

Administration

CHAPTER 2.

ADMINISTRATION.

*As to building inspector generally, see §§. 5-3, 5-4 of this Code. As to licenses generally, see ch. 7. As to municipal court, see ch. 9. As to municipal judge and alternate generally, see §§ 9-2 to 9-5.
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Article I. In General.

Sec. 2-1. Municipal elections.

The Town Council hereby elects to conduct municipal elections for the town pursuant to the Wyoming Election Code.

The elective officers of an incorporated town are one (1) Mayor and four (4) councilmen. The term of office of Mayor and councilman is four (4) years, and until his successor is qualified. They are elected at large. (Ord. No. 2005-010.)

*For state law as to elections generally, see W. S., 1977, tit. 22.
As to municipal elections generally, see W. S., 1977, § 22-23-101 et seq.*

Sec. 2-2. Claims and demands against town.

All claims and demands against the town shall be presented to the governing body by itemized invoice or other document from the vendor with a full account of quantity and total cost for each item or for the services rendered. No payment shall be approved by the governing body unless the claim is certified under penalty of perjury by the vendor or by any authorized person employed by the town receiving the items or for whom the services were rendered. No claim or demand may be audited or allowed unless presented and certified as provided in the section, and no suit may be instituted against the town for any claim unless it has been first presented to the governing body and a reasonable time given to act upon the claim.

Upon the allowance of any claim or demand by the governing body, the treasurer shall issue a check or warrant for the correct amount. The check or warrant shall be signed by the Mayor and countersigned by the treasurer or any other person the governing body designates to countersign checks or warrants in the treasurer's absence.

If there is not sufficient money in the treasury to pay the warrant, the treasurer shall endorse on the warrant and statement the date and that it has been presented for payment but has not been paid for want of funds thereafter, the warrant shall draw interest at the rate of ten percent (10%) per year.

It shall be the duty of the town treasurer, whenever there are outstanding warrants which have not been paid, and there being sufficient money in his hands to pay the same, to immediately

notify the holder thereof by mail, giving number, date and amount, that upon presentation of the same, such warrant will be paid, and thereafter such warrant will not draw interest.

This section does not apply to claims under Wyoming Statutes, 1977, sections 1-39-101 through 1-39-119. (Ord. No. 10, §§ 1 to 3; Ord. No. 86-7.)

For State law as to presentation and payment of claims, etc., against town, see W. S., 1977, § 15-1-125.

Sec. 2-3. Fiscal year and budget.

(a) Certain state law provisions inapplicable to town. Wyoming Statutes, 1977, section 15-2-201, subsections (a), (b), (c) and (d) are hereby made inapplicable to the town.

(b) Fiscal year. The fiscal year for the town shall be from July 1 through June 30 of each year.

(c) Budget hearing date and adoption of budget. A public hearing on the town budget shall be held on the third Tuesday in June at 8:00 P.M. On such date or on the day following the public hearing, the Town Council shall adopt the budget.

(d) Budget amendments. At the request of the Mayor or upon its own motion, after five (5) day's publication of notice, the Town Council may by resolution amend its annual budget at any time after its adoption:

(1) To include anticipated or unanticipated revenues or expenditures;

(2) To correct errors and omissions;

(3) To transfer any unencumbered or unexpended appropriation from one fund, department or account to another;

(4) To increase or decrease departmental expenditures;

(5) To increase or decrease the appropriation of any fund; or

(6) Any other matters which may insure fiscal responsibility.

(Ord. No. 102, § 1; Ord. No. 84-14.)

Editor's note.--Ordinance No. 84-14, from which this section is derived, was adopted by the Town Council as a charter ordinance, in compliance with and according to the procedures established for such ordinances in article 13, section 1, subsection (c) of the Wyoming Constitution, including the requirements concerning posting, effective date, etc.

Sec. 2-4. Late payment for utilities.

a) All utility users of the Town of Meeteetse shall make payments of appropriate utility charges by the 10th day of the month following billing by the Town of Meeteetse. In the event a utility user fails to pay the bill by the 20th day after it becomes due, interest shall accrue at the rate of 18% per annum on the unpaid balance. Failure to pay a utility user's account within thirty days from the due date may result in the Town Treasurer notifying the user by regular mail that the account is in arrears and must be paid within ten (10) days of such notice or all Town services shall be discontinued. In the event such delinquent account remains unpaid at the expiration of the ten (10) day period, the Town Treasurer may instruct the necessary Town Department to immediately discontinue further utility service to such user. (Ord. No. 2004-02, art. I, § 1.)

b) Upon payment of the account in full plus a \$25.00 service charge during business hours or a \$65.00 service charge after business hours, the Town utility service shall be restored to such user. (Ord. No. 2004-02, § a) & b)

Sec. 2-5. Meetings of Town Council; boards, commissions, etc.--To be open to public; participation by public.

(a) All meetings of the town council and all other boards, commissions and agencies of the town shall be open to the public at all times, except as provided in section 2-6. No action of such body shall be taken except during a public meeting.

(b) A member of the public shall not be required, as a condition of attendance at any meeting, to register his name, to supply information or to fulfill any other condition precedent to his attendance; except, that a person seeking recognition may be required to give his name and affiliation.

For similar state law, see W.S., 1977, § 16-4-403.

(a) A governing body of an agency may hold executive sessions not open to the public:

(1) With the prosecuting attorney, town attorney, chief of police or their respective deputies, or other officers of the law, on matters posing a threat to the security of public or private property or a threat to the public's right of access.

(2) To consider the appointment, employment, right to practice or dismissal of a public officer, professional person or employee or to hear complaints or charges brought against an employee, professional person or officer, unless the employee, town council or other board, commission or agency may exclude from any public or private hearing during the examination of a witness any other witnesses in the matter being investigated. Following the hearing or executive session the town council or other board, commission or agency may deliberate on its decision in executive sessions.

(3) On matters concerning litigation to which the town council or other board, commission or agency is a party or proposed litigation to which the town council or other board, commission or agency may be a party.

(4) On matters of national security;

(5) When the agency is a licensing agency while preparing, administering or grading examinations.

(6) To consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price.

(7) To consider acceptance of gifts, donations and bequests which the donor has requested in writing be kept confidential.

(8) To consider or receive any information classified as confidential by law.

(9) To consider accepting or tendering offers concerning wages, salaries, benefits and terms of employment during all such negotiations.

(b) Minutes shall be maintained of any executive session. Except for those parts of minutes of an executive session reflecting a members' objection to the executive session as being in violation of this act, minutes and proceedings of executive sessions shall be confidential and produced only in response to a valid court order.

(c) Unless a different procedure or vote is otherwise specified by law, an executive session may be held only pursuant to a motion that is duly seconded and carried by majority vote of the members of the governing body in attendance when the motion is made. (Ord. No. 2009-01)

For similar state law, see W. S., 1977, § 16-4-403.

Sec. 2-6. Same--Executive sessions.

Executive sessions not open to the public, of the Town Council and all other boards, commissions and agencies of the town may be held:

(a) With the prosecuting attorney, town attorney, chief of police or their respective deputies, or other officers of the law, on matters posing a threat to the security of public or private property or a threat to the public's right of access.

(b) To consider the appointment, employment, right to practice or dismissal of a public officer, professional person or employee or to hear complaints or charges brought against an employee, professional person or officer, unless the employee, Town Council or other board, commission or agency may exclude from any public or private hearing during the examination of a witness any other witnesses in the matter being investigated. Following the hearing or executive session the Town Council or other board, commission or agency may deliberate on its decision in executive sessions.

(c) On matters concerning litigation to which the Town Council or other board, commission or agency is a party or proposed litigation to which the Town Council or other board, commission or agency may be a party.

(d) When the agency is a licensing agency while preparing, administering or grading

examinations.

(e) To consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price.

(f) To consider acceptance of gifts, donations and bequests which the donor has requested in writing be kept confidential.

(g) To consider or receive any information classified as confidential by law.

(h) To consider accepting or tendering offers concerning wages, salaries, benefits and terms of employment during all such negotiations.

For state law as to executive sessions, see W. S., 1977, § 16-4-405.

Sec. 2-7. Same--Disruption.

If any public meeting is willfully disrupted by a person or group of persons so as to render the orderly conduct of the meeting unfeasible, and order cannot be restored by the removal of the persons who are willfully interrupting the meeting, the removal of such persons from the meeting room may be ordered and the meeting continued, or the meeting may be recessed and reconvened at another location. Only matters appearing on the agenda may be acted upon in a meeting recessed to another location. Procedures for readmitting individuals not responsible for disturbing the conduct of a meeting shall be established by the body conducting such meeting. Duly accredited members of the press or other news media, except those who participated in a disturbance, shall be allowed to attend any meeting permitted by this section.

Sec. 2-8. Special or emergency meetings.

(a) Special meetings may be called by the Mayor and any two Councilmembers by giving notice of the meeting by posting such notice in at least three places. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at a special meeting.

(b) The Town Council may recess any regular or special meeting to a place and at a time specified in a motion to recess.

(c) The Town Council may hold an emergency meeting on matters of serious immediate concern, to take temporary action without notice. Reasonable effort must be made to offer public notice. All action taken at such meeting is of a temporary nature and, in order to become permanent, must be reconsidered and acted upon at an open public meeting within forty-eight hours. (Ord. No. 50, § 2.)

For similar state law, see W. S., 1977, § 16-4-406.

Article II. Town Council.

As to responsibilities of Town Council for garbage collection generally, see § 6-11 of this Code.

Division 1. Generally.

Sec. 2-9. Qualifications and residency requirements for governing body.

The Mayor and Town Council offices are non-partisan. A municipal officer shall be a citizen of the United States, a bona-fide resident of the town--a resident is a person who occupies a fixed, permanent and customary place of habitation within the boundaries of the municipality for a period of at least three hundred days during a calendar year; who has registered to vote and is at least eighteen years of age. (Ord. No. 90-2 § 2.)

Sec. 2-10. Procedures for declaring and filling vacancies.

A. A vacancy in the position of Mayor and/or Councilmember shall be deemed to have occurred when a majority of the governing body determines that a Mayor and/or Councilmember:

(1) leaves the jurisdiction of the Town of Meeteetse for a period of fifteen (15) consecutive days without notice of intent to return delivered to the Town Clerk;

(2) is no longer a resident;

(3) has become disqualified from holding office for any reason specified by law;

(4) has been determined to be insane or mentally incompetent;

(5) is convicted of a crime involving moral turpitude or constituting a breach of his or her oath of office.

(6) has died; or

(7) resigns.

B. The Meeteetse governing body shall determine by a majority vote of all members whether and when a vacancy occurs in an office. An abstention by any voting member of the governing body shall be considered a no vote.

C. Upon investigation by the governing body or its designated official and the receipt of a certified copy of an order of a court of competent jurisdiction, a vacancy shall be deemed to exist with respect to subdivision 3 or 4 of subsection A of this section.

D. A Mayor or Councilmember shall be deemed a non-resident, and a vacancy therefore to exist, when he or she shall have failed to occupy a fixed, permanent and customary place of habitation, within the boundaries of the municipality for a period of at least three hundred (300) days during each calendar year.

E. A member of the governing body shall be deemed to have been convicted of a

felony, a crime involving moral turpitude, or a breach of his or her oath of office upon receipt of a certified copy of an order of a court of competent jurisdiction showing a conviction, plea of guilty or plea of nolo contendere.

F. The death of a member of the governing body shall be evidenced by the receipt of a copy of a death certificate.

G. A resignation shall be deemed effective and a vacancy to have occurred as follows:

(1) A Mayor or Councilmember desiring to resign from his or her position on the governing body shall submit a resignation in writing to the municipal clerk specifying the date he or she desires the resignation to be effective, which date shall not be more than one hundred twenty (120) days after the postmark date of the letter, if mailed, or after the date of delivery to the municipal clerk.

(2) The municipal clerk shall place the question of resignation before the governing body for acceptance or rejection at the regular meeting next succeeding the postmark date of the letter of resignation or the delivery thereof to the municipal clerk.

(3) The resignation may be withdrawn at any time prior to acceptance or rejection by the governing body; provided, that a request for withdrawal must also be in writing and received by the municipal clerk prior to the regular meeting at which the resignation is to be considered. Upon acceptance by the governing body, the resignation is irrevocable.

(4) The resignation, unless withdrawn as stated in subdivision 3 of this subsection, shall be deemed effective as of the date specified in the written resignation. The process of filling the vacancy shall commence upon the acceptance of the resignation by the governing body; provided, however, that the formal vote on the selection of an appointee shall not take place until after the effective date of the resignation.

H. If a vacancy occurs, the governing body shall appoint an eligible person to the office who shall serve until his or her successor is selected at the next general municipal election and qualified. A vacancy in the office of Mayor shall be filled only from the governing body. (Ord. No. 90-2 § 3.)

Division 2. Meetings

*For state law as to meetings of governing body, see W. S., 1977, § 15-1-105.
See also W. S., 1977, § 16-4-401 et seq.*

Sec. 2-13. Regular meetings.

A regular meeting of the Town Council shall be held on the Wednesday closest but prior to the 10th of each month. Regular meetings shall be held at the hour of 7:00PM in the Council Chambers of the Town Hall. (Ord. No. 116, § 1.)

Sec. 2-14. Special or emergency meetings.

(a) Special meetings may be called by the Mayor and any two Councilmembers by giving notice of the meeting by posting such notice in at least three places. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at a special meeting.

(b) The Town Council may recess any regular or special meeting to a place and at a time specified in a motion to recess.

(c) The Town Council may hold an emergency meeting on matters of serious immediate concern, to take temporary action without notice. Reasonable effort must be made to offer public notice. All action taken at such meeting is of a temporary nature and, in order to become permanent, must be reconsidered and acted upon at an open public meeting within forty-eight hour. (Ord. No. 50, § 2.)

As to types of meetings, notice, and recess see W.S., 16-4-404.

Sec. 2-15. Adjourned or recessed meetings.

Adjourned or recessed meetings may be held at such time as the Town Council may determine. (Ord. No. 50, § 3.)

Sec. 2-16. Presiding officer; Mayor's vote and veto.

The Mayor shall preside at all meetings of the Town Council; provided, that in the absence of the Mayor, the ranking senior councilman shall act as Mayor pro tem and shall exercise the powers of the office of the Mayor until he returns. At all meetings of the council, the Mayor shall have one vote on all propositions coming before the council. The Mayor shall have the right of veto as provided by state law. (Ord. No. 50, § 4.)

For state law as to powers and duties of Mayor generally, see W. S., 1977, § 15-1-108.

Sec. 2-17. Quorum; attendance of certain officers and employees.

A majority of all the qualified members of the governing body shall constitute a quorum for the transaction of business. As used in this section, the governing body is defined as the elected or officially appointed Town Council members and the elected or officially appointed Mayor of the Town of Meeteetse. (Ord. No. 2004-00, art. II § 1.)

Sec. 2-18. Minutes.

It shall be the duty of the clerk-treasurer to keep the minutes of the council meetings and, within forty-eight hours after the adjournment of any regular or special meeting, to post such copies of minutes in at least three public places, including the town hall, the local bank, and the U.S. Post Office. Such copies shall include every bill presented to the Town Council, the amount of each such bill, by whom claimed and what the bill was for. In addition, the clerk-treasurer shall be responsible

for the safekeeping of such minutes. (Ord. No. 50, § 5.)

Sec. 2-19. Conduct of meetings generally.

The rules or parliamentary practice comprised in “Robert’s Rules of Order Revised” shall govern the Town Council in all cases in which they are applicable and in which they are not inconsistent with any rules set out in this Code or other ordinances. The Mayor or presiding officer shall preserve order, prevent personal reflections, confine members in debate to the question and decide who shall be first heard when two (2) members arise at the same time. Any member of the council, when called to order by the presiding officer, shall at once suspend his remarks. (Ord. No. 50, §§ 9, 10.)

Sec. 2-20. Committees.

The Town Council may appoint such committees, to function in an advisory capacity, as it from time to time desires or as may be required by law.

Sec. 2-21. Councilmen required to vote unless excused.

Each councilman who is present when a motion is to be voted upon shall vote thereon, unless excused by the Town Council. He may, before the vote is called for, give his reasons for abstaining from the vote.

Sec. 2-22. Order of business.

The order of business at each regular meeting shall not in any case be departed from, except by consent of a majority of the members present, voting there-on shall be as follows:

1. Call to Order
2. Pledge to Flag
3. Roll Call
4. Reading of the Minutes of the Previous Meeting
5. Payment of Bills
6. Financial Statements
7. Additions to the Agenda
8. Citizens, Delegations, Petitions & Complaints
9. Committee Reports
 - a. Emergency Management-
 - b. Garbage Collection-
 - c. Meeteetse Visitor Center -
 - d. MCFJPB –
 - e. Park County Travel-
 - f. Police Report-
 - g. Recreation-
 - h. Safety- Snow Removal

- i. Sewer-
 - j. Streets & Alleys-
 - k. Water –
10. Planning & Zoning Commission
 11. Old Business
 12. New Business
 13. Building Permits, Variances, Conditional Use Permits - Etc.
 14. Announcements
 15. Adjournment
(Ord. No. 2009-05)

Sec. 2-23. Suspension of rules.

The Town Council may temporarily suspend the rules or the order of business by a two-thirds (2/3) vote of the members present at any meeting. The motion shall state for what purpose the suspension is to be made, and the suspension shall exist only until the purpose named in the motion is accomplished.

Article III. Ordinances.

For state law as to ordinances generally, see W. S., 1977, §§ 15-1-114 to 15-1-119.

Sec. 2-24. Amendment or repeal of ordinances or Code provisions.

The amendment or repeal of existing ordinances or provisions of this Code or the insertion of additional provisions in this Code shall be done in the following manner:

(a) Ordinances amending existing ordinances or sections of this code shall designate, by section number, the sections which are affected and set out in full the new language of each such section.

(b) Ordinances repealing existing ordinances or sections of this code shall designate, by section number, the sections which are repealed.

(c) Ordinances adding sections to this Code shall designate where such sections are to be inserted in the following manner:

(1) Sections which should be placed between existing sections shall be numbered decimally as illustrated in the following example: an ordinance adding three sections which should logically fall between sections 1-2 and 1-3 would be numbered 1-2.1, 1-2.2 and 1-2.3, respectively.

(2) Ordinances adding new material not presently covered by a chapter heading in the Code shall be inserted in alphabetical order between existing chapters, based on the subject matter of the ordinance. The new chapter shall be numbered decimally as illustrated in the following example: An ordinance adding a new chapter which should be inserted between existing chapters 2 and 3 would be numbered 2.1, with the individual sections of such chapter being numbered 2.1-1 et

seq.

(d) Nothing in subsection (c) of this section shall be interpreted as prohibiting the rearrangement of such additional materials by the official codifier of the town's ordinances in order to insure the proper codification of such ordinances. (Ord. No. 49, § 4.)

Sec. 2-25. Repeal of repealers.

The repeal of an ordinance which repeals a former ordinance or provision of this Code shall not revive the former ordinance or provision of this Code, unless expressly so provided. (Ord. No. 49, § 5.)

Sec. 2-26. Numbering.

Each ordinance passed by the Town Council shall be systematically identified by a number, and a particular number shall be assigned to only one ordinance. This number shall consist of the last two digits of the year followed by a hyphen (-) and a sequential numbering system for all ordinances, starting each year with the number 1 (for example, 83-1).

Sec. 2-27. Term of effect of provisions of Code and other ordinances.

Except as otherwise provided, all provisions of this Code and other ordinances shall remain in full force and effect until repealed, and all the provisions thereof shall remain in full force and effect until repealed or amended. (Ord. No. 49, § 7.)

Sec. 2-28. Enforcement of provisions of Code and other ordinances.

In all cases wherein it is the official duty of the town marshal, all provisions of this Code and other ordinances are to be enforced by the marshal in order to protect the rights of the town's residents against violators of such provisions. In regard to nuisances and unsanitary conditions, etc., within a distance of one mile of the town limits, it shall be the duty of the town marshal to bring to the county sheriff's department's attention the nature of such disregard for public health and safety and aid the sheriff's department in abetting such disregard and violations. (Ord. No. 49, § 9.)

As to general penalty for violations of Code, see § 1-6 of this Code. As to actions for penalties or fines, see § 1-7.

Article IV. Officers and Employees.

*For state law as to general authority of town to appoint town officers and employees and regulate working conditions, salaries, duties, etc., see W. S., 1977, § 15-1-103(XXXVII).
see also W. S., 1977, §§ 15-2-102, 15-2-103.*

Division 1. Generally.

Sec. 2-29. Appointment, term, removal and vacancies in office of appointive officers.

(a) At the first meeting in January following the town elections, there shall be appointed by the Mayor, by and with the consent of the Town Council, the following officers: Town clerk-treasurer, Town attorney, Town marshal, public works director, municipal judge and at least two building inspectors. The building inspectors may come from the ranks of the Town Council or may be qualified residents of the community.

(b) Each appointive officer shall hold office for a term of two years or until his successor is appointed and qualified; provided that for inefficiency, incompetency, or maladministration of office, any appointee may be removed sooner by the Mayor, with the majority of the council concurring. Should a vacancy occur in any such office, the new appointment shall be for a period to complete such unexpired term. An appointive officer shall not be restricted to any set succession of two year appointments. (Ord. No. 51, §§ 1, 2, 5; Ord. No. 99, §1.)

Sec. 2-30. Bonds of clerk-treasurer, marshal and municipal judge.

The town clerk-treasurer, the town marshal and the municipal judge shall each give bond in such amount as the Town Council estimates will be at any time in such officer's hands.

Sec. 2-31. Oath of office.

The officers of the town, before entering upon the duties of their office shall take the following oath of office:

I, _____, do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States, and the Constitution of the State of Wyoming; that I have not knowingly violated any law related to my election or appointment, or caused it to be done by others; and that I will discharge the duties of my office with fidelity.”

*For state law as to oath of office generally, see W. S., 1977, § 22-23-405.
See also WY Constitution art. 6, § 20.*

Sec. 2-32. Compensation.

The salaries of the town officers and employees shall be as prescribed by law and as fixed by the Mayor and Town Council and shall be commensurate with the qualifications of the person appointed and the duties to be performed in each such office. (Ord. No. 51, § 4.)

Sec. 2-33. Responsibility of officers for town property.

Every officer of the town having in his possession or care any property belonging to the town, of whatever kind, character or description, shall, upon the expiration of his term of office or upon his removal, prepare a list of the articles in his care and, upon turning it over to his successor in office, shall take a receipt from his successor for such property. Such receipt shall be filed with the clerk-treasurer's office. All employees shall be responsible for the reasonable care of the property in their hands belonging to the town.

Sec. 2-34. Rules and regulations concerning town employees.

The Mayor and Town Council may adopt regulations, which prescribe duties and rules for all employees; provided that such rules and regulations shall not be in conflict with state laws relative to employment.

Division 2. Code of Ethics.

Sec. 2-35. Findings of fact and statement of policy.

The public judges its government by the way public officials and employees conduct themselves in the posts to which they are elected or appointed.

The people have a right to expect that every public official and employee will conduct himself in a manner that will tend to preserve public confidence in and respect for the government he represents.

Such confidence and respect can best be promoted if every public official and employee, whether paid or unpaid and whether elected or appointed, will uniformly: (a) treat all citizens with courtesy, impartiality, fairness and equality under the law; and (b) avoid both actual and potential conflicts between his private self-interest and the public interest. (Ord. No. 101, art. 1, § 1.)

Sec. 2-36. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Financial interest. Any interest which shall yield, directly or indirectly, a monetary or other material benefit, other than the duly authorized salary or compensation for his service to the town, to the official or employee or to any person employing or retaining the services of the official or employee.

Official or employee. Any person elected or appointed to, or employed or retained by, any public office or public body of the town, whether paid or unpaid and whether part-time or full-time.

Personal interest. Any interest arising from blood or marriage relationships or from close business or political association, whether or not any financial interest is involved.

Public body. Any agency, board, body, commission, committee, department or office of the Town. (Ord. No. 101, art. 1 § 2.)

Sec. 2-37. Restrictions on granting favors, use of public property, etc.

No official or employee shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

No official or employee shall request, use or permit the use of any publicly owned or publicly supported property, vehicle, equipment, favor or service for the personal convenience or the private advantage of himself or any other person. This rule shall not be deemed to prohibit an official or employee from requesting, using or permitting the use of such publicly owned or publicly supported property, vehicle, equipment, material, labor or service which it is the general practice to make available to the public at large or which is provided as a matter of stated public policy for the use of officials and employees in the conduct of official business. (Ord. No. 101. art. 1, § 3.)

Sec. 2-38. Conflicts of interest.

- (a) Generally. No official or employee, either on his own behalf or for any other person, shall have any financial or personal interest in any business or transaction with any public body, unless he shall first make full public disclosure of the nature and extent of such interest.
- (b) Disclosure and disqualification. Whenever the performance of his official duties shall require any official or employee to deliberate and vote on any matter involving his financial or personal interest, he shall publicly disclose the nature and extent of such interest and disqualify himself from participating in the deliberation, as well as in the voting.
- (c) Incompatible employment. No official or employee shall engage in private employment with or render service for any private person who has business transactions with any public body, unless he shall first make full public disclosure of the nature and extent of such employment or services.
- (d) Representation of private persons. No official or employee shall appear on behalf of any private person, other than himself, before any public body in the town.
- (e) Acceptance of gifts and favors. No official or employee shall accept any gift, whether in the form of money, thing, favor, loan or promise, that would not be offered or given to him if he were not an official or employee.
- (f) Confidential information. No official or employee shall, without prior formal authorization of the public body having jurisdiction, disclose any confidential information concerning any other official or employee, or any other person, or any property or governmental affairs of the Town. Whether or not it shall involve disclosure, no official or employee shall use or permit the use of any such confidential information to advance the financial or personal interest of himself or any other person.
- (g) Nepotism. No elected official shall appoint or vote for appointing of any person related to him by blood or marriage to any clerkship, office, position, employment or duty, when the salary, wages, pay or compensation is to be paid out of public funds. (Ord. No. 101, art. 1, § 4.)

Sec. 2-39. Hearing and determination by Town Council.

Upon the sworn complaint of any person alleging facts which, if true, would constitute

improper conduct under this article, the Town Council shall conduct a public hearing in accordance with all of the requirements of the due process of law and, in written findings of facts and conclusions based thereon, make a determination concerning the propriety of the conduct of the subject official or employee.
(Ord. No. 101 art. 1, § 5.)

Article V. Planning and Zoning Commission.

For state law as to planning and planning commission generally, see W. S., 1977, § 15-1-101 et seq. As to zoning and zoning commission generally, see W. S., 1977, § 15-1-601 et seq. As to zoning generally, see ch. 18 of this Code.

Sec. 2-40. Created.

A planning and zoning commission for the town is hereby created. (Ord. No. 32, § 1.)

Sec. 2-41. Composition; appointment of members.

The Planning and Zoning Commission shall consist of five (5) members at large from the community, not from the Town Council, who shall be appointed by the Mayor and approved by a majority vote of the Town Council. All members shall serve without compensation. The Mayor, by virtue of his office, will also be an ex officio member of the commission. (Ord. No. 2008-03.)

Sec. 2-42. Duties generally.

The planning and zoning commission shall work in the capacity of planning for the development of the town, with all recommendations and decisions being finalized by the Town Council as prescribed by law. (Ord. No. 32, § 3.)

Article VI. Department of Public Works.

As to duties generally of public works department relative to waterworks system, see § 17-3 of this Code.

Sec. 2-43. Created; composition.

There is hereby created the department of public works for the town. The department shall consist of the director of public works and such other officers and employees as may be provided by the Town Council. (Ord. No. 98, § 1.)

Sec. 2-44. Director of public works--Appointment; control and supervision of employees.

There is hereby created the office of director of public works, who shall be appointed by the Mayor, by and with the consent of the Town Council. The director shall have control and

supervision over all officers and employees assigned to the department, subject to the control of the Mayor. (Ord, No, 98, § 2.)

As to powers and duties of public works director relative to sewers and sewage disposal generally, see § 13-2 of this Code. As to responsibility of public works director for care, supervision and control of streets, alleys, etc., see § 15-1.

Sec. 2-45. Same—Powers and duties generally.

The director of public works shall have charge of and supervision over all public property of the town, including all streets, alleys, parks, parkways, sidewalks, municipal buildings and all other property of the town not specifically assigned to some other officer.

He shall have charge of and be responsible for the care, maintenance and operation of the town water distribution system, the wastewater system and disposal plant, all streets and sidewalks and the drainage thereof.

All construction, repair and/or extension of any pavement, building, sewer or lighting system, water mains any appurtenances thereto, and all other construction, repair or maintenance work conducted by the town shall be done by or under the supervision of the director of the director of public works, unless specific direction to the contrary is made by the Town Council.

The director of public works shall also have charge of and be responsible for the condition of all motor vehicles, trucks and other equipment of the town, and of all buildings or places in which the same are housed or kept. He shall also have charge of all radio equipment owned or operated by the town. (Ord. No. 98, § 3.)

Division 2. Wyoming Public Works Standard Specifications.

Sec. 2-46. Adopted.

Except as otherwise provided by this division, all of the current Wyoming Public Works Standard Specifications, and all subsequent amendments and editions, are hereby adopted by this reference as if fully set forth herein, as the standards under which all public improvements within the town shall be constructed or made, from and after the effective date of this division. (Ord. No. 84-13.)

Sec. 2-47. Authority for adoption; where copy filed.

The authority for adoption of the Wyoming Public Works standard Specifications is derived from Wyoming Statues. One copy of the Wyoming Public Works Standard Specifications, and one copy of any ordinance providing for amendments, modifications, additions, or deletions to such standards, shall be kept on file in the office of the town clerk for inspection and use by the public and shall be marked with the words “Town of Meeteetse, Wyoming, Official Copy.” (Ord. No. 84-13.)

Sec. 2-48. Modification.

Where special conditions exist in specific projects, the Town Council may add to or modify the Wyoming Public Works Standard Specifications for such specific projects with the approval of a majority of the members of the council. (Ord. No. 84-13.)

Sec. 2-49. Property insurance.

The contractor, not the owner (Town of Meeteetse) shall purchase and maintain the property insurance upon the project to the full insurable value thereof as provided in the current Wyoming Public Works Standard Specifications. (Ord. No. 84-13.)

Sec. 22-50. Arbitration.

Arbitration shall be a nonexclusive remedy by election of the parties. As a condition precedent to the right to bring any action in court pertaining to a decision of the engineer, the objector to that decision shall first make a written offer to the other party to arbitrate the question(s) in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association. If within ten (10) days after receipt of such offer, the party to whom the offer is made does not affirmatively agree in writing to such arbitration, the objector shall have no right to arbitration, but shall have the right to pursue whatever other remedies may be available for relief. (Ord. No. 84-13.)

Sec. 2-51. Violations.

Any person violating any of the provisions of this division or the standards adopted hereby is guilty of a misdemeanor, and each person is guilty of a separate offense for every day or portion therefore during which any violation of any of the provisions of this division or such standards is committed, continued or permitted. (Ord. No. 84-13.)

Sec. 2-52. Severability.

In the event any part or section of this division is held to be unconstitutional or invalid, the remaining parts or sections of this division shall remain in full force and effect. (Ord. No. 84-13.)