

ORDINANCE NO. 752

**AN ORDINANCE REPEALING THE EXISTING TITLE 2
ON ADMINISTRATION AND PERSONNEL IN ITS ENTIRETY AND
REPLACING IT WITH A NEW TITLE 2 ON ADMINISTRATION AND
PERSONNEL**

WHEREAS, The Town of Mills, Wyoming has had the occasion to review Title 2 of its Ordinances and to revise the same; and

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

WHEREAS, Article 13, Sec 1(c) of the Constitution of the State of Wyoming provides:

Article 13, Section 1 Incorporation; alteration of boundaries; merger; consolidation; dissolution; determination of local affairs; classification; referendum; liberal construction.

* * *

(c) Each city or town may elect that the whole or any part of any statute, other than statutes uniformly applicable to all cities and towns and statutes prescribing limits of indebtedness, may not apply to such city or town. This exemption shall be by charter ordinance passed by a two-thirds (2/3) vote of all members elected to the governing body of the city or town. Each such charter ordinance shall be titled and may provide that the whole or any part of any statute, which would otherwise apply to such city or town as specifically designated in the ordinance shall not apply to such city or town. Such ordinance may provide other provisions on the same subject. Every charter ordinance shall be published once each week for two consecutive weeks in the official city or town newspaper, if any, otherwise in a newspaper of general circulation in the city or town. No charter ordinance shall take effect until the sixtieth (60th) day after its final publication. If prior thereto, a petition, signed by a number of qualified electors of the city or town, equaling at least ten per cent (10%) of the number of votes cast at the last general municipal election, shall be filed in the office of the clerk of such city or town, demanding that such ordinance be submitted to referendum, then the ordinance shall not take effect unless approved by a majority of the electors voting thereon. Such referendum election shall be called within thirty (30) days and held within ninety (90) days after the petition is filed. An ordinance establishing procedures, and fixing the date of such election shall be passed by the governing body and published once each week for three (3) consecutive weeks in the official city or town newspaper, if any, otherwise in a newspaper of general circulation in the city or town. The question on the ballot shall be: "Shall Charter Ordinance No. Entitled (stating the title of the ordinance) take effect?". The governing body may submit, without a petition, any charter ordinance to referendum election under the

procedures as previously set out. The charter ordinance shall take effect if approved by a majority of the electors voting thereon. An approved charter ordinance, after becoming effective, shall be recorded by the clerk in a book maintained for that purpose with a certificate of the procedures of adoption. A certified copy of the ordinance shall be filed with the secretary of state, who shall keep an index of such ordinances. Each charter ordinance enacted shall prevail over any prior act of the governing body of the city or town, and may be repealed or amended only by subsequent charter ordinance, or by enactments of the legislature applicable to all cities and towns.

(d) The powers and authority granted to cities and towns, pursuant to this section, shall be liberally construed for the purpose of giving the largest measure of self-government to cities and towns.

and

WHEREAS, certain provisions contained in Title 2 constitute exemptions from Wyoming Statutes, including the provision of Wyoming Statutes WS §§ 15-5-101 et seq., 15-11-103, 15-11-202, and 22-23-103. It is the intent of the Town Council of the Town of Mills that these provisions shall not be applicable to the Town of Mills, and.

WHEREAS, WS § 15-5-101 et. Seq deals with Civil Service Commissions for Fire and Police Departments, and the Town Council chooses for these provisions not to be applicable to the Town of Mills, Wyoming

WHEREAS, WS § 15-11-103 deals with Officers of first class city; terms: how elected, and requires a ward system of municipal government and terms as there set forth, and the Town Council chooses for these provisions not to be applicable to the Town of Mills Wyoming and instead chooses the system and terms set forth in the attached Title 2; and

WHEREAS, WS § 15-11-202 deals with Councilmen in first class city and imposes a ward system of municipal government and the Town Council chooses for these provisions not to be applicable to the Town of Mills and instead choose the system set forth in the attached Title 2; and

WHEREAS, WS § 15-3-104 references dividing a first class city into not less than three wards and the Town of Mills chooses not to do the same, but otherwise does choose to continue its existing form of government under the guidelines and terms as set forth herein; and

WHEREAS, WS § 22-23-103 concerns dividing a municipality into wards and the Town Council of the Town of Mills chooses not to do the same; and

WHEREAS, separate ordinances noting the same as the paragraphs above are not intended to be inconsistent, but to be consistent with the above declaration.

NOW THEREFORE, The Town Council of the Town of Mills hereby repeals the entire exiting Title 2 and replaces the same with the attached text, which shall be the new Title 2 upon the effective date of adoption

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

PASSED on 1st reading the _____ day of November 2020.

PASSED on 2nd reading the _____ day of _____, 2020.

PASSED, APPROVED AND ADOPTED on 3rd and final reading this _____ day of _____, 2020

TOWN OF MILLS, WYOMING

Seth Coleman, Mayor

Sara McCarthy, Council

Darla R. Ives, Council

James Hollander, Council

Ronald Wales, Council

ATTESTED:

Christine Trumbull, Town Clerk