

ORDINANCE NUMBER SIXTY-SEVEN

AN ORDINANCE LEVYING A LICENSE TAX, FOR THE PURPOSE OF RAISING REVENUE, UPON THE BUSINESS OF ALL PUBLIC UTILITIES (AS DEFINED IN THE STATUTES OF THE STATE OF WYOMING, SEC. 94-101) OPERATING WITHIN THE TOWN OF MILLS, AND UPON THE BUSINESS OF ALL PERSONS MAINTAINING, OPERATING AND/OR CARRYING ON ANY BUSINESS WHATSOEVER, EXCEPTING ONLY RETAIL LIQUOR BUSINESSES, WITHIN THE SAID TOWN; PROVIDING FOR THE REGULATION OF AND FOR THE GRANTING OF FRANCHISES AND LICENSES TO SUCH UTILITIES AND OPERATORS OF SUCH BUSINESSES; SETTING A PENALTY FOR VIOLATORS HEREBUNDER; REPEALING ORDINANCES NUMBER SIX, EIGHT, NINE, FOURTEEN, NINETEEN, TWENTY-TWO, TWENTY-FOUR, THIRTY-EIGHT, THIRTY-NINE, FORTY-ONE, FORTY-FIVE A AND FORTY-SEVEN, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS HEREIN CONTAINED.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLS, WYOMING:

SECTION I. --DEFINITION OF TERMS. That the word "person" as employed for the purposes of this ordinance shall mean and include individual persons, associations of persons, firms, partnerships, companies, corporations, their lessees, trustees, or receivers appointed by any court whatsoever, in the singular number, as well as in the plural.

That the word "operator" as employed for the purpose of this ordinance shall mean and include any person, or persons, who shall operate or conduct, or control the operation, by ownership or lease, of any business as hereinafter designated.

SECTION 2. -- PUBLIC UTILITIES TO OBTAIN FRANCHISE FOR OPERATION, PAY TAX.

That all public utilities, as defined in Sec. 94-101 W.R.S. (1931), operating or desiring to operate within the town of Mills, shall be required to apply to the town council of the said town for a franchise for such operation and to comply in all respects with the laws of the state of Wyoming with regard to such operation, said franchise to be granted for such period of time and subject to such conditions, in addition to the said state law, as the said council may deem suitable and proper. And each such public utility shall pay annually to the said town of Mills a tax as hereinafter provided, the said tax to be due and payable at the office of the town treasurer of the said town, upon the 5th day of June, in each and every year, and to become and be considered delinquent if not paid within 30 days following the said date in each and every calendar year, no notice or formal demand for payment of the said tax being necessary.

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SECTION 3. -- NO FORMAL DEMAND FOR PAYMENT NECESSARY, PENALTY NO EXEMPTION.

That no public utility or operator of any business shall have or be entitled to any exemption from penalty under the terms of this ordinance because of the absence of any written notice or other formal demand for payment of the taxes and/or license fees herein provided. And that payment of penalty upon conviction of any violation hereunder shall not excuse or exempt any public utility or operator of any business from payment of the said tax or license fee.

SECTION 4. --- TAX FEE FOR DISTRIBUTION AND SALE OF ELECTRICITY. That any person who shall maintain and operate within the town of Mills any plant or system for the generation, transmission and/or distribution and sale to the public of electrical energy for light, heat or power, shall pay to the said town of Mills an annual tax in the sum of one hundred dollars (\$100.00)

SECTION 5. -- TAX FEE FOR DISTRIBUTION AND SALE OF NATURAL OR ARTIFICIAL GAS. That any person who shall maintain and/or operate within the town of Mills any system for the distribution and sale of natural or artificial gas for light, heat or power, for sale to the public, shall pay to the said town of Mills an annual tax in the sum of one hundred dollars (\$100.00)

SECTION 6. -- TAX FEE FOR OPERATION OF A TELEPHONE SYSTEM. That any person who shall maintain and operate within the town of Mills 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 said town of Mills an annual tax in the sum of one hundred dollars (\$100.00).

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SECTION 7. -- TAX FEE FOR OMNIBUS AND TAXICAB COMPANIES. That all persons who shall operate within the town of Mills any omnibus or taxicab service or any vehicle or vehicles by means of which persons are transported for charge or hire, or who shall offer such service to the public, shall pay to the said town of Mills an annual tax in the sum hereinafter provided as follows, to-wit: taxicab companies, one vehicle ten dollars (\$10.00), each additional vehicle five dollars (\$5.00); omnibus companies fifteen dollars (\$15.00)

SECTION 8. -- ALL BUSINESSES TO BE LICENSED. That, except as otherwise provided and established by ordinance, any person operating or desiring to operate within the town of Mills any merchandising establishment or any other establishment wherein, whereby, or by means of which goods, wares, merchandise and/or service of any kind or nature whatsoever is/are dispensed or offered for sale to the public or is/are sold; or any person who shall offer for sale, or sell, within the said town any produce, merchandise or goods, or any service whatsoever; or who shall solicit orders for future delivery of any merchandise or service, shall apply to the town council of the said town or to such officer as the said council may designate, for a license under which each such business may be conducted and shall pay for such license a fee as hereinafter provided. That establishments of all such businesses shall be at all times subject to inspection by any legally designated officer of the town of Mills or by a person employed by the said town to make such inspection. And that operators of all businesses are hereby required to comply with all reasonable and legal orders of the said inspecting officer with regard to sanitation and/or safety. And that any person who shall operate any business whatsoever, as hereinbefore specified, within the town of Mills, without obtaining a license for such operation as herein required, after 20 days following the date upon which this ordinance shall become effective, or after 10 days following the expiration of any license

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SECTION 8. -- ALL BUSINESSES TO BE LICENSED/. (Cont)

issued hereunder shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not less than one dollar (\$1.00) and not more than ten dollars (\$10.00), for ~~any~~ each and every ten days such operation is continued following either of the dates hereinbefore specified.

SECTION 9. --- APPLICATION, FORM AND NATURE OF LICENSE. That every person

desiring to procure a license to engage in any business as herein provided shall fill out, sign and deposit with the Town Clerk a petition or application for such license, which shall state: 1. The name of the person or persons desiring such license or, in the case of a corporation, the name of the president thereof; 2. The business in which the applicant wishes to engage; 3. The place where such business is to be carried on; 4. The place of residence of such applicant or applicants; 5. And such other information as may be pertinent. That the said Town Clerk shall place all such applications before the town council at its next following regular meeting and shall, at the foot of each such application, affix his certificate stating that the license was, or was not, granted. That, except for trailer houses and itinerent selling which may be licensed for such period of time as requested, at such rate per day or per month as hereinafter provided, all licenses issued hereunder shall be for a period of one year and shall be at all times subject to revocation by the town council for any violation by the licensee of any legal ordinance of the town of Mills, no rebate or any portion of the license fee to be returned to the said licensee in the case of such revocation. And that all such licenses shall be non-transferable, shall be posted conspicuously in the place of business for which issued, subject to inspection by any officer of the town of Mills at any reasonable hour, and shall be in substantially the following form:

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SECTION 9. -- APPLICATION , FORM AND NATURE OF LICENSE. (Cont.)

TOWN LICENSE

In consideration of the sum of _____ (Amt. of license fee) _____,

AUTHORITY IS HEREBY GIVEN BY THE TOWN OF MILLS

To _____ (Name of licensee) _____, 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 _____, 19 _____, and ending _____, 19 _____.

In witness whereof, I _____, Mayor of the Town of Mills, have hereunto subscribed my signature and caused the Seal of the Town of Mills to be affixed, this _____ day of _____, 19 _____.

(Seal)

(Signature) _____ Mayor

(Attest) _____ Town Clerk

SECTION 10. ----ESTABLISHING FEES FOR LICENSES ISSUED HEREBUNDER. That fees for licenses of all businesses within the town of Mills not hereinbefore or otherwise provided by ordinance, shall be as herein specified and established as follows, to-wit: Grocery business(including dispensation of meats, dairy products, tobacco and tobacco products, soft drinks and other merchandise commonly offered for sale at such establishments) ten dollars; Drug store (including fountain service, lunch and soft drinks) ten dollars; Soft drink and lunch curb service dispensary, ten dollars; Public dining room, ten dollars; Lunch counter, ten dollars; Bakery, ten dollars; Dairy, ten dollars; Automobile wrecking yard, twenty-five dollars; Junk yard, twenty-five dollars; Used furniture store, ten dollars; Used car lot, ten dollars; Machine shop, twenty-five dollars; Drilling contractors (transportation dept.) fifteen dollars; Automobile repair shop, ten dollars; Gasoline filling station or service station, five dollars;

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SECTION IO. --- ESTABLISHING FEES FOR LICENSES ISSUED HEREUNDER. (Cont.)

Sales pavilion (including sale of livestock, used furniture, farm implements, cars, and other merchandise, and operation of lunch counter, barn dance, stock show and other enterprises and/or exhibitions commonly a part of Sales pavilion operation) twenty dollars; Beauty parlor, ten dollars; Barber shop, ten dollars; Hotel or rooming house (offering more than five rooms for rent) ten dollars; Apartment house (offering more than five apartments for rent) ten dollars; Pool hall, fifteen dollars; Dance hall, ten dollars; Skating rink, fifteen dollars; Motion picture theater, twenty-five dollars; Trailer house (after first ~~xxx~~ ten days of occupancy of any site within town limits) one dollar per month; Peddlers of farm produce (residing within Natrona County and selling or delivering for sale wares actually produced within the said area) one dollar; Peddlers generally, two dollars per day; Solicitors (not resident within Natrona County nor representing firms within the said area) five dollars per day; Milk distributing route, ten dollars.

SECTION II. --- REPEALING ORDINANCE NUMBER SIX. That ordinance number Six, which is an ordinance entitled: "Motion Pictures - License", shall be, and is, hereby repealed.

SECTION 12. -- REPEALING ORDINANCE NUMBER EIGHT. That ordinance number Eight, which is an ordinance entitled: "Pool Halls - License," shall be, and is, hereby repealed.

SECTION 13. --REPEALING ORDINANCE NUMBER NINE. That ordinance number Nine, which is an ordinance entitled: "Peddlers - Fine," shall be, and is, hereby repealed.

SECTION 14. ---- REPEALING ORDINANCE NUMBER FOURTEEN. That ordinance number Fourteen, which is an ordinance entitled: "Taxis, Hacks, and Drays," shall be, and is, hereby repealed.

SECTION 15. --REPEALING ORDINANCE NUMBER NINETEEN. That ordinance number Nineteen, which is an ordinance entitled: "An Ordinance Granting Certain Rights to the Mountain States Telephone and Telegraph Company, its Successors and Assigns, in the Town of Mills, State of Wyoming," shall be, and is, hereby repealed.

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SECTION 16. --REPEALING ORDINANCE NUMBER TWENTY-TWO. That ordinance number Twenty-two, which is an ordinance entitled: " Ordinance Number Twenty-Two," and which prohibits grocery stores from remaining open for business on Sundays, shall be, and is, hereby repealed.

SECTION 17.---- REPEALING ORDINANCE NUMBER TWENTY-FOUR. That ordinance number Twenty-four, which is an ordinance entitled: " An Ordinance Granting to Natrona Power Company, Its Successors and Assigns, the Authority, Right, Privelege and Franchise to Generate, Transmit and Distribute Electricity and Electrical Currents, Etc. --" shall be, and is, hereby repealed.

SECTION 18.--- REPEALING ORDINANCE NUMBER THIRTY-EIGHT. That ordinance number Thirty-eight, which is an ordinance entitled: "An Ordinance Granting to E.E.Evans of Mills, Wyoming, The Right to Build, Erect, Maintain and Conduct an Amusement Park,ETC.--" shall be, and is, hereby repealed.

SECTION 19. ---REPEALING ORDINANCE NUMBER THIRTY-NINE. That ordinance number Thirty-nine, which is an ordinance entitled: " An Ordinance Providing for the Regulation of Soft Drink Parlors, Soft Drink Stands and Places of Amusement, and Providing for License for the Same in the Town of Mills, Wyoming," shall be, and is, hereby repealed.

SECTION 20. ----REPEALING ORDINANCE NUMBER FORTY-ONE. That ordinance number Forty-one, which is an ordinance entitled: "An Ordinance Granting a Nonexclusive Frnachise to the Casper Motor Bus Line Co. and Providing for Operation of a Motorized Transportation System for the Town of Mills, Natrona County, Wyoming," shall be, and is, hereby repealed.

SECTION 21. -- REPEALING ORDINANCE NUMBER FORTY-FIVE A. That ordinance number Forty-Five A, which is an ordinance entitled: "An Ordinance Providing for the Issuance of Licenses for the Sale of Beverages Produced by the Process by which Beer, Ale, Porter or Wine is Produced and Containing Four Percent or Less of Alcohol by Volume, ETC.---" shall be, and is, hereby repealed.

SECTION 22. --REPEALING ORDINANCE NUMBER FORTY-SEVEN. That ordinance number Forty-Seven, which is an ordinance entitled: "Concerning the Regulation for Sale of Non-Intoxicating Alcoholic Beverages," shall be, and is, hereby repealed.

SECTION 23.-- REPEALING OTHER ORDINANCE IN CONFLICT. That all other ordinances and parts of ordinances in conflict with the provisions herein contained, are hereby repealed.

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SECTION 24. --- PENALTY FOR VIOLATION. That, except as otherwise provided, any person violating any section or part of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not less than ten dollars (\$10.00) nor more than Fifty dollars (\$50.00).

SECTION 25. -- ORDINANCE NOT TO BE INVALIDATED BY ANY PART HEREOF. That, if any section, sentence, clause or phrase of this ordinance is, for any reason, declared unconstitutional or in violation of the statutes of the State of Wyoming, such decision shall not affect the remaining portion of this ordinance, which shall continue in force, the same as though no deletion had been made.

SECTION 26. -- THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE AFTER TEN DAYS FROM DATE.

APPROVED AND PASSED, THIS First DAY OF May, 1946.

(Sign) Fred Steinhilber
Mayor

(Seal)

(Attest) Agnes M. Sutphin
Town Clerk

I, Agnes M. Sutphin, town clerk of the town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance Number Sixty-seven, entitled: "An Ordinance Levying a License Tax, etc.--", approved and passed by the town council of the town of Mills, at its regular meeting on the first day of May, 1946, and that the ayes and nays were taken and entered upon the journal.

(Sign) Agnes M. Sutphin

I, 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. Sixty-seven) approved and passed as certified above, were, following its passage by the town council, posted up in three public places within the town of Mills for a period of ten days, as required by law; and that this ordinance took effect and became in force as a legal ordinance of the town of Mills, the 16 day of May, 1946.

(Sign) Agnes M. Sutphin