

ORDINANCE NO. 198

AN ORDINANCE REGULATING THE STORAGE OF WRECKED, DISABLED, DISCARDED, SCRAPPED, SALVAGED MOTOR VEHICLES AND JUNK; DEFINING JUNK, PERSON, PROPERTY, STREET OR HIGHWAY, AND VEHICLE; PROVIDING CERTAIN EXCEPTIONS; DECLARING JUNK PUBLIC NUISANCE, PROHIBITING MAINTAINANCE OF PUBLIC NUISANCE, ESTABLISHING PROCEDURE FOR THE ABATEMENT OF PUBLIC NUISANCES; AUTHORIZING ABATEMENT OF NUISANCE BY THE TOWN; AND PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING.

SECTION 1. DEFINITIONS. The following definitions shall apply in the interpretation and enforcement of this article:

JUNK. Any iron, glass, paper, rags, cordage, wood machinery parts, cloth or other waste or discarded material of any nature or substance whatsoever or any scrapped or salvaged materials.

PERSON. Any person, firm, partnership, association, corporation, company or organization of any kind.

PERMITTED EXCEPTIONS. Storage, repair and serviceing of vehicles as herein defined, not authorized herein, and the tearing down, stripping or junking of such vehicles shall be permitted only where and when such use is specifically authorized, permitted or liscensed under other ordinances of this town and in strict accordance therewith.

PROPERTY. Any real property within the town or any town property within or without the corporate limits which is not a street or highway.

STREET OR HIGHWAY. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic.

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

SECTION 2. DECLARED A NUISANCE. Any vehicle or part or portion thereof or junk which is left or permitted to remain for any period of time exceeding 30 days upon any property, street or alley, which is accessible to children or where weeds, grass and other vegetation is allowed to grow in or around or which may grow in or around such vehicle or junk is hereby declared to be a public nuisance in that such vehicle or part or portion thereof or junk creates a fire hazard and affords a nesting place or breeding place for misquitos, flies, rodents, skunks and other vermin and is also an attractive nuisance to children constituting a serious danger and threat to such children and is an additional costly obstruction to the care and maintainance of such property, street or alley when weeds, rats and other vegetation must be removed by private individuals or the city and may be abated as such nuisance as hereafter provided.

SECTION 3. PROHIBITED. It shall be unlawful for any person to leave or permit to remain upon any property, street or alley within the town limits any vehicle or junk which is a health or fire hazard or constitutes a nuisance as defined heretofore in Section 2.

SECTION 4. NOTICE TO ABATE NUISANCE. Whenever the Sanitation Committee, as created in Ordinance 113, Section 1, 1956, shall, by majority vote, be of the opinion that any vehicle or junk is a nuisance as defined herein, such committee shall thereupon cause written notice to be served on the owner of the vehicle or junk, if he can be located, or the person in custody of such vehicle or junk by registered mail or personal service. Such notice shall state that such vehicle or junk is deemed to be a nuisance within the provisions of Section 2, and shall briefly state the facts which are deemed to make such

vehicle or junk a nuisance within the terms of this article and further state that such nuisance will be abated within 10 days from receipt of such notice.

SECTION 5. TIME LIMIT FOR ABATEMENT AFTER RECEIPT OF NOTICE; ABATEMENT BY TOWN. It shall be the duty of any person receiving the notice herein provided for to comply with the provisions of the notice and to abate such nuisance within 10 days after the date of the receipt of such notice, and if such person shall fail or refuse to abate such nuisance within 10 days from receipt of such notice, such failure is hereby declared to be unlawful and shall constitute a misdemeanor, and such vehicle or junk shall be removed at the direction of the town mayor or his duly authorized representative at the expense of the owner or person in charge thereof, and shall be deposited at a location deemed just and proper to the Sanitation Committee.

SECTION 6. ABATEMENT OF NUISANCE BY TOWN WHEN OWNER UNKNOWN; DISPOSITION OF UNCLAIMED VEHICLES AND JUNK. When the owner of a vehicle or junk which, in the opinion, of a majority of the Sanitation Committee, constitutes a nuisance cannot be located by reasonable search, the notice specified above in Section 4 shall be attached to the vehicle or junk by the Sanitation Committee or its duly authorized representative. If such vehicle or junk is not removed within 10 days of such notice, such vehicle or junk is hereby declared to be abandoned property, and the town mayor or his duly authorized representative shall remove or cause to be removed such vehicle or junk to a suitable town storage area as designated by the town mayor. Such vehicles or junk shall be stored for a period of at least 30 days, and the owner thereof shall be entitled to redeem the same by payment to the town of actual costs for its removal and reasonable storage, and in the event that such vehicle or junk is unclaimed, the town mayor shall dispose of it in the manner provided by the law.

SECTION 7. SAVINGS CLAUSE. If any section, sub-section, sentence or clause of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 8. ORDINANCES REPEALED. All ordinances or parts of

ordinances in conflict herewith, are hereby repealed.

Passed on First Reading 7 day of April, 1970.

Passed on Second Reading 5 day of May, 1970.

Passed on Third Reading 5 day of May, 1970.

Passed, Approved and Adopted 5 day of May, 1970.

TOWN OF MILLS, A Municipal Corporation

By: George Sword

Seal

Attest: Norene Reed  
Norene Reed, Clerk of Town of  
Mills, A Municipal Corporation

I, Norene Reed, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 198, entitled "AN ORDINANCE REGULATING THE STORAGE OF WRECKED, DISABLED, DISCARDED, SCRAPPED, SALVAGED MOTOR VEHICLES AND JUNK; DEFINING JUNK, PERSON, PROPERTY, STREET OR HIGHWAY, AND VEHICLE; PROVIDING CERTAIN EXCEPTIONS; DECLARING JUNK PUBLIC NUISANCE, PROHIBITING MAINTAINANCE OF PUBLIC NUISANCE, ESTABLISHING PROCEDURE FOR THE ABATEMENT OF PUBLIC NUISANCES; AUTHORIZING ABATEMENT OF NUISANCE BY THE TOWN; AND PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE." Passed on third reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held at the Council Chambers on the 5 day of May, 1970.

Sign: Norene Reed  
Norene Reed, Town Clerk

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. 198, approved, and passed as certified above, were, following its passage by the Town Council, posted up in the Town Clerk's office and the Mills Post Office for a period of ten days as required by law; that it took effect and became in force as legal Ordinance of the Town of Mills, Wyoming, on the 20 day of May, 1970.

Sign: Norene Reed  
Norene Reed, Town Clerk