

ORDINANCE NO. 768

**AN ORDINANCE REPEALING THE EXISTING TITLE 3 ON REVENUE AND FINANCE IN ITS ENTIRETY AND REPLACING IT WITH A NEW TITLE 3 ON REVENUE AND FINANCE**

**WHEREAS**, The City of Mills, Wyoming has had the occasion to review Title 3 of its Ordinances and to revise the same; and

**WHEREAS**, after said review and due deliberation, the City of Mills has decided that the attached text better serves the needs of the public and the City of Mills as of the current date;

**NOW THEREFORE**, The City Council of the City of Mills hereby repeals the entire exiting Title 3 and replaces the same with the attached text, which shall be the new Title 3 upon the effective date of adoption

This ordinance shall be in full force and effect upon passage on three readings and publication.

PASSED on 1<sup>st</sup> reading the 27<sup>th</sup> day of July, 2021.

PASSED on 2<sup>nd</sup> reading the 10<sup>th</sup> day of August, 2021.

PASSED, APPROVED AND ADOPTED on 3<sup>rd</sup> and final reading this 31<sup>st</sup> day of Aug 2021, 2021.


CITY OF MILLS, WYOMING

  
Seth Coleman, Mayor

  
Sara McCarthy, Council

  
Darla R. Ives, Council

  
James Hollander, Council

  
Brad Neumiller, Council

ATTESTED:  
  
Christine Trumbull, City Clerk



## **TITLE 3 - REVENUE AND FINANCE**

Chapters:

- 3.04 City Budget
- 3.08 Financial Management
- 3.16 Debt Financing
- 3.20 Improvement Districts
- 3.24 Sale of City Property

### **CHAPTER 3.04** **CITY BUDGET**

#### **3.04.010 - Fiscal year—Appropriations.**

The fiscal year of the City shall commence on the first day of July in each year and end on the thirtieth (30th) day of June. The governing body, within the last quarter of each fiscal year, shall pass an annual budget ordinance for the next fiscal year in which it may appropriate an amount of money necessary to defray all expenses and liabilities of the City. The ordinance shall specify the objects and purposes for which the appropriations are made and the amount appropriated for each object or purpose according to the chart of accounts provided by the State Auditor.

#### **3.04.020 - Designation of budget officer.**

The City Treasurer is designated as budget officer for the City and shall be responsible for preparing the proposed annual budget.

#### **3.04.030 - Departments to furnish estimates.**

The principal officer of every department, agency, institution and activity of the City shall, not later than May 1st of every year, furnish in writing to the City Treasurer a detailed schedule of estimated requirements for meeting proposed expenditures for the ensuing fiscal year.

#### **3.04.040 - Contents of the budget—Generally.**

The budget shall present a complete financial plan for the fiscal year to which it applies. It shall set forth all proposed expenditures for the administration, operations, and maintenance of all offices, departments, activities, funds, and institutions of the City; all interest and debt redemption charges during the current year; expenditures for capital projects to be undertaken or executed during the current year; including expenditures for local improvements which may be paid for in whole or in part by special assessments or charges. In addition thereto, the budget shall set forth the balance on hand in all funds, together with the amount of taxes to be levied to finance the budget.

### **3.04.050 - Budget format.**

The annual budget ordinance shall include all revenues and expenses of all funds of the City. The nature and content of the budget shall be as follows:

- (a) Actual revenues and expenditures in the last completed fiscal year;
- (b) Estimated total revenues and expenditures for the current fiscal year;
- (c) The estimated available revenues and expenditures for the ensuing budget year;
- (d) A budget message containing an outline of the proposed financial policies for the budget year. The budget message shall also state the reasons for changes from the previous year in appropriation and revenue items and explain any major changes in financial policy;
- (e) A statement of the bonded indebtedness of the City, if any, showing the debt redemption requirements, and debt authorized and unissued;
- (f) The budget ordinance shall be styled "FY\_\_ Budget" and shall specify the amount of property taxes necessary to meet the general expenses to the City for the ensuing fiscal year, and the City council shall also appropriate in such ordinance such sums of money as may be deemed necessary to defray the current expenses and liabilities of the City for such year.

### **3.04.060 - Submittal of budget.**

The City Treasurer shall, on or before May 15th, prepare a tentative budget for each fund and file the budget with the governing body.

### **3.04.070 - Retained earnings—Accumulation and expenditures.**

- (a) The City may accumulate retained earnings in any enterprise or intragovernmental fund or accumulate a fund surplus in any other fund. With respect to the general fund, the accumulated fund balance may be used to meet any legal obligation of the municipality or to:
  - (i) Provide cash to finance expenditures from the beginning of the budget year until general property taxes and other revenues are collected;
  - (ii) Provide a reserve to meet emergency expenditures.
- (b) The City may appropriate funds from estimated revenue in any budget year to a reserve for capital improvements and for depreciation within any capital improvements fund which has been duly established by ordinance. Money in the reserves may be allowed to accumulate from year to year until the accumulated total is sufficient to permit expenditure for the specified purpose. Disbursements from reserves shall be made only by transfer to a revenue account within a capital improvements fund pursuant to an appropriation for the fund.
- (c) Expenditures from capital improvement budget accounts shall conform to all requirements of this chapter as it relates to the execution and control of budgets.

**3.04.080 - Public hearing—Notice.**

(a) A summary of the tentative budget which is proposed for adoption shall be entered into the minutes and the governing body shall provide public notice in accordance with the provisions set out for the same elsewhere in this code for at least one (1) week before the hearing date.

(b) The budget hearing shall be held not prior to the second Tuesday in June nor later than the third Tuesday in June. Copies of publications of hearings shall be furnished to the Director of the State Department of Audit.

**3.04.090 - Expenditure limitation.**

(a) No officer or employee of the City shall make any expenditure or encumbrance in excess of the total appropriation for any department.

(b) The governing body shall not make any appropriation in the final budget of any fund in excess of the estimated expendable revenue of the fund for the budget year.

**3.04.100 - Adoption of final budget.**

Within twenty-four (24) hours of the conclusion of the budget hearing the governing body shall, by ordinance, make the necessary appropriations and adopt the budget, which, subject to future amendment, shall be in effect for the next fiscal year. A copy of the budget, certified by the budget officer, shall be furnished to the county commissioners for the necessary property tax levies. Certified copies of the adopted budget shall be on file in the office of the budget officer for public inspection.

**3.04.110 - Transfer of unexpended appropriation balance.**

At the request of the budget officer or upon its own motion after publication of notice, the governing body may by ordinance transfer any unencumbered or unexpended appropriation balance or part thereof from one fund or department to another. Blanket Resolution for transfers to Reserve Accounts (?)

**3.04.120 - Budget appropriation increase—General fund.**

The budget of the general fund may be increased by resolution of the governing body. The source of the revenue shall be shown whether unappropriated surplus, unanticipated, donations, etc.

**3.04.130 - Emergency expenditures.**

If the governing body determines an emergency exists and the expenditure of money in excess of the general fund budget is necessary, it may make the expenditures from revenues available as reasonably necessary to meet the emergency.

**3.04.140 - Appropriations lapse—Claims.**

All appropriations excluding appropriations for capital projects shall lapse following the close of the budget year to the extent they are not expended or encumbered. All claims incurred prior to the close of any fiscal year shall be treated as if properly encumbered.

**3.04.150 - Special fund—Transfer.**

If the necessity to maintain any special revenue or assessment fund ceases and there is a balance in the fund, the governing body shall authorize the transfer of the balance of the fund balance account to the general fund.

**3.04.160 - Financial statements.**

(a) The budget officer shall present to the governing body the statement and reports provided by subsection B of this section.

(b) Appropriate interim financial statements and reports of financial position, operating results and other pertinent information may be prepared to facilitate management control of financial operations and, where necessary or desired, for external reporting purposes as required by the governing body.

(c) All financial statements made pursuant to this section shall be open for public inspection during regular business hours.

**CHAPTER 3.08  
FINANCIAL MANAGEMENT**

**3.08.010 - Disbursements—Approval—Form of warrants.**

(a) Except as otherwise provided, all disbursements shall be made by vouchers signed by the City Clerk or the city treasurer under the direction of the city administrator and countersigned by the mayor or his designee, and no vouchers may be drawn in payment of a claim until the claim certified by the city administrator has been allowed by the governing body. Every warrant shall specify its purpose, the fund against which it is drawn, and shall be made payable to the order of the person in whose favor it is drawn. Any warrant contrary to this section is void and any officer or employee drawing such a warrant is personally responsible for the amount of any payment made on it.

(b) When any vouchers is paid, it shall be immediately cancelled and filed in the office of the city treasurer. The orders drawn upon each fund shall be kept separate. The governing body shall provide for the examination during each annual audit of all cancelled vouchers, bonds, and other obligations in the hands of the city administrator.

**3.08.020 - Signing of checks.**

Every check drawn upon a city depository in payment of a vouchers shall be signed by the city administrator or city clerk under direction of the city administrator and countersigned by the mayor and state clearly thereon the purpose for which it is drawn.

**3.08.030 - Funds to be maintained.**

(a) The following funds shall be maintained in the treasury, and the governing body shall determine the amount of annual tax to be levied for their support:

- i. General Fund. Accounts for all financial resources except those required to be accounted for in another fund;
- ii. Debt Services Funds. Accounts for the accumulation of resources for, and the payment of, general long-term debt principal and interest;
- iii. Capital Projects Fund. Accounts for financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by proprietary funds, special assessment funds and trust funds);
- iv. Special Assessment Funds. Accounts for the financing of public improvements or services deemed to benefit the properties against which special assessments are levied;
- v. Enterprise Fund. Accounts for operations that are financed and operated in manner similar to private business enterprises; or where the governing body has decided that periodic determination of revenues earned, expenses incurred and/or net income is appropriate for capital maintenance, public policy, management control, accountability or other expenses;
- vi. Trust and Agency Funds. Accounts for assets held by the City in a trustee capacity or an agent for individuals, private organizations, other governmental units and/or other funds;
- vii. General Fixed Assets. All fixed assets of the City except those accounted for in proprietary funds or trust funds. These financial resources are not available for expenditure;
- viii. General Long-term Debt. Records all un-matured principle of the City's general long-term debt, except those accounted for in proprietary funds, special assessment funds or trust funds;
- ix. Special Revenue Fund. Records receipt and disbursement of funds from various special revenue sources.

(b) The governing body may, from time to time, create additional funds as deemed necessary and as recommended by the City treasurer in order to meet the governmental accounting, auditing and financial reporting standards.

**3.08.040 - Presentation of claims.**

All claims and demands against the City shall be presented to the governing body in writing, with a full account of the items, and verified by the oath of the claimant or his agent, showing that the claim is correct, reasonable and just. No claim or demand may be audited or allowed unless presented and verified as provided in this section.

3.08.050 - Treasurer's accounts.

The treasurer of the City shall keep his accounts so as to show when and from what sources all moneys paid to him have been derived, and to whom and when such moneys or any part thereof have been paid out. His books, accounts, and vouchers are at all times subject to examination by the governing body or any elector of the City.

**3.08.060 - Designation and use of depositories.**

(a) The governing body shall biennially designate a bank, banks or financial institution to be depositories of the moneys of the City and enter into contracts with such banks. Every entity so designated shall give a surety bond to secure the safekeeping and prompt payment of deposits.

(b) Any such depository may, instead of such bond, furnish, as security for such deposit, collateral security of the same type and nature as are described in Wyoming Statutes 1977, as amended, Section 9-4-805. The securities are to be accompanied by a written assignment vesting the legal title thereto in the City making such deposits, as collateral security that such depository shall and will safely keep and pay over to the City treasurer, on his check, order or demand, all money which may come in the possession of such depository, together with all interest accruing thereon as provided in this chapter.

(c) Such depositories, within thirty (30) days following such designation, shall furnish to the City council a certified copy of the resolution accepting such designation adopted by its board of directors, the resolution to be in substantial compliance with the form of resolution set forth in Wyoming Statutes 1977, as amended, Section 9-4-806.

**3.08.070 - Audits required.**

(a) The governing body shall cause to be made an annual audit of the financial affairs and transactions of all funds and activities of the City for each fiscal year.

(b) The governing body shall make available all documents and records required to perform the audit upon request of the independent auditor.

(c) The audits shall be conducted by independent auditors in accordance with generally accepted auditing standards as promulgated by the AICPA in their guidelines for audits for state and local government units. The audits shall be financial and legal compliance audits.

(d) The audits shall be completed not more than six (6) months after the end of the fiscal year being audited.

**3.08.080 - Contents of audits.**

(a) Audit reports shall conform to generally accepted accounting principles.

(b) Copies of the audit reports shall be filed with and preserved by the county clerk and shall be open to inspection by any interested person. Copies of all audits shall also be filed with the State Auditor.

**CHAPTER 3.16  
DEBT FINANCING**

**3.16.010 - Borrowing and issuance of bonds—Generally.**

(a) The City may borrow money and issue bonds in either coupon or registered form to any amount not exceeding the limitation provided in Wyoming Statute 15-7-109 for public improvement purposes enumerated in Wyoming Statute 15-7-101. The amount of bonds may be any multiple of one hundred dollars (\$100.00) as provided in the ordinance authorizing their issuance, and shall bear interest payable annually or semiannually at a rate, at a place and in the manner as the ordinance provides. The bonds may be redeemable before maturity at a time or times and in a manner as the governing body may determine, and payable in not more than thirty (30) years, after the date of their issuance, or payable serially at times in regular numerical order at annual or other designated intervals in any amounts designated and fixed by the governing body. However, bonds issued by the City to establish, construct, purchase or extend a system of sewerage may mature and be payable at any time not more than forty (40) years from their date or the estimated life of the improvement whichever is shorter.

(b) No bonds may be issued for the purposes provided in Wyoming Statute 15-7-101 until the proposition to issue them has been submitted to, and approved by, the qualified electors of the City at a regular or special election which shall be called, conducted, canvassed and returned in the manner provided for municipal bond elections by the general election laws of Wyoming.

**3.16.020 - Bonds for recreational facilities.**

The City may borrow money and issue coupon bonds in any amount, which together with the municipal indebtedness, but not including sewerage, water supply and school bonds, do not exceed four (4) percent of the assessed valuation of the City, to acquire, lease, purchase, equip, construct, develop, improve, or enlarge public recreational facilities. The bonds shall be in the denomination of one hundred dollars (\$100.00) or multiples thereof, and bear interest semiannually at a rate, at a place and in the manner the governing body provides. The bonds shall be in a serial form with last maturity not more than twenty (20) years after the date of issue and are redeemable at the option of the City at a time to be designated by the governing body.

**3.16.030 - Bonds for fire prevention.**

The City may borrow money and issue the coupon bonds in any amount not exceeding, at one (1) time, two percent (2%) of the assessed valuation of the City, to acquire and purchase supplies, equipment and apparatus for fire prevention and control and to erect, construct or purchase buildings for housing its fire extinguishing equipment and for the use of its fire department in the transaction of its official business. The bonds shall bear interest, payable semiannually, and be of the denomination and payable at a rate, at a place and in the manner the governing body provides. The bonds shall be redeemable after ten (10) years and payable in not more than thirty (30) years after the time they are issued or payable serially.

**3.16.040 - Certificate of endorsement—Registration book.**



(a) The City clerk shall endorse a certificate upon every bond or evidence of debt issued, stating that it is within the lawful debt limit of the city or City and is issued according to law. He shall sign the certificate in his official character.

(b) The City treasurer shall keep a book in which shall be registered all bonds issued, showing the number of the bond, the date of issue, to whom issued, the amount, date of redemption and payment of interest. The book shall be open to all persons for examination during business hours.

**3.16.050 - Notice for bids—Exception.**

(a) After any bonds to be issued for any of the purposes set forth in this chapter, other than special improvement bonds, have been approved by a vote of the people, the governing body shall give notice by advertisement for three (3) consecutive weeks in a newspaper published in the City, and in any newspaper published in other places as may be deemed expedient. The notice shall state that the City will receive bids for the sale of the bonds and shall give the time and place where bids will be received and opened. No bonds may be sold for less than their par value.

(b) Bonds issued by the City to establish, construct, purchase, or extend a system of sewerage may be sold to the state of Wyoming or the United States of America at a private sale, without advertisement, for not less than par and accrued interest.

**3.16.060 - Sinking fund—Redemption of bonds.**

A tax to be fixed by ordinance shall be levied each year to pay the interest on the bonds and to create a sinking fund for their redemption. The money that may be on hand at any time belonging to the sinking fund, until there are bonds redeemable, may be loaned or invested by the governing body in any public securities of the state, any subdivision thereof, or of the United States, and the interest that accrues shall be added to the sinking fund. Whenever, at any time after ten (10) years from the issue of the bonds, the sum in the sinking fund equals or exceeds five hundred dollars (\$500.00) and from time to time thereafter when it accrues, the City treasurer shall publish a notice in a newspaper in the City that he will, thirty (30) days from the date of the notice, redeem the amount of bonds then payable, giving their number and giving preference to the oldest issue. If at the expiration of thirty (30) days when the holder of those bonds fails to present them for payment, the interest on them shall cease, but the treasurer shall be ready to redeem them on presentation. A copy of the notice shall be sent to the bank designated as the place of payment of the interest on the bonds.

### **3.16.070 - Cancellation of bonds.**

The City treasurer shall, as soon as the coupons of bonds are paid, cause the word "paid" to be cut into them, and when the bonds are paid cause the word "paid" to be cut in the body of the bond.

### **3.16.080 - Payment of bonds and certificates of indebtedness.**

Principal and interest upon bonds and certificates of indebtedness, when due, may be paid by the city Treasurer out of the proper funds, upon presentation and surrender to the city Treasurer of the bond, certificate, or interest coupon. When paid, they shall be cancelled immediately and filed in the office of the city Clerk in the same manner as vouchers. The payments shall be made by vouchers and conforming to the requirements of Section 3.08.010.

### **3.16.090 - Limitation of indebtedness—Exception.**

No debt in excess of the taxes for the current year may be created by the City, except local improvements as provided by law, unless the proposition to create the debt is submitted to the vote of the people, and approved by them. The City may not create any indebtedness exceeding four percent (4%) of the assessed valuation of the taxable property except an additional amount not exceeding four percent (4%) of the assessed valuation of the property to build and construct sewerage systems. For the construction, establishing and maintaining of waterworks and supplying water for the use of the City and its inhabitants, the limitation does not apply.

### **3.16.100 - Custody of funds.**

The City treasurer is the custodian of all moneys arising from the sale of bonds issued pursuant to this chapter. He shall give any additional bond or bonds as the governing body requires for the safekeeping and disbursing of all such funds as required by the governing body.

## **CHAPTER 3.20 IMPROVEMENT DISTRICTS**

### **3.20.010 - Powers of City.**

The City may provide for the making and maintenance of local improvements and levy and collect special assessments on the property specially benefited to pay all or part of the cost of the improvement, as provided in Wyoming Statutes 1977, as amended, Section 15-6-101 et seq. This includes, but is not limited to, the making of local improvements, establishing and changing grades, and levy and collection of assessments, and the authorization and issuance of bonds. No board, agency, bureau or official other than the governing body of the municipality may fix, prescribe, modify, supervise or regulate the levy or collection of special assessments or taxes authorized by state statute, except as expressly provided or necessarily implied, nor supervise or regulate the establishment or modification of grades and the acquisition of any improvement authorized.

**3.20.020 - Proceedings—Ordinance or resolution required.**

(a) When the City makes local improvements or establishes or alters the grade of any street at the cost and expense, in whole or in part, of property specially benefited thereby, the proceedings shall be as provided in Wyoming Statutes 1977, as amended, Section 15-6-201 et seq.

(b) Any such improvement may be ordered only by ordinance or resolution of the governing body.

**3.20.030 - Items of cost to be assessed.**

When any authorized local improvement is ordered, the following shall be included in the cost and expense thereof to be assessed against the property specially benefited and included in the district created to pay all or any part thereof: the cost of that portion of the improvement included within the limits of any street intersection space or spaces; the estimated cost and expense of inspection, tests, materials or work and of all engineering and surveying necessary for the improvement done under the direction of the City engineer; ascertaining the ownership of the lots or parcels of land included in the assessment district; advertising, mailing and publishing of all notices; and all accounting and clerical labor, books and blanks expended or used by the City in connection with the improvements.

**3.20.040 - Property to be included in assessment district.**

(a) The assessment district shall include all the property benefited by the improvement or improvements, as determined by the governing body, including municipal and other public property, except that of the United States government or any agency, instrumentality or corporation thereof, in the absence of the consent of Congress.

(b) Assessments shall be computed using one of the methods set forth in Wyoming Statutes 1977, as amended, Section 15-6-404.

**3.20.050 - Assessment roll to be filed.**

When an assessment roll for local improvements has been prepared, it shall be filed with the City clerk, who shall certify it and transmit the roll to the City treasurer for collection, following confirmation thereof as set forth in Wyoming Statutes 1977, as amended, Section 15-6-405.

**3.20.060 - Assessment lien.**

The charge on the respective lots, tracts, parcels of land and other property, for the purpose of special assessments, to pay the cost and expense, in whole or in part of any improvement authorized by the governing body, shall be a lien upon the property assessed from the time the assessment roll is placed in the hands of the officer authorized by law to collect the assessment. The lien shall be paramount and superior to any other lien or encumbrance whatsoever, created before or after except a lien for assessments for general taxes.

**3.20.070 - Time of payment—Interest—Penalty.**

The City shall, in the ordinance confirming the assessment roll, prescribe the time within which the assessment, or installments thereof, shall be paid, and shall provide for the payment and collection of interest thereon, at a rate established by ordinance. Assessments or installments thereof, when delinquent, in addition to interest, shall bear a penalty of not more than five (5) percent as prescribed by ordinance. Interest and penalty shall be included in, and made a part of, the assessment lien.

**3.20.080 - Sale of property for delinquency.**

If an assessment or any installment thereof is delinquent, the property subject to the delinquent assessment shall be sold by the City for the amount of the delinquent assessment or installment, together with penalty and interest accruing to date of sale, the cost of the sale, the cost of execution and delivery by the City treasurer of certificates of sale to the purchaser, and the cost of execution by the City treasurer of an assessment deed to the person entitled.

**3.20.090 - Notice of sale.**

The City treasurer shall give notice of any sale pursuant to Wyoming Statutes 1977, Section 15-6-410 in accordance with the ordinances generally regarding providing public notice once a week for three (3) successive weeks. Such notice shall contain a list of all property upon which such assessments are delinquent with the amount of the assessments, interest, penalties, and costs to date of sale, including the cost of advertising such sale, together with the names of the owners of such property, or the words "unknown owners," as the same may appear on the assessment roll, and shall specify the time and place of such sale, and shall state that the property therein described will be sold to satisfy the assessments, interest, penalties and costs due on the same.

**3.20.100 - Time and place of sale.**

All sales pursuant to Section 3.20.080 shall be made between the hours of ten (10:00) a.m. and four (4:00) p.m. and shall take place at the front door of the City Hall. Such sale shall be continued from day to day omitting Sundays and legal holidays, until all the property described in the assessment roll, on which any such assessment or installment is delinquent and unpaid, is sold. All such sales shall be public, and each lot, tract or parcel of land or other property shall be sold separately and in the order in which the same appears upon the assessment roll, commencing at the beginning thereof.

**3.20.110 - Method of sale—Procedure for advertising.**

All lots, tracts and parcels of land and other property sold for delinquent and unpaid local assessments shall be sold to the first person at such sale offering to pay the amount due on each such lot, tract, or parcel of land or other property. If there is no bidder for any lot, tract or parcel of land or other property, for a sum sufficient to pay the delinquent and unpaid assessments thereon or installment thereof with interest, penalty and costs, the City treasurer shall strike the same off to the City for the whole amount which he is required to collect for such sale. If any bidder to

whom any property is stricken off at such sale does not pay the assessment, interest, penalty and costs before ten (10:00) a.m. of the day following such sale, such property shall then be resold or, if the assessment sale is closed, be deemed to have been sold to the City and a certificate of such sale shall be issued to the City therefor.

### **3.20.120 - City treasurer to return records to City clerk.**

Within fifteen (15) days after the completion of the sale pursuant to Section 3.20.080 of all property described in the assessment roll and authorized to be sold, the City treasurer shall return to the City clerk a statement indicating his action thereon, and showing all of the property sold by him, to whom and the sum paid therefor.

### **3.20.130 - Certificates for property sold—Recording.**

After receiving the amount of the assessment, penalty, interest, costs and charges from the sale pursuant to Section 3.20.080, the City treasurer shall make out a certificate dated on the day of sale, stating, when known, the name of the owner as given on the assessment roll, a description of the land or other property sold, the amount paid therefor, the name of the purchaser, that it was sold for the assessments, giving the names of the streets or other brief designation of the improvements for which the assessment was made, and specifying that the purchaser will be entitled to a deed two (2) years from the date of sale, unless redemption thereof is made. Such certificate shall be signed by the treasurer and shall be delivered to the purchaser, and shall be by such purchaser recorded in the county clerk's office, in the county in which the lands or other property is situated within three (3) months from the date thereof. If not recorded within such time, the lien thereof shall be postponed to claims of subsequent purchasers and encumbrancers for value and in good faith who become such while the same is unrecorded.

### **3.20.140 - City clerk to be custodian of certificates sold to City.**

The City clerk shall be the custodian of all certificates for property sold in the City, and shall at any time within two (2) years from the date of such certificate and before redemption of the property therein described, sell and transfer any such certificate to any person who presents to him the receipt, evidencing payment of the amount for which the property described was stricken off to the City, with interest subsequently accrued to date of such payment. The City clerk may, if so authorized by the governing body, sell and transfer any such certificates in a similar manner after the expiration of two (2) years from the date of the certificate.

### **3.20.150 - Local improvement funds.**

All money collected by the City treasurer upon any assessments levied under and by virtue of Wyoming Statutes 1977, Section 15-6-101 et seq., shall be kept in a separate fund to be known as "Local Improvement Fund, District No. \_\_\_\_\_," or by any other appropriate designation approved by the governing body.

### **3.20.160 - Record of payment or redemption.**

When the amount of any assessment, with interest, penalty, costs and charges accrued thereon, is paid to the treasurer before the sale of property, he shall mark it paid, with the date of payment on the assessment roll. When any property sold for any assessments is redeemed the treasurer shall enter it as such with the date of redemption on the roll. Such records shall be made on the margin of the roll opposite the description of the property.

### **3.20.170 - Liability of City treasurer for proceeds from sale of property.**

If the City treasurer receives any money for assessments, giving a receipt therefor, for any property and afterward returns the same as unpaid, or receives the same after making the return, and the property is sold for assessment which has been paid and receipted by himself, his clerk, assistant or deputy, he and his bond are liable to the holder of the certificate given to the purchaser at the sale for the face amount of the certificate and legal interest which shall be demanded within two (2) years from the date of sale and recovered in any court of competent jurisdiction. The City shall in no case be liable to the holder of such certificate.

### **3.20.180 - Property bid in by City.**

If any property is bid in or stricken off to the City under any proceeding of this chapter, such property shall be held in trust by the City for the fund of the improvement district for which the assessment was levied, to the extent of the assessment or installment for which the property was sold, with penalty, accrued interest and interest on such installment, to time of the next call for bonds or warrants; provided, that the City may, at any time after receiving a deed, pay into such fund the amount of the delinquent assessment for which such property was sold and all accrued interest and interest to the time of the next call for bonds or warrants issued against such assessment fund, at the rate provided thereon, and thereupon shall take and hold such property discharged of such trust.

### **3.20.190 - When owner allowed to redeem sold property.**

Any property sold as provided in this chapter shall be subject to redemption by the former owner or his grantee, mortgagee, heir or other representative at any time within two (2) years from the date of the sale upon making the payments required and in the manner provided in Wyoming Statutes 1977, as amended, Section 15-6-418.

### **3.20.200 - Sale of property held in trust.**

(a) The City, at any time after the period of redemption pursuant to Section 3.20.190 has expired and the deeds issued to the City, by virtue of any proceedings under this chapter, may sell any such property at public auction to the highest bidder for cash. No bid shall be accepted for any amount less than the amount set forth in the deed, plus accrued interest to date of sale, computed on the assessment for which the property was sold from the date of the execution of the deed, and all delinquent assessments and taxes against the property, with accrued interest, penalties, costs and other charges. The City shall pay into the fund for which the property was held

in trust an amount necessary to fully cancel the assessment for which the property was sold, together with all interest thereon.

(b) Any such sale shall be conducted only after giving notice, describing the property and stating that the City treasurer shall sell the same on the day specified at the front door of the City Hall, between the hours of ten (10:00) a.m. and four (4:00) p.m. and continue the sale from day to day or withdraw the property from sale after the first day if the treasurer deems that the interests of the City so require. The notice shall be published at least five (5) times in the official daily newspaper of the City or at least two (2) times in the official weekly newspaper of the City. At least fifteen (15) days shall elapse between the date of last publication of such notice and the day the property is sold.

### **Chapter 3.24 SALE OF CITY PROPERTY**

#### **3.24.010 - General procedures.**

Before the sale of any property of the City of the value of five hundred dollars (\$500.00) or more, notice of the intended sale, describing the property and the terms of the sale, shall be provided in accordance with the provisions of the City Code concerning public notice for at least once each week for four (4) consecutive week, calling for sealed bids for purchase of the property. The property shall be sold to the highest responsible bidder, unless the governing body of the City shall reject all bids. The responsibility of the bidders shall be determined by the governing body of the City. Notwithstanding the provisions of this section, the City, upon terms determined by the governing body, without advertising such sale or calling for bids, may sell any property to the state for the use of any agency or instrumentality thereof, or to any agency or instrumentality of the state authorized to hold property in its own name, or to any political subdivision of the state.