

103 – ORDINANCE No. 2003-16

AN ORDINANCE AMENDING AND VACATING ORDINANCES 4-301, 4-302, 4-304, 4-306 AND 4-402 AND REPLACING ORDINANCES 4-301, 4-302, 4-304 4-306 AND 4-402 PROVIDING FOR A MUNICIPAL CRIMINAL ORDINANCE TO REGULATE THE MAINTENANCE OF PREMISES IN THE TOWN OF ALPINE, WYOMING, PROVIDING FOR SEVERABILITY, ORDINANCES REPEALED, JURISDICTION, AND EFFECTIVE DATE.

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ALPINE, WYOMING:

Alpine Municipal Criminal Ordinance

MAINTENANCE OF PREMISES

Sections:

103-01	Clean and Orderly Premises
103-02	Maintaining a Health Menace
103-03	Offensive Matter on Premises
103-04	Liquids Allowed to Become Nauseous
103-05	Littering Prohibited
103-06	Vacant Lots
103-07	Purpose
103-08	Action Upon Non-Compliance
103-9	Abatement

103-01 – Clean and Orderly Premises

It shall be the duty of any owner, agent, tenant, purchaser, contractor or lessee of any premises within the Town, including places of business, dwelling houses, apartments, tenements, construction sites or other establishments, at all times, to maintain the premises in a clean and orderly condition, permitting no deposit or accumulation of garbage, refuse, rubbish or other waste materials other than those necessary or ordinarily attendant upon construction or upon the use for which such premises are legally intended. Any such accumulation is hereby declared to constitute a nuisance and nonconforming use of the premises.

Any person violating any provision of this section shall be deemed guilty of a Class D misdemeanor.

103-02 – Maintaining a Health Menace

No owner or occupier of land or buildings shall cause or knowingly permit such property to become or remain in a condition constituting a menace to health or safety by the accumulation of filth, sewage, garbage, refuse, trash, standing or stagnant water, litter, rubbish, ruins, weeds, brush, or any waste matter whatsoever, and permitting the same shall be a public menace.

Any person violating any provision of this section shall be deemed guilty of a Class D misdemeanor.

103-03 – Offensive Matter on Premises

It is a public nuisance for any owner, lessee, occupant, or resident of any premises to suffer or cause to be maintained on such premises for twenty-four (24) hours or longer any unwholesome, decaying or putrid animal or vegetable matter which contaminates the atmosphere or endangers or injures the health of any person or which is indecent or offensive to the senses or interferes with the comfort or enjoyment of any resident in the Town.

Any person violating any provision of this section shall be deemed guilty of a Class D misdemeanor.

103-04 – Liquids Allowed to Become Nauseous

It shall be deemed a public nuisance and is unlawful for any person to cause or permit any nauseous, foul or putrid liquor or other liquid substance to be discharged, placed or thrown, or to flow from or out of any premises into or upon any adjacent premises or any public street, alley, road or sidewalk, or into any channel or watercourse.

Any person violating any provision of this section shall be deemed guilty of a Class D misdemeanor.

103-05 – Littering Prohibited

It shall be unlawful for any person to store or allow garbage, refuse, rubbish or waste material of any kind to accumulate anywhere in Town; or to scatter, deposit, throw or sweep any garbage, debris, waste materials, refuse or rubbish of any kind into any street, gutter, sidewalk, sewer intake, street, alley, vacant lot, private property, pond, stream or any other property within the town limits.

Operators of motor vehicles are responsible under this section for the disposition or ejection of garbage, debris or other material from the vehicle while the vehicle is being operated on the highways, streets and roads within the town limits.

It shall be unlawful for any person to unlawfully post signs, banners, posters, handbills or flyers on any post, wall, fence, building, stake or vehicle without the permission of the mayor or the property owner in the case of private property.

This section does not interfere with the lawful posting of political signs, posters, banners, etc. during any election season.

Any person violating any provision of this section shall be deemed guilty of a Class D misdemeanor.

103-06– Vacant Lots

The owner of any vacant lot at all times shall keep the same free from burdocks, thistles, briars, garbage, abandoned vehicles or machinery, unsafe structures, or other noxious waste. Any person violating any provision of this section shall be deemed guilty of a Class D misdemeanor.

103-07 – Purpose

The purpose of this article is to primarily safeguard the health of this community. Violation of this article is also deemed to constitute a fire hazard and a nuisance.

103-08 – Action Upon Non-Compliance with Order

Upon failure, neglect, or refusal of any owner or owners, or agents thereof, to correct any violation of this ordinance, lying or located upon the property of the owner before the date specified in a written notice, a responsible Town official may exterminate or remove such violation. Such official shall report to the Town Clerk the cost of such extermination or removal. The charges, whichever sum is greater, or such other amount as the Town Council may determine from time to time, by resolution, to cover the administrative costs. The total cost shall be assessed against the lot or parcel of land upon which the violations have been exterminated or removed. The Clerk shall cause the aforesaid costs to become a lien against the property involved.

103-08– Abatement of Nuisance

Upon the failure of the person in charge of or control of or responsible for any nuisance to speedily abate such a nuisance, the Town may abate the nuisance and collect the costs of such abatement.

The abatement of the nuisance by the Town shall not relieve the person in charge of or control of or responsible for any nuisance of any penalty imposed for his violation of this chapter.

Severability.

If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining chapters, sections, subsections, and clauses shall not be affected.

Conflicting ordinances repealed.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Territorial jurisdiction of Ordinance.

The territorial jurisdiction of the regulations found in this ordinance shall include all of the incorporated lands located within the Town of Alpine, and, pursuant to Wyoming Statute 15-3-202(a).

EFFECTIVE DATE

This ordinance shall become effective from the date of its passage.

Passed on first reading this 6th day of JANUARY, 2004.

Vote: 5 yes 0 no 0 abstain 0 absent

Passed on second reading this 20th day of JANUARY, 2004.

Vote: 5 yes 0 no 0 abstain 0 absent

Passed on third reading this 3rd day of FEBRUARY, 2004.

Vote: 5 yes 0 no 0 abstain 0 absent



TOWN OF ALPINE

BY:

[Signature]
DAVID LLOYD, Mayor

BY:

[Signature]
TRACY MATTHEWS, Town Clerk

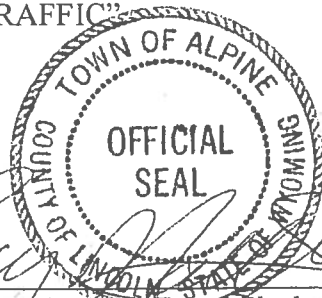
ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
COUNTY OF LINCOLN)
TOWN OF ALPINE)

I hereby certify that the foregoing Ordinance No. 103 was duly posted for ten (10) days in the Town Clerk's office.

I further certify that the foregoing ORDINANCE was duly recorded in the BOOK OF ORDINANCES III, TOWN OF ALPINE, LINCOLN COUNTY, WYOMING, in the LAW ENFORCEMENT SECTION, TITLE V "ALPINE MUNICIPAL CRIMINAL ORDINANCE- TRAFFIC"

ATTEST:



BY:

Tracy Matthews
TRACY MATTHEWS, Town Clerk