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NATRONA COUNTY CLERK, WY  
Renea Vitto Recorded: MN  
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TOWN OF MILLS

Ordinance No. 619

**AN ORDINANCE AMENDING CHAPTER 05.04 BUSINESS LICENSES**

WHEREAS, The Town of Mills desires to protect the health and welfare of citizens of the Town and requires all businesses operating in the Town to acquire a business license and pay the annual license fee, and

WHEREAS, W.S. §15-1-103 (xii) authorizes the Town to regulate and license, tax and regulate any business whatsoever conducted or trafficked in within the limits of the Town, 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 5.04 BUSINESS LICENSES AND REGULATIONS of the Mills Municipal Code shall be and hereby is amended as follows:

Chapter 5.04

BUSINESS LICENSES AND REGULATIONS

**State law reference**—Authority to license, tax and regulate any business carried on within the limits of the town, W.S. 15-1-103(xiii); certain licenses within town collected by county, W.S. 33-1-106.

BUSINESS LICENSES

Sections:

- 5.04.010 Definitions.
- 5.04.020 Public utilities to obtain franchise--Tax.
- 5.04.030 No formal demand for payment necessary--Penalty no exemption.
- 5.04.040 Public utilities--Fee.
- 5.04.050 Businesses to be licensed.
- 5.04.060 Application--Form--Posting.
- 5.04.070 Multiple businesses.
- 5.04.080 Farm produce--Dairy and bakery goods.
- 5.04.090 Professional offices.
- 5.04.100 Nonprofessional services.
- 5.04.110 Waive of fee--Authority.
- 5.04.120 Prohibited businesses.

- 5.04.130 Itinerant peddling.
- 5.04.140 License fee schedule.
- 5.04.150 Penalty for violation.

#### **5.04.010. Definitions.**

For the purpose of this chapter, the following words and phrases shall have the meaning ascribed to each in this section and shall not be otherwise construed, unless a different meaning is clearly indicated by the context:

(1) "Person" means and includes any natural person, partnership, firm, corporation, or other association of persons established for the purpose of doing business as a unit, their heirs, assignees, lessees, trustees, or receivers, appointed by any court whatsoever, in the plural number as well as the singular;

(2) "Operator" means and includes any person who shall operate or conduct or control the operation, by ownership or lease, of any business whatsoever;

(3) "Conducting a business" or "operating a business" means and includes the operation, carrying on, or the control as aforementioned, of any business in the process of which, or by means of which, any goods, wares, merchandise, or any service of any kind or nature whatsoever are/or is dispensed or offered for sale to the public or are sold; and the advertising for sale of any such goods, wares, merchandise, or service shall be deemed sufficient evidence of the existence of such business operation, whether the advertising be by means of newspaper publication, sign, handbills, or any other, and any person making house to house contacts, without previous invitation to call, for the purpose of selling or offering goods or service for sale, or for future delivery, shall be deemed included in this definition. **The terms "conducting a business" or "operating a business" shall also include any activities occurring within the Town which are reasonably connected with the offering of goods and or services whether or not any such goods or services shall be offered for sale or made available within the Town.**

(Code 1966, § 5.04.010; Ord. No. 92, § 1, 1951)

#### **5.04.020. Public utilities to obtain franchise tax.**

All public utility companies, as defined in Section ~~64-101 of the Compiled Statutes of Wyoming (1945)~~ **W.S. §37-1-101**, operating or desiring to operate or conduct their business within the town, shall apply to the council of the town for a franchise under which to so operate. Each public utility company shall comply in all respects with the conditions of the franchise, and with the laws of the state of Wyoming and

United States, with regard to such operation. The franchise is to be granted for such period of time and subject to such conditions, in addition to the laws of the state, as the council may deem suitable and proper. Each public utility company shall pay annually to the town, a tax as provided in Section 5.04.040, the tax to be due and payable at the office of the town treasurer of the town, upon the fifth day of June, in each and every calendar year, and to become and be considered delinquent if not paid within thirty days following the date in each and every year, no notice or formal demand for payment of the tax being necessary.  
(Code 1966, § 5.04.020; Ord. No. 92, § 2, 1951)

**5.04.030. No formal demand for payment necessary; penalty no exemption.**

No public utility company, or operator of any business within the town, shall have or be entitled to any exemption from penalty under the terms of this chapter because of the absence of any written notice or other formal demand for payment of the taxes or license fees provided in Section 5.04.040. Payment of penalty, upon conviction of any violation hereunder, shall not excuse or exempt any public utility company, or the operator of any business as aforesaid, from payment of the tax or license fee.

(Code 1966, § 5.04.030; Ord. No. 92, § 3, 1951)

**5.04.040. Public utilities; Fee.**

Any person who shall maintain and operate within the town any plant or system for the generation, transmission and/or distribution and sale to the public of electrical energy for light, heat or power; any system for the distribution and sale of natural or artificial gas for light, heat or power; or any plant, property or facility for the communication of messages for hire or charge, or by means of which telephone messages and communications are received and transmitted to and for hire by the public, shall pay to the town, an annual tax due as established in Section 5.04.020, in the sum of one hundred fifty dollars.

(Code 1966, § 5.04.040; Ord. No. 92, § 4, 1951)

**5.04.050. Businesses to be licensed.**

Except as herein and otherwise provided and established by ordinance, any person operating or desiring to operate within the town any merchandising establishment or any other establishment wherein, whereby, or by means of which goods, wares, merchandise or service of any kind or nature whatsoever are, or is, dispensed or offered for sale to the public, or is sold, and any person who shall sell, or offer for sale to the public any goods, wares, merchandise, or any service of any kind or nature whatsoever, or who shall solicit or take orders for future delivery of the

same, shall apply to the town council, or to such qualified officer of the town as the council may designate for a license under which each such business may be conducted, and shall pay for the license a fee as provided. Establishments and operations, of all such businesses shall be at all times subject to inspection by any legally authorized officer of the town, or by a person employed by the town to make such inspection.

Operators of all businesses licensed hereunder are required to comply with all legal orders of the inspecting officer with regard to sanitation, safety, health and compliance with the provisions of this code. Any person who shall operate, or engage in any business whatsoever within the town, without obtaining a license for such operation as required, after ten days following the expiration of any license issued hereunder, shall be deemed a violator under the terms of this section and shall be fined as provided in Section 5.04.150 of this chapter. Each ~~five~~ additional days that such business is continued in operation without the required license, shall constitute a separate offense.

(Code 1966, § 5.04.050; Ord. No. 92, § 5, 1951)

#### **5.04.060. Application form; posting.**

Every person desiring to procure a license to engage in any business within the town, shall fill out, sign and file with the town clerk a petition or application for a license, which shall state:

- (1) The name of the person or persons desiring a license, and in the case of an association of persons, as a company, firm or corporation, the name of the person authorized to act for the association locally shall be added, together with the official title of the person;
- (2) The place where the business is to be carried on;
- (3) The name of the business in which the applicant wishes to engage;
- (4) The place of residence of the applicant, or in the case of an association of persons as aforesaid, the place of residence of the authorized agent thereof;
- (5) And other additional information as may be pertinent. Except as herein and otherwise specifically provided and established by ordinance, the town clerk shall place all applications before the council at the next following regular meeting, and in all cases

shall at the foot of each application, affix his certificate stating that the license was, or was not, granted. Except as otherwise provided, all licenses issued hereunder shall be for a period of one year from date, and shall be at all times subject to revocation by the council for any violation by the licensee of any legal ordinance of the town, no rebate or any portion of the license fee to be returned to the licensee in the case of revocation; nor shall the license fee, or any part or portion thereof be returnable to any licensee under any circumstances. **All license fees are due on or before the date of issuance or renewal. Any license fee paid after issuance date for the purpose of renewal shall be doubled.** All licenses issued hereunder shall be nontransferable, and not subject to either transfer or assignment of ownership for any cause. No business licensed hereunder shall be carried on at any location other than the one specified in the license, except by resolution of the council, granting the change of location, excepting of course those businesses which are not conducted from any established location within the town. All licenses issued hereunder shall be posted conspicuously in the place of business for which issued, subject to inspection by any officer of the town at any reasonable hour, and shall be in substantially the following form:

#### TOWN LICENSE

In consideration of the sum of (Amount of License Fee).

AUTHORITY IS HEREBY GRANTED BY THE TOWN OF MILLS

To (Name of licensee, or his agent), to maintain and operate a (Type of business) business, at (Location), within the Town of Mills, Natrona County, Wyoming, for a period of time beginning \_\_\_\_\_, 20\_\_\_\_ and ending \_\_\_\_\_, 20\_\_\_\_\_.

In witness whereof, I, the undersigned, Mayor of the Town of Mills, have hereunto subscribed by signature and caused the Seal of the Town of Mills to be affixed, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(Signature) \_\_\_\_\_  
Mayor

(Attest) \_\_\_\_\_  
Town Clerk

(Seal)  
(Code 1966, § 5.04.060; Ord. No. 92, § 6, 1951)

#### **5.04.070. Multiple businesses.**

Any person conducting more than one business at one location shall pay and be required to pay an annual license tax in full for the operation of his principle business, if one branch of his operation may be so designated, and if not, then for

whichever branch of his operation the council may designate, and shall pay and be required to pay one-half of the regularly established annual license tax for each additional taxable business operation carried on by one person. In the case of any business operated and carried on at more than one location by any one person, each location shall be regarded as a separate business establishment, and shall be so licensed, unless the extra establishment is maintained for the purpose of preparing goods or service for dispensation at the licensed location and can clearly be identified as an auxiliary thereto and not separate. Certain licenses issued hereunder shall include the right and privilege to carry on certain secondary businesses, and offer for sale and sell certain additional merchandise not specifically named in the license nor in the application therefor, as follows:

- (1) A grocery store license shall include the right to dispense and sell ice cream, bakery goods, soft drinks, milk, tobacco and tobacco products, magazines and periodicals, and all other special lines of wares commonly dispensed by grocers; and the annual fee for such license shall be twenty-five dollars;
- (2) A drugstore license shall entitle the holder thereof to dispense and sell soft drinks, ice cream, tobacco and tobacco products, magazines and periodicals, soda fountain service, and all other special lines of goods and service commonly dispensed by drugstores; such license to be twenty-five dollars;
- (3) A license for operation of a cleaning and pressing shop shall include the right to operate a laundry in connection with such shop, the annual fee for such license shall be twenty-five dollars;
- (4) A license for construction contracting operations shall apply to road, bridge, building, or other construction by contract, and to cement, plaster, paint or other work done on a contract or subcontract basis, and the fee for such license shall be twenty-five dollars;
- (5) A license for a building block and/or gravel business shall apply to all dredgers, washers and/or distributors of sand or gravel and to manufacturers, cutters, and/or distributors of brick, stone, and/or building blocks; and the fee shall be twenty-five dollars;
- (6) An automotive repair shop license shall include the right to repair and/or sell repair parts for the separate parts of an automobile, body, top, fender, radiator, upholstery, paint, battery, electric or other, any one, or all, of same, and such fee shall be twenty-five dollars;

(7) And the license for operation of a sales pavilion shall include the right to sell livestock, farm implements, and other similar merchandise and the right to operate a lunch counter, conduct stock shows and/or other exhibitions commonly a part of sales pavilion operation; and the fee for this license shall be twenty-five dollars.  
(Code 1966, § 5.04.070; Ord. No. 92, § 7, 1951)

**5.04.080. Farm produce; dairy and bakery goods.**

The tax fee for peddlers of farm produce (for persons residing within Natrona County, and selling or delivering for sale wares actually produced within the area) shall be one dollar per year. Businesses which manufacture produce and/or distribute merchandise for food, such as ice, ice cream, bakery goods, confections, milk and other dairy products, shall pay an annual tax of ten dollars.  
(Code 1966, § 5.04.080; Ord. No. 92, § 8, 1951)

**5.04.090. Professional offices.**

Any person who shall maintain an office within the town, keeping such office open during regular hours for the reception of members of the public as clients, patients, or other seekers of professional services, or who shall at any one establishment regularly dispense such professional services, shall pay an annual license tax in the sum of twenty-five dollars. This classification shall be deemed to include all physicians, and/or surgeons, chiropodists, chiropractors, osteopaths, dentists, dental hygienists, oculists, optometrists, veterinarians, manufacturers and or distributors of proprietor medicine (not a licensed pharmacist not working in connection with a drugstore), public accountants, architects, attorneys, assayers, independent chemists, dental laboratory technicians, independent geologists, independent engineers (civil, mechanical, electrical, or operating), and all other persons regularly performing, or offering to perform professional service for the public.  
(Code 1966, § 5.04.090; Ord. No. 92, § 9, 1951)

**5.04.100. Nonprofessional services.**

Any person who shall dispense nonprofessional services to members of the public, within the town, or who shall advertise an offer of such service, whether the advertising be by means of newspaper, publication, sign, handbills, or any other, shall pay an annual license tax of ten dollars. This classification shall include all: bookkeepers, gunsmiths, locksmiths, stenographers, or multigraphers, sign painters, piano tuners and repairers, tree trimmers, auctioneers, photographers, sewing machine repairmen, watch or clock repairmen, radio repairers, harness or

saddle makers, cabinet makers, automobile repairers, welders, tailors (not working in connection with a clothing store) and all others who shall offer or dispense similar nonprofessional service to the public; provided that any person employing others, not members of his immediate family, for the purpose of performing such service for the public, and dispensing service from a regularly established place of business, shall pay an additional license tax in the sum of fifteen dollars, or a total annual tax of twenty-five dollars.

(Code 1966, § 5.04.100; Ord. No. 92, § 10, 1951)

#### **5.04.110. Waive of fee authority.**

The council shall have authority to waive any license tax, or to require a tax of no more than one dollar per year, in the case of any business whatsoever carried on by an individual judged to be incapable of paying the regularly established tax, or in such small volume that such tax would be obviously unjust. Incapacity to pay may be by reason of advanced age, infirmity, or physical handicap.

(Code 1966, § 5.04.110; Ord. No. 92, § 11, 1951)

#### **5.04.120. Prohibited businesses.**

Automobile wrecking yards, junkyards, slaughterhouses, butane and propane manufacturers and/or distributing concerns and all other businesses whereby or by means of which a condition dangerous to health or property, or any accumulation of junk or other unsightly and offensive matter is scattered over any considerable area of the premises, or whereby or by reason of which any offensive odor, or other generally offensive condition or any condition detrimental to, or likely to detract from the value or sight lines of adjacent property, is regularly created, are hereby declared to be public nuisances, as provided in Section 9.08.010, and no such business shall be licensed or permitted to be established within the corporate limits of the town, nor within one mile of such limits.

(Code 1966, § 5.04.120; Ord. No. 92, § 12, 1951)

**State law reference**—Junk dealers, W.S. §33-18-101 et seq.; junkyard control, W.S. 33-19-101 et seq.

#### **5.04.130. Itinerant peddling.**

The license tax fee for itinerant peddlers, not resident within Natrona County, nor representing firms established within the area, shall be ~~ten~~ **twenty** dollars per year. In the case of such peddlers operating within the town for a period of no more than a day or two, the town clerk shall have authority to issue a license therefor, at the rate of two dollars per day.



Peddlers, or door to door salesmen, representing firms established in Natrona County, shall pay an annual license tax fee of ~~ten~~ **twenty** dollars.

(Code 1966, § 5.04.130; Ord. No. 92, § 13, 1951)

**5.04.140. License fee schedule.**

The license tax established and required to be paid annually for the conduct of all other types of business, not herein or elsewhere provided by ordinance, shall be as follows:

- ~~Acetylene or oxygen manufacturers, dealers and/or distributors...\$25.00~~
- ~~Auto courts or motels...50.00~~
- ~~Automobile repair shop<sup>1</sup>(See section seven)~~
- ~~Apartment house (offering three or more apartments for rent...10.00~~
- ~~Automobile accessory or equipment dealer...25.00~~
- ~~Barbershop...10.00~~
- ~~Beauty shop...10.00~~
- ~~Bath house...10.00~~
- ~~Beauty school...10.00~~
- ~~Boarding house (accommodating five or more boarders)...10.00~~
- ~~Boat manufacturer or agency...25.00~~
- ~~Building block or brick dealer (See Section seven)~~
- ~~Bottlers and/or manufacturer of soft drinks or bottled water...25.00~~
- ~~Brewers, bottlers and or wholesale distributors of malt beverages...50.00~~
- ~~Blacksmith shop...25.00~~
- ~~Bank...25.00~~
- ~~Café, coffee shop or cafeteria...\$25.00~~

~~Construction contractors (See Section seven)~~

~~Collection or credit agency...25.00~~

~~Gold storage locker plant...25.00~~

~~Cleaning and pressing (See section seven)~~

~~Dance hall...25.00~~

~~Dairy or Creamery (section Eight hereof shall not be construed as applying to regularly established dairy or creamery businesses, but so far as such section concerns those businesses, it shall apply only to the distributing route thereof)...25.00~~

~~Drugstore (see section seven)~~

~~<sup>2</sup>Electrical contractor...25.00~~

~~Furniture upholstery shop...25.00~~

~~Gravel (See Section seven)~~

~~Grocery (See Section seven)~~

~~Greenhouse and/or nursery...25.00~~

~~Hat cleaning, shoe shining and/or repairing...25.00~~

~~Hotel--Offering three to five rooms for rent...10.00~~

~~-----Offering more than five rooms for rent...25.00~~

~~Insurance agency...25.00~~

~~Lumber dealer...25.00~~

~~Laundry...25.00~~

~~Mattress manufacturer...25.00~~

~~Machine shop...25.00~~

~~Motor vehicle agency (new or used)...25.00~~

~~Neon sign manufacturing, assembling or installing...25.00~~

~~Nursing or convalescent home...10.00~~

~~Newspaper publishers or printers...25.00~~

~~News stand...5.00~~

~~Oil and gas well drilling contractors...50.00~~

~~Oil and gas well supply and equipment dealers...50.00~~

~~Printing plant or shop...25.00~~

~~Plumbing contractors...25.00~~

~~Private hospital...25.00~~

~~Real estate agency...25.00~~

~~Road machinery and equipment dealers...50.00~~

~~Radio broadcasting station...25.00~~

~~Restaurant, lunch counter, hotel dining room...25.00~~

~~Sheet metal shop...25.00~~

~~Sales pavilion (See Section seven)~~

~~Storage garage or warehouse...25.00~~

~~Truck freight business...25.00~~

~~Tire vulcanizing and retreading (Section 5.04.070(6) shall not be construed as applying to this type of business)...25.00~~

~~Trailer agency or dealer...25.00~~

~~Tractor or farm equipment dealer or agency...\$25.00~~

~~Taxidermist...25.00~~

~~Tank manufacturers...25.00~~

~~Tombstone cutters...25.00~~

~~Undertaking parlor or funeral home...25.00~~

~~Wool, pelt and hide dealers...25.00~~

~~Water softening service...10.00~~

~~Miscellaneous business license, not otherwise specifically provided...25.00~~

**Tier 1 - \$115**

**Mining**

**Utilities**

**Construction**

**Manufacturing**

**Transportation and Warehousing**

**Arts, Entertainment and Recreation**

**Accommodation and Food Service**

**Finance and Insurance**

**Real Estate Rental and Leasing**

**Tier 2 - \$90**

**Wholesale Trade and Retail Trade**

**Professional, Scientific and Technical Services**

**Health Care and Social Assistance**

**Tier 3 - \$75**

**Agriculture and Forestry, Fishing and Hunting**

**Information**

**Management of Companies and Enterprises**

**Administrative and Support and Waste Management and Remediation Services**

**Educational Services**

**Tier 4 - \$60**

**All other businesses**

**Any business that falls into multiple tiers shall be licensed at the lowest numbered tier that it falls into.**

(Code 1966, § 5.04.140; Ord. No. 92, § 14, 1951)

**5.04.150. Penalty for violation.**

Any person convicted of violating any section or provision of this chapter is guilty of a misdemeanor and shall be punished as provided in Section 1.01.115.

(Code 1966, § 5.04.150; Ord. No. 92, § 15, 1951; Ord. No. 222, § 2(part), 1973)

**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 12 day of Feb, 2014

PASSED ON SECOND READING the 26 day of Feb, 2014

PASSED, APPROVED, AND ADOPTED ON THIRD AND FINAL READING the

12 day of March, 2014

**TOWN OF MILLS, WYOMING**

**A Municipal corporation,**

By: Marrolyce Wilson

Marrolyce Wilson, Mayor

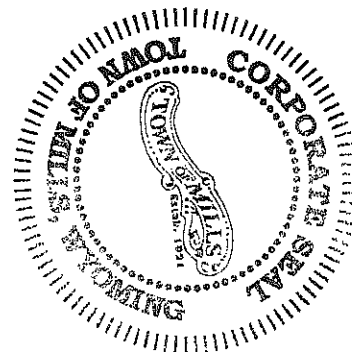
ATTEST: Lisa Whetstone

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.619, "**AN ORDINANCE AMENDING CHAPTER 05.04 BUSINESS LICENSES**", at a regular meeting held by the Council Members on the 22 day of March, 2014.

Lisa Whetstone

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.619 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 22 day of March 2014.



Lisa Whetstone, Deputy Town Clerk

## Lynn Stricklin

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**From:** Matt Weatherly <mweatherly@compensationconsulting.com>  
**Sent:** Monday, November 10, 2014 10:29 AM  
**To:** Lynn Stricklin  
**Subject:** Possible Study - Public Sector Personnel Consultants

Let me know if our emails like each other!

Regards,  
Matt Weatherly, President  
Public Sector Personnel Consultants  
888.522.7772  
[www.compensationconsulting.com](http://www.compensationconsulting.com)



This email is free from viruses and malware because avast! Antivirus protection is active.