

**ORDINANCE NO. 520**

AN ORDINANCE AMENDING ORDINANCE NO. 293, §1.01.115 and repealing ORDINANCE 164, §1.01.110 OF THE MILLS MUNICIPAL CODE PERTAINING TO THE PENALTIES IMPOSED BY THE MUNICIPAL COURT FOR VIOLATIONS OF ORDINANCES OF THE TOWN OF MILLS, WYOMING AND DECLARING AN EMERGENCY

WHEREAS, THE TOWN OF MILLS, WYOMING Ordinances Numbers 1.01.110 and 1.01.115 pertaining to the penalties imposed by the Municipal Court for the Town of Mills, Wyoming, may contain potential ambiguities with respect to the maximum penalties which may be imposed by the Municipal Court for violations of Municipal ordinances and; WHEREAS, these potential ambiguities should immediately be corrected to provide for the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING:

**SECTION 1:**

Ordinance No. 164, §1.01.110 Violations -- Penalty shall be and hereby is repealed.

**SECTION 2:**

Ordinance No. 293, §1.01.115 Penalty upon conviction shall be and hereby is amended to provide as follows:

Upon conviction by the municipal court of a violation of any ordinance of the Town of Mills, the municipal court shall have the power and authority of imposing fines not exceeding ~~two~~ **seven** hundred ~~fifty~~ **fifty** dollars to **which shall be added court costs not to exceed ten dollars.** **Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this code is committed, continued, or permitted by any such person, and he shall be punished accordingly.** Any person having been convicted of violating **Section 9.52.010 of this code pertaining to driving or having actual physical control of a vehicle while under the influence of alcohol or controlled substance shall be punished for such violation by the imposition of a fine in an amount not to exceed seven hundred and fifty dollars (\$750.00) or be sentenced to imprisonment not to exceed six (6) months or both and shall be assessed court costs not to exceed ten dollars.**

SECTION 3:

Pursuant to W.S. §15-1-115(c) for an emergency Ordinance, the requirements relating to public readings and the ten (10) day elapse between introduction and passage may be suspended by the affirmative vote of three-fourths (3/4) of the qualified members of the governing body; and, pursuant to W.S. §15-1-115(d), the passage of an emergency Ordinance requires the affirmative vote of three-fourths (3/4) of the qualified members of the governing body.

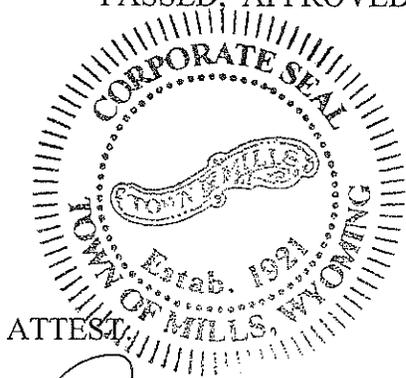
SECTION 4:

Pursuant to W.S. §15-1-105(a)(iii), an emergency Ordinance means an Ordinance operating for the immediate preservation of the public peace, health, safety or welfare, in which the emergency is defined.

SECTION 5:

For the reasons set forth in the preamble of this Ordinance, the Council finds and declares that an emergency exists; that this Ordinance is for the immediate preservation of the public peace, health, safety and welfare, and that it shall be in full force and effect immediately upon its approval.

PASSED, APPROVED, AND ADOPTED this 3 day of, August 2005.



TOWN OF MILLS, WYOMING

By: \_\_\_\_\_

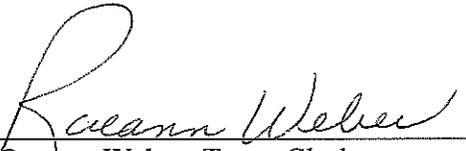
Joe Dill, Mayor

ATTEST

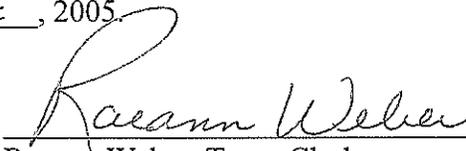
Raeann Weber, Town Clerk

I, Raeann Weber, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of ordinance No. 520, entitled "AN ORDINANCE AMENDING ORDINANCE NO. 1.01.115 and repealing ordinance 1.01.110 OF THE MILLS MUNICIPAL CODE PERTAINING TO THE PENALTIES IMPOSED BY THE MUNICIPAL COURT FOR VIOLATIONS OF ORDINANCES OF THE TOWN OF MILLS, WYOMING AND DECLARING AN EMERGENCY" passed on the 3 day of August, 2005, by

the Town Council of the Town of Mills, Wyoming, at a meeting held by the Council Members on the 3 day of August, 2005.

  
\_\_\_\_\_  
Raeann Weber, Town Clerk

I, the regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming do hereby certify that signed, attested, sealed, and certified copies of this Ordinance No. 520 approved and passed as certified above, and following its passage by the Town Council, was posted in the Town Clerk's Office and at the Mills Post Office for a period of ten (10) days as required by law; that it took effect and became in force as a legal ordinance of the Town of Mills, Wyoming on the 15 day of August, 2005.

  
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Raeann Weber, Town Clerk