Booster Pumps, Pressure Pumps And Lift Stations
 - 7-2-29: Failure To Pay Tap Fee
 - 7-2-30: Penalty
- 7-2-1: **DEFINITIONS:** For the purposes of this chapter, the following words or phrases are defined as follows:

PUBLIC WORKS DIRECTOR:	The town public works director or his duly authorized representative.
SEWER SERVICE LINE:	The line running from the town sewer main to the structure or property to be served.
TOWN:	The town of LaGrange, Wyoming. (Ord. 45, 3-4-2004)

7-2-2: **PUBLIC WORKS DIRECTOR:**

- A. Office Created: There is hereby created the office of the public works director.
- B. Appointment: The public works director shall be appointed by the mayor by and with the consent of the town council.
- C. Qualifications: The public works director shall have such required certification as shall be necessary for the faithful performance of the duties of his office. He shall not engage in or be in any manner interested in the business of a plumber.
- D. Duties:
1. Compliance With Rules And Regulations: The public works director shall see that the construction, maintenance and control of the plumbing, drainage and ventilation of all buildings in the town shall conform to and comply with the rules and regulations of this chapter. (Ord. 45, 3-4-2004)
 2. Approval Of Plans: All plans filed with the town clerk, as hereinafter provided, shall be submitted to the public works director for his approval. (Ord. 45, 3-4-2004; amd. 2011 Code)
 3. Management Of System: As such public works director, he shall have charge and management of the town sewer system 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. (Ord. 45, 3-4-2004)

4. Inspections: The public works director shall have the authority to inspect the plumbing in houses in the course of erection, undergoing alteration or repair as often as may be necessary, and shall see that all work for plumbing, drainage and ventilation is done in accordance with the provisions of the ordinances of the town. (Ord. 62, 9-10-2015)

5. Notations: The public works director shall note on all plans and specifications submitted to him, whether approved or rejected, whether for new or old buildings, notations of the plumbing or want of plumbing and sewer connections in each such building as will enable his successors to trace sources of filth in cases of sickness and to enforce the best sanitary conditions. Plans shall be approved or rejected within three (3) days from the receipt thereof. (Ord. 45, 3-4-2004; amd. 2011 Code)

- E. Authority: The public works director shall have the right and power, where a building is under construction or being remodeled, to enter and examine all work pertaining to plumbing at any time and shall have the power to stop any and all work not complying with the regulations of this chapter and other ordinances of the town.
- F. Interference Or Obstruction: Any person refusing to allow such right of entry or who hinders or obstructs the public works director in carrying out the power conferred by this section shall be brought before the town council. (Ord. 45, 3-4-2004)

7-2-3: **PLUMBING OR SEWERAGE CONDITIONS CONSTITUTING A NUISANCE:**

- A. Complaint; Examination By Public Works Director: Whenever it shall come to the knowledge of the public works director or complaint shall be made that the plumbing in any building constitutes a nuisance or is contrary to the requirements of the appropriate ordinances of the town or is faulty in construction or liable to injure the health of the occupants or occupants of the neighborhood or upon the request of any owner, agent or occupant of any building, the public works director shall examine the plumbing in any such building.
- B. Report To Council; Notice To Owner: The public works director shall report his findings to the town council and suggest such changes as may be necessary to make the same conform to existing rules, and the town council shall thereupon notify the owner or agent of any

such building of the changes which are necessary in the water or sewerage plumbing.

- C. **Failure To Comply:** Upon the failure or refusal of such owner or agent to make such changes within the time prescribed by the town council, which must be for a reasonable time, the public works director shall file a complaint with the town council. (Ord. 45, 3-4-2004)

7-2-4: **APPROVAL OF TAPPER:** By and with the consent of the town council, the public works director shall approve a contractor for the town and such other assistants as the council may authorize. He shall be held responsible for the fidelity of his approvals and may remove any person approved by him for any reason that he may deem proper. (Ord. 45, 3-4-2004)

7-2-5: **OUTDOOR PRIVIES:** The use of outdoor privies is prohibited. Porta-pots can be approved by a town official for a temporary service or special event. (Ord. 62, 9-10-2015)

7-2-6: **CONNECTION REQUIRED:** Every person, firm, corporation, and association within the town, if it is possible to do so, shall be required to connect their residence, business or industrial property to the town sewerage disposal system and no septic tank or cesspool shall be operated or maintained within the incorporated limits of the town. (Ord. 45, 3-4-2004)

7-2-7: **PUBLIC POLICY:** For the protection of the welfare, health and safety of the town and for the purpose of providing funds for the repayment of the sewerage loans, including principal and interest, and to provide for the costs of maintenance and operation of the sanitary sewage system of the town, it is hereby declared to be the public policy of the town that the use of its sanitary sewerage system should be regulated and uniform rates and charges provided. (Ord. 45, 3-4-2004)

7-2-8: **ADMINISTRATIVE OFFICERS:**

- A. **Designated:** The public works director, the town clerk and other authorized employees of the town shall be and they are hereby dele-

gated as administrative officers for the purpose of carrying this chapter in effect.

- B. Right Of Entry: Every customer using the sewer system of this town shall permit the public works director or his duly authorized agent, at all hours of the day between seven o'clock (7:00) A.M. and six o'clock (6:00) P.M., to enter his premises for the inspection of sewer drains, pipes and items used in connection with the town sewerage system. (Ord. 45, 3-4-2004; amd. Ord. 79, 6-8-2023)

7-2-9: TAP FEES:

The town of LaGrange, Wyoming shall charge a sewer tap fee for the use of its sanitary sewer system.

- A. The rate schedule for the sewer tap fee for any new connection and/or reconnection shall be set by the LaGrange Town Council on an annual basis prior to the annual budget. The rate schedule policy will be kept in the office of the Town Clerk.
- B. The tap fee shall be paid in full at the time a permit for connection is granted or the fee may be paid in twelve (12) monthly installments with the first installment being paid at the time a permit for connection is granted with each additional payment being made for the next consecutive eleven (11) months.
- C. Connection will be made within twelve (12) months of the initial payment and approval of permit application. Permit will be voided after twelve (12) months without refund of initial payment. A onetime extension for an additional year may be considered by the town council at the cost of ten percent (10%) of the current tap fee. (Ord. 62, 9-10-2015; amd. Ord. 79, 6-8-2023)

7-2-10: STUBS AND SERVICE LINES:

Any town customer contracting for sewer service shall be required to pay the full cost of labor and materials for the installation of the sewer service "stub" from the sewer main to his property line, shall pay the tap fee provided for in section 7-2-9 of this chapter, and shall, of course, be required to pay the regular monthly service charges. (Ord. 45, 3-4-2004)

7-2-11: SERVICE CHARGES:

The town of LaGrange, Wyoming, shall make the following service charges for the use of its sanitary sewage system:

September 2023

- A. **Monthly Minimum Charge:** The monthly minimum charge for sewer service shall be as follows:
1. **Single-Family Dwellings:** Twenty dollars (\$20.00).
 2. **Multi-Family Dwelling per unit on the same hook-up:** Twenty dollars (\$20.00).
 3. **Commercial Property:** Twenty dollars (\$20.00). All over ten thousand (10,000) gallons will be subject to review by the town of LaGrange.
 4. **Mobile Home Park:** Mobile Home park with two (2) or more hookups on one meter will be charged for each filled space (connected or not): Twenty dollars (\$20.00).
 5. **Public School:** The public school shall pay a monthly fee of one hundred five dollars and twenty five cents (\$105.25).
 6. **Frontier School of the Bible:** The average daily occupancy of its dormitories shall be ascertained for the preceding school year. This daily average enrollment figure shall be divided by seven (7), and multiplied by twenty dollars (\$20.00). The resultant number shall be the monthly minimum payable by the bible school for each dormitory. As to buildings other than dormitories, the monthly service charge shall be twenty dollars (\$20.00) per month for each building or apartment. (Ord. 45A-4, 10-10-2013)
- B. **Due Date:** The foregoing charges shall be due and payable, whether the premises are vacant or occupied, on or before the twentieth day of each month for the sewer service for the preceding calendar month. All payments made toward the monthly utility billing of water, sewer and garbage will be applied to the balance incurred for all utilities. Any unpaid balance is a delinquency in payment of all utilities.
- C. **Annual Payment:** If any customer chooses to pay the entire utility service including water, sewer and garbage on an annual basis, a discount fee of two percent (2%) will be given to the customer at time of payment.
- D. **Delinquency:** If any customer fails to pay the monthly minimum charge, when the same is due, under the terms of this section, the town shall have the right to charge a recurring ten percent (10%) service charge on the unpaid balance of the entire bill after the first month of delinquency.

- E. Annual Review: The town council, on an annual basis, shall review the income from its sanitary sewer systems, its bond debt service requirements, its operation and maintenance costs, and if necessary, it may require an increased rate for sanitary sewer usage by the consumers. The rate schedules for sewer service shall be set by the LaGrange Town Council on an annual basis prior to the annual budget. The rate schedule policy will be kept in the office of the Town Clerk.
- F. Disconnection: After the third month of delinquency, the customer's water service to the premises shall be disconnected and no further sewer or water service shall be provided to such customer until all delinquencies have been paid in full.
- G. Resumption Of Service; Civil Action: Prior to the resumption of service, the customer shall pay unto the town a fee which will include all associated disconnection and reconnection costs as stated in the Disconnection; Reconnection Rate Policy. In addition, thereto, the town shall have the right to take civil action as permitted by law. Reconnection fees will be waived if delinquent accounts are paid in full within two (2) business days of disconnection. (Ord. 62, 9-10-2015; amd. Ord. 67, 5-9-2019; Ord. 79, 6-8-2023)

7-2-12: **DAMAGE TO PROPERTY AND EQUIPMENT OF SEWER UTILITY:**

It shall be unlawful for any person to in any way damage any property, equipment or appliance, constituting or being a part of the town sewer utility. (Ord. 45, 3-4-2004)

7-2-13: **TRESPASS, INTERFERENCE, DEPOSIT OF REFUSE:**

It shall be unlawful for any person to trespass upon the property of the town, to tap any sewer main or to make any connection therewith, to deposit any type of refuse in manholes, or in any manner to interfere with the town or the property, equipment, manholes, piping or appliances of the town sewerage system. (Ord. 45, 3-4-2004)

7-2-14: **CONNECTION WITH SEWER LINES OR SEWER MAINS:**

It shall be unlawful for any person to make any connection with or extend any sewer pipeline or sewer equipment or sewer main which forms a part of the sewer

utility of the town except pursuant to and in accordance with the permit required by this chapter. When installed, and until used, the open ends of all sewer services shall be supplied with a tightfitting cap to prevent the escape of sewer gas and the infiltration of water. (Ord. 45, 3-4-2004)

7-2-15: **PERMIT REQUIRED TO CONNECT TO OR OPEN TOWN SEWERS:**

No person shall make any connection to, uncover, or open any town sewer without first obtaining a permit therefor from the town clerk. (Ord. 45, 3-4-2004)

7-2-16: **SEWER PERMIT:**

- A. Application: Any person desiring to make any connection to the sewer utility or any enlargement of any sewer service line shall obtain the sewer permit from the town clerk to be completed and submitted to the town council for approval.
- B. Required Information: All such permits must contain the name and address of the person making the connection or excavation, a description of the property to be connected, the kind and size of the service line, the kind of fixtures to be served, the location of the tap to the town sewer main and the size of the tap.
- C. Fees: No permit shall be issued unless the fees prescribed by the town are tendered when submitting the permit for approval. (Ord. 45, 3-4-2004)

7-2-17: **SEWER SERVICES ON PRIVATE PROPERTY:**

The sewer service line from the property line to the building or structure to be served shall be installed by the property owner at the property owner's expense. (Ord. 45, 3-4-2004)

7-2-18: SEWER SERVICE LINE:**A. Size And Construction Generally:**

1. Size: The normal size of any sewer service line shall be not less than four inches (4") nor more than six inches (6") in diameter inside of the pipe and pipe shall meet the material requirements of ASTM specification D 3034, and thickness requirements of SDR-35. Each joint shall be constructed with a rubber ring inserted into the internal bell end of the pipe. A nontoxic lubricant shall be used to assemble the pipe and fittings. Each length of pipe and all fittings shall contain the following information marked clearly in the exterior of the pipe:

ASTM-D-3034

Manufacturer's name or trademark

Nominal pipe size

PVC cell classification

Type PSM SDR-35

or such pipe and materials as may be approved by the town council. All new service lines, as well as line exposed for alteration or repair, shall have installed a backwater device to prevent the backflow of sewage. (Ord. 62, 9-10-2015)

2. Disconnection: Once service has been established, no sewer user shall be permitted to disconnect his premises unless the dwelling house or commercial building is removed from the lot, in which event, he shall not be permitted to take up that portion of the service line between the main and the property line; but at his expense, the sewer service from the property line to the premises shall be dug up, cut and tightly capped and all of the service line from the main to such cap shall remain in the ground and remain the property of the town.

3. Replacement Of Old Service Lines: New service lines to replace existing services shall not be approved by the town until old service lines are dug up and properly capped. Such cap shall be sufficiently tight to prevent the escaping of sewer gas or the infiltration of water. (Ord. 29A, 12-13-2007)

- B. Fall: All sewer service lines shall be laid with a fall, or grade, so that velocities in the service lines, when flowing full will not be less than two feet (2') per second. Where sufficient total fall is available, the minimum grade or fall of one-fourth inch ($\frac{1}{4}$ ") per foot shall be used.
- C. Depth: All service lines shall be laid at least three feet six inches (3'6") below the established grade.
- D. Excavation And Backfilling: All excavation and backfill in the street or alley shall be in conformity with this chapter and other ordinances of the town. (Ord. 45, 3-4-2004)
- E. Foreign Objects: The inside of every sewer service line connecting with the sewer utility must be left smooth and perfectly clean throughout its entire length, and the ends of all lines not to be immediately used must be securely guarded against the introduction of earth, sand or other foreign materials by watertight cap. (Ord. 62, 9-10-2015)

7-2-19: **CONNECTION WITH SEWER UTILITY:** Each property shall be served by its own sewer service line and no connection shall be made by extending the service from one property to another property. All plumbing fixtures in any building or structure on any land adjoining, abutting or reasonably near any street or alley or other place through which there is a sewer of the sanitary sewer utility of the town shall be connected to the same by the owner of the property upon notice from the public works director, which notice shall be served upon the owner of such property by registered mail to his last known address. (Ord. 45, 3-4-2004)

7-2-20: **CONNECTION OF SANITARY SEWER WITH STORM DRAINS, DOWNPOUTS, STEAM EXHAUSTS:** It shall be unlawful to connect any stormwater drains, downspouts, subsurface drainage systems or steam exhausts or blowoff from a steam boiler to the sanitary sewer system. (Ord. 45, 3-4-2004)

7-2-21: **PROHIBITED DEPOSITS:** The discharge of any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect

on the waters receiving any discharge from the treatment works is hereby prohibited. (Ord. 45, 3-4-2004)

7-2-22: BLOCKAGE:

No person shall throw, deposit or cause or permit to be deposited in any vessel or receptacle connected with the sewer utility any rags, trash, or similar improper material whatsoever which might cause a blockage in the sewer line. The town shall not be responsible for any damage resulting from blockage of a sewer line because of the deposit of improper materials in the system. (Ord. 45, 3-4-2004)

7-2-23: SAND AND GREASE TRAPS:

All filling stations, restaurants, cafeterias, garages and similar places having was or grease racks connected with the sewer utility must have a sand or grease trap of suitable size and construction to be determined by a qualified plumber under the direction of the public works director. Table top units are not allowed. (Ord. 62, 9-10-2015; amd. Ord. 79, 6-8-2023)

7-2-24: DUTY TO MAINTAIN SERVICE LINES AND FIXTURES:

The owner of any property connecting to the town sewer utility shall be responsible for the maintenance of the sewer service line from the property line to the structure to be served and shall keep this line in good condition and, at his expense shall keep all pipes, fixtures and appliances on his property tight and in good working order. (Ord. 45, 3-4-2004)

7-2-25: AGREEMENT TO RULES OF SEWER UTILITY:

No person may be served by the sewer utility unless he agrees to abide by all rules and regulations of the town pertaining to such service. (Ord. 45, 3-4-2004)

7-2-26: FAILURE TO COMPLY WITH RULES:

If any user fails to pay the charges for sewer service when due or fails to comply with the rules and regulations of the town regarding the sewer utility, or uses his service for purposes not authorized, the town may disconnect water service and/or disconnect the sewer service until the sewer user has paid the required charges or is in compliance. (Ord. 45, 3-4-2004)

7-2-27: DRAINAGE SPECIFICATIONS:

The construction, maintenance and control of plumbing, drainage, and ventilation of all buildings in the town shall conform to and comply with the state uniform building code. (Ord. 45, 3-4-2004)

7-2-28: BOOSTER PUMPS, PRESSURE PUMPS AND LIFT STATIONS:

No person, firm or corporation shall attach a booster pump, pressure pump or lift station of any nature whatsoever to the service lines of the town or to any distribution lines upon any premises without prior notice to and written approval from the town. (Ord. 51, 1-8-2009)

7-2-29: FAILURE TO PAY TAP FEE:

- A. Failure To Pay Installment: If a tap fee or hookup fee is payable in installments, as provided for in section 7-2-9 of this chapter, and any person, firm or corporation fails to pay any installment when the same is due, the entire remaining balance of the tap fee or hookup charge shall immediately become due and payable.
- B. Delinquency: In the event that any tap or hookup charge is not paid by the payment date fixed under section 7-2-11 of this chapter, then the delinquent customer shall be liable to the town for the total delinquency together with a penalty of ten percent (10%) of the delinquent charge, and all costs of collection including a reasonable attorney fee incurred. (Ord. 45, 3-4-2004)
- C. Disconnection; Reconnection: Furthermore, in the event any tap or hookup charge levied under section 7-2-9 of this chapter is not paid by the payment date fixed under section 7-2-11 of this chapter, then water service to the premises shall immediately be disconnected and no further service to the premises shall be provided to such customer until all delinquencies shall have been fully paid. Prior to the resumption of service, the customer shall pay a fee to the town which will include all associated disconnection and reconnection costs. (Ord. 62, 9-10-2015)

7-2-30: PENALTY:

Except where the penalty is expressly provided for in one of the preceding sections, any person, firm, corporation, or association violating any provision of this chapter shall, upon conviction, be subject to penalty as provided in section 1-4-1 of this code. (Ord. 45, 3-4-2004; amd. 2011 Code)

September 2023

TITLE 8
BUILDING REGULATIONS

Subject	Chapter
Property Boundary Building Permit	1
Manufactured Homes; Travel Trailers	2



CHAPTER 1

PROPERTY BOUNDARY BUILDING PERMIT

SECTION:

- 8-1-1: Permit Required
- 8-1-2: Application
- 8-1-3: Action On Application
- 8-1-4: Placement Of Permit
- 8-1-5: Stop Work Order And Fines
- 8-1-6: Validity, Suspension Or Revocation Of Permit

8-1-1: **PERMIT REQUIRED:**

Any owner or authorized agent who structure that will result in a change of the structure's horizontal placement on the ground or horizontal extension through the air shall be required to apply for a boundary permit prior to the commencement of work. Structures include buildings, fences, retaining walls and all other items whether permanent or temporary. The intent of this chapter is to ensure that construction or alteration of physical structures does not cause such structures to encroach on town property. (Ord. 50, 1-8-2009; amd. Ord. 80, 6-8-2023)

8-1-2: **APPLICATION:**

To obtain a permit, the applicant shall first file an application therefor, in writing, on a form furnished by the town for that purpose. Such application shall identify the work to be covered by the permit for which application is made; describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed work; be accompanied by construction documents and other information sufficient to determine the scale of the project; and be signed by the applicant or authorized agent. (Ord. 50, 1-8-2009)

8-1-3: **ACTION ON APPLICATION:**

Action on Application: The town council or other appointed individual shall examine or cause to be examined applications for permits and amendments thereto within

September 2023

a reasonable time after filing. If the application and construction documents do not sufficiently indicate that the construction, enlargement, alteration or movement of any structure will not encroach on property belonging to the town, the town shall reject such application, in writing, specifically describing the encroachment, and the project shall not commence until information satisfactory to the town is supplied indicating that the construction, enlargement, alteration or movement of any structure will not encroach on property belonging to the town. Otherwise, the town shall issue a permit for the project as soon as practicable. An application for a permit for any proposed work shall be deemed to have been abandoned one hundred and eighty (180) days after the date of filing, unless such application has been pursued in good faith, in which case the town may grant extension for additional periods not exceeding ninety (90) days each upon written request showing justifiable cause. If for any reason the town public works director cannot define the property line for the purpose of the permit a legal survey will be required at property owners' expense prior to approval of application. (Ord. 50, 1-8-2009; amd. Ord. 80, 6-8-2023)

8-1-4: PLACEMENT OF PERMIT:

The boundary permit or copy shall be kept on the site of the work until the completion of the project. (Ord. 50, 1-8-2009; amd. Ord. 80, 6-8-2023)

8-1-5: STOP WORK ORDER AND FINES:

Stop work orders will be issued if any violation of the permit as applied for is found by the town or appointed official or as a result of complaint from any bona fide citizen of the town or if there is no application on file at time of construction. A misdemeanor fine of up to one hundred dollars (\$100.00) for a first offense and two hundred dollars (\$200.00) until all corrections are made. (Ord. 50, 1-8-2009; amd. Ord. 6-8-2023)

8-1-6: VALIDITY, SUSPENSION OR REVOCATION OF PERMIT:

The issuance of a permit based upon information given in the application shall not prevent the town from suspending or revoking a permit issued under the provisions of this chapter and halting the project itself if at any time said construction, enlargement, or movement of a structure is deemed to be an encroachment upon property belonging to the town. (Ord. 50, 1-8-2009)

CHAPTER 2

MANUFACTURED HOMES; TRAVEL TRAILERS

SECTION:

- 8-2-1: Definitions
- 8-2-2: Restriction On Age Of Manufactured Home
- 8-2-3: Restriction On Use Of Travel Trailers Or Motor Homes

8-2-1: **DEFINITIONS:**

As used in this chapter, the following terms shall have the meanings ascribed to them as follows:

MANUFACTURED HOME:

A structure, transportable in one (1) or more sections, which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. The term "manufactured home" shall include any structure that meets all the requirements of this section, and is certified to have been manufactured in accordance with the U.S. Department of Housing and Urban Development Manufactured Home Construction and Safety Standards. For mobile homes built prior to June 15, 1976, a label certifying compliance to the standard for mobile homes, NFPA 501, in effect at the time of manufacturing is required. For the purpose of these provisions, a mobile home shall be considered a manufactured home.

September 2017

MOTOR HOME: A motorized portable structure designated primarily as a dwelling for travel, recreation and vacation uses.

TRAVEL TRAILER: A nonmotorized, vehicular, portable structure designed primarily as a dwelling for travel, recreation and vacation uses. (Ord. 48, 9-11-2008; amd. Ord. 64, 5-11-2017)

8-2-2: RESTRICTION ON AGE OF MANUFACTURED HOME:

It is hereby established that no manufactured home that is more than twenty (20) years old shall be placed within the corporate limits of the Town, unless the manufactured home is in active transit to another location outside the corporate limits of the Town. (Ord. 48, 9-11-2008; amd. Ord. 81, 6-8-2023)

8-2-3: RESTRICTION ON USE OF TRAVEL TRAILERS OR MOTOR HOMES:

It is hereby established that no travel trailer or motor home shall be placed within the corporate limits of the Town and used as a residence for more than three (3) months within a three hundred sixty five (365) day period. (Ord. 64, 5-11-2017)