

Ordinance No. 617
**AN ORDINANCE AMENDING CHAPTER 09.32 JUNKED, WRECKED VEHICLES
AND OTHER PROPERTY TO ADOPT ORDINANCES 9.32.070 AND 9.32.080
PROHIBITING ABANDONED REFRIGERATORS AND SIMILAR CONTAINERS.**

WHEREAS, abandoned, unattended or discarded iceboxes, refrigerators, freezers and other containers present an attractive nuisance to children and constitute a threat to the health, welfare and safety of children of the town whether located on private or public property that is or may be accessible to children, and

WHEREAS, W.S. §15-1-103 (xix) authorizes the Town to declare and abate nuisances and impose fines upon parties who create, or continue to permit nuisances to exist, and

WHEREAS, W.S. §15-1-103 (xli) authorizes the Town to adopt ordinances, resolutions and regulations necessary for the health, safety and welfare of the Town and to enforce all ordinances by imposing fines not exceeding seven hundred fifty dollars (\$750.00).

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

CHAPTER 9.32

JUNKED, WRECKED VEHICLES AND OTHER PROPERTY

Sections:

9.32.010 Definitions.

9.32.020 Health or fire hazard--Declared nuisance.

9.32.030 Health or fire hazard--Prohibited.

9.32.040 Nuisance--Notice to abate.

9.32.050 Nuisance--Nuisance--Time limit for abatement after receipt of notice--Abatement by town.

9.32.060 Nuisance--Abatement by town when owner unknown--Disposition of unclaimed vehicles and junk.

9.32.070 Abandoned, unattended or discarded iceboxes, refrigerators, freezers and other containers--Declared nuisance.

9.32.080 Abandoned refrigerators and similar containers prohibited.

9.32.010. Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

(1) "Junk" means any iron, glass, paper, rags, cordage, wood machinery parts, cloth or other waste or discarded material of any nature or substance whatsoever or any scrapped or salvaged materials.

(2) "Permitted exceptions" means storage, repair and servicing of vehicles as herein defined, not authorized herein, and the tearing down, stripping or junking of such vehicles shall be permitted only where and when such use is specifically authorized, permitted or licensed under other ordinances of this town and in strict accordance therewith.

(3) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

(4) "Property" means any real property within the town or any town property within or without the corporate limits which is not a street or highway.

(5) "Street or highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic.



NATRONA COUNTY CLERK, WY
Renea Vitto
Jan 10, 2014 11:00:48 AM
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TOWN OF MILLS
Recorded: JF
Fee: \$21.00

(6) "Vehicle" means a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners or slides and transport persons or property or pull machinery and shall include, without limitation, automobiles, trucks, trailers, motorcycles, tractors, buggies, and wagons or any part or portion thereof.

(Code 1966, § 9.32.010; Ord. No. 198, § 1, 1970)

9.32.020. Health or fire hazard; Declared nuisance.

The accumulation or storage of abandoned, wrecked, dismantled, unlicensed or inoperative vehicles or junk on private or public property is found to create a condition tending to reduce the value of private property, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for insects, rodents, skunks and other vermin and to be injurious to the health, safety and general welfare of the public. Therefore, the presence of an abandoned, wrecked, dismantled or inoperative vehicle, or any part or portion thereof, more than one unlicensed vehicle, or junk on private or public property, except as expressly permitted, is declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this chapter.

(Code 1966, § 9.32.020; Ord. No. 429, 1995)

9.32.030. Health or fire hazard--Prohibited.

It is unlawful for any person to leave or permit to remain upon any property, street or alley within the town limits any vehicle or junk which is a health or fire hazard or constitutes a nuisance as defined heretofore in Section 9.32.020.

(Code 1966, § 9.32.030; Ord. No. 198, § 3, 1970)

9.32.040. Notice to abate nuisance.

Whenever the sanitation committee, as created in Section 6.04.010 of this code shall, by majority vote, be of the opinion that any vehicle or junk is a nuisance as defined herein, such committee shall there on cause written notice to be served on the owner of the vehicle or junk, if he can be located, or the person in custody of such vehicle or junk by registered mail or personal service. Such notice shall state that such vehicle or junk is deemed to be a nuisance within the provisions of Section 9.32.020, and shall briefly state the facts which are deemed to make such vehicle or junk a nuisance within the terms of this chapter and further state that such nuisance will be abated within ten days from receipt of such notice.

(Code 1966, § 9.32.040; Ord. No. 198, § 4, 1970)

9.32.050. Nuisance--Time limit for abatement after receipt of notice--Abatement by town.

It shall be the duty of any person receiving the notice herein provided for to comply with the provisions of the notice and to abate such nuisance within ten days after the date of the receipt of such notice, and if such person fails or refuses to abate such nuisance within ten days from receipt of such notice, such failure is unlawful and constitutes a misdemeanor, and such vehicle or junk shall be removed at the direction of the town mayor or his duly authorized representative at the expense of the owner or person in charge thereof, and shall be deposited at a location deemed just and proper to the sanitation committee.

(Code 1966, § 9.32.050; Ord. No. 198, § 5, 1970)

9.32.060. Nuisance abatement by town when owner unknown; disposition of unclaimed vehicles and junk.

When the owner of a vehicle or junk which, in the opinion of a majority of the sanitation committee, constitutes a nuisance cannot be located by reasonable search, the notice specified above in Section 9.32.040 shall be attached to the vehicle or junk by the sanitation committee or its duly authorized representative. If such vehicle or junk is not

removed within ten days of such notice, such vehicle or junk is hereby declared to be abandoned property, and the town mayor or his duly authorized representative shall remove or cause to be removed such vehicle or junk to a suitable town storage area as designated by the town mayor. Such vehicles or junk shall be stored for a period of at least thirty days, and the owner thereof shall be entitled to redeem the same by payment to the town of actual costs for its removal and reasonable storage, and in the event that such vehicle or junk is unclaimed, the town mayor shall dispose of it in the manner provided by the law.

(Code 1966, § 9.32.060; Ord. No. 198, § 6, 1970)

9.32.070. Abandoned, unattended or discarded iceboxes, refrigerators, freezers and other containers – Declared nuisance.

Abandoned, unattended or discarded iceboxes, refrigerators, freezers and other containers whether located on private or public property that is or may be accessible to children a constitute an attractive nuisance to children and threat to the health, welfare, and safety of the children of the town and are declared to be a nuisance.

9.32.080 Abandoned refrigerators and similar containers prohibited.

It is unlawful for any person to abandon, discard, store or permit to remain on premises under the persons control any abandoned, unattended or discarded icebox, refrigerator, freezer or any other container of any kind which has an airtight or semi-airtight door, lid or lock which may not be released from the inside of the container without rendering such container harmless by removing such hinges, latches or other hardware which may cause a person to be confined therein. Any person in violation of this section shall be guilty of a misdemeanor and upon conviction may be fined up to seven hundred fifty dollars (\$750.00) for each day such violation occurs.

EFFECTIVE DATE

This Ordinance shall be in full force and effect ten (10) days following its passage and approval on third and final reading.

REPEAL OF CONFLICTING ORDINANCES

All existing Ordinances or parts of Ordinances of the Town of Mills are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

SEVERABILITY OF PROVISIONS

It is the intention of the Council that each separate provision of this Ordinance be deemed independent of all other provisions, and it is further the intention of the Council that if any provisions of this Ordinance be declared invalid for any reason that all other provisions hereof shall remain valid and enforceable.

PASSED ON FIRST READING the 4 day of Dec, 2013
PASSED ON SECOND READING the 13 day of Dec., 2013
PASSED, APPROVED, AND ADOPTED ON THIRD AND FINAL READING the
8 day of Jan., 2014

TOWN OF MILLS, WYOMING
A Municipal corporation,

By: Marrolyce Wilson
Marrolyce Wilson, Mayor

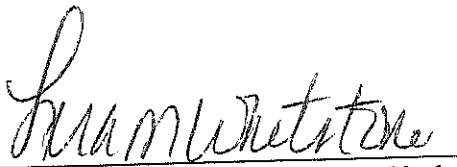
ATTEST: _____
Lisa Whetstone
Deputy Town Clerk

I, Lisa Whetstone, Deputy Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No.617, entitled "**AN ORDINANCE AMENDING CHAPTER 09.32 JUNKED, WRECKED VEHICLES AND OTHER PROPERTY TO ADOPT ORDINANCES 9.32.070 AND 9.32.080 PROHIBITING ABANDONED REFRIGERATORS AND SIMILAR CONTAINERS**" passed on third and Final Reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held by the Council Members on the 8 day of Jan, 2014.



Lisa Whetstone,
Deputy Town Clerk

I, the regularly appointed, duly qualified and Deputy Town Clerk of the Town of Mills, Wyoming do hereby certify that signed, attested, sealed, and certified copies of this Ordinance No.617 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 8 day of Jan, 2014.



Lisa Whetstone, Deputy Town Clerk

