

ORDINANCE 1206

AN ORDINANCE AMENDING TITLE 12 CITY ADMINISTRATIVE PROVISIONS

NOW THEREFORE, be it ordained by the Governing Body of the City of Lander, Fremont County, Wyoming:

TITLE 12 CITY ADMINISTRATIVE PROVISIONS

Section

- 12-1-1 Corporate Limits
- 12-1-2 Wards and Council Members
- 12-1-3 Council Meetings
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- 12-1-5 Council Procedure
- 12-2-1 Appointments
- 12-2-2 Removal of Personnel
- 12-2-3 Appointive Offices
- 12-2-4 Subordinate Offices
- 12-2-5 Compensation of Officers
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- 12-2-7 Municipal Judge
- 12-2-8 Building Inspector
- 12-2-9 Mt. Hope Cemetery
- 12-3-1 Planning Commission
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- 12-3-3 Parks & Recreation Board
- 12-3-4 Special Commissions
- 12-4-1 Economic Development Commission; Establishment
- 12-4-2 Same; Duties and Responsibilities
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- 12-5-1 Vacancies in the Office of Mayor
- 12-5-2 Members - Vacancies - Procedures for Filling
- 12-6-1 Creation and Establishment of a Urban Forest Council
- 12-6-2 Same; Duties and Responsibilities
- 12-7-1 Drug Free Workplace
- 12-8-1 Americans with Disabilities Coordinator

12-1-1. Corporate Limits. - An official map showing the corporate limits, zoned areas, and other specially designed areas of the City shall be maintained by the City Administration and shall be available for public inspection in the office of the City Clerk, together with legal descriptions for all boundary lines thereon.

12-1-2. Wards and Council Members. - The City shall be divided into three wards and two council members shall be elected from each ward. Council members shall be qualified electors of the ward they represent. Ward boundaries will be adjusted after each census and approved by the City Council.

12-1-3 Council Meetings. - Regular meetings of the City Council of the City of Lander may be held on the second Tuesday of each month at 7:00 p.m. at the City Hall. Work sessions of the City Council may be held on the fourth Tuesday of the month at 7:00 p.m. at the City Hall. Public Hearings will be held at 6:30 p.m. or as determined by the City Administration and properly published in accordance with Wyoming State Statutes. In the event there is no business that needs to be conducted by the City Council at either a regular meeting or at a work session, the meeting may be canceled. A regular

meeting, special meeting, or any other City Council meeting may be convened at any other time or place with proper public notice.

12-1-4. Special Meetings. - The Presiding Officer or four Council Members may call special meetings in accordance with W.S. 15-1-105 and 16-4-404 . Actual notice or constructive notice provided in Section 1-1-5 shall constitute sufficient notice under this section. The necessity of any notice may be waived by the presence and consent of every Council Member. Review Wy Statutes

12-1-5. Council Procedures. - Upon the request of any Council Member, Council procedure shall be conducted in accordance with Review Wy Statutes rules for the conduct of its proceedings as journaled by the City Administration.

12-2-1. Appointments. - Unless otherwise provided, all appointive offices shall be filled by the Mayor with the advice and consent of the Council.

12-2-2. Removal of Appointees. - The Mayor may remove or discharge any appointee, for incompetency, neglect, or, with the consent of the Council, for other cause in accordance with W.S. 15-3-204.

12-2-3. Appointive Offices – The following appointive offices are created in accordance with W.S. 15-3-204: Chief of Police, City Clerk, City Treasurer, City Attorney, Municipal Court Judge, Superintendent of Public Works, Assistant Mayor, City Engineer and Fire Chief terms for which shall coincide with the regular Mayor's term; however, all officers shall remain in office until their replacements have qualified.

12-2-4. Subordinate Offices. - Subject to the approval of the Council, the Mayor may create offices subordinate to the appointive offices listed in Section 12-2-3. The Mayor may delegate appointment of subordinate officers to the appointive officers, provided that the subordinate officer shall in any case be approved by the Council.

12-2-5. Compensation of Officers and Employees. -

- (a) The Mayor's annual salary is \$21,000 a year. The Mayor is also eligible for health insurance coverage as defined in the City of Lander Personnel Rules and Managerial Guidelines
- (b) Each Council Member shall receive \$75.00 for actual attendance at each regular or special meeting of the City Council and at each meeting of committees that the Council Member shall attend. Each Council Member is also eligible for health insurance coverage as defined in the City of Lander Personnel Rules and Managerial Guidelines.
- (c) The salaries of all other officers and employees shall be as shown on a step-grade scale as filed with the City Clerk.
- (d) Compensation for each Fireman for regular and special meetings each fireman attends shall be determined by resolution of the Lander City Council and kept on file at the office of the City Clerk. Said resolution can be amended at any time by the Governing Body of the City of Lander. The yearly salary of each officer of the Lander Volunteer Fire Department shall be determined by resolution of the Lander City Council and kept on file at the office of the City Clerk. Said resolution can be amended at any time by the Governing Body of the City of Lander.

12-2-6. Department Regulations. -

(a) The Mayor, subject to the approval of the Council, may establish regulations and policies concerning all City personnel.

(b) Subject to the approval of the Mayor and Council, each appointive officer may establish regulations for the operation of his office or department, including

the procedural requirements, priority schedules, and whatever standards or rules are necessary to the proper and efficient functioning of his office.

(c) All Departmental regulations and procedures shall be filed with the City Clerk and must comply with the City of Lander Personnel Rules and Managerial Guidelines.

12-2-7. Municipal Judge. - The Municipal Judge shall give a bond to the City of Lander in the amount of \$10,000, conditioned on the lawful performance of his duties.

12-2-8. Building Inspector. -

(a) The City may employ a Building Inspector and so many Deputy Building Inspectors as the Governing Body shall deem appropriate.

(b) The Building Inspector, or his designee, may, in addition to any other person authorized by law:

- (i) investigate, enforce and sign complaints concerning any violation of Titles 3, 4, 5, 9, 11 and 13 of the Ordinance of the City of Lander;
- (ii) serve any notices, orders or documents, relevant to such enforcement action.

12-2-9. Mt. Hope Cemetery. - Mt. Hope Cemetery will operate in accordance with W.S. 35-8-201 through 35-8-211. Cemetery rules and procedures shall be filed with the City Clerk.

12-3-1. Planning Commission. -

- (a) A Planning Commission for the City of Lander is established in accordance with Section WS 15-1-502. Members shall be representative of different occupations and appointed without respect to political affiliation by the Mayor, with the advice and consent of the Council.
- (b) The commission shall promulgate and publish rules and regulations on file with the City Clerk for the health, welfare, and safety of persons making use thereof.
- (c) The term of the appointive members of the commission shall be four years. Members shall hold office until their successors are appointed and qualified.

12-3-2. Airport Board. -

- (a) The term of the appointive members of the Airport Board shall be 5 years.
- (b) The Board shall exercise general supervision of the Lander Airport, subject to the direction of the City Council. The airport **board** shall promulgate and publish rules and regulations on file with the City Clerk to insure an impartial use of the airport and for the health, welfare, and safety of persons making use thereof.

12-3-3. Parks & Recreation Board. -

- (a) A Parks and Recreation Board for the City of Lander is established to consist of nine board members who shall be residents of Lander. Members shall be representative of different occupations and appointed without respect to political affiliation by the Mayor, with the advice and consent of the Council.

- (b) The board shall promulgate and publish rules and regulations on file with the City Clerk to insure an impartial use of the City of Lander recreation facilities and functions.
- (c) The term of the appointive members of the commission shall be four years. Members shall hold office until their successors are appointed and qualified.
- (d) The duties of the board will be to review all related activities, programs, select committees and other functions whose operations are conducted in whole or in part by the City Recreation personnel and share their findings with the Public Works Director and/or a designated administrator of the City Administration.

12-3-4. Special Commissions. - The Council may authorize the creation of special commissions by resolution. Commissioners shall be appointed by the Mayor, with the advice and consent of the Council.

12-4-1. Economic Development Commission; Established. - Pursuant to the general powers conferred under Wyoming Statutes Section 15-1-103(a)(xli) and other applicable statutory authority, there is hereby created and established a commission, consisting of a minimum of seven (7) and a maximum of nine (9) commissioners. The Mayor and Council may approve by resolution the assignment of the Economic Development Commission duties and responsibilities to an established Economic Development Organization or include in City Staff job descriptions.

12-4-2 Duties and Responsibilities – The Economic Development Commission will assist and report to the governing body in determining and implementing plans for the beneficial diversification of Lander area economy. The commission shall promulgate and publish rules and regulations on file with the City Clerk to insure an impartial use of the airport and for the health, welfare, and safety of persons making use thereof.

12-4-3. Same; Appointment and Term. - Each commissioner shall be appointed by the Mayor upon the advice and consent of the City Council, which appointment shall be for a term of four years. Vacancies shall be filled after appointment by the Mayor with the advice and consent of the governing body for the unexpired term of any member. Members of the Commission may be removed from office by the governing body for cause, upon written charges and after public hearing.

12-4-4. Same; Compensation. - No commissioner shall be entitled to receive any pay or supplementary benefit for his or her service of office, either directly or indirectly, provided, however, actual authorized expenses incurred by any commissioner in the performance of his or her duties as such shall be paid by the City of Lander.

12-5-1. Vacancies in the Office of Mayor. -

Any vacancy in the office of Mayor shall be filled only from the governing body by a majority vote of all council members. An abstention shall be considered a no vote. WS 15-1-107.

12-5-2. Members - Vacancies - Procedure of Filing. -

(a) Any vacancy on the Lander City Council shall be filled by the City Council by appointment of a temporary successor to serve until a successor for the remainder of the unexpired term is elected at the next general municipal election and is qualified and takes office on the first Monday of the following January unless a vacancy in a four year term of office occurs after the first day for filing an application for nomination pursuant to W.S. 22-5-209, in which event the temporary successor appointed shall serve until the first Monday in January following the second general election thereafter *WS 15-1-107*

(b) A councilmember or mayor shall be deemed a non-resident, and a vacancy therefore to exist, when he or she shall have failed to occupy a fixed, permanent and customary place of habitation, within the boundaries of the municipality.

(c) A resignation shall be deemed effective and a vacancy to have occurred as follows:

- (1) A councilmember desiring to resign from his or her position on the governing body shall submit a resignation in writing to the City Clerk specifying the date he or she desires the resignation to be effective, which date shall not be more than one hundred twenty days after the postmark date of the letter, if mailed, or after the date of delivery to the municipal clerk.
- (2) The City clerk shall place the question of resignation before the governing body for acceptance or rejection at the regular meeting next succeeding the postmark date of the letter of resignation or the delivery thereof to the municipal clerk.
- (3) The resignation may be withdrawn at any time prior to acceptance or rejection by the governing body; provided, that a request for withdrawal of a resignation must also be in writing and received by the municipal clerk prior to the regular meeting at which the resignation is to be considered. Upon acceptance by the governing body, the resignation is irrevocable.
- (4) The resignation, unless withdrawn as stated in subdivision 3 of this subsection, shall be deemed effective as of the date specified in the written resignation. The process of filling the vacancy shall commence upon the acceptance of the resignation by the governing body and the resigning councilmember may participate in the process of filling the vacancy; provided, however, that the formal vote on the selection of an appointee shall not take place until after the effective date of the resignation.

(i) The refusal of the mayor or a councilmember to take the oath of office, as required by law; at the time and place, and before the person designated, shall constitute a failure to take the oath as required and a vacancy shall be deemed to exist at such time.

(j) The city council shall cause public notice to be given of its intention to solicit applications to fill any vacancy on the city council. The notice shall be published in a local newspaper of general circulation on two consecutive weeks. The letter of interest shall be submitted establishing applicant's legal qualifications to hold office.

(k) The council shall specify a time period for submitting applications and the council shall then review applications received and may conduct any further review of candidates deemed necessary and, by a majority vote of all council members, shall appoint a temporary successor.

12-6-1 Creation and Establishment of a City Urban Forest Council (Tree Board) – There is hereby created and established a City Urban Forest Council for the City of Lander, Wyoming, which shall consist of five or more members appointed by the Mayor and approved by the City Council. The Tree Board will be responsible for the care of all trees on the City owned property including the study, investigation, preservation, trimming, replanting, removal or disposition of trees and shrubs in public ways, streets and alleys.

12-6-2 **Duties and Responsibilities** – The Tree Board shall promulgate and publish rules and regulations on file with the City Clerk to insure operations consistent with Tree City USA requirements.

12-7-1. – Drug Free Workplace - The Drug Free workplace as defined in the City of Lander Personnel Policy and Managerial Guidelines shall be strictly enforced to protect the City of Lander's status as a responsible source for the award of Federal contracts and grants.

12-8-1 - Americans with Disabilities Coordinator

(a) The city shall appoint an employee as an Americans with Disabilities Coordinator and any Deputy Americans with Disabilities Coordinator as deemed appropriate.

This ordinance shall take effect from and after its passage, approval and publication as required by law and the ordinances of the City of Lander.

PASSED ON FIRST READING August 9, 2016

PASSED ON SECOND READING September 13, 2016

PASSED ON THIRD READING October 11, 2016

PASSED, ADOPTED AND APPROVED by the Mayor and City Council on the 11th day of October, 2016.

THE CITY OF LANDER
A Municipal Corporation

By *Del McOmie*
Del McOmie, Mayor

ATTEST:

Robin Griffin
Robin Griffin, City Clerk

STATE OF WYOMING)
)ss.
COUNTY OF FREMONT)

CERTIFICATE

I hereby certify that on October 11, 2016, following passage, adoption and approval of Ordinance 1206, Del McOmie, the duly elected, qualified and acting Mayor of the City of Lander, issued this proclamation and said ordinance was published at least once in the Lander Journal, a newspaper of general circulation within Lander, Wyoming, the effective date and publication being October 16, 2016.

Robin Griffin
Robin Griffin, City Clerk