

ORDINANCE NUMBER NINETY-THREE

AN ORDINANCE ESTABLISHING THE OFFICE OF BUILDING INSPECTOR FOR THE TOWN OF MILLS, WYOMING; PROVIDING FOR THE APPOINTMENT OF A PERSON TO FILL THE SAID OFFICE, HIS QUALIFICATION, TERM OF OFFICE, DUTIES AND AUTHORITY; MAKING IT UNLAWFUL TO CONSTRUCT OR MOVE ANY BUILDING WITHIN THE TOWN OF MILLS WITHOUT A PERMIT FOR SUCH CONSTRUCTION OR SUCH MOVING; PROVIDING FOR THE ISSUANCE OF SUCH PERMITS BY THE BUILDING INSPECTOR, UPON APPROVAL THEREOF BY THE TOWN COUNCIL; PROVIDING FOR THE NOTIFICATION OF THE ELECTRICAL INSPECTOR AND OTHER OFFICERS OF THE TOWN, WHOSE DUTY IT IS TO INSPECT OR REGULATE SUCH CONSTRUCTION OR MOVING OF ANY BUILDING OVER OR ACROSS ANY STREET OF THE TOWN; REPEALING ORDINANCE NUMBER FORTY-NINE, WHICH IS A BUILDING CONSTRUCTION AND MOVING REGULATION ORDINANCE, THE PROVISIONS OF WHICH ARE EXTENDED IN THIS ORDINANCE; AND REPEALING SECTION TWELVE OF ORDINANCE NUMBER FIFTY-TWO, WHICH SECTION PROVIDES FOR THE OFFICE OF BUILDING INSPECTOR, BUT ESTABLISHES DUTIES OF THE SAID OFFICER IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A PENALTY FOR VIOLATION HEREOF; AND PROVIDING THAT IF ANY PORTION HEREOF BE ADJUDGED INVALID OR IN CONFLICT WITH STATE OR FEDERAL LAW, THE REMAINDER HEREOF SHALL NOT BE AFFECTED.

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

SECTION 1.-- APPOINTMENT, QUALIFICATION, TERM OF OFFICE OF BUILDING INSPECTOR.

That there is hereby established and created the office of Building Inspector for the town of Mills, Wyoming; and that a person to hold and occupy such office shall be appointed in such manner and for such period of time as provided in Subsection One, Section One, and in Subsection Three, Section Two, of Ordinance Number Fifty-two; shall qualify for his office as established and provided in Subsection Two, Section One, of the same ordinance, subject to all provisions and regulations applicable to his office therein contained, and to removal from office as provided by Subsection Eight, Section Two, and by Subsection Four, Section Three, of the same ordinance; and that he shall have the rights and authority, and shall perform such duties for the town of Mills, as provided in this and other ordinances of the said town.

SECTION 2.-- REMUNERATION. That unless and until otherwise established by ordinance of the Town Council of the said town of Mills, the Building Inspector of the said town shall receive a salary of Sixty (\$60.00) dollars per annum, to be paid out of the general fund of the town in twelve (12) equal monthly installments of Five (\$5.00) dollars each.

ORDINANCE NUMBER NINETY-THREE -- Page 2

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SECTION 3.-- UNLAWFUL TO CONSTRUCT OR MOVE A BUILDING WITHIN THE TOWN OF MILLS WITHOUT A PERMIT THEREFOR, ISSUED AS HEREIN PROVIDED.

That any person, partnership, firm, or other association of persons acting as a unit, who shall plan construction of any building, or the moving of any building, within the town of Mills, shall apply to the Building Inspector of the said town for a permit for such construction or such moving, as the case may be, and no person or firm or other association of persons as aforesaid, shall construct any building within the said town, nor move any building on or across any street or thoroughfare of the said town until the permit therefor has been granted by the proper authorities and issued by the Building Inspector to such person as hereinafter provided.

SECTION 4.-- APPLICATION FOR BUILDING PERMIT, PAYMENT OF FEE. That every application for a building permit shall contain the following information: 1. Type of building to be constructed; 2. Number of rooms in plan for such building; 3. Type of materials to be used in such construction; 4. Approximate total cost of building, and; 4. Location (street and house number) thereof; and every application for a permit to move a building shall state the type and size of building to be moved and the street or streets to be traversed, as well as the approximate time such moving is to be done; and every application for a building permit or for a permit for moving of a building shall be filed with the Building Inspector, together with such additional information as may be pertinent, and shall be accompanied by a fee the amount of which is to be determined by the value of the building concerned, computed at the rate of One (\$1.00) dollar to be paid for each One Thousand (\$1000.00) dollars of valuation in the said building, or any part thereof, except that no fee for a building permit shall exceed One Hundred (\$100.00) dollars.

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SECTION 5.-- BUILDING PERMITS AUTHORIZED BY TOWN COUNCIL. That no such permit as aforesaid for the construction or the moving of any building within the town of Mills, shall be granted unless and until considered and approved by the Town Council of the said town. But the Building Inspector, upon receiving an application for any building permit, shall investigate the facts concerning the proposed construction or moving of the building concerned, particularly as to any unsafe, hazardous, or unsanitary condition existing or likely to be created by such construction or moving of said building, and shall report such information to the Town Council, at the next ensuing regular meeting thereof, at the same time that he submits the application for a building permit to the said Council for its consideration, and shall make such recommendations concerning the said application as he may deem suitable; and the Town Council shall then decide whether or not the said building permit is to be granted, and shall order the Building Inspector to issue such permit, or not, according to the decision of the said Council. And if the permit is not granted, the ~~application~~ fee for such permit shall be returned to the person having submitted the application, by the Building Inspector, together with a statement of the action taken by the Town Council. But if the building permit is granted by the Town Council, it shall be the duty of the Building Inspector to issue such permit and convey the same to the applicant therefor; and it shall be the duty of the person ^{receiving} ~~issuing~~ such permit to display the same prominently upon the premises where any construction is taking place, or upon the building to be moved, and to obey all legal orders of the Town Marshal, the Electrical Inspector and other officers of the town concerning the manner of construction, insofar as health, safety, and sanitation are concerned, and to permit such inspection by such officers as are customary and necessary to determine whether proper methods are being followed and orders of ~~the~~ such officials obeyed.

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SECTION 6.-- BUILDING INSPECTOR SHALL NOTIFY ELECTRICAL INSPECTOR, OTHER OFFICERS.

That when any building permit has been approved by the Town Council, as herein provided, it shall be the duty of the Building Inspector to issue such permit, and to notify the Electrical Inspector, in order that such Electrical Inspector may make his inspections and issue his orders concerning the construction or moving of such building; provided that in the case of a building to be moved, it shall be the duty of the Building Inspector to notify the Town Marshal of the time ~~of~~ of such moving and the street or streets to be traversed, in order that the said Marshal may supervise such moving and take such measures as may be necessary to regulate and protect traffic upon the streets being used or blocked off by such moving, and may require the taking of necessary precautions against the breakage or disturbance of electric and telephone wires and other installations.

SECTION 7.-- REPEALING ORDINANCE NUMBER FORTY-NINE. That Ordinance Number Forty-nine, which provides for the issuance of building permits, but conflicts with the provisions herein contained, is hereby repealed.

SECTION 8.-- REPEALING SECTION TWELVE OF ORDINANCE NUMBER FIFTY-TWO. That Section Twelve of Ordinance Number Fifty-two, which section establishes the office of Building Inspector, but provides duty, authority and remuneration of such officer, in conflict with the provisions hereof, is hereby repealed.

SECTION 9.-- PENALTY. That any person violating any provision of any section hereof shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not exceeding One Hundred (\$100.00) dollars, and not less than Five (\$5.00) dollars; and each five days such violation is continued shall constitute a separate offense hereunder, punishable as provided herein, ~~provided~~.

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SECTION 10.-- SEPERABILITY OF SECTIONS. That if any section, sentence, clause or phrase of this ordinance is, for any reason, ~~adjudged~~ adjudged unconstitutional or in violation of, or in conflict with Federal law or the Statutes of the State of Wyoming, such decision shall not affect the remainder of this ordinance, but such remainder shall remain effective and shall continue in force, unimpaired by such adjudication.

SECTION 11.-- THAT THIS ORDINANCE SHALL TAKE EFFECT AND BECOME IN FORCE AS A LEGAL ORDINANCE OF THE TOWN OF MILLS, WYOMING, FOLLOWING ITS ENACTMENT AND BEING POSTED UP FOR A PERIOD OF TEN DAYS AS REQUIRED BY LAW.

APPROVED AND PASSED, THIS SECOND DAY OF MAY, A.D, 1951.

(Sign) *M. W. Tapp*
Mayor

Seal)

(Attest) *Marianne Spencer*
Town Clerk

The undersigned, Town Clerk of the town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance Number ~~111~~ Ninety-three, entitled: Ordinance Establishing the Office of Building Inspector for the Town of Mills, Wyoming; Providing for the Appointment of a Person to Fill such Office, etc. - - - and approved and passed by the Town Council of the said town of Mills, at a regular meeting of the Town Council, held on the Second day of May, 1951, and that the ayes and nays were taken and entered upon the journal of the said Town Council.

(Sign) *Marianne Spencer*

I, _____, duly appointed and qualified Town Clerk of the town of Mills, Wyoming, and _____, in that capacity, do hereby certify that signed, attested, sealed and certified copy of this ordinance (No. Ninety-three) approved and passed as certified above, following such enactment, by me 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 did take effect and become in force as a legal ordinance of the town of Mills, Wyoming, the _____ day of _____, 1951.

(Sign) _____