

**REGULAR CITY COUNCIL
MEETING**

April 27, 2021

7:00 PM

Town Hall



CITY OF MILLS
EST. 1921

Mayor:
Seth Coleman
Council President:
Darla Ives
Council Members:
James Hollander
Sara McCarthy
Brad Neumiller

AGENDA

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Minutes

- [1.](#) Council Meeting Minutes 4-13-2021
2. Executive Session Minutes 4-13-2021 Legal Issue #1
3. Executive Session Minutes 4-13-2021 Legal Issue #2

Town Licenses

- [4.](#) Business and Contractor Licenses 4-27-2021

Financial Approvals

- [5.](#) Bill Report Breakdown
- [6.](#) Fire Payroll 4-5-2021 to 4-16-2021
7. Regular Payroll 3-29-2021 to 4-15-2021

ORDINANCES AND RESOLUTIONS

- [8.](#) **Ordinance 759: THIRD AND FINAL READING** : Title 13: Public Services
- [9.](#) **Ordinance 763: First Reading**: AN ORDINANCE REPEALING THE EXISING TITLE 17 OF THE MILLS MUNICIPAL CODE DEALING WITH SUBDIVISIONS AND ZONING AND REPLACING IN ITS ENTIRETY

COUNCIL APPROVALS

OPEN DISCUSSION

EXECUTIVE SESSION

10. Personnel Issue

- 11. Legal Issue
- 12. Legal Issue
- 13. Legal Issue

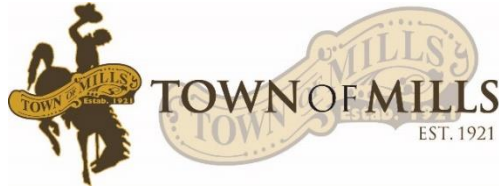
ADJOURNMENT

NEXT MEETING - May 11th, 2021 @ 7:00pm/ May 25th, 2021 @ 7:00pm/ June 8th, 2021 @ 7:00pm

NEXT WORK SESSION - May 10th 2021 @ 9:00am/ May 11th, 2021 @ 6:00pm/ May 25th 2021 @ 6:00pm

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at 307-234-6679 within 48 hours prior to the meeting in order to request such assistance.

**REGULAR TOWN
COUNCIL MEETING
April 13, 2021
7:00 PM
Town Hall**



Mayor:
Seth Coleman
Council President:
Darla Ives
Council Members:
James Hollander
Sara McCarthy
Brad Neumiller

MINUTES

CALL TO ORDER

Mayor called the meeting to order at 7:00pm.

ROLL CALL

PRESENT

Mayor Seth Coleman
Council President Darla Ives
Council Member Jim Hollander
Council Member Sara McCarthy
Council Member Brad Neumiller

PLEDGE OF ALLEGIANCE

Pledge was said

SWEAR IN OF LISA SHUPE CITY TREASURER

The City Clerk swore in the Lisa Shupe the new City Treasurer

CONSENT AGENDA

Minutes

1. Council Meeting Minutes 3-23-2021

Motion made by Council Member Neumiller, Seconded by Council Member Hollander.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

2. Executive Meeting Minutes for a Legal Issue on 3-23-2021

Motion made by Council Member Neumiller, Seconded by Council Member Hollander.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

Town Licenses

3. Business and Contractor Licenses: New and Renewal 4-13-2021

Motion made by Council Member Neumiller, Seconded by Council Member Hollander.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

Financial Approvals

4. Fire Payroll 3-12-2021 to 3-23-2021

Motion made by Council Member Neumiller, Seconded by Council Member Hollander.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

5. Fire Payroll 3-24-2021 to 4-4-2021

Motion made by Council Member Neumiller, Seconded by Council Member Hollander.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

6. Regular/Police Payroll 3-15-2021 to 3-28-2021

Motion made by Council Member Neumiller, Seconded by Council Member Hollander.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

7. Financial Break Down

Motion made by Council Member Neumiller, Seconded by Council Member Hollander.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

ORDINANCES AND RESOLUTIONS

8. Ordinance 758: THIRD AND FINAL READING: Title 1: General Provisions

Motion made by Council President Ives, Seconded by Council Member McCarthy.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

9. Ordinance 759: Second Reading : Title 13: Public Services

Motion made by Council Member Neumiller, Seconded by Council Member Hollander.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

10. Ordinance 760 THIRD AND FINAL READING: Title 10: Vehicles and Traffic

Motion made by Council Member McCarthy, Seconded by Council President Ives.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

11. Ordinance 762: THIRD AND FINAL READING: Title 12: Streets, Sidewalks and Public Spaces

Motion made by Council Member Neumiller, Seconded by Council President Ives.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

12. Resolution 2021-12: A RESOLUTION FOR APPROVAL OF A SITE PLAN FOR A PROPOSED 4,000 SQ. FT. STORAGE BUILDING ON LOT 22 (PARCEL A), CENTER WEST INDUSTRIAL PARK, CITY OF MILLS, NATRONA COUNTY, WY

Motion made by Council Member McCarthy, Seconded by Council Member Neumiller.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

13. Resolution 2021-13: A Resolution to Sell City History Books For An Approved Amount Set By The Governing Body of The City of Mills

The Mayor stated that we will sell the Mills History Books for \$20.00

Motion made by Council Member Neumiller, Seconded by Council Member McCarthy.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

COUNCIL APPROVALS

14. Council Authorizes the Mayor to Approve the Bid for the Crack Ceiling in the Amount of \$56,000

Motion made by Council President Ives, Seconded by Council Member Neumiller.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

15. Council Authorizes the Mayor to Patriciate in Lemonade Day and Sponsor This Event with Town Square in the Amount of \$500.00

Motion made by Council Member Neumiller, Seconded by Council Member McCarthy.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

OPEN DISCUSSION

None

EXECUTIVE SESSION

16. Legal Issue

Mayor asked for a motion to go into Executive Session for Legal Issue at 7:06pm.

Motion made by Council Member McCarthy, Seconded by Council President Ives.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

Back from Executive Session at 7:34pm. Mayor asked for a motion to revoke the authority for John Jones of CATC to apply for grants for the Town of Mills. Motion made by Council Member Neumiller, seconded by Council Member Hollander. Voting Yea: Mayor Coleman, Council President Ives, Council Member McCarthy, Council Member Hollander, and Council Member Neumiller.

Also the Mayor asked for a motion to retain Heather Malone as legal counsel and to authorize the Mayor to work and make decisions on a legal matter. Motion made by Council Member Neumiller, seconded by Council President Ives. Voting Yea: Mayor Coleman, Council President Ives, Council Member McCarthy, Council Member Hollander, Council Member Neumiller.

17. Legal Issue

Mayor asked for a motion to go into Executive Session for a Legal Issue at 7:36pm.

Motion made by Council President Ives, Seconded by Council Member McCarthy.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

Back from Executive Session at 7:59pm. No Action Taken

18. Personnel Issue

Cancelled

19. Legal Issue

Cancelled

20. Legal Issue

Cancelled

ADJOURNMENT

Mayor asked for a motion to adjourn the meeting at 7:59pm.

Motion made by Council President Ives, Seconded by Council Member McCarthy.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

NEXT MEETING - April 27th, 2021 @ 7:00pm/ May 11th, 2021 @ 7:00pm/ May 25th, 2021 @ 7:00pm

NEXT WORK SESSION - April 27th, 2021 @ 6:00pm/ May 10th, 2021 @ 9:00am/ May 11th, 2021 @6:00pm

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at 307-234-6679 within 48 hours prior to the meeting in order to request such assistance.

Mayor, Seth Coleman

Town Clerk, Christine Trumbull

Council Meeting APRIL 27TH, 2021

Item # 4.

NEW BUSINESS LICENSES

| BUSINESS NAME | FIRE INSPECTION | INSURANCE |
|----------------------|------------------------|------------------|
| Boomtown BBQ, LLC | N/A | Yes |

RENEWAL BUSINESS LICENSES

| | BUSINESS NAME | FIRE INSPECTION | INSURANCE |
|----|----------------------------------|------------------------|------------------|
| 1 | Don Hollandsworth | N/A | N/A |
| 2 | Industrial Crating International | Yes | Yes |
| 11 | Laura's Kut & Kurl Salon | Yes | Yes |
| 12 | Lost Arrow Catering | Yes | Yes |
| 13 | | | |
| 14 | | | |
| 15 | | | |
| 16 | | | |
| 17 | | | |
| 18 | | | |
| 19 | | | |
| 20 | | | |
| 22 | | | |
| 22 | | | |
| 23 | | | |
| 24 | | | |

Council Meeting JAN 12, 2021

Item # 4.

NEW CONTRACTOR LICENSES

BUSINESS NAME

CONTRACTOR ID INSURANCE FIRE

RENEWAL CONTRACTOR LICENSES

BUSINESS NAME

CONTRACTOR ID INSURANCE FIRE

| | | | | |
|----|---------------------|-----|-----|-----|
| 7 | Toland Construction | Yes | Yes | N/A |
| 8 | | | | |
| 9 | | | | |
| 10 | | | | |
| 11 | | | | |
| 12 | | | | |
| 13 | | | | |
| 14 | | | | |
| 15 | | | | |
| 16 | | | | |
| 17 | | | | |
| 18 | | | | |
| 19 | | | | |
| 20 | | | | |
| 21 | | | | |
| 22 | | | | |
| 23 | | | | |



CITY OF MILLS

EST. 1921

BILLS

Meeting Date: April 27th, 2021

Bills

| | |
|------------------------------|-------------|
| PETTY CASH..... | \$0.00 |
| VOUCHERS..... | \$79,445.62 |
| MANUAL CHECKS TOWN HALL..... | \$26,460.24 |
| MANUAL CHECKS COURT..... | \$975.00 |
| VOIDED CHECKS..... | \$332.17 |



CITY OF MILLS

EST. 1921

CHECK LIST FOR
April 27th, 2021
COUNCIL MEETING
City Hall/Court

| | | |
|-----------|-------------|--------------|
| 4-14-2021 | 27342-27344 | Manual |
| 4-14-2021 | 27345-27349 | Transmittals |
| 4-14-2021 | 27350-27351 | Payroll |
| 4-19-2021 | 27352-27353 | Transmittals |
| 4-20-2021 | 27354-27360 | Manuals |
| 4-23-2021 | 27361-27391 | Vouchers |
| 4-23-2021 | 27378 | Void |
| 4-23-2021 | 27392 | Manual |
| | | |
| | Court | |
| | | |
| 4-16-2021 | 1619-1620 | Manual |
| 4-22-2021 | 1621-1622 | Manual |

COUNCIL:

MAYOR:

TOWN CLERK:



CITY OF MILLS

EST. 1921

MANUAL CHECKS

City Hall

April 27th, 2021

COUNCIL MEETING

| | | | | |
|-----------|-------|-----------------------------------|-------------------------------------|-------------|
| 4-14-2021 | 27342 | PSI Production | 100 th Anniversary Event | \$10,400.00 |
| 4-14-2021 | 27343 | Seth Coleman | Reimbursement for food for Meetings | \$120.65 |
| 4-14-2021 | 27344 | Bryon Preciado | Stipend for Uniforms | \$550.00 |
| 4-20-2021 | 27354 | Black Hills Energy | Utilities | \$5040.64 |
| 4-20-2021 | 27355 | Larry Noble | Water Deposit Refund | \$67.83 |
| 4-20-2021 | 27356 | Laura Reeb | Water Deposit Refund | \$71.99 |
| 4-20-2021 | 27357 | Rocky Mountain Power | Utilities | \$268.62 |
| 4-22-2021 | 27358 | Wyoming Amusement Services | Hall Refund | \$1400.00 |
| 4-22-2021 | 27359 | Department of Work Force Services | Workers Comp | \$8321.06 |
| 4-22-2021 | 27360 | Riverside Rentals | Water Deposit Refund | \$219.45 |

TOTAL: \$26,460.24



CITY OF MILLS

EST. 1921

MANUAL CHECKS

COURT

April 27th 2021

COUNCIL MEETING

| | | | | |
|-----------|------|-----------------|-------------|----------|
| 4-16-2021 | 1619 | Paul Warren | Bond Refund | \$50.00 |
| 4-16-2021 | 1620 | Paul Woods | Bond Refund | \$545.00 |
| 4-22-2021 | 1621 | Lynn Anderson | Bond Refund | \$10.00 |
| 4-22-2021 | 1622 | Christina Weber | Bond Refund | \$370.00 |

TOTAL: \$975.00



CITY OF MILLS

EST. 1921

Voided Checks

April 27th, 2021

Council Meeting

| | | | | | |
|-----------|-------|-------|-----------------------|--------------|----------|
| 4-23-2021 | 27378 | 27392 | Lithia Motors Support | Wrong Vendor | \$332.17 |
|-----------|-------|-------|-----------------------|--------------|----------|

TOTAL: \$332.17

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Only paid invoices included.

[Report].Vendor Number = {<>} {AND} 380 {AND} 4910 {AND} 790 {AND} 1310 {AND} 1340 {AND} 2080 {AND} 4200 {AND} 4210 {AND} 5470 {AND} 5480 {AND} 5950 {AND} 6480 {AND} 7040 {AND} 7280 {AND} 6450 {AND} 7170

[Report].Vendor Number = {OR} {IS NULL}

| Vendor | Vendor Name | Invoice Number | Invoice Date | Net Invoice Amount | Amount Paid | Date Paid | Last Check Date | Last Check Number |
|---------------------------------------|----------------------------|----------------|--------------|--------------------|-------------|------------|-----------------|-------------------|
| 307 Construction, LLC | | | | | | | | |
| 7641 | 307 Construction, LLC | 4-8-2021 | 04/08/2021 | 1,900.00 | 1,900.00 | 04/23/2021 | 04/23/2021 | 27361 |
| Total 307 Construction, LLC: | | | | 1,900.00 | 1,900.00 | | | |
| 307 Print, Ship & More | | | | | | | | |
| 8085 | 307 Print, Ship & More | 469 | 04/12/2021 | 345.00 | 345.00 | 04/23/2021 | 04/23/2021 | 27362 |
| Total 307 Print, Ship & More: | | | | 345.00 | 345.00 | | | |
| AMBI Mail & Marketing, Inc | | | | | | | | |
| 140 | AMBI Mail & Marketing, Inc | 21-03-430 | 03/31/2021 | 15.44 | 15.44 | 04/23/2021 | 04/23/2021 | 27363 |
| Total AMBI Mail & Marketing, Inc: | | | | 15.44 | 15.44 | | | |
| Atlas Office Products, Inc | | | | | | | | |
| 620 | Atlas Office Products, Inc | 67001-0 | 04/16/2021 | 713.20 | 713.20 | 04/23/2021 | 04/23/2021 | 27364 |
| Total Atlas Office Products, Inc: | | | | 713.20 | 713.20 | | | |
| B & B Rubber Stamp | | | | | | | | |
| 650 | B & B Rubber Stamp | 122175 | 04/12/2021 | 41.45 | 41.45 | 04/23/2021 | 04/23/2021 | 27365 |
| Total B & B Rubber Stamp: | | | | 41.45 | 41.45 | | | |
| Big Horn Tire, Inc | | | | | | | | |
| 7983 | Big Horn Tire, Inc | 04-51568 | 04/14/2021 | 20.00 | 20.00 | 04/23/2021 | 04/23/2021 | 27366 |
| Total Big Horn Tire, Inc: | | | | 20.00 | 20.00 | | | |
| Bond Refund | | | | | | | | |
| 7866 | Bond Refund | 4000326 | 04/14/2021 | 370.00 | 370.00 | 04/22/2021 | 04/22/2021 | 1622 |
| 7866 | Bond Refund | 4005239 | 04/15/2021 | 10.00 | 10.00 | 04/22/2021 | 04/22/2021 | 1622 |
| Total Bond Refund: | | | | 380.00 | 380.00 | | | |
| City of Casper | | | | | | | | |
| 1510 | City of Casper | 1560 | 04/08/2021 | 2,034.00 | 2,034.00 | 04/23/2021 | 04/23/2021 | 27367 |
| 1510 | City of Casper | 604434 | 04/07/2021 | 667.80 | 667.80 | 04/23/2021 | 04/23/2021 | 27367 |
| 1510 | City of Casper | 604464 | 04/08/2021 | 610.03 | 610.03 | 04/23/2021 | 04/23/2021 | 27367 |
| 1510 | City of Casper | 604490 | 04/09/2021 | 452.09 | 452.09 | 04/23/2021 | 04/23/2021 | 27367 |
| 1510 | City of Casper | 604527 | 04/12/2021 | 327.01 | 327.01 | 04/23/2021 | 04/23/2021 | 27367 |
| 1510 | City of Casper | 604549 | 04/13/2021 | 1,115.65 | 1,115.65 | 04/23/2021 | 04/23/2021 | 27367 |
| 1510 | City of Casper | 604573 | 04/13/2021 | 598.37 | 598.37 | 04/23/2021 | 04/23/2021 | 27367 |
| 1510 | City of Casper | 604594 | 04/15/2021 | 525.76 | 525.76 | 04/23/2021 | 04/23/2021 | 27367 |
| 1510 | City of Casper | 604610 | 04/16/2021 | 288.32 | 288.32 | 04/23/2021 | 04/23/2021 | 27367 |
| Total City of Casper: | | | | 6,619.03 | 6,619.03 | | | |

| Vendor | Vendor Name | Invoice Number | Invoice Date | Net Invoice Amount | Amount Paid | Date Paid | Last Check Date | Last Check Number |
|---|----------------------------------|----------------|--------------|--------------------|-------------|------------|-----------------|-------------------|
| Communication Technologies Inc | | | | | | | | |
| 1640 | Communication Technologies Inc | 88230 | 04/13/2021 | 103.00 | 103.00 | 04/23/2021 | 04/23/2021 | 27368 |
| Total Communication Technologies Inc: | | | | 103.00 | 103.00 | | | |
| Computer Professionals Unlimited | | | | | | | | |
| 7450 | Computer Professionals Unlimited | INV118199 | 04/07/2021 | 2,124.90 | 2,124.90 | 04/23/2021 | 04/23/2021 | 27369 |
| Total Computer Professionals Unlimited: | | | | 2,124.90 | 2,124.90 | | | |
| Envision Electric INC | | | | | | | | |
| 2410 | Envision Electric INC | 8264 | 04/06/2021 | 2,906.00 | 2,906.00 | 04/23/2021 | 04/23/2021 | 27370 |
| Total Envision Electric INC: | | | | 2,906.00 | 2,906.00 | | | |
| Ferguson Waterworks #1701 | | | | | | | | |
| 2540 | Ferguson Waterworks #1701 | 1211455 | 04/21/2021 | 9,273.86 | 9,273.86 | 04/23/2021 | 04/23/2021 | 27371 |
| Total Ferguson Waterworks #1701: | | | | 9,273.86 | 9,273.86 | | | |
| First Call Communications | | | | | | | | |
| 7468 | First Call Communications | 28370 | 04/16/2021 | 250.00 | 250.00 | 04/23/2021 | 04/23/2021 | 27372 |
| Total First Call Communications: | | | | 250.00 | 250.00 | | | |
| Greiner Ford | | | | | | | | |
| 2890 | Greiner Ford | 551066 | 04/07/2021 | 332.17 | 332.17 | 04/23/2021 | 04/23/2021 | 27378 |
| Total Greiner Ford: | | | | 332.17 | 332.17 | | | |
| Huber Plumbing | | | | | | | | |
| 3200 | Huber Plumbing | 00092808 | 04/16/2021 | 977.78 | 977.78 | 04/23/2021 | 04/23/2021 | 27373 |
| Total Huber Plumbing: | | | | 977.78 | 977.78 | | | |
| IGNITE | | | | | | | | |
| 8086 | IGNITE | 2427501-2 | 03/31/2021 | 500.00 | 500.00 | 04/23/2021 | 04/23/2021 | 27374 |
| Total IGNITE: | | | | 500.00 | 500.00 | | | |
| JDC Investigations, LLC | | | | | | | | |
| 8051 | JDC Investigations, LLC | 1263 | 04/07/2021 | 500.00 | 500.00 | 04/23/2021 | 04/23/2021 | 27375 |
| Total JDC Investigations, LLC: | | | | 500.00 | 500.00 | | | |
| Jonah Visa | | | | | | | | |
| 8059 | Jonah Visa | 000407 | 04/15/2021 | 310.24 | 310.24 | 04/23/2021 | 04/23/2021 | 27376 |
| 8059 | Jonah Visa | 001618 | 04/12/2021 | 7.00 | 7.00 | 04/23/2021 | 04/23/2021 | 27376 |
| 8059 | Jonah Visa | 004080 | 04/15/2021 | 81.66 | 81.66 | 04/23/2021 | 04/23/2021 | 27376 |
| 8059 | Jonah Visa | 004418 | 03/23/2021 | 62.34 | 62.34 | 04/23/2021 | 04/23/2021 | 27376 |
| 8059 | Jonah Visa | 007142 | 04/07/2021 | 14.00 | 14.00 | 04/23/2021 | 04/23/2021 | 27376 |
| 8059 | Jonah Visa | 008574 | 04/06/2021 | 97.34 | 97.34 | 04/23/2021 | 04/23/2021 | 27376 |
| 8059 | Jonah Visa | TOMIT041921 | 04/19/2021 | 500.00 | 500.00 | 04/23/2021 | 04/23/2021 | 27376 |
| Total Jonah Visa: | | | | 1,072.58 | 1,072.58 | | | |

| Vendor | Vendor Name | Invoice Number | Invoice Date | Net Invoice Amount | Amount Paid | Date Paid | Last Check Date | Last Check Number |
|-------------------------------------|------------------------------|----------------|--------------|--------------------|-------------|------------|-----------------|-------------------|
| KnowBe4, Inc | | | | | | | | |
| 7730 | KnowBe4, Inc | INV127410 | 04/08/2021 | 3,682.80 | 3,682.80 | 04/23/2021 | 04/23/2021 | 27377 |
| Total KnowBe4, Inc: | | | | 3,682.80 | 3,682.80 | | | |
| Mastercard | | | | | | | | |
| 4170 | Mastercard | 01-001013-01- | 03/29/2021 | 19.99 | 19.99 | 04/23/2021 | 04/23/2021 | 27379 |
| 4170 | Mastercard | 01-001013-99- | 03/29/2021 | 129.73 | 129.73 | 04/23/2021 | 04/23/2021 | 27379 |
| 4170 | Mastercard | 108600343668 | 03/27/2021 | 11.94 | 11.94 | 04/23/2021 | 04/23/2021 | 27379 |
| 4170 | Mastercard | 122908749 | 03/29/2021 | 307.17 | 307.17 | 04/23/2021 | 04/23/2021 | 27379 |
| 4170 | Mastercard | 123060305 | 03/31/2021 | 152.50 | 152.50 | 04/23/2021 | 04/23/2021 | 27379 |
| 4170 | Mastercard | 60244G | 03/26/2021 | 69.43 | 69.43 | 04/23/2021 | 04/23/2021 | 27379 |
| 4170 | Mastercard | 63368G | 03/27/2021 | 51.34 | 51.34 | 04/23/2021 | 04/23/2021 | 27379 |
| 4170 | Mastercard | 65474G | 03/27/2021 | 62.14 | 62.14 | 04/23/2021 | 04/23/2021 | 27379 |
| Total Mastercard: | | | | 804.24 | 804.24 | | | |
| MES Municipal | | | | | | | | |
| 4290 | MES Municipal | IN1566799 | 04/07/2021 | 465.00 | 465.00 | 04/23/2021 | 04/23/2021 | 27380 |
| Total MES Municipal: | | | | 465.00 | 465.00 | | | |
| Peden's Inc. | | | | | | | | |
| 5010 | Peden's Inc. | N61461 | 03/05/2021 | 63.00 | 63.00 | 04/23/2021 | 04/23/2021 | 27381 |
| 5010 | Peden's Inc. | N61675 | 04/06/2021 | 126.00 | 126.00 | 04/23/2021 | 04/23/2021 | 27381 |
| Total Peden's Inc.: | | | | 189.00 | 189.00 | | | |
| PMCH | | | | | | | | |
| 8013 | PMCH | 11108 | 04/05/2021 | 1,855.00 | 1,855.00 | 04/23/2021 | 04/23/2021 | 27382 |
| Total PMCH: | | | | 1,855.00 | 1,855.00 | | | |
| Quick Med Claims | | | | | | | | |
| 7972 | Quick Med Claims | INV12231 | 03/31/2021 | 743.83 | 743.83 | 04/23/2021 | 04/23/2021 | 27383 |
| Total Quick Med Claims: | | | | 743.83 | 743.83 | | | |
| Riverside Rentals | | | | | | | | |
| 7489 | Riverside Rentals | 102254 | 04/22/2021 | 219.45 | 219.45 | 04/22/2021 | 04/22/2021 | 27360 |
| Total Riverside Rentals: | | | | 219.45 | 219.45 | | | |
| Robirds Electric | | | | | | | | |
| 8064 | Robirds Electric | 2021-009 | 04/16/2021 | 1,029.43 | 1,029.43 | 04/23/2021 | 04/23/2021 | 27384 |
| Total Robirds Electric: | | | | 1,029.43 | 1,029.43 | | | |
| Shearer Administrative | | | | | | | | |
| 8087 | Shearer Administrative | 4-14-2021 | 04/14/2021 | 4,000.00 | 4,000.00 | 04/23/2021 | 04/23/2021 | 27385 |
| Total Shearer Administrative: | | | | 4,000.00 | 4,000.00 | | | |
| Smith Psychological Services | | | | | | | | |
| 8069 | Smith Psychological Services | 1393 | 04/08/2021 | 400.00 | 400.00 | 04/23/2021 | 04/23/2021 | 27386 |

| Vendor | Vendor Name | Invoice Number | Invoice Date | Net Invoice Amount | Amount Paid | Date Paid | Last Check Date | Last Check Number |
|--|--------------------------------|----------------|--------------|--------------------|------------------|------------|-----------------|-------------------|
| Total Smith Psychological Services: | | | | <u>400.00</u> | <u>400.00</u> | | | |
| Sutherlands | | | | | | | | |
| 6050 | Sutherlands | 01-009570 | 04/12/2021 | <u>170.99</u> | <u>170.99</u> | 04/23/2021 | 04/23/2021 | 27387 |
| Total Sutherlands: | | | | <u>170.99</u> | <u>170.99</u> | | | |
| Weston Groundwater Engineering | | | | | | | | |
| 8070 | Weston Groundwater Engineering | L21MILL-02 | 04/12/2021 | <u>1,767.65</u> | <u>1,767.65</u> | 04/23/2021 | 04/23/2021 | 27388 |
| Total Weston Groundwater Engineering: | | | | <u>1,767.65</u> | <u>1,767.65</u> | | | |
| WLC Engineering Inc | | | | | | | | |
| 6920 | WLC Engineering Inc | 2021-10269 | 04/14/2021 | <u>1,593.00</u> | <u>1,593.00</u> | 04/23/2021 | 04/23/2021 | 27389 |
| 6920 | WLC Engineering Inc | 2021-10270 | 04/14/2021 | <u>5,781.25</u> | <u>5,781.25</u> | 04/23/2021 | 04/23/2021 | 27389 |
| 6920 | WLC Engineering Inc | 2021-10271 | 04/14/2021 | <u>8,640.28</u> | <u>8,640.28</u> | 04/23/2021 | 04/23/2021 | 27389 |
| 6920 | WLC Engineering Inc | 2021-10272 | 04/14/2021 | <u>865.00</u> | <u>865.00</u> | 04/23/2021 | 04/23/2021 | 27389 |
| 6920 | WLC Engineering Inc | 2021-10273 | 04/14/2021 | <u>9,373.14</u> | <u>9,373.14</u> | 04/23/2021 | 04/23/2021 | 27389 |
| 6920 | WLC Engineering Inc | 2021-10274 | 04/14/2021 | <u>1,693.00</u> | <u>1,693.00</u> | 04/23/2021 | 04/23/2021 | 27389 |
| 6920 | WLC Engineering Inc | 2021-10278 | 04/14/2021 | <u>6,717.60</u> | <u>6,717.60</u> | 04/23/2021 | 04/23/2021 | 27389 |
| Total WLC Engineering Inc: | | | | <u>34,663.27</u> | <u>34,663.27</u> | | | |
| Wyoming Amusement Services | | | | | | | | |
| 7906 | Wyoming Amusement Services | 0422221 | 04/22/2021 | <u>1,400.00</u> | <u>1,400.00</u> | 04/22/2021 | 04/22/2021 | 27358 |
| Total Wyoming Amusement Services: | | | | <u>1,400.00</u> | <u>1,400.00</u> | | | |
| Wyoming Secretary of State | | | | | | | | |
| 7950 | Wyoming Secretary of State | 12142020 | 12/14/2020 | <u>30.00</u> | <u>30.00</u> | 04/23/2021 | 04/23/2021 | 27390 |
| Total Wyoming Secretary of State: | | | | <u>30.00</u> | <u>30.00</u> | | | |
| Wyoming Signs LLC | | | | | | | | |
| 7190 | Wyoming Signs LLC | 13929 | 04/15/2021 | <u>550.00</u> | <u>550.00</u> | 04/23/2021 | 04/23/2021 | 27391 |
| Total Wyoming Signs LLC: | | | | <u>550.00</u> | <u>550.00</u> | | | |
| Grand Totals: | | | | <u>80,045.07</u> | <u>80,045.07</u> | | | |

Report Criteria:

Report type: GL detail
Check.Type = {<-> "Adjustment"

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|-----------------------|----------------|--|--------------------|--------------|
| 1619 | | | | | | |
| 04/16/2021 | 1619 | Paul Warren | 50.00 | Bond Refund for Paul Warren | 10-26150 | 50.00 M |
| Total 1619: | | | | | | 50.00 |
| 1620 | | | | | | |
| 04/16/2021 | 1620 | Paul Woods | 545.00 | Bond Refund for Paul Woods | 10-26150 | 545.00 M |
| Total 1620: | | | | | | 545.00 |
| 1621 | | | | | | |
| 04/22/2021 | 1621 | Lynn Andersen | 10.00 | Bond Refund for Lynn Andersen | 10-26150 | 10.00 M |
| Total 1621: | | | | | | 10.00 |
| 1622 | | | | | | |
| 04/22/2021 | 1622 | Christina Weber | 370.00 | Bond Refund for Christina Weber | 10-26150 | 370.00 M |
| Total 1622: | | | | | | 370.00 |
| 27286 | | | | | | |
| 04/12/2021 | 27286 | AC Electrical Service | 175.43 | Replace GFCI in kitchen area | 10-45-260 | 175.43 |
| 04/12/2021 | 27286 | AC Electrical Service | 77.20 | new outlet for Town Hall | 10-45-260 | 77.20 |
| Total 27286: | | | | | | 252.63 |
| 27287 | | | | | | |
| 04/12/2021 | 27287 | All Out Fire, Inc | 80.00 | replace fire extinguisher in unit #11 | 10-54-350 | 80.00 |
| 04/12/2021 | 27287 | All Out Fire, Inc | 120.00 | replace fire extinguisher Rodgers and Jensen | 10-54-350 | 120.00 |
| Total 27287: | | | | | | 200.00 |
| 27288 | | | | | | |
| 04/12/2021 | 27288 | ALSCO, Inc | 132.61 | mat service | 10-45-260 | 132.61 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|------------------------------|----------------|--|--------------------|--------------|
| Total 27288: | | | | | | 132.61 |
| 27289 | | | | | | |
| 04/12/2021 | 27289 | Amazon Capital Services, Inc | 684.98 | vortex optic sights streamlight system for weapons | 10-54-220 | 684.98 |
| Total 27289: | | | | | | 684.98 |
| 27290 | | | | | | |
| 04/12/2021 | 27290 | AMBI Mail & Marketing, Inc | 15.44 | Fed Ex Drugs to Crime Lab in Cheyenne | 10-54-330 | 15.44 |
| Total 27290: | | | | | | 15.44 |
| 27291 | | | | | | |
| 04/12/2021 | 27291 | Ameri-Tech Equipment Company | 1,452.00 | Repairs to snow plow | 10-61-950 | 1,452.00 |
| Total 27291: | | | | | | 1,452.00 |
| 27292 | | | | | | |
| 04/12/2021 | 27292 | Atlas Office Products, Inc | 386.27 | restock office supplies | 10-46-235 | 386.27 |
| Total 27292: | | | | | | 386.27 |
| 27293 | | | | | | |
| 04/12/2021 | 27293 | B & B Rubber Stamp | 59.90 | 2 signature stamps | 10-45-310 | 59.90 |
| Total 27293: | | | | | | 59.90 |
| 27294 | | | | | | |
| 04/12/2021 | 27294 | Caselle, Inc | 1,054.00 | Support and Maintenance for May 2021 | 10-44-725 | 1,054.00 |
| 04/12/2021 | 27294 | Caselle, Inc | 1,054.00 | Support and Maintenance for May 2021 | 10-46-725 | 1,054.00 |
| Total 27294: | | | | | | 2,108.00 |
| 27295 | | | | | | |
| 04/12/2021 | 27295 | Casper Tire, Inc | 940.00 | Tires unit #15 | 10-61-900 | 940.00 |
| Total 27295: | | | | | | 940.00 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|----------------------------------|----------------|----------------------------------|--------------------|--------------|
| 27296 | | | | | | |
| 04/12/2021 | 27296 | City of Casper | 7,874.10 | PSCC March 2021 | 10-54-500 | 7,874.10 |
| 04/12/2021 | 27296 | City of Casper | 20,018.62 | 201 Sewer | 53-83-620 | 20,018.62 |
| 04/12/2021 | 27296 | City of Casper | 543.25 | Balefill | 54-84-250 | 543.25 |
| 04/12/2021 | 27296 | City of Casper | 499.26 | Balefill | 54-84-250 | 499.26 |
| 04/12/2021 | 27296 | City of Casper | 514.10 | Balefill | 54-84-250 | 514.10 |
| 04/12/2021 | 27296 | City of Casper | 628.05 | Balefill | 54-84-250 | 628.05 |
| 04/12/2021 | 27296 | City of Casper | 1,133.67 | Balefill | 54-84-250 | 1,133.67 |
| 04/12/2021 | 27296 | City of Casper | 594.66 | Balefill | 54-84-250 | 594.66 |
| 04/12/2021 | 27296 | City of Casper | 696.42 | Balefill | 54-84-250 | 696.42 |
| 04/12/2021 | 27296 | City of Casper | 370.47 | Balefill | 54-84-250 | 370.47 |
| 04/12/2021 | 27296 | City of Casper | 492.90 | Balefill | 54-84-250 | 492.90 |
| 04/12/2021 | 27296 | City of Casper | 842.17 | Balefill | 54-84-250 | 842.17 |
| 04/12/2021 | 27296 | City of Casper | 534.77 | Balefill | 54-84-250 | 534.77 |
| 04/12/2021 | 27296 | City of Casper | 462.69 | Balefill | 54-84-250 | 462.69 |
| 04/12/2021 | 27296 | City of Casper | 533.71 | Balefill | 54-84-250 | 533.71 |
| 04/12/2021 | 27296 | City of Casper | 143.10 | Balefill | 54-84-250 | 143.10 |
| 04/12/2021 | 27296 | City of Casper | 1,040.92 | Balefill | 54-84-250 | 1,040.92 |
| Total 27296: | | | | | | 36,922.86 |
| 27297 | | | | | | |
| 04/12/2021 | 27297 | CLS, Inc | 71.25 | trouble shoot air compressor | 52-82-810 | 71.25 |
| Total 27297: | | | | | | 71.25 |
| 27298 | | | | | | |
| 04/12/2021 | 27298 | Collins Communications, Inc | 275.00 | ITS Customer Care Contract | 10-55-860 | 275.00 |
| Total 27298: | | | | | | 275.00 |
| 27299 | | | | | | |
| 04/12/2021 | 27299 | Computer Professionals Unlimited | 5,023.00 | 2 Lenovo P330 computers | 10-45-390 | 5,023.00 |
| 04/12/2021 | 27299 | Computer Professionals Unlimited | 299.85 | 3 cyberpower UPS battery backups | 10-45-390 | 299.85 |
| Total 27299: | | | | | | 5,322.85 |
| 27300 | | | | | | |
| 04/12/2021 | 27300 | Dana Kepner Company Inc | 859.50 | 3/4" meters X6 | 51-81-430 | 859.50 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|---------------------------------|----------------|--|--------------------|--------------|
| Total 27300: | | | | | | 859.50 |
| 27301 | | | | | | |
| 04/12/2021 | 27301 | Decker Auto Glass | 369.78 | replace glass in unit #7 shattered due to wind | 10-54-950 | 369.78 |
| Total 27301: | | | | | | 369.78 |
| 27302 | | | | | | |
| 04/12/2021 | 27302 | Elliott Equipment Company | 1,117.43 | Pad slide assembly | 54-84-950 | 1,117.43 |
| Total 27302: | | | | | | 1,117.43 |
| 27303 | | | | | | |
| 04/12/2021 | 27303 | Emergency Medical Direction & C | 375.00 | Medical Director March 2021 | 10-56-425 | 375.00 |
| Total 27303: | | | | | | 375.00 |
| 27304 | | | | | | |
| 04/12/2021 | 27304 | Energy Laboratories Inc | 44.00 | Bacteria samples | 52-82-720 | 44.00 |
| 04/12/2021 | 27304 | Energy Laboratories Inc | 44.00 | Bacteria samples | 52-82-720 | 44.00 |
| Total 27304: | | | | | | 88.00 |
| 27305 | | | | | | |
| 04/12/2021 | 27305 | Fastenal | 9.00 | Bolt and nuts | 10-64-840 | 9.00 |
| Total 27305: | | | | | | 9.00 |
| 27306 | | | | | | |
| 04/12/2021 | 27306 | Ferguson Enterprises LLC | 12.53 | Pressure guage | 52-82-810 | 12.53 |
| Total 27306: | | | | | | 12.53 |
| 27307 | | | | | | |
| 04/12/2021 | 27307 | Grainger, Inc | 253.20 | smoke detectors | 10-56-393 | 253.20 |
| Total 27307: | | | | | | 253.20 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|-----------------------------------|----------------|---|--------------------|--------------|
| 27308 | | | | | | |
| 04/12/2021 | 27308 | Hand & Hand | 1,061.40 | Attorney fees February 2021 | 10-51-241 | 1,061.40 |
| Total 27308: | | | | | | 1,061.40 |
| 27309 | | | | | | |
| 04/12/2021 | 27309 | Hensley Battery LLC | 114.28 | Battery inspector vehicle | 10-61-950 | 114.28 |
| Total 27309: | | | | | | 114.28 |
| 27310 | | | | | | |
| 04/12/2021 | 27310 | Homax | 526.60 | hydraulic oil | 10-64-840 | 526.60 |
| 04/12/2021 | 27310 | Homax | 280.33 | window wash, Blue DEF | 10-64-840 | 280.33 |
| 04/12/2021 | 27310 | Homax | 274.73 | Fuel for Shop Feb 2021 | 10-61-370 | 274.73 |
| 04/12/2021 | 27310 | Homax | 199.33 | Fuel for Sewer Feb 2021 | 53-83-370 | 199.33 |
| 04/12/2021 | 27310 | Homax | 502.09 | Fuel for Water Feb 2021 | 51-81-370 | 502.09 |
| 04/12/2021 | 27310 | Homax | 57.61 | Fuel for Parks Feb 2021 | 10-70-370 | 57.61 |
| 04/12/2021 | 27310 | Homax | 1,014.58 | Fuel for sanitation Feb 2021 | 54-84-370 | 1,014.58 |
| 04/12/2021 | 27310 | Homax | 127.74 | Fuel for Street Feb 2021 | 10-64-370 | 127.74 |
| Total 27310: | | | | | | 2,983.01 |
| 27311 | | | | | | |
| 04/12/2021 | 27311 | Honnen Equipment Co of Wyomin | 484.67 | rebuild Ram | 54-84-950 | 484.67 |
| Total 27311: | | | | | | 484.67 |
| 27312 | | | | | | |
| 04/12/2021 | 27312 | Huber Plumbing | 1,463.78 | Move Water, gas, drain lines, discharge lines | 10-45-310 | 1,463.78 |
| Total 27312: | | | | | | 1,463.78 |
| 27313 | | | | | | |
| 04/12/2021 | 27313 | Installation & Service Company In | 1,242.00 | Street cut for manholes Pendell and Freden | 10-45-240 | 1,242.00 |
| Total 27313: | | | | | | 1,242.00 |
| 27314 | | | | | | |
| 04/12/2021 | 27314 | JDC Investigations, LLC | 75.00 | Background new hire | 10-44-981 | 75.00 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|------------|----------------|--|--------------------|--------------|
| Total 27314: | | | | | | 75.00 |
| 27315 | | | | | | |
| 04/12/2021 | 27315 | Jonah Visa | 55.00 | Family Dollar cat & dog food | 10-53-840 | 55.00 |
| 04/12/2021 | 27315 | Jonah Visa | 7.00 | USPS certified letters | 10-53-310 | 7.00 |
| 04/12/2021 | 27315 | Jonah Visa | 21.00 | USPS certified letters | 10-53-310 | 21.00 |
| 04/12/2021 | 27315 | Jonah Visa | 7.00 | USPS certified mail | 10-53-310 | 7.00 |
| 04/12/2021 | 27315 | Jonah Visa | 447.00 | Justice Clearinghouse.com NACA ACO training semin | 10-53-910 | 447.00 |
| 04/12/2021 | 27315 | Jonah Visa | 800.00 | Casper Horseheads baseball club | 10-45-310 | 800.00 |
| 04/12/2021 | 27315 | Jonah Visa | 179.49 | Newegg - 100 DVD Disc packs | 10-45-390 | 179.49 |
| 04/12/2021 | 27315 | Jonah Visa | 20.50 | Natrona Cty Real Estate WBC grant recording | 10-45-310 | 20.50 |
| 04/12/2021 | 27315 | Jonah Visa | 73.49 | Johnny Appleseed employee family death | 10-45-310 | 73.49 |
| 04/12/2021 | 27315 | Jonah Visa | 100.00 | Wyoming Technology Transfer Center TAP grant cours | 10-45-310 | 100.00 |
| 04/12/2021 | 27315 | Jonah Visa | 447.00 | Justice Clearinghouse.com NACA ACO training semin | 10-53-910 | 447.00 |
| 04/12/2021 | 27315 | Jonah Visa | 325.44 | 49er Inn Gallinger First line supervisor training | 10-54-910 | 325.44 |
| 04/12/2021 | 27315 | Jonah Visa | 70.00 | ICMA webinar American Recovery Act | 10-45-310 | 70.00 |
| 04/12/2021 | 27315 | Jonah Visa | 2,431.05 | Olson Auto Body sanitation truck accident repair | 10-45-310 | 2,431.05 |
| 04/12/2021 | 27315 | Jonah Visa | 2,025.90 | 2 bullet proof vests for community officers | 10-54-225 | 2,025.90 |
| 04/12/2021 | 27315 | Jonah Visa | 13.48 | Bound Tree meds | 10-56-425 | 13.48 |
| 04/12/2021 | 27315 | Jonah Visa | 272.90 | Bound Tree Meds | 10-56-425 | 272.90 |
| 04/12/2021 | 27315 | Jonah Visa | 68.00 | Rotary Club of Casper | 10-45-310 | 68.00 |
| 04/12/2021 | 27315 | Jonah Visa | 900.00 | PDQ Deploy & PDQ Inventor License 1 year | 10-45-390 | 900.00 |
| 04/12/2021 | 27315 | Jonah Visa | 49.14 | 6 ball caps | 10-54-855 | 49.14 |
| 04/12/2021 | 27315 | Jonah Visa | 689.89 | Blauer pants & shirts T Houser | 10-54-855 | 689.89 |
| 04/12/2021 | 27315 | Jonah Visa | 58.79 | Milwaukee 28 volt charge for C17 combi tool | 10-45-310 | 58.79 |
| Total 27315: | | | | | | 9,062.07 |
| 27316 | | | | | | |
| 04/12/2021 | 27316 | Kate Acord | 275.00 | Per Diem NPCA K-9 seminars 5/4/21-5/7/21 | 10-54-260 | 275.00 |
| Total 27316: | | | | | | 275.00 |
| 27317 | | | | | | |
| 04/12/2021 | 27317 | Mastercard | 52.81 | dog food for Archer | 10-54-260 | 52.81 |
| 04/12/2021 | 27317 | Mastercard | 52.81 | Dog food for Archer | 10-54-260 | 52.81 |
| 04/12/2021 | 27317 | Mastercard | 2.50 | newspaper subscription | 10-64-310 | 2.50 |
| 04/12/2021 | 27317 | Mastercard | 20.00 | Microsoft O365 E3 | 10-55-865 | 20.00 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|----------------------------------|----------------|------------------------------|--------------------|--------------|
| 04/12/2021 | 27317 | Mastercard | 520.00 | Microsoft O365 E1 | 10-55-865 | 520.00 |
| Total 27317: | | | | | | 648.12 |
| 27318 | | | | | | |
| 04/12/2021 | 27318 | Memorial Hospital of Converse Co | 160.00 | 4 hearing wellness exams | 10-44-981 | 160.00 |
| 04/12/2021 | 27318 | Memorial Hospital of Converse Co | 2,130.00 | 4 wellness exams | 10-44-981 | 2,130.00 |
| Total 27318: | | | | | | 2,290.00 |
| 27319 | | | | | | |
| 04/12/2021 | 27319 | Mission Communications, Inc | 984.32 | communication Lift Stations | 53-83-420 | 984.32 |
| Total 27319: | | | | | | 984.32 |
| 27320 | | | | | | |
| 04/12/2021 | 27320 | Mountain West Technologies Corp | 34,000.00 | fiber installation | 10-45-991 | 34,000.00 |
| Total 27320: | | | | | | 34,000.00 |
| 27321 | | | | | | |
| 04/12/2021 | 27321 | Municipal Emergency Services | 10,400.00 | New part 17C-SL3 Eforce | 10-45-310 | 10,400.00 |
| Total 27321: | | | | | | 10,400.00 |
| 27322 | | | | | | |
| 04/12/2021 | 27322 | NAPA Auto Parts | 80.26 | Oil & filter unit #1 | 10-64-840 | 80.26 |
| 04/12/2021 | 27322 | NAPA Auto Parts | 67.67 | Oil & shop towels | 10-64-840 | 67.67 |
| 04/12/2021 | 27322 | NAPA Auto Parts | 69.48 | Oil police car | 10-64-840 | 69.48 |
| Total 27322: | | | | | | 217.41 |
| 27323 | | | | | | |
| 04/12/2021 | 27323 | Natrona County | 1,000.00 | 6th Century survey | 10-45-310 | 1,000.00 |
| Total 27323: | | | | | | 1,000.00 |
| 27324 | | | | | | |
| 04/12/2021 | 27324 | Natrona County Sheriffs Office | 22,784.16 | House Inmates for March 2021 | 10-54-415 | 22,784.16 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|-----------------------------|----------------|--------------------------------------|--------------------|--------------|
| Total 27324: | | | | | | 22,784.16 |
| 27325 | | | | | | |
| 04/12/2021 | 27325 | Norco, Inc | 205.81 | cleaning & safety supplies | 52-82-840 | 205.81 |
| 04/12/2021 | 27325 | Norco, Inc | 12.71 | cylinder rental | 10-56-425 | 12.71 |
| 04/12/2021 | 27325 | Norco, Inc | 49.82 | Hand soap | 10-64-840 | 49.82 |
| Total 27325: | | | | | | 268.34 |
| 27326 | | | | | | |
| 04/12/2021 | 27326 | One Call of Wyoming | 24.75 | 33 tickets foe Feb 2021 | 51-81-620 | 24.75 |
| Total 27326: | | | | | | 24.75 |
| 27327 | | | | | | |
| 04/12/2021 | 27327 | Peden's Inc. | 50.00 | Embroidery | 10-45-310 | 50.00 |
| 04/12/2021 | 27327 | Peden's Inc. | 925.00 | Council perpetual plaque | 10-45-310 | 925.00 |
| Total 27327: | | | | | | 975.00 |
| 27328 | | | | | | |
| 04/12/2021 | 27328 | Peterbilt of Wyoming Inc | 26.67 | magnets x3 | 51-81-840 | 26.67 |
| Total 27328: | | | | | | 26.67 |
| 27329 | | | | | | |
| 04/12/2021 | 27329 | Prothman | 3,160.50 | job listings assistant fire chief | 10-44-981 | 3,160.50 |
| Total 27329: | | | | | | 3,160.50 |
| 27330 | | | | | | |
| 04/12/2021 | 27330 | Quadient, Inc | 97.01 | ink cartridge | 10-46-226 | 97.01 |
| 04/12/2021 | 27330 | Quadient, Inc | 1,018.71 | Maintenance M1500 | 10-46-226 | 1,018.71 |
| Total 27330: | | | | | | 1,115.72 |
| 27331 | | | | | | |
| 04/12/2021 | 27331 | Rocky Mountain Drug Testing | 70.00 | Pre-employment Testing for A Hartman | 10-44-981 | 70.00 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|--------------------------------|----------------|--|--------------------|--------------|
| Total 27331: | | | | | | 70.00 |
| 27332 | | | | | | |
| 04/12/2021 | 27332 | Sutherlands | 13.99 | marking paint | 10-61-840 | 13.99 |
| 04/12/2021 | 27332 | Sutherlands | 63.92 | digging bar | 10-61-840 | 63.92 |
| Total 27332: | | | | | | 77.91 |
| 27333 | | | | | | |
| 04/12/2021 | 27333 | Team Laboratory Chemical, LLC | 867.50 | Road Patch | 10-61-840 | 867.50 |
| Total 27333: | | | | | | 867.50 |
| 27334 | | | | | | |
| 04/12/2021 | 27334 | Teleflex LLC | 2,010.50 | needle set and stabilizer | 10-56-425 | 2,010.50 |
| Total 27334: | | | | | | 2,010.50 |
| 27335 | | | | | | |
| 04/12/2021 | 27335 | Trans Union Risk & Alternative | 75.00 | Monthly Charge for Investigation Background Checks | 10-54-330 | 75.00 |
| Total 27335: | | | | | | 75.00 |
| 27336 | | | | | | |
| 04/12/2021 | 27336 | Trex Hydro Excavating Inc | 1,275.00 | clean lift stations | 53-83-420 | 1,275.00 |
| Total 27336: | | | | | | 1,275.00 |
| 27337 | | | | | | |
| 04/12/2021 | 27337 | Western Wyoming Lock & Safe | 16.50 | Keys | 10-45-260 | 16.50 |
| Total 27337: | | | | | | 16.50 |
| 27338 | | | | | | |
| 04/12/2021 | 27338 | Wyoming Door Service | 5,132.43 | overhead door install & supplies | 10-64-260 | 5,132.43 |
| 04/12/2021 | 27338 | Wyoming Door Service | 708.00 | Roof & side repair/remote control transmitter | 10-64-260 | 708.00 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|------------------------------------|----------------|-------------------------------|--------------------|--------------|
| Total 27338: | | | | | | 5,840.43 |
| 27339 | | | | | | |
| 04/12/2021 | 27339 | Wyoming Financial Insurance, Inc | 1,523.00 | new policy flying eagle | 10-44-890 | 1,523.00 |
| Total 27339: | | | | | | 1,523.00 |
| 27340 | | | | | | |
| 04/12/2021 | 27340 | Wyoming Law Enforcement Acad | 325.00 | Training C Jensen | 10-54-910 | 325.00 |
| Total 27340: | | | | | | 325.00 |
| 27341 | | | | | | |
| 04/12/2021 | 27341 | Wyoming Machinery Co Inc | 20.70 | Bolts snow plow | 10-61-950 | 20.70 |
| Total 27341: | | | | | | 20.70 |
| 27342 | | | | | | |
| 04/14/2021 | 27342 | PSI Production Services Internatio | 10,400.00 | Stage package for 100th event | 10-45-310 | 10,400.00 |
| Total 27342: | | | | | | 10,400.00 |
| 27343 | | | | | | |
| 04/14/2021 | 27343 | Seth Coleman | 120.65 | Food for Council Meeting | 10-45-310 | 120.65 |
| Total 27343: | | | | | | 120.65 |
| 27344 | | | | | | |
| 04/14/2021 | 27344 | Bryon Preciado | 550.00 | uniforms for Bryon Stipen | 10-54-855 | 550.00 |
| Total 27344: | | | | | | 550.00 |
| 27354 | | | | | | |
| 04/20/2021 | 27354 | Black Hills Energy | 3,228.75 | Town Utilities for Enterprise | 10-46-940 | 3,228.75 |
| 04/20/2021 | 27354 | Black Hills Energy | 1,811.89 | Town Utilities | 10-44-940 | 1,811.89 |
| Total 27354: | | | | | | 5,040.64 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|----------------------------------|----------------|--|--------------------|--------------|
| 27355 | | | | | | |
| 04/20/2021 | 27355 | Larry D Noble | 67.83 | Water Deposit Refund for Larry Noble | 51-26150 | 67.83 |
| Total 27355: | | | | | | 67.83 |
| 27356 | | | | | | |
| 04/20/2021 | 27356 | Laura Reeb | 71.99 | Water Deposit Refund for Laura Reeb | 51-26150 | 71.99 |
| Total 27356: | | | | | | 71.99 |
| 27357 | | | | | | |
| 04/20/2021 | 27357 | Rocky Mountain Power | 268.62 | 6699 Posion Spider Utility | 10-46-941 | 268.62 |
| Total 27357: | | | | | | 268.62 |
| 27358 | | | | | | |
| 04/22/2021 | 27358 | Wyoming Amusement Services | 1,400.00 | Reufnd for hall deposit and rent for cancelled event | 10-44-310 | 1,400.00 M |
| Total 27358: | | | | | | 1,400.00 |
| 27359 | | | | | | |
| 04/22/2021 | 27359 | Department of Workforce Services | 8,321.06 | Worker Compensation for March 2021 | 10-23800 | 8,321.06 M |
| Total 27359: | | | | | | 8,321.06 |
| 27360 | | | | | | |
| 04/22/2021 | 27360 | Riverside Rentals | 219.45 | Refund of Overage on account | 51-37-200 | 219.45 M |
| Total 27360: | | | | | | 219.45 |
| 27361 | | | | | | |
| 04/23/2021 | 27361 | 307 Construction, LLC | 1,900.00 | Work at public works building | 10-45-260 | 1,900.00 |
| Total 27361: | | | | | | 1,900.00 |
| 27362 | | | | | | |
| 04/23/2021 | 27362 | 307 Print, Ship & More | 345.00 | Printing for 100th anniversary | 10-45-310 | 345.00 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|--------------------------------|----------------|---|--------------------|--------------|
| Total 27362: | | | | | | 345.00 |
| 27363 | | | | | | |
| 04/23/2021 | 27363 | AMBI Mail & Marketing, Inc | 15.44 | Package Fed Exed to Cheyenne Lab | 10-54-330 | 15.44 |
| Total 27363: | | | | | | 15.44 |
| 27364 | | | | | | |
| 04/23/2021 | 27364 | Atlas Office Products, Inc | 713.20 | Office Supplies and restock | 10-44-350 | 713.20 |
| Total 27364: | | | | | | 713.20 |
| 27365 | | | | | | |
| 04/23/2021 | 27365 | B & B Rubber Stamp | 41.45 | New stamps for office | 10-46-235 | 41.45 |
| Total 27365: | | | | | | 41.45 |
| 27366 | | | | | | |
| 04/23/2021 | 27366 | Big Horn Tire, Inc | 20.00 | Repair flat tire on CSO truck | 10-53-950 | 20.00 |
| Total 27366: | | | | | | 20.00 |
| 27367 | | | | | | |
| 04/23/2021 | 27367 | City of Casper | 2,034.00 | Monthly pass for March 2021 | 54-84-250 | 2,034.00 |
| 04/23/2021 | 27367 | City of Casper | 667.80 | Balefill | 54-84-250 | 667.80 |
| 04/23/2021 | 27367 | City of Casper | 610.03 | Balefill | 54-84-250 | 610.03 |
| 04/23/2021 | 27367 | City of Casper | 452.09 | Balefill | 54-84-250 | 452.09 |
| 04/23/2021 | 27367 | City of Casper | 327.01 | Balefill | 54-84-250 | 327.01 |
| 04/23/2021 | 27367 | City of Casper | 1,115.65 | Balefill | 54-84-250 | 1,115.65 |
| 04/23/2021 | 27367 | City of Casper | 598.37 | Balefill | 54-84-250 | 598.37 |
| 04/23/2021 | 27367 | City of Casper | 525.76 | Balefill | 54-84-250 | 525.76 |
| 04/23/2021 | 27367 | City of Casper | 288.32 | Balefill | 54-84-250 | 288.32 |
| Total 27367: | | | | | | 6,619.03 |
| 27368 | | | | | | |
| 04/23/2021 | 27368 | Communication Technologies Inc | 103.00 | Move apparatus bay speakerto make room for slide at | 10-45-260 | 103.00 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|----------------------------------|----------------|--|--------------------|--------------|
| Total 27368: | | | | | | 103.00 |
| 27369 | | | | | | |
| 04/23/2021 | 27369 | Computer Professionals Unlimited | 2,124.90 | Lenovo Thinkstation, displayport adapter, battery back | 10-45-390 | 2,124.90 |
| Total 27369: | | | | | | 2,124.90 |
| 27370 | | | | | | |
| 04/23/2021 | 27370 | Envision Electric INC | 2,906.00 | replace 2 solar fixtures at old fire station | 10-45-260 | 2,906.00 |
| Total 27370: | | | | | | 2,906.00 |
| 27371 | | | | | | |
| 04/23/2021 | 27371 | Ferguson Waterworks #1701 | 9,273.86 | RNI Annual fee meters | 10-46-220 | 9,273.86 |
| Total 27371: | | | | | | 9,273.86 |
| 27372 | | | | | | |
| 04/23/2021 | 27372 | First Call Communications | 250.00 | install data location for printer at town hall | 10-45-260 | 250.00 |
| Total 27372: | | | | | | 250.00 |
| 27373 | | | | | | |
| 04/23/2021 | 27373 | Huber Plumbing | 977.78 | set new toilet and ran new water lines | 10-45-260 | 977.78 |
| Total 27373: | | | | | | 977.78 |
| 27374 | | | | | | |
| 04/23/2021 | 27374 | IGNITE | 500.00 | advance audience targeting | 10-45-310 | 500.00 |
| Total 27374: | | | | | | 500.00 |
| 27375 | | | | | | |
| 04/23/2021 | 27375 | JDC Investigations, LLC | 500.00 | Background new hire fire department | 10-44-981 | 500.00 |
| Total 27375: | | | | | | 500.00 |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|--------------------------------|----------------|---|--------------------|-----------------|
| 27376 | | | | | | |
| 04/23/2021 | 27376 | Jonah Visa | 310.24 | recording | 10-44-351 | 310.24 |
| 04/23/2021 | 27376 | Jonah Visa | 7.00 | USPS registered letter | 10-53-310 | 7.00 |
| 04/23/2021 | 27376 | Jonah Visa | 81.66 | janitor supplies | 10-44-267 | 81.66 |
| 04/23/2021 | 27376 | Jonah Visa | 62.34 | Easter supplies | 10-45-310 | 62.34 |
| 04/23/2021 | 27376 | Jonah Visa | 14.00 | USPS certified mail | 10-53-310 | 14.00 |
| 04/23/2021 | 27376 | Jonah Visa | 97.34 | supplies for town office | 10-46-235 | 97.34 |
| 04/23/2021 | 27376 | Jonah Visa | 500.00 | T38Fax service | 10-55-850 | 500.00 |
| Total 27376: | | | | | | <u>1,072.58</u> |
| 27377 | | | | | | |
| 04/23/2021 | 27377 | KnowBe4, Inc | 3,682.80 | Security awarness training subscription diamond | 10-45-870 | 3,682.80 |
| Total 27377: | | | | | | <u>3,682.80</u> |
| 27378 | | | | | | |
| 04/23/2021 | 27378 | Lithia Motors Support Services | 332.17 | new mode door actuator car #2 investigations | 10-54-950 | 332.17 |
| 04/23/2021 | 27378 | Lithia Motors Support Services | 332.17- | new mode door actuator car #2 investigations | 10-54-950 | 332.17- V |
| Total 27378: | | | | | | <u>.00</u> |
| 27379 | | | | | | |
| 04/23/2021 | 27379 | Mastercard | 19.99 | food for meeting | 10-45-310 | 19.99 |
| 04/23/2021 | 27379 | Mastercard | 129.73 | food for meeting | 10-45-310 | 129.73 |
| 04/23/2021 | 27379 | Mastercard | 11.94 | water for Easter event | 10-45-310 | 11.94 |
| 04/23/2021 | 27379 | Mastercard | 307.17 | Recordings | 10-44-351 | 307.17 |
| 04/23/2021 | 27379 | Mastercard | 152.50 | Recordings | 10-44-351 | 152.50 |
| 04/23/2021 | 27379 | Mastercard | 69.43 | Easter event supplies | 10-45-310 | 69.43 |
| 04/23/2021 | 27379 | Mastercard | 51.34 | balloons for Easter event | 10-45-310 | 51.34 |
| 04/23/2021 | 27379 | Mastercard | 62.14 | Easter event supplies | 10-45-310 | 62.14 |
| Total 27379: | | | | | | <u>804.24</u> |
| 27380 | | | | | | |
| 04/23/2021 | 27380 | MES Municipal | 465.00 | spare battery for Genesis combi tool | 10-45-310 | 465.00 |
| Total 27380: | | | | | | <u>465.00</u> |

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|--------------------------------|----------------|---|--------------------|--------------|
| 27381 | | | | | | |
| 04/23/2021 | 27381 | Peden's Inc. | 63.00 | Engraving for employee award | 10-45-310 | 63.00 |
| 04/23/2021 | 27381 | Peden's Inc. | 126.00 | Engraving for employee award | 10-45-310 | 126.00 |
| Total 27381: | | | | | | 189.00 |
| 27382 | | | | | | |
| 04/23/2021 | 27382 | PMCH | 1,855.00 | FY20 consulting on financial statements | 10-44-861 | 1,855.00 |
| Total 27382: | | | | | | 1,855.00 |
| 27383 | | | | | | |
| 04/23/2021 | 27383 | Quick Med Claims | 743.83 | March invoices | 10-56-920 | 743.83 |
| Total 27383: | | | | | | 743.83 |
| 27384 | | | | | | |
| 04/23/2021 | 27384 | Robirds Electric | 1,029.43 | wiring for overhead doors at public works | 10-45-260 | 1,029.43 |
| Total 27384: | | | | | | 1,029.43 |
| 27385 | | | | | | |
| 04/23/2021 | 27385 | Shearer Administrative | 4,000.00 | management service for 100th anniversary | 10-45-310 | 4,000.00 |
| Total 27385: | | | | | | 4,000.00 |
| 27386 | | | | | | |
| 04/23/2021 | 27386 | Smith Psychological Services | 400.00 | Psych eval for Tyler Houser | 10-54-980 | 400.00 |
| Total 27386: | | | | | | 400.00 |
| 27387 | | | | | | |
| 04/23/2021 | 27387 | Sutherlands | 170.99 | power washer for filter maintenance | 52-82-810 | 170.99 |
| Total 27387: | | | | | | 170.99 |
| 27388 | | | | | | |
| 04/23/2021 | 27388 | Weston Groundwater Engineering | 1,767.65 | Mills well replacement project | 10-46-866 | 1,767.65 |

TOWN OF MILLS

Check Register - Audit Report
 Check Issue Dates: 4/10/2021 - 4/23/2021

| Check Issue Date | Check Number | Payee | Invoice Amount | Description | Invoice GL Account | Check Amount |
|------------------|--------------|--------------------------------|----------------|--|--------------------|--------------|
| Total 27388: | | | | | | 1,767.65 |
| 27389 | | | | | | |
| 04/23/2021 | 27389 | WLC Engineering Inc | 1,593.00 | GIS | 10-46-337 | 1,593.00 |
| 04/23/2021 | 27389 | WLC Engineering Inc | 5,781.25 | Planning | 10-57-499 | 5,781.25 |
| 04/23/2021 | 27389 | WLC Engineering Inc | 8,640.28 | Town engineer | 10-46-335 | 8,640.28 |
| 04/23/2021 | 27389 | WLC Engineering Inc | 865.00 | Buffalo Meadow | 10-46-864 | 865.00 |
| 04/23/2021 | 27389 | WLC Engineering Inc | 9,373.14 | New Finish Tank | 10-46-868 | 9,373.14 |
| 04/23/2021 | 27389 | WLC Engineering Inc | 1,693.00 | Manhole Replacement | 10-46-985 | 1,693.00 |
| 04/23/2021 | 27389 | WLC Engineering Inc | 6,717.60 | Mountain View crack seal | 10-46-867 | 6,717.60 |
| Total 27389: | | | | | | 34,663.27 |
| 27390 | | | | | | |
| 04/23/2021 | 27390 | Wyoming Secretary of State | 30.00 | Notary renewal for Marcy Satterfield | 10-54-310 | 30.00 |
| Total 27390: | | | | | | 30.00 |
| 27391 | | | | | | |
| 04/23/2021 | 27391 | Wyoming Signs LLC | 550.00 | Police Department logo for sign | 10-45-260 | 550.00 |
| Total 27391: | | | | | | 550.00 |
| 27392 | | | | | | |
| 04/23/2021 | 27392 | Lithia Motors Support Services | 332.17 | new mode door actuator car #2 investigations | 10-54-950 | 332.17 |
| Total 27392: | | | | | | 332.17 |
| Grand Totals: | | | | | | 264,146.83 |

Summary by General Ledger Account Number

| GL Account | Debit | Credit | Proof |
|------------|----------|-------------|-------------|
| 10-21100 | 332.17 | 221,415.02- | 221,082.85- |
| 10-23800 | 8,321.06 | .00 | 8,321.06 |

| GL Account | Debit | Credit | Proof |
|------------|-----------|--------|-----------|
| 10-26150 | 975.00 | .00 | 975.00 |
| 10-44-267 | 81.66 | .00 | 81.66 |
| 10-44-310 | 1,400.00 | .00 | 1,400.00 |
| 10-44-350 | 713.20 | .00 | 713.20 |
| 10-44-351 | 769.91 | .00 | 769.91 |
| 10-44-725 | 1,054.00 | .00 | 1,054.00 |
| 10-44-861 | 1,855.00 | .00 | 1,855.00 |
| 10-44-890 | 1,523.00 | .00 | 1,523.00 |
| 10-44-940 | 1,811.89 | .00 | 1,811.89 |
| 10-44-981 | 6,095.50 | .00 | 6,095.50 |
| 10-45-240 | 1,242.00 | .00 | 1,242.00 |
| 10-45-260 | 8,117.95 | .00 | 8,117.95 |
| 10-45-310 | 33,947.07 | .00 | 33,947.07 |
| 10-45-390 | 8,527.24 | .00 | 8,527.24 |
| 10-45-870 | 3,682.80 | .00 | 3,682.80 |
| 10-45-991 | 34,000.00 | .00 | 34,000.00 |
| 10-46-220 | 9,273.86 | .00 | 9,273.86 |
| 10-46-226 | 1,115.72 | .00 | 1,115.72 |
| 10-46-235 | 525.06 | .00 | 525.06 |
| 10-46-335 | 8,640.28 | .00 | 8,640.28 |
| 10-46-337 | 1,593.00 | .00 | 1,593.00 |
| 10-46-725 | 1,054.00 | .00 | 1,054.00 |
| 10-46-864 | 865.00 | .00 | 865.00 |
| 10-46-866 | 1,767.65 | .00 | 1,767.65 |
| 10-46-867 | 6,717.60 | .00 | 6,717.60 |
| 10-46-868 | 9,373.14 | .00 | 9,373.14 |
| 10-46-940 | 3,228.75 | .00 | 3,228.75 |
| 10-46-941 | 268.62 | .00 | 268.62 |
| 10-46-985 | 1,693.00 | .00 | 1,693.00 |
| 10-51-241 | 1,061.40 | .00 | 1,061.40 |
| 10-53-310 | 56.00 | .00 | 56.00 |
| 10-53-840 | 55.00 | .00 | 55.00 |
| 10-53-910 | 894.00 | .00 | 894.00 |
| 10-53-950 | 20.00 | .00 | 20.00 |
| 10-54-220 | 684.98 | .00 | 684.98 |
| 10-54-225 | 2,025.90 | .00 | 2,025.90 |
| 10-54-260 | 380.62 | .00 | 380.62 |
| 10-54-310 | 30.00 | .00 | 30.00 |
| 10-54-330 | 105.88 | .00 | 105.88 |
| 10-54-350 | 200.00 | .00 | 200.00 |

| GL Account | Debit | Credit | Proof |
|------------|-----------|------------|------------|
| 10-54-415 | 22,784.16 | .00 | 22,784.16 |
| 10-54-500 | 7,874.10 | .00 | 7,874.10 |
| 10-54-855 | 1,289.03 | .00 | 1,289.03 |
| 10-54-910 | 650.44 | .00 | 650.44 |
| 10-54-950 | 1,034.12 | 332.17- | 701.95 |
| 10-54-980 | 400.00 | .00 | 400.00 |
| 10-55-850 | 500.00 | .00 | 500.00 |
| 10-55-860 | 275.00 | .00 | 275.00 |
| 10-55-865 | 540.00 | .00 | 540.00 |
| 10-56-393 | 253.20 | .00 | 253.20 |
| 10-56-425 | 2,684.59 | .00 | 2,684.59 |
| 10-56-920 | 743.83 | .00 | 743.83 |
| 10-57-499 | 5,781.25 | .00 | 5,781.25 |
| 10-61-370 | 274.73 | .00 | 274.73 |
| 10-61-840 | 945.41 | .00 | 945.41 |
| 10-61-900 | 940.00 | .00 | 940.00 |
| 10-61-950 | 1,586.98 | .00 | 1,586.98 |
| 10-64-260 | 5,840.43 | .00 | 5,840.43 |
| 10-64-310 | 2.50 | .00 | 2.50 |
| 10-64-370 | 127.74 | .00 | 127.74 |
| 10-64-840 | 1,083.16 | .00 | 1,083.16 |
| 10-70-370 | 57.61 | .00 | 57.61 |
| 51-21100 | .00 | 1,772.28- | 1,772.28- |
| 51-26150 | 139.82 | .00 | 139.82 |
| 51-37-200 | 219.45 | .00 | 219.45 |
| 51-81-370 | 502.09 | .00 | 502.09 |
| 51-81-430 | 859.50 | .00 | 859.50 |
| 51-81-620 | 24.75 | .00 | 24.75 |
| 51-81-840 | 26.67 | .00 | 26.67 |
| 52-21100 | .00 | 548.58- | 548.58- |
| 52-82-720 | 88.00 | .00 | 88.00 |
| 52-82-810 | 254.77 | .00 | 254.77 |
| 52-82-840 | 205.81 | .00 | 205.81 |
| 53-21100 | .00 | 22,477.27- | 22,477.27- |
| 53-83-370 | 199.33 | .00 | 199.33 |
| 53-83-420 | 2,259.32 | .00 | 2,259.32 |
| 53-83-620 | 20,018.62 | .00 | 20,018.62 |
| 54-21100 | .00 | 18,265.85- | 18,265.85- |
| 54-84-250 | 15,649.17 | .00 | 15,649.17 |
| 54-84-370 | 1,014.58 | .00 | 1,014.58 |

TOWN OF MILLS

Check Register - Audit Report
Check Issue Dates: 4/10/2021 - 4/23/2021

| GL Account | Debit | Credit | Proof |
|----------------------|-------------------|--------------------|------------|
| 54-84-950 | 1,602.10 | .00 | 1,602.10 |
| Grand Totals: | 264,811.17 | 264,811.17- | .00 |

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Report type: GL detail

Check.Type = {<>} "Adjustment"



CITY OF MILLS

EST. 1921

PAYROLL

Meeting Date: April 27th, 2021

Payroll Type: Fire Payroll

Date Range: 4-5-2021 to 4-16-2021

NET..... \$9546.79

DEDUCTIONS.....\$4025.55

Federal Taxes.....\$945.00

Medicare.....\$179.55

Retirement \$1390.49

Union Dues..... \$192.50

Supplemental Insurance.....\$146.38

Insurance.....\$1171.63

TOTAL PAYROLL.....\$13,572.34

Town Clerk, Christine Trumbull

Mayor, Seth Coleman



CITY OF MILLS

EST. 1921

PAYROLL

Meeting Date: April 27th, 2021

Payroll Type: Regular/Police Payroll

Date Range: 3-29-2021 to 4-15-2021

NET..... \$78,772.05

DEDUCTIONS.....\$26,196.34

Federal Taxes.....\$10,803.00

Medicare.....\$570.94

Retirement \$8,192.42

Social Security.....\$2,441.26

Supplemental Retirement..... \$860.00

Supplemental Insurance.....\$515.22

Child Support..... 0

Insurance.....\$3,328.72

TOTAL PAYROLL.....\$104,968.39

Town Clerk, Christine Trumbull

Mayor, Seth Coleman

ORDINANCE NO. 759

AN ORDINANCE REPEALING THE EXISTING TITLE 13 ON PUBLIC SERVICE IN ITS ENTIRETY AND REPLACING IT WITH A NEW TITLE 13 ON GENERAL OFFENSES

WHEREAS, The City of Mills, Wyoming has had the occasion to review Title 13 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 13 and replaces the same with the attached text, which shall be the new Title 13 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 _____, 2021

PASSED on 2nd reading the _____ day of _____, 2021.

PASSED, APPROVED AND ADOPTED on 3rd and final reading this _____ day of _____, 2021.

TOWN OF MILLS, WYOMING

Seth Coleman, Mayor

Sara McCarthy, Council

Darla R. Ives, Council

James Hollander, Council

Brad Neumiller, Council

ATTESTED:

Christine Trumbull, Town Clerk

TITLE 13 - PUBLIC SERVICES

Chapters:

- 13.03 Utility Billing and Collection
- 13.04 Permits to Construct, Install or Modify Water Distribution or Sanitary Sewage Collection Facilities
- 13.05 Water and Sewer Service
- 13.08 Water Use Regulations
- 13.12 Extraterritorial Extensions
- 13.13 Public Water Systems Operating Within The City of Mills
- 13.16 Water Emergencies
- 13.17 Cross-Connection and Backflow Control
- 13.18 Purpose, Definitions and Abbreviations
- 13.19 Urban Stormwater Quality Management and Discharge Control

CHAPTER 13.03
UTILITY BILLING AND COLLECTION

13.03.010 Purpose

The City supplies Mills utility services for the citizens of Mills. This chapter will provide the procedures for initiating, discontinuing, billing and collection of these services.

13.03.020 Scope

This chapter shall apply to all property within the City of Mills or any property outside the City that has retail Mills utilities furnished by the City. This chapter will also apply to any water system regardless of if it is owned and operated by the City of Mills.

This chapter shall compliment other chapters of the Mills code, and City rules and regulations regarding water and sewer service.

13.03.30 Definitions

The following definitions shall apply through out Title 13 wherever they appear.

- (a) "Administrator" means the Mayor or his appointed designee.
- (b) "Applicant" means any person who desires to receive water and/or sewer service, and who will generate actual water and/or wastewater demand.
- (c) "Approved" means accepted by the administrator as meeting an applicable specification stated or cited in this chapter, or as suitable for the proposed use.
- (d) "Approved Backflow Prevention Device" means a device that has been certified by the American Society of Sanitary Engineers (ASSE), the International Association of Plumbing/Mechanical Officials (IAPMO), or the Foundation for Cross-Connection Control and

Hydraulic Research, University of Southern California (USC-FCCCHR) in accordance with state department of environmental quality water quality chapter 12 rules and regulations.

(e) "Authorized Agents" means the Mayor and his designees.

(f) "Auxiliary Water Supply" means any water supply on or available to the consumer's premises other than the supplier's approved public potable water supply. Auxiliary water may include water from another supplier's public potable water supply or any natural source(s) such as a well, spring, river, stream, etc., or "used waters" or "industrial fluids." These waters may be contaminated or polluted, or they may be objectionable and constitute an unacceptable water source of which the water supplier does not have sanitary control.

(g) "Backflow" means the flow of water or other liquids, mixtures or substances, under positive or reduced pressure into the distribution pipes of the potable water supply from any source other than its intended source.

(h) "Backflow Assembly Tester" means an individual certified to perform backflow/back siphonage device testing by the American Society of Sanitary Engineers (ASSE), or the American Backflow Prevention Association (ABPA). In addition, individuals licensed by a state certification program in the state or other states approved by the state department of environmental quality shall be considered acceptable for backflow/back-siphonage device testing, provided the individual holds a current license from the respective state certification program.

(i) "Backflow Preventer" means a device or means designed to prevent backflow or back-siphonage events from contaminating the potable water supply system and most commonly categorized as air gap, reduced pressure principle device, double check valve assembly, double detector check valve assembly, pressure vacuum breaker, atmospheric vacuum breaker, and double check with intermediate atmospheric vent.

- (i) "Air Gap" means a physical separation sufficient to prevent backflow between the free-flowing discharge end of the potable water system and any other system. "Air Gap" is physically defined as a distance equal to twice the diameter of the supply side pipe diameter but never less than one-inch.
- (ii) "Atmospheric Vacuum Breaker" means a device which prevents back-siphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure in the water system. These devices are not suitable for protection against back-pressure events. These devices shall be installed vertically, must not have shut-off downstream, and must be installed at least six inches higher than the final outlet.
- (iii) "Double Check Valve Assembly" means an assembly of two independently operating spring loaded check valves with resilient-seated gate valves or ball shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve. To be approved, these devices must be readily accessible for in-line testing and maintenance.
- (iv) "Double Check Valve with Intermediate Atmospheric Vent" means a device having two spring loaded check valves separated by an atmospheric vent chamber.

- (v) "Double Detector Check Valve Assembly" means an assembly consisting of a double check valve assembly in parallel with a bypass line assembly consisting of a water meter in series with a double check valve, and two ball shut-off valves. These devices are commonly used for low hazard fire sprinkler systems.
- (vi) "Pressure Vacuum Breaker" means a device containing one or two independently operated spring loaded check valves and an independently operated spring loaded air inlet valve located on the discharge side of the check or checks. The device includes resilient-seated or ball shut-off valves on each side of the check valves and properly located test cocks for the testing of the check-valve(s). These devices are not suitable for protection against back-pressure events.
- (vii) "Reduced Pressure Principle Backflow Preventer" means an assembly consisting of two independently operating approved check valves with an automatically operating differential relief valve located between the two check valves, and resilient-seated or ball shut-off valves on each side of the check valves, plus properly located test cocks for the testing of the check valves and the relief valve.
- (viii) "Reduced Pressure Principle Detector Backflow Preventer" means an assembly consisting of a reduced pressure principle backflow preventer in parallel with a bypass line assembly consisting of a water meter in series with a reduced pressure principle backflow preventer, and two ball shut-off valves. These devices are commonly used for high hazard fire sprinkler systems.

(j) "Backpressure" means a condition in which the consumer's system pressure is greater than the supplier's system pressure.

(k) "Back-Siphonage" means the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source, caused by the sudden reduction of pressure in the potable water supply system.

(l) "Backwater Valve" means a device installed in a building sewer system to prevent reverse flow.

(m) "Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and education practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to the municipal stormwater conveyance system and/or waters of the state. BMPs include, but are not limited to: treatment requirements; treatment facilities to remove pollutants from stormwater; operating and maintenance procedures; facility management practices to control runoff, spillage or leaks of non-stormwater, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions as the City determines appropriate for the control of pollutants.

(n) "Business Office" means the City of Mills, City Hall, 704 4th St, Mills, Wyoming.

(o) "Building Drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (one and one-half meters) outside the inner face of the building wall.

(p) "Building Sewer" means the extension from the building drain to the public sewer or other place of disposal.

(q) "City" means the governing body of the City of Mills, Wyoming.

(r) "Clean Water Act" means the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

(s) "Combined Sewer" means a sewer receiving both surface runoff and sewage.

(t) "Commercial" means property as defined in the Mills code, Chapter 17 for business enterprises as retailers, wholesale facilities, hotels, motels, restaurants, travel-trailer parks, hospitals, and other similar business establishments. This does not imply a specific rate. This definition, for purposes of this chapter, also includes, but is not limited to, multifamily dwelling units, City houses, condominiums, apartments, schools, daycare (adult, family, and group), parks, playgrounds, historical sites, golf courses, and other similar recreational facilities.

(u) "Consumer" means any residential, commercial, industrial owner, or other user of water where the water supply is physically connected to the public potable water system.

(v) "Containment" means a method of backflow prevention which requires a backflow preventer at the water service entrance.

(w) "Contaminant" means a substance that will impair the quality of the water to a degree that creates a serious health hazard to the public or that may lead to poisoning or the spread of disease.

(x) "Contiguous" means that property that can be assumed to be in a physical position for annexation within three years from date of line extension request.

(y) "Construction Activity" means clearing and grubbing, grading, demolition, construction or excavation projects which result in land disturbance of one or more (not necessarily contiguous) surface acres. Construction activity also includes the disturbance of less than one acre of total land when that disturbance is part of a larger common plan of development or the sale is part of a larger common plan that will ultimately disturb one acre or more.

(z) "Cross-Connection" means any actual or potential connection between the public water supply and a source of contamination or pollution.

(aa) "Customer" means any person receiving City retail water and/or sewer service, either directly or indirectly, from the City water supply system and City wastewater system. The term customer, for this title, will also mean any owner or lessee of real property.

(bb) "Domestic Non-Residential Consumer" means water service connections using potable water for ordinary living processes and not for commercial or industrial uses. Examples of domestic non-residential consumers include, but are not limited to: churches, office buildings, schools, and commercial and industrial businesses with only toilet and domestic kitchen facilities (no potable water used anywhere in operations).

(cc) "Domestic Non-Residential Fire Sprinkler System" means a fire sprinkler system installed for a domestic non-residential consumer. Fire sprinkler systems installed for a domestic non-residential consumer with a water service line and meter one-inch in size or smaller may be integral to the building plumbing system if allowed by building code or be a separate fire sprinkler system. In cases where the fire sprinkler system is separate and can be accommodated by a water service line and meter one-inch in size or smaller, it shall be connected after the incoming water meter for the building.

(dd) "Domestic Septage" means the mixed liquid and solids' contents pumped from septic tanks used for receiving domestic wastewater (definition in Chapter 13.20) or wastes from sanitary convenience units

(ee) "Fixture Isolation" means a method of backflow prevention in which a backflow preventer is located to correct a cross-connection at an in-plant location rather than at a water service entrance.

(ff) "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

(gg) "Hazard Classification" means a determination by a hazard classification surveyor as to high hazard or low hazard and the potential cause of backflow as either back-pressure or back-siphonage.

(hh) "Hazard Classification Survey" means an inspection of a premise to identify the potable water system, the location of any potential cross connections to the potable water system, the hazard of the potential backflow, the physical identification of any backflow devices or methods present and the inspection status of any backflow devices or methods. The hazard classification survey results must be recorded and certified by a qualified hazard classification surveyor.

(ii) "Hazard Classification Surveyor" means an individual who is certified by one of the following: the USC-Foundation for Cross-Connection Control and Hydraulic Research as a cross connection control specialist, the American Association of Sanitary Engineers (ASSE) as a cross connection control surveyor, a Wyoming or other state certification program approved by the state department of environmental quality, or by a water distribution system operator also certified as a backflow device tester employed by the City. Typically, the surveyor will be the City plumbing inspector and/or City public utilities water distribution staff.

(jj) "Hazardous Materials" means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial or potential hazard

to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

(kk) "Illegal Discharge" means any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in Section 13.12.090 of this chapter.

(ll) "Illicit Connections" means:

- (i) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system, including, but not limited to, any conveyances which allow certain non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from sinks, regardless of whether said connection had been previously allowed, permitted, or approved by a government agency; or
- (ii) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the City.

(mm) "Industrial Discharge" means the discharge or the introduction of domestic pollutants from any source. This includes partial domestic and partial nondomestic wastewater, into the City's collection and treatment system (including holding tank waste discharged into the system).

(nn) "Industrial Fluid" means a fluid or solution which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution or plumbing hazard if introduced into an approved water supply. This may include, but is not limited to: polluted or contaminated waters; all types of process waters and "used waters" originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalis, circulating cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerin, paraffins, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other purposes or for firefighting purposes.

(oo) "Mayor" means the Mayor or his appointed designee.

(pp) "Manager" means the Mayor or his designee.

(qq) "Natural Outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

(rr) "New Construction" means a building, structure, facility or installation constructed at a site that will generate new water and sewer demand or any building, structure, facility, or installation which will connect to the water and/or wastewater system and which will generate actual water and/or wastewater demand.

(ss) "Noncontiguous" means that property that will, in three years or more, have the potential for annexation.

(tt) "Non-Hazardous Industrial Sump Waste" means the liquid and solids contents pumped from sumps, oil and sand interceptors, or grease interceptors receiving industrial wastes (definition in Chapter 13.20) considered non-hazardous in accordance to any state or federal criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act, the Clean Water Act, the Resource Conservation and Recovery Act, and state statutes.

(uu) "Non-Stormwater Discharge" means any discharge to the storm sewer system that is not composed entirely of stormwater.

(vv) "One Acre" includes any land disturbance of less than one acre of total land when that disturbance is part of a larger common plan of development or the sale is part of a larger common plan that will ultimately disturb one acre or more.

(ww) "Owner" means any person who has legal title to, or license to operate or inhabit in, a property upon which a cross-connection inspection is to be made or upon which a cross-connection is present.

(xx) "Rate Description" means the amount of money that will be charged for a certain service, dependent upon the kind of service received, rather than the property designation. All rates and fees shall be established by resolution of the City council.

(yy) "Permit" means written authorization issued by the City, duly executed, which authorizes the permittee to construct, install or modify the facilities as set forth in this chapter.

(zz) "Person" means an individual, partnership, firm, association, joint venture, Private Corporation, trust, estate, commission, board, private institution, utility, cooperative, or any other legal entity. This definition, for purposes of this chapter does not include any public corporation, or other political subdivisions of the state.

(aaa) "pH" means the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

(bbb) "Pollutant" means any substance or hazardous material that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid, solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including, but not limited to, sediments, slurries, and concrete rinsates); and noxious or offensive matter of any kind.

(ccc) "Pollution" means the human-made or human-induced alteration of the quality of waters by a pollutant or waste to a degree which affects, or has the potential to affect, either the

waters for beneficial uses, the facilities which serve these beneficial uses, or results in a violation of water quality standards of the state.

(ddd) "Pressure Reducing Valve" means auxiliary equipment furnished, owned, operated, and maintained by the customer which is installed downstream of the City water meter for the purpose of reducing City water supply pressure for residential and commercial building use.

(eee) "Premises" means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

(fff) "Private Facilities" means those systems or facilities connected or proposed to be connected to the City of Mills water distribution or sewage collection system or facilities which are not owned or controlled by the City and are generally outside of public streets, roadways, alleys and easements.

(ggg) "Projected Land Use Plan" means a general land use plan establishing boundaries for specific land uses beyond the corporate limits of the City and mutually agreed upon by the City and the county.

(hhh) "Properly Shredded Garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1.2 inches (1.27 centimeters) in any dimension.

(iii) "Public Facilities" means any part of the water distribution or sewage collection system or facilities owned or controlled by the City of Mills and which are within public streets, roadways, alleys and easements.

(jjj) "Public Sewer" means a sewer, in which all owners of abutting properties have equal rights, and is owned and controlled by the City of Mills, understood to have a manhole at each end.

(kkk) "Residential" means a property designation as listed in the Mills code, Chapter 17 including, but not limited to, single-family dwellings; moveable mobile homes; modular homes; multi-family dwelling units, such as duplexes; City houses; condominiums; apartments; churches; schools; day care (adult, family and group); parks; playgrounds; historical sites; golf course; and, other similar recreational facilities used during daylight hours. This does not imply a specific rate.

(lll) "Residential Fire Sprinkler System" means a fire sprinkler system installed for a residence having a water service line and meter one-inch in size or smaller. The fire sprinkler system may be integral to the residence plumbing system if allowed by building code or be a separate fire sprinkler system. In cases where the fire sprinkler system is separate, it shall be connected after the incoming water meter for the residence.

(mmm) "Sanitary Sewer" means a sewer, which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

(nnn) "Sewage" means a combination of the water-carried wastes from residences, business buildings, and institutions together with such ground, surface and storm waters as may be present.

(ooo) "Sewage Collection System or Facility" means a sewerage system, including pipelines, conduits, pumping stations, force mains, and all other construction; devices, appurtenances and facilities used for collection or conducting wastewater to the wastewater treatment plant.

(ppp) "Sewage Treatment Plant" means any arrangement of devices and structures used for treating sewage.

(qqq) "Sewage Works" means all facilities for collecting, pumping, treating and disposing of sewage.

(rrr) "Sewer" means a pipe or conduit for carrying sewage,

(sss) "Sludge" means any discharge of any wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four hour concentration or flows during normal operation.

(ttt) "Storm Drain" or "Storm Sewer" means a sewer, which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

(uuu) "Storm Drain System" means any publicly or privately owned facilities by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the City.

(vvv) "Stormwater" means any stormwater runoff, snowmelt runoff, and surface runoff and drainage.

(www) "Stormwater Pollution Prevention Plan" is a document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

(xxx) "Submetering" means a meter or meters which are furnished, owned, operated, and maintained by a customer, which are installed downstream of the City water meter for the purpose of proportioning Mills water and/or sewer charges between various tenants or residents.

(yyy) "Surface Waters Of The State" means all permanent and intermittent defined drainages and lakes, reservoirs, and wetlands which are not manmade retention ponds used for the treatment of municipal, agricultural or industrial waste; and all other bodies of surface water, either

public or private, which are wholly or partially within the boundaries of the state. Surface waters include all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry stormwater at and during all times and seasons.

(zzz) Suspended Solids" means a total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering,

(aaaa) Temporary Fire Hydrant Usage" means a fire hydrant used for delivering water needed for public or private works or new building construction purposes (compaction, dust control, etc.).

(bbbb) Water Distribution System or Facility" means pipelines, conduits, pumping stations, storage facilities and all other construction, devices, appurtenances and facilities used for conducting water from the water production facilities.

(cccc) Water Emergency" means any fire, flood, storm, earthquake, drought, civil disturbance or other emergency of significant magnitude, which seriously and directly affects the ability of the City to supply water to the general public, and which is a serious and immediate threat to the health, safety and welfare of the general public.

(dddd) Water Supply System" means the structures, equipment and processes owned by the City and required to collect, treat and distribute water to and for the residents of the City.

(eeee) "Wyoming Pollutant Discharge Elimination System Permit (WYPDES)" means general, group, and individual stormwater discharge permits that regulate facilities located within the state of Wyoming which are, or may, discharge stormwater associated with construction activities. The WYPDES permit issued by the Wyoming Department of Environmental Quality authorizes discharge to surface waters of the state of Wyoming upon compliance with the requirements of the Wyoming Department of Environmental Quality.

(ffff) "Wyoming Water Quality Standards" means the Wyoming Department of Environmental Quality published water quality rules and regulations (Chapter 1) as they may be amended from time to time.

(gggg) Residential Fire Sprinkler System" means a fire sprinkler system installed for a residence having a water service line and meter one-inch in size or smaller. The fire sprinkler system may be integral to the residence plumbing system if allowed by building code or be a separate fire sprinkler system. In cases where the fire sprinkler system is separate, it shall be connected after the incoming water meter for the residence.

(hhhh) Used Water" means the condition of water purveyors' supplied water after it has passed through the point of delivery of the customer's water system, the used water being no longer under the sanitary control of the water purveyor.

(iiii) Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

(jjj) "Water Purveyor" means the City of Mills in this chapter.

(kkk) "Water Service Connection" means the terminal end of a service connection from the public potable water system, i.e., the point at which the water purveyor loses jurisdiction and sanitary control over the water, said point being the point of delivery to the customer's water system (service connection curb stop). There shall be no connections to the service line ahead of any meter or backflow prevention device located on the customer's water system. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

(lll) "Sludge" means any discharge of any wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four hour concentration or flows during normal operation.

13.03.040 New Construction

(a) Applications for new construction installations for water and sewer service shall be made to the City of Mills City Hall, 704 4th St, Mills, Wyoming between the hours of eight a.m. to five p.m., Monday through Friday (except holidays); calling the City of Mills at (307) 234-6679. All applicable charges for new services, including, but not limited to, system investment charges for new services, will be assessed at the time of application in accordance to other chapters of this Mills code and City rules and regulations regarding water and sewer service.

(b) Upon application, the minimum charge for services will be billed until the meter is installed. If water is used for landscaping before the meter is installed, the customer will be charged for twenty-five thousand gallons of water for the billing period.

13.03.050 Connection or Change of Service

(a) The property owner, tenant or agent of the owner may request changes in existing services. If a tenant occupies the property, the property owner or agent of the owner may only request changes in existing services with the written approval of the tenant.

(b) Service can be obtained by contacting the City of Mills City Hall, 704 4th St, Mills, Wyoming between the hours of eight a.m. to five p.m., Monday through Friday (except holidays); calling the City of Mills at (307) 234-6679, between the hours of eight a.m. to five p.m., Monday through Friday (except holidays). The request for service will include name of occupant, physical address, mailing address, social security number, day and night time telephone number, employer and requested date of service. The request must be made at least three working days prior to a request starting date.

(c) All new utility customers will be required to make a deposit unless they have one year of previous service with the City indicating good credit.

(d) Any new occupant, owner or agency is granted a seventy-two hour notice before services will be disconnected to allow the customer time to transfer the utilities to their name without a break in service.

13.03.060 Refusal of Service

The City reserves the rights to refuse service to any customer until all federal, state and Mills regulations governing Mills utility service have been complied with by the applicant.

13.03.070 Discontinuance of Service

(a) Service may be discontinued for nonpayment. In order to re-establish service, a delinquent turn-on fee and a deposit may be required before service is restored. If the service is to be restored during non-working hours, the fee and deposit must be in City of Mills, City Hall, 704 4th St, Mills, Wyoming, no later than ten a.m. the next working day, or service will be disconnected and additional applicable charges may be imposed. Service will not be provided if there are any outstanding bills or fees or any violations of this chapter.

(b) Customers will be charged a fee if an insufficient funds check is received by the City. The bank automatically redeposits insufficient funds checks. If an insufficient funds check has been redeposited and is returned to the City, the amount will be automatically reversed and applied to the customer's account. The customer will be responsible for any additional charges; interest or penalties accrued to the account. The unpaid balance will be subject to any interest or penalty charges associated with a past due account. The account will be subject to the City general billing and collection policy, adopted by resolution of the City council. When an account has registered two NSF checks all future utility charges will be required to be paid by cash, certified funds or money order.

(c) If water service is disconnected because of any misrepresentation, deliberate meter tampering, curb stop tampering or unauthorized connections, service may be restored after the City has received payment for water used, damages to materials, reconnection charges, proper system investment charges and other fees and costs incurred by the City.

(d) A property owner may have water service transferred to their name automatically when a tenant discontinues services or is shut-off, at the landlord's request. The landlord will remain in effect until a new property owner requests service, or the landlord notifies the City to terminate the landlord request.

(e) When water service is temporarily shut-off at the request of the customer and turned on at a later date at the request of the customer, a reconnect fee shall be charged to the customer. There will be no reconnect fee when the water service is shut-off for less than twenty-four hours for repairs to the customer's plumbing system.

13.03.080 – Rates and Classifications of Utilities

(a) All classification of users will be set by resolution of the Governing body;

- (b) All rates for monthly service will be set by resolution of the Governing body;
- (c) All rates for connection to the system or systems will be set by resolution of the Governing body; and
- (d) All collection and billing policies for utilities will be set by resolution of the Governing body.

13.03.090 Billing

- (a) All bills and notices mailed by the City will be mailed to the street addresses of the property, unless the customer has provided a different mailing address.
- (b) All sewer and garbage billing will be based upon a rate definition rather than a property definition. Property may be designated as commercial in this code; however, they may be charged a residential rate for any of the utilities. Rates to be determined by resolution.
- (c) Water billing will be based on meter readings. The bills shall indicate the consumption in one thousand-gallon increments.
- (d) Residential and commercial sewer billing will be reevaluated each year, based on actual water usage during the billing period starting after January 1.
- (e) Each and every property location will receive a separate bill.
- (f) Water and sewer minimum charges are not prorated when the billing period is shorter than thirty days.
- (g) Customers will be charged any applicable minimum charges for all utility services during billing periods with no water usage. Minimum charges will be established by resolution.
- (h) There may be charges for additional unsubstantiated re-reads. If the meter test reveals that the customer has been over-billed by three percent or more, the customer's bill may be adjusted. If the customer has been billed correctly, or has been under billed, the City will bill the customer for the meter test. The amount billed will be determined by resolution.

13.03.100 Adjustments

- (a) Sewer adjustments may be given if a leak occurred during the sewer evaluation periods.
- (b) A bill may be adjusted for a water leak if the following condition applies. The usage on the customer's bill with the leak exceeds by three times the usage amount on the customer's bill for the same period one year previous. The leak adjustment is calculated at forty percent of the

difference between the current period usage and the usage billed for the same time period one year previous.

13.03.110 Credit, Payment Terms and Collection Efforts

(a) Bills will be considered delinquent if not paid twenty days after the bill date. Authorized interest and penalty charges will start accruing on this date. A delinquent notice will be mailed to the customer on or shortly after the twenty-first day after the bill date. If the bill remains unpaid ten days after the bill date, all utility services will be discontinued.

(b) If the customer's service is disconnected due to lack of payment, and remains unpaid for sixty days; the account shall be closed and turned over for collection.

13.03.120 - Temporary Fire Hydrant Usage

(a) A fire hydrant usage permit must be obtained from the City.

(b) At the time the fire hydrant usage permit is obtained, a hydrant deposit shall be paid for an auxiliary valve, wrench, meter and hose. Upon return of the valve, wrench, meter, and hose, in good condition, the hydrant deposit will be credited toward the amount due for water usage from the hydrant. If equipment is lost or damaged due to customer neglect, appropriate fees shall be charged. The Mayor or his designee reserves the right to rescind this privilege at any time.

(c) All water will be metered. Hydrant meters may be obtained from the City at a price set by resolution of the City council. The current City of Mills retail water rate will be charged for erosion control, reinstatement of vegetation of disturbed areas, compaction water, and flushing water used by developers, contractors, and others in addition to the hydrant permit.

(i) The current retail water rate will be charged in addition to the hydrant permit for all other uses, including, but not limited to, sod watering and parking lot washing. Payment and collection policies as listed in Section 13.03.090 will apply.

CHAPTER 13.04

PERMITS TO CONSTRUCT, INSTALL OR MODIFY WATER DISTRIBUTION OR SANITARY SEWAGE COLLECTION FACILITIES

13.04.010 Authority

The Wyoming Department of Environmental Quality has delegated to the City, via Wyoming Statutes Section 35-11-304, the authority to administer and enforce within its service boundaries Wyoming Statutes Section 35-11-301 (a) (iii) and (v). Specifically, Wyoming Statutes Section 35-11-301 stipulates that no person, except when authorized by permit, shall construct, install or modify any public water supply, sewage system, treatment works, disposal system or other facility capable of causing or contributing to pollution.

13.04.020 Scope

This chapter shall apply to all publicly owned or controlled water distribution facilities and sanitary sewage collection facilities within the service boundaries as agreed upon by the Wyoming Department of Environmental quality and the City.

13.04.030 Prohibitions

No person, except when authorized by permit issued pursuant to Wyoming Statutes Section 35-11-301 and this chapter, shall:

- (a) Construct, install or modify any publicly owned or controlled water distribution or sanitary sewage collection facility as defined in this chapter within the designated boundaries.
- (b) Construct, install or modify any publicly owned or controlled water distribution or sewage collection facility in noncompliance with the terms and conditions of an issued permit.
- (c) Construct, install or modify any publicly owned or controlled facility with a permit that has expired or has been suspended or revoked.

13.04.040 Permit Required

- (a) Construction, installation or modification of publicly owned or controlled water distribution and sewage collection facilities shall be allowed solely in accordance with the terms and conditions of permits issued pursuant to this chapter.
- (b) No construction, installation or modification of a water distribution or sewage collection facility as defined in this chapter shall be allowed unless a permit to construct, install or modify has been obtained from the City.
- (c) The issuance of a permit to construct, install or modify does not relieve the applicant of his responsibility to properly plan, design and construct the facility described in the application and permit conditions.

13.04.050 Application Requirements and Procedures

The following procedures will be followed in an application for the permit:

- (a) Any person who proposes to construct, install or modify a facility required to be permitted under Section 13.04.040 shall submit a written application on forms provided by the City of Mills.
- (b) The initial application for a permit must be accompanied by two complete sets of plans and specifications, design data and any additional information required by the City. After the plans and specifications have been reviewed by the City, the applicant's engineer shall make such revisions as are required and submit five revised sets for final review. All plans and specifications submitted shall carry the seal or signature of the design engineer in accordance with

Wyoming Statutes Sections 33-29-101 through 33-29-113. All plans and specifications shall conform to City of Mills Water Distribution Facilities Design Standards, City of Mills Sanitary Sewage Collection Facilities Design Standards, and the Wyoming Department of Environmental Quality, Water Quality Rules and Regulations, Chapter XI and Chapter XII. C. the City shall review every application and take final action within thirty days from the date the application is received.

(c) If an application is incomplete, additional information shall be requested in detail, or if requested, the application may be returned to the applicant. The applicant shall have ninety days to comply with the request for additional information. After this time period, if no information is submitted, the entire application shall be returned.

(d) The Mayor or his appointed designee shall promptly notify the applicant in writing of the final action taken on the application. If the conditions of the permit are different from the proposed application submitted by the applicant for review, the notification shall include reasons for the changes made.

(e) If, upon review of an application, the City determines that a permit is not required under this chapter, the Mayor or his appointed designee shall notify the applicant of this determination in writing. Such notification shall constitute final action on the application.

(f) If, upon review of an application, the City determines that a permit should not be granted, the Mayor or his appointed designee shall notify the applicant in writing of the permit denial and state the reasons for denial.

(g) If the applicant is dissatisfied with the conditions or denial of any permit issued by the City, he may request a hearing in accordance with Section 13.04.090.

13.04.060 Construction and Operation in Compliance with Issued Permit

(a) The applicant will conduct all construction, installation or modification of any facility permitted consistent with the terms and conditions of the permit. Unauthorized changes, deviations or modifications will be a violation of the permit. A new application or amended application must be filed with the City to obtain modification of a permit. No modification shall be implemented until a new or modified permit has been issued or a waiver given pursuant to Section 13.04.040B.

(b) The applicant shall request in writing authorization to utilize materials and/or procedures different from those specified in the terms of the issued permit. Such requests shall be directed to the Mayor or his appointed designee. The Mayor or his appointed designee shall consult with the Wyoming Department of Environmental Quality prior to issuing a waiver. A waiver may be granted if materials and/or procedures specified in the permit cannot be obtained or accomplished and alternative materials and procedures meet minimum standards. In order to prevent undue delay during construction, the Mayor or his appointed designee may grant a waiver orally, upon oral request, provided that this request is followed by a written request within five days.

(c) The applicant shall conduct the operation in accordance with statements, representations and procedures presented in the complete application and supporting documents, as accepted and authorized by the Mayor or his appointed designee.

13.04.070 Permit Duration, Termination and Transfer

(a) The duration of a permit issued under this chapter shall be two years from the issuance, and all construction authorized under the permit shall be completed within that period unless an extension is obtained, as provided in subsection E of this section.

(b) Permits will be issued to the official applicant of record for only the type of construction of record, and shall be automatically terminated:

- (i) Within sixty days after sale or exchange of the facility unless application for transfer is received pursuant to subsection C of this section;
- (ii) When construction is completed and final acceptance is obtained from the City. Upon final acceptance, public water distribution and public sewage collection systems or facilities shall become the property of the City;
- (iii) Upon issuance of a new permit;
- (iv) Upon written request of the permittee.

(c) Permits shall be transferred to new owners by completion and submittal of ownership transfer forms by the new owner to the City. The new owner may also submit a written request from the existing owner to transfer ownership. The City shall act by approving or denying the transfer application within thirty days after receipt of the request.

(d) Any conditions established in a construction permit will be automatically transferred to the new owner whenever a transfer of ownership of the facility is approved.

(e) A permit may be renewed where construction has not been completed by filing an affidavit with the City stating that there will not be any changes in the plans of a permitted system no less than thirty days prior to the expiration date of the permit.

13.04.080 Permit Denial

(a) The Mayor or his assigned designee may deny a permit for the following reasons:

- (i) The application is incomplete or does not meet applicable City design criteria and construction standards.
- (ii) The project, if constructed, would result in hydraulic and/or organic overloading of wastewater facilities.
- (iii) The project, if constructed, would result in public water supply demand in excess of source, treatment or distribution capabilities.
- (iv) The project does not comply with an approved state or local water quality management plan.
- (v) Other justifiable reasons.

(b) The Mayor or his assigned designee shall notify the applicant in writing the reason for denial.

(c) If the applicant is dissatisfied with the conditions or denial of any permit issued by the Mayor or his assigned designee, he may request a hearing before the City council.

A request for hearing shall be made in writing within twenty days of notification of this denial to the Mills Mayor and shall state the grounds for the request. The hearing shall be conducted pursuant to the regulations of the Mills City council and may be conducted as part of the board's regular monthly meeting.

If the applicant is dissatisfied with the actions of the Mills City council, he may request a hearing to the Mills City council.

A request for hearing shall be made in writing, within twenty days of the councils' action notification, to the Mills Mayor and shall state the grounds for the request. The City council, through its mayor, is authorized to appoint one or more hearing examiners/officers to preside at and make a record of hearings in contested cases. Such examiners/-officers shall have those powers prescribed by law and as set forth in Wyoming Statutes Section 16-3-112(B). The City council shall fix a reasonable time and place for the hearing of the appeal, such date shall not be less than ten nor more than sixty days from the date the request for hearing is filed.

The Mills City council shall render its decision following the hearing. The actions of the City council are not appealable.

13.04.090 Permit Modification

(a) During the review of an application or during construction, the City may modify a permit to construct, install or modify for the following reasons:

- (i) Changing site conditions which would prevent construction and resultant operation from compliance with City of Mills or Department of Environmental Quality rules and regulations;
- (ii) Receipt of additional information;
- (iii) Incomplete application on review items where the engineer/applicant agrees with the modification;
- (iv) Review items not in compliance with minimum standards where the engineer/applicant agrees with the modification;
- (v) Any other reason necessary to effectuate the purpose of the applicable statutes, standards or regulations.

(b) The Mayor or his assigned designee shall notify the applicant by registered or certified mail of its intent to modify the permit.

(c) Such notification shall include the proposed modification and the reasons for modification and time frame to have modifications constructed, installed or operational. Modification requirements shall be implemented before construction of a facility is completed.

(d) The modification shall become final within twenty days from the date of receipt of such notice unless within that time the permittee requests a hearing in accordance to Section 13.04.080(c).

(e) A copy of the modified permit shall be forwarded to the applicant as soon as the modification becomes effective.

13.04.100 Permit Suspension and/or Revocation

(a) Any permit issued hereunder may be suspended and/or revoked.

(b) Any permit issued hereunder may be suspended when the Mayor or his designee has a reasonable suspicion that the public health, safety or welfare will be endangered by a continuation of the project. Any such suspension shall last for no longer period than is necessary to conduct an expedited hearing before the City council, or a hearing examiner designated by the council for that purpose. The question at such hearing to be whether the permit should be revoked.

(c) Before a permit may be revoked, the applicant shall be given an opportunity to show compliance with all lawful requirements for the retention of the permit.

(d) The Mayor or his assigned designee may revoke a permit before the construction of a system is completed for the following reasons:

- (i) Noncompliance with the terms of the permit;
- (ii) Unapproved modifications in design or construction;
- (iii) False information submitted in the application;
- (iv) Changing site conditions which would result in violations of applicable regulations;
- (v) Any other reason necessary to effectuate applicable statutes, standards or regulations.

(e) The Mayor or his assigned designee shall notify the applicant by registered or certified mail of his intent to revoke the permit.

(f) The notification shall include the reasons for revocation. The revocation shall become final twenty days from the date of receipt of the notice, unless within that period of time the applicant requests a hearing in accordance to Section 13.04.080(C).

13.04.110 Enforcement

The City shall use any or all of the following methods to achieve compliance with this chapter.

(a) Any person who constructs, installs or modifies a water distribution or sewage collection facility without the proper permit to construct, install or modify shall immediately cease such construction upon notification by the Mayor or his assigned designee and obtain the proper permits.

(b) Any person who constructs, installs or modifies a water distribution or sewage collection facility in nonconformance to the issued permit to construct, install or modify shall immediately cease such construction upon notification by the City. The Mayor or his assigned designee may revoke the permit, in accordance with Section 13.04.100.

(c) The Mayor or his assigned designee may recommend to the City building inspector to deny or revoke building and occupancy permits in areas served by the facilities in question.

(d) The City reserves the right, in the event of noncompliance of its rules and regulations, to physically disconnect the water distribution or the sewage collection facility from its existing systems. The owner or developer shall be responsible for all costs associated with disconnecting and reconnecting the facilities.

(e) The City has been given the authority to request that the Attorney General or the County Attorney for Natrona County enforce the permit to construct, install or modify program pursuant to Wyoming Statutes Section 35-11-901 in the event a violation occurs.

(f) Any person violating the terms of this chapter is guilty of violating a City ordinance and may be charged in Mills court. Each day a person is in violation of any section of this chapter shall constitute a separate offense. A conviction under this chapter may be punished by a fine of up to seven hundred fifty dollars or six months imprisonment, or both.

CHAPTER 13.05
WATER AND SEWER SERVICE

13.05.010 Purpose

The purpose of this chapter is to assure that retail customers of the City of Mills adhere to certain requirements and responsibilities concerning water and sewer service lines, water meters, pressure-reducing valves, and backflow prevention devices.

13.05.020 Scope

(a) This chapter shall apply to all lands within the City of Mills or outside the City of Mills within its environs being serviced by retail water or sewer service by the City of Mills.

(b) This chapter shall compliment other chapters of the Mills Code and City rules and regulations regarding water and sewer service.

13.05.030 General-Responsibilities

(a) By accepting water and/or sewer service, the customer shall be deemed to have granted to the City and its designated representatives, permission to enter the customer's or property owner's premises at all reasonable times for the purpose of installing, replacing, reading, operating, inspecting, testing, repairing or removing any or all of the material or equipment belonging to the City including, but not limited to, water service lines, water service line shut-off valve, water meters, remove readout device, and automatic meter reading equipment or for the purpose of ensuring that a customer is in compliance with the Mills Code, ordinances, rules and regulations. By accepting water and/or sewer service, the customer shall be deemed to have granted to the City and its designated representatives permission to enter the customer's or owner's premises at all reasonable times to operate, test, and inspect customer's valves, cross connection control devices, and pressure reducing valves.

Provided however, nothing herein contained shall allow or authorize the City, except during a bona-fide emergency, to enter a customer's residence or building being supplied City water or sewer service without the prior permission of the owner. In the event permission is unreasonably denied, the City shall have the absolute right to discontinue any such water or sewer service as provided in Section 13.05.060(E) of this chapter.

(b) City houses may use a common water service line, a single City water meter, and a common sewer service line. However, in such situations, the City will not furnish, install, maintain, or read individual City house unit water service lines and sub-meters.

As an alternative, separate water and sewer service lines and meters are also acceptable for City houses. Individual City house water service lines may be connected into one service line extending to the water main if a shut-off valve exists on the one service line extending to the water main, and all individual water service shut-off valves are located in the front lot utility easement.

(c) The water service line (three-fourths inch through two inches) from the water main to and through the shut-off valve, generally located behind the curb walk within the front lot utility easement, shall be owned, operated, and maintained by the City. Water service lines three-inch and larger shall generally have the shut-off valve (owned by the City) located at or near the water main. The physical connection, on the downstream side of the shut-off valve, and the service line leading into and through the establishment receiving water service shall be owned, operated, and maintained by the customer.

(d) Water service lines for fire suppression or private fire hydrants shall generally have the shut-off valve (owned by the City) located at or near the water main. The physical connection, located on the downstream side of the shut-off valve, and the fire suppression or private fire hydrant service line leading to and through the establishment receiving fire suppression water service shall be owned, operated, and maintained by the customer.

(e) No person, except authorized City employees, shall turn on or off any water supply at City owned shut-off valves without the permission of the City.

If a City owned shut-off valve is turned on by a customer or at the customer's direction without the permission of the City, and the valve or appurtenances are damaged, all costs to repair such equipment shall be billed to the customer by the City, and the customer shall be solely liable and responsible for such costs.

(f) It shall be the responsibility of the customer to maintain the water service line, fire suppression line, or private fire hydrant line from the shut-off valve into the premises receiving water service. In case of failure by the customer to repair any leak occurring in his water service line, fire suppression line, or private fire hydrant line within forty-eight hours after verbal or written notice has been given to the customer, the water will be shut off by the City and will not be turned on until the repairs have been made and the appropriate turn-on charge has been paid. When the waste of water is considered excessive, or when damage is likely to result from the leak, the water will be turned off if the repair is not proceeded with immediately upon the giving of such notice by the City. The City shall also charge the customer the cost of the wasted water. The

determination of wasted water being excessive or damage likelihood shall be made at the sole discretion of the City.

The City shall not be liable for any loss or damage of any nature whatsoever caused by any defect in customer's water service line, fire suppression line, private hydrant line, or customer's equipment located on the real property of the customer. The customer shall be solely responsible for inspecting its service line, plumbing, and equipment.

(g) For polyvinyl chloride (PVC) sewer mains, the City's ownership, operation, and maintenance responsibility for sewer services shall cease at the sewer saddle wye or tee on the sewer main. The connection between the PVC sewer saddle and the sewer service line shall be the responsibility of the customer. The sewer service line from the sewer saddle wye or tee into the premises receiving sewer service shall be owned, operated, and maintained solely by the customer.

For vitrified clay (VCP) sewer mains, the City's ownership, operation, and maintenance responsibility for sewer service shall cease with the sewer main. All directly connected hubs on VCP sewer mains shall be the ownership, operation, and maintenance responsibility of the customer. If a VCP or PVC sewer saddle wye or tee has been installed on a vitrified clay main, the sewer service line serving the premises receiving sewer service shall be owned, operated, and maintained solely by the customer.

(h) Water from the City's water supply system shall only be used on the customer's premises and no other premises unless authorized by the City.

(i) No physical connection between the City's domestic water system and private irrigation wells will be permitted.

(j) No physical connection between another water supply and the City's distribution system will be permitted unless approved in writing by the City with appropriate cross connection control. The customer must meet all requirements of Chapter 13.17, Cross Connection and Backflow Control of the Mills Code.

(k) The City does not undertake or agree to furnish or supply continuous uninterrupted water or sewer service to its customers and shall not be liable for any deficiency or failure in the supply of water to customers or to the receiving of wastewater from customers whether occasioned by shutting the water off for the purpose of making repairs or connections or from any other cause whatsoever. In the case of fire, or alarm of fire, water may be shut off to insure supply for firefighting. During construction or the making of repairs that may affect the City's water system, water may be shut off at any time for as long period as necessary to complete any such construction or repairs.

(l) Existing water and sewer service lines, which service more than one lot, or more than one building, shall be the ownership, operation, and maintenance responsibility of the customers using the service lines.

(m) When a building is erected on the site where an old building has been demolished or removed, the existing water service line may only be reused if inspected and approved by the City. Lead or iron water services will not be approved for reuse.

Abandoned water service lines must be plugged at the water main and the shut-off box removed. The customer shall be responsible for all trenching, excavation, backfilling, compaction, and restoration of the surface to the same or better condition as it existed prior to the excavation. The City shall perform the work to plug the water main at no charge to the customer once the trench is excavated and the water main exposed.

(n) When a new building is erected on the site where an old building has been demolished or removed, the existing sewer service may only be reused if inspected and approved by the City. Existing "Orangeburg" sewer service lines shall not be approved for reuse. If it is necessary to install a new sewer service, the customer must plug the old sewer service at the property line.

(o) All water piping, pressure reducing valves, customer backflow preventers, expansion tanks, pressure relief valves, pits, or vaults associated with metering equipment, shall be the sole responsibility of the customer. The customer is responsible for the shut-off valves located on each side of the water meter. The City shall own, operate, and maintain the water meter and remote reading devices.

(p) It shall be a misdemeanor for any unauthorized person to or in any way interfere with, tamper, or otherwise damage any metering equipment owned by the City.

(q) Frozen Water Service Lines. Customers with frozen water service lines shall contract a private contractor for thawing out the service. If the private contractor's efforts are unsuccessful, the customer may contact the City for help in thawing his/her water service line. The City will place the customer on a priority list for service line thawing. At its discretion, City staff shall use either an electric welding device or a hot water thawing device to try to thaw the customer's service. The City does not assume, and shall not be liable to the customer for any damage to property or persons caused directly or indirectly by the thawing of the customer's service line. No such thawing work on a customer's service line will be performed until the customer has executed a full liability release in a form acceptable to the City. Following the thawing of the water service line, the customer shall continuously run water in order to prevent another frozen service line. Customers who let their service lines re-freeze shall be placed at the bottom of the priority list for customer service line thawing and shall be charged all costs for thawing the service line the second and subsequent times. The customer, each time, shall fill out and sign a new full liability release for thawing the water service line. If a private contractor's efforts can affirmatively demonstrate to the satisfaction of the City, that the freeze-up occurred between the water main and the City owned shut-off valve, the City may reimburse the customer for a percentage of the private contractor's work dependent upon City council action at that time

(r) Wintertime Water Usage to Prevent Water Service Line Freeze-Ups. At such time that City staff believes that shallow water service line freeze-ups may occur (dependent upon weather conditions, existing frost penetration, existing service line freeze-ups), it shall make its best efforts to contact known addresses with shallow service lines to recommend the continuous running of water in order to prevent the service line from freezing up. Notification of the customer shall be attempted by phone and, if the customer is not contacted by phone, then city staff shall leave a note on the residence. The City does not assume, and shall not be liable for any failure to notify customers pursuant to this section. Under no circumstances shall the provisions of this

chapter be considered as a waiver by the city of the liability limits or immunity as otherwise set forth in the Wyoming Governmental Claims Act, W.S. § 1-39-101, and the City specifically reserves the right to assert any and all rights, immunities, and defenses it may have pursuant to the Wyoming Governmental Claims Act. The City may, in its sole discretion, grant a customer a credit for the cost of water used to prevent service line freeze-ups on a case-by-case basis. Customers who let their service line freeze after being notified by City staff that they need to run water to prevent freeze-up shall thereafter be subject to the provisions of subsection Q of this section.

(s) Sewer System Backwater Valves. If the City determines that a customer has the potential to have a sewer system backup, a backwater valve shall be installed by the customer at his/her cost.

Sewer system backwater valves for customer sewer systems shall be installed in accordance to the City's Uniform Plumbing Code.

13.05.050 New Construction

(a) Each lot shall have separate water and sewer service lines, water meter, and shut-off valve serving it and no other lot. Water service shut-off valves shall generally be located at the property line or within the front lot utility easements.

(b) Any applicant who desires a water and/or sewer connection generating water or wastewater demand shall pay water tap charges, water service line charges, water meter charges, sewer tap charges, special subdivision charges, and other ancillary charges as appropriate in the manner set forth in this title and as set forth by resolution of the City. Special subdivision charges and recapture charges shall be paid and calculated in the manner set forth in the applicable subdivision agreement or water and sewer contract with the developer.

(c) No building permit for water or wastewater connections generating water or wastewater demand, which is required to pay water tap charges, water service line charges, water meter charges, sewer tap charges, special subdivision charges, and other ancillary charges pursuant to this title shall be issued by the City until the charges required by this title have been paid.

(d) All existing water and sewer connections that may need new water service lines, water meters, new sewer taps, or other services shall pay the appropriate charges prior to receiving the service.

(e) Customers Are Responsible For All New Water Service Lines. The City does not guarantee that a water service line is extended into a lot. If there is no water service connection into the lot or parcel of land, the City shall install, at the cost of the customer as covered by fees set forth by resolution, a corporation stop on the main, the water service line from the water main to the customer's property, the shut-off valve, and the service box. All trenching, excavation, backfilling, compaction, surface restoration and related matters shall be performed by and at the cost and expense of the customer.

(f) Customers Are Responsible For All New Sewer Service Lines. The City does not guarantee that a sewer service line is extended into a lot. If there is no sewer service connection into the lot or parcel of land, the City shall install, at the cost of the customer as covered by fees

set forth by resolution, a sewer service saddle on the sewer main. The customer must then install the sewer service line from the saddle leading from the sewer main to the customer's property. All trenching, excavation, backfilling, compaction, surface restoration and related matters shall be performed by and at the cost and expense of the customer.

(g) All unused water and sewer service lines must be properly plugged and abandoned by the customer.

- (i) Unused water service lines must be removed at the water main and the water main connection plugged. The customer must excavate and carefully expose the water main and the City will plug the water main connection at no charge to the customer.
- (ii) Unused sewer service lines must be plugged by the customer at the property line.
- (iii) All trenching, excavation, backfilling, compaction, surface restoration and related matters associated with water or sewer service line abandonment shall be performed by and at the cost and expense of the customer.

(h) The water service line serving a building generally must be the same size as the water meter. The only exceptions are long service lines (over one hundred feet) and areas of low pressure (less than forty-five pounds per square inch). Exceptions must be approved by the City in writing.

(i) All plumbing and equipment of the customer, including outside hose bibs and irrigation systems shall be connected, at the expense of the customer, to the service piping in such a manner that all water used by the customer shall pass through the meter.

(j) It is the responsibility of the customer of the property serviced to maintain the service box for the shut-off valve in a plumbed and operable condition, flush with the ground level at all times. In the event the customer fails to restore the service box and the shut-off valve in a plumbed and operable condition within ten days after written notice from the City, the City may make the necessary repairs to bring the service box and shut-off valve plumb, operable, and flush with the ground level, the cost of which shall be the responsibility of the customer, which will be billed to the customer by the City.

(k) Pressure reducing valves are required for residential and commercial buildings, which make new connections to the City's water system if the static pressure is over sixty-five pounds per square inch.

13.05.060 Water Meter Installations

- (a) General.
 - (i) All water meters, two inches and smaller, except sub-meters, are to be installed by the City. Licensed plumbers shall install all other piping (and meters larger than two inches necessary for the installation in accordance with this title and the City Plumbing Code. All water meters (except sub-meters) shall be purchased from the City.

- (ii) The customer shall provide a suitable location in the building which is acceptable to the City where the City water meter is easily accessible and convenient for the installation, reading, operation, protection, and maintenance of the meters and equipment in accordance with requirements of the City, which, in all instances must protect the water meters from freezing.
- (iii) Meter pits shall be required for manufactured homes, mobile homes, and other special circumstances approved by the City, and shall be located generally within the front lot utility easement behind the shut-off valve. The customer shall own and maintain meter pits.
- (iv) Meter installations in outside vaults must have prior written authorization from the City. Evidence must be provided showing that it is not practical to place the meter inside a building. Plans shall be submitted to the City for all outside meter vaults.
- (v) The City is responsible for the operation and maintenance of the meter and remote reading device for residential services. All other valves, piping, meter pits, vaults, backflow preventers, pressure reducing valves, etc. are the responsibility of the customer to own, operate, and maintain.
- (vi) All building fire protection systems one and one-half-inch or less in size shall be installed after the City meter serving the building. The fire protection system shall be provided with a backflow preventer. Building fire protection systems for single family dwellings which are integral to the building plumbing system as allowed by City Building Code do not require a backflow preventer. Building fire protection systems two-inch or larger in size shall have a separate service line from the main. No meter will be needed; but, a backflow preventer will be required for fire protection systems two-inch and larger.

(b) Sizing.

Water Meters Shall be Sized in Accordance with the Following Table:

| Size | Maximum Peak Flow Allowable - Gallons Per Minute (GPM) |
|-----------|--|
| ¾ inch | 15 GPM |
| 1 inch | 25 GPM |
| 1½ inches | 50 GPM |
| 2 inches | 100 GPM |
| 3 inches | 200 GPM |
| 4 inches | 450 GPM |
| 6 inches | 950 GPM |
| 8 inches | 1,550 GPM |
| 10 inches | 2,450 GPM |

- (c) Meters Up to Two Inches (See Figure 1 at the end of this chapter).
- (i) The water service line installed from the water main to the meter shall be brought up through the floor in a vertical position. An approved valve must be installed where the service line enters the building, about twelve inches above the floor. An approved valve shall also be installed on the outgoing side of the meter immediately adjacent to the meter.
 - (ii) The meter shall be located so that the bottom of the meter is from six inches to eighteen inches above the finished floor line and shall be installed in the horizontal position. The meter shall be set in a laundry area, furnace room, or other area not normally considered as living area. The meter shall not be installed in crawl spaces or other areas of inconvenient access.
 - (iii) Meters up to and including one inch may be supported by the piping. All others must be supported by a suitable mounting bracket, blocking, or metal stand.
 - (iv) Meters shall be installed within four feet of a floor drain, when available, unless an alternate location is approved by the City.
 - (v) Clearances for accessibility to the meter must be provided. Normally an area two feet by two feet is required with a clearance of at least twelve inches on both sides of the meter. Adequate access, as determined by the City, to the meter location is also required.
 - (vi) Meters must be installed inside the building in a heated area.
 - (vii) Any connection to the service before the meter or any by-pass around the meter is prohibited. Unless specifically allowed by the City, by-passes around the meter will not be allowed. Any customer who is found with an illegal by-pass around the meter shall immediately have his water service turned off until the by-pass is removed.
 - (viii) Valves before and after the meter shall be gate, globe, angle, or ball valves made of brass, copper, or other City approved materials up through two inches in size.
 - (ix) Automatic meter reading equipment will be installed near the meter inside the residence, or at a suitable location outside the building.
 - (x) Meter pits may be allowed for two-inch and smaller meters. Frost-proof coil meter pits must be used for all manufactured homes or mobile homes. The meter pit shall generally be installed within the front lot utility easement behind the water service line shut-off valve. Meter pits, including lids, located in sidewalks or paved areas must be specifically designed to accommodate AASHTO H-20 traffic loading. The customer shall own and maintain the meter pit. Meter pits and setters shall be pre-fabricated and must be designed for cold weather conditions. Automatic meter reading equipment, suitable for meter pits, will be installed. (See coil meter pit detail — Figure 3 at the end of this Chapter.)
- (d) Meter Setups Three Inches and Larger (See Figure 3 at the end of this chapter).
- (i) The same general requirements apply for installation as for smaller meters. Meters should be installed in a mechanical room of the building, near a floor

drain, if available, and in a horizontal position. Valves must be installed on both sides of the meter.

- (ii) All meters larger than two inches must have at least thirty-six inches clearance above the meter, eighteen inches below the meter, and eighteen inches clearance on the sides. The piping must include couplings or other arrangement to provide for easy removal of meters.
 - (iii) A minimum straight distance of ten pipe diameters is required upstream of each meter setup larger than two inches, unless an approved strainer is used.
 - (iv) All meter setups, three inches and larger, shall have a two-inch test plug on the discharge side to allow for meter testing. This test plug shall be placed before the valve on the customer side.
 - (v) A compound meter, a single-jet meter, or a parallel turbine-displacement meter setup (if a bypass is absolutely needed by the customer) may be used for three-inch and larger services. Magnetic flow meters may be used for services six inches and larger.
 - (vi) Turbine meters alone may be used for irrigation-only services if approved by the City.
 - (vii) Check valves used in the parallel turbine-displacement meter setup shall be internal spring loaded check valves. They shall have a cast iron body, stainless steel five-pound springs, stainless steel hinge pins and stops, Teflon spring and hinge bearings, and Buna-N or equal seals.
 - (viii) Three-inch valves may be gate, globe, angle or ball valves made of brass, and copper or other approved material. Gate valves meeting AWWA C500 or C509 or butterfly valves meeting AWWA C504 are also acceptable for three-inch valves.
 - (ix) All valves four-inch and larger shall be gate valves meeting AWWA C500 or C509 or butterfly valves meeting C504.
 - (x) All meters, valves, and piping must be supported by suitable blocking or metal stands.
- (e) Meter Vaults (See Figure 4 at the end of this chapter).
- (i) The same general installation requirements for meter setups (subsections C and D of this section) apply to meter vault installations. Vaults must meet the following requirements:
 - A. Vaults must be constructed of reinforced concrete with a minimum depth of seven feet floor to ceiling. The minimum length and width shall be four feet. The floor must be concrete and the entire vault must be watertight and insulated as necessary. A floor drain to daylight or a dry sump is necessary.
 - B. Separate water services (and meters) for irrigation only purposes are not permitted in outside vaults, except for public parks, City house developments and other special circumstances, specifically approved by the City.
 - C. The meter setup must have eighteen-inch clearance to the floor and eighteen-inch clearance on all sides.

- D. The piping must include couplings or other arrangements to provide for easy removal of the meter.
- E. Valves must be provided on both sides of the meter, inside the vault, and with sufficient clearance for operation and maintenance.
- F. All meters, valves, and piping must be supported by suitable blocking or metal stands.
- G. A suitable locking hatch will be provided in one corner of the vault for access. The hatch must be provided with hold up arms. Manhole castings are not acceptable. Minimum size shall be a twenty-four-inch opening. Aluminum steps or ladder shall be provided.

(f) Submetering. Sub-meters are meters downstream of the City water meter installed for the purpose of proportioning Mills water/wastewater charges between various tenants or residents.

- (i) Customers desiring one or more sub-meters for various tenants or residents shall furnish, install, maintain, read, and bill on such meters at their own expense.

13.05.060 Water Meter Maintenance

(a) General. The City shall own, operate and maintain all water meters, remote readout devices and automatic meter reading equipment. Clearances for accessibility to the meter must be provided by the customer in accordance to Section 13.05.050 of this chapter.

(b) Should damage result to metering equipment; including water meters, remote readout devices and automatic meter reading equipment, from molestation or willful neglect by the customer, the water service may be discontinued. In addition to other costs of discontinuing the service, the City will repair or replace such equipment and bill the customer for all costs incurred, for which the customer shall be solely liable.

If a meter is damaged due to freezing, repair costs shall be billed to the customer in accordance to fees set by resolution for the first freezing incident, and each succeeding incident during a three-year period.

Repair of larger meters (one and one-half-inch and larger) damaged by freezing may require additional costs to be assessed to the customer.

(c) When a customer makes a complaint that the Mills water/wastewater charges for any particular billing period are excessive, the City shall, upon request, have the water meter reread. If the customer remains dissatisfied and desires that the meter be tested, the City shall then test the meter for accuracy. The City shall test the meter once every three years at no cost to the customer. The customer may be present when such test is made.

In the event that the meter test shows an error of over three percent of the water consumed in favor of the City, a correctly registering meter will be installed, with a possible water and sewer bill adjustment. Such adjustments shall not be retroactive for more than one year without specific approval of the City council. The minimum charge, or base charge, will not be affected.

If the customer desires the meter to be tested greater than once every three years and the test shows accurate measurements of water, or an error in favor of the customer, the customer shall be billed to cover the expense of making the meter accuracy test.

(d) When the water meter fails to register for any period and the reason for the malfunction is beyond the reasonable control of the City, the City may estimate the charge for Mills water and wastewater service during the period in question.

(e) The City may inspect, test, repair, or replace the water meter, water service line shut-off valve, remote readout device, and automatic meter reading equipment at any reasonable time, as provided in Section 13.05.030(A) of this chapter. The City may shut off the water service to a customer who denies the City access to the above described equipment for any such test, repair or replacement, and the City may further temporarily shut off water service to a customer for the purposes of any such repair or replacement.

(f) It is prohibited for any person to bypass or tamper with the water meter. If the meter seal is broken, or the working parts of the meter have been tampered with, or the meter has been damaged or bypassed, the City will, in addition to any other penalties provided by law, estimate the time of period the tampering took place and will render an estimated bill for that time period to the customer involved. The City will also bill the customer for the full cost of repairing such damage to the meter and accessories, and may refuse to furnish water until the customer's account is paid in full.

(g) A customer requesting relocation of a water meter shall bear all costs associated with relocating the water meter, remote readout device, automatic meter reading equipment, dual check valve, and expansion tank.

(h) The customer shall, at his/her expense, keep his/her outside meter pit or vault and appurtenances in good repair, readily accessible, and in a safe and useable condition at all times. Failure to do so shall be deemed just cause to discontinue water and wastewater service to the customer.

13.05.070 Pressure Reducing Valves

(a) Pressure reducing valves will be required for new residential and commercial buildings inside the City of Mills where the static pressure is greater than sixty-five pounds per square inch. Their purpose is to save water and reduce wastewater flow.

(b) The valve shall be located on the discharge side of the water meter after the shut-off valve and a minimum of four pipe diameters from the shut-off valve. All inside house fixtures must be served by the pressure-reducing valve. Outside hose bibs and outside landscape irrigation connections may be left at full main pressure if desired.

(c) The pressure-reducing valve, if required in conjunction with a backflow prevention device, shall be installed downstream of the backflow prevention device.

(d) The pressure-reducing valve shall be set to limit inside house pressure to a maximum of sixty-five pounds per square inch.

(e) Pressure-reducing valves must be approved by the City building inspection division.

13.05.080 Backflow Prevention Assemblies

(a) General. Backflow prevention assemblies will be required for new residential and commercial buildings will be required by the City and for any service which could conceivably contaminate the City's water system in the event of back pressure or back-siphonage in accordance with the requirements of Chapter 13.17, Cross Connection and Backflow Control of the Mills Code.

(b) This installation may be in addition to those assemblies required by the Uniform Plumbing Code for internal building plumbing.

(c) Backflow prevention assemblies shall be furnished and installed by, and at the expense of, the customer. Auxiliary equipment needed to prevent internal pressure build-up such as expansion tanks, pressure relief valves, etc. shall be installed by, and at the expense of, the customer.

(d) Customers shall be responsible for ownership, operation, and maintenance for all backflow preventers.

(e) Backflow prevention assemblies shall be installed immediately downstream from the water meter. Approved valves shall be installed on each end of the backflow preventer (except for atmospheric vacuum breakers and dual check valve backflow preventers) at the expense of the customer.

(f) All requirements for water meter installations also apply to backflow prevention assemblies. The City shall be allowed to test these devices for adequacy at any time.

(g) All backflow preventers must be installed near a suitable floor drain, unless an alternate location is approved by the City. Drains for reduced pressure backflow prevention assemblies must be sized to accommodate the probable discharge from the assembly. Drains, specifically installed for reduced pressure backflow prevention assemblies, can be plumbed to daylight.

(h) All backflow prevention assemblies required shall be a model and size approved by the City. These assemblies shall be certified by:

- (i) American Society of Sanitary Engineers (ASSE); or
- (ii) International Association of Plumbing/Mechanical Officials (IAPMO); or
- (iii) Foundation for Cross Connection Control and Hydraulic Research; University of Southern California (USC-FCCCHR).

13.05.090 Severability

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be unenforceable, invalid or unconstitutional by any court of competent jurisdiction, such portion

shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions of this chapter.

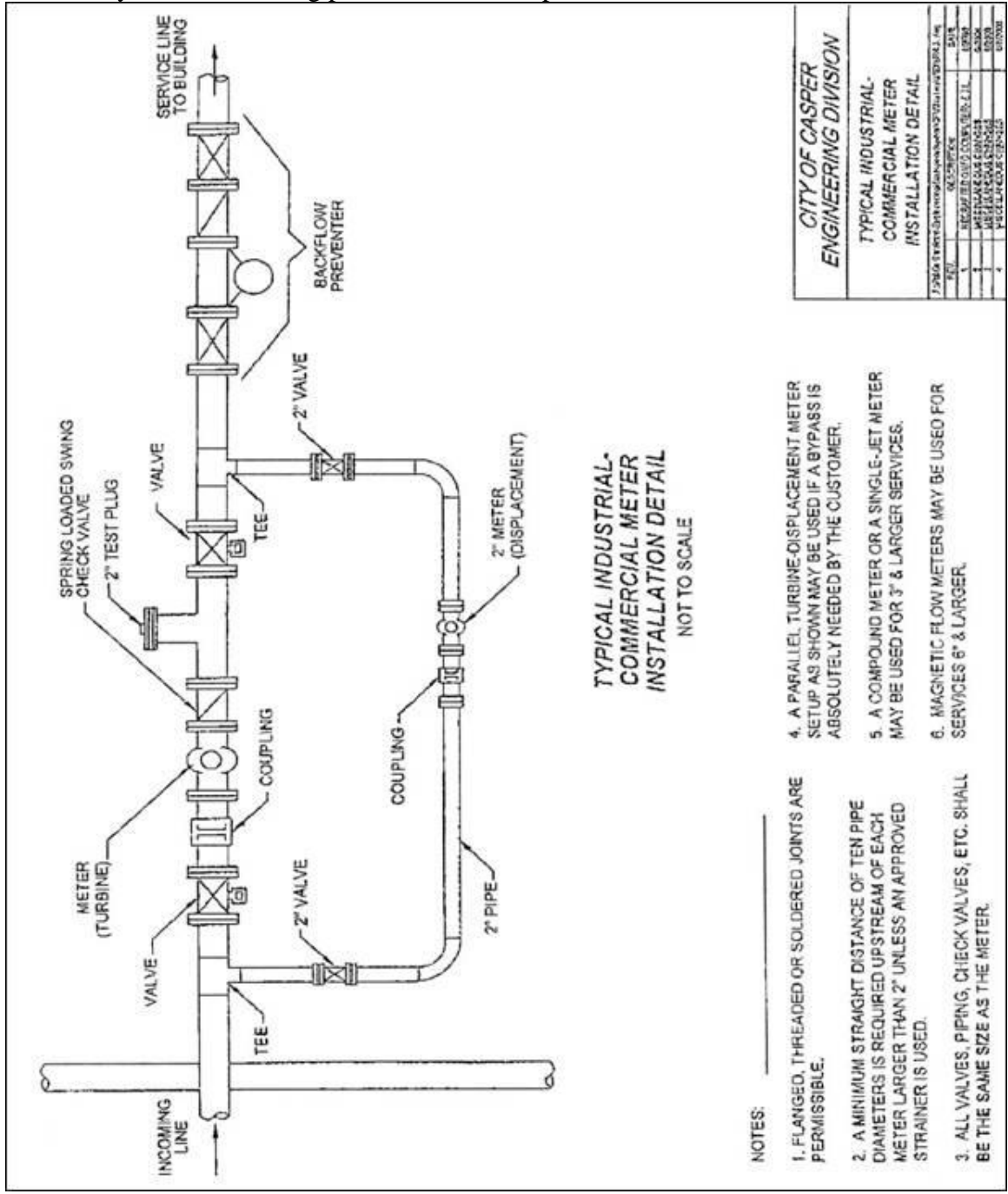
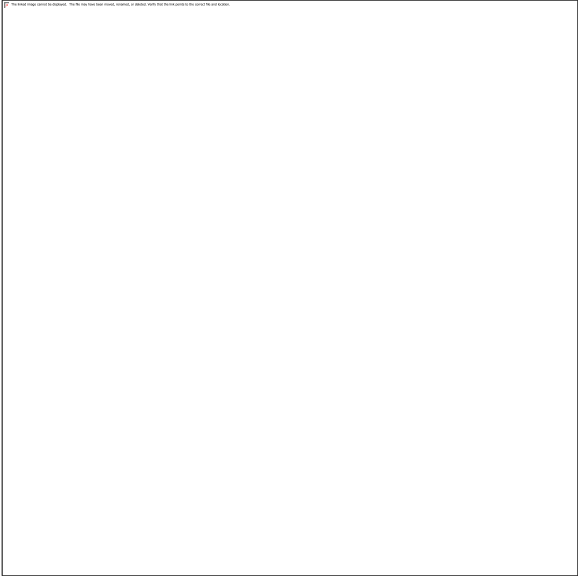


Figure 1



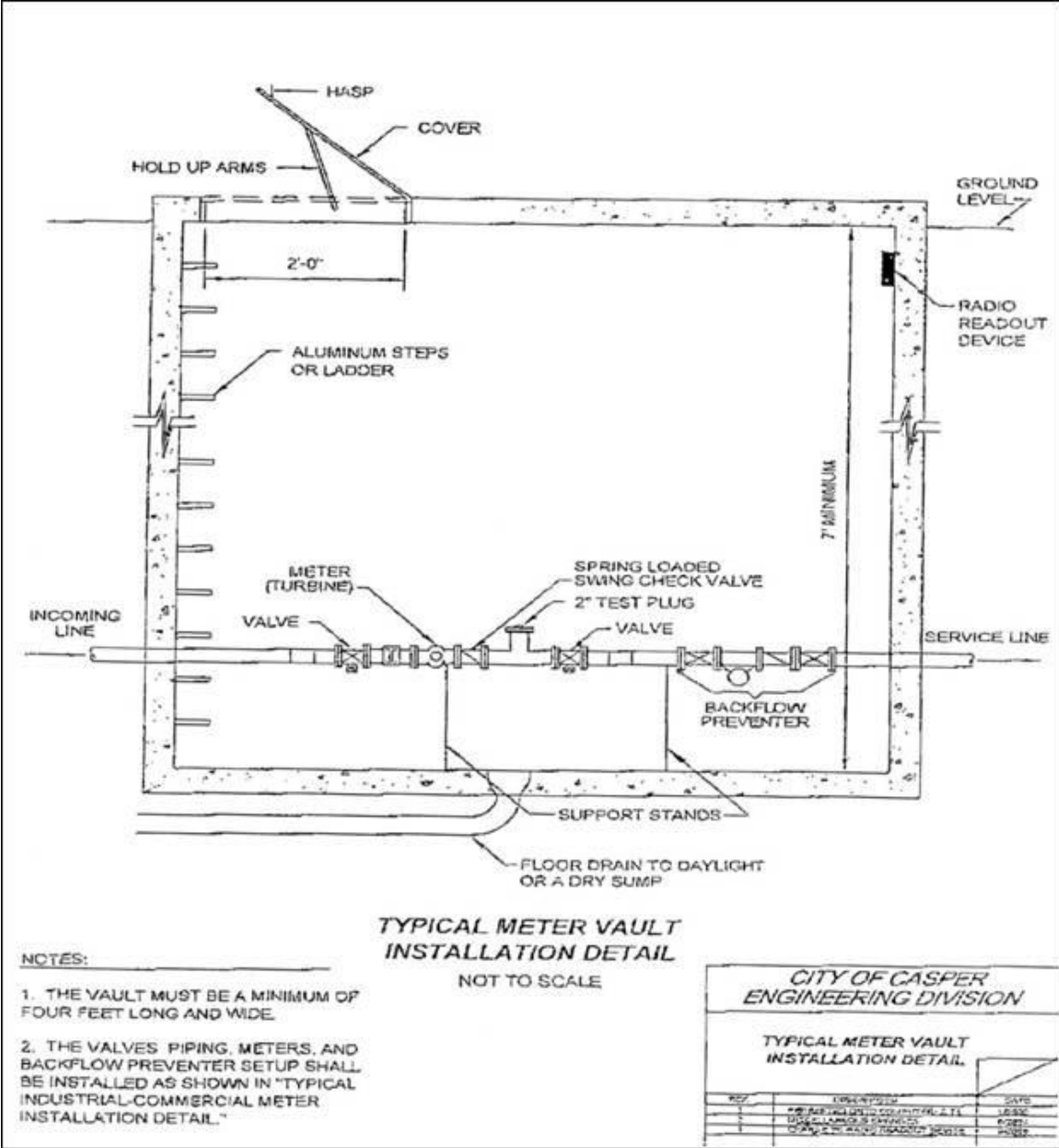


Figure 2

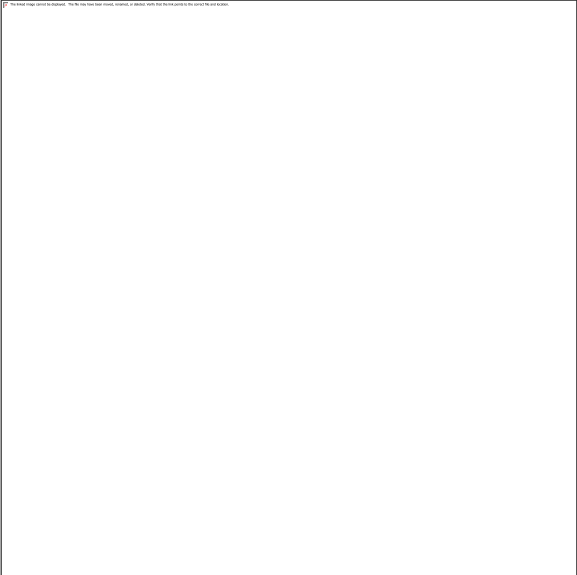
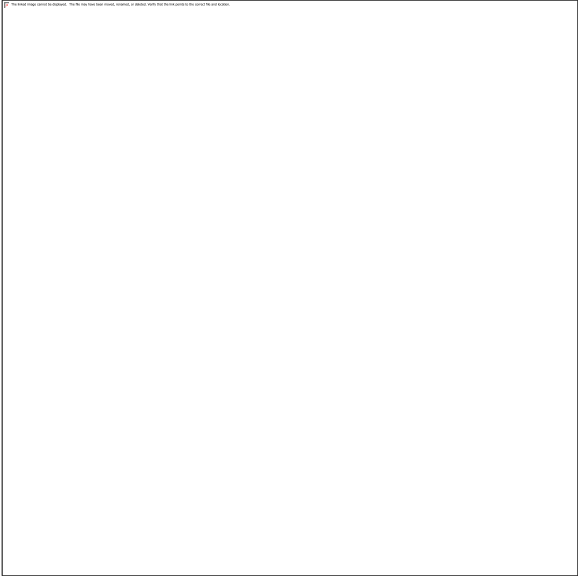


Figure 3



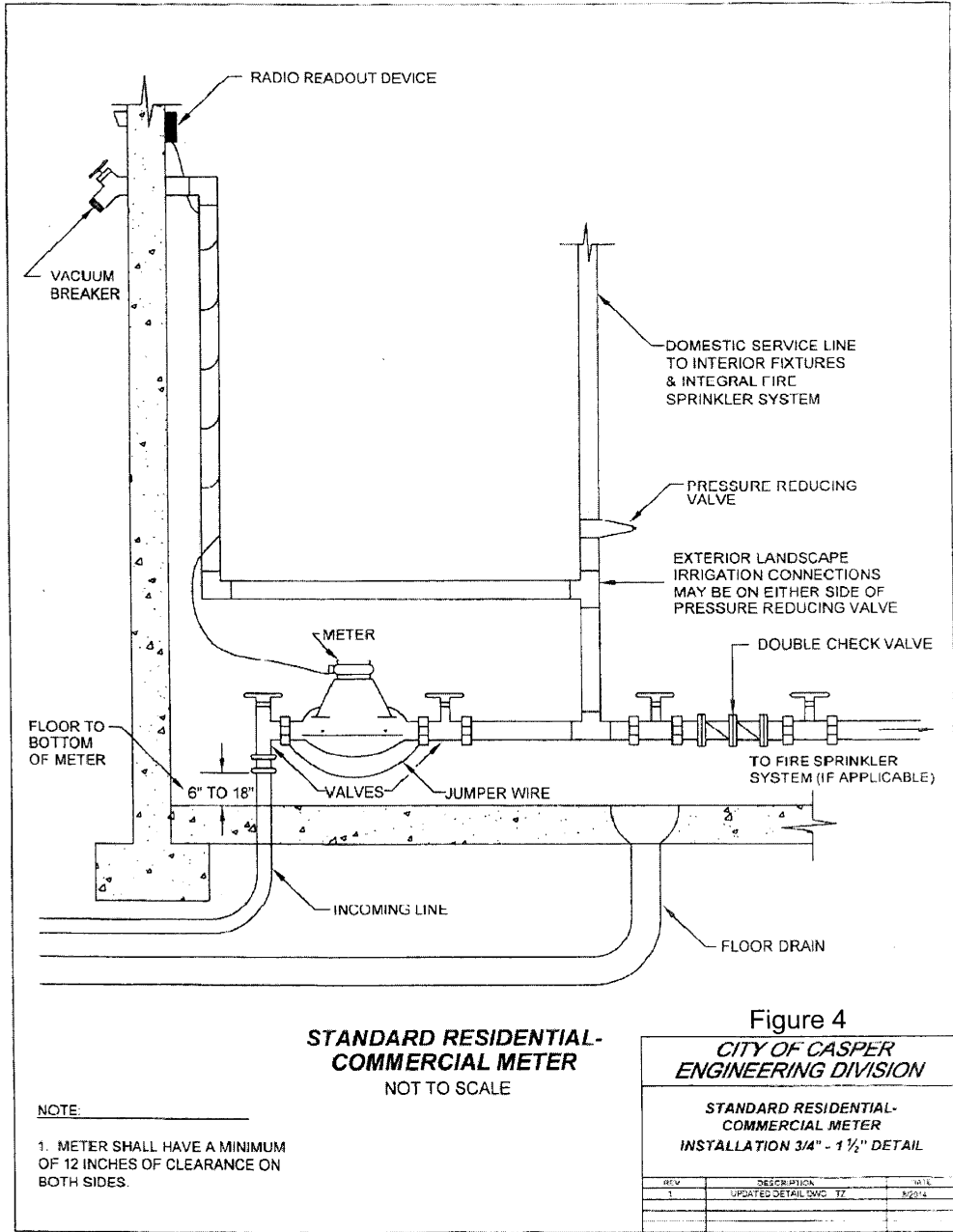


Figure 4

CHAPTER 13.08
WATER USE REGULATIONS

13.08.010 Purpose

The following provisions shall govern water use in the City of Mills.

13.08.020 Unlawful Activities Designated

It is unlawful and a violation of this chapter for any person, firm or corporation, either alone and/or in consort with others, to do any of the following:

(a) To use water from the water supply system unless a valid application for service has been approved and all applicable fees and charges paid for said service;

(b) Turn on any water supply at the stop-box without a valid permit issued by the City, or its authorized agents, unless said person is an authorized City employee;

(c) Use water from the water supply system or permit water to be drawn therefrom, unless the same is metered by passing through a meter supplied or approved by the City, or its authorized agents, or a hydrant-use permit has been obtained, except for the extinguishment of fires or said person using said water is an authorized City employee who is engaged in authorized Mills work;

(d) Refuse to give permission to the City, or its authorized agents, to enter the person's, firm's or corporation's premises, where the service is being received, at all reasonable times for the purpose of installing, reading, operating, inspecting, repairing or removing any or all of its apparatus used in connection with the supply and metering of water;

(e) Operate fire hydrants or interfere in any way with the City water system without obtaining a permit, unless said person is an authorized employee of the City who is engaged in authorized Mills work;

(f) Tap any distribution main or pipe of the water supply system or operate any valve or make any connection to such system, unless said person, firm or corporation is authorized by the City, or its authorized agents, to do so, or is employed by the City;

(g) Permit water from the City water supply system to be used for any purpose except upon his or its own premises or for the extinguishment of fires, unless said use is authorized by the City, or its authorized agents;

(h) Permit a physical connection between a private water supply and the water supply system.

13.08.030 Fireplug Restrictions

The taking of water from, the use of, or the interference with any of the fireplugs belonging to the City without the express permission of the chief of the fire department or of the City, or its authorized agents, is prohibited.

13.08.040 Ownership to be Prima Facie Evidence

Whenever water from the water supply system is being used upon a lot, tract or parcel of land, or in any building situated thereon, or a connection to said system is made and said connection serves any lot, tract or parcel of land, or any building situated thereon, and said use or connection is unlawful and a violation of this chapter, then the fact of said use or connection shall be prima facie evidence that the owner of said lot, tract or parcel, or building situated thereon, is the person using said water, or was the person who made said connection.

13.08.050 Violation-Penalty

Any person, firm or corporation violating any provision of this chapter shall be punished in accordance with Title 1 of this code, and any amendments thereto. If any violation be continuing, each and every day's violation shall be deemed a separate offense.

CHAPTER 13.12
EXTRATERRITORIAL EXTENSIONS

13.12.010 Purpose

The following provisions shall govern extraterritorial extensions in regard to the City of Mills.

13.12.020 Approval and Denial

All extraterritorial water and sewer line extensions or improvements, whether contiguous or noncontiguous, shall have the approval of the City council. If it denies an extension or improvement request in keeping with the standards herein established or for other reasons, the improvements will not be made.

13.12.030 Existing Water Lines-General Policy Guidelines

The policy guidelines as they relate to existing extraterritorial water lines are as set out in Sections 13.12.040 and 13.12.050 of this chapter.

13.12.040 Existing Water Lines-Contiguous Main Lines

(a) All requested improvements must be completely financed by the area served or through joint financing by the City and all property owners potentially benefited.

(b) All City engineering standards shall be met and required easements granted to the City in the event that existing service taps are requested to be increased in size by the receiving property owner.

(c) A sewage treatment or transportation plan shall be approved by the City, or its authorized agents, in conformance with current regulations of the City/county health department to be totally financed by the owner/developer of the contiguous land.

(d) In the event that service taps are increased in size or number after meeting all City requirements, the receiving property owner must provide a recorded commitment to immediately annex to the City without objection.

(e) The property owner must further commit to City building, zoning, and street improvement requirements, and must conform to the projected land use plan for all new construction.

13.12.050 Existing Water Lines-Noncontiguous Main Lines

(a) All requested improvements must be completely financed by the area served or through joint financing by the City and all property owners potentially benefited.

(b) All City engineering standards shall be met and required easements granted to the City in the event that existing service taps are requested to be increased in size by the receiving property owner.

(c) The City shall be assured that the intended volume-use of water will not affect water service demands within the corporate limits of the City for a minimum of three years.

(d) A sewage treatment or transportation plan shall be approved by the City, in conformance with current regulations of the City/county health department to be totally financed by the owner/developer of the contiguous land.

(e) In the event that service taps are increased in size or number after meeting all City requirements, the receiving property owner must provide a recorded commitment to immediately annex to the City without objection.

(f) The property owner must commit to adherence to the projected land use plan and to construct arterial streets through or on the property in conformance with City standards.

13.12.060 New Extensions-General Policy Guidelines

The policy guidelines as they relate to new line extensions are as set out in Sections 13.12.070 and 13.12.080 of this chapter.

13.12.070 New Extensions-Contiguous Line Extensions

(a) All requested improvements must be completely financed by the area served or through joint financing by the City and all property owners potentially benefited.

(b) All City engineering standards shall be met and required easements granted to the City for all service lines and taps.

(c) A sewage treatment or transportation plan shall be approved by the City, or its authorized agents, in conformance with current regulations of the City/county health department to be totally financed by the owner/developer of the contiguous land.

(d) The owner/developer shall submit a preliminary subdivision plat and commit to immediate annexation meeting all standards of City codes and of the City council.

13.12.080 New Extensions-Noncontiguous Line Extensions

(a) All improvements must be completely financed by the area served or through joint financing by the City and all property owners potentially benefited.

(b) All City engineering standards shall be met and required easements granted to the City for all service lines and taps in noncontiguous areas.

(c) A sewage treatment or transportation plan shall be approved by the City in conformance with current regulations of the City/county health department and is to be totally financed by the owner/developer of the noncontiguous land.

(d) The City shall be assured that intended volume-use of water will not affect water service within the corporate limits of the City for a minimum of three years.

(e) The owner/developer shall provide a recorded commitment to annex to the City at the discretion of the City council.

(f) The owner/developer must commit to adhering and conforming to the project land use plan, City zoning restrictions, and street improvement requirements for all dedicated streets and projected arterial streets.

13.12.090 City Standards to be met as Prerequisite to Extension

In no event will approval be granted for water and sewer line extensions to other incorporated areas until standards of land use, zoning and construction, compatible to the City are established and adhered to by such incorporated areas.

CHAPTER 13.13
PUBLIC WATER SYSTEMS OPERATING
WITHIN THE CITY OF MILLS

13.13.010: Purpose and application.

Effective immediately, the following provisions shall come into effect which are designed and enacted to assure the safe conveyance of water within the City of Mills, Wyoming for the public and with its safety in mind. Further, the City declares that the ongoing operation and

presence of water delivery systems within the City of Mills that are outside of its regulation and jurisdiction constitutes a public health and safety emergency. Therefore, the following provisions are set into ordinance effectively immediately upon the passage of this ordinance.

This ordinance shall apply to any public water or sewer system located within the City of Mills' municipal boundaries and shall include both water or sewer systems that deliver their services to properties within the City of Mills and those which maintain means of conveying their services to properties that run through or under the City of Mills.

13.13.020: Definitions.

A. The definition of public water or sewer system for the purposes of this ordinance shall be: any person, entity, company, municipality, district, service district, improvement district, group, association, governmental entity, joint powers board, or any other organization which has its sole or partial purpose to distribute and or sell water or sewer through a permanent means of conveyance and infrastructure.

This definition shall not include any water or sewer systems that are subject to Joint Powers Agreements which the City of Mills is a party to. Nor shall it include water wells with conveyance systems that are properly permitted with the State of Wyoming, provide water for irrigation purposes, and which are located upon the property which they serve.

B. The definition of business for the purpose of this ordinance shall be: any person, company, municipality, service district, improvement district, group, association, governmental entity, joint powers board, or any other possible organization that is involved in the exchange of money and goods and services as part of its daily operating practices.

C. The definition of occurrence for the purpose of this ordinance shall be one day.

13.13.030: All Water Systems Subject to Contract/Franchise.

A. No water or sewer system shall be operated or maintained in the City of Mills without first acquiring a contract or franchise agreement with the City of Mills which shall allow it to operate and which consents to the jurisdiction of the City of Mills. This shall include any water or sewer system which delivers services to properties within the City or which runs its conveyances through the City.

B. In such instances in which an area is annexed into the City of Mills in which such a system is operating, said system shall obtain a contract or franchise agreement with the City of Mills within thirty (30) days of the effective date of annexation.

C. Any such system which exists within the City of Mills at the time of the adoption of this ordinance shall obtain a contract or franchise with the City of Mills within thirty (30) day so of the effective date of this ordinance taking effect.

D. All such contracts or franchise agreements shall include:

- i. The water or sewer systems' owner's consent to the jurisdiction of the City of Mills over the delivery and conveyance of services by the system's owners and agrees to annual obtain or renew a license from the City's public works department to operate the system.
- ii. A legal description of the system's means of conveyance.
- iii. A description of the systems charges for services, with the same to include rates that are such as set forth in Wyo. Stat 41-10-113(a)(xxvi), and which shall match as nearly as feasible the rates charged by the City of Mills for such services, where applicable, and which are not to depart from the same without a substantial and bonafide reason for the same. Further, said rates shall not exceed the actual costs of treating, delivering or transporting the water or sewer to the point of connection. As used in this paragraph, "actual costs" of treating, delivering or transporting water or sewerage shall include a proportionate share of the following costs related to the water or sewer system:
 - (a) Fees, including tap fees, interest charges and principal payments on all bonds issued and other indebtedness incurred to construct, purchase or improve the system;
 - (b) (II) Salaries and wages of employees;
 - (c) (III) The cost of materials, supplies, utilities and outside services;
 - (d) (IV) Other costs directly related to the water delivery or sewer system;
 - (e) (V) The cost for providing and maintaining a depreciation fund, a fund for emergencies and a fund for acquisition and development of new water rights and water sources;
 - (f) (VI) Administrative and overhead expenses; and
 - (g) (VII) The cost of acquiring, treating, delivering or transporting water or sewer.
 - (h) Rate consideration will include cost to operate the system, mill levies imposed if any, cash reserves, and any other item the governing body deems reasonably applicable. The City may be the billing agent for any system collecting revenue if it so desires on a case by case basis for each system after its officials consider wherein doing so will benefit the users of the system. No employee of any public system will have any contact with any member of the public

in which they represent themselves as having any authority over the system unless expressly authorized to do so in writing by an executive City official.

- (i) The governing body at its discretion may choose to not set the rates for certain systems if it deems there is no benefit in doing such. In such case the annual charges in this ordinance will apply. If the governing body sets the rates the annual charges do not apply.
- iv. For all such systems which are proposed to operate within the City of Mills on an extended basis, a summation of a plan for acquisition of the system by the City of Mills or, should there be no proposal for the City to acquire the system, an explanation of why the system will remain outside of that owned and operated by the City.
- v. An acknowledgement that the system is to be permitted and inspected by the City Building Official and the City Engineer of the City of Mills and that all final permitting and inspections are to be done by the City of Mills and not the district.
- vi. The initial fee for said agreements shall be \$150,000.00 per year. The City Council may set the fees following the fiscal year of the adoption of this ordinance at a different rate if it wishes to.

13.13.040: Infrastructure and Operation.

A. Any system operating within the City of Mills shall meet the same standards and specifications as applies to the systems owned and operated or operated by the City of Mills. The City of Mills may inspect any system to ensure compliance with this provision. All work done by the system operator shall be inspected by the City of Mills before being put into operation. Inspections by the system operator shall not substitute for inspections by the City of Mills. All work or infrastructure which requires inspections or permitting shall have the done same through the City of Mills pursuant to it Codes and regulations. Determinations made by the City of Mills in regard to inspections and permitting shall be determinative of the same.

B. Any system that is annexed into the City of Mills shall submit to inspection within thirty (30) days of annexation. Any deficiencies shall be addressed within ninety (90) days of a notice of noncompliance being issued by the City of Mills. The City may extend this period upon a finding of a good faith attempt to comply or upon a finding that compliance will exceed ninety (90) days, providing that a plan of compliance is submitted and approved by the City Engineer and such other individuals as the City of Mills may designate for the same.

C. Any system owner must provide a survey or plat of its infrastructure lying withing the City of Mills within thirty (30) days of annexation. Said information must also provide

recording data on any easements that serve the system. Should the system lack recorded easements where the same would be generally required, the system's owners must provide a plan to obtain the same at the point at which such information is submitted.

D. Any system that exists within the City of Mills at the time at which this ordinance goes into effect must comply with the same requirements set forth in subsections 4(A),(B) and (C) within thirty days of this ordinance going into effect.

E. The operator of any system subject to this ordinance must obtain an annual license from the City of Mills to operate the same. The City may inspect any operator prior to issuance of the license. The fee for the annual license shall be \$150,000.00 and may be re set by the City Council as it sees fit.

F. Upon declaration of an Emergency by the Mayor of the City of Mills, the system operator furnishing water shall do so at the rate of \$2.00/1000 gallon, or at costs, which ever are lower, for the duration of the emergency. During any such emergency, the City may require said water to be sent to the Mills municipal water system.

13.13.050: Penalties.

A. It shall be a misdemeanor to knowingly violate any provision of this ordinance. The penalty for violation of this ordinance shall be, for any person, company, municipality, service district, improvement district, group, association, governmental entity, joint powers board, or any other possible organization found guilty of violating this ordinance seven hundred fifty dollars (\$750.00) per occurrence.

B. Irrespective of whether a party is charged with a criminal violation of this section, the City of Mills may levy a civil penalty for violating this ordinance of up to \$10,000.00 per day, or t the limits of any amount which a Wyoming municipality may charge at law.

C. Upon a determination that a system is operating in a manner which constitutes a risk to the health or safety of any person, or which constitutes a danger to public or private property, the City, through a code enforcement officer or other individual designated by the City to do so, may order the system owner to cease operations or to crate a plan to be approved by the City's official to come into compliance, within sixty (60) days of the providing notice of the same. For purposes of this section, such conditions constituting a violation of this section would include:

- i. Operating a system which is contaminated with biological or chemical constituents that creates a public health hazard.
- ii. Operating a system which falls below the system standards which are applicable to the City of Mills.

- iii. Operating a system which contains means of conveyances which run under real residential or commercial structures which his not designed to serve those structures.
- iv. Operating a system under a street or alley dedicated to the City of Mills without an agreement to do so.

CHAPTER 13.16
WATER EMERGENCIES

13.16.010 Purpose

The following provisions shall govern water emergencies in the City of Mills.

13.16.020 City Council Authorized to Restrict Water Usage

The City council shall have the right, at any time, to place such restrictions, including but not limited to moratoriums, on the use of City water as are deemed necessary.

13.16.030 Notice of Restrictions Required

Restrictions adopted by the City council, as provided in Section 13.16.020, shall be published in a newspaper of general circulation within the City and shall become effective within forty-eight hours after such publication. In the event of a water emergency, as hereinafter provided, notice of any restrictions on the use of water shall be given as soon as reasonably possible through the use of local radio and television stations, and newspapers of general circulation within the City.

13.16.040 Water Restrictions Designated

In the event of a water emergency, as defined herein, the mayor, upon the advice of the manager, is authorized to declare a water emergency and may place into immediate effect any or all of the following restrictions upon the use of water from the City's water system:

- (a) Restrict the amount to be supplied to wholesale customers to the amount required for domestic use only;
- (b) Restrict lawn and garden irrigation to the following:
 - (i) Restrict park and public irrigation to the hours between eight p.m. and ten a.m.,
 - (ii) Restrict all irrigation use to the hours between eight p.m. and ten a.m.,
 - (iii) Restrict all irrigation use to the hours between eight p.m. and ten a.m. on alternate days,
 - (iv) Prohibit all lawn and garden irrigation for a period not to exceed forty-eight hours.

13.16.050 Declaration of Emergency-Council Authority

In the event that the mayor declares a water emergency, the City council shall take action to confirm or to deny the declaration of the emergency at its next regular meeting.

13.16.060 Violation-Penalty

(a) Failure to comply with the provisions of this chapter shall be deemed a misdemeanor, and the penalty therefor shall be as set forth in Title 1 of this code.

(b) In addition, the manager may place flow-restriction devices to limit the flow of water to minimum domestic needs in the service line of any person convicted of one violation of this chapter, during any one period of restricted use; and for persons who are convicted of two or more violations of this chapter during any one period of restricted use, the City may discontinue water service to such person.

(c) In the event any flow-restriction devices are placed in service lines, or if water service is discontinued as provided in this section, the manager shall, after payment of affixed service charges, remove such flow-restriction devices or shall reconnect and provide full water service in the case of discontinued service, when the period of restricted use ceases.

CHAPTER 13.17
CROSS-CONNECTION AND BACKFLOW CONTROL

13.17.010 Purpose

The purpose of this chapter is as follows:

(a) To protect the public potable water supply of the City from the possibility of contamination or pollution by isolating, within its customers' internal distribution system(s), such contaminants or pollutants which could backflow or back-siphon into the public water system;

(b) To promote the elimination or control of existing cross-connections, actual or potential, between the customer's in-plant potable water system(s) and nonpotable systems, plumbing fixtures, and industrial piping systems; and,

(c) To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems by cross-connection.

13.17.020 Authority

(a) The Federal Safe Drinking Water Act of 1974 and subsequent amendments provide that water suppliers have the primary responsibility for preventing water from unapproved sources, or any other substances, from entering public potable water systems.

(b) The state department of environmental quality in its water quality rules and regulations, chapter 12 "Design and Construction Standards for Public Water Supplies" specifies requirements for cross connection control for public water supplies.

13.17.030 Scope

This chapter shall apply to all water service by the City.

13.17.040 Responsibility

The implementation of this chapter requires the full cooperation of the consumer and the City (represented by the City building inspection office and the public utilities office).

The interests and responsibilities of each are delineated as follows:

(a) Consumer. The consumer has the primary responsibility for preventing pollutants and contaminants from entering his potable water system or the public water system. The consumer's responsibility starts at the point of delivery (service connection curb stop) and includes all of his internal water system. The consumer, at his own expense, shall install, operate, test, and maintain approved backflow prevention devices as required by this chapter.

(b) City Building Inspection Office. The City, through the plumbing inspector of the City building inspection office, has the responsibility to review building plans and inspect plumbing as it is installed, so as to prevent cross-connections from being designed and built into structures within the plumbing inspector's jurisdiction. The plumbing official's inspection responsibility begins at the curb stop connection or water meter pit (on the customer side at this location) and continues throughout the entire extent of the customer's potable water system. Where any possibility that a cross connection might be made or where one is actually indicated by the plans, it shall be mandatory that approved backflow prevention devices be indicated by the plans, as determined by the degree of hazard that the inspector reasonably determines will be present, and such devices shall be properly installed.

(c) Mills Public Utilities Office. The City, through its utility office, the City public utilities office, has the responsibility of owning, operating and maintaining the public water system beginning at the source of supply and including adequate treatment facilities, a public water distribution system and service piping, and ending at the point of delivery to the consumer's water system (service connection curb stop). In addition, the City public utilities shall exercise reasonable vigilance to insure that the consumer has taken the proper steps to protect the public potable water system. If, in the judgment of the administrator, an approved backflow device is required at the City's water service connection to any customer's premises, the administrator, or his delegated agent, may require by notice in writing to said customer, that approved backflow prevention devices be installed.

13.17.050 Administration

(a) The City will operate a cross-connection control program, including the keeping of necessary records.

(b) The consumer shall allow his property to be inspected for possible cross-connections and shall follow the provisions of this chapter if a cross-connection is permitted.

(c) If the administrator requires that the public potable water supply to be protected by containment, the consumer is responsible for water quality beyond the outlet end of the containment device and shall utilize fixture outlet protection with backflow preventors in accordance to Chapter 15.24, "Plumbing Code" for that purpose. The consumer may utilize public health officials, or personnel from the public utilities office, or their delegated representatives, to assist him in the hazard classification survey of his facilities and to assist him in the selection of proper fixture outlet devices, and the proper installation of these devices. Additionally, the consumer must follow all requirements of Title 15, "Buildings and Construction" and specifically Chapter 15.24, "Plumbing Code".

(d) Existing and future residential properties and existing and future domestic non-residential consumers shall be specifically excluded from the requirements of this chapter unless determined otherwise by a hazard classification. However, all new and/or modified residential properties or new and/or modified non-residential consumers having fire sprinkler systems may be required to have a backflow preventer in accordance to this chapter.

13.17.060 Requirements

- (a) City.
 - (i) For new installations, a hazard classification surveyor will provide on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any, that will be required and will perform an inspection of installation. Cross-connection or backflow control devices installed for new or remodeled premises shall be as required by Title 15, "Buildings and Construction" and specifically Chapter 15.24, "Plumbing Code" and this chapter. Under no circumstances is this chapter to be construed as superseding any of the requirements of Title 15, "Buildings and Construction" and specifically Chapter 15.24, "Plumbing Code."
 - (ii) For existing commercial/ or industrial premises, the hazard classification surveyor will perform hazard classification surveys and inspections of plans and/or premises and inform the owner by letter of any corrective action deemed necessary, a suggested method of achieving the correction, and the time allowed for the correction to be made. The time allowed for actual installation of backflow/back-siphonage equipment shall be determined based on the hazard classification presented by each individual situation, as determined by the administrator, or his delegated agent. Premises found to be in need of cross-connection or backflow prevention devices, but also noted by the administrator to exhibit a low hazard classification, shall be allowed no more than thirty months to provide the necessary cross-connection or backflow prevention device. Failure or refusal to install the required device(s) shall constitute grounds for enforcement in accordance to Section 13.17.110 which includes discontinuing water service to the premises until such device(s) have been properly installed.

- (iii) The administrator will not allow any cross-connection to remain unless it is protected by an approved backflow preventer, which will be regularly tested by a backflow assembly tester in accordance to Section 13.17.100 to insure satisfactory operation.
 - (iv) If the administrator determines at any time that a high hazard classification is present and a serious threat to the public health exists, the water service for that premises will be terminated immediately.
 - (v) Existing and future residential properties shall be specifically excluded from the requirements of this chapter unless determined otherwise by a hazard classification. However, all new and/or modified residential properties having a separate residential fire sprinkler system shall be required to have a backflow preventer.
 - (vi) Under no circumstances shall this chapter be construed to require existing or future domestic non-residential consumers commercial or industrial premises of no known hazard to the potable water system from cross-connections or backflow events to install or operate cross-connection or backflow prevention equipment unless determined otherwise by a hazard classification and/or unless a separate domestic non-residential fire sprinkler system is installed.
- (b) Consumer.
- (i) The consumer shall be responsible for the elimination or protection of all cross-connections on his premises.
 - (ii) The consumer, after having been informed by a letter from the administrator, shall at his expense install, maintain and test, or have tested, any and all backflow preventers on his premises. Backflow preventers shall be tested at the consumer's cost by a backflow assembly tester at intervals in accordance to Section 13.17.100.
 - (iii) The consumer shall correct any malfunction of the backflow preventer which is revealed by periodic testing.
 - (iv) The consumer shall inform the administrator of any proposed or modified cross-connections and also of any existing cross-connections of which the consumer is aware, but has not been identified by the City public utilities office or the City plumbing inspector.
 - (v) The consumer shall not install a bypass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Consumers who cannot shut down operation for testing of the device(s) must supply additional devices necessary to allow testing to take place.
 - (vi) The consumer shall install an approved backflow prevention device in accordance with Chapter 13.05 and other chapters of this Code, and in a manner approved by the public services department and the City building inspection office. Drains for reduced pressure principle backflow preventers or reduced pressure principle detector backflow preventers must be sized to accommodate the probable discharge from the preventer. Drains, specifically installed for reduced pressure principle backflow preventers or

- reduced pressure principle detector backflow preventers, can be plumbed to daylight.
- (vii) Any consumer having a private well or other private water source shall inform the administrator if the well or source is cross-connected to the City's potable water system. Permission to cross-connect may be denied by the administrator. The consumer may be required to install a backflow preventer at the service connection if a private water source is maintained, even if it is not cross-connected to the City's potable water system.
 - (viii) In the event the consumer installs plumbing to provide potable water for domestic purposes which is on the public utilities' side of the backflow preventer, such plumbing must have its own backflow preventer installed.
 - (ix) The consumer shall be responsible for the payment of all fees for annual (or more frequent) device testing, retesting in the case that the device fails to operate correctly, and second re-inspections for noncompliance with this chapter.
 - (x) A residential fire sprinkler system or a domestic non-residential fire sprinkler system having a water service meter one-inch in size or smaller and having a separate fire sprinkler system shall have the sprinkler system connected after the incoming water meter. In addition a proper backflow preventer will be required on the separate fire sprinkler line.
 - (xi) All fire sprinkler systems one and one-half-inch and larger shall have a separate service line from the water main to the building.

13.17.070 Hazard Classification

(a) The City recognizes the threat to the public water system arising from cross-connections. All threats will be categorized by hazard classification and will require the installation of approved cross-connection or backflow prevention devices.

(b) Fire sprinkler systems shall generally be considered a low hazard classification and a double detector check valve assembly shall be used. If the system requires the use of an anti-freeze solution, only water solutions of pure glycerin or propylene glycol, meeting Table 3-5.2.1 of the National Fire Protection Association (NFPA) 13, Installation of Sprinkler Systems — latest edition, as it may be amended from time to time, shall be utilized. The non-hazardous anti-freeze must meet all requirements of the national sanitation foundation (NSF). Residential fire sprinkler systems or domestic non-residential fire sprinkler systems shall generally be considered a low hazard classification and a double check valve assembly shall be used for the sprinkler system unless determined otherwise by a hazard classification

If other anti-freeze solution, such as ethylene glycol are used in the fire sprinkler system, this is considered a high hazard classification and a reduced pressure principle detector backflow preventer shall be used.

If existing fire sprinkler systems to be retrofitted have head loss problems, the owner shall consult with the administrator to develop a solution.

13.17.080 Existing in-use Backflow Prevention Devices

Any existing backflow preventer shall be allowed by the administrator to continue in service unless hazard classification is such as to supersede the effectiveness of the present backflow preventer, or result in an unreasonable risk to the public health. Where the hazard classification has increased, as in the case of a residential installation converting to an at-risk business establishment, the existing backflow preventer must be upgraded to a device providing protection for the new hazard classification present, as determined by the administrator.

13.17.090 Periodic Testing

(a) It shall be the duty of the consumer at any commercial or industrial establishment where backflow prevention devices are installed to have certified inspections and operational tests made at least once every year. In those instances where the administrator deems the hazard classification to be great enough he may require certified inspections at more frequent intervals. Double check valves used for residential or domestic non-residential fire sprinkler systems with water service lines and meters one-inch in size or smaller will not have to be tested. However, it is up to the owner to ensure the device is working.

(b) Periodic inspections and tests shall be at the sole expense of the consumer.

(c) Inspections shall be performed by a backflow assembly tester as certified (Section 13.17.050(f)). It shall be the duty of the consumer to see that these tests are made in a timely manner, and that the results of these tests are submitted to the administrator within one-month of the expiration of the prescribed time period, the actual test having been performed not more than three months prior to the expiration of the prescribed time period.

(d) Any backflow preventer which fails during a periodic test shall be repaired or replaced at the expense of the consumer. When repairs are necessary, upon completion of the repair the device will be retested at owners' expense to insure correct operation. High hazard situations will not be allowed to continue unprotected if the backflow preventer fails the test and cannot be repaired immediately unless a short compliance date is granted by the administrator. In other low hazard situations, a compliance date of not more than thirty days after the test date will be established by the administrator. The consumer is responsible for spare parts, repair tools or a replacement device.

(e) Backflow prevention devices will be tested more frequently than specified in Section 13.17.090 in cases where the hazard classification indicates a high hazard or there is a history of test failures. The administrator shall determine the testing schedule based upon the degree of hazard. Cost of the additional tests will be borne by the consumer.

13.17.100 Enforcement

The City may use any or all the following methods to achieve compliance with this chapter:

(a) The City building inspector may deny or revoke building and/or occupancy permits on property where the consumer has not installed the proper backflow preventers.

(b) The City may, in the event of noncompliance, physically disconnect the water service from its existing water facilities. The consumer or owner shall be responsible for all costs associated with disconnecting and reconnecting the water service.

(c) A violation of this Chapter shall be a misdemeanor, punishable according to Title 1. In addition to any criminal prosecution, the City may sue for relief in civil court to enforce the provisions of this chapter.

(d) Knowingly furnishing false information to the administrator on any matter relating to the administration of this chapter shall constitute a misdemeanor punishable according to Title 1.

CHAPTER 13.18
PURPOSE AND ABBREVIATIONS

13.18.000 Purpose

The following provisions shall apply in the City of Mills.

13.18.020 Use of Public Sewers Required

(a) No person shall place, deposit, or permit any human or animal excrement, garbage or other objectionable waste to be deposited in any unsanitary manner on public or private property within the City, or on any City property outside the City.

(b) No person shall discharge any sewage or other polluted waters into any natural outlet within the City, or in any area under the jurisdiction of the City, except where suitable treatment has been provided in accordance with this provision.

(c) Except as hereinafter provided, no person shall construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(d) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City, is required, at the owner's expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this division, within ninety days after date of official notice to do so by the City, provided that such public sewer is within three hundred feet (ninety-one meters) of the property line by way of road rights-of-way and easements.

(e) City water service may be terminated to any property which has not hooked up to the sewer system in compliance with the provisions of this chapter or any other applicable law, rule or regulation.

13.18.30 Responsibility of Uninterrupted Service

(a) The City shall only be responsible, and it is hereby made the duty of the City and of the officers thereof, to make all reasonable effort to furnish continuous and uninterrupted main line sewage service to each and every user having a legal right to hook-on or attach to the main line. This section shall not apply to any user who has, by reason of nonpayment of charges assessed against him, or by violation of any provision of this chapter or of any related ordinance, forfeited his right to the service. The City shall not be liable to any suit for damage or other claim against the City arising from, or based upon, any unavoidable interruption of the main line sewage service, but shall make every reasonable effort to restore the service as soon as possible.

(b) It is unlawful for any officer of the City to make, permit, or allow to be made, any hook-on attachment to the main line sewer system or to any line thereof, beyond the number of attachments that the sewer is estimated to properly and adequately accommodate. For the purposes of this provision, the decision shall rest with the mayor and council, subject to reference to competent state authority.

13.18.040 Building Sewers and Connections

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining permission from the City.

(b) All taps or connections into any sewer main of the City shall be completed under the direction and supervision of an authorized employee of the City and subject to material and method approval by the City. No substitutions are allowed unless approval in writing is granted by the public works director.

(c) Any cost for taps including excavation, materials, tools, backfill, compaction and resurfacing of street, and replacement of curb, gutter and sidewalks shall be done at the full expense of the property owner, developer or contractor.

(d) A separate and independent building sewer shall be provided for each building.

(e) Old building sewers may be used in connection with new buildings only when they are found, on examination and any required test by the City, to meet all requirements of this chapter.

(f) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall conform to the requirements of the International Building Code and applicable rules and regulations of the City.

(g) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer.

(h) All excavations for building sewer installation shall be adequately guarded with

barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be permanently repaired and restored in accordance with construction standards used by or adopted by the City.

13.18.050 Federal Categorical Pretreatment Standards

Upon the promulgation of the Categorical Standard for a particular industrial subcategory, the Standard, if more stringent than limitations imposed under this division for sources in that subcategory, shall immediately supersede the limitations imposed under this division. The City shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12, as enacted or hereafter amended.

13.18.060 State Requirements to Apply When

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this division.

13.18.070 Specific Pollutant Limitations Designated-Local Limits

(a) Maximum total allowable industrial loading that can be accepted at the POTW for treatment in accordance with guidance established by federal law is limited to:

| Pollutant | Maximum Allowable Industrial Loading (lbs./day) |
|----------------|---|
| Arsenic | 43.142 |
| Cadmium | 2.010 |
| Chromium Total | 272.207 |
| Chromium (VI) | 24.397 |
| Copper | 17.908 |
| Lead | 21.979 |
| Molybdenum | 1.575 |
| Nickel | 9.232 |
| Selenium | 3.403 |
| Silver | 26.681 |
| Zinc | 52.276 |
| Pollutant | Maximum Industrial Effluent Discharge |
| Mercury | 0.007 mg/l |

(b) Any other specific pollutants identified by the City may also have specific effluent permit limitations set by the City to restrict their discharge into the system.

(c) The above maximum allowable industrial loadings in pounds per day will be distributed using criteria established in Mills’ report on the development of local limits under the pretreatment program, June, 1994, and EPA Guidance Manual on the Development and Implementation of Local Discharge Limitations Under the Pretreatment Program, December, 1987 (as they now exist or as they are hereafter revised).

(d) Best Available Technology (BAT) shall be used for pretreatment of any discharges to the POTW from the cleanup activities of soil, aquifer, or groundwater table associated with leaking underground storage tanks of spills of any petroleum products. The BAT shall be capable of reducing the benzene concentration to less than 0.05 mg/l and the "total" benzene, ethyl benzene, toluene and xylene (betx) to less than 0.750 mg/l. This is in accordance with guidance established in EPA's Model NPDES Permit for Discharges Resulting from the Cleanup of Gasoline Released from Underground Storage Tanks, June 1989.

(e) The City may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits or general permits, to implement local limits and the requirements of Section 13.32.040. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludges or waste disposal, or drainage from raw materials storage.

(f) The City reserves the right to establish, by ordinance or in individual wastewater discharge permits or in general permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this chapter.

13.18.080 Prohibited Substances Designated-General Prohibitions

(a) No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which causes pass-through or will interfere with the operations or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to National Categorical Pretreatment Standards or any other federal, state or local pretreatment standards or requirements. A user may not contribute the following substances to the POTW:

- (i) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW, including, but not limited to, waste streams with closed up flashpoint of less than one hundred forty degrees Fahrenheit (sixty degrees Celsius), using test methods in 40 CFR 261.21, as enacted or hereafter amended. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the POTW system (or at any point in the POTW system), be more than five percent, nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the City/City/district/county, the state or EPA has notified the user is a fire hazard or a hazard to the system;
- (ii) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch in any dimension, animal tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone, or marble dust, metal, glass, straw, shavings, grass

- clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes;
- (iii) Petroleum based oil in sufficient enough amounts that cause pass-through or interference to the system, and in no cases, exceeding one hundred mg/l;
 - (iv) Any wastewater having a pH less than 5.0 or greater than 12.0, unless the POTW is specifically designed to accommodate such wastewater or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW;
 - (v) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, result in toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems, create a toxic effect in the receiving waters of the POTW or to exceed the limitation set forth in a Categorical Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act;
 - (vi) Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the public sewers for maintenance and repair;
 - (vii) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or state criteria applicable to the sludge management method being used;
 - (viii) Any substance which will cause the POTW to violate its NPDES and/or State Disposal System permit or the receiving water quality standards;
 - (ix) Any wastewater with objectionable color which cannot be removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions;
 - (x) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature above sixty-five degrees Celsius (one hundred fifty degrees Fahrenheit) or a temperature that causes the POTW influent to exceed forty degrees Celsius (one hundred four degrees Fahrenheit), unless the POTW treatment plant is designed to accommodate such temperature;
 - (xi) Any pollutants, including oxygen-demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a

- slug load have a flow rate or contain concentration or quantities of pollutants that exceed limits set by the City;
- (xii) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City in compliance with applicable state or federal regulations;
- (xiii) Any wastewater which causes a hazard to human life or creates a public nuisance;
- (xiv) Any discharge of trucked or hauled wastes is prohibited except at discharge points designated by the POTW. Designation points shall be pursuant to rules and regulations of the City;
- (xv) Any wastewater that causes the influent to the POTW to exceed the maximum allowable industrial loadings specified in Section 13.32.030.

(b) When the City determines that a user is contributing to the POTW any of the substances listed in subdivisions 1 through 15 of subsection A of this section in such amounts as to interfere with the operation of the POTW, the City shall:

- (i) Advise the user of the impact of the contribution on the POTW; and
- (ii) Develop effluent limitation for such user to correct the interference with the POTW; provided, however, nothing contained herein shall be interpreted to prohibit the City from taking immediate enforcement action against a user who is contributing in violation of this chapter.

13.18.090 Discharge of Unpolluted Waters

(a) No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, or subsurface drainage to any sanitary sewer.

(b) Stormwaters and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the City and other regulatory agencies.

13.18.100 Increasing or Diluting Discharge to Avoid Proper Treatment Prohibited

No user shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the pretreatment standard, or in any other pollutant-specific limitation developed for the industrial user.

13.18.110 Tenant Responsibility

Where an owner of property leases premises to any other person as a tenant under any rental or lease agreement, if either the owner or the tenant is an industrial user, either or both may be held responsible for compliance with the provisions of this division.

13.18.120 Damaging or Tampering With Wastewater Facilities

Any person who maliciously, willfully or negligently breaks, damages, destroys, uncovers, defaces or tampers with any structure, appurtenance or equipment, which is a part of the wastewater facilities is guilty of a misdemeanor and subject to punishment pursuant to Title 1 of this code.

13.18.130 Pretreatment Conditions

(a) Users shall provide and maintain in a safe and proper manner, at their own expense, necessary wastewater treatment as required to comply with this division and shall achieve compliance with all categorical standards and additional standards required by this division within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to an acceptable level shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review, and shall be acceptable to the City before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable under the provisions of this division. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the City prior to the user's initiation of the changes.

(b) All records relating to compliance with pretreatment standards shall be made available to officials of the EPA, state, or City, upon request. These records shall remain available for a period of at least three years after their collection. This period shall be extended during any litigation concerning compliance or permit conditions.

13.18.140 Grease, Oil and Sand Interceptors

(a) Grease, oil and sand interceptors shall be provided or modified when, in the opinion of the City, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. Modifications to existing interceptors may be required when violations of this division exist. All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal, which are subject to review by the City. Any removal and hauling of the collected materials not performed by owner must be performed by waste disposal firms.

- (b) The following are subject to this division:
 - (i) All new construction;
 - (ii) Renovations to existing interceptors or related plumbing fixtures to the interceptor;
 - (iii) Existing interceptors that are not operating properly;
 - (iv) Existing interceptors that are causing blockages or flow obstruction in the POTW;

- (v) Existing industrial users without interceptors who are causing blockages or flow obstructions to the POTW.
- (c) Proper construction and operation of grease interceptors, oil and sand interceptors, and inspection manholes (monitoring facilities) is required.
 - (i) The City may alter specifications in the following situations:
 - A. When outside interceptors are placed on public rights-of-way because no private property is available;
 - B. When inside interceptors are placed within buildings;
 - C. When the proposed alterations provide minimum retention time of fifteen minutes, a minimum total water capacity of seven hundred fifty gallons, and have the same basic proportional dimensions, comparable volumes and functional capabilities as outlined in Figure 1 at the end of this chapter.

13.18.150 Grease, Oil and Sand Interceptors-General Requirements

- (a) All wastewater discharged must comply with all provisions of this chapter.
 - (i) The user(s), owner(s) and tenant(s) shall be jointly and severally responsible for the proper inspection, removal and disposal of the material captured by any interceptor installed, and shall maintain records of the dates and means of disposal of this material. These records shall be made available to the City manager, or his designee, upon request. The collected intercepted materials shall be disposed of in accordance with the appropriate local, state and federal regulations and laws.
 - (ii) All interceptors shall be maintained by the user(s), owner(s) or tenant(s), by a regular maintenance schedule, which shall be performed before the retention capacity of the interceptor is exceeded. At a minimum, a monthly inspection of the interceptor by the user(s), owner(s), or tenant(s) shall be performed to assess the need for cleaning. Documentation will be maintained by the user(s), owner(s), or tenant(s) on site, in order to verify when the interceptor was inspected and cleaned.
 - (iii) The user(s), owner(s) or tenant(s) shall allow City personnel ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, record examination, or in the performance of any other duties related to the interceptor on the premises.
- (b) This division shall supplement all requirements of the Uniform Plumbing Code as adopted by the City. All interceptor and inspection manhole installations shall meet the requirements of uniform plumbing codes and/or all other local government requirements. The City is not responsible for violations of these requirements.
- (c) The complete interceptor installation, including equipment, structural design, backfilling, safety provisions, etc., shall be the responsibility of the user(s), owner(s) or tenant(s), and any licensed contractor utilized by the user.

(d) It shall be the responsibility of the user(s), owner(s) or tenant(s) to contact the City for the purpose of plan review. The plan review shall determine the need, method, and size of interceptor required to pretreat or otherwise control the wastes in order to make them acceptable for discharge into the POTW. Upon completion of the review, user(s) shall submit a set of complete plans and details of the proposed installation along with computations relative to sizing. User(s) shall retain a duplicate set of such records for the life of the interceptor. The records shall remain with the property through changes of ownership or tenancy.

(e) The time allowed for actual installation or modification of a grease interceptor, oil and sand interceptor, and inspection manhole unit(s) shall be determined based on degree of urgency presented by each individual situation, as determined by the City. Premises found to be in need of these unit(s), but also noted by the City to exhibit low degree of urgency, shall be allowed no more than thirty months to provide the necessary unit(s).

(f) User(s), or tenant(s) who are dissatisfied with City staff decisions regarding grease interceptors, oil and sand interceptors, or inspection manholes, have the right to appeal by requesting a hearing before the public utilities board. The request for a hearing shall be made in writing to the City manager within ten days of the City staff decision and shall state the grounds for the request. The hearing will be conducted as part of the board's regular monthly meeting.

- (i) If the user(s), owner(s), or tenant(s) are dissatisfied with the actions of the Mills utilities advisory board, they may request a hearing before the Mills City council. The request for hearing shall be in writing, within ten days of the Mills utilities advisory board's decision, to the City manager and shall state the grounds for the request. The City council shall fix the time and place for the hearing of the appeal. Such date shall not be less than ten or more than sixty days from the date that the request for hearing is filed.
- (ii) The City council shall render its decision following the hearing. The decision of the City council is final and not appealable.
- (iii) At any hearing, the user(s), owner(s), or tenant(s) shall be entitled to: present evidence; ask questions of staff and any witnesses; and make argument regarding the decision, the evidence and the appropriate outcome. City staff shall be entitled to: present evidence; ask questions of the petitioners and any witnesses; and make argument regarding the decision, the evidence and the appropriate outcome.
- (iv) In any appeals to City council, all documents and other evidence presented at the hearing to the public utilities board shall be forwarded to council along with either a transcript or recording of the utilities board hearing and any written decisions made by the utilities board.

(g) The City shall use any or all of the following methods to achieve compliance with this division:

- (i) Any user who constructs, installs, modifies or operates a grease interceptor, oil and sand interceptor or inspection manhole in noncompliance with this chapter, shall immediately cease such construction or operation upon notification by the City.

- (ii) The City may suspend wastewater service, when such suspension is necessary to stop an actual or threatened endangerment to the wastewater system (including sewer main backups).
- (iii) Enforcement according to Chapter 13.44 of this division may be invoked by the City.
- (iv) The City may recommend to deny or revoke building and occupancy permits for buildings served by the facilities in question.
- (v) The City reserves the right, in the event of noncompliance, to physically disconnect the grease interceptor, oil and sand interceptor or inspection manhole from its existing sewer system. The user(s), owner(s) and tenant(s) shall be responsible for all costs and expenses incurred by the City associated with disconnecting and reconnecting the facilities.

13.18.160 Grease Interceptors-Specific Requirements

- (a) Grease interceptors shall provide for and meet the following requirements:
 - (i) Wastes discharged from fixtures and equipment in establishments which may contain grease, including, but not limited to, scullery sinks, pot and pan sinks, dishwashing machines, soup kettles, and floor drains located in areas where grease-containing equipment may exist, shall be drained through grease interceptors. Drains from toilets, restroom sinks, and showers shall not be connected to the grease interceptor, but shall connect to the POTW separately from any grease interceptor installation.
 - (ii) Garbage grinders shall not be connected to grease interceptors, shall not be used for disposal of any grease/oil, and shall connect to the POTW separately from any grease interceptor installation.
 - (iii) All grease interceptors shall be installed and connected in such a manner as to at all times be easily accessible for inspection, cleaning, and removal of the intercepted grease. A grease interceptor may not be installed near food-handling facilities. Outside grease interceptors shall be designed for traffic loading as referenced in elsewhere in the Mills City Code.
 - (iv) When required by this Code, grease interceptors shall contain two compartments, and shall be located outside the building on private property.
 - (v) Grease interceptors may be constructed of cast iron, steel, reinforced fiberglass, or concrete.
 - (vi) Generally, the minimum cleaning frequency of any outdoor interceptor shall be quarterly, (ninety-day period) or semiannually (six-month period), or as directed by the City. A written record of all cleaning shall be kept on-site for verification purposes. The cleaning frequency shall be more frequent, if grease trap loading is exceeded or the City's POTW is blocked or indicates heavy accumulation of grease.
 - (vii) The City may not require installation of an interceptor for facilities that do not cook the food that is served, and do not wash equipment or utensils associated with the preparation or service of cooked food.

(b) When determining the minimum size of a required interceptor, the following will be considered (these sizing criteria represent minimum requirements and do not reflect special circumstances, which may necessitate increased sizing):

- (i) The minimum acceptable volume shall not be less than seven hundred fifty gallons (with automatic dishwasher not less than one thousand gallons).
- (ii) The following table will determine a total rate of flow in gallons per minute from kitchen facilities, based on a fixture unit count. Using this flow, the required size of the grease interceptor can be estimated. The total rate of flow shall be multiplied by fifteen minutes of minimum retention time, with the resulting volume expressed in gallons.

Size of Interceptor-Total Flow Rate Times Fifteen Minutes of Retention Time

| Type of Fixture | Flow Rate, In G.P.M. |
|---------------------------------|----------------------|
| Floor drain/sink | 10 |
| Restaurant kitchen sink | 15 |
| Single-compartment sink | 20 |
| Double-compartment sink | 25 |
| Three-compartment sinks | 35 |
| 2 Single-compartment sinks | 25 |
| 2 Double-compartment sinks | 35 |
| 2 Three-compartment sinks | 45 |
| Dishwasher for restaurants: | |
| Up to 30 gallon water capacity | 15 |
| 30 to 50 gallon water capacity | 25 |
| 50 to 100 gallon water capacity | 40 |

- (iii) The City will consider alternate interceptor designs, based on a minimum retention time of fifteen minutes and a minimum total water capacity of seven hundred fifty gallons. Other combinations of tank dimensions may be submitted to the City for approval. Any alternate design shall have the same basic proportional dimensions, comparable volumes, and functional capabilities as outlined in Figure 1 at the end of this chapter.

(c) Grease interceptors within buildings may be allowed for existing buildings where renovations are proposed and an outside interceptor is not feasible to install due to space problems if the following conditions are met:

- (i) Sufficient ventilation is provided to remove potential odors;
- (ii) Outside access for cleaning;
- (iii) Sufficient space around interceptor to allow for proper cleaning of the interceptor;
- (iv) A monthly cleaning schedule is followed and a written record of all maintenance shall be available on-site.

(d) The sizing of inside traps will be determined by the City on a case-by-case basis.

13.18.170 Oil and Sand Interceptors-Specific Requirements

- (a) Oil and sand interceptors shall provide for and meet the following requirements:
 - (i) Provide for the proper handling of building wastewater containing flammable wastes, oils, sands, solids, or other ingredients harmful to the POTW;
 - (ii) Two-compartment oil and sand interceptors, as detailed in Figure 2 at the end of this chapter, shall be required for each bay in any existing or proposed vehicle or equipment washing or cleaning operation;
 - (iii) All oil and sand interceptors shall be installed and connected in such a manner that they shall be easily accessible at all times for inspection, cleaning, and removal of the intercepted material (oil and sand, etc.). If warranted, the oil and sand interceptor shall be designed for traffic loadings as referenced elsewhere in the Mills City Code;
 - (iv) All facilities used for cleaning vehicles, equipment, or machine parts shall be constructed to prevent the entrance of storm or surface water into the POTW;
 - (v) Oil and sand interceptors may be constructed of cast iron, steel, reinforced fiberglass or concrete.

(b) Oil and sand interceptors shall be designed with a minimum retention time of ten minutes. Alternate designs will be considered, provided that the proposed design shall have the same basic proportional dimensions, comparable volumes, and functional capabilities as outlined in Figure 2 at the end of this chapter or Uniform Plumbing Code guidelines.

13.18.180 Inspection Manholes (Monitoring Facilities)

(a) An inspection manhole (monitoring facility) shall be required on the service line of all nondomestic users who are required to have any interceptor under this chapter, unless an exception has been granted by the City. The inspection manhole shall allow for proper inspection, sampling, temperature monitoring and flow measurement of the waste within the building sewer. All wastewater from the building shall go through the inspection manhole. Two individual discharge lines, one containing domestic discharge and the other originating from the interceptor, must discharge separately into the inspection manhole. The purpose for two separate lines is to ensure that the interceptor is properly functioning, properly maintained and that no excessive accumulation of grease, oil or sand is being released to the POTW.

(b) The inspection manhole shall normally be installed on the user's premises. The City may allow the inspection manhole to be constructed within the public right-of-way, when it is deemed impractical to do otherwise.

(c) The inspection manhole (monitoring facility) shall be located in such a manner as to allow easy access for inspection and sampling purposes.

(d) The inspection manhole shall be designed to allow traffic loadings. All manholes less than five feet in depth may be constructed of reinforced concrete pipe with a diameter of not less than thirty-six inches (See Figure 3 at the end of this chapter). All manholes over five feet in

depth must be constructed in accordance with Public Utilities Standard Manhole Detail (See Figure 4 at the end of this chapter).

(e) Inspection manholes may not be required if, in the judgment of the City, other appropriate facilities are available.

13.18.190 Grease, Oil and Sand Interceptor-Construction Specifications

- (a) The following apply to the construction of interceptors:
- (i) The standards set forth in Figures 1 through 4 at the end of this chapter are shown to convey the conceptual standard dimensional requirements for interceptors.
 - (ii) The volume of the secondary compartment shall be one-third of the total capacity.
 - (iii) Walls, bottom and top shall be constructed for the appropriate traffic loads and solid loads and shall be water tight.
 - (iv) All rebar for reinforced concrete interceptors shall have a two-inch minimum cover to the outside concrete surface.
 - (v) Designs shall be submitted for approval and shall be certified by a licensed engineer.
 - (vi) Inlet and outlet pipe sizes shall be determined by user's or owner's architect/engineer, but shall not be less than four-inch diameter. The outlet pipe invert is to be two inches lower than inlet pipe.
 - (vii) Closed compartments shall be vented in accordance with Uniform Plumbing Code requirements.
 - (viii) All joints in pre-cast sections shall be sealed with flexible sealing compound.
 - (ix) Vent pipe materials and location shall be in accordance with the Uniform Plumbing Code.
 - (x) The top slab may be of one-piece construction or of multiple segment construction, at the discretion of the owner.
 - (xi) The drawings (Figures 1 through 4) as found at the end of this chapter are not to scale.

13.18.200 Trucked or Hauled Wastes Removal and Transportation

(a) No person, firm or corporation engaged in trucked or hauled waste removal or transportation shall be allowed to discharge or dispose waste into the POTW unless they comply with the following hauling requirements:

- (i) Hold a valid hauling account from the City of Mills.
- (ii) Carry liability insurance of such kind and in such amounts as the City may require to protect itself from loss or damage that may directly or indirectly be occasioned by the discharge of hauled waste into the POTW.
- (iii) Complete a waste manifest obtained from the City or its designee.
- (iv) Commingling of industrial, process, and domestic wastewater is prohibited, unless authorized by the City or its designee.

(v) Any waste collected from a business or industry must receive an authorization from the City before disposal into the POTW is allowed.

(b) The City or its designee shall have the right to inspect and sample any trucked or hauled waste before allowing discharge to the POTW to verify compliance with the provisions of this chapter and any applicable federal or state laws.

(c) The City shall have the right to refuse the discharge of any trucked or hauled waste to the POTW if it determines within its absolute discretion that the discharge of such trucked or hauled waste would not comply with the provisions of this chapter and any applicable federal or state laws.

(d) The discharge of any trucked or hauled waste containing hazardous wastes, as defined under applicable federal and state laws and regulations, to the POTW shall be strictly prohibited.

13.18.210 Trucked or Hauled Waste Disposal

(a) Trucked or hauled waste shall be introduced into the POTW at a designated receiving area or discharge point. Such wastes shall not violate any applicable Mills Municipal Code(s) or any other requirements established by the City and applicable federal or state laws.

(b) The City or its designee may issue wastewater discharge permits to the waste generator(s) or the hauler(s).

(c) All nondomestic hauled wastes must have prior authorization from the City or its designee for disposal at the POTW. The City or its designee may collect samples of each load or sample randomly to ensure compliance with applicable standards.

(d) The applicable waste hauler(s) or the generator(s) must complete City's waste-tracking manifest for every load and furnish the listed required information.

(e) In all cases, the City reserves the right to accept or reject any waste as it deems necessary. The City or its designee may stop or cease a discharge or disposal from a truck or other device at any time.

(f) A hauled waste disposal permit may be suspended or revoked for any violations of these regulations.

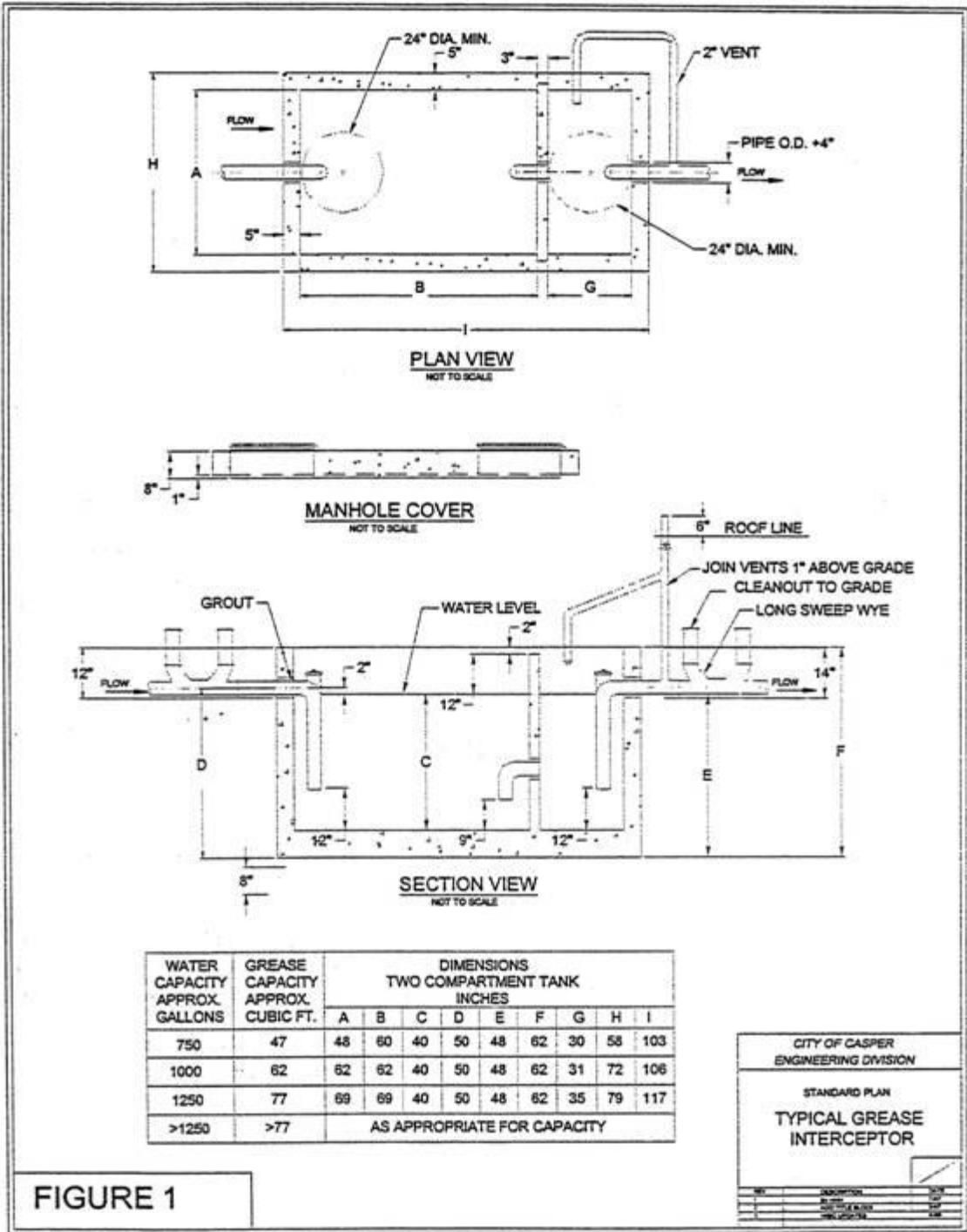
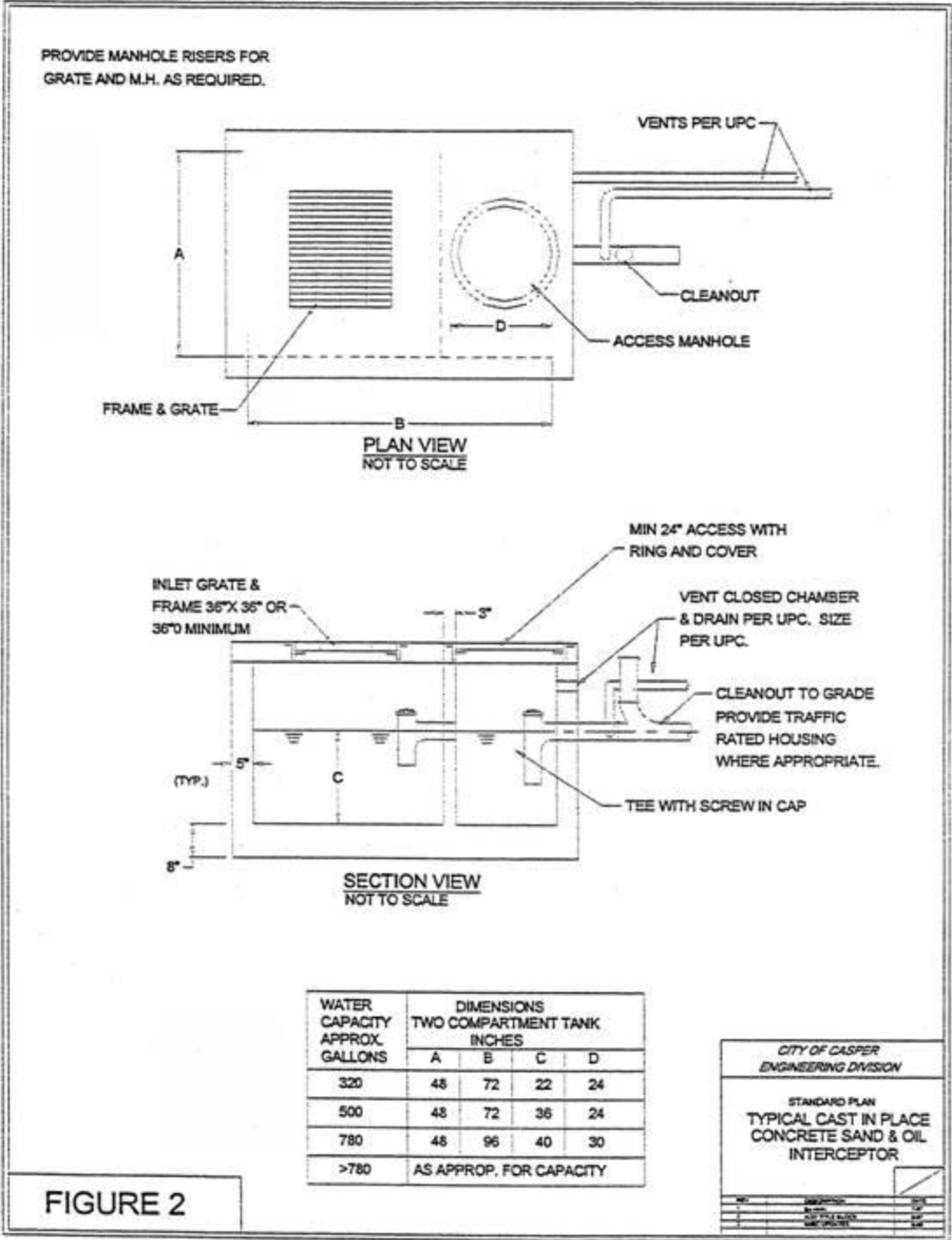


FIGURE 1



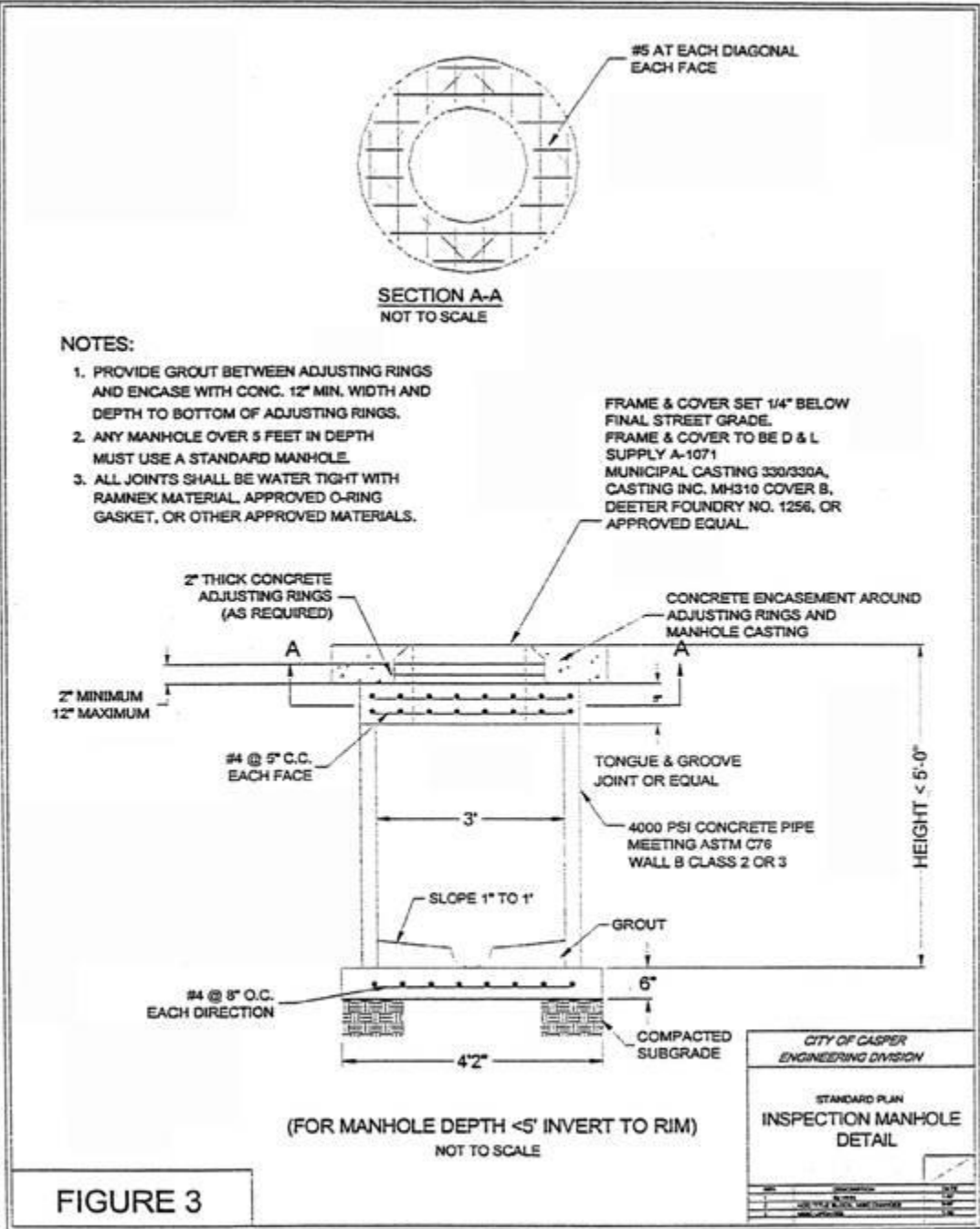
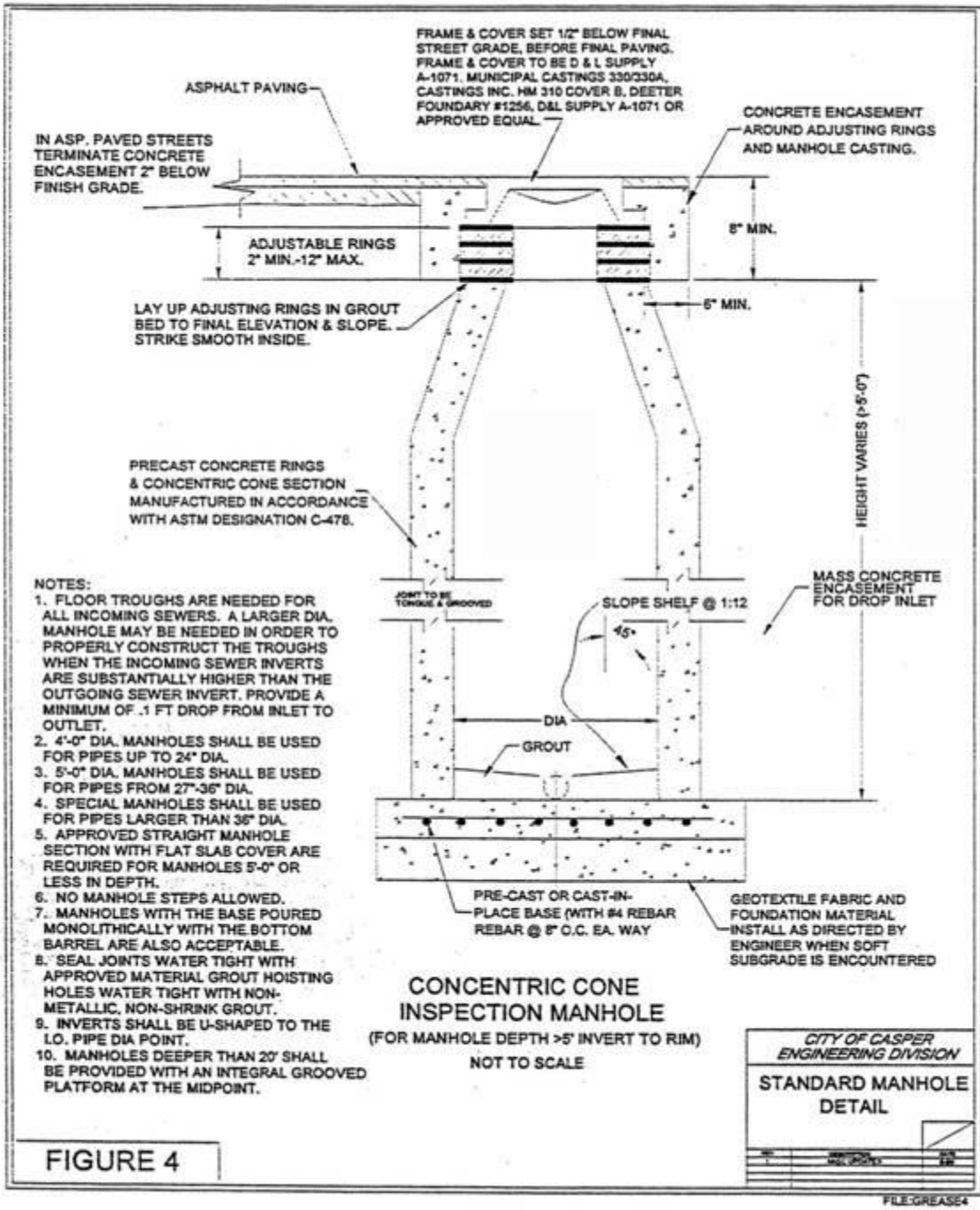


FIGURE 3



13.18.220 Protection from Damage

No unauthorized person shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment that is a part of the sewage works.

13.18.230 Powers and Authority of Inspectors

(a) The City shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter.

(b) While performing the necessary work on private properties referred to in subsection A of this section, the City shall observe all safety rules applicable to the premises established by the company.

(c) The City shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspections, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on such easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

13.18.240 Penalties and Costs

(a) Penalties. Willful or intentional violation of this chapter is a Class A misdemeanor. Negligent failure to comply with any provision of this chapter, and the orders rules, regulations and permits issued hereunder is a violation punishable by a fine up to one thousand dollars per day. Each day on which either category of a violation or offense shall occur or continue shall be deemed a separate and distinct offense.

(b) Costs. In addition to the penalties provided in this chapter, the City may recover reasonable attorney fees, court costs, court reporters' fees and other costs and expenses of litigation by appropriate civil suit at law against the person found to have violated this chapter or the orders, rules, and regulations, and permits issued hereunder and fees.

(c) Falsifying Information. Any person or entity that knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or industrial discharge permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter, shall, upon conviction, be deemed guilty of and punished for a Class A misdemeanor.

13.18.259 Sewer Tap Fees

(a) Any person desiring the tapping of a sewer main belonging to the City, for the purpose of attaching an individual line thereto, shall be required to pay a sewer tap fees as set forth by resolution.

(b) Upon payment of other fees, together with such street cut fees as are provided by ordinance or rule, the public works director shall, within reasonable time following the contractor's completion of the excavation and site preparation, complete the connection to the sewer main.

(c) In the event it is necessary to install a service line of a size greater than four inches, the person desiring same shall be required to pay, in advanced, to the City the fees as determined by resolution or as set forth in the applicable subdivision agreement with the developer.

(d) Notwithstanding anything in this section to the contrary, the City council may, by written agreement, allow payment of a lower connect fee to be paid for connection in those instances where un-subdivided property is being developed or in the event of annexation to the City where the developer installs utility services at the developers' sole cost and liability.

CHAPTER 13.19
URBAN STORMWATER QUALITY MANAGEMENT
AND DISCHARGE CONTROL

13.19.010 Title

This chapter shall be known as the "Stormwater Quality Management and Discharge Control Ordinance" of the City of Mills and may be so cited.

13.19.020 Purpose and Intent

The purpose and intent of this chapter is to ensure the health, safety, and general welfare of citizens, protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. § 1251 et seq.) by reducing pollutants in stormwater discharges to the maximum extent practicable and by prohibiting non-stormwater discharges to the municipal separate storm sewer system (MS4) and to establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance.

13.19.030 Applicability

This chapter shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

13.19.040 Responsibility for Administration

The City mayor shall administer, implement, and enforce the provisions of this chapter. Any powers granted or duties imposed upon the City mayor may be delegated by the City mayor to persons or entities acting in the beneficial interest of or in the employ of the City.

13.19.050 Severability

If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

13.19.060 Regulatory Consistency

This chapter shall be construed to assure consistency with the requirements of the Clean Water Act and acts amendatory thereof or supplementary thereto, or any applicable implementing regulations by the Wyoming Department of Environmental Quality.

13.19.070 Ultimate Responsibility of Discharger

The standards set forth herein and promulgated pursuant to this chapter are minimum standards; therefore this chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into surface waters of the state caused by said person. This chapter shall not create liability on the part of the City of Mills, or any agent or employee thereof, for any damages that result from any discharger's reliance on this chapter or any administrative decision lawfully made thereunder.

13.19.080 Prohibition of Illegal Discharges

No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of Wyoming Water Quality Standards, other than stormwater.

The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

(a) Discharges from the following activities will not be considered a source of pollutants to the storm drain system and to surface waters of the state when properly managed to ensure that no potential pollutants are present, and therefore they shall not be considered illegal discharges unless determined to cause a violation of the provisions of the Clean Water Act, the Wyoming Water Quality Standards, or this chapter: potable water line flushing; unpolluted pumped groundwater and other discharges from potable water sources; landscape irrigation and lawn watering; diverted stream flows; rising groundwater; groundwater infiltration to the storm drain system; unpolluted foundation and footing drains; unpolluted water from crawl space pumps; air conditioning condensation; unpolluted non-industrial roof drains; springs; individual residential car washing; flows from riparian habitats and wetlands; unpolluted street wash waters; and flows from firefighting.

(b) The prohibition shall not apply to any non-stormwater discharge permitted under a WYPDES permit, waiver, or waste discharge order issued to the discharger and administered by the state of Wyoming under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or

order and other applicable laws and regulations, and provided that written approval has been granted by the City of Mills for any discharge to the storm drain system.

(c) With written concurrence from the Wyoming Department of Environmental Quality, the City of Mills may exempt in writing other non-stormwater discharges which are not a source of pollutants to the storm drain system, nor surface waters of the state.

13.19.090 Prohibition of Illicit Connections

(a) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

(b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(c) A person is considered to be in violation of the Ordinance if the person connects a line conveying sewage to the storm sewer system or allows such a connection to continue.

13.19.100 Waste Disposal Prohibitions

No person shall throw, deposit, leave, dump, maintain, keep, or permit to be thrown, deposited, left, or maintained, or otherwise expose any chemical, fuel, animal waste, septic waste, refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, in or upon any public driveway, parking area, street, alley, sidewalk, component of the storm drain system, or surface waters of the state, so that the same may cause or contribute to pollution. Wastes deposited in proper waste receptacles for the purposes of collection are exempted from this prohibition. Any spills, discharge, or residues shall be removed as soon as possible and disposed of properly.

13.19.110 Discharges in Violation Of Industrial or Construction Activity WYPDES Stormwater Discharge Permit

Any person subject to an industrial or construction activity WYPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City mayor prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

13.19.120 Requirement to Prevent, Control, and Reduce Stormwater Pollutants

(a) Authorization to Adopt and Impose Best Management Practices. The Erosion and Sediment Control Best Management Practices Manual for the City of Mills, Wyoming (2004), as it may be amended from time to time, details the best management practices that may be implemented to reduce erosion, sediment and pollution to stormwater. Where best management practices requirements are promulgated by the City or any federal, state of Wyoming, or regional agency for any activity, operation, or facility which would otherwise cause the discharge of

pollutants to the storm drain system or surface waters of the state, every person undertaking such activity or operation, or owning or operating such facility shall comply with such requirements.

(b) **New Development and Redevelopment.** The City may adopt requirements identifying appropriate best management practices to control the volume, rate, and potential pollutant load, such as sediment loading, of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants. The City shall incorporate such requirements in any land use agreement, entitlement, construction or building-related permit to be issued relative to such development or redevelopment. The owner and developer shall comply with the terms, provisions, and conditions of such land use agreements or entitlements and building permits as required in this chapter. New development and redevelopment projects shall also meet the requirements of Chapter 15.24 Erosion and Sediment Control in effect at the time of the development or redevelopment.

(c) **Responsibility to Implement Best Management Practices.** Notwithstanding the presence or absence of requirements promulgated pursuant to Section 13.19.110(a) and (b), any person engaged in activities or operations, or owning facilities or property which will or may result in pollutants entering stormwater, the storm drain system, or surface waters of the state shall implement best management practices to the extent they are technologically achievable to prevent and reduce such pollutants. The owner or operator of a commercial or industrial establishment shall provide reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses. Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner or operator's expense.

Best management practices required by the City can be obtained from the public services department by requesting the BMP list or the Erosion and Sediment Control Best Management Practices Manual for the City of Mills, Wyoming. Best management practices for urban stormwater quality management and discharge control may include, but are not limited to, one or more of the following listed practices:

- (i) Vegetated buffers.
- (ii) Vegetated swales.
- (iii) Catch basin inserts.
- (iv) Catch basin filter covers.
- (v) Infiltration trenches.
- (vi) Oil skimmers.
- (vii) Pollutant separators.
- (viii) In-line filters; silt fencing.
- (ix) Wind erosion control.

13.19.130 Requirement to Eliminate Illegal Discharges

Notwithstanding the requirements of Section 13.19.180 herein, the City mayor may require by written notice that a person responsible for an illegal discharge immediately, or by a specified date, discontinue the discharge and, if necessary, take measures to eliminate the source of the discharge to prevent the occurrence of future illegal discharges.

13.19.140 Requirement to Eliminate or Secure Approval for Illicit Connections

(a) The City mayor may require by written notice that a person responsible for an illicit connection to the storm drain system comply with the requirements of this chapter to eliminate or secure approval for the connection by a specified date, regardless of whether or not the connection or discharges to it had been established or approved prior to the effective date of this chapter.

(b) If, subsequent to eliminating a connection found to be in violation of this chapter, the responsible person can demonstrate that an illegal discharge will no longer occur, said person may request City approval to reconnect. The reconnection or reinstallation of the connection shall be at the responsible person's expense.

13.19.150 Watercourse Protection

Every person owning property through which a watercourse passes or abuts, or such person's lessee, shall keep and maintain that part of the watercourse free of trash, debris, and other obstacles that would pollute or contaminate the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within, abutting, or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. The owner or lessee shall not remove healthy bank vegetation beyond that actually necessary for maintenance, nor remove said vegetation in such a manner as to increase the vulnerability of the watercourse to erosion. The property owner shall be responsible for maintaining and stabilizing that portion of the watercourse that is within or abutting their property lines in order to protect against erosion and degradation of the watercourse originating or contributed from their property.

13.19.160 Requirement to Remediate

Whenever the City mayor finds that a discharge of pollutants is taking place or has occurred which will result in or has resulted in pollution of stormwater, the storm drain system, or surface waters of the state, the City mayor may require, by written notice to the owner of the property and/or the responsible person, that the pollution be remediated and the affected property restored within a specified time pursuant to the provisions of Sections 13.19.200 through 13.19.220 below.

13.19.170 Requirement to Monitor and Analyze

The City mayor may require, by written notice of requirement, that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to stormwater pollution, illegal discharges, and/or non-stormwater discharges to the storm drain system or surface waters of the state, to undertake, at said person's expense, such monitoring and analyses and furnish such reports to the City of Mills as deemed necessary to determine compliance with this chapter.

13.19.180 Notification of Spills

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of

any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the storm drain system, or surface waters of the state from said facility, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of a hazardous material, said person shall immediately notify emergency response officials (dial 911) of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, said person shall notify emergency response officials (dial 911) within two hours of the discovery of the discharge. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence.

13.19.190 Authority to Inspect

The City mayor, or his/her designee, may make periodic inspections for the purpose of seeing that this chapter is complied with, and it is unlawful for any owner or occupant of any business building or premises to refuse such inspection, provided that the same are made at reasonable times.

13.19.200 Authority to Sample, Establish Sampling Devices, and Test

During any inspection as provided herein, the City mayor, or his/her designee, may take any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to record site activities.

13.19.210 Notice of Violation

Whenever the City mayor, or his designee, finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the City mayor, or his/her designee, may order compliance by written notice of violation to the responsible property owner and the occupant thereof. Such notice may require without limitation:

- (a) The performance of monitoring, analyses, and reporting;
- (b) The elimination of illicit connections or discharges;
- (c) That violating discharges, practices, or operations shall cease and desist;
- (d) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
- (e) Payment of a fine to cover administrative and remediation costs; and
- (f) The implementation or maintenance of source control or treatment BMPs.

Whenever it shall come to the attention of the City that any of the provisions of this chapter are being violated, the City mayor, or his/her designee, shall serve upon the owner and the occupant of such business building or premises, a notice in writing pointing out the specific violation and

requiring such person or persons to comply with the appropriate provision or provisions of this chapter. Such notice shall fix a time limit for compliance therewith and shall notify the recipient of their due process rights as established herein.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the City or a contractor designated by the City mayor and the expense thereof shall be charged to the violator.

13.19.220 Abatement by City

If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or in the order of the hearing examiner, if applicable, then the City or a contractor designated by the City mayor may enter upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the City or designated contractor to enter upon the premises for the purposes set forth above.

13.19.230 Appeals

Within ten days of receiving written notice pursuant to Section 13.12.200, an affected owner or occupant may appeal the decision of the City mayor and request a hearing by filing written notice of the appeal with the City mayor. Such notice of appeal shall contain the owner or occupant's name, address, contact information and the nature and reason for their appeal. Upon receipt of said appeal request, the mayor's office shall request that the municipal court schedule a hearing in front of a municipal court judge in his or her capacity as an administrative hearing examiner to determine what remediation, if any, must be accomplished, and a deadline for said remediation as well as for reimbursement to the City of any costs incurred by the City, if applicable. Said hearing shall be conducted under the Wyoming Administrative Procedure Act. The municipal court shall notify the City mayor's office, the City attorney's office, and the owner and occupant of the property of the date, time and location of said hearing and any matters incident thereto. Said hearing shall be electronically recorded by the municipal court and the municipal court shall be responsible for maintaining any files and records related to said hearing.

If the hearing examiner upholds the decision of the City mayor or otherwise requires repair, abatement, or remediation of a violation of this chapter, then the owner or occupant of the property affected shall complete such remediation or abatement within the time period set by the hearing examiner. If such action is not completed within the designated timeframe, the City may, without further notice or proceedings, enter upon the premises and effect such repairs, remediation, or abatement and may assess and charge any and all costs related thereto to the property owner, the occupant thereof, and/or the effected real property as a lien thereon, collectable as provided by the law and any such unpaid costs shall constitute a lien against the subject property.

13.19.240 Emergency Abatement

The City mayor is authorized to require immediate abatement of any violation of this chapter that constitutes an immediate threat to the health, safety or well-being of the public. If any such violation is not abated immediately as directed by the City mayor, the City of Mills is authorized to enter onto private property and to take any and all measures required to remediate the violation. Any expense related to such remediation undertaken by the City of Mills shall be fully reimbursed by the property owner and/or responsible party. Any relief obtained under this section shall not prevent the City from seeking other and further relief authorized by law.

13.19.270 Violations

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. A violation of or failure to comply with any of the requirements of this chapter shall constitute a misdemeanor and shall be punished as set forth in Municipal Code Title 1.

13.19.260 Violations Deemed a Public Nuisance

In addition to the enforcement processes and penalties hereinbefore provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored by the City at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken by the City.

13.19.270 Acts Potentially Resulting in a Violation of the Federal Clean Water Act

Any person who violates any provision of this chapter or any provision of any requirement issued pursuant to this chapter may also be in violation of the Clean Water Act and may be subject to the sanctions of those acts including civil and criminal penalties. Any enforcement action authorized under this chapter shall also include written notice to the violator of such potential liability.

13.19.280 Submission of Final Record Drawings-Preparation and Required Information

The owner/contractor/engineer/developer shall submit digital and hard copy drawings of all subdivisions, site construction, building construction or other construction that modifies existing stormwater infrastructure or includes the addition of stormwater infrastructure. The digital and hard copy drawings must be prepared by a registered Wyoming land surveyor or engineer and be clearly drawn on a sheet of tracing cloth or other transparent, stable base material, and shall include the following:

- (a) The name of the subdivision, site plan or other construction, legal description, name and signature(s) of owner(s), developer(s) and engineer, placed in the lower right-hand corner of the drawing.

(b) Date of preparation, written scale, graphic scale (one inch equals fifty feet [1" = 50'] or a multiple thereof) and north sign designated as a true north.

(c) Location of existing stormwater conveyances and all newly installed stormwater conveyances.

- (d) A layout including the following:
- (i) Boundary lines with accurate distances and bearings, and the exact location and width of all existing or recorded streets intersecting the boundary of the tract.
 - (ii) Where applicable, curve data, so labeled, showing the radii, central angles, arc length, notation of nontangent curves, and location of points of curvatures and intersections.
 - (iii) Location of existing and proposed easements (including drainage easements), designated as to use and size.
 - (iv) The right-of-way lines, widths, locations and street names of all existing and proposed streets or roads within the proposed subdivision.

(e) A vicinity map indicating the location of the construction/subdivision with respect to a recognizable larger area, at a scale of one inch equals six hundred feet (1" = 600') unless written approval of the engineering director is obtained for another scale.

- (f) A size conforming to one of the following:
- (i) Twenty-two by thirty-six inches (one and one-half-inch margin left-hand, short side; one-half-inch margin all other sides).
 - (ii) Twenty-one and one-half by thirty inches (one and one-half-inch margin left-hand, short side; one-half-inch margin all other sides).
 - (iii) Thirty-five by forty inches (three-fourths-inch margin all around).
 - (iv) Thirty-six by twenty-four inches (one and one-half-inch margin left-hand, short side; one-half-inch margin all others).
 - (v) Eighteen by twenty-four inches (one and one-half-inch margin left-hand, long side; three-eighths-inch margin all other sides).

(g) A digital copy of the construction/building site/subdivision construction shall be submitted as part of the final record construction drawing requirement and shall be in an electronic format that has been adopted by the City council, by resolution,

(h) File names shall be a maximum of eight characters with the appropriate file type designator (E00) as the suffix characters. Files may be compressed into a zip file format.

(i) Each digital submission shall have a clearly defined layering convention in which all entities or drawing components of like type are grouped into distinct layers. At a minimum, the components that must be grouped into distinct layers are the boundary, street centerlines, street rights-of-way, lot lines, easements, street names, lot dimensions, manhole type and size, storm sewer sizes and material types for each stormwater element including all catch basins, catch leads, manholes, outfalls, and main line storm sewers. Included with each DXF file shall be a list in an

ACSII text file that contains the layer names used in the submitted file. Each layer name shall be followed with a description of the type of entity found on each layer.

(j) Each digital submission shall show at least four corners with Wyoming State plane coordinates (X, Y and Z) in NAD 83 datum. The convergence angle and combination factor shall be shown on all final drawings.

(k) In the event that an applicant does not have the means to submit a digital plat or map, the City shall perform the work to convert a plat into a digital format for the applicant at a fee to the applicant of the actual cost of the City to do so.

The owner/sub divider/engineer/contractor shall provide record drawings, signed and stamped by the engineer providing observations services, depicting the actual configuration and conditions after construction. Record drawings shall include locations and elevations for all stormwater conveyances and structures. One set of reproducible record drawings on Mylar and one set in digital format compatible with the City's drafting and GIS programs shall be provided to the City engineer's office prior to issuance of the letter of completion and start of the warranty period.

ORDINANCE NO. 763

AN ORDINANCE REPEALING THE EXISING TITLE 17 OF THE MILLS MUNICIPAL CODE DEALING WITH SUBDIVISIONS AND ZONING AND REPLACING IT, IN ITS ENTIRETY, WITH A NEW CHAPTER 17 DEALING WITH ZONING AND SUBDIVISIONS AND FURTHER REPEALING ORDINANCES 719, 749 AND 751 AND INCORPORATIONG THEIR PROVISIONS IN THE NEW CHAPTER 17

WHEREAS, The City of Mills, Wyoming has had the occasion to review Title 17 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, BE IT ORDAINED BY THE GOVERING BODY OF THE CITY OF MILLS, WYOMING, THAT THE MILLS MUNICIPAL CODE IS HEREBY AMENDED AS FOLLOWS:

The following text is hereby adopted in it is entirety, on the date set forth below, and which, further repeals, in its entirety the Title 17 existing on the date this Ordinance was first proposed in front of the City Council together with the provisions of Ordinances 719, 749 and 751 of the Mills Municipal Code with the newly adopted ordinance commencing below with that text first reading “Table of Contents”

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

PASSED on 1st reading the _____ day of _____ 2021.

PASSED on 2nd reading the _____ day of _____, 2021.

PASSED, APPROVED AND ADOPTED on 3rd and final reading this _____ day of _____, 2021

CITY OF MILLS, WYOMING

Seth Coleman, Mayor

Sara McCarthy, Council

Darla R. Ives, Council

James Hollander, Council

Brad Neumiller, Council

ATTESTED:

Christine Trumbull, Town Clerk



**Zoning
Ordinance_____**

Town of Mills
P.O. Box 789
704 4th Street
Mills, Wyoming 82644

TABLE OF CONTENTS

TITLE 17

ZONING

CHAPTERS:

- 17.04** **GENERAL PROVISIONS**
- 17.08** **ZONING DISTRICTS AND DISTRICT REGULATIONS**
- 17.12** **SUPPLEMENTARY REGULATIONS**
- 17.16** **ADMINISTRATION**
- 17.18** **ANNEXATION AND SUBDIVISIONS**

CHAPTER 17.04 - GENERAL PROVISIONS

| SECTIONS: | | Page |
|-----------|------------------------------|------|
| 17.04.010 | Title | 1 |
| 17.04.020 | Purpose | 1 |
| 17.04.025 | Officials & Responsibilities | 3 |
| 17.04.030 | Definitions | 4 |

CHAPTER 17.08 - ZONING DISTRICTS AND DISTRICT REGULATIONS

| SECTIONS: | | Page |
|-----------|--|------|
| 17.08.010 | Establishment of Zoning Districts | 15 |
| 17.08.020 | Zoning Districts | 16 |
| 17.08.030 | Districts – Permitted Uses | 18 |
| 17.08.040 | Zoning District Minimum Lot Requirements | 24 |
| 17.08.045 | Mobile Homes | 27 |
| 17.08.050 | Mobile Home Parks | 32 |
| 17.08.060 | Planned Unit Development | 34 |
| 17.08.065 | Mixed Sized Residential | 39 |
| 17.08.070 | Urban Agriculture | 39 |
| 17.08.080 | Urban Agriculture Residential | 40 |

CHAPTER 17.12 - SUPPLEMENTARY REGULATIONS

| SECTIONS: | Page |
|---|------|
| 17.12.010 Off-Street Parking | 42 |
| 17.12.020 Fences, Walls, Hedges | 48 |
| 17.12.030 Pets and Domestic Animals | 50 |
| 17.12.040 Signs | 50 |
| 17.12.050 Micro Wind Systems and Small Wind Energy Conversion Systems | 53 |

CHAPTER 17.16 – ADMINISTRATION

| SECTIONS: | Page |
|--|------|
| 17.16.010 Special Review | 56 |
| 17.16.015 Site Plan and Landscaping Requirements | 60 |
| 17.16.020 Home Occupations | 70 |
| 17.16.025 Security Quarters | 71 |
| 17.16.030 Planning and Zoning Board Establishment and Organization | 72 |
| 17.16.035 Variances | 73 |
| 17.16.040 Amendments and Zone Changes | 74 |
| 17.16.050 Non-Conforming Use | 77 |
| 17.16.060 Interpretation, Enforcement and Penalty | 79 |
| 17.16.070 Fees | 80 |

CHAPTER 17.18 - ANNEXATIONS AND SUBDIVISIONS

| SECTIONS: | Page |
|------------------------------|------|
| 17.18.010 General Provisions | 82 |
| 17.18.020 Procedure | 82 |
| 17.18.030 Zoning Provisions | 89 |
| 17.18.040 Compliance | 89 |

APPENDIX

CHAPTER 17.04

GENERAL PROVISIONS

17.04.010

TITLE - This Ordinance shall be known and cited as the “Zoning Ordinance of the town of Mills, Wyoming,” and shall be referred to hereafter as the “Ordinance.”

17.04.020

PURPOSE – In accordance with Sections 15-1-701 through 15-1-801 of the Wyoming Statutes, 1977, and the authority granted to the Town thereby, the Town of Mills has established this Ordinance to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and to aid in realizing the policies, objectives and goals of the Town’s comprehensive plan.

The land use regulations and districts, as herein set forth, have been made in accordance with a comprehensive zoning study with reasonable consideration, among other things, to the character of each district and its peculiar suitability for particular uses with a view to conserving the value of properties and encouraging the most appropriate use of land throughout the Town of Mills.

This title is further established to promote public health, safety, welfare and the orderly growth of the town, and this title shall apply to any tract of land which is within the town, but is not subdivided, and to all areas outside of the town limits which may annex to and become a part of the town. (Ord. 274 §1 (part), 1979).

Therefore, the Town Council of the Town of Mills declares that this Ordinance is adopted for the following additional specific purposes:

- A. To promote coordinated, sound development, taking into consideration the Town’s unique geographic setting;
- B. To prevent the overcrowding of land, poor quality in development, waste and inefficiency in land use, danger and congestion in travel and transportation, and any other use of development which might be detrimental to the stability and livability of the Town;
- C. To encourage innovations in residential development so that the growing demand for housing may be met by greater variety in type and design of dwellings and by the conservation and more efficient and attractive use of open space;

- D. To advance a more effective use of land and a higher quality in site planning reflecting improvements in the technology of land development.

SCOPE

- A. This Ordinance applies within the town limits of the Town of Mills, as now and hereafter established.
- B. The provision of this Ordinance may be regarded as the minimum requirements for the protection of the public health, safety, comfort, convenience, prosperity and welfare.
- C. This Ordinance is not intended to abrogate or annul any building permit, certificate of occupancy, variance or other lawful permit issued and in full force and effect on the effective date of this Ordinance.

APPLICATION

- A. No building, structure or land may hereafter be used or occupied, and no building or structure or part thereof may hereafter be erected, constructed, moved or altered except in conformity with all the regulations applicable to the district in which it is located.
- B. No part of a lot area, open space, off-street parking area or yard required about or in connection with any building for the purposes of complying with this Ordinance may be included as part of a lot area, an open space, off-street parking area, or yard similarly required for any other building or use.
- C. It is the intent and requirement of this Ordinance that every principal building located within a zoning district in the Town of Mills be located on a separate lot as defined in Section 17.04.030. The only circumstances under which more than one principal building shall be allowed on one lot is in the Planned Unit District or by special review for shopping centers in the E-B and D-B Districts. Nothing in these ordinances shall be read to preclude detached garages, shops, or outbuildings from being constructed as appropriate and approved.

17.04.025

OFFICIALS AND RESPONSIBILITIES

- A. Mayor – The Mayor of the Town of Mills shall be responsible to ensure Town of Mills officials are abiding by the provisions of the code. The Mayor shall at all times work to find a balance of the concerns of town officials with the property rights of the public.

- B. Mayor Designee – The Mayor Designee shall be responsible for the administration of all aspects of planning, zoning, and annexation within the Town of Mills. The Mayor Designee shall work with staff to identify safety and nuisance issues with any project reviewed. The Mayor Designee shall be empowered to make decisions to find an acceptable solution to both the town and the property owner. The Designee shall work closely the Mayor on any possible disputes that may arise. All decisions made by the Mayor Designee can be appealed to the Town Council, generally within 30 days of the decision.

- C. Planning & Zoning Board – The Planning & Zoning Board of the Town of Mills shall consist of five (5) members who are residents of the Town of Mills. The Mayor shall appoint the board members, and the Council shall vote to confirm or deny the appointments. The term of the Planning & Zoning Board Members shall be two (2) years, with no more than 3 terms expiring at any one time. The Town shall advertise openings for these positions in as many ways as possible but will not be required to do so in the newspaper.

The Planning & Zoning Board shall be responsible to review any proposed zone changes in the Town at least one time before the third reading of any ordinance pertaining to a zone Change. Upon review, they thru the Mayor Designee shall give the Town Council a “Do Pass” or a “DO NOT PASS” recommendation. The final determination will be made by a vote of the Town Council on any issue.

The Planning & Zoning Board may also be asked by the Mayor to review other building project in the Town that He/She deems would be in the best interest of the Town Council to have a recommendation before a vote on a particular project.

The Planning & Zoning Board shall meet at least once a month, but the Mayor may call for a special meeting of the Zoning Board to facilitate an expedited schedule for a number of reasons deemed necessary.

Each Planning & Zoning Board Member shall be paid an amount to be set by resolution for each meeting that they attend.

17.04.030

DEFINITIONS

ABANDONMENT: An action to give up one’s rights of interested in property.

ACCESSORY BUILDING, STRUCTURE OR USE: A building, structure or use located or conducted upon the same lot (or on a contiguous lot in the same ownership) as the principal building, structure or use to which it is related, and which is:

- A. Clearly incidental to, and customarily found in connection with, such principal building or use; and
- B. Is operated and maintained for the use of occupants, employees, customers or visitors of the lot with the principal use.

A-WEIGHTED SOUND LEVEL (dbA): A measurement of sound pressure level, which has been filtered or weighted to progressively de-emphasize the importance of frequency components below 1,000 Hz and above 5,000 Hz. This reflects the fact that human hearing is less sensitive at low frequencies and at extremely high frequencies, relative to the mid-range of the frequency spectrum. This area of sensitivity also corresponds to the human speech band. (Ord. 558, §1, 2009)

ADMINISTRATIVE OFFICER: The person or persons designated by the Mayor and approved by Town Council to enforce and administer the provisions of this Ordinance or his duly appointed representative(s).

ALLEY: A public or private access way which affords only a secondary means of access to abutting property and is not intended for general traffic circulation.

ALTERATIONS: As applied to a building or structure, a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by horizontal extensions or by increasing in height, or the moving from one location or position to another.

ANIMALS – DOMESTIC: A domesticated animal is one which has extensively and historically been a part of a family or household for pleasure, companionship and protection. Domesticated animals are household pets, and are inclusive of fowl, reptiles and fish such as: dogs, cats, parakeets, and tropical fish.

ANIMALS – RANCH: Animals which have historically been bred, reared and utilized for the production of meat, wool, leather and similar products.

ANIMAL HOSPITAL (VETERINARY) OR CLINIC: A building or portion of a building designed or used for the examination, treatment or care of animals, which includes open pens or runs.

APARTMENT: A room or suite of rooms within a building, provided with separate cooking and bathroom facilities and intended as a single dwelling unit.

APARTMENT HOUSE: A building or portion of a building designed or used as a residence for three or more families living independently of each other in separate dwelling units, with continuous long-term occupation by renters.

AUTOMOBILE REPAIR STATION: A building or premises or portion thereof used principally for the repair of mechanical components and body repair of automobiles, which may also include retail sale of automotive fuels and lubricants.

AUTOMOBILE SERVICE STATION: A building, premises or portion thereof used for retail sales of automotive fuels, lubricants, and accessories without facilities for major mechanical or body repair.

BASEMENT: A story of a building having more than one half of its height below the average level of the adjoining grade.

BLOCK: An area of land completely bounded by streets, railroad rights-of-way, natural barriers, subdivision or municipal boundaries or a combination thereof.

BOARD: The Planning and Zoning Board of the Town of Mills, Wyoming.

BOARDING OR ROOMING HOUSE: A building other than a hotel, café or restaurant where, for compensation, directly or indirectly, lodging and/or meals are provided for three or more boarders and/or roomers exclusive of the occupant's family.

BUILDING: Any structure, whether temporary or permanent, having a roof supported by walls or columns designed or intended for the shelter or enclosure of persons, animals, property or substances of any kind.

BUILDING – ATTACHED: A building attached to another building by a common wall and a common roof.

BUILDING – DETACHED: A building having no common wall connection with another building.

BUILDING – EXISTING: A building erected prior to the adoption of this Ordinance for which a legal building permit has been issued.

BUILDING HEIGHT: The vertical distance measured from the average elevation of the finished grade at the midpoint of the lot frontage to the highest point of coping of a flat roof, the deck line of a mansard roof, or to the mean height level between the eaves and ridge for gable, hip, or gambrel roofs.

BUILDING – NON-CONFORMING: A building or structure or portion thereof existing at the time of adoption of this Ordinance which does not comply with the provision of the Ordinance applicable to the District in which it is located.

BUILDING – PRINCIPAL: One building housing the principal or primary use permitted for the lot upon which it is located.

CAMP TRAILER: See Recreational Vehicle.

CHURCH: A building designed for public worship which is maintained and controlled by an organized religious body.

CLINIC: A building used by two or more medical doctors or dentists who diagnose, treat, and care for injured or ill persons on an outpatient basis, including associated laboratories.

CLUB OR LODGE: A building designed for use by a non-profit association of persons who are bonafide members paying annual dues with the premises restricted to the use of members and guests.

COMMON AREA: Any area or space designed for joint use of tenants or owners occupying a planned unit development or other development.

COMMON WALL: An unbroken wall shared by two or more separate buildings.

COMPREHENSIVE PLAN: The plan or any part thereof adopted by the Town Council to guide development of land use, utilities, streets, community facilities, and other physical aspects of the Town.

CONSTRUCTION – NEW: Structure for which the “Start of Construction” occurred on or after the effective date of this Ordinance.

CONSTRUCTION – START OF: The first placement of permanent construction of a structure, not including grading, excavation or placement of accessory buildings, For mobile homes, start of construction is when the mobile home is placed on site and hooked up to utilities.

COUNCIL: The Town Council of the Town of Mills, Wyoming.

DECIBEL (db): The measurement of a sound pressure relative to the logarithmic conversion of the sound pressure reference level often set as 0 db (A-weighted). In general, this means the quietest sound we can hear is near 0 db (A-weighted) and the loudest we can hear without pain is near 120 db (A-weighted). (Ord. 558, §1, 2009)

DISTRICT: A portion of the area of the Town in which certain uniform regulations, requirements, and combinations thereof apply under the provision of this Ordinance.

DWELLING: Any building or portion thereof designed or used exclusively for human habitation, for one or more families, exclusive of hotels, motels, clubs, hospitals, and other uses.

DWELLING UNIT: A room, group of rooms, or other continuous designated space within a building designed for complete independent living facilities for one family, including permanent provision for living, sleeping, eating, cooking, and sanitation.

DWELLING – SINGLE-FAMILY: A principal building designed for or used exclusively as a dwelling by one family as an independent housekeeping unit.

DWELLING – TWO-FAMILY: A principal building designed for or used as a dwelling exclusively by two families each living as an independent housekeeping unit.

DWELLING – MULTI-FAMILY: A principal building designed for or used as a dwelling exclusively by two or more families each living as an independent housekeeping unit.

DWELLING – TOWNHOUSES: Three or more single family attached dwellings with common walls, each having direct outside access.

EASEMENT: A vested or acquired right to use land, other than as a tenant, for a specific purpose, such right being held by someone other than the owner who holds title to the land.

FAA: The Federal Aviation Administration of the United States Department of Transportation. (Ord. 558, §1, 2009)

FAMILY: (1) A single individual doing his own cooking and living upon the premises as a separate housekeeping unit; or (2) a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based upon birth, marriage, adoption or employment as domestic servants; or (3) a group of not more than three unrelated persons doing their own cooking and living together on the premises as a separate housekeeping unit pursuant to a mutual housekeeping agreement (not including a group occupying a boarding or rooming house, club fraternity, or hotel).

FENCE: A structure erected as a dividing marker, barrier or enclosure.

FLOOR AREA: The area included within outside walls of a building or portion thereof, including habitable penthouses and attic space but not including vent shafts, courts, halls, basements, or uninhabitable areas.

FLOOR AREA – GROSS LEASABLE: The total area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors, if any, expressed in

square feet and measured by the bases of interior walls, excluding common area such as stairways, storerooms, mechanical rooms, landings, etc.

GARAGE – PRIVATE: A building or portion thereof for the storage of three or less motor vehicles for persons living on the premises. Apartment houses may provide one space for each unit in a large structure.

GRADE: The elevation of the mid-point of the front lot line.

GUY CABLE: Any cable or wire that extends from a small wind energy system for the purpose of supporting the system structure. (Ord. 558, §1, 2009)

HOME OCCUPATION: An occupation or activity carried on by residents of a dwelling which is not harmful to the residential aspect of the neighborhood.

HOSPITALS: Any building or portion thereof used for diagnosis, treatment, and care for injured or ill persons on an inpatient basis, including sanitariums but not including clinics, rest homes, convalescent homes or nursing homes.

HOTEL: A building designed or used for occupancy normally as the temporary lodging place of individuals, having at least six guest rooms, where a general kitchen and dining room may be provided, with access through a common lobby.

IMPROVEMENT: Site grading, street work, utilities, or structures built on a lot.

JUNK YARD: Any area where scrap, metal, paper, rags, or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including auto and building salvage yards.

KENNEL – COMMERCIAL: Any lot or premises on which four or more domestic animals over four months of age are boarded, bred or sold.

LANDSCAPING: The use of vegetation and inorganic durable materials such as those identified below to enhance the visual attractiveness of a site and improve erosion control.

LAUNDRY: (1) Laundromat – a business that provides home-type washing, drying and ironing machines for hire to be used by the customers on the premises. (2) Commercial Industrial Laundry – a Business that provides washing, drying and ironing services operated by the employees on the premises.

LOADING SPACE: An off-street space or berth on the same lot with a building, or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access.

LOT: A portion or parcel of land (whether a portion of a platted subdivision or otherwise) occupied or intended to be occupied by a building or use and its accessories, together with such yards as are required under the provisions of this Ordinance, having not less than the minimum area, usable open space, and off-street parking spaces required by this Ordinance for a lot in the district in which such land is situated, and having at least thirty (30) feet of frontage on a street. A lot must be an integral unit of land held under unified ownership in fee or in co-tenancy, or under legal contract tantamount to such ownership.

LOT – AREA: The total square footage of the land area within the lines of a lot, measured as a horizontal plane.

LOT – DEPTH: The main horizontal distance between the front and rear lot lines measured generally parallel to the side lot lines.

LOT – WIDTH: The mean horizontal width of the lot measured at right angles to its depth.

LOT – CORNER: A lot situated at the intersection of two or more intersecting streets with a boundary thereof bordering each street.

LOT – COVERAGE: The area of a lot covered by the ground floor of the principal and accessory buildings, measured in square feet.

LOT – LINES: The lines bounding a lot as defined herein.

LOT LINE – FRONT: The line separating the lot from the street. The street on which a building’s frontage is oriented shall determine the location of the front lot line provided the front setback is not less than the average setback of existing buildings.

LOT LINE – SIDE: Any lot line other than front or rear lot lines. A side lot line separating a lot from a street is called a street side lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

LOT LINE – REAR: The rear lot line is the lot line or lot lines most nearly parallel to and most remote from the front lot line.

LOT OF RECORD: A lot which is a part of a subdivision, the plat of which has been recorded in the Office of the County Clerk, Natrona County, Wyoming.

LOT – THROUGH: A lot having frontage on two parallel or approximately parallel streets.

MANUFACTURED HOME: A single family residential dwelling constructed after June 15, 1976, in accordance with the “National Manufactured Home Construction and Safety Standards Act of 1974,” 42 U.S.C. Section 5401, et. seq., as amended and designed to be

used as a single-family residential dwelling with or without permanent foundation when connected to the required utilities and which includes the plumbing, heating, air conditioning and electrical systems contained therein. (Ord. 549, §1, 2009)

METEOROLOGICAL TOWER: A facility consisting of a tower and related wind-measuring devices, which is used solely to measure winds preliminary to construction of a *Small Wind Energy Conversion System*. Meteorological Towers shall not be allowed for time periods in excess of twelve months and shall be removed prior to the installation of the wind energy conversion system for which they are measuring. A request to install a meteorological tower shall be included in the application to install either a *Micro Wind System* or a *Small Wind Energy Conversion System*. (Ord. 558, §1, 2009)

MICRO WIND SYSTEM: A building-mounted wind system (either a Vertical or Horizontal Axis Turbine) that has a Rated Nameplate Capacity of 10kW or less, (3kW or less for residential properties), and projects no more than fifteen feet (15') above the highest point of the roof. Such building-mounted wind systems shall be regulated by applicable building and electrical codes and shall not be considered a *Small Wind Energy Conversion System*. A *Micro Wind System* shall not be considered in determining total building height for zoning or setback purposes. Multiple turbines are permitted, provided the total cumulative Rated Nameplate Capacity does not exceed 10kW (or 3kW for residential properties). (Ord. 558, §1, 2009)

MOBILE HOME: A single family residential dwelling manufactured prior to June 15, 1976, that was not required to be constructed in accordance with the National Manufactured Home Construction and Safety Standards Act, that is transportable in one or more sections, that in traveling mode is eight (8) body feet or more in width and thirty-two (32) body feet or more in length, or when erected on a site two hundred fifty-six (256) or more square feet, and is built on a permanent chassis and designed to be used as a permanent residence on a temporary or permanent foundation when connected with the permanent utilities including plumbing, heating, air conditioning and electrical systems. (Ord. 549, §1, 2009)

MOBILE HOME PARK: A single lot on which two or more mobile homes are parked either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such mobile home park; includes courts, developments, communities. Three mobile homes located on two lots constitute a mobile home park.

MOBILE HOME PARK – ESTABLISHED: **MOBILE HOME PARK – ESTABLISHED:** Any mobile home park licensed by the Town prior to August 11, 2020 and operating under the requirements of said license. Any such mobile home parks shall comply with the requirements of the license and all other applicable codes and requirements.

MODULAR CONSTRUCTION: Construction certified by the manufacturer as meeting the uniform building code and designed to be placed on a permanent foundation after transport to the building site and not classified as a mobile home.

MODULAR HOME: A structure, transportable in one or more dependent sections, designed for use as a single family residential dwelling unit, not built on a permanent chassis, capable of being transported from place of fabrication to the site on which it is to be erected, where it is placed on a permanent foundation and, when assembled, meets all of the provisions of the Uniform Building Code, International Building Code, or International Residential Code for residential units. (Ord. 549, §1, 2009)

MOTEL OR MOTOR HOTEL: A series of attached, semi-attached or detached sleeping or living units for the accommodation of transient guests and not customarily including individual cooking or kitchen facilities, said units having convenient access to off-street parking spaces for the exclusive use of the guests or occupants.

MOTOR VEHICLE SALES: Any business where two or more motor vehicles, including but not limited to automobiles, trucks, motorcycles, and recreational vehicles are parked for sale. (Ord. 406 §1, 1992.)

NURSERY – DAY CARE CENTER: An establishment providing specialized group care on a planned regular basis for five or more children aged two through seven years, inclusive, who are away from their homes any part of the day.

NURSING HOME: A building intended for use as a medical care facility for persons who need nursing care and medical service, but do not require intensive hospital care.

OFFICE: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.

OWNER: The Owner of Record as recorded in the Office of the County Clerk.

PARKING SPACE: A hard surfaced public or private area required for the storage of a passenger vehicle or commercial vehicle under 1-1/2-ton capacity.

PAWN SHOP: Any business where items of value are delivered or deposited as security for a loan. (Ord. 406 §1, 1992.)

PERSON: Any agent, individual, firm, partnership, corporation or other similar entity having legal rights and responsibilities.

PLAT: The subdivision plat recorded at the Office of the County clerk showing the location of property and property boundaries.

PREMISES: A lot, together with all the uses and buildings thereon.

PROPERTY LINE: The legal boundaries of a lot or other property.

RATED NAMEPLATE CAPACITY: The maximum rated output of electric power production equipment. This output is typically specified by the manufacturer with a “nameplate” on the equipment. (Ord. 558, §1, 2009)

RECREATIONAL VEHICLE: A vehicular type unit designed as temporary living quarters for recreational, camping, living, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Recreational vehicles are allowed as a primary residence within established mobile home parks up to twenty percent (20%) of the total allowable spaces in the park.

RECYCLING CENTER: A building and/or premises used for the recycling, purchase, and donation of metals, paper, and glass to be packaged and sold for recycling purposes; exclusive of automobile parts, bodies, batteries, petroleum products and all materials defined as hazardous by federal, state and local regulations as they pre-exist or are hereafter amended, and exclusive of any operation that salvages motor vehicles or other similar equipment. (Ord. 400, 1992.)

RESTAURANT: A public eating establishment at which the primary function is the preparation and serving of food.

RESTAURANT – DRIVE-IN: Any restaurant designed to permit or facilitate the serving of meals, sandwiches, ice cream, non-alcoholic beverages or any other food directly to patrons in parked vehicles.

ROOF: The external upper covering of a building.

SECURITY QUARTERS: Apartments, as a part of the main structure, or mobile homes necessary for safety or security reasons in conjunction with the principal use, located on the same lot as the principal use and occupied only by persons responsible for security of the principal use and on the payroll of the industry or business conducting the principal use. A mobile home may be located where permitted by the Town as security quarters in an Industrial District (Ord. 351, 1983)

SETBACK: The shortest distance in linear feet measured on a horizontal plane between the foundation wall of a building on a lot and a lot line.

SHALL: When used in this Ordinance means mandatory.

SIGN: Any letters, figures, design, symbol, trademark, or illuminating device intended to attract attention to any place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever and painted, printed, or constructed and displayed in any manner whatsoever out of doors for advertising, identification, or announcement purposes.

SMALL WIND ENERGY CONVERSION SYSTEM: A wind energy conversion system consisting of a tower, a turbine, and associated control or conversion electronics that generates power for an individual property for the purpose of reducing on-site energy consumption with a Rated Nameplate Capacity of 25kW or less per tower. This includes, but is not limited to, storage, electrical collection and supply equipment, and transformers. Excess electrical power generated, and not presently needed for on-site use, may be utilized by the utility company. (Ord. 558, §1, 2009)

STREET: A general term denoting a public or private way for the purpose of vehicular travel. The term includes all facilities which normally occur within the right-of-way; it shall also include such other designation for a street as: a highway, thoroughfare, parkway, through way, road, pike, avenue, boulevard, lane, place, drive, courts, or as otherwise designated, but excluding any alley or a way for pedestrian use only.

STORAGE: The depositing of and keeping goods, wares, and merchandise in any structure, building, or lot.

STORY: That part of a building between a floor and the ceiling immediately above, not including a basement.

STRUCTURE: Anything constructed or erected with a fixed location on the ground excluding utility poles, lines, cables, and other transmission or distribution facilities of public utilities.

SUBDIVISION: A division of a lot, tract, parcel or other unit of land into three or more lots, plots, units, sites, or other subdivision of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, industrial, commercial or public uses. The word “subdivide” or any derivative thereof shall have reference to the term subdivision, including mobile home courts the creating of which constitutes a subdivision of land. (Ord. 274 §1 (part), 1979.)

TOWER HEIGHT: The total height above finished grade of the fixed portion of the tower, including the wind turbine blades. (Ord. 558, §1, 2009)

TURBINE: The parts of a wind system including the blades, generator and tail. The definition of a turbine includes both Horizontal Axis Wind Turbines (HAWT) and Vertical Axis Wind Turbines (VAWT). (Ord. 558, §1, 2009)

USE: The activity or purpose for which a lot and structures thereon is designed or intended to be occupied.

USE – NON-CONFORMING: Any use within a building or on a lot which does not conform with the provisions of this Ordinance for permitted uses, including lot size minimum, lot area per dwelling unit, or required off-street parking.

USE – PERMITTED: A use which is in compliance with the regulations of and allowed without a special permit in a zoning district.

USE – PRINCIPAL: The primary purpose for which lot is used, as opposed to subordinate accessory uses.

WAREHOUSES: A structure or part of a structure, used for storing goods as a commercial use or associated with a commercial use.

YARD: An open space not occupied or obstructed by any structure or portion of a structure, except fences as regulated and otherwise expressly provided for herein.

YARD – FRONT: A yard extending across the full width of the lot between the front lot line and the nearest line or point of the principal building.

YARD – REAR: A yard extending across the full width of the lot between the rear lot line and the nearest line or point of the principal building.

YARD – SIDE: A yard extending from the front yard to the rear yard between the side lot line and the nearest line or point of the building.

ZONING MAP: The official zoning district map or maps of the Town of Mills adopted by the Town Council, which shall be a part of this Ordinance together with all amendments subsequently adopted.

CHAPTER 17.08

ZONING DISTRICTS AND DISTRICT REGULATIONS

17.08.010

ESTABLISHMENT OF ZONING DISTRICTS

In order to carry out the provision of this Ordinance, the Town of Mills is hereby divided into zoning districts determined by the actual development conditions existing at the time of adoption of this Ordinance.

ZONING DISTRICT MAP AND BOUNDARIES, INTERPRETATION

The boundaries of the zoning districts are established as shown on the Town of Mills Zoning District Map. The zoning districts and boundaries are hereby adopted and established as shown on the Zoning District Map, together with all notations, references, data, district boundaries and other information thereof, and are made a part of this Ordinance by reference.

- A. The building official shall interpret the boundary locations upon request of any person in such instances as lack of detail, legibility or any uncertainty of the intended location of the district boundaries. Any person claiming grievance to such interpretation may appeal to the Town Council:
 - 1. Where district boundaries are so indicated that they are approximately parallel to the center lines of streets, the center lines of alleys, or the center lines of highways, such district boundaries shall be construed as being the center line of that street, alley, or highway.
 - 2. Where district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be such boundaries.
 - 3. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located at the railroad right-of-way line.
 - 4. Where the boundary of a district follows a stream, lake or other body of water, said boundary line shall be construed to be the center line of the stream, otherwise at the limit of the jurisdiction of the Town unless otherwise indicated.
 - 5. Where district boundaries are indicated as approximately following section lines, quarter section lines, quarter-quarter section lines or survey and claim lines, such lines shall be construed to be such boundaries.

- 6. Whenever any street, alley or other public way is vacated in the manner authorized by law, the ongoing district adjoining each side of such street, alley, or public way shall automatically extend to the center of such vacation and all area included in the vacation shall thereafter be subject to all regulations of the extended districts.

17.08.020

ZONING DISTRICTS

ESTABLISHED

The purpose of the Established Zoning Districts is to recognize that those areas of the Town which have developed over a period of years have a mix of uses and lot sizes, and that the regulations imposed by the Ordinance are intended to preserve and protect the established character of these neighborhoods.

APPLICATION

All platted lots which were platted on the date 170 days prior to the date of this Ordinance shall be zoned Established. Lots platted after this date shall be zoned Developing. Lots platted at this time, but not built upon, shall be zoned Established.

E-R ESTABLISHED RESIDENTIAL

INTENT: The intent of the Established Residential District is to allow a continued mix of single-family frame and mobile home residences on smaller lots as originally platted, in order to preserve the existing character of the District and allow for the best use of the platted lots.

E-B ESTABLISHED BUSINESS

INTENT: The intent of the Established Business District is to provide for continued highest and best use of the existing lots in the Town having a commercial or business use.

E-I ESTABLISHED INDUSTRIAL

INTENT: The intent of the Established Industrial District is to provide for continued highest and best use of the existing lots in Town having an industrial use.

DEVELOPING

INTENT: The intent of the Developing Zoning District is to establish regulation of land uses in areas changing from vacant or rural to urban with an increase in the intensity of land use in order to provide for safe and efficient use of the land.

D-R DEVELOPING RESIDENTIAL

INTENT: The intent of the Developing Residential District is to provide for a predominantly single-family residential area with clustered multi-family residential development allowed by special permit.

D-MH DEVELOPING MOBILE-HOME-SINGLE LOT OR MOBILE HOME PARK

INTENT: The intent of the Developing Mobile Home District is to provide for neighborhoods of single lot mobile homes and to provide for development of Mobile Home Parks.

D-B DEVELOPING BUSINESS

INTENT: The intent of the Developing Business District is to provide for areas of business and commercial uses which are conducive to commercial development.

D-I DEVELOPING INDUSTRIAL

INTENT: The intent of the Developing Industrial District is to provide for large areas suitable for industrial development and industrial parks.

MSR MIXED SIZE RESIDENTIAL

INTENT: The intent of the Mixed Size Residential district is to provide different building lot sizes within the same subdivision to allow the developer flexibility to provide different size single family dwelling units in a residential area.

UA URBAN AGRICULTURE

INTENT: The intent of the Urban Agriculture District is to provide for large areas suitable for residential areas that feature an agricultural character, and which allow for the keeping of Livestock as otherwise defined in these ordinances.

UR URBAN AGRICULTURE RESIDENTIAL

INTENT: The intent of the Urban Residential District is to establish and protect a low to medium residential neighborhood. Mobile homes are not allowed. This designation provides for stable and attractive suburban residential neighborhoods that have a full range of public services and facilities. To complement the primary residential nature of these zones, some nonresidential uses are allowed.

GENERAL DISTRICTS

PLI PUBLIC LAND-INSTITUTIONS

INTENT: The intent of the Public Land-Institutions District is to provide for major public land areas and major public and semi-public institutional uses, including existing land reserves for future public and institutional use; and preservation of publicly established historical sites.

PUD PLANNED UNIT DEVELOPMENT

INTENT: The intent of the Planned Unit Development District is to encourage flexibility of development of land in order to promote its most appropriate use; to improve the design, character, and quality of new development; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic features of open areas.

The Planned Unit District is applicable to any property within the Town which fits the requirements of the intent and scope of the Planned Unit Development section of this Ordinance.

MU MIXED USE

The intent of the MU district is to establish and maintain a quiet, medium to high density residential/ commercial neighborhood, preserving and promoting the existence of a sufficient amount of open space, a mix of housing and employment opportunities, and access to recreational sites and transportation corridors. This district shall be free from other new uses except those which are compatible with the purpose of such a district.

17.08.030

DISTRICTS – PERMITTED USES

To facilitate public understanding of this Ordinance and for the better administration and convenience of use thereof, the following schedule of “uses allowed by right,” “uses permitted by special review,” and “bulk requirements,” regulations for the various zoning districts is hereby adopted and declared to be a part of this Ordinance and may be amended in the same manner as any other part of this Ordinance.

- A. Uses. In each zoning district, any use category not expressly permitted shall be deemed excluded. If a question arises as to whether a specific use does or does not come within the following expressed use categories, any person may apply to the Town Council for a determination as to whether a specific use is expressly permitted.

17.08.030
PERMITTED USES

PERMITTED USES
RESIDENTIAL DISTRICTS

- A USE ALLOWED BY RIGHT
- USE PERMITTED BY SPECIAL
- S REVIEW
- * USE PROHIBITED

| | | RESIDENTIAL | | | | | |
|-----|---|-------------|------------|-----------------|----------------------------|----------------------|----------------------|
| | | ESTABLISHED | DEVELOPING | MIXED -SIZED | DEVELOPING MOBILE HOMES | URBAN RESIDENTIAL | URBAN AGRICULTURE |
| | | E-R | D-R | MSR | D-MH | UR | UA |
| 1. | SINGLE-UNIT FRAME DWELLINGS: | A | A | A | * | A | A |
| 2. | SINGLE MOBILE HOME: | A | * | * | A | * | S |
| 3. | MOBILE HOME PARKS | * | * | * | S | S | S |
| 4. | MULTI-UNIT DWELLINGS: | S | S | S | * | S | S |
| 5. | DAY CARE SCHOOLS, CENTERS, AND CHILDREN'S NURSERIES: | S | S | S | S | A | S |
| 6. | REST HOMES, CONVALESCENT HOMES, NURSING HOMES, AND RETIREMENT HOMES: | S | S | S | * | S | S |
| 7. | HOME OCCUPATIONS: | A | A | A | A | A | A |
| 8. | PUBLIC ELEMENTARY, JUNIOR AND SENIOR HIGH SCHOOLS: | S | S | S | S | A | A |
| 9. | PAROCHIAL OR INDEPENDENT, PRIVATE ELEMENTARY, JUNIOR AND SENIOR HIGH SCHOOLS: | S | S | S | S | A | A |
| 10. | CHURCHES: | S | S | S | S | A | A |
| 11. | PUBLIC PARKS, PLAYFIELDS, PLAYGROUNDS AND GOLF COURSES | A | A | S | A | A | A |
| 12. | RECREATIONAL BUILDINGS AND USES-OPERATED BY A PRIVATE, NON-PROFIT AGENCY: | S | S | S | S | A | A |
| 13. | ESSENTIAL MUNICIPAL AND PUBLIC UTILITY USES, FACILITIES, SERVICES AND BUILDINGS-EXCLUDING BUSINESS OFFICES, REPAIR STORAGE AND PRODUCTION FACILITIES: | S | S | S | S | A | A |

| | | | | | | | |
|-----|----------------------------------|---|---|---|---|---|---|
| 14. | ACCESSORY BUILDINGS AND USES: | A | A | A | A | A | A |
|-----|----------------------------------|---|---|---|---|---|---|

17.08.030 (Continued)
PERMITTED USES

BUSINESS AND INDUSTRIAL DISTRICTS

- A USE ALLOWED BY RIGHT
- S USE PERMITTED BY SPECIAL REVIEW
- * USE PROHIBITED

| | | |
|--|------------------------------|------------------------------|
| | <u>BUSINESS</u> | <u>INDUSTRIAL</u> |
| | ESTABLISHED DEVELOPING | ESTABLISHED DEVELOPING |
| | E-B D-B | E-I D-I |

| | | | | | |
|-----------|--|----------|----------|---|---|
| 1. | OFFICES - INCLUDING PROFESSIONAL FINANCE, INSURANCE AND OTHER SERVICES: | A | A | S | S |
| 2. | RETAIL OUTLETS - INCLUDING, BUT NOT LIMITED TO: SUPERMARKETS, VARIETY, SPORTING GOODS, HARDWARE OR RADIO AND TELEVISION STORES, DEPARTMENT STORES, MAJOR COMPARISON GOODS STORES, OR FURNITURE WAREHOUSE STORES: | A | A | S | S |
| <u>3.</u> | <u>MOBILE HOME PARKS: (Ord. 534, 2007)</u> | <u>A</u> | <u>A</u> | S | S |
| <u>4.</u> | <u>RV PARKS: (Ord. 534, 2007)</u> | <u>A</u> | <u>A</u> | * | * |
| 5. | PERSONAL SERVICE OUTLETS - INCLUDING, BUT NOT LIMITED TO: BARBER AND BEAUTY SHOPS, SHOE REPAIR SHOPS, SELF-SERVICE LAUNDRIES, DRY CLEANING OUTLETS, TRAVEL AGENCIES AND PHOTOGRAPHIC STUDIOS: | A | A | S | S |
| 6. | MOTELS, HOTELS - INCLUDING NEWSSTANDS, GIFT SHOPS AND SIMILAR INCIDENTAL USES CONDUCTED ENTIRELY WITHIN THE PRINCIPAL BUILDING: | A | A | S | S |
| 7. | MEDICAL AND DENTAL CLINICS: | A | A | S | S |
| 8. | EATING AND DRINKING ESTABLISHMENTS: | A | A | A | * |
| 9. | BANKS AND FINANCIAL INSTITUTIONS: | A | A | S | S |
| 10. | AUTOMOBILE SERVICE AND REPAIR STATIONS: | A | A | A | A |
| 11. | INDOOR AMUSEMENT AND ENTERTAINMENT ESTABLISHMENTS: | A | A | S | S |
| 12. | DAY CARE: | S | S | S | S |
| 13. | RECYCLING CENTERS: (Ord. 400, 1992) | S | S | S | S |

17.08.030 (Continued)
PERMITTED USES

BUSINESS AND INDUSTRIAL DISTRICTS

A USE ALLOWED BY RIGHT
 S USE PERMITTED BY SPECIAL REVIEW
 * USE PROHIBITED

| | | | | |
|--|-----------------|------------|-------------------|------------|
| | <u>BUSINESS</u> | | <u>INDUSTRIAL</u> | |
| | ESTABLISHED | DEVELOPING | ESTABLISHED | DEVELOPING |
| | E-B | D-B | E-I | D-I |

| | | | | | |
|-----|---|----------|----------|----------|----------|
| 14. | SECURITY QUARTERS: APARTMENTS, AS A PART OF THE MAIN STRUCTURE, OR MOBILE HOMES NECESSARY FOR SAFETY OR SECURITY REASONS IN CONJUNCTION WITH THE PRINCIPAL USE, LOCATED ON THE SAME LOT AS THE PRINCIPAL USE AND OCCUPIED ONLY BY PERSONS RESPONSIBLE FOR SECURITY OF THE PRINCIPAL USE AND ON THE PAYROLL OF THE INDUSTRY OR BUSINESS CONDUCTING THE PRINCIPAL USE. A MOBILE HOME MAY BE LOCATED WHERE PERMITTED BY THE TOWN AS SECURITY QUARTERS IN AN INDUSTRIAL DISTRICT (Ord. 351, 1983; <u>Ord. 561, 2009</u>) | <u>S</u> | <u>S</u> | <u>A</u> | <u>A</u> |
| 15. | BUSINESS USES - INCLUDING, BUT NOT LIMITED TO: DUPLICATING SERVICES, FURNITURE AND APPLIANCE REPAIR, PAINT STORES, RENTAL ESTABLISHMENTS, CAR WASHES, DISCOUNT STORES AND WHOLESALING SERVICES: | A | A | A | S |
| 16. | MORTUARIES AND FUNERAL CHAPELS | A | A | S | S |
| 17. | BOARDING AND ROOMING HOUSES AND DORMITORIES: | A | A | S | S |
| 18. | SALES, SERVICE AND STORAGE OF MOBILE HOMES, CAMPERS, BOATS, BICYCLES, MOTOR VEHICLES, MOTORIZED EQUIPMENT, AND ACCESSORIES FOR SUCH VEHICLES, BUT NOT INCLUDING JUNK YARDS. <u>A SIX-FOOT PRIVACY FENCE AT LEAST 75% OPAQUE MUST BE INSTALLED FOR SERVICE AND STORAGE AREAS.</u> (Ord. 556, 2009) | A | A | <u>A</u> | S |

17.08.030 (Continued)
PERMITTED USES

BUSINESS AND INDUSTRIAL DISTRICTS

- A USE ALLOWED BY RIGHT
- S USE PERMITTED BY SPECIAL REVIEW
- * USE PROHIBITED

| | | <u>BUSINESS</u> | | <u>INDUSTRIAL</u> | |
|-----|--|-----------------|------------|-------------------|------------|
| | | ESTABLISHED | DEVELOPING | ESTABLISHED | DEVELOPING |
| | | E-B | D-B | E-I | D-I |
| 19. | NON RETAIL, HEAVY COMMERCIAL/ LIGHT INDUSTRIAL USES INCLUDING, BUT NOT LIMITED TO: NURSERY STOCK, PRODUCTION AND SALES, YARD EQUIPMENT AND SUPPLY DEALERS, FIREWOOD OPERATIONS, BUILDING CONTRACTORS AND EQUIPMENT, TRANSPORTATION CENTERS, SERVICE GARAGES, TRUCKING SERVICES, DISPOSAL TRUCK STORAGE, WAREHOUSES, WHOLE-SALE OPERATIONS, HOUSEHOLD EQUIPMENT AND APPLIANCE REPAIR, ANIMAL HOSPITALS, KENNELS, BULK CLEANING AND LAUNDRY PLANTS, PRINTING SERVICES, ELECTRICAL, PLUMBING AND HEATING, ROOFING, OTHER CONSTRUCTION CONTRACTORS, COLD STORAGE LOCKERS, LUMBER DEALERS AND YARDS - PROVIDED ADEQUATE SAFEGUARDS ARE TAKEN TO PROTECT ADJOINING PROPERTIES FROM OBJECTIONABLE OR HARMFUL SUBSTANCES, CONDITIONS, OR OPERATIONS: | S | S | A | A |
| 20. | PAWN SHOPS: (Ord. 406 §2, 1992) | S | S | S | S |
| 21. | MOTOR VEHICLE SALES: (Ord. 406, 1992) | S | S | S | S |
| 22. | RESEARCH FACILITIES, TESTING LABORATORIES, AND FACILITIES FOR THE MANUFACTURING FABRICATION, PROCESSING OR ASSEMBLY OF PRODUCTS PROVIDED THAT NO EFFECTS FROM NOISE, SMOKE, GLARE, VIBRATION, FUMES OR OTHER ENVIRONMENTAL FACTORS ARE MEASURABLE AT THE PROPERTY LINE. | S | S | A | A |
| 23. | HEAVY INDUSTRIES: ASPHALT, CONCRETE JUNK YARDS, EXPLOSIVES REFINERIES, CREOSOTE, GYPSUM, ROCK QUARRYING, AND ROCK CRUSHING PROVIDED ADEQUATE SAFEGUARDS ARE TAKEN TO PROTECT ADJOINING PROPERTIES FROM OBJECTIONABLE OR HARMFUL SUBSTANCES, CONDITIONS, OR OPERATIONS. | S | S | S | S |

17.08.030 (Continued)
PERMITTED USES

BUSINESS AND INDUSTRIAL DISTRICTS

A USE ALLOWED BY RIGHT
S USE PERMITTED BY SPECIAL REVIEW
* USE PROHIBITED

BUSINESS **INDUSTRIAL**
ESTABLISHED DEVELOPING ESTABLISHED DEVELOPING
E-B D-B E-I D-I

| | | E-B | D-B | E-I | D-I |
|-----|---|-----|-----|-----|-----|
| 24. | VOCATIONAL, BUSINESS AND PRIVATE SCHOOLS, EXCLUSIVE OF DORMITORIES IN INDUSTRIAL DISTRICTS. | A | A | A | A |
| 25. | CHURCHES: | A | A | S | S |
| 26. | PUBLIC PARKS, PLAYFIELDS AND PLAYGROUNDS: | A | A | S | S |
| 27. | ESSENTIAL MUNICIPAL AND PUBLIC UTILITY USES, FACILITIES, SERVICES AND BUILDINGS: | A | A | A | A |
| 28. | APARTMENT BUILDINGS | S | S | S | S |
| 29. | ACCESSORY BUILDINGS AND USES; | A | A | A | A |

17.08.030 (Continued)
PERMITTED USES
PUBLIC LAND - INSTITUTIONS

A USE ALLOWED BY RIGHT
S USE PERMITTED BY SPECIAL REVIEW
* USE PROHIBITED

PLI

| 1. | PUBLICLY ESTABLISHED HISTORICAL SITES AND BUILDINGS: | A |
|----|--|---|
| 2. | MUNICIPAL, COUNTY, STATE AND FEDERAL USES, FACILITIES, SERVICES AND BUILDINGS: | A |
| 3. | PUBLIC COLLEGES AND UNIVERSITIES: | A |
| 4. | HOSPITALS: | A |
| 5. | PARKS, PLAYFIELDS, PLAYGROUNDS AND GOLF COURSES OPERATED BY A PUBLIC AGENCY: | A |

| | | |
|----|---|---|
| 6. | CEMETERIES: | A |
| 7. | ESSENTIAL PUBLIC UTILITY USES, FACILITIES SERVICES AND BUILDINGS: | A |
| 8. | CHURCHES: | S |
| 9. | ACCESSORY BUILDINGS AND USES: | A |

SUPPLEMENTARY BULK AND AREA REQUIREMENTS

- A. No part of a yard required for a building or lot for the purpose of complying with the provisions of this Ordinance shall be included as a yard for another building or lot.
- B. Cornices, eaves, and other similar architectural features may extend into a required yard not more than two feet.
- C. Open, unenclosed porches at ground level may extend into a required yard not more than six feet.
- D. The side yard on the street side of a reverse corner lot shall be not less than the required front yard for the district in which the lot is located.

17.08.030 (Continued)
PERMITTED USES
MU – MIXED USE

- A USE ALLOWED BY RIGHT
- S USE PERMITTED BY SPECIAL REVIEW
- * USE PROHIBITED

| | | |
|----|---|---|
| 1. | Multifamily dwellings | A |
| 2. | Condominiums for residential use | A |
| 3. | Churches | A |
| 4. | Day care, adult | S |
| 5. | Family childcare home | S |
| 6. | Group homes | S |
| 7. | Nursing homes | S |
| 8. | Parks, playgrounds, historical sites, golf courses, | A |

| | | |
|-----|--|---|
| | and other similar recreational facilities operated and used during daylight hours | |
| 9. | Townhouses | A |
| 10. | Neighborhood assembly uses | A |
| 11. | Commercial and public parking lots | A |
| 12. | Personal service shops | A |
| 13. | Professional offices | A |
| 14. | Convenience establishments | A |
| 15. | Coffee shops, cafes and restaurants without drive-up windows | A |
| 16. | Public utility and public service installations and facilities, excluding business offices and repair and storage facilities | A |
| 17. | Sundry shops and specialty shops | A |
| 18. | Wireless and broadcast communication facilities | S |
| 19. | Motel/ Hotel | S |
| 20. | Hospital | S |
| 21. | Other uses compatible with this district, as determined by the Council. | A |

**SECTION 17.08.040 ZONING DISTRICT MINIMUM LOT REQUIREMENTS
(RESIDENTIAL)**

| DISTRICT REGULATIONS | E-R Established Residential | D-R Developing Residential | MSR Mixed Size Residential | UAR Urban Ag. Residential | UA Urban Agriculture | D-MH Developing Mobile Home Park | PUD Planned Unit Development |
|---|--|--|--|--|-------------------------------------|--|--|
| MINIMUM LOT AREA | 5,600 SQUARE FEET | 6,000 PLUS 2,000 PER UNIT THREE OR MORE | 4,200 SQUARE FEET | ONE HALF ACRE | TWO ACRE | 4,000 SQUARE FEET PER SPACE | Min. Requirements Outlined in Sec. 17.08.050 |
| MINIMUM LOT WIDTH | 40 FEET | 60 FEET | 42 FEET | NONE | NONE | 40 FEET | |
| FRONT YARD SETBACK | 20 FEET | 20 FEET | 20 FEET | 25 FEET | 30 FEET | 20 FEET | |
| REAR YARD SETBACK | 15 FEET | 25 FEET | 15 FEET | 20 FEET | 30 FEET | 10 FEET | |
| SIDE YARD SETBACK | 5 FEET | 5 FEET | 5 FEET | 10 FEET | 20 FEET | 7.5 FEET | |
| CORNER SIDE YARD SETBACK | 15 FEET | 15 FEET | 15 FEET | 20 FEET | 20 FEET | 15 FEET | |
| SIDE YARD ADJOINING RES. DISTRICT | - | - | - | N/A | N/A | 15 FEET | |
| MIN. DISTANCE BETWEEN BUILDINGS ON ADJACENT LOTS | 10 FEET | 10 FEET | 10 FEET | 20 FEET | 40 FEET | 15 FEET | |
| PRINCIPAL BLDG. HEIGHT LIMITATION | 3 STORIES MAX. 40' | 3 STORIES MAX. 40' | 3 STORIES MAX. 40' | 3 STORIES MAX. 40' | 3 STORIES MAX. 40' | 3 STORIES MAX. 40' | 3 STORIES MAX. 40' |
| GARAGE SETBACK | FRONT 25' REAR 5' SIDE 5' Door to Alley 10' | FRONT 25' REAR 5' SIDE 5' Door to Alley 10' | FRONT 25' REAR 5' SIDE 5' Door to Alley 10' | FRONT 30' REAR 20' SIDE 10' | FRONT 30' REAR 30' SIDE 20' | FRONT 25' REAR 5' SIDE 5' Door to Alley 10' | |

| | | | | | | | |
|--|---------------------------------|---------------------------------|---------------------------------|-----------------------------------|-----------------------------------|---------------------------------|----------------------------|
| ACCESSORY BUILDING SETBACK | FRONT 25' REAR 5' SIDE 5' | FRONT 25' REAR 5' SIDE 5' | FRONT 25' REAR 5' SIDE 5' | FRONT 30' REAR 20' SIDE 10' | FRONT 30' REAR 30' SIDE 20' | FRONT 25' REAR 5' SIDE 5' | |
| ACCESSORY BUILDING MAX. SIZE (Ord. 557, 2009) | <u>15% OF THE LOT AREA</u> | <u>15% OF THE LOT AREA</u> | <u>15% OF THE LOT AREA</u> | <u>15% OF THE LOT AREA</u> | <u>15% OF THE LOT AREA</u> | <u>15% OF THE LOT AREA</u> | <u>15% OF THE LOT AREA</u> |

**SECTION 17.08.040 ZONING DISTRICT MINIMUM LOT REQUIREMENTS
(BUSINESS / INDUSTRIAL)**

| DISTRICT REGULATIONS | E-B Established Business | D-B Developing Business | E-I Established Industrial | D-I Developing Industrial | I-P L Insti |
|--|---|--|--|---------------------------------|----------------|
| MINIMUM LOT AREA | 4,000 SQUARE FEET | 6,000 SQUARE FEET | 6,000 SQUARE FEET | 20,000 SQUARE FEET | N |
| MINIMUM LOT WIDTH | 40 FEET | 50 FEET | 40 FEET | 100 FEET | N |
| FRONT YARD SETBACK | NONE | NONE | 20 FEET | 30 FEET | 25 |
| REAR YARD SETBACK | NONE | NONE | 10 FEET | 15 FEET | 25 |
| SIDE YARD SETBACK | NONE | NONE | 10 FEET | 15 FEET | 25 |
| CORNER SIDE YARD SETBACK | 5 FEET | 20 FEET | 20 FEET | 30 FEET | 25 |
| SIDE YARD ADJOINING RES. DISTRICT | 5 FEET | 15 FEET | 15 FEET | 50 FEET | 25 |
| MIN. DISTANCE BETWEEN BUILDINGS ON ADJACENT LOTS | 10 FEET | 10 FEET | 10 FEET | 30 FEET | |
| PRINCIPAL BLDG. HEIGHT LIMITATION | 3 STORIES MAX. 40' | 3 STORIES MAX. 40' | 3 STORIES MAX. 40' | 3 STORIES MAX. 40' | 3 ST MA |
| GARAGE SETBACK | FRONT 25' REAR 5' SIDE 5' Door to Alley 10' | FRONT 25' REAR 5' SIDE 5' Door to Alley 10' | FRONT 25' REAR 5' SIDE 5' Door to Alley 10' | FRONT 25' REAR 5' SIDE 5' | FRC RE S |

| | | | | Door to Alley 10' | D | | | | | | | | | | | | | | | | |
|---|---|---------------------------|---------------------------|-----------------------------|--|-------------------|---|--------------------|------|-------------------|---------|-------------------|--------|--------------------------|---------|-----------------------------------|--------|------------------------------------|------------------------------------|------------------------------------|------------------------------------|
| ACCESSORY BUILDING SETBACK | FRONT 25' REAR 5' SIDE 5' | FRONT 25' REAR 5' SIDE 5' | FRONT 25' REAR 5' SIDE 5' | FRONT 30' REAR 20' SIDE 10' | FRONT 30' REAR 20' SIDE 10' | | | | | | | | | | | | | | | | |
| ACCESSORY BUILDING MAX. SIZE <i>(Ord. 557, 2009)</i> | <p style="text-align: center;"><u>20'</u> <i>HIGHEST</i></p> <p style="text-align: center;">SECTION 17.08.040 ZONING DISTRICT MINIMUM LOT REQUIREMENTS <i>(BUSINESS / INDUSTRIAL)</i></p> <table border="1"> <thead> <tr> <th>DISTRICT REGULATIONS</th> <th>MU MIXED USE</th> </tr> </thead> <tbody> <tr> <td>MINIMUM LOT AREA</td> <td>4,000 SQUARE FEET EXCEPT MULTIFAMILY DWELLINGS, CONDOMINIUMS, TOWNHOUSES OVER THREE OR MORE UNITS SHALL HAVE A MINIMUM OF ONE THOUSAND FIVE HUNDRED SQUARE FEET PER DWELLING UNIT.</td> </tr> <tr> <td>MINIMUM LOT WIDTH</td> <td>40 FEET; 20 FEET PER INDIVIDUAL TOWNHOUSE/CONDOMINIUM UNIT.</td> </tr> <tr> <td>FRONT YARD SETBACK</td> <td>NONE</td> </tr> <tr> <td>REAR YARD SETBACK</td> <td>10 FEET</td> </tr> <tr> <td>SIDE YARD SETBACK</td> <td>5 FEET</td> </tr> <tr> <td>CORNER SIDE YARD SETBACK</td> <td>15 FEET</td> </tr> <tr> <td>SIDE YARD ADJOINING RES. DISTRICT</td> <td>5 FEET</td> </tr> </tbody> </table> | DISTRICT REGULATIONS | MU MIXED USE | MINIMUM LOT AREA | 4,000 SQUARE FEET EXCEPT MULTIFAMILY DWELLINGS, CONDOMINIUMS, TOWNHOUSES OVER THREE OR MORE UNITS SHALL HAVE A MINIMUM OF ONE THOUSAND FIVE HUNDRED SQUARE FEET PER DWELLING UNIT. | MINIMUM LOT WIDTH | 40 FEET; 20 FEET PER INDIVIDUAL TOWNHOUSE/CONDOMINIUM UNIT. | FRONT YARD SETBACK | NONE | REAR YARD SETBACK | 10 FEET | SIDE YARD SETBACK | 5 FEET | CORNER SIDE YARD SETBACK | 15 FEET | SIDE YARD ADJOINING RES. DISTRICT | 5 FEET | <u>20'</u> <i>HIGHEST POINT</i> | <u>20'</u> <i>HIGHEST POINT</i> | <u>20'</u> <i>HIGHEST POINT</i> | <u>20'</u> <i>HIGHEST POINT</i> |
| DISTRICT REGULATIONS | MU MIXED USE | | | | | | | | | | | | | | | | | | | | |
| MINIMUM LOT AREA | 4,000 SQUARE FEET EXCEPT MULTIFAMILY DWELLINGS, CONDOMINIUMS, TOWNHOUSES OVER THREE OR MORE UNITS SHALL HAVE A MINIMUM OF ONE THOUSAND FIVE HUNDRED SQUARE FEET PER DWELLING UNIT. | | | | | | | | | | | | | | | | | | | | |
| MINIMUM LOT WIDTH | 40 FEET; 20 FEET PER INDIVIDUAL TOWNHOUSE/CONDOMINIUM UNIT. | | | | | | | | | | | | | | | | | | | | |
| FRONT YARD SETBACK | NONE | | | | | | | | | | | | | | | | | | | | |
| REAR YARD SETBACK | 10 FEET | | | | | | | | | | | | | | | | | | | | |
| SIDE YARD SETBACK | 5 FEET | | | | | | | | | | | | | | | | | | | | |
| CORNER SIDE YARD SETBACK | 15 FEET | | | | | | | | | | | | | | | | | | | | |
| SIDE YARD ADJOINING RES. DISTRICT | 5 FEET | | | | | | | | | | | | | | | | | | | | |

| | | | | | |
|--|---|--|--|--|--|
| <p>MIN. DISTANCE BETWEEN BUILDINGS ON ADJACENT LOTS</p> | <p>10 FEET</p> | | | | |
| <p>PRINCIPAL BLDG. HEIGHT LIMITATION</p> | <p>3 STORIES MAX. 40'</p> | | | | |
| <p>GARAGE SETBACK</p> | <p>FRONT 25' REAR 10' SIDE 5'</p> | | | | |
| <p>ACCESSORY BUILDING SETBACK</p> | <p>FRONT 25' REAR 5' SIDE 5'</p> | | | | |
| <p>ACCESSORY BUILDING MAX. SIZE <i>(Ord. 557, 2009)</i></p> | <p><u>20'</u> <u>HIGHEST</u> <u>POINT</u></p> | | | | |
| <p>A. Lots on Cul-de-sacs. Six lots shall be the maximum number of lots permitted on a cul-de-sac with a radius of fifty feet.</p> <p>B. Maximum Density. Seventeen residential dwelling units per acre; twelve office units per acre.</p> <p style="text-align: center;"><i>POINT</i></p> | | | | | |

17.08.045
MOBILE HOMES

17.08.045 (a) INTENT

It is deemed necessary for the preservation of the safety, health, life, and general welfare of the residents of the Town of Mills that regulations be established governing the location of manufactured, modular, and mobile homes within the Town to provide adequate minimum area requirements, utilities, wind protection and inspections thereof;

17.08.045 (b) CERTIFICATION.

Any manufactured (mobile) home, located or proposed to be located or installed in a manufactured (mobile) home park or on a subdivided lot, shall bear a label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards. For manufactured (mobile) homes built prior to June 15, 1976, a label certifying compliance with the standard for manufactured homes (mobile), NFPA 501, ANSI 119.1, in effect at the time of manufacture is required before any such home may be located or installed with the Town (Ord. 503, §1, 2004)

17.08.045 (c) STANDARDS GOVERNING ALL MOBILE HOME LOCATIONS

It is unlawful within the Town of Mills for any persons to place or park any manufactured or mobile home on any street, alley, highway or other public place, or on any tract of land owned by any person, firm, or corporation, occupied or unoccupied, except as provided in this Ordinance.

All manufactured and mobile homes located in the Town of Mills shall be located to comply with all of the following minimum standards:

1. The manufactured or mobile home is:
 - a. Newer than twenty (20) years old as measured from the date of proposed installation, location or relocation, and built according to the standards established by the United States Department of Housing and Urban Development (HUD) under the “National Manufactured Housing Construction and Safety Standards Act of 1974,” 42 U.S.C. 5401, et seq., as amended (currently codified at 24 C.F.R. 3280) in effect at the time of manufacture and bearing certification to that effect (“Applicable HUD Standards”) and is certified for the appropriate wind, thermal and roof standards for Wyoming ; or
 - b. The manufactured or mobile home is twenty (20) years or older, as measured from the date of proposed installation, location or relocation, and has been

issued a building permit and specific approval to be installed, located, or relocated by the Town of Mills Code Enforcement Officer (“CEO”). The CEO shall inspect all 20-year and older manufactured and mobile homes in conformance with the installation, location and relocation criteria found in this Ordinance. No manufactured or mobile home shall be installed, located, or relocated that does not meet the Applicable HUD Standards in effect at the time the home was manufactured, or that does not meet minimum criteria of this Ordinance.

2. Each manufactured or mobile home must be supported on pins or blocking constructed of masonry, block, brick, or concrete. Installation instructions as provided by the manufacturer of the manufactured or mobile home shall be deemed a typical blocking installation. Any foundation system design, other than typical blocking, shall be stamped and signed by a Wyoming licensed professional engineer.
3. Each manufactured or mobile home shall be skirted with a waterproof, rigid, durable skirting material within 30 days of placement.
4. Each manufactured or mobile home shall be equipped so as to permit access to utility connections. All skirting shall be provided with a door or panel to permit ready access to utility connections.
5. Each manufactured or mobile home shall be anchored with tie downs meeting the minimum standards as set forth in Section 15.16.190 of the Mills Municipal Code or their equivalent.
6. All water, sewer, electrical and natural gas connections shall be inspected and approved by the supplying utility prior to use.
7. The manufactured or mobile home meets the minimum standards for fire safety and protection in conformance with the applicable HUD standards at the time of original construction or as established by the Wyoming State Fire Marshall.
8. All appurtenant construction such as decks, walks, steps, handrails, sheds, accessory buildings, and other similar construction is subject to the applicable building code regulations adopted by the Town.
9. A minimum of two 10’ x 20’ off-street parking spaces must be provided for each manufactured or mobile home on the same lot or lots on which the mobile home is located. If off-street parking for a non-conforming manufactured or mobile home, as defined below, is provided between the dedicated street or right-of-way and the non-conforming mobile home, then the distance between the dedicated street or right-of-way and the hitch, or wall if there is no hitch, of the non-conforming mobile home must be at least 20 feet.

10. No non-conforming manufactured or mobile home, as defined below, shall be located within 10 feet of any dedicated alley right-of-way line, and the 10-foot setback area shall not be used for off-street parking.
11. No manufactured or mobile home shall be moved, located, or relocated within the Town of Mills without having first secured a written permit for the movement, location, or relocation of said manufactured or mobile home from the Town of Mills Building Official.

17.08.045 (d) LOCATION OF MANUFACTURED AND MOBILE HOMES RESTRICTED

No manufactured or mobile home shall be located, placed, or installed at any location within the Town of Mills except as follows:

1. A single manufactured or mobile home, if it is the only principal building on a single lot of record, may be located in an Established Residential (E-R) District or in a Developing Mobile Home District – Single Lot District (D-MH), if the location of the mobile home meets all other requirements of the District.
2. A manufactured or mobile home may be located in an established mobile home park provided the established mobile home park meets all licensing requirements and all other applicable regulations and codes.
3. A manufactured or mobile home may be located in a developing mobile home park in a Developing Mobile Home District (D-MH).
4. A manufactured or mobile home may be located where permitted by the Town as security quarters in an Industrial District as provided for in Section 17.08.030 of the Mills Municipal Code.
5. No manufactured or mobile home shall be located within 10 feet of any other building on the same or adjacent lot.
6. Manufactured or mobile homes shall not be allowed, permitted or used for an accessory purpose or as a storage building after the effective date of this Ordinance. Those manufactured or mobile homes utilized as accessory structures or for storage prior to the effective date of this Ordinance shall be deemed legal non-conforming uses and permitted to continue until such time as the use of those structures are discontinued for 180 days.

17.08.045 (e) INSPECTION AND PERMITTING REQUIREMENTS

No manufactured or mobile home located within the Town of Mills shall be permanently occupied unless inspected by the Town Code Enforcement Officer or designated Town Inspector except in conformance with the following inspection/permitting requirements:

1. A manufactured or mobile home shall not be installed, located or relocated within the Town of Mills without the issuance of a building permit from the Town of Mills. Building permits for additions, alterations, modifications or any physical change to a manufactured or mobile home are required regardless of location.
2. The Code Enforcement Officer has the authority to inspect all new, installed, located, and relocated manufactured and mobile homes for compliance with the provisions of this Ordinance.
3. After the effective date of this Ordinance, no person shall occupy any new or relocated manufactured or mobile home nor permit any other persons to occupy the same unless the manufactured or mobile home has been installed, located, or relocated in compliance with this Ordinance or is a legal non-conforming use under this Ordinance.

17.08.045 (f) AUTHORITY OF THE CODE ENFORCEMENT OFFICER

In addition to any other enforcement powers that the Code Enforcement Officer may have, the Code Enforcement Officer may issue a written order to any person to:

1. Immediately cease and desist any work or activity to install, locate, or relocate any manufactured or mobile home in violation of this Ordinance; or
2. Immediately cease and desist from the use or occupancy of any manufactured or mobile home installed, located, or relocated in violation of this Ordinance. Such written order shall constitute an administrative action which may be appealed to the Mills Town Council as a contested case within thirty (30) days of the written order.

17.08.045 (g) INSPECTION CRITERIA FOR MANUFACTURED HOMES OLDER THAN 20 YEARS

All manufactured and mobile homes 20 years and older as measured from the date of proposed installation must be inspected by the Town of Mills Code Enforcement Officer prior to moving, locating, relocating or installation and a building permit application must be provided to the Town of Mills. No such manufactured or mobile home may be occupied prior to the issuance of a building permit and payment of appropriate fees. Each such manufactured or mobile home shall be inspected for compliance with the following minimum criteria before a building permit will be issued.

1. All electrical wiring shall be in compliance with the applicable codes in place at the time the building was manufactured. Any new, altered, modified or replaced wiring shall be in compliance with the current, adopted version of the National Electrical Code.
2. Shall have appropriate operational fire alarms installed.

3. All floors shall be solid and stable. Any penetrations of the floor shall be sealed.
4. All roofs shall be solid and stable without any sag.
5. No evidence of significant wood rot or mold shall exist.
6. The exterior of the building shall be properly maintained and painted.
7. Any additions, modifications, or alterations to the building shall have been constructed with appropriate building permits.
8. The manufactured or mobile home maintains the same structural integrity as it did when it was manufactured.
9. No broken windows.
10. All HVAC systems shall be working and installed in accordance with the regulations in place at the time the building was manufactured. All new installations shall be in conformance with the most recent adopted edition of International Building Codes.
11. Must have proof that the manufactured or mobile home meets the established thermal, wind and roof load requirements for Wyoming.
12. Manufactured or mobile homes not meeting these criteria shall be either left in place and considered a non-conforming structure, be moved or relocated outside of the Town of Mills or be repaired to meet the criteria. The level of repair needed may differ widely from home to home. The CEO shall determine if the repairs are minor or major. For those repairs determined to be minor, the repairs may be made without a building permit. For those homes that are determined to require major repairs, a building permit must be issued for those repairs. All repairs and construction shall be in conformance with the International Building Codes as adopted. The CEO may permit a manufactured or mobile home needing repairs to be relocated provided a building permit has been issued for the repairs. The CEO may require surety from the applicant to cover the cost of removing the manufactured or mobile home from the Town of Mills if repairs are not completed. All repairs must be completed within six months of the building permit issuance and prior to any occupancy of the repaired structure. Failure of the applicant to complete repairs in the designated time will constitute a violation of this Ordinance. The Town of Mills may utilize the surety to cause the manufactured or mobile home to be removed from the Town of Mills as a result of a violation. All repaired manufactured or mobile homes must pass a final inspection by the CEO prior to being moved, located, relocated or installed in the Town of Mills.

17.08.045 (h) NON-CONFORMING USES AND NON-CONFORMING STRUCTURES

1. Non-conforming manufactured or mobile homes legally located within the Town of Mills on the effective date of this Ordinance and in use for residential purpose may continue at that certain location and continue to be utilized for residential purpose. The non-conforming manufactured or mobile home may not be relocated to any other property unless it has been inspected and brought into conformance with this Ordinance and issued a building permit. At such time as any legal non-conforming manufactured or mobile home ceases to be utilized for residential purposes or is vacant for a period of 180 days, it must be removed from the property.

2. Manufactured and mobile homes located within the Town on the effective date of this Ordinance which have not been certified under the “National Manufactured Housing Construction and Safety Standards Act of 1974,” 42 U.S.C. 5401, et seq., as amended, are hereby declared legal non-conforming structures, but shall not be replaced by another manufactured or mobile home that is not in compliance with applicable HUD standards unless the replacement manufactured or mobile home has been inspected and brought into conformance with this Ordinance and issued a building permit. (Ord. 549, 2009)

17.08.050

MOBILE HOME PARKS

APPLICATION

Established

Any Mobile Home Park licensed by the Town and in operation on the Date of Adoption of this Ordinance shall continue operation in compliance with the requirements of the license as issued and shall be defined as “Established.”

Developing

Any Mobile Home Park as defined in Section 17.04.030, being licensed and in operation on the Date of Adoption must be licensed, developed and operated under the requirements of this Ordinance and shall:

- A. Be located on property zoned D-MHP;

- B. Comply with all of the requirements of the D-MHP District, Section 17.04.040 of this Ordinance; and

- C. Shall be licensed by the Town in accordance with this Ordinance.

Licensing

Definitions

Mobile Home, Mobile Home Park as defined in Section 17.04.030.

License required – Application – Transfer – Inspection

It shall be unlawful for any person to establish a mobile home park within the Town or to operate and maintain any such mobile home park without first obtaining a license for establishment or operation. The application for the license shall be filed with the Town Clerk and shall contain the following information:

- A. The name and address of the applicant;
- B. The legal description of the location of the proposed mobile home park;
- C. A complete site plan for the proposed park which complies with Section 17.16.010 of this Ordinance on Site Plan Contents;
- D. Information as may be requested by the Town’s inspecting officer to enable him to determine whether the park will be supplied with sanitation, fire prevention and other legal requirements of the Town;
- E. Blanks for the application of licenses with property space for insertion of the above required information shall be available at the office of the Town Clerk and shall be furnished upon request of any person wishing to apply for a license. Application for the license shall be accompanied by the license fee as established by ~~Ordinance~~ Resolution, and should be filed with the Town Clerk;
- F. The site plan shall be reviewed in accordance with Section 17.16.010, Special Review Permits, and a license shall be issued upon approval of the application;
- G. Revocation of license. The Town’s designated inspecting officer shall have authority to order the revocation or suspension of any license issued under the chapter when the licensee has been found guilty by the police magistrate of the Town of violating any provision of this chapter. Any license so revoked or suspended, may be restored or reinstated whenever the circumstances leading to the conviction have been remedied and the inspecting offer satisfied from all the facts and circumstances that the trailer coach park will thereafter be maintained and operated in full compliance with the law; (Ord. 140 §12, 1963.)
- H. Posting of license. The license certificate issued for operation of any trailer coach park shall be posted conspicuously in the office, or on the premises, of the park for which issued, at all times; (Ord. 140 §13, 1963.)
- I. Penalty for violation. Any person who shall violate any section or provision of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished as provided in

Section 1.01.115. Each day that a violation is permitted to continue in existence after expiration of the time allotted by the inspecting officer constitutes a separate offense; (Ord. 222 §2 (part), 1973; Ord. 140 §15, 1963.)

- J. **Service Building.** Service buildings may be maintained on the mobile home park site as approved on the site plan provided, they meet all applicable codes and ordinances and are for use of the tenants of the mobile home park only.

Camping Parks

Camping parks, designed as a commercial use for temporary lodging of travel trailers and campers shall be established and maintained as a special review use in the E-B and D-B Districts in compliance with Chapter 16, Town of Mills Code. Service building shall be provided in camping parks and shall include restrooms, showers, and dump stations. All service buildings shall comply with all applicable codes and ordinances.

17.08.065

MIXED SIZE RESIDENTIAL

INTENT

The intent of the Mixed Size Residential district is to provide different building lot sizes within the same subdivision to allow the developer flexibility to provide different size single family dwelling units in a residential area.

Chapter 17.08.070

AG URBAN AGRICULTURE

17.08.070(a) - Purpose.

The purpose of the AG district is to establish and preserve areas for semi-rural, low density residential, and related or compatible uses. It is also the intent to provide within this zone, an adequate amount of space for livestock and poultry, as is essential to meet appropriate health standards.

17.08.070(b) - Permitted uses.

In an AG district, no building, structure, or other land use shall be permitted or used except for the following:

1. The keeping and raising of food animals and pleasure animals; and the cultivation of gardens, orchards, and crops;
2. Conventional site-built single-family dwellings and manufactured homes with siding material consisting of wood or wood products, stucco, brick, rock, or horizontal lap wood, steel or vinyl siding;
3. Bed and breakfast;
4. Greenhouses and nurseries;
5. Parks, playgrounds, historical sites, golf courses, and other recreational facilities;
6. Tree farms, commercial;
7. Neighborhood assembly uses;
8. Church.

17.080.070(c) - Conditional uses.

The following shall be permitted as conditional uses within an AG district:

- A. Mortuaries;
- B. Kennels;
- D. Lighted recreational facilities;
- E. Personal service shops;
- F. Public utility and public service installations and facilities, excluding business offices and repair and storage facilities;
- G. Riding academies;
- H. Stables;
- I. Other agricultural and nonagricultural uses compatible with this district and as approved by the commission, with the exception of gaming/gambling uses as defined in this title;

17.08.070(c) - Minimum standards.

- A. Lot Area.
 1. Single-family dwellings, where public water and sewer are not provided, two acres;
 2. Single-family dwellings, where public water and sewer are provided, one acre;
- B. Yard requirements.
 1. Front and rear yard, thirty feet;
 2. Side yard, thirty feet;
- C. Space Requirements for Livestock. The following tables are the minimum standards for dry lot confinement and pasture for various classifications of livestock:
 1. Beef cattle: soil surfaced open shed floor area (dirt floor preferred), three hundred square feet for each cow or steer,

2. Horses, soil surfaced open shed floor area, dirt floor, three hundred square feet for each horse,
3. Chickens, controlled environment, two and one-half square feet for each chicken,
4. Sheep, lot soil, twenty-five square feet of open lot for each sheep,
5. Hogs, unsurfaced lot, one hundred square feet for each hog.

Chapter 17.08.080

UR URBAN AGRICULTURE RESIDENTIAL

17.08.080(a) - Purpose.

The purpose of the UR District is to establish and protect low to medium density residential neighborhood. Mobile homes are not allowed. No business usage is allowed. It is further intended that this district should be suitable for a municipality.

17.08.080(b) - Permitted uses.

In an UR district, no building, structure, or other land use shall be permitted or used except for the following:

1. Conventional site-built single-family dwellings, exclusive of mobile homes and exclusive of trailers.
2. Accessory residential uses, including home occupations.
3. Family Child Care Home.
4. Parks, playgrounds, historical sites, golf courses, and other recreational facilities;
5. Public utility facilities including substations and pumping stations
6. Accessory buildings and uses.
7. Neighborhood assembly uses;
8. Church.

17.080.080(c) - Conditional uses.

The following shall be permitted as conditional uses within an UR district:

1. Kennels;
2. Lighted recreational facilities;
3. Personal service shops;
4. Public utility and public service installations and facilities, excluding business offices and repair and storage facilities;
5. Accessory Apartments

17.08.080(d) - Minimum standards.

A. Lot Area.

Single-family dwellings, where public water and sewer are provided, one half acre;

B. Yard requirements.

1. Front yard, twenty-five feet;
2. Rear yard, twenty feet;
3. Side yard, 10 feet;

C. Livestock not permitted

Chapter 17.08.090

TWIN HOMES

Section 17.08.090(a) – Definitions, is hereby amended by adding the following:

Twin Homes: A single family dwelling attached to one other single family dwelling by a common wall, each of which is located on an individually owned, and separately platted subdivision lot, and sharing one common lot line.

Section 17.080.090(b) – Permitted Uses (Residential Districts), is hereby amended by including the following (underlined text will be added to the existing text):

| | | | |
|---|---------------------------------|-------------|--------------------|
| A | USE ALLOWED BY RIGHT | RESIDENTIAL | |
| S | USE PERMITTED BY SPECIAL REVIEW | | |
| * | USE PROHIBITED | ESTABLISHED | <u>MIXED-SIZED</u> |

| | | | |
|-----|---|---|----------|
| 1. | SINGLE-UNIT FRAME DWELLINGS: | A | <u>A</u> |
| 2. | SINGLE MOBILE HOME: | A | <u>*</u> |
| 3. | MOBILE HOME PARKS | * | <u>*</u> |
| 4. | MULTI-UNIT DWELLINGS: | S | <u>*</u> |
| 5. | DAY CARE SCHOOLS, CENTERS, AND CHILDREN'S NURSERIES: | S | <u>S</u> |
| 6. | REST HOMES, CONVALESCENT HOMES, NURSING HOMES, AND RETIREMENT HOMES: | S | <u>S</u> |
| 7. | HOME OCCUPATIONS: | A | <u>A</u> |
| 8. | PUBLIC ELEMENTARY, JUNIOR AND SENIOR HIGH SCHOOLS: | S | <u>S</u> |
| 9. | PAROCHIAL OR INDEPENDENT, PRIVATE ELEMENTARY, JUNIOR AND SENIOR HIGH SCHOOLS: | S | <u>S</u> |
| 10. | CHURCHES: | S | <u>S</u> |
| 11. | PUBLIC PARKS, PLAYFIELDS, PLAYGROUNDS AND GOLF COURSES | A | <u>A</u> |

| | | | |
|------------|---|----------|----------|
| 12. | RECREATIONAL BUILDINGS AND USES-OPERATED BY A PRIVATE, NON-PROFIT AGENCY: | S | <u>S</u> |
| 13. | ESSENTIAL MUNICIPAL AND PUBLIC UTILITY USES, FACILITIES, SERVICES AND BUILDINGS-EXCLUDING BUSINESS OFFICES, REPAIR STORAGE AND PRODUCTION FACILITIES: | S | <u>S</u> |
| 14 | ACCESSORY BUILDINGS AND USES: | A | <u>A</u> |
| <u>15.</u> | <u>TWIN HOMES:</u> | <u>A</u> | <u>A</u> |

Section 3:

Section 17.08.090© Zoning District Minimum Lot Requirements, is hereby amended by including the following:

| DISTRICT REGULATIONS | E-R Established Residential | MSR Mixed Residential |
|-----------------------------|---|---|
| MINIMUM LOT AREA | 5,600 SQUARE FEET; <u>(3,500 SQ. FT. FOR TWIN HOMES)</u> | 4,200 SQUARE FEET; <u>(3,500 SQ. FT. FOR TWIN HOMES)</u> |
| MINIMUM LOT WIDTH | 40 FEET; <u>(35 FEET FOR TWIN HOMES)</u> | 42 FEET; (35 FEET FOR TWIN HOMES) |

CHAPTER 17.12

SUPPLEMENTARY REGULATIONS

17.12.010

OFF-STREET PARKING AND LOADING

INTENT

The intent and purpose of this article is to alleviate or prevent congestion of the public streets and to promote safety and welfare of the public by establishing minimum requirements for the off-street parking and loading and unloading of motor vehicles used in accordance with the land use of individual properties within the town.

REQUIREMENT

Off-street parking spaces are required as an accessory use in each district in accordance with the permitted uses of the specific districts and the regulations outlined in this article.

LOCATION

Parking areas, whether open or enclosed, must be provided on the same lot containing the permitted use for which they are required, unless parking is provided on a separate lot under the same ownership as the zoning lot occupied by the building or use to which the parking facilities are accessory. All parking shall be located within 300 feet of the use it serves in residential districts and 500 feet in commercial and industrial districts.

DESIGN

All off-street parking shall be designed in accordance with the following requirements:

- A. An access of a minimum of 10 feet in width shall be provided to all off-street parking spaces.
- B. Except for parking areas provided for single family dwellings, all parking areas must be paved with asphalt, concrete, or similar permanent surface.
- C. Except for parking areas provided for single family units, suitable curbs or barriers shall be provided to protect public sidewalks, buildings, and other areas, and to preclude parking in areas where parking is not permitted.
- D. All parking aisles and parking spaces shall be entirely within the lot lines and located such that no vehicle will overhang into a public right-of-way.

- E. Each parking space shall be not less than 20 feet long and 10 feet wide.
- F. The minimum requirements for off-street parking lots are shown by the following table:

PARKING TABLE

| A | B | C | D | E | F | G |
|-----|-------|-------|-------|-------|-------|-------|
| 45° | 10'0" | 21.3' | 12.5' | 14.2' | 55.1' | 47.7' |
| 60° | 10'0" | 22.3' | 17.5' | 11.5' | 62.1' | 57.1' |
| 90° | 10'0" | 20.0' | 22.0' | 10.0' | 62.0' | ----- |

| | |
|--|---|
| A | Parking angle |
| B | Stall width |
| C | 20' minimum stall-to-curb |
| D* | Aisle width |
| E | Curb length per car |
| F | Curb-to-curb |
| G | Center-to-center width of double row with aisle between |
| * Additional width may be required where the aisle serves as the principal means of access to on-site buildings or structures. | |

- G. **FRACTIONAL MEASUREMENTS.** When the computation of required spaces results in a fraction, any fraction of a space less than one-half shall be disregarded, and any fraction over one-half shall require provision of a full parking or loading space.
- H. Two or more uses may combine to provide the required parking spaces jointly, however, the parking spaces provided in this manner shall equal the total space required if each use were to provide parking separately.
- I. As determined by the Board, landscaping or screening may be required to buffer a parking lot from a residential use.

OFF-STREET LOADING

Off-street loading space shall be provided for any business or industrial use which has a gross leasable floor area of 10,000 square feet or more. One off-street loading space shall be provided for each 10,000 square feet of gross leasable floor area. Each space shall be a minimum of 14 feet wide by 40 feet long with an unobstructed height of 14 feet. No area used for off-street loading shall be used also as off-street parking space.

ADMINISTRATION OF PARKING REQUIREMENTS

- A. The Town Council shall make the final determination as to the number of spaces required for off-street parking and loading.
- B. For uses not specified or specifically defined, the Town Council ~~Board~~ shall determine parking requirements.
- C. The Town Council ~~Board~~ is authorized to review parking plans, and after proper hearing and investigation, permit an exception or modification of established requirements when reason is found that such action is necessary to prevent unreasonable hardship in development of any lot because of unique topographical or other features.
- D. Change of Use. In the event of any change in the use of a lot, all off-street parking and loading requirements of the new use shall be met.
- E. Addition. Any addition to a structure or any increase in the intensity of use within the building through the addition of dwelling units, seating **capacity**, or other specified measure used for parking requirements, shall require provision of off-street parking and loading adequate to meet the increased need.
- F. A waiver may be granted from the requirement of this chapter when specific enforcement would result in unnecessary hardship.
 - 1. Submission of a written request from the owner of record addressed to the Town Planner or designee stating the rationale for the request and providing any documentation, diagrams, renderings or photographs necessary to convey the intent of the waiver request.
 - 2. Notification of the request and the date, time and place of the Council meeting where the waiver will be considered shall be mailed to property owners within a 140’ radius of the subject property. No public hearing shall be required; however, the council shall receive comments from meeting participants who desire to address the request.
 - 3. In rendering their decision, the Council shall consider such factors as proximity to other development and types of uses, man-made or natural barriers such as streets, drainages, draws, existing vegetation, slopes, etc., which achieve the intent of the buffering or landscaping requirement at a lower rate than is required by this Title. The Council may also consider alternative solutions which achieve the intent of landscaping and/or buffering.
 - 4. Requests for a reduction of off-street parking requirements shall be considered on the basis of use, number of employees, availability of on-street parking or shared parking with adjacent property owners.
 - 5. The Council shall have the authority to approve, modify or deny all waiver requests.

PARKING REQUIREMENTS PERMITTED USES

RESIDENTIAL

Single-Family Dwelling – Two spaces.

Mobile Homes – Two spaces.

Multi-Family Dwelling – Two spaces per dwelling unit.

Rentals or Apartments in a Single-Family Dwelling – One per unit.

Apartments Over a Business – One per apartment.

Home Occupation – One space for each 200 square feet of space within the building used for the home occupation, with a minimum of two spaces.

NON-RESIDENTIAL

Automobile Sales and Service – One space per 1,000 square feet of indoor and outdoor sales area.

Banks – Financial Institutions – Five- and one-half spaces per 1,000 square feet of gross, leasable floor area.

Drive-in Banking Facilities – Five spaces per window for stacking, in addition to required parking spaces.

Boarding and Rooming Houses, and Dormitories – One space per apartment or dwelling unit.

Bowling Alley – Four spaces per alley, plus requirements for other associated uses.

Business Uses – Including, But Not Limited To: Duplicating Services, Furniture and Appliance Repair, Paint Stores, Rental Establishments, Car Washes, Discount Stores, and Wholesaling Services - One space per 400 square feet, plus one space per employee.

Cemeteries – As determined by the Town Council ~~Board~~.

Churches – One space per four seats in the Sanctuary or primary room of worship.

Day Care/Nursery Schools – Once space per five students plus one-half space per employee.

Drive up Facilities for Eating and Drinking Establishments, Retail Sales and Other Commercial Uses – Requirements of the use, plus five spaces for stacking vehicles at each drive-up window.

Eating and Drinking Establishments – One space for each three seats or for each 50 square feet of floor area used for assembly or seating, whichever is greater.

Essential Public Utility Uses, Facilities, Services and Buildings – As determined by the Town Council.

Gasoline Services Station – One space per pump, two per lift, and one per 1,000 square feet of retail sales area.

Grocery Stores – Five- and one-half spaces per 1,000 square feet of gross, leasable floor area.

Hospitals – One space per two beds plus one space per staff member and doctor.

Industrial Uses: All Except Warehousing – One space per 500 square feet gross leasable floor area, plus one- and one-half spaces per employee on the largest shift, plus one space per company vehicle. For uses with one shift only; one space per employee plus one space per company vehicle.

Industrial Uses: Warehousing – One space per 1,000 square feet of gross, leasable floor area, plus one- and one-half spaces per employee on the largest shift, plus one space per company vehicle. For uses with one shift only; one space per employee plus one space per company vehicle.

Medical and Dental Clinics – One space per 200 square feet of gross leasable floor area or five spaces per doctor or dentist, whichever is greater.

Membership Clubs, Fraternal Organizations - One space per 50 square feet of space for general assembly, plus requirements of all associated uses within the building.

Mortuaries and Funeral Chapels – One space per 400 square feet of gross leasable floor area plus one per four seats in the Chapel.

Motels, Hotels – Including Newsstands, Gift Shops and Similar Incidental Uses Conducted Entirely Within the Principal Building – One space per room, plus one space per employee.

Non Retail, Heavy Commercial/Light Industrial Uses Including But Not Limited To: Nursery Stock Production and Sales, Yard Equipment and Supply Dealers, Firewood Operations, Building Contractors and Equipment, Transportation Centers, Service Garages, Trucking Services, Disposal Truck Storage, Warehouses, Wholesale Operations, Household Equipment and Appliance Repair, Animal Hospitals, Kennels, Bulk Cleaning and Laundry Plants, and Printing Services, Electrical, Plumbing and Heating, Roofing and Other Construction Contractors, Cold Storage Lockers and Lumber Dealers and Yards – Provided Adequate Safeguards are Taken to Protect Adjoining Properties from Objectionable or Harmful Substances, Conditions or Operation – One space per 400 square feet of gross leasable floor area, plus one space per employee.

Nursing Homes – One space for each four beds, plus one per employee.

Office – General – One space per 300 square feet of gross leasable floor area.

Offices – Including Professional, Finance, Insurance and Other Services – Two spaces per 1,000 square feet of gross leasable floor area.

Parks, Playfields, Playgrounds and Golf Courses Operated by a Public Agency – As determined by the Board.

Personal Services Outlets, Including But Not Limited To: Barber and Beauty Shops, Shoe Repair Shops, Self-Service Laundries, Dry Cleaning Outlets, Travel Agencies, and Photographic Studios – Five and one-half spaces per 1,000 square feet of gross leasable floor area.

Municipal, County, State and Federal Uses, Facilities, Services and Buildings – One space per 200 square feet of gross leasable floor area.

Public Colleges and Universities – As determined by the Town Council ~~Board~~.

Publicly Established Historical Sites and Buildings – As determined by the Town Council ~~Board~~.

Research Facilities, Testing Laboratories, and Facilities for the Manufacturing, Fabrication, Processing, or Assembly of Products: Provided That No Effects from Noise, Smoke, Glare, Vibration, Fumes or Other Environmental Factors are Measurable at the Property Line – One space per 500 square feet of gross leasable floor area, plus one- and one-half spaces per employee on the largest shift, plus one space per company vehicle. For uses with one shift only; one space per employee plus one space per company vehicle.

Retail Outlets, Including, But Not Limited To: Supermarkets, Variety, Sporting Goods, Hardware, or Radio and Television Stores, Department Store, Major Comparison Goods Store or Furniture Warehouse Store – Five and one-half spaces per 1,000 square feet of gross leasable floor area.

Sales, Services and Storage of Automobiles, Mobile Homes, Campers, Boats, Bicycles, Motor Vehicles, Motorized Equipment, and Accessories for such Vehicles, But Not Including Junk Yards – One space per 1,000 square feet of indoor and outdoor sales area plus spaces required for associated servicing uses.

SCHOOLS – PUBLIC AND PAROCHIAL

Elementary – One space per 1,000 square feet of building area, plus one space per employee.

Junior High – One space per 1,000 square feet of building area, plus one space per employee.

Senior High – One space per 200 square feet of building area, plus one space per employee, plus one space per 3 seats in an auditorium or gymnasium.

Schools, Vocational, Business and Private – One space per 200 square feet of building area, plus one space per employee, plus one space per 3 seats in an auditorium or gymnasium.

Theaters, Public Auditoriums – One space per 3 seats.

17.12.020

FENCES, WALLS, AND HEDGES

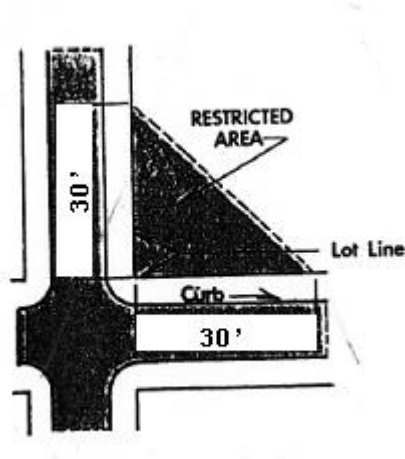
A fence, wall, hedge, column, pier, post, or any similar type structure or any combination of such structures, may be permitted in the required yards of the zoning districts subject to the following conditions and requirements. The intent of the conditions and requirements is to provide privacy and protection without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.

- A. All fences and walls are subject to Building Code requirements.
- B. It shall be the responsibility of the property owner to locate all property lines.
- C. No fence, hedge or wall may extend beyond or across a property line unless in joint agreement with the abutting property owner.
- D. No person shall erect or cause to be erected or maintain any barbed wire, razor wire, or other similar sharp pointed metal fence along or adjacent to any public street below the height of six feet from ground level, provided, however, in residential districts barbed wire, razor wire, or other similar sharp pointed metal fences are entirely prohibited. Barbed wire or other sharp, pointed or electrically charged fence shall be permitted, with approval of the Town Council in areas zoned Urban Agriculture.
- E. No fence between the building front and the front property line shall exceed 42 inches, except as outlined in Section I.
- F. Fences, walls or compact hedges shall not exceed 7 feet in height. Heights, including retaining walls or other structures, shall be measured as follows:
 - 1. In required yards abutting a street, it shall be the total effective height measured from the finished grade on the side nearest the street;
 - 2. In other required yards, it shall be the total effective height above the finished grade measured on the side nearest the abutting property;
 - 3. On property lines the height may be measured from the finished grade of either side when the abutting property owners are in joint agreement.
- G. Any fence, hedge or wall placed within 15 feet of the intersection of a public sidewalk (or proposed location of such walk) and an alley or driveway, shall not restrict or obscure the

visibility through such fence, hedge, or wall by more than 25 percent of its total vertical plane area. Such fence, hedge or wall shall maintain at least 75 percent of the unobstructed view when viewed at an angle of 90 degrees from the direction of the fence, hedge or wall, at a distance of 30 feet.

- H. On corner lots, no fence, hedge, structure, wall or landscaping display shall interfere with the unobstructed view over 36 inches above the nearest street in a restricted triangular area formed by the three points established by:
 - 1. The intersection of the property lines at the corner, and by measuring 30 feet back from this intersection on each property line;
 - 2. Rail type or chain link fences not exceeding 42 inches in height, with not more than two 4-inch rails, mounted on a minimum number of 4-inch posts, may be permitted in the restricted triangular area.

- I. In E-B, D-B, E-I, and D-I Districts, chain link fence seven feet in height may be constructed along all lot lines. Only open chain link fence shall be permitted between the building front and street at a height over 42 inches. Seven-foot open chain link fence may be permitted in the sight distance triangle defined in H, upon approval of the Town Council Board. Neither the fence nor anything inside the fence shall impair the sight distance triangle.



- J. Tree branches which overhang the public sidewalk shall be kept trimmed to a height of at least eight feet above sidewalk level.

- K. Tree branches which overhang public streets shall be kept trimmed to a height of not less than fourteen feet above the street.

- L. The Town Council may waive any of the above requirements where cause can be shown that the need of security or safety would be served by variance of the requirements. (Ord. 405, §1, 1992.)

17.12.030

PETS AND DOMESTIC ANIMALS

- A. Pets, such as dogs, cats, birds, fish and other animals generally kept within a dwelling shall be a permitted accessory use in any district.
- B. Other domestic animals may be a permitted accessory use in any district, subject to petition, public hearing and other regulatory procedures of the Town Council.

17.12.040

SIGN REGULATIONS

PURPOSE: The purpose of this section is to protect the public welfare in regulating the size, height, number, location, illumination and construction of signs permitted in the various zone districts of the Town of Mills. Conditions within the various zone districts that necessitate the regulation of signs include:

- A. Conflicts between traffic control signs and signals and various private signs resulting in vehicular and pedestrian safety problems;
- B. Signs are sometimes placed in locations or constructed in a manner that creates a danger to the public during periods of high winds or inclement weather;
- C. The uncontrolled use of signs defeats the sign’s informational or advertising functions as competitors escalate sign size and expense in an effort to fairly attract attention;
- D. The uncontrolled use and proliferation of signs creates visual pollution that destroys the beauty of the Town, the attractiveness of commercial areas and the ability of the public to safely and quickly interpret the intended message.
 - 1. Measurement. The area of a sign shall include the surface upon which the information of the sign is presented, excluding only structural supports. Only one side of a double facing sign shall be considered in the total sign area permitted for any building, use or lot.
 - 2. Residential Districts. Permitted signs may be anywhere on the premises, provided no sign is within any road right-of-way and must be totally within the lot on which the sign is mounted.
 - a. Ground mounted signs shall have a maximum height of five (5) feet.
 - b. Wall mounted signs shall be flush and not project above the roof line.

- c. Lighting of a sign shall be by white light.
 - d. Permitted signs for single family residences shall indicate only the occupant's name and address and shall have a total area not exceeding two square feet.
 - e. Permitted signs for multi-family dwellings shall have a maximum area of six (6) square feet and shall be for identification purposes only.
3. Business and Industrial Districts. Permitted signs may be located on a lot such that no sign shall intrude into any public right-of-way and supports shall be at least ten (10) feet from any public right-of-way line.
- a. Any business use shall be permitted one wall sign for each side of a building fronting a public street. Wall signs shall project not more than one (1) foot from the building wall and shall run parallel to the wall.
 - b. Maximum area of a wall sign shall be one square foot of sign area per linear foot of street frontage to a maximum of 300 square feet per frontage.
 - c. One free standing sign shall be permitted per lot. Any free-standing sign shall have a clearance of ten (10) feet above the ground, to provide for a clear field of vision and pedestrian safety.
 - d. Maximum area of any free-standing sign in square feet shall be determined by multiplying the length of the lot frontage, in feet, by 1.5. No sign shall have an area larger than 300 square feet.
 - e. Any sign shall have a clearance of ten (10) feet over sidewalks and fifteen (15) feet over driveways and alleys.
 - f. Marquee signs shall have a clearance of ten (10) feet above the ground and no part of the changeable copy shall project above or below the marquee face.
 - g. No sign shall exceed thirty (30) feet in height from ground level.
4. Illumination. The light from any illuminated sign shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to surrounding areas and the light rays shall not spill over the property lines into a residential zone except by indirect reflection. Neither the direct, nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
5. Miscellaneous Signs. Signs listed in this section shall be permitted in any zone district on private property, shall not require a permit but are subject to the general requirements of this article. These signs are classified as identity signs.

- a. **CONSTRUCTION SIGNS:** Construction signs which identify the architects, engineers, contractors, and other individuals or firms involved with construction, but not including any advertisement of any product or signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, to a maximum area of sixteen square feet for each firm. The signs shall be removed within fourteen (14) days of the beginning of the intended use of the project or as individual subcontractors expire, whichever is sooner.
- b. **REAL ESTATE:** Real estate signs advertising the sale, rental or lease of residential property may be four (4) square feet and may be sixteen (16) square feet for other property provided they are on the premises for sale, rental or lease. Such signs shall be removed within seven (7) days of the sale, rental or lease.
- c. **POLITICAL CAMPAIGN:** One sign per premises of up to thirty-two (32) square feet on non-residential property may be permitted announcing candidates for public office. In residential areas or districts political campaign signs of up to sixteen (16) square feet, one per premises, may be permitted. These signs shall be confined within the private property and removed within seven days after the election for which they were made.
- d. **STREET BANNERS:** Street banners advertising a public entertainment or event, if approved by the Town Council and only for locations designated by the Town Council during and for fourteen (14) days before and seven days after the event.
- e. **SIGNS:** Signs commonly regarded as “garage,” or “yard sale” signs shall be permitted only on private property and shall be restricted to a maximum area of four (4) square feet. The sign shall be dated when posted and shall be removed the day following the garage or yard sale.
- f. **PRIVATE TRAFFIC DIRECTIONS:** Signs directing traffic movement onto a premises or within a premises, not exceeding three (3) square feet in area for each sign may be permitted. Horizontal signs on and flush with paved areas are exempt from these standards.
- g. **HOME OCCUPATIONS:** Signs not exceeding three (3) square feet in area for home occupations attached flat against the building, stationary and not illuminated, announcing only the name and occupation of the resident are permitted.

17.12.040 Temporary Structures.

17.12.045(a) Intent

It is deemed necessary and convenient for the Town of Mills and its residents, and in keeping with safeguarding the general welfare of the Town and its residents, to allow, from time to time, and under the conditions set out herein, for the placement of Temporary Structures within lots and properties found within the Town of Mills. It is understood that all such structures may only be placed within the Town in accordance with this Chapter and for those time periods set forth herein, except as otherwise specifically allowed by the Town Council of the Town of Mills.

17.12.0(b) Conditions

Wherever permits are required by this Chapter, the Permittee shall be understood to have given his assent to all conditions imposed upon the issuance of the permit and, further, all the provisions set forth herein, including the immediate removal provisions set forth in Section 17.12.050(g) and to have authorized the same. All permits issued under this section shall refer to this condition and include a ratification by the permittee that they understand and consent to these conditions.

All temporary structures references in this Chapter are understood not to be mobile structures of any kind. Excluded from this Chapter are trailers of all types and vehicles of all types with storage containers of any kind or living quarters of any kind provided, however that temporary structures addressed by Section 17.12.050(c) and Section 17.12.050(d) which are designed to set upon the ground but which are further designed for repeated use and which may accordingly be affixed with axles and wheels for movement may be permitted under this Chapter.

Nothing in this Chapter shall be read to require the duty to obtain a permit in any area for which the zoning otherwise authorizes structures of the type that are addressed in this Chapter. Where zoning regulations otherwise authorize structures that are addressed by this Chapter and allow the same, those provisions shall be regarded as controlling.

17.12.045(c) Construction offices, real estate offices and model homes for property, subdivision development and marketing.

Temporary structures utilized by construction companies, real estate offices and real estate brokers may be placed on any real property located within the Town of Mills, irrespective of any zoning otherwise precluding the same, on a temporary basis as follows:

1. Construction offices, real estate offices and model homes may be allowed by permit in any district or zoning area for the purpose of developing and marketing the property or subdivision in which they are to be located. Application for a temporary permit shall be made in accordance with the provisions set forth below and shall be accompanied by a site plan and a specific statement of such facts as concern the application for temporary permit.
2. Permits for such temporary uses and structures may be issued by the Planning or Building Official designated by the Town Council or such other Town officer designated for the issuance of such permits by the Town Council and shall not be issued if the site plan indicates undesirable conditions in regard to traffic flow, sanitation, or such other condition as may be reasonably contemplated to make the issuance of the permit undesirable or impractical. Permits for such temporary uses and structures shall be deemed to expire

within a reasonable period following the conclusion of their original anticipated purpose. All such temporary uses and structures shall be removed or discontinued within ten (10) days after the expiration of the reasonable period of their anticipated use,, provided that the same has not been properly renewed by petition to the Town Council..

3. In the case of model homes, all such model homes contemplated by this Section are limited to structures that are temporary in nature. Any structure built as a model home which is also contemplated as being permanent in nature or to be in place for a period in excess of six (6) months at the time of its construction shall not be subject to being permitted under this section and must, instead, but built in accordance with those sections of the Mills Town Code which address permanent structures.

17.12.045(d) Constructor’s offices and construction sheds.

Contractors' offices and construction sheds may be placed on any real property located within the Town of Mills, irrespective of any zoning otherwise precluding the same, on a temporary basis as follows:

1. Normal setbacks for the land use classification district shall apply.
2. Said use shall be designed in such a fashion so as to create no traffic hazard.
3. The contractor's office or construction shed shall be limited to use for construction of the project at the site of such construction.

17.12.045(e) Special event structures.

The Town Council or its designee may grant permission by way of a permit for the temporary use of tents, outdoor shelters, or other enclosed temporary structures on property within the Town of Mills for special events or business promotional purposes as follows:

1. The Town Council or its designee shall have made a determination that the use of the tent, outdoor shelter, or other enclosed temporary structure will be undertaken in a safe manner which is not inconsistent with the general welfare of the Town and its residents and which shall not constitute an unreasonable hazard to the safety and welfare of the public.
2. The use of canvas or fabric shelters on a temporary basis for a period of less than 12 hours during daylight hours shall not require the issuance of a permit.
3. The Town Council may impose such restrictions on the issuance of the permit as it deems reasonable.

4. The period for the permit's operation shall not exceed seven (7) days. No party shall be issued more than five (5) permits under this Chapter for any one calendar year.
5. The request for a permit shall be on such forms as provided by the Town Clerk. An application fee of \$25.00 shall accompany the form requesting such permission. Permission granted for such use does not in any way give the applicant a vested right for such use, and any substantial change in operation which adversely affects the general welfare, including the aesthetics of the city, is subject to an order of immediate discontinuance by the Town Council, the Mayor or the Mayor's designee. Such granted temporary use shall not become valid until and unless all conditions and safeguards imposed are entirely implemented by the applicant/property owner. Among the conditions and safeguards which may be imposed by the Town Council shall be included all of the following:
 - A. A site plan clearly showing the circumstances of the temporary use.
 - B. The parking requirements as shall be deemed necessary by the City Commission.
 - C. Performance standards regarding noise, the presence of mechanical equipment, vibration, smoke, dust, dirt, odors, fumes, humidity, glare, heat, fire, radioactivity lighting and similar impacts arising from such temporary structure.
 - D. Reasonable hours of operation.
 - E. Such additional requirements and safeguards as are deemed necessary for the protection of the surrounding property and the protection of the general welfare of the city.
5. Nothing in this section shall be read to prevent the erection or placement of tents or temporary structures upon residential properties as long as they are not placed for purposes other than business or promotional purposes and they are not erected for a period of greater than seven (7) days.
6. Permits issued under other provisions of this Code for special events which were applied for with the indication that a temporary structure would be used for the same do not require a separate permit under this Chapter for the temporary structure.
7. The use of tents or shelters upon property belonging to the Town of Mills shall not be subject to the provisions of this Section but rather shall be subject to those permits required for the private use of public property by the Town of Mills.

17.12.045(f) Portable on-demand storage structures.

The Town Council or its designee may grant permission by way of a permit for the portable on demand storage structures as follows:

1. A portable on-demand storage structure may be utilized as a temporary structure within the city when in compliance with the standards of this subsection. Any use of such structures within the city not in compliance with this subsection shall be unlawful.

2. The term "portable on-demand storage structures" shall be defined to be: any container, storage unit, shed-like container or other portable structure, or like containers that can or is used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building other than an accessory building or shed complying with all building codes and land use requirements.

3. Length of time structures may be on property; extensions.
 - A. A portable on-demand storage structure may be located as a temporary structure on property within the city for a period not exceeding 120 hours in duration from time of delivery to time of removal. No more than two portable on-demand storage structures may be located on a specific piece of property within the city at one time; such structures shall be individually limited to the duration time period established herein. Such temporary structure may not be located on a specific property more than two times in any given thirty-calendar-day period. Such temporary structure shall be located no closer than 10 feet to the property line unless placed on an existing impervious driveway. Such structure may not exceed eight feet six inches in height, 10 feet in width or 20 feet in length. It shall be the obligation of the owner or user of such temporary structure to secure it in a manner that does not endanger the safety of persons or property in the vicinity of the temporary structure. In the event of high winds or other weather conditions in which such structure may become a physical danger to persons or property, the appropriate law enforcement officers may require the immediate removal of such temporary structure.

 - B. In the event of fire, hurricane or natural disaster causing substantial damage to the structure, the property owner may apply to the city for permission to extend the time that a portable on-demand storage structure may be located as a temporary structure on the property. Application for such extended duration shall be made in writing and filed with the City Clerk's office and shall give sufficient information to determine whether such extended duration should be granted. The Mayor shall determine whether or not to grant such extended duration and the length of such extension. In the event of an adverse decision by the Mayor, the applicant may appeal such decision to the City Commission. In the event of such appeal, the decision of the City Commission shall be final.

17.12.045(g) Durable Portable on-demand storage structures.

The Town Council or its designee may grant permission by way of a permit for durable portable on demand storage structures as follows:

1. The term "durable portable on-demand storage structures" shall be defined to be: any container, storage unit, shed-like container or other portable structure, or like containers that can or is used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building other than an accessory building or shed complying with all building codes and land use requirements for a prolonged period of time as set forth herein. The term shall only apply to structures which are, by their nature, not affixed permanently to the ground and which are not served by public utilities such as electricity, natural gas, sewer or water.
2. The period for the permit's operation shall not exceed one (1) year in duration. The Town Council may reauthorize any permit issued under this Section for an additional year, but such permits shall not be presumed to be automatically extended.
3. The request for a permit shall be on such forms as provided by the Town Clerk and shall be first submitted to the Planning and Zoning Committee for consideration. The Planning and Zoning Committee shall provide its opinion on the issuance or denial of the permit within sixty (60) days of the receiving the same. The Town Council shall consider the application for the permit at the next regularly scheduled Town Council meeting after the Planning and Zoning Committee issues its findings. Failure of the Town Council to consider the application at the next regularly scheduled Town Council meeting shall not be regarded as requiring the issuance of the permit. The Town Council is not bound to the findings of the Planning and Zoning Committee and may issue its application based upon its own discretion. Issuance of such a permit shall in no way bind the Town Council to renew the permit upon an application for the same.
4. The Planning and Zoning Committee may request that the Town Council require the applicant to provide written notice of the proposed permit to residents within a specified distance of the proposed placement of the durable portable on-demand storage structure. The Town Council may require the same upon recommendation of the Planning and Zoning Committee or upon its own motion and adoption of the same.
5. Said application shall be accompanied by a site plan. An application fee of \$25.00 shall accompany the form requesting such permission
6. The Town Council may impose such restriction and conditions upon the issuance of the permit as it deems appropriate including such additional requirements and safeguards as are deemed necessary for the protection of the surrounding property and the protection of the general welfare of the city.

17.12.045(h) Violation of this Chapter.

Any failure to adhere to the provisions of this Chapter, 17.12.050, and any of its subparts shall be subject the provisions for violations of general offenses within the Town of Mills. In addition, any violation may be cause of the Police or Code Enforcement to issue an Order for the immediate removal of the offending structure, or its removal within a period not to exceed ten (10) days.

Failure to adhere to such an order shall authorize the Town to remove the structure immediately, without notice, and the cost of such removal, together with the cost of administration of its removal, may be assessed against the property on which the temporary structure was located and may be filed as a lien against such property by the City Clerk. Such lien shall be superior in dignity to all other liens or encumbrances upon the property, including the lien of a mortgage, and shall be equal in dignity to the lien of ad valorem taxes.

17.12.050**MICRO WIND SYSTEMS AND SMALL WIND ENERGY CONVERSION SYSTEMS:****GENERAL REQUIREMENTS**

- A. **Minimum Lot Size** – The minimum lot size for a *Small Wind Energy Conversion System* shall be 20,000 square feet. There is no minimum lot size requirement for *Micro Wind Systems*.
- B. **Maximum Tower Height** – The maximum tower height for a *Small Wind Energy Conversion System* on a property between 20,000 square feet and one-acre in size shall be seventy feet (70’). The maximum tower height on properties between 1.01-acres and five-acres in size shall be one hundred feet (100’). On properties larger than five-acres, there is no limitation on tower height, except as imposed by FAA regulations.
- C. **Minimum Setbacks** – Minimum setbacks for a tower shall be equal to the height of the tower. No part of the *Small Wind Energy Conversion System* structure, including, but not limited to, guy wire anchors, may extend closer than ten feet (10’) to the property line.
- D. **Sound** – *Micro Wind Systems* and *Small Wind Energy Conversion Systems* shall not exceed 60 dbA, measured five feet (5’) above ground level at the closest property line. The sound level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.
- E. **Turbine Clearance** – No portion of any turbine shall extend within twenty feet (20’) of the ground. No portion of any turbine may extend over parking areas, driveways or sidewalks.
- F. **Automatic Over-Speed Controls** – All *Micro Wind Systems* and *Small Wind Energy Conversion Systems* shall be equipped with manual (electronic or mechanical) and automatic over-speed controls to limit the blade rotation speed to within the design limits of the *Micro Wind System* or *Small Wind Energy Conversion System*.
- G. **Utility Notification** – No *Micro Wind System* or *Small Wind Energy Conversion System* shall be installed until evidence has been given that the electrical utility company has been informed of and approved the customer’s intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- H. **Tower color** – Tower colors shall be white, off-white, gray, or neutral subdued tones, such as earth tones of green or brown. Towers shall not be finished in bright or vivid colors, nor shall the tower be used for advertising of any kind.
- I. **Lighting** – *Micro Wind Systems* and *Small Wind Energy Conversion Systems* shall not be artificially lighted, except as required by the FAA.

- J. Climb prevention – *Small Wind Energy Conversion Systems* shall not be climbable up to fifteen feet (15’) above the ground surface.

APPLICATION REQUIREMENTS

The applicant shall provide the following materials to the Community Development Department as part of a building permit application, for *Micro Wind Systems* and *Small Wind Energy Conversion Systems*:

- A. A completed application provided by the Community Development Office.
- B. Proof of ownership for the property where the proposed tower will be constructed, and all applicable fees, as established by the Town Council.
- C. A scaled 8-1/2” x 11” or larger plot plan of the proposed *Small Wind Energy Conversion System*, to include property lines, setbacks, physical dimensions of the property, and locations of structures and the tower, base, footings, generator, blades, guy wires, and all associated equipment.
- D. An engineering analysis of the *Micro Wind System* and/or tower showing compliance with all applicable current building codes and certified by a licensed professional engineer.
- E. Certification that the design is in compliance with the current National Electrical Code and local electrical code. Building permit applications for *Micro Wind Systems* and *Small Wind Energy Conversion Systems* shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of the installation conforms to the National Electrical Code and local electrical codes.
- F. Evidence satisfactory to the Community Development Director, that the proposed system meets the following standards:
 - 1. That the *Micro Wind System or Small Wind Energy Conversion System* is UL listed, and/or meets the Institute of Electrical and Electronic Engineers (IEEE) standards, or other Nationally Recognized Testing Lab (NRTL);
 - 2. Information demonstrating that the wind turbine is approved under an emerging technology program, such as International Electro technical Commission (IEC) or any other small wind certification program recognized by the American Wind Energy Association (AWEA) or the U.S. Department of Energy. Non-certified wind turbines must submit a description of the safety features of the turbine prepared by a professional mechanical engineer.

REVIEW AND APPROVAL

After the submittal of all required application materials, the Community Development Department shall review the submittal and shall issue a building permit for *Micro Wind Systems and Small Wind Energy Conversion Systems* if the application materials meet all requirements of this ordinance, and all applicable building and electrical codes.

ABANDONED FACILITIES

- A. Any *Micro Wind System* or *Small Wind Energy Conversion System* that is not operated on a functional basis for a period of six (6) consecutive months shall be deemed abandoned. The building official may order the repair or removal of said *Micro Wind System* or *Small Wind Energy Conversion System*, in accordance with these provisions. The applicant, owner, or other person responsible for the facility shall repair or remove the same within thirty (30) days of receipt of notification by certified mail. If said facility is not either operational or removed after thirty (30) days from the date of notification, the Town may remove the system at the owner’s expense.
- B. The Town reserves the right to enter upon and disconnect, dismantle or otherwise remove any *Micro Wind System* or *Small Wind Energy Conversion System* should it become an immediate hazard to the safety of persons or property due to emergency circumstances, as determined by the Town Manager or his designee, such as natural or man-made disasters or accidents, when the applicant, owner, or other person responsible for the facility is not available to immediately remedy the hazard. The Town shall attempt to notify any such applicant, owner, or other person responsible for the facility of such action within forty-eight hours. The applicant, owner, or other person responsible for the facility shall reimburse the Town for all costs incurred for action taken pursuant to this Section. (Ord. 558, 2009)

17.12.060 Wireless Telecommunication Services (WTS)

17.12.060 (a) Purpose and Exclusions

The purpose of this chapter is to establish general guidelines for the siting of wireless communications towers, antennas and related equipment. The goals of this chapter are to:

- 1. Protect residential areas and land uses from the impacts of towers, antennas and related equipment;
- 2. Encourage the location of towers, antennas and related equipment in nonresidential areas;
- 3. Strongly encourage the joint use of new and existing tower sites as a primary option than construction of additional single-use towers;
- 4. Encourage users of towers and antennas to locate them, to the extent possible, in areas where the impact on the community is minimal;

5. This excludes antennas used for non-commercial, residential family use such as residential satellite dishes, TV antennas and amateur radio antennas.

17.12.060 (b) Definitions

As used in this chapter, the following terms mean:

1. Accessory Use means a use dependent upon or pertaining to the principal use or main Use. Such use must be incidental to the principal use or main use; and (a) constitute a use which is secondary to significance to the principal or main use; and (b) be reasonably related to the main use.
2. Alternative tower structure. Alternative design antenna mounting structures other than a tower or monopole, i.e. clock tower, tower or monopole, i.e. light pole or windmill.
3. Antenna means any structure or device used for the purpose of collecting or transmitting electromagnetic waves or radio frequency or other wireless signals. Such shall include, but not be limited to radio, television, cellular, paging, personal Telecommunications services (PSC), microwave, Telecommunications and services, and devices including directional antennas, such as panels, microwave and satellite dishes, and omni-directional antennas> such as whip antennas.
4. Back haul network means the lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or public switched telephone network including all ancillary equipment, structures and other improvements installed to support the communication equipment.
5. Buffering means the use of specific measures designed to separate and protect differing land uses on separate properties.
6. Co-location means the use of an existing tower or structure to support antennas. for the provision of wireless services without increasing the height of the Tower or structure.
7. Commercial wireless telecommunications services means licensed commercial wireless telecommunication services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, unlicensed wireless services and other similar services that are marketed to the general public.
8. Height, when referring to a tower or other structure, means the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.
9. Preexisting towers and preexisting antennas. Any tower or antenna for which a building permit or Wireless Telecommunications permit (WTP) was issued prior to the effective date of this title, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.
10. Structure means anything constructed or erected that requires a more or less permanent location on the ground; fences, signs, monuments, statues, flagpoles, and bridges shall be considered structures for the purpose of this chapter.
11. Tower means any ground, roof or otherwise mounted pole, spire, structure or combination thereof that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, monopole towers and associated supporting lines> cables, wires, braces, masts or other structures. The term includes but is not limited to radio and television transmission towers,

microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and any tower support.

17.12.060 (c) General Requirements

All towers, including, but not limited to, radio and television aeri- als or antennas, dishes capable of receiving electronic transmissions from satellites or other sources, shall require a Special Review and Site Plan by the Planning and Zoning Commission and Town Council, subject to the procedures in Chapter 18.16 and Ordinance 513 of the Zoning Ordinance, and all sections of this chapter.

17.12.060 (d) Special Review Requirements

Applications for the construction or installation of new Wireless Telecommunication Facilities shall require a Special Review as set forth Chapter 17.16 of the Town of Mills Zoning Ordinance. A completed application and payment of an application fee are required prior to review.

17.12.060 (e) Site Plan Requirements

All applications for the construction or installation of antennae, towers and other equipment to provide commercial wireless telecommunication service are required to submit a site plan for approval by the town. In addition to the standard site plan requirements (as approved in Ordinance 719 of this code), the following information must be supplied with the site plan and prior to issuance of a building permit:

1. Site plan drawn to a one inch equals twenty feet scale.
2. The name, address, and phone number of all proposed users and operators of the tower.
3. The location, size and height of all structures on the property.
4. Location of the nearest residential structure and all other structures within a radius equal to twice the height of the proposed tower or antenna.
5. A description of the proposed tower and antennas. and all related fixtures, structures. appurtenances and apparatus, including height above pre-existing grade, materials. color and lighting.
6. The general capacity of the tower, and information necessary to assure that ANSI and all structural standards are met including loads for wind and ice.
7. The number and positioning of guy wires and antennas.
8. The actual intended transmission and the maximum effective radiated power of the antenna(s).
9. Certification that the proposed antenna(s) will not cause interference with other telecommunication devices.
10. A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facilities.
11. The type, locations and dimensions of all proposed and existing landscaping and fencing.
12. Site plans must show the locations for at least two equipment buildings, even if the tower is proposed for a single user.
13. For towers that are one hundred feet or greater in height above the ground, a visual study depicting the zone within a three-mile radius, where any

- portion of the proposed tower could be seen.
14. Each applicant must provide an inventory of its existing towers and antennas within the Town and within a fifteen mile radius of the proposed facility and provide specific information verifying the need for the proposed facility.
 15. The Town may, at its sole option and discretion seek the assistance of any qualified expert in determining whether to approve any application, and all costs and expenses incurred in connection with such consultation or expert opinion shall be paid by the applicant within thirty days of receiving notice of such costs by the Town. Costs and fees incurred under this provision shall remain due and owing from any applicant notwithstanding the approval or denial of such application by the Town or the withdrawal of any application by the applicant.

17.12.060 (f) Permit Requirements

Applications for tower and associated equipment shall complete the following requirements:

1. All commercial towers, radio and television aerials or antennas, dishes capable of receiving electronic transmission from satellites or other sources, shall obtain a building permit from the building inspector prior to construction or erection.
2. The design of all towers, radio and television aerials or antennas, dishes capable of receiving electronic transmission :from satellites or other sources, shall comply with applicable sections of the most recent edition of the International Building and Electrical Codes, as adopted by the Town.
3. Pre-engineered and prefabricated towers, radio and television aerials or antennas, dishes capable of receiving electronic transmission from satellites or other sources, shall not require certification of a Wyoming professional engineer, providing the structure and installation are in accordance with manufacturer's recommendations. All drawings and installation instructions are subject to the approval of the building official.
4. All non-pre-engineered and non-prefabricated towers, radio and television aerials or antennas, dishes capable of receiving electronic transmission from satellites or other sources, including the substructure, shall be designed by a licensed professional engineer, registered in the State of Wyoming.
5. All towers, radio and television aerials or antennas, dishes capable of receiving electronic transmission from satellites or other sources, all Back haul equipment and accessory structures shall be installed and maintained in compliance with applicable requirements of the International Building and Electrical Codes, Mills Ordinances and all other applicable statutes and regulations.
6. All towers, radio and television aerials or antennas, dishes capable of receiving electronic transmission from satellites or other sources, shall be supported from a fixed location and non-transportable.
7. All applications shall include an estimate of the costs of tower removal along with a bond cash, letter of credit, or other approved security as required by Ordinance.

17.12.060 (g) Setback, Height and Approval Requirements

1. All towers, radio and television aerials or antennas, dishes capable of receiving electronic transmission from satellites or other sources, shall, as set forth in this chapter, be built according to a site plan approved as set forth above. The Planning and Zoning Commission shall take into consideration the following guidelines when considering such site plans and related materials. All such guidelines are discretionary with the Planning and Zoning Commission to use it best judgement, except where something below is indicated as being mandatory through the use of the words “must” or “shall” without modification through the inclusion of the term “ideally”:
 - A. All towers, radio and television aerials or antennas, dishes capable of receiving electronic transmission from satellites or other sources, shall ideally be set back a distance equal to at least one hundred percent (100%) of the height of the tower from any adjoining lot line. Any accessory structure shall ideally be located so as to comply with the applicable minimum setback requirements for the property on which it is situated.
 - B. All towers, radio and television aerials or antennas, dishes capable of receiving electronic transmission from satellites or other sources, shall not interfere with normal radio, television and/or telephone reception in the vicinity. Commercial messages and advertisements shall not be displayed on any tower. Violations shall be considered nuisance violations and shall be corrected under the enforcement provisions of the Town of Mills.
 - C. All towers, radio and television aerials or antennas, dishes capable of receiving electronic transmission from satellites or other sources, shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the chief building official may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding property owners.
 - D. In order to protect the public from the unnecessary exposure to electromagnetic radiation, the tower owner shall provide documentation indicating that the power density levels do not exceed federally approved standards, FCC emission regulations or American National Standards Institute (ANSI) standards, whichever provides stricter requirements.
 - E. Maximum tower heights shall be taken into consideration the guidelines set out in Table 17.12.060 below.
 - F. Towers shall ideally not be located on top of buildings or structures in any residential district in nonresidential districts, towers are permitted on top of buildings or structures (which are not tower

accessory structures).

G. The base of the tower, any guy wires, and any associated structures, walls, or fences shall ideally be surrounded by a landscaped buffer developed in accordance with Ordinance 719 of this title. Towers and antennas shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting and surrounding buildings.

F. The information contained in Table 17.12.060 shall be taken into consideration where applicable, but where the same may be safely waived without danger to the health and safety of the public, or without interfering with existing communications, the Town Council may do so.

Table 17.12.060

| ZONE | MAX HT. | P&Z REVIEW | COUNCIL APPROVAL | ON TOP OF Structures |
|------------------------|---------|------------|------------------|-----------------------------|
| E-R D-R D-MH PUD | 70' | SR/ SP | SR/ SP | NP |
| UR UA | 100' | SR/ SP | SR/ SP | NP |
| E-B D-B MU PLI | 70' | SR/ SP | SR/ SP | 30% of Bldg. Ht. up to 70' |
| E-I | 100' | SP | SP | 30% of Bldg. Ht. up to 100' |
| D-I | 200' | SP | SP | 30% of Bldg. Ht. up to 200' |

NP = Not Permitted

NA =Not applicable

SR = Special Review Permit Required

SP = Site Plan required

MAXIMUM HEIGHT = Maximum height permitted

17.12.060 (h) Co-Location

The shared use of towers is encouraged. Applications for towers which will, immediately upon completion, operate with more than one user may reduce setback requirements from adjacent to residential property. The setback from adjacent nonresidential property maybe reduce by twenty-five percent when two users enter into a binding agreement prior to the issuance of the building permit The setback from adjacent nonresidential property may be reduced by up to fifty percent when three or more users enter into a binding agreement prior to the issuance of the building permit A binding agreement for the purposes of this section is one signed by all parties using the tower and by the affected landowners and which is binding for the duration of the facility's use or occupation of such land. This signed agreement will commit the users to occupy the tower immediately upon its completion.

17.12.060 (i) Antennas Mounted on Utility Poles or Light Poles

1. The equipment cabinet or structure used in association with antennas shall be located in accordance with the following:
2. In residential districts, the equipment cabinet or structure may be located in a front, side or rear yard provided the facility is no greater than 20 feet in height or 350 square feet of gross floor area and the cabinet/structure is located a minimum of 25 feet from all lot lines.
3. In commercial or industrial districts, the equipment cabinet or structure shall be no greater than 20 feet in height. The facility shall be screened from view of all adjacent residential properties.
4. A Special Review and site plan application and fee are required.

17.12.060 (j) State or Federal Requirements

All towers meet current standards and regulations of the Federal Aviation Administration (FAA), Federal Communications Commission (FCC) and any other agency of the , state or federal government with the authority to regulate towers and antennas.

17.12.060 (k) Building Codes; Safety Standards

To ensure the integrity of towers, the owner of a tower; shall ensure that the tower is maintained in compliance with applicable state and local building code standards and the applicable standards for towers that are published by the Electronic Industries Association, has ended.

17.12.060 (l) Removal of Abandoned Antennas and Towers, Insurance and Additional Requirements

1. Towers which are not used for a period of six months or more shall be removed by the owner within ninety days from date of written notification. Towers and grounds which are not maintained for a period of six months or more, as agreed to in the site plan agreement, shall be removed by the owner within ninety days from date of written notification. Failure to remove a tower in accordance with this provision shall constitute a criminal offense punishable under the General Offenses provision of the Town Code of the Town of Mills. Maintenance of a tower upon real property that is not in compliance with this provision shall constitute a criminal offense punishable under the General Offenses provisions of the Town Code of the

- Town of Mills. Each additional thirty (30) day period after a tower is in violation of this provision shall constitute an additional and separate offense.
2. All towers shall be covered by a general liability insurance policy in an amount not less than five hundred thousand dollars.
 3. The town reserves the right to enter upon and disconnect, dismantle or otherwise remove any tower or telecommunications facility should same become an immediate hazard to the safety of persons or property due to emergency circumstances, as determined by the mayor or his designee, such as natural or man-made disasters or accidents, when the owner of any such facility is not available to immediately remedy the board. The town shall notify any such owner of any such action within twenty-four hours. The owner and/or operator shall reimburse the town for the costs incurred by the town for action taken pursuant to this section.
 4. To enable the town to keep accurate, up-to-date records of the placement of telecommunication towers and facilities within city limits, at the time the work on the facility or tower is complete and before operation begins, the owner/operator of the tower shall submit documentation to the town's building department providing:
 - A. Certification in writing that the tower is structurally sound and conforms to the requirements of the town's building code and all other construction standards set forth by the town's code, federal and state law by filing, a sworn and certified statement by an engineer to that effect. The tower owner may be required by the town to submit more frequent certifications should there be reason to believe that the structural and electrical integrity of the tower is jeopardized. The certification must be based upon on-site physical inspection by an engineer certified by the State of Wyoming;
 - B. The number of providers located on the tower, the type and use of any antenna located on the tower, and the name, address and telephone number of any owner, if there has been a change of ownership of the tower;
 - C. An initial payment of a registration fee which shall be in addition to any franchise fee paid by owner or operator of the tower or facility, for all towers or facilities located within the town. shall be required and shall be submitted to town clerk at the time of submission of the documentation, as required in subsections (5)(A) and (B) of this section;
 - D. An annual registration payment, which shall be in addition to any franchise fee paid by the owner or operator of the tower or facility, for all towers or facilities located within the town shall be required and submitted to the community development department no later than July 1st of each year, and shall include a written certification stating that the data submitted pursuant to subsection (E)(1) of this section is current as of the date of payment, and if not current, stating any changes therein. In the event the owner does not fulfill the annual registration requirement or does not pay the annual registration fee, the owner shall remove such tower within ninety days of written notification. In the event the owner shall fail to

removesuchtower, asprovided in thissection, the town shall have the right to enter the premises and remove the tower without further notice to owner, in which event, all removal costs shall be charged against the bond or security and the owner until satisfied, as provided in subsection B of thissection.

- E. The town reserves the right upon reasonable notice to the owner/operator of the tower to conduct inspections for the purpose of determining whether the tower, equipment, and/or related buildings comply with all provisions of this code, the applicable building codes or all other construction standards provided by local, state or federal law.

17.12.060 (m) Nonconforming Uses

1. No Expansion of Nonconforming Use

Towers that are constructed and antennas that are installed in accordance with the provisions of this title shall not be deemed to constitute the expansion of a nonconforming use.

2. Preexisting Towers

New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this chapter.

CHAPTER 17.16

ADMINISTRATION

17.16.010

SPECIAL REVIEW

INTENT

Although each zoning district is primarily intended for a predominant type of use (e.g., dwellings in residential districts), there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, character of surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may dictate that the circumstances of development should be individually reviewed. It is the intent of this section to provide review of such uses so that the community is assured that they are compatible with their locations and surrounding land uses and will further the purpose of this Ordinance.

APPLICATION OF SECTION

Special review requirements shall be applicable to all uses designated “S,” “Uses Permitted by Special Review” in the permitted use section of this Ordinance.

APPLICATION FOR SPECIAL USE PERMIT

- A. Application Required: Any person desiring to obtain a special review permit shall complete a special review permit application and shall be filed with the Town on a form approved by the Town Council. Notwithstanding the content of the application form, the Council may require additional information as necessary to obtain a complete description of the project and identify potential impacts. No person shall begin development or operation of a special review permit without first applying for and obtaining a special review permit, as outlined herein. An application fee, as set by Resolution, by the Council, shall accompany the application. Consultation with the Town Planner regarding the preparation of the application is recommended.
- B. Notice and Public Hearing: The Council is the decision-making body for special review permit permits. The Council shall conduct a public hearing to obtain information pertaining to the request and the appropriateness of the special review permit. Notice of the hearing is required as follows:
 - 1. Notice of the public hearing shall be given at least ten (10) days prior to the hearing by publication in the Town's official newspaper and by USPS first class mail to the owners of all properties within one hundred forty feet (140') of the subject property. The notices must identify the date, time, location, and

purpose of the public hearing. The property owner list shall be based on the ownership data from the Natrona Regional Geospatial Cooperative (NRGC) geographic information system mapping service (or equivalent) on the day of application.

2. The person sending the notices by mail shall complete an affidavit of mailing which identifies the document, the property owners to which it was sent, and the date mailed.
 3. The Town Planner is granted authority to require or perform optional notice to inform other property owners, lessees, utility providers, or others that may be affected by the special review permit, of the public hearing. Optional notice is not subject to the ten (10) day requirement, may take any form, and is completely discretionary. Optional notice, or lack thereof, shall not be grounds for appeal.
- C. Standards of Review: The Council has authority to approve, impose conditions on, or deny special review permit applications. The Council shall base its determination upon the following considerations. Negative impacts shall be justification to impose conditions on or deny the application.
1. Is the site large enough to accommodate the proposed use and meet all of the dimensional standards and development regulations of the zoning district in which the project is located?
 2. Is the use, at the scale or density proposed, compatible with all other uses in the immediate area and with permitted uses that may be established in the area?
 3. Does the proposed use involve activities, processes, materials, equipment, hours of operation, or any other operational characteristics that would be materially detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, dust, glare, odors, hazards, or similar impacts?
 4. Does the proposal include provisions for necessary and desired public utilities and facilities such as potable water, fire hydrants, sewer, electrical power, streets, stormwater facilities, and sidewalks/pathways?
 5. Will the proposed use create excessive additional costs for public facilities and services that would be materially detrimental to the economic welfare of the community?
 6. Will the proposed use result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of significant importance?
 7. Is the proposed use consistent with the applicable provisions of the Mills Comprehensive Plan?

- D. **Conditioning Authority:** The Council is authorized to impose conditions on the proposed use as necessary to ensure compliance with the provisions of this title and to mitigate or avoid negative impacts to neighboring properties or the general public health, safety and welfare of the community. Examples of such conditions may include, but are not limited to:
1. Limiting the size, height, location, or scale of the project or any component thereof.
 2. Limiting the hours of operation of the use, or any component thereof;
 3. Requiring sound-reduction methods;
 4. Requiring screening of loading areas, storage areas, and other unsightly features;
 5. Requiring dust control or surfacing improvements;
 6. Limiting the duration of the special review permit to give opportunity for future review as the surrounding area becomes more developed;
 7. Requiring the provision of on-site or off-site public facilities or services to serve the use.
- E. **Outstanding Violations:** The Council may withhold or delay issuance of a special review permit if there is an outstanding zoning violation that exists on the subject property, until the violation is remedied.
- F. **Filing of Permit:** If the special review permit is authorized by the Council, the Town shall approve the special review permit by Resolution. The Resolution is to include the date the special review permit was approved by the board; a description of what was approved; any conditions, limitations and restrictions imposed on such special review permit; and, the "time limitations and expiration" language found below. The permit shall be signed by the Town Council and recorded with the Natrona County Clerk's Office within fifteen (15) days, or as otherwise specified by the Council. Recording cost is at the applicant's expense.
- G. **Time Limitations and Expiration:**
1. Unless specified otherwise by the Council, development of a permitted special review permit shall commence within two (2) years of the granting of the special review permit, or the authorization shall expire. If the special review permit is associated with a building, commencing development shall be in the form of obtaining a building permit and starting construction on the project. If no building is associated with the special review permit, the special review permit activity shall commence within the specified deadline.

2. If a special review permit has been discontinued for one (1) year or more, the special review permit shall automatically become null and void and the activity shall not be reestablished except in accordance with the provisions and procedures of this title.
- H. Transfers: Special review permits are an entitlement to the specific property for which the approval was granted and upon property sale the entitlement, if not otherwise revoked or expired pursuant to this section, transfers to the new owner(s) without further application or approval, provided, however, the new owner(s) shall be bound by the same time limits and conditions of approval as the original permit holder(s). A special review permit is not transferable from one (1) property to another.
- I. Modifications: A request to modify, expand, or otherwise change an approved special review permit in a manner that is not in substantial conformance with the approved site plan and permit shall be processed as a new application.
- J. Revocation, Suspension or Modification by Council:
1. A special review permit may be revoked, suspended, or modified by the Council for cause upon notice to the permit holder and public hearing, for either a breach or violation of any condition of approval or limitation of the permit; or, if the special review permit is operated in a manner so as to create a public nuisance as defined and regulated by this Code.
 2. If the Council desires to revoke, suspend, or modify a special review permit, either on its own action or after a formal complaint, the Council shall notify the permit holder of its intention and provide the permit holder with the opportunity to contest the revocation, suspension, or modification in the context of a public hearing.
 3. Notice of the public hearing shall be mailed to the property owner by certified, return receipt mail, at least fourteen (14) days before the public hearing. Notice shall also be provided to neighbors and the public in the same manner set forth for application of a special review permit.
 4. The Council shall make findings of fact and conclusions of law if they decide to revoke, suspend, or modify the special review permit. If the Council does not decide to take such action, no findings of fact and conclusions of law shall be made.

ADDITIONAL REGULATIONS

The Town Council shall, from time to time, establish additional written specific regulations not inconsistent with the provisions of this section relating to procedures, and to criteria and relevant development features of any other special review uses.

17.16.015

SITE PLAN AND LANDSCAPING REQUIREMENTS

APPROVAL CRITERIA

- A. The staff, Zoning Board and Town Council shall approve site plans that meet the standards found in this chapter and the following criteria:
- B. Is compatible with the goals and policies of the Town of Mills land use plans.
- C. Promotes the efficient use of land by sound arrangement of buildings, safe and functional points of access, well planned parking circulation, and adequate sidewalks and pathways for pedestrians.
- D. Provides for usable open space within multi-family complexes, such as bicycle paths, playground areas, courtyards, areas for active recreation, swimming pools, landscaping, outdoor seating or picnic areas, and similar open space.
- E. Preserves and utilizes existing landscape features and amenities where possible and blends such features with the new structures and other improvements.

DEFINITION

The site plan is a plot plan of the entire area to be developed. It shows the location and size of buildings, the area of the land under consideration, street names and widths, parking area size, and all other items required on the site plan checklist. A site plan is required for all Planned Unit Developments; new multifamily residential buildings consisting of 8 or more dwelling units; new public, commercial, or industrial buildings; new churches; exterior additions to existing public, commercial, and industrial buildings, and exterior additions to existing churches. Off-street parking lots (new or being added to) also require site plan approval.

PROCEDURES

- A. Individuals are required to meet with the town planner or his designee at least seven days prior to submitting an application for review, in order to discuss their proposals and the site plan application. A landscaping plan must be submitted to and approved by the Town of Mills prior to issuance of any building permits.
- B. Following the applicant-staff meeting, a complete site plan application can be submitted to the town planner. The application shall consist of:
 - 1. An original and two copies of the site plan application form;

2. Ten copies or a PDF of a site plan containing all information required on the checklist;
 3. For sites that are 1 acre or more: A drainage plan providing for surface drainage and the effect the surface drainage will have on the area under consideration and adjoining areas and proving compliance with the Town's urban Storm Water Management Plan.
 4. For developments generating 75 or more vehicle trips per peak hour period: A traffic study prepared by a registered professional engineer shall be provided to the Town of Mills. Trip generation data shall be calculated using the trip generation guide (Institute of Transportation Engineers, most recent edition). If the data is not available, applicant shall provide an estimation which may either be accepted or rejected by the town planner.
 5. Natural hazards shall be identified and what action shall be taken to alleviate the problems.
 6. Buffering measures for the areas between all multifamily, townhouse and condominium dwellings adjacent to single-family dwellings, and for all PUD, commercial, industrial, and multifamily developments.
- C. The procedure for submittal, approval or denial, and appeal for PUD site plans is set forth in the Town of Mills Code and applicable State Statutes.
- D. Site plan applications for new or exterior additions to buildings, churches, and off-street parking lots up to 5,000 square feet in building/parking lot area may be approved by the town planner or designee. The one exception involves commercial buildings, which will be reviewed by the Town Zoning Board and Town Council as outline in "E" below. The application shall be reviewed for completeness within three working days of receipt. If not complete, the town planner shall notify the applicant and list the items needed to complete the application. After the application is complete, the town planner or designee shall approve, approve with contingencies, or deny the application within five working days and notify the applicant of the decision. If the application has been approved either with or without contingencies, the applicant shall sign the agreement and may obtain a building permit from the Town of Mills. If the application has been denied, the applicant shall not be issued a building permit. Decisions may be appealed in writing to the Town Council within ten calendar days of the decision. Denials that are not timely appealed shall become final.
- E. Site plan applications for commercial buildings of any size and for all new or exterior additions to buildings, churches, and off-street parking lots over 5,000 square feet in building/parking lot area, and multifamily developments over 8 units, must be approved by the Town Zoning Board and Town Council. Applications

must be submitted to the Town Clerk by 5:00 p.m. at least 15 days before the Town Zoning Board meeting at which the application is to be discussed.

1. The town planner or designee shall review the application for compliance with the site plan application requirements within three working days of submittal. If not complete, the application will be returned to the applicant within three days. Written notification shall include the reasons for the determination and shall list the items needed to complete the site plan, the drainage study, and/or the traffic study. If it is complete, the application shall be accepted, and the date of acceptance written on all copies.
2. Incomplete applications shall not be placed on the Board agenda until it is resubmitted in complete and accurate form.
3. The town planner shall notify the applicant in writing at least five calendar days prior to the Zoning Board meeting at which the application will be considered. A meeting will also be scheduled between the applicant and the town planner to discuss the staff's comments to the Board.
4. The application will be considered by the Zoning Board at its meeting, and the town planner will provide review comments to the Board. The applicant will be given the opportunity to discuss the site plan, and other comments regarding the site plan may also be made.
5. The Board shall take one of the following actions, approve, approve with conditions, deny, or table the application.
6. If the site plan is approved (with or without conditions), the applicant must sign a site plan agreement stating terms of approval and his/her willingness to comply with those terms. If the application is tabled, it shall be considered at the next regularly scheduled Board meeting and a decision to approve, approve with conditions, or deny shall be made. Appeal of decisions may be made in writing to the Town Council within ten calendar days of the decision.
7. The Town Council may consider the appeal at the next regularly scheduled Council meeting that is held after receipt of the written appeal within 15 business days of the Council meeting at which the appeal was heard. The Council shall make a final determination upon the appeal. (Ord. 514, 2005)

LANDSCAPING REGULATIONS

The Town of Mills shall require landscaping in certain instances for the following reasons:

- A. To encourage quality development within the Town;

- B. To provide a smooth land use transition between adjoining properties;
- C. To screen service yards, parking lots, and other areas which may be a nuisance;
- D. To improve erosion control;
- E. To encourage a strong sense of commitment to the Town by its residents, business owners, developers, and public agencies; and
- F. To provide for the health, safety and welfare of the residents of the Town of Mills.

DEFINITION

Landscaping – The use of vegetation and inorganic durable materials such as those identified below to enhance the visual attractiveness of a site and improve erosion control.

In order to meet the requirements of the Town Subdivision and Zoning Ordinances, landscaping shall include, but not be limited to, the following:

- A. Formal turf areas;
- B. Trees, shrubs, bushes, ground cover or planting;
- C. Sprinkler systems;
- D. Decorative rock, natural or manmade;
- E. Rooftop gardens, exposed aggregate tile or similar decorative materials used in walkways (excluding sidewalks on public property), driveway approaches, and architectural features attached to the building;
- F. Decorative lighting (Standard street lighting or lighting used primarily for security purposes is not considered decorative);
- G. Benches, tables, fountains, planters, kiosks, bus shelters, waterfalls, and manmade streams;
- H. Decorative fences and retaining walls (i.e., railroad ties, brick, flagstone);
- I. Ponds, excluding detention and retention ponds;
- J. Berms and mounds.

PROCEDURES

- A. The owners of all proposed/new public, commercial, or industrial buildings, or parking lots (including churches); all exterior additions to existing public, commercial, or industrial buildings, or enlargement of a parking lot (including churches); or any new residential buildings or exterior additions to existing residential buildings with the exception of single-family and two-family dwellings, must submit and obtain approval of a complete landscaping application before any building permit is issued. Landscaping applications are to be submitted to the Mayor or a designee. A complete landscaping application consists of:
 - 1. A planting list;
 - 2. A time frame for installation or planting;
 - 3. One copy of a landscaping plan complying with the list of landscaping criteria; and
 - 4. The original copy of the landscaping application form.

- B. At the time the owner submits a landscaping application, the owner shall sign an agreement with the Town to comply with both the landscaping criteria below and an approved landscaping plan, and to complete the landscaping within the time frame stated in the agreement. Upon approval of a landscaping plan by the Mayor or a designee, the signed agreement shall be filed with the Town Clerk.

- C. Within five working days of receiving a landscaping application, the Mayor or a designee will review the application for completeness and compliance with the landscaping criteria. Applications determined to be incomplete will be returned to the applicant within the five-day period by U.S. Mail to the address provided in the application, along with written notification of additions and corrections necessary for compliance. If written notification of non-compliance is not mailed within such time, the landscaping application is considered complete.

- D. Applications for landscaping on sites 5,000 square feet or less in buildings/parking lot area shall be reviewed and acted upon by the Mayor or a designee. Upon his or her approval of the application, the Town Code Enforcement Officer will be notified that a building permit can be issued.

- E. The Mayor or a designee will forward landscaping applications for all commercial buildings and other applications for sites over 5,000 square feet in building/parking lot area to the Town Zoning Board for their comments and recommendations. Those comments will be given to the Mayor or a designee for final action. If the application is approved, the Mayor or designee will contact the Town Code Enforcement Officer within five days of receiving the Board comments, and the Code Enforcement Officer may issue a building permit.

Appeals of the decisions of the Mayor or a designee must be requested, in writing, to the Town Council within five working days of the date upon which the owner was notified of the decision.

The Town Council may consider the appeal at the next regularly scheduled Council meeting to be held after receipt of the written appeal. Within fifteen working days of the Council meeting at which the appeal was heard, the Council shall make a final determination upon the appeal.

LANDSCAPING CRITERIA

The landscaping plan must comply with the following criteria:

- A. Minimum size of plant and other materials shall comply with the criteria and specifications set forth in Building Casper’s Urban Forest, A Tree and Shrub Selection and Care Guide;
- B. Inorganic ground cover should consist of rock, lava, and bark installed over a minimum six mill screen type material to prevent weed infiltration;
 - 1. Bark chips – a minimum of one inch in size and a minimum of two inches in depth;
 - 2. Crushed stone – a minimum of one inch in size and a minimum of two inches in depth;
- C. Inorganic landscaping shall not be more than sixty percent of the landscaped area unless first approved by the Mayor or a designee;
- D. Landscaping of off-street parking lots and loading and unloading spaces shall be located to break up the expanse of paving, and shall be of such quality as to improve and enhance the site and its surrounding areas;
 - 1. Parking lots of one or more acres in size shall have interior planting areas provided at a ratio of one planting area for every fifty parking spaces,
 - 2. Each planter area shall be a minimum of 100 square feet, and shall contain at least two trees or one tree and two shrubs,
 - 3. The interior planting areas shall be not less than twenty-four feet from the perimeter of the parking lot,
 - 4. Parking lot landscape islands and perimeter buffer strips may be included in the minimum percentage of the land to be landscaped computation,

- 5. The total landscaping to be provided need not exceed the minimum percentage outlined in the Minimum Landscaping percentages table within this section;
- E. Landscaping shall be required along the perimeter lot line(s) of all off-street parking lots which abut any public way, residential property, or property zoned for a less intensive use;
 - 1. Parking lots of one or more acres in size shall be buffered by a landscaping strip that is at least ten feet in width, which shall be located between the parking area and the abutting property or roadway and may encroach on the abutting street right-of-way with the consent of the right-of-way owner,
 - 2. The landscaping shall be of a height and density to partially screen the parking lots from adjoining properties or public streets,
 - 3. Parking lot landscape islands and perimeter buffer strips may be included in the minimum percentage of the land to be landscaped computation,
 - 4. The total landscaping to be provided need not exceed the minimum percentage outlined in the Minimum Landscaping Percentages Table within this section;
- F. No artificial trees, bushes, hedges, flowers, or shrubs may be used in landscaping any exterior areas, unless having received prior written approval from the Mayor or a designee;
- G. No synthetic ground cover, such as astro turf, is to be used for exterior landscaping unless warranted by soil conditions and unless prior written approval has been received from the Mayor or a designee;
- H. All planted areas must be provided with sprinkler irrigation systems;
- I. The owner or occupant, his successors and assigns, are responsible for irrigating, fertilizing, spraying, pruning, and general maintenance of all plantings and landscaped area. After two years, the owner or occupant, his successors and assigns, may substitute alternate landscaping upon approval by the Mayor or a designee;
- J. Upon demand of the Code Enforcement Officer or his designee, the owner shall replace and replant any plant material approved with the site plan or conditional use permit that dies within two years of planting or is not in conformity with the approved landscaping plan. The requirement to replace plant material shall not be assigned to the owner of a vacant property until such time as an active commercial or residential use is established on that property;

- K. Landscaping shall not:
1. Interfere with the installation, maintenance, and repair of any public utilities;
 2. Restrict pedestrian or vehicular access, or
 3. Constitute a traffic hazard (see attached illustration);
- L. The owner shall attempt to use the list of recommended plantings when selecting landscaping materials. The plant list identifies vegetation conducive to growth in the Casper area, and is available from the Town Planner or Code Enforcement Officer;
- M. A minimum percentage of the site shall be landscaped. A list of minimum percentages is attached;
- N. The landscape plan should be prepared by a landscape architect, landscape contractor, or other qualified person;
- O. The landscape plan must be prepared on a scale of 1" = 10' or a multiple thereof and must include:
1. North arrow, scale and date of preparation,
 2. Street address and location of land under consideration,
 3. Location and width of all interior and abutting roads, highways, rights-of-way, and railroad rights-of-way,
 4. Easements on the 1 and under consideration,
 5. Adjoining property lines and rights-of-way,
 6. The location, type, and size of all existing plant materials that are to remain on the site,
 7. The location, type size, and quantity of proposed plant and other landscaping materials, and
 8. All other significant features. (Ord. 513, 2005)

LANDSCAPING APPLICATION FORM

OWNER: _____ TELEPHONE: _____

ADDRESS: _____

OWNER'S AUTHORIZED REPRESENTATIVE:

NAME: _____

ADDRESS: _____

TELEPHONE: _____

NAME OF DESIGNER OR LANDSCAPE PLAN:

ADDRESS: _____

TELEPHONE: _____

AMOUNT PROPOSED FOR LANDSCAPING \$: _____

PERCENTAGE OF LAND UNDER CONSIDERATION

REQUIRED TO BE LANDSCAPED: _____

PERCENTAGE OF INORGANIC LANDSCAPING: _____

TYPES OF IRRIGATION/SPRINKLING PROVISIONS:

TYPE AND NUMBER OF TREES AND PLANTINGS:

DATE OF COMPLETION: _____

The following owner's signature signifies that all information on the landscaping plan application is correct and accurate to the best of the owner's knowledge and that the owner has thoroughly read and understands all landscaping information and requirements and shall honor all commitments made therein.

SIGNATURES OF PROPERTY OWNER: _____

DATE: _____

SIGNATURE OF PLANNING DIRECTOR: _____

DATE: _____

MINIMUM LANDSCAPING PERCENTAGES

| <u>Size of Site</u> | <u>Minimum Percentage of Land to be Landscaped</u> |
|--|---|
| <u>Residential Sites:</u> | |
| Multifamily sites of 9,000 square feet Or more* | 20% |
| <u>Commercial Sites:</u> | |
| 0 to 19,999 square feet | 10% |
| 20,000 square feet to 1 acre | 8% |
| Over 1 acre | 6% |
| <u>Industrial Sites:</u> | |
| 0 to 19,999 square feet | 6% |
| 20,000 square feet to 1 acre | 5% |
| Over 1 acre | 4% |

17.16.020

HOME OCCUPATIONS

Home Occupations - A home occupation shall be allowed as a permitted accessory use provided the following conditions are met:

- A. Such use must be conducted entirely within a dwelling and carried on by not more than two individuals, one of whom is the principal occupant.
- B. Such use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and must not change the residential character thereof;
- C. The total area used for such purposes may not exceed one half of the first-floor area of the user's dwelling unit;
- D. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, including advertising signs or displays, or advertising that solicits or directs persons to the address; except for one sign, not exceeding three (3) square feet in the area, attached flat against the building, not illuminated, and announcing only the name and occupation of the owner.
- E. There shall be no exterior storage on the premises of materials or equipment used as part of the home occupation.
- F. No equipment or process shall be used in such home occupation which creates any glare, fumes, odors, or other objectionable conditions detectable to the normal senses off the lot.
- G. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.
- H. Off-street parking shall be provided for all home occupations adequate to accommodate the needs of the home occupation of not less than two parking spaces plus the parking spaces required by the dwelling unit. Such parking shall be provided on the same lot as the home occupation.
- I. Barber and beauty shops are permitted home occupations subject to a maximum of one operator, who is the principal resident of the dwelling, who also must be a licensed and approved barber or cosmetologist. (Ord. 380, 1987)
- J. Home occupations shall be permitted as an accessory use subject to the above requirements. If a complaint is filed with the Building Official by a property owner within a radius of 140 feet of the property, a public hearing before the Town Council shall be required to determine the continuance of the home occupation.

- K. Any home occupation shall be operated in compliance with all applicable local, state and federal laws. (Ord. 380, 1987)

17.16.025

SECURITY QUARTERS

Apartments, as a part of the main structure, or mobile homes necessary for safety or security reasons in conjunction with the principal use, located on the same lot as the principal use and occupied only by persons responsible for security of the principal use and on the payroll of the industry or business conducting the principal use.

As a Special Review Use in the Established and Developing Industrial Districts, EI and DI.

Such uses shall be approved through public hearing under the Special Review Use procedures with such contingencies as the Council may determine, including, but not limited to the following:

- A. One dwelling unit per lot, whether mobile home or stick built;
- B. The unit must be provided with public water and sewer;
- C. Two off-street parking spaces must be provided for the unit in addition to those required for the industrial use;
- D. All parking areas must be provided for the unit in addition to those required for the industrial use;
- E. All new construction and mobile homes must comply with the building and fire codes and meet yard requirements of the Zoning District in which the unit located;
- F. When a mobile home is located on a lot, the following shall apply:
 - 1. A mobile home shall be located on a foundation or skirted;
 - 2. Skirting shall be equipped with a door or panels to permit access to utility connections;
 - 3. Skirting shall be waterproof, rigid, durable and fire-resistant material and furnished in a manner compatible with the exterior of the mobile home.
- G. Anchors and tie-downs are required, and their design must be submitted to the building inspector for his approval;

- H. Security lighting must be provided on site as approved by the Council;
- I. All such uses shall be approved as special review uses and may be subject to annual review by the Council.

17.16.030

PLANNING AND ZONING BOARD

ESTABLISHMENT

There is hereby established a planning and zoning board to be known as “The Planning and Zoning Board of the Town of Mills, Wyoming,” and hereafter referred to in this section as “The Board.”

ORGANIZATION

- A. The Board shall consist of five members, who shall be residents of the Town of Mills, and who shall be appointed by the Town Council.
- B. Terms of office shall be three (3) years and shall be fixed so that two or three shall expire each calendar year. Appointments to fill vacancies shall be made by the Council and shall be made only for the unexpired portion of the term. The Council may remove any member of the Board for cause upon written charges and after a public hearing.
- C. The Board shall elect a Chairman and Vice-Chairman from its own membership. Officers shall serve annual terms and may succeed themselves.
- D. Election of officers shall take place at the first meeting of each calendar year.
- E. The Building Official shall be the Secretary of the Board, and the Building Official and Town Planner, appointed by the Council, shall be the staff of the Board.
- F. The Board may adopt requirements by rule to carry out the provisions of this Ordinance.
- G. Meetings shall be held on a regular basis at the call of the Chairman or at such other times as the Board may determine.

17.16.035

VARIANCES

- A. The Town Council shall have the authority, in specific instances and on petition of the Landowner, to grant a variance from the provisions of this Ordinance; when, owing to special conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardships. Such variation of the provisions of the Ordinance shall be determined by the Town Council to not be contrary to the public interest and that the spirit of the Ordinance shall be observed, and substantial justice done.

- B. The Town Council shall have the authority to vary or adjust the provisions of the Ordinance.

- C. The Council may grant a variance in the instance of:
 - 1. Unique physical circumstances or conditions, such as irregularity, narrowness or shallowness of the lot, or exceptional topographical or physical conditions peculiar to the affected property; or
 - 2. Other circumstances where the landowner establishes that a hardship exists on the affected property.

- D. The Council may grant a variance only if it makes findings that substantial compliance with the following is established:
 - 1. That there are unique physical circumstances or conditions, such as irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical conditions peculiar to the affected property; or
 - 2. That there exist other certain circumstances or conditions peculiar to the property;

And because of such circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of the Zoning Ordinance.

- E. The Council must make findings:
 - 1. That much unnecessary hardship has not been willfully created by the applicant;
 - 2. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, not substantially or permanently impair the appropriate use or development of adjacent property;

- 3. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the Zoning Ordinance provisions which are in question.

- F. In the instance where unusual hardship is claimed, other than that created by unique physical circumstances, a variance may be granted only after substantial compliance is established with one or more of the criteria established in Paragraphs D and E, and only on the affirmative vote of at least 4 Council members. The burden of establishing a unique hardship and compliance with necessary criteria shall be the petitioners.

- G. Upon request to grant variances where it has been shown that an illegal construction or a non-conforming building or use has existed for a period of at least five (5) years in violation of this chapter and the Town has not taken steps toward enforcement, the Council may grant a variance to the applicant.

- H. Application for Variances. All applicants for a variance shall follow the procedures for Zone Change Requests as outlined in Section 17.16.040 of this Ordinance. Review and hearing of variance petitions shall be in accordance with Section 17.16.040.

- I. A variance, unless otherwise noted, shall be granted for a period of 170 days only, after which time the owner must make a reapplication. (Ord. 355, 1984.)

17.16.040

AMENDMENTS AND ZONE CHANGES

GENERAL

The Town Council may, from time to time on its own motion, by petition of any person or persons of interest, or on initial recommendation from the Zoning Board, amend, supplement, or repeal the regulations and provisions of this Ordinance; provided that where property is sought to be rezoned on proposal other than the Town Council or Zoning Board, the person proposing the rezoning of property shall have a property interest in the total area of the property.

ZONE CHANGE – PETITION

- A. The owner of interest of property to be rezoned shall submit a petition requesting amendment of the zoning district map to the Town Clerk. The Clerk shall verify that the petition contains the following information:
 - 1. Legal description of the property to be rezoned.

2. Existing and proposed zoning districts applicable to the property.
 3. Signatures of the owners of the property to be rezoned.
 4. Names, addresses and signatures of a minimum of 50 percent of the owners of record (as shown by County records) of real property within 140 feet of the property to be rezoned.
 - a. The signing of the zone change petition indicates the owner favors the zone change.
 - b. No signature may be withdrawn from a petition.
- B. The Town Clerk, after verifying completeness of the petition shall forward the petition to the Zoning Board for review.

HEARING. Upon receipt of a Zone Change Petition from the Town Clerk, the Zoning Board shall, at its next regular meeting, establish a date of public hearing to hear evidence and information on the proposal. The Mayor shall also request that the Mayor Designee present the petition to the Zoning Board for a “Do Pass” or “Do Not Pass” recommendation at some point before the 3rd reading of the ordinance.

NOTICE OF HEARING

- A. The Zoning Board shall publish notice of the date, time, and place of hearing and summary of the proposed amendment in a newspaper of general circulation within the Town. Such notice shall be published at least 15 days prior to the date of such hearing.
- B. A notice reciting rezoning applied for, and directing further inquiry to the Town Clerk, shall be posted at least fifteen days prior to the hearing on the property proposed for rezoning along the part thereof fronting a public street.
- C. A written notice of the public hearing shall be sent by first class mail at least fifteen days prior to the date of the hearing to owners of property within the area proposed for rezoning and to either an owner or to an occupant of each separately owned property adjacent within 140 feet of the area proposed for rezoning.
- D. Such notice by posting and by mailing is for convenience of the public only, and any omission thereof or defect therein shall in no way impair the validity of the proceedings for the proposed amendment.
- E. Exception – General Revision – When said zoning district map is in any way to be changed or amended incidental to or as a general revision of the Zoning Ordinance, whether such revision be made by repeal of the existing Zoning Ordinance and

enactment of a new Zoning Ordinance, or otherwise, said notice in this section by posting and mailing shall not be required.

ZONING BOARD REVIEW

The Zoning Board, after the public hearing thereon, shall make an advisory report to the Town Council, recommending action on the proposal. Any proposed amendment or change initiated by the Council shall be referred to the Zoning Board for review. Any amendment proposed by the Zoning Board shall be made to the Council as a recommendation accompanied by an advisory report.

NATURE OF REVIEW

The Zoning Board reviews each proposed amendment for conformity with the Land Use Plan, and the effect of the amendment on the stated intent of this Ordinance and established district.

PROCEDURE BEFORE TOWN COUNCIL

After receiving the advisory report from the Zoning Board, the Town Council shall hold a public hearing before acting on the proposed amendment. Notice of the time, date, and place of the hearing shall be published by the Town Clerk, at least fifteen days prior to the hearing, in a newspaper of general circulation with the Town.

A NOTICE RECITING ZONING

A notice reciting rezoning applied for, and directing further inquiry to the Town Clerk, shall be posted at least fifteen days prior to the hearing on the property proposed for rezoning along the part thereof fronting on a public street.

ACTION BY COUNCIL

The Town Council shall, after conducting a public hearing on the Zone Change Petition, approve or deny the zone change.

The zoning district map shall be amended to reflect the decision of the Council. If there is a protest against the change of an amendment of a zoning district boundary signed by twenty (20) percent or more of the area of lots within a distance of 140 feet of the subject property, the amendment shall become effective only upon an affirmative vote of three-fourths of the members of the Town Council.

COSTS

For individual applications for rezoning, the Town Council may establish a fee to be charged for advertising and processing set by resolution.

ANNEXED TERRITORY

- A. Zoning of land in the process of annexation may be done in accordance with the procedure and notice requirements of this article. The proposed Zoning Ordinance shall not be passed on final reading prior to the date when the annexation Ordinance is passed on final reading, but the Ordinance annexing the property can also zone the property. If the zoning process is commenced prior to the effective date of annexation Ordinance, the legal protest area for rezoning shall be determined solely on geographic location, irrespective of whether the land in such legal protest area is within or without or partly within and partly without the limits of the Town of Mills.
- B. Any area annexed shall be brought under the provision of this Ordinance and the map thereunder within ninety (90) days from the effective date of the annexation Ordinance irrespective of any legal review which may be instituted challenging the annexation. During such ninety-day period, or such portion thereof as is required to zone the territory, the Town of Mills shall refuse to issue any building or occupancy permit for any portion or all of the newly annexed area.

17.16.050

NON-CONFORMING USE

NON-CONFORMING USE, BUILDING LOT

It is the intent of this section to permit the continuation of uses and use of lots and buildings which were lawful prior to the time that this Ordinance was adopted, but which would be prohibited under the Ordinance. It is also the intent of this section that no use, building, or lot determined to be non-conforming shall be enlarged or expanded after the adoption of this Ordinance.

NON-CONFORMING USE DEFINED

Non-conforming use, lot and building shall be hereby defined as:

- A. Non-conforming Use. Any use within a building or on a lot which does not conform with the provision so this Ordinance for permitted uses, including lot size minimum, lot area per dwelling unit, or required off-street parking.

- B. Non-conforming Building. Any building which does not conform to the provisions of this Ordinance, including minimum setbacks, heights, or number of principal buildings per lot.
- C. Non-conforming Lot. Any lot which does not conform to the provisions of this Ordinance, including lot size, width, or frontage.

GENERAL PROVISIONS

- A. If for any reason other than seasonal agricultural or residential use, any non-conforming use, or use of any non-conforming building or lot is discontinued for a period of more than 170 days, any future use of the building or lot shall conform with the provisions of this Ordinance. (Ord. 355 §2, 1984.)
- B. No structure may be enlarged or altered in any way which increases its non-conformity.
- C. There may be a change of ownership, management, or tenancy of a non-conforming use, building, or lot, providing there is no change in the character of the non-conforming use.
- D. If any non-conforming building or a building containing a non-conforming use, is destroyed by fire or any other means such that the extent of repairs will cost more than 50 percent of the total valuation of the building, exclusive of the foundation, any reconstruction shall be in conformance with the provision of the International Building code. The Building Official shall make such determination.
- E. Any repair of a damaged non-conforming building shall be commenced within 6 months of the time of such damage and shall be completed within 17 months of the initiation of construction.
- F. Minor additions, alterations, or repairs to improve the appearance, safety, or efficiency of the building, which do not constitute an expansion of the use within the building shall be permitted.
- G. A non-conforming use shall be allowed to be extended within the total area of a building, providing such extension shall not occupy any land or area outside of the building.
- H. When any non-conforming use or structure shall be moved for any reason any distance, it shall conform to the provisions of this Ordinance.

17.16.060

INTERPRETATION, ENFORCEMENT, SEVERABILITY AND PENALTY OF ORDINANCE

Interpretation of Ordinance – Where this Ordinance imposes a greater restriction upon the land, buildings, or structures than is imposed or required by existing provisions of law, Ordinance, contract or deed, the provisions of this Ordinance shall apply.

Enforcement of Ordinance and Authority of the Mayor – This Ordinance shall be enforced by the Mayor or his authorized representative, who shall have the authority to grant building permits and certificates of occupancy, to make inspections and all decisions necessary to carry out property enforcement of the provisions of this Ordinance. No oversight or dereliction on the part of the Mayor or his authorized representative or on the part of any official or employee of the Town shall legalize, authorize or otherwise excuse the violation of the provisions of this Ordinance.

Violations – Penalty as provided in Section 1.01.100, 1.01.115, and 1.01.120 of the Mills Town Code; any person violating any of the provisions or failing to comply with any of the mandatory requirements of this code shall be guilty of a misdemeanor. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this code is committed, continued, or permitted by any such person, and he shall be punished accordingly. (Ord. 164 §1, 1966.)

Penalty Upon Conviction – Upon conviction by the municipal court of a violation of any Ordinance of the Town of Mills, the municipal court shall have the power and authority of imposing fines not exceeding two hundred dollars for each violation of a Town Ordinance. (Ord. 222 §2 (part), 1973.)

Failure to Pay Fine, Costs – Upon the rendition of judgment against any defendant for violation of any provision of this code, the police magistrate or Justice of the Peace shall make an order and enter the same upon his docket. If the defendant shall neglect or refuse to satisfy such judgment and costs of suit, he shall be confined in the town jail or other place of confinement provided for that purpose, one day for each one dollar and fifty cents of such judgment and costs. During such confinement, he may be required to labor upon the streets or do other work for the Town under the supervision and direction of the Mayor. Execution shall be issued immediately upon the rendition of judgment. (Ord. 163 §2, 1966.)

Severability of Part of Ordinance – If for any reason any part, section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof to any person or circumstance is declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Effect of Repealing Ordinance – When any Ordinance repealing a former Ordinance, clause or provision is repealed, the repeal shall not be construed to revive the former Ordinance, clause or provision, unless it is specifically stated.

Building Permits – No permit shall be issued by the Mayor or his authorized representative for the excavation or erection of a building, or part of a building, or for repairs to or alteration of, or moving a building or part of a building or for the use of any premises, until after a statement of its intended use has been filed by the applicant and unless the plans and intended use indicate that the building and premises are to conform in all respects to the provisions of this chapter, or unless such proposed building or use shall have been duly authorized by the Council.

All applications for building permits shall be accompanied by a plat in duplicate showing the lot to be built upon, the location of the building and lot and other information as may be required to comply with the current edition of the International Building Code. An original copy of such applications and plat shall be kept in the office of the Mayor or his authorized representative and a duplicate copy shall be kept at the building at all times during construction. The Mayor or his authorized representative shall require that lot lines be defined on the ground before construction of, or excavation for a building is commenced.

Certificate of Occupancy – Except for one-family dwellings, no buildings shall be changed in use, nor shall any new structure or building be occupied or used unless the owner first shall have obtained a certificate of occupancy from the Mayor or his authorized representative. Provided the use shall be in conformance with the provisions of the Ordinance, a certificate of occupancy shall be issued within three days of the time of notification that the building is completed and ready for occupancy. A copy of all certificates of occupancy shall be filed by the Mayor or his authorized representative and shall be available for examination by any person with either proprietary or tenancy interest in the property or building.

17.16.070

FEES

A recording fee shall be established to defray the cost of recording the site plans. The initial fee, which may be amended from time to time by resolution of the Town Council, shall be as follows:

- A. The developer shall pay a site plan fee shall be set by resolution, whether such site plan approval is provided for by Ordinance or by Agreement between the Town of Mills and the Developer.

- B. A site plan recordation fee shall be set by resolution will be assessed for recording the site plan in the County Clerk's office, said fee to be collected by the Town Clerk prior to the recordation of the site plan.
- C. A zone change or variance fee shall be set by resolution and shall be paid prior to consideration of the zone change or variance, by either the Planning Board or the Town Council of the Town of Mills. (Ord. 338, 1982.)

CHAPTER 17.18

ANNEXATIONS AND SUBDIVISIONS

17.18.010

GENERAL PROVISIONS

17.04.010(a) Definitions. As used in this title, the following words and phrases shall have the meanings ascribed to them in this section:

- (1) “Sell” or “sale” includes sale, contract to sell, lease, assignment, auction, award by lottery, or any offer or solicitation of any offer to do any of the foregoing, concerning a subdivision or any part of a subdivision.
- (2) “Subdivider or developer” means any person who lays out any subdivision or parts thereof either for the account of the owner or others;
- (3) “Subdivision” means a division of a lot, tract, parcel or other unit of land into three or more lots, plots, units, sites or other subdivisions of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, industrial, commercial or public uses. The word “subdivide” or any derivative thereof shall have reference to the term subdivision, including mobile home courts, the creation of which constitutes a subdivision of land. (Ord. 274 §1 (part) , 1979).

17.18.020

PROCEDURE

17.18.020(a) Compliance with procedure. Any person desiring to subdivide or plat any land which is within, or partially within, the town limits, or any person wishing to annex property to the town limits, shall comply with the provisions set forth in this chapter. (Ord. 274 §2 (part) 1979).

17.18.020(b) Platting requirements—Procedures.

- (a) A letter of application for annexation and/or subdivision outlining: The area to be annexed or subdivided, the proposed zoning, and the proposed park/public use contribution, to be signed by the owners of the property.
- (b) The developer shall submit a preliminary plat to the town clerk, to be reviewed by the Town Planner and forwarded to the Council with recommendations. Upon approval of the preliminary plat, the Town Council shall establish a date of public hearing for zoning the property (if required).
- (c) The Council reviews the preliminary plat and approves or denies the plat. If

- approved, the Council will establish a date of public hearing for zoning the property.
- (d) Upon approval by the Council of the preliminary plat, the developer shall prepare and submit a final plat to the Mayor or His/Her Designee for review and recommendation to the Council. The Council shall review and approve or deny the plat.
 - (e) The developer shall submit water and sewer plans, road construction specifications, a drainage plan, and other material required with the preliminary plat.
 - (f) Approval of the subdivision or annexation shall be:
 - (1) A Council vote approving the final plat;
 - (2) The signatures of the mayor and the town engineer on the master copy of the final plat, certifying that the plat and engineering plans meet town standards;
 - (3) An ordinance adopted by the Council approving the subdivision and/or annexation plat and establishing zoning;
 - (4) A written agreement between the town and the developer outlining obligations of both for construction of improvements within the subdivision.
 - (5) The final plat shall be submitted and recorded by the County Clerk.

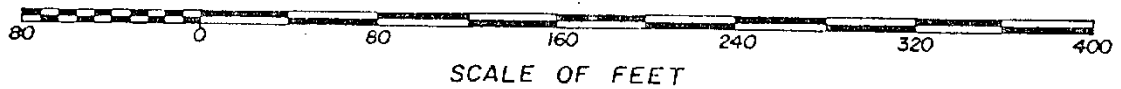
17.18.020(d) Preliminary plat requirements.

- (a) The developer shall submit seven copies of the preliminary plat to the town clerk prior to the meeting at which it will be considered.
- (b) The plat shall be drawn on a stable base material, and copies submitted to the clerk shall be blue-line reproductions.
- (c) Preliminary plat contents:
 - (1) The name of the subdivision, which shall not duplicate the name of an existing subdivision in Natrona County;
 - (2) The legal description of the subdivision by section, township and range;
 - (3) A metes and bounds description of the property;
 - (4) The plat shall be drawn at a scale of one-inch equals fifty feet, or one-inch equals one hundred feet, and the scale shall be represented by a bar scale;
 - (5) The existing and proposed contours at a maximum interval of two feet;
 - (6) All existing drainages, utility lines, roadways, easements, and other natural and manmade features;
 - (7) All proposed lot, roadway and easement locations, including all dimensions and lot sizes;
 - (8) All existing soil types and distributions;
 - (9) All proposed water, sewer and storm sewer distribution and collection facilities;
 - (10) A vicinity sketch, oriented with the plat, which shows existing streets, highways, drainage courses, adjacent subdivisions, section lines, other natural and manmade features, land ownership and land use. The vicinity sketch shall be drawn to a scale of one-inch equals two thousand feet or larger, and shall extend one-half mile in all directions from the perimeter of the subdivision;
 - (11) The scale, true north arrow and date of preparation;
 - (12) The names and addresses of the owner/subdivider, land surveyor and professional engineer. (Ord. 333 §3, 1982; Ord. 274 §2 (part), 1979).

17.18.020(e) Final plat requirements.

- (a) The final plat (linen or Mylar original and seven paper copies) shall be submitted to the town clerk two weeks prior to the Council meeting at which it is to be considered. The plat shall be signed by the owner and surveyor when submitted.
- (b) The final plat shall be drawn on tracing cloth or other suitable base material. Acceptable size: (Wyoming State Statutes Annotated, 1977) Size C—twenty-two inches by thirty-six inches.
- (c) The final plat shall be prepared, and accuracy certified by a registered land surveyor of the state.
- (d) Final plat contents:
 - (1) The name of the subdivision, which shall not duplicate the name of an existing subdivision in Natrona County;
 - (2) The legal description of the subdivision by section, township and range;
 - (3) The plat shall be drawn at a scale of one-inch equals fifty feet, or one-inch equals one hundred feet, and the scale shall be represented by a bar scale;
 - (4) All lots, blocks, roadways, easements and other proposed features with distances, bearings and ties for all surveyed lines. Addresses shall be assigned to all lots;
 - (5) All lots or blocks must be properly identified by number and all streets identified by name or number. All easements and existing utilities shall be shown with distances, ties and bearings;
 - (6) Boundary control points shall be appropriately named on both the plan and monument, and angle points should be numbered;
 - (7) True bearings and distances of all lines and any differences between bearings and distance on this survey and the recorded distances and bearings of other adjoining surveys shall be noted;
 - (8) A vicinity sketch, oriented with the plat, which shows existing streets, highways, drainage courses, adjacent subdivisions, section lines, and other natural and manmade features. The vicinity sketch shall be drawn to a scale of one-inch equals two thousand feet or larger, and shall extend one-half mile in all directions from the perimeter of the subdivision;
 - (9) The surveyor's certificate, including:
 - (a) Date of survey,
 - (b) Statement that all corners are properly monumented,
 - (c) Closure (minimum 1:10,000)
 - (d) Surveyor's registration number and signature;
 - (10) Certificate of dedication, including:
 - (a) Name of owner,
 - (b) Metes and bounds description of the total subdivision perimeter,
 - (c) Dedication of streets, alleys, public sites and easements to the public;
 - (11) Signature blocks for:
 - (a) The mayor of the town, with town clerk attest,
 - (b) The town engineer,
 - (c) Statement of date recorded by county clerk, with town clerk signature;
 - (12) A legend of all corner monuments;
 - (13) Scale, true north arrow, and date of preparation;
 - (14) All corner monuments, boundary and easement lines shall be standardized as

shown below. All plats, maps and construction drawings shall include a bar scale as shown below:



LEGEND

- Brass Cap Corner.....○
- Original corner.....●
- Local corner.....□
- 5/8" x 16" Rebar.....■
- Brass Cap or Aluminum Cap set.....B.C. or A.C.
- Subdivision Boundary.....—————
- Easement.....- - - - -

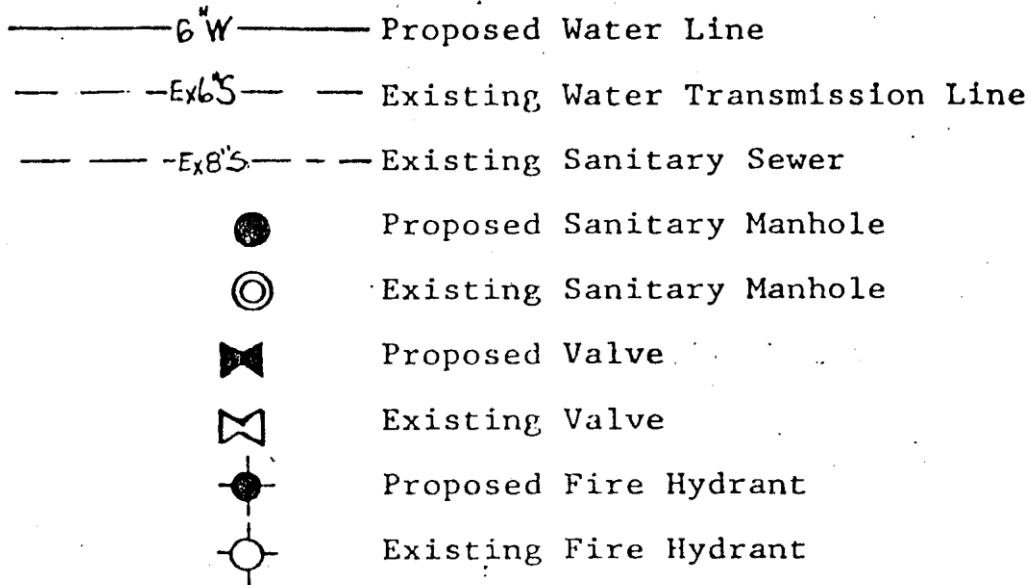
Plat Closure Ratio; 1:

(Ord. 333 §4, 1982: Ord. 274 §2 (part), 1979).

17.18.020(f) Water and sewer system extension requirements.

- (a) Two prints of the water system design shall be submitted to the town clerk for review. One copy will be marked and returned to the developer or his engineer. The other will be marked and retained by the town engineer. The developer shall make all required corrections and submit two corrected copies to the town engineer. If the corrected prints are in order, the town engineer will give one print to the engineer responsible for inspection and retain the second print for the town's use. The developer shall submit a third copy of the final draft to the town clerk with DEQ approval.
- (b) Construction drawings shall be signed by a licensed professional engineer licensed to practice in the state. All plans shall contain the name and professional license number of the engineer.
- (c) The construction drawings shall be drawn on a twenty-two inch by thirty-six-inch sheet with the title box in the lower right-hand corner. The title box shall contain the names of the developer, the subdivision, town of Mills, and other information deemed appropriate, as requested by the Council and town engineer.
- (d) Water and sewer design shall meet all standards and regulations of the State Department of Environmental Quality and other regulatory agencies.
- (e) Contents of construction drawings:
 - (1) All drawings shall be drawn at a scale of one-inch equals fifty feet, or one-foot equals one hundred feet, matching the scale of the final plat;
 - (2) Each page shall contain a bar scale;
 - (3) A vicinity sketch drawn on a scale of one-inch equals two thousand feet or larger, showing adjacent areas affected by construction;
 - (4) A general plan of the adjacent areas, showing spot elevations or contour lines sufficient to show the existing surface topography;

- (5) Plan drawings of individual water lines, including the size and location of all proposed lines and the size and location of existing lines to which the proposed construction will connect;
- (6) Sufficient detail of the town system so that ties and looping can readily be obtained;
- (7) Specifications, sizes and construction requirements of all facilities;
- (8) Design adequate to meet the town master plan.
- (9) The plans shall state, "The work shall be performed in accordance with this drawing and the town's specifications," dated May 23, 1979; or in its latest revision;
- (10) Any details not covered by standard details in the town's specifications;
- (11) Water and sewer line symbols shall be as follows:



- (f) The developer is responsible for retaining a licensed engineer to inspect the water or sewer line installation and certify to the town that the work was completed in accordance with the plans and specifications. The town engineer has the authority to accept or reject any engineer who is requested by the developer. The accepted engineer may have qualified inspectors work under his supervision. Daily inspection reports must be kept and copies turned in to the town engineer once a week. The inspecting engineer, with the approval of the town engineer, shall have the authority to stop construction of any project when work is not in compliance with regulation and approved plans.
- (g) After construction, the owner will be required to furnish three sets of "as constructed" plans to the town office, one set will be for the town clerk's office, one set for the public works department, and one set for the town engineer. Fire hydrants, fittings, valves and utility conflicts, including gas and telephone, shall be accurately shown on the "as constructed" plans. All sheets shall be stamped or visibly marked "as constructed," certified by the inspecting engineer. (Ord. 274 §2(part), 1979).

17.18.020(g) Requirements—Road plan, profile, construction drawings.

- (a) As required in subsection (a) of Section 17.08.060.
- (b) As required in subsection (b) of Section 17.08.060.
- (c) As required in subsection (c) of Section 17.08.060.
- (d) Plan and profile drawings shall meet the requirements of all applicable regulatory agencies.
- (e) Contents of construction drawings:
 - (1) All drawings shall be drawn at a scale of one-inch equals fifty feet, or one-inch equals one hundred feet, matching the scale of the final plat. The vertical scale shall be one-inch equals ten feet, or other suitable scale;
 - (2) Each page shall contain a bar scale;
 - (3) A typical cross section of the road construction, with additional cross sections for roads which vary from the typical. The cross section shall show all dimensions and specifications of sub-base, base, curb, gutter and sidewalk and other proposed construction;
 - (4) Design adequate to meet the town master plan;
 - (5) The plans shall state “the work shall be performed in accordance with this drawing and the town’s specifications,” dated May 23, 1979, or in its latest revision;
 - (6) Any details not covered by standard details in the town’s specifications.
- (f) The developer is responsible for retaining a licensed engineer to inspect the roadway installation and certify to the town that the work was completed in accordance with the plans and specifications. The developer’s engineer may have qualified inspectors work under his supervision. The town engineer has the authority to accept or reject any inspector who is requested by the engineer. If the developer feels the decision of the town’s engineer is unjust, he may, upon written request, be granted a review hearing before the town Council. Daily inspection reports must be kept and copies turned in to the town engineer once a week. The inspecting engineer, with the approval of the town engineer, shall have the authority to stop construction of any project when work is not in compliance with regulation and approved plans.
- (g) After construction, the owner will be required to furnish three sets of “as constructed” plans to the town office, one set will be for the town clerk’s office, one set for the public works department, and one set for the town engineer. All sheets shall be stamped or visibly marked “as constructed,” certified by the inspecting engineer. (Ord. 274 §2(part), 1979).

17.18.020(h) Drainage plan requirements.

- (a) Two prints of the drainage system design shall be submitted to the town clerk for review. One copy will be marked and returned to the developer or his engineer. The other will be marked and retained by the town engineer. The developer shall make all required corrections and submit two corrected copies to the town engineer. If the corrected prints are in order, the town engineer will give one print to the engineer responsible for inspection and retain the second print for the town’s use. The developer shall submit a third copy of the final draft to the town clerk.
- (b) The drainage plan shall be signed by a licensed professional engineer licensed to

practice in the state. All plans shall contain the name and professional license number of the engineer.

- (c) The drainage plan shall be drawn on a twenty-two inch by thirty-six inch sheet with the title box in the lower right-hand corner. The title box shall contain the name of the developer, the subdivision, town of Mills, and other information deemed appropriate, as requested by the town engineer.
- (d) Contents drainage plan:
 - (1) All drawings shall be drawn at a scale of one-inch equals fifty feet, or one inch equals one hundred feet, matching the scale of the final plat;
 - (2) Each page shall contain a bar scale;
 - (3) A vicinity sketch drawn on a scale of one-inch equals two thousand feet or larger, showing adjacent area affected by construction;
 - (4) A general plan of the adjacent areas, showing spot elevations or contour lines sufficient to show the existing surface topography;
 - (5) Plan drawings of individual storm sewers, catch basins, detention areas, outflows and other proposed facilities, including size, location, specifications and construction requirements;
 - (6) The plans shall state “the work shall be performed in accordance with this drawing and the town’s specifications,” dated May 23, 1979, or in its latest revision.
- (e) After construction, the owner will be required to furnish three sets of “as constructed” plans to the town office, one set will be for the town clerk’s office, one set for the public works department, and one set for the town engineer. Fire hydrants, fittings, valves and utility conflicts, including gas and telephone, shall be accurately shown on the “as constructed” plans. All sheets shall be stamped or visibly marked “as constructed,” certified by the inspecting engineer. (Ord. 274 §2 (part), 1979)

17.18.020(i) Adoption of design standards. The town shall adopt and enforce standards for subdivision layout, street construction, water and sewer system construction and storm sewer construction, as deemed necessary to promote health, welfare and orderly growth of the town. (Ord. 274 §2 (part), 1979)

17.18.020(j) Platting requirements—Documents.

- (a) Preliminary plat;
- (b) Final plat;
- (c) Water distribution system plans;
- (d) Sewage collection system plans;
- (e) Road plan, profile, construction drawings;
- (f) Drainage plan;
- (g) A letter of application for annexation and/or subdivision outlining the area to be annexed and/or subdivided and the proposed development of the area;
- (h) A subdivision or annexation fee shall be set by resolution.
- (i) A plan outlining methods to be used to control wind and water erosion created during construction of the subdivision;
- (j) Covenants to be recorded with the final plat, which will establish requirements for

- development and use of all land within the subdivision (optional);
- (k) Letter of credit of other acceptable form of proof of financial responsibility;
- (1) Subdivision title insurance or other acceptable proof of ownership. (Ord. 333 §2, 1982; Ord. 319, 1981; Ord. 274 §2 (part), 1979).

17.18.020(c) Site plan recording and zoning request fees.

- (a) The developer shall pay a site-plan fee set by resolution, whether such site plan approval is provided for by ordinance or by agreement between the town and the developer.
- (b) A site-plan-recording fee shall be set by resolution and will be assessed for recording the site plan in the county clerk’s office, the fee to be collected by the town clerk prior to the recordation of the site plan.
- (c) A zone change or variance fee shall be set by resolution and shall be paid prior to consideration of the zone change or variance, by either the planning commission or the town Council. (Ord. 338 §1, 2, 3, 1982).

17.18.025 MINOR BOUNDARY ADJUSTMENTS

17.18.025(a) Purpose: To create an administrative process that establishes minimum procedures and informational requirements to expedite the preparation, review and approval of minor subdivision boundary adjustments that meet the applicability standards in (section below 17.18.025(b)). No public hearing shall be required.

17.18.025(b) Applicability Standards:

- (1) The minor boundary adjustment plat shall not affect, create or alter more than two (2) lots, and shall not be used to adjust boundaries of more than two (2) lots or tracts at a time.
- (2) Only those boundaries specified below that are currently platted may be changed as minor boundary adjustments. All other boundary adjustments shall comply with Chapter 17.18, Subdivision Regulations, and the Zoning Ordinance.
 - 1. The division of previously platted property into no more than two (2) lots. All lots must be in conformance with the applicable zoning district regulations and the requirements of Mills Municipal Code.
 - 2. An adjustment for encroachment, right-of-way width change, or setback violation, on a lot size and boundary dispute.
 - 3. An adjustment to combine with an adjacent lot or tract. The adjustment of the boundary of a lot or tract for the purpose of combining portions of it with an adjacent lot or tract within the same subdivision subject to the following:

- i. Merge divided portion. The divided portion shall be totally merged with and combined with the adjoining lot or tract so that no additional lots are created, and the resulting lot or tract shall be established as a single lot or tract for all purposes, by means of an acceptable recorded instrument.
 - ii. Conformance with zoning district. Each of the resulting lots shall conform to the requirements of Chapter 17.18, Annexations and Subdivisions and the Zoning Ordinance of the Mills Municipal Code, and the degree of any nonconformity of either lot shall not be increased.
 - 4. Easements. Recording of public easements and the dedication and/or release of public easements.
- (3) Planning staff shall determine whether or not any minor boundary adjustment application is submitted with the intent of, or having the effect of, avoiding preliminary and/or final plat procedures and requirements. If it is determined that the minor boundary adjustment plat application circumvents preliminary and/or final plat procedures, the Town Planner or his/her designee shall reject the application submitted under this section and require the applicant to submit a preliminary plat meeting all the provisions of Chapter 17.18, Annexations and Subdivisions and the Zoning Ordinance of the Mills Municipal Code.
- (4) A minor boundary adjustment shall not be approved by the Town Planner or his/her designee if it proposes variances to any provision contained within this chapter, nor if the minor boundary adjustment would require a variance pursuant to the Zoning Ordinance. Variances shall only be considered by the Planning and Zoning Board as specified in Section 17.16.035, Variances, Mills Zoning Ordinance.
- (5) The subject property adjustment does not require, under these regulations, the design or construction of any public improvements except sidewalk.
- (6) The minor boundary adjustment procedure as set forth in this section may not be used more than two (2) times in five (5) calendar years on any piece of property.

17.18.025(c) Pre-application Meeting: Persons desiring minor boundary adjustments to property may meet with Planning staff, prior to submitting an application for minor boundary adjustment. The purpose of the meeting shall be to review the proposal and the requirements and procedures for minor boundary adjustments.

- (1) The Town Planner or his/her designee shall have the authority to prepare forms requiring supporting information for minor boundary adjustments.

17.18.025(d) Application – Contents – Fee: A complete minor boundary adjustment application must be submitted to the Planning staff. A complete application shall consist of:

- (1) One copy of a minor boundary adjustment plat, one PDF version, one transparency containing all items required in 17.18.20, final plat, and an electronic copy in a .dwg format for incorporation into Natrona County’s GIS system.
- (2) A completed minor boundary adjustment application.
- (3) The original of the minor boundary adjustment plat application.
- (4) A nonrefundable review fee, established by the council, must be paid at time of submission.
- (5) Proof of ownership of the land in question, such as a title policy, a letter from a title company certifying ownership, or an attorney’s title opinion.

17.18.025(e) Preparation and Required Information: A minor boundary adjustment plat must be prepared by a registered Wyoming land surveyor and be clearly drawn on a transparent, stable base material, and shall include the following:

- (1) The name of the subdivision, legal description, name and signature(s) of owner(s), developer(s) and engineer, placed in the lower right-hand corner of the plat;
- (2) Space for the filing record of the clerk’s office;
- (3) Dedication and acknowledgement statement executed by the owners of all legal and equitable interests in the property being subdivided, with corporate seal when appropriate. The dedication shall be in a form approved by the Town Attorney and in accordance with state law;
- (4) Date of preparation, written scale, graphic scale (one inch equals fifty feet [1” = 50’] or a multiple thereof) and north sign designated as a true north;
- (5) Location of land other than roads intended to be conveyed or reserved for public use or reserved in the deeds for the use of all property owners in the proposed subdivision. Such land shall be identified by a lot and block or tract number;
- (6) Certification in the form required by law by a Wyoming land surveyor to the effect that the layout represents a survey made by him or under his supervision, and that all dimensional and other details are correct;

- (7) Exact closure, which shall be in excess of one foot in ten thousand feet;
- (8) Signature blocks for use, after approval by the Town Planner, Town Engineer and Mayor, and Town Clerk;
- (9) Any differences between bearings (azimuths) and distances of other adjoining surveys, in written notations;
- (10) The basis of bearings (azimuths) and distances of other adjoining surveys, in written notations.
- (11) A layout including the following:
 - 1. Boundary lines with accurate distances and bearings, and the exact location and width of all existing or recorded streets intersecting the boundary of the property,
 - 2. Where applicable, curve data, so labeled, showing the radii, central angles, arc length, notation of nontangent curves, and location of points of curvatures and intersections,
 - 3. Location of existing and proposed easements (including, but not limited to drainage, access and utility easements), designated as to use and size,
 - 4. The right-of-way lines, widths, locations and street names of all existing streets or roads within the proposed subdivision,
 - 5. The location and amount of land to be dedicated for public facilities, if such dedication has been agreed upon in writing by the town;
 - 6. Two reference northing, easting points, with convergence angle and scale factor in Wyoming State Plan Coordinates, East Central Zone NAD83/2011.
- (12) The names of abutting subdivisions, or an indication that abutting property is unplatted;
- (13) A vicinity map indicating the location of the subdivision with respect to a recognizable larger area, at a scale of one inch equals six hundred feet (1" = 600') unless written approval of the Town Planner is obtained for another scale;
- (14) A size conforming to one of the following:
 - 1. Eleven by seventeen inches,
 - 2. Twenty-Two by thirty-four inches.

- 3. Twenty-Four by thirty-six inches
- (15) Upon approval of the boundary adjustment and prior to its recording, the applicant shall submit a digital format of the plat in a computer-aided drafting (CAD) format per Natrona County Geographic Information System (GIS) data submittal requirements.

17.18.025(f) Application – Planning Department – Review Procedures

- (1) The Town Planner, or their designee, will use their best efforts to review the application for conformance with the application requirements within five (5) working days of submittal.
- (2) If the application does not conform to the requirements of 17.18, the application will be returned to the applicant. The Town Planner shall notify the owner, in writing, if the application is determined to be incomplete. The written notice shall document the reasons upon which the determination was made and shall list items needed for the application to be complete. Applicant shall have thirty (30) working days from the date of written notice to make corrections to the application and otherwise fully conform to the requirements. This time period may be extended because of caseload and complexity of applications at the sole discretion of the Town Planner or his/her designee. If the applicant fails to bring the application into full conformance with the requirements within thirty (30) days from the date of written notice, and an extension is not granted, the Town Planner or his/her designee shall deny the application.
- (3) Upon determination by the Town Planner that the application is complete, and otherwise fully conforms to the application requirements, the staff shall furnish the following Town of Mills departments and offices with a copy of such minor boundary adjustment plat and relating supporting documents for review and comment:
 - 1. Public Works Department
 - 2. Town Engineer
 - 3. Town Surveyor
 - 4. Building Inspector
 - 5. Fire Chief
 - 6. Police Chief
- (4) If the Town Planner determines that other agencies and offices may be affected by or interested in the minor boundary adjustment plat, staff may furnish the following agencies and offices with a copy of such minor boundary adjustment plat and supporting documents for review and comment:

1. Wyoming Department of Transportation
 2. Natural Gas Companies
 3. Electric Power Companies
 4. Telephone and Communication Companies
 5. Cable Television Companies
 6. Adjacent Municipalities
 7. Natrona County Development Office
 8. Natrona County Road and Bridge
 9. Other Interested Agencies and Offices
- (5) All such reviewing agencies and offices will be requested to review the application and required supporting documents within five (5) working days from the date of distribution of the minor boundary adjustment plat to make any objections or comments to the Town Planner. This time period may be extended because of caseload and complexity of applications at the sole discretion of the Town Planner. The Town Planner shall prepare a staff report based on comments received.
- (6) The Town Planner and the Town Engineer, or their designees, will use their best efforts to hold a review in the Mills Town Hall within five (5) working days from the preparation of the staff report to approve, approve with conditions, or deny the purposed boundary adjustment plat.
- (7) In taking action on a minor boundary adjustment plat, the Town Planner or Town Engineer shall consider any comments received from agencies or offices receiving copies of the minor boundary adjustment plat. If the Town Planner or designee determines that the minor boundary adjustment plat is in conformance with the provision of this chapter, as well as the zoning regulations applicable to the zoning of the subject property, the Town Planner and the Town Engineer shall approve the minor boundary adjustment plat. If the Town Planner and the Town Engineer determine that the minor boundary adjustment plat, as proposed, may be detrimental to the public health, safety, or welfare, or does not meet the applicability standards in this section, or involves factors which should be reviewed by the Planning and Zoning Board and Town Council, the Town Planner and the Town Engineer shall deny the application or shall treat it as a final plat, under Mills Municipal Code, Chapter 17.18. When treated as a final plat, the applicant shall pay such additional fees and provide additional required materials as may be required for processing the final plat under said chapter, or the applicant may withdraw the application at applicant's sole discretion.
- (8) The decision of the Town Planner and the Town Engineer on the minor boundary adjustment plat shall be considered final.
- (9) After the Town Planner and the Town Engineer have approved the minor boundary adjustment plat, said plat shall be forwarded to the Town Council for approval, by Resolution.

- (10) If the Council approves the minor boundary adjustment plat, the Mayor, Town Planner, Town Engineer, Town Clerk and Owner and/or legal representative shall sign the final plat for submittal of recordation to the Natrona County Clerk.
- (11) No minor boundary adjustment plat shall be recorded by the Natrona County Clerk prior to signing by the Town Planner, Town Engineer and Mayor accompanied by the associated Resolution for approval.
- (12) The applicant shall pay the application fee established by the Mills Town Council.
The Town Clerk, upon payment of the required fees by the applicant, will record the plat and Improvement Agreement, if any, with the Natrona County Clerk’s Office.

Section 6:

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

17.18.030

ZONING PROVISIONS

17.18.030(a) Zoning ordinance adopted. The zoning plan attached to the ordinance codified in this chapter as Exhibit “A” and by this reference made a part of this chapter is adopted as the zoning ordinance of the town of Mills and shall govern the use and location of all land and structures within the town as specified in that plan. (Ord. 312 §1, 1981).

17.18.030(b) Appointment of town planner. To assist the Town Council, a town planner may be appointed. The town planner shall have any additional powers as granted by the Town Council

17.18.040

COMPLIANCE

17.18.040(a) Certification. Any manufactured (mobile) home, located or proposed to be located or installed in a manufactured (mobile) home park or on a subdivided lot, shall bear a label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards. For manufactured (mobile) homes built prior to June 15, 1976, a label certifying compliance with the standard for manufactured homes (mobile), NFPA 501, ANSI 119.1, in effect at the time of manufacture is required before

any such home may be located or installed with the Town (Ord. 503, §1, 2004)

17.18.040(b) Effective date. This Ordinance shall be in full force and effect ten (10) days following its passage and approval on third and final reading; however, the provisions of this Ordinance shall not be given retroactive effect with regard to any present or otherwise lawful building or structure within the Town. (Ord. 503, §2, 2004)

17.18.040(c) Repeal of Conflicting Ordinances. All existing Ordinance or parts of Ordinances of the town of Mills are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance. (Ord. 503, §3, 2004)

Dated this 14th day of November, 2018

Seth Coleman, Mayor

Christine Trumbull, Town Clerk

Darla, R. Ives, Council

Sara McCarthy, Council

Mike Pyatt, Council

Ronald Wales, Council