


# **WORK SESSION AGENDA**



**Casper City Council  
 City Hall, Council Meeting Room  
 Tuesday, November 27, 2018, 4:30 p.m.**

<b>Work Session Meeting Agenda Items</b>	<b>Recommendation</b>	<b>Allotted Time</b>	<b>Beginning Time</b>	
<b>Recommendations = Information Only, Move Forward for Approval, Direction Requested</b>				
1.	Wyoming Business Council Grant - River Project (Jolene Martinez)	Move Forward for Approval	20 min	4:30
2.	Animal Care and Control Ordinance (John Henley)	Direction Requested	40 min	4:50
3.	6th Cent Funding Discussion (John Henley)	Direction Requested	40 min	5:30
4.	Legislative Agenda (Carter Napier)	Move Forward for Approval	30 min	6:10
5.	Council Leadership Nominations	Direction Requested	10 min	6:40
6.	Agenda Review		20 min	6:50
7.	Council Around the Table		20 min	7:10
<b>Approximate Ending</b>				<b>7:30</b>

November 8, 2018

**MEMO TO:** J. Carter Napier, City Manager 

**FROM:** Jolene Martinez, Assistant to the City Manager

**SUBJECT:** Authorizing Submission of a Wyoming Business Council Community Enhancement Grant in an amount up to \$500,000 for the First Street Reach of the North Platte River Restoration – Poplar Street Bridge to BNSF Bridge, Project 12-51.

**Meeting Type & Date**

Council Work Session November 27, 2018

**Action Type**

Council Consideration

**Recommendation**

That Council authorize the submission of a Wyoming Business Council grant in an amount up to \$500,000 for the First Street Reach of the North Platte River Restoration - Poplar Street Bridge to BNSF Bridge, Project 12-51.

**Summary**

In June 2013, Council authorized staff to move forward to secure funding and implement the work identified in the Platte River Environmental Restoration Master Plan. The river restoration effort, which includes a volunteer day every September, is called the Platte River Revival. The projects outlined in the master plan are a combination of riverbank and in-river construction, Russian olive removal, and vegetative plantings. Seven in-river and riverbank construction projects were identified and three have been completed.

As part of the funding strategy for in-river construction, in December 2014, Council authorized staff to write Wyoming Business Council Community Enhancement Grants through 2020. This grant program invests in infrastructure to improve aesthetics or quality of life to make a community attractive for business development. The maximum amount that can be requested is \$500,000, and a 50% match is required.

Casper has a valuable and unique asset in the North Platte River, and river restoration is a transformational investment in Casper's infrastructure. Improved water quality; improved aquatic and terrestrial habitat that may make Casper's urban corridor a destination fishery; and stabilized, improved banks are some of the river restoration outcomes that will improve both aesthetics and quality of life. A showcased river provides economic development opportunities. Increased tourism is one example. The Casper Area Convention and Visitor's Bureau developed a Fish Casper campaign, after they discovered nearly 20,000 out-of-state fishing licenses were purchased in Natrona County in 2012.

The Platte River Revival's infrastructure investment and outcomes meet the Wyoming Business Council's Community Enhancement Grant criteria. The Wyoming Business Council approved a \$500,000 Community Enhancement Grant for the in-river construction at Morad Park in 2014 and for the Wyoming Boulevard/Water Treatment Plant in 2015.

**Financial Considerations**

The in-river construction for the First Street Reach – Poplar Street bridge to BNSF bridge is estimated at \$1.63 million. Up to \$500,000 will be requested from the Wyoming Business Council and the local match as well as the additional funding needed will come from Wyoming Wildlife and Natural Resource Trust grant that has already been secured.


**Oversight/Project Responsibility**


Andrew Beamer, Public Services Director  
Scott Baxter, Associate Engineer  
Jolene Martinez, Assistant to the City Manager

**Attachments**

None

November 20, 2018

MEMO TO: Casper City Council  
J. Carter Napier, City Manager 

FROM: John Henley, City Attorney 

SUBJECT: Animal Care and Control Ordinance

Meeting Type & Date:  
Work Session  
November 27, 2018

Action Type  
Ordinance

Recommendation

That Council approve an Ordinance to Repeal and Replace Chapter 6.04 Animal Care and Control of the Casper Municipal Code, after substantial proposed modifications have been made after receiving public comments.

Summary

Chapter 6.04 of the Casper Municipal Code currently addresses the care and protection of animals. The need for the revision of this chapter began primarily due to the concern over a large number of dog attacks and bites. (See a listing of aggressive bites and/or behaviors shown as Exhibit 1 - for the timeframe between January 1, 2017 and June 27, 2018.) Additionally, a number of bites or attacks were due to the behavior of animals whose owners had other animals with vicious or aggressive behaviors, and/or the animals had exhibited vicious or aggressive behaviors multiple times, and the owner had not effectively secured the animal.

Some of the bites that this office has seen recently involve young children. On one occasion, a dog attacked a mother pushing a toddler in a stroller who also had a baby in a chest carrier. While the mother was able to maneuver the stroller in a way to protect the toddler, the dog then jumped up and bit the baby on the face, who was positioned on the mother's chest. In another attack on a small child, a toddler was on the floor of a box store and a lady brought in a dog which she had marked as a "service dog". The dog attacked the little girl, again biting her in full view of the owner of the dog, who in fact did not have a true service dog and who did not have a disability, at least as defined in the ADA, as best as anyone could tell.

In addition, there are also concerns about animals being treated cruelly. Therefore, there have also been revisions with respect to the care and treatment of animals, involving limited tethering, providing water, shade, appropriate shelter, and to provide some common sense restrictions on leaving animals in motor vehicles.

Some of the significant proposed (red/blue lined) changes after the public comment period include:

- At large animals – permitting non-dangerous and non-vicious to not be deemed at large if they remain on their owners' property;
- At large animals – designating two time periods per day, generally to coincide with most work schedules, one period before work, 4:30 a.m. to 6:30 a.m., and one period after work, 4:30 p.m. to 6:00 p.m. to let non-dangerous and non-vicious dogs and their owners play ball, Frisbee, walk and run off leash on public paths and walk-ways and public parks;
- At large animals – expressly states that an owner must permit or not take reasonable steps to prevent the animal from becoming “at large” for a violation;
- Service animals – tied the definition to the ADA federal regulations;
- Animal cruelty – dropped the potentially dangerous temperature for animals in a vehicle from 70°F to 60°F;
- Reckless owner – gave Court discretion to make finding of reckless owner and diminished maximum times for both categories of infractions; and
- Penalty – instead of setting growing minimums for additional infractions, again left punishment and conditions to the Court's discretion.

#### Financial Considerations

It is anticipated that this should be a revenue and expenditure neutral ordinance.

#### Attachments

Proposed Ordinance with substantial modification, after receiving public comments.

1 ORDINANCE NO. \_\_\_\_

2  
3 AN ORDINANCE REPEALING AND REPLACING CASPER  
4 MUNICIPAL CODE CHAPTER 6.04  
5

6 Chapter 6.04 - ANIMAL CARE AND CONTROL

7 **Sections:**

8 6.04.001 Purpose and Intent

9 The purposes of this Ordinance are to promote the public health, safety, and general welfare of  
10 the citizens and visitors of the City of Casper, and promote the health and safety of animals.

11 6.04.010 - Definitions.

12 When used in this Ordinance, words have their common meaning and in addition the following  
13 words, terms, and phrases, and their derivations have the following meaning:

14 As used in this chapter, the following terms shall have the meanings as set out in this  
15 section:

- 16 1. "Abandon" means a person leaves an animal on public or private property without  
17 permission to ensure proper care and supervision. An animal that is left in the Metro  
18 Animal Shelter for ~~five (5)~~ seven (7) working days, shall be deemed abandoned.
- 19 2. "Altered" means neutered; spayed or castrated.
- 20 3. "Animal" means any live vertebrate creature, domestic or wild.
- 21 4. "Animal control ~~services~~ district" means the City of Casper, Wyoming.
- 22 5. "Animal ~~control~~ protection officer" means any person designated by the director as a  
23 special municipal officer law enforcement officer who is qualified to perform such  
24 duties under this chapter and the laws of this state.
- 25 6. "Animal services shelter" means any facility operated by a municipal agency, or its  
26 authorized agents for the purpose of housing, impounding or caring for animals held  
27 under the authority of this chapter or state law.
- 28 7. "At large."

29 a. The definition of "at large" in this Chapter, is subject to and subservient to  
30 Sections 6.04.301 to 6.04.303 of this Chapter addressing dangerous or vicious animals.  
31 For dangerous or vicious animals, any violation of Sections 6.04.301 to 6.04.303 are  
32 violations also of the "at large" provisions of this Chapter.

33 b.i. A ~~non-vicious, non-dangerous~~ animal is deemed "at large" if it is not on its  
34 owner's property and not leashed or in an enclosed carrier. ~~An animal that is not~~  
35 confined to the premises of its owner by a fence of sufficient strength and height to

36 ~~prevent the animal from escaping there from, inside the house or other enclosure,~~  
37 ~~or secured on said premises by a leash of sufficient strength to prevent the animal~~  
38 ~~from escaping from said premises, and so arranged that the animal will remain~~  
39 ~~upon said premises when the leash is stretched to full length in any direction.~~

40 b.ii. A non-dangerous or non-vicious animal shall not be considered "at large"  
41 when held and controlled by a person by means of a leash or chain of proper  
42 strength and length to control the action of the animal, or while confined  
43 within a vehicle. If the animal within a parked vehicle can extend its entire  
44 head muzzle outside the enclosed cabin compartment of the vehicle or beyond  
45 the side of a truck bed, that animal shall be deemed at large.

46 b.iii. A non-dangerous or non-vicious dog is not considered to be at large if within  
47 the interior of designated natural areas which permit dogs to be off leash ~~dog~~  
48 parks, as established by the City of Casper, ~~to include~~ (Morad Park) or Lake  
49 MacKensie Dog Park.

50 b.iv. Non-dangerous or non-vicious dogs shall be permitted to be off leash, but the  
51 dog's owners shall still be responsible for maintaining control of the dog, in  
52 any City park or on the City's public paths and sidewalks, during the hours of  
53 4:30 a.m. to 6:30 a.m. and 4:30 p.m. to 6:00 p.m.

54 b.iv. Under any circumstance, on a City-owned Golf Course or Cemetery.

- 55
- 56 8. "Attack" means an aggressive or violent action against a person or animal.
- 57 9. "Cage and aviary birds" means those exotic captive reared birds, such as parrots, exotic  
58 finches, and canaries, which are adapted to live and breed in a cage. For the purpose of  
59 this chapter the monk parakeet (myiopsitta monachus) is not a cage and aviary bird.
- 60 10. "Chicken" a domestic fowl kept for its production of eggs and meat.
- 61 11. "Circus" means any nonresident variety show which features animal acts.
- 62 12. "City-county health officer" means a representative of the Natrona County-City of  
63 Casper Health Department, or a health official designated by the Casper City Manager.
- 64 13. "Commercial animal establishment" means any pet store, grooming shop, auction, riding  
65 school or stable, circus performing animal exhibition, kennel or other establishment in  
66 which animals are used for commercial purposes.
- 67 14. "Commercial purpose" means the keeping of animals for the purpose of profit.
- 68 15. "Control" means an animal which:
- 69 a. is under a physical restraint so as to not be allowed to engage a passerby or other  
70 animal; such as a leash or in an enclosed carrier.
- 71 16. "Dangerous animal" means any animal under the totality of circumstances, which poses  
72 an unacceptable risk of injuring a human, a pet or property. Indicia of a dangerous  
73 animal shall include, but not be limited to, aggressive lunging, growling, snarling,  
74 nipping, bearing teeth.
- 75 17. "Director" means the City Manager or his/her designee.

- 76 18. "Domesticated animals" means those individual animals which have been made  
77 tractable or tame.
- 78 19. "Isolation facility" means any place specified by the Director or his/her designee which  
79 is equipped with a pen or cage which isolates an animal from contact with other  
80 animals.
- 81 20. "Kennel" or "cattery" means any premises wherein any person engages in the business  
82 of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs or cats,  
83 or any residence or property on which is maintained more than three dogs and three cats  
84 more than six months of age. It is illegal to maintain a kennel or cattery contrary to the  
85 terms of this code, in a zone or location in which a kennel or cattery is not permitted.
- 86 21. "License" means permission issued by the Director, or his/her designee, authorizing the  
87 holder to keep a dog or cat. An identification tag shall be issued for each animal  
88 licensed. A valid rabies vaccination is required to obtain a license.
- 89 22. "License Tag" means a tag of a design prescribed by the Director, or his/her designee,  
90 which bears the corresponding number of the dog or cat's license.
- 91 23. "Licensing authority" means Metro Animal Services (MAS)
- 92 24. "MAS" means Metro Animal Services
- 93 25. "Microchip" means an identifying integrated circuit which is placed under the skin of an  
94 animal.
- 95 26. "Owner" includes a person who owns, harbors, keeps, maintains or exercises control  
96 over an animal. Proof that a person is in control of a premise where an animal is  
97 usually kept, harbored or maintained shall establish a prima facie presumption that such  
98 person is the owner of such animal.
- 99 27. "Proper shelter" means a structure with three (3) sides, a top and a bottom or a  
100 commercially manufactured structure, which includes an igloo styled house, designed  
101 and marketed to protect animals from outside elements. The shelter must have adequate  
102 ventilation and drainage which allows the animal to enter, stand, turn around and lie  
103 down in a natural manner. It shall be placed on the owner's premises to effectively  
104 protect the animal from outside elements.
- 105 28. "Public nuisance" means any animal is considered a public nuisance if it:  
106 a. trespasses on school grounds, or  
107 b. damages private or public property, or  
108 c. interferes with passersby or a passing vehicle, to include bicycles, or  
109 d. has bitten, scratched or attacked a person while at large, or  
110 e. while not on the owner's premises, attacks another animal, or,  
111 f. either individually or in concert, barks, whines, howls or otherwise makes noise in an  
112 excessive, continuous or untimely fashion.
- 113 g. interferes with the delivery of U.S. Mail or other delivery services.



- 114 29. "Cat" A member of the feline family and shall not include exotic wild cats, wild species  
115 of this family or hybrids thereof.
- 116 30. "Dog" A member of the canine family, but shall not include wild species of this family,  
117 or any hybrid thereof.
- 118 31. "Facilities for keeping" The pens, stalls, stables, corrals, feeding area, sheds and  
119 facilities of every kind where fowl, livestock or pets are penned, fed and/or protected  
120 from the weather. This shall not be interpreted to include a grazing area.
- 121 32. Fowl" includes feathered animals regardless of age, excluding parrots and chickens.
- 122 33. "Grooming shop" A commercial establishment where animals are bathed, clipped, or  
123 otherwise groomed.
- 124 34. "High Risk Rabies Vector" means raccoon, skunk, fox, coyote and bat
- 125 35. "Impound" means to place an animal in the Metro Animal Shelter, or taking into  
126 custody of an animal.
- 127 36. "Licensed Veterinarian" A practitioner of veterinary medicine who holds a valid license  
128 to practice their profession in the state in which they practice.
- 129 37. "Livestock" Includes any species of equine, bovine, ovine, swine, caprine or any hybrid  
130 thereof, regardless of age, sex, breed, size or purpose; inclusive of all ungulates.
- 131 38. "Local Rabies Control Authority" The Metro Animal Protection Supervisor Services  
132 Division Manager, as appointed by the Casper Chief of Police~~Director~~.
- 133 39. "Parrot" Any of numerous tropical and semi-tropical birds of the order of Psittaciformes,  
134 characterized by short hooked bills, brightly colored plumage and in some species the  
135 ability to mimic human speech.
- 136 40. "Pen or corral" An enclosure in which livestock are kept.
- 137 41. "Performing animal exhibition" Any spectacle, display, act or event other than circuses,  
138 in which performing animals are used.
- 139 42. "Pet" Any animal normally kept for pleasure rather than utility, excluding those defined  
140 as fowl, livestock or wild by this code.
- 141 43. "Pet shop" Any person, partnership or corporation, whether operated separately or in  
142 connection with another business enterprise that buys, sells or boards any species of  
143 pets.
- 144 44. "Premises" A parcel of land (one or more contiguous lots) owned, leased or controlled  
145 by one or more persons.
- 146 45. "Quarantine" To detain and isolate due to suspected zoonosis or other communicable  
147 disease or in the interest of public health and safety.
- 148 46. "Rabies certificate" means a certificate signed by a licensed veterinarian verifying that  
149 an animal is vaccinated against rabies, and which includes the date of immunization, the  
150 date that the immunization expires, and the type of vaccine used.
- 151 47. "Tether or tethering" means to restrain a dog by tying the dog to any object or structure,  
152 including, but not limited to, a house, tree, fence, post, pole, garage, or shed or similar  
153 structure or object, by any means, including, but not limited to, a chain, rope, cord,  
154 leash, or running line. "Tethering" shall not include using a leash to walk a dog.
- 155 48. "Riding school or stable" Any place, which has available for hire, boarding and/or  
156 riding instruction, any horse, donkey or mule.
- 157 49. "Sanitary" Any condition of good order and cleanliness.

- 158 50. "Service Animal" means as defined in 28 C.F.R.35.104 and 28 C.F.R. 36.104, including  
159 a domesticated trained dog, that is owned in order to assist an individual with a  
160 disability ~~as defined in W.S. § 35-13-201 and W.S. § 35-13-205(ii) and (iii)~~. Examples  
161 of a service animals are dogs that are individually trained to do work or perform tasks  
162 for the benefit of an individual with a disability, including physical, sensory,  
163 psychiatric, intellectual, or other mental disability. Tasks performed can include,  
164 among other things, pulling a wheelchair, retrieving dropped items, alerting a person to  
165 a sound, reminding a person to take medication, or pressing an elevator button.  
166 Emotional support animals and, comfort animals, ~~and therapy dogs~~ are not service  
167 animals. ~~Other species of animals, whether wild or domestic, trained or untrained, are~~  
168 ~~not considered service animals either.~~ The work or tasks performed by a service animal  
169 must be directly related to the individual's disability. ~~It does not matter if a person has~~  
170 ~~a note from a doctor that states that the person has a disability and needs to have the~~  
171 ~~animal for emotional support. To be a service animal, there is no requirement for~~  
172 ~~certified documentation of training or designation; it is the task for which the animal~~  
173 ~~provides disability assistance which is determinative of whether an animal is a "service~~  
174 ~~animal". Conversely a~~ A doctor's letter does not turn an animal into a service animal.
- 175 51. "Veterinary hospital" means any establishment maintained and operated by a licensed  
176 veterinarian for surgery, wellness program, boarding, diagnosis and treatment of  
177 diseased and injured animals.
- 178 52. A "vicious animal" means any animal or animals that constitute a physical threat to  
179 human beings or other animals. Proof of the fact that an animal has bitten or attacked a  
180 person or other animal at any place where that attacked or bitten person or animal is legally  
181 entitled to be, shall be prima facie evidence that an animal is vicious and there is a rebuttable  
182 presumption that ~~the attacking said~~ animal is a vicious animal.
- 183 53. "Wild animal" or "exotic pet" means any live monkey (non-human primate), raccoon,  
184 skunk, fox, snake, leopard, panther, tiger, lion, lynx, coyote, wolf, crocodilian, any monitor  
185 exceeding three (3) feet in overall length or any animal which can normally be found in the  
186 wild state or any hybrid thereof. Venomous and poisonous animals shall be prohibited in  
187 the city limits of Casper, regardless of species or purpose.
- 188 54. "Working day" means a day that the Metro Animal Services Shelter is open to the  
189 public.
- 190 55. "Ungulate" means a hoofed mammal.
- 191 56. "Zoological garden" means any facility, other than a pet shop or kennel, displaying or  
192 exhibiting one or more of nondomesticated animal(s) by a person, partnership,  
193 corporation or government agency.
- 194 6.04.020 - Dog and cat licensing requirements.
- 195 A. It is unlawful for any person owning, keeping, harboring or having custody of any dog  
196 or cat over six months of age, within the City of Casper, not to obtain a license as provided  
197 for in this chapter for the dog or cat. This requirement will not apply to a non-resident  
198 keeping a dog or cat within the City limits for a period of less than sixty (60) days. The  
199 requirement does not apply to service animals.

200 B. Dogs and cats must wear valid license tags at all times when off the premises of the  
201 owner.

202 C. Application for licenses shall be made to the licensing authority, which shall include  
203 name and address of the applicant, description of the animal, the appropriate fee, and a  
204 certificate to verify that the animal has been vaccinated against rabies by a licensed  
205 veterinarian, to include a description of the vaccine used, the date administered and the  
206 expiration date of the vaccine.

207 D. The license shall be valid for one (1) year from the date of issuance, the license fee must  
208 be paid upon issue or renewal and is not transferrable.

209 E. Upon acceptance of the license application and fee, the licensing authority shall issue a  
210 durable tag, stamped with an identifying number and the calendar year of issuance.

211 F. A license shall be issued after payment of a license fee as established by resolution of  
212 the City Council.

213 G. A duplicate tag may be obtained upon payment in accordance with the fee resolution.

214 H. No person shall use any license for any dog or cat other than the dog or cat for which it  
215 is issued.

216

217 6.04.035 - Dog exhibition, show and training permit.

218 A. Any responsible individual may apply in writing for a dog exhibition, show and/or  
219 training permit, to the city parks department office. Subject to the conditions provided in this  
220 section, such permit authorizes the holder and those under his or her control and supervision,  
221 to utilize those city parks which are otherwise off-limits to dogs not under physical restraint,  
222 for the purpose of exhibiting, showing and/or training dog(s) without physical restraint. The  
223 issuance of any such permit is conditioned upon the following:

224 1. The applicant assumes responsibility for all handlers and dogs which are present in the park  
225 pursuant to the authority of the permit;

226 2. To be effective, a permit shall be kept on the person of the applicant and the applicant shall  
227 remain in the park at all times during which dogs are present pursuant to the authority of the  
228 permit;

229 3. An applicant shall submit with the permit application, an administrative fee of Five Dollars  
230 (\$5.00) for each event for which the permit is to be effective, with a maximum of Twenty-five  
231 Dollars (\$25.00) per year, together with a cleaning and damage deposit of Fifty Dollars (\$50.00)  
232 per event. An "event" is defined as an activity lasting not more than three (5) consecutive days.  
233 The cleaning and damage deposit shall be refunded to the applicant only if the area used pursuant  
234 to the authority of the permit is cleaned as provided in subdivision (5)(iii), and not damaged as  
235 provided in subdivision (5)(ii);

236

237 4. The applicant's recognition that such a permit does not entitle the holder to the exclusive use  
238 of the park or any portion thereof;

239

240 5. The applicant's agreement:

241 i. Not to allow any dog which is unrestrained under authority of the permit, to  
242 harass or molest any other animal or person using or present in the park,

243 ii. Not to allow any dog which is present under the authority of the permit, to

- 244 damage or destroy any public or private property located in the park, or  
245 the park itself,  
246 iii. To clean up and properly dispose of any waste deposited in the park by the  
247 dogs which are present pursuant to the authority of the permit, prior to leaving the  
248 park,  
249 iv. To personally indemnify and hold the City harmless for any damage or  
250 destruction caused by dogs which are present in the park pursuant to the  
251 authority of the permit,  
252 v. To maintain or ensure control over all dogs which are present in the park  
253 pursuant to the authority of the permit;

254  
255 6. The absence of any violations of this code section by the applicant during the twelve-  
256 month period immediately preceding the date of application;

257  
258 7. The absence of any previously scheduled event in the park which could be incompatible  
259 with the use applied for by the applicant.

260  
261 B. An applicant's failure to abide by any permit condition, or the making of any false  
262 statement by an applicant on an application, is a violation of this section and upon  
263 conviction is punishable by a fine of up to Seven Hundred Fifty Dollars (\$750.00) and/or  
264 incarceration for up to six (6) months.

265  
266 C. Exhibitions, shows, and training events sponsored by the city shall not require a permit  
267 as provided in this section.

268  
269 D. Permit applications shall be in substantially the following form:

270 Dog Exhibition, Show, and/or  
271 Training Permit Application

272 The undersigned applicant applies for a Dog Exhibition, Show, and/or Training Permit as  
273 provided by Casper Municipal Code Section 6.04.035, a copy of which is reproduced on the  
274 reverse of this application. The applicant agrees to the conditions set forth in said Code  
275 section and represents that the following information is accurate in all respects:

- 276 1. Date of application; and  
277 2. Name and street address of applicant; and  
278 3a. Date(s) for which permit is sought; and  
279 3b. Park for which permit is sought;  
280 4. Approximate number of dogs expected at event;  
281 5. Month and year of any violation of Section 6.04.035 by the applicant.

282 **WARNING: ANY FALSE INFORMATION PROVIDED ON THIS APPLICATION OR**  
283 **FAILURE TO ABIDE BY THE CONDITIONS SET FORTH IN MUNICIPAL CODE**  
284 **SECTION 6.04.035 (SEE REVERSE), IS PUNISHABLE BY A FINE OF UP TO \$750.00**  
285 **AND INCARCERATION FOR UP TO SIX MONTHS.**

286 6.04.040 - Keeping of pets, livestock or fowls; limitations.

287 (A) Number permitted.

288

289 1. It shall be unlawful for any person to keep more than three cats and/or three dogs on  
290 any premises within the City limits of Casper, except:

291

292 ii. Kennels and catteries will be allowed in the City only in areas properly zoned for  
293 this type of business.

294

295 2. No fowl or livestock shall be kept on any lot or tract of land located in a residentially  
296 zoned area of the City; this applies to any and all ungulates.

297

298 3. No more than ten (10) of any other pet shall be permitted on a single premises,  
299 excluding fish, rodents and small cage birds.

300

301 (B) Fencing Requirements.

302 1. Where fencing is required by this section, it shall be at least three (3) feet in height  
303 and constructed of a material sufficient to confine the animal.

304

305 2. Escape of an animal covered by this chapter shall be presumptive evidence that the  
306 owner's fence does not comply with the foregoing requirements.

307 6.04.070 - Animals for commercial purposes—Inspection.

308

309 6.04.050 – Beekeeping.

310

311 A. Definitions. The following words, terms and phrases, when used in this section,  
312 shall have the following meanings ascribed to them.

313 1. "Apiary" shall mean a place where bee colonies are kept.

314 2. "Bee" shall mean any stage of the common domestic honey bee, *Apis*  
315 *Mellifera* species.

316 3. "Colony" shall mean a hive and its equipment and appurtenances,  
317 including bees, comb, honey, pollen, and brood.

318 4. "Hive" shall mean a structure intended for the housing of a bee colony.

319

320 B. Hives. All bee colonies shall be kept in inspectable-type hives with removable  
321 combs, which shall be kept in sound and usable condition as described in  
322 Wyoming Statutes, Title 11.

323 C. The applicant shall comply with State Regulations regarding the keeping of bees.

324 D. Setback. All hives shall be located at least ten feet from any adjoining property  
325 with the back of the hive facing the nearest abutting private property lines. Hives  
326 may be located on the property line abutting alleyways.

327 E. Fencing of Flyways. In each instance in which any colony is situated within  
328 twenty-five feet of a developed public or private property line of the tract upon  
329 which the apiary is stated, as measured from the nearest point on the hive to the  
330 property line. The beekeeper shall establish and maintain a flyway barrier at least  
331 six feet in height, consisting of a solid wall or fence parallel to the property line,

332 and extending ten feet beyond the colony in each direction so that all bees are  
333 forced to fly at an elevation of at least six feet above ground level over the  
334 property in the vicinity of the apiary.

335 F. Water. Each beekeeper shall ensure that a convenient source of water is available  
336 at all times to the bees, so that the bees will not congregate at swimming pools,  
337 bib cocks, pet water bowls, birdbaths or other water sources where they may  
338 cause human, bird, or domestic pet contact. The water shall be maintained so as  
339 not to become stagnant.

340 G. Any bee colony not residing in a hive structure intended for beekeeping, or any  
341 swarm of bees, or any colony residing in a standard or homemade hive which, by  
342 virtue of its condition, has obviously been abandoned by the beekeeper, is  
343 unlawful and may be summarily destroyed or removed from the city by the city  
344 manager or his designee.

345 H. Violation of the regulations set forth can be grounds for seizure of the bees and  
346 criminal prosecution by citation or summons in the Casper Municipal Court. The  
347 keeping by any person of bee colonies in the city not in strict compliance with this  
348 section is prohibited.

349  
350 It shall be a condition of the issuance of any permit to any owner of animals kept for  
351 commercial purposes that the inspectors of the City-county Health Department shall be permitted  
352 to inspect all animals and the premises where animals are kept upon reasonable notice to the  
353 owner, and the City Clerk shall, if such permission for inspection is refused, revoke the permit of  
354 the owner.

355  
356 6.04.080 - Fees—Disposition and use.

357 All license fees, impoundment fees, adoption fees and other revenue received by MAS shall  
358 be deposited with the City in a fund for the sole purpose of defraying the expenses associated  
359 with the operation of the Metro Animal Services shelter.

360 6.04.090 - Animal waste—Owner responsibility.

361 A. It shall be the responsibility of the owner of a dog, cat or other animal to keep his/her  
362 property reasonably free and clear of feces and urine to prevent offensive odors or unsanitary  
363 conditions in the enclosures or the surrounding areas where the animal are allowed. There shall  
364 not be an unusable unreasonable number of flies and there shall be no maggots. waste.  
365 Discarding feces waste on any public or private property shall be considered a violation of this  
366 section.

367 B. The owner of every dog, cat, or other animal is responsible for the removal of any  
368 excreta deposited by his/her animal on public walks, recreation areas, or private property other  
369 than that of the owner; however, this requirement shall not apply to an owner who is visually or  
370 physically handicapped to the extent that the person is incapable of, or at physical risk, in  
371 complying with this subparagraph.

372 C. The owners and/or occupiers of property are responsible for the removal of any excreta  
373 deposited on public walks, ways and areas by birds occupying or roosting on the owner or  
374 occupier's property.

375

376 6.04.100 - Animals at Large—Prohibited- and Impoundment

377 It is unlawful for any domesticated animal to be “at large”, ~~as defined in Section 6.04.010.~~

378 6.04.110—Animals at Large—Impoundment.

379 A. An animal’s owner violates the animal “at large” prohibition if the owner’s ~~animal~~  
380 permits or does not reasonably prevent the animal from becoming “at large.”

381 B. Animal protection officers have the authority to take possession of and impound any  
382 animal at large. When in pursuit of any animal at large, the officer may go onto private  
383 property, exclusive of buildings, and take such animal into possession for impoundment.

384 C. No person may capture, restrain, harbor or take possession of an animal not owned by  
385 such person, unless the person shall notify or deliver the animal to the Metro Animal  
386 Services within twenty-four (24) hours. Metro Animal Services will make every attempt to  
387 identify and notify an owner and either impound the animal or complete a found report. This  
388 does not apply to persons who take possession of an animal at the owner's request.

389 D. If an animal is impounded at the Metro Animal Shelter, with a valid license attached to  
390 its collar, or if the animal is micro-chipped or has another form of identification the Metro  
391 Animal Services staff will attempt to notify the owner by phone or by mail or personal  
392 delivery notice to the last known address ~~currently~~ listed on the license application, or  
393 micro-chip registration log or other identification located on the animal. ~~MAS will hold any~~  
394 ~~animal for no more than seven (7) days from the date the owner is notified the animal is~~  
395 ~~impounded at MAS.~~ If an animal has been held at MAS for more than seven (7) days, ~~t~~The  
396 animal may be placed for adoption or humanely euthanized if not reclaimed within seven (7)  
397 days, unless the Director or his/her designee determines it is inhumane or unsafe to harbor  
398 such animal.

399 E. Animals that are at large, do not bear identification and are subsequently impounded at  
400 the Metro Animal Shelter shall be held no less than seven five (75) working days from the  
401 date of impoundment, unless the Director or his/her designee determines it is inhumane or  
402 unsafe to harbor such animal.

403

404 6.04.120 - Animal Services Shelter duties and records.

405 A. The Animal Services Shelter which is notified, or to which an animal is delivered, shall  
406 keep a record of each animal, giving a description, the date of impoundment or notification,  
407 and the disposition of the animal.

408 B. Metro Animal Services is not required to release the names of adopters of unclaimed  
409 stray animals. MAS is also not required to release the names of owners who relinquish  
410 ownership of their animal.

411 6.04.130 - Animals surrendered for adoption—Holding period.

412 Any animal surrendered by its owner to the Metro Animal Shelter shall be held no less  
413 than three (3) working days, providing the animal is healthy and adequate kennel space is  
414 available.

415 6.04.140 - Impounded animals—Time for reclaiming.

416 A. In the event the owner does not claim an animal within the time period prescribed in this  
417 section and Sections 6.04.10~~0~~, 6.04.130 and 6.04.150, the owner abandons all rights of  
418 ownership to such animal.

419 B. Any animal not reclaimed by its owner within the time period prescribed in the sections  
420 cited above shall be deemed abandoned, and shall be placed for adoption, or humanely  
421 euthanized.

422 C. No animal surrendered to a municipal animal shelter will be released for research  
423 purposes.

#### 424 6.04.150 - Impounded animals—Release conditions.

425 A. The owner of an impounded animal shall pay the Metro Animal Services reclaim fee, as  
426 established by resolution of the city council.

427 B. Metro Animal Services may release an impounded animal to its owner if:

428 1. The owner presents a valid form of identification;  
429 2. The owner presents evidence that the dog or cat is licensed. If the animal is not licensed,  
430 the owner must purchase a license;

431 3. The owner pays the fees associated with the impoundment, as set forth by resolution.

432 4. The owner may designate a representative to reclaim their animal when:

433 1. the representative presents a valid form of identification.

434 2. the representative pays the fees associated with the impoundment, as set forth by  
435 resolution.

436 3. the representative may have written authorization from the owner of the animal  
437 granting permission to the representative to reclaim the animal on behalf of the owner, or the  
438 owner may contact MAS , or an APO if the owner is out of town or incapacitated and give  
439 verbal authorization.

440 C. Metro Animal Services may release an animal to a person other than the owner or  
441 humanely euthanize such animal if:

442 1. The owner does not claim an impounded animal within the time periods prescribed in  
443 this section and Sections 6.04.100, 6.04.130, and 6.04.140.

444 2. When an animal becomes available for adoption, the person ~~to~~ who is adopting the  
445 animal ~~is adopted to~~ must sign a statement agreeing to license the animal, vaccinate the  
446 animal against rabies, ~~if required~~ unless the animal has a valid rabies certificate. The person  
447 who adopts the animal must agree to have it spayed or castrated in accordance with the  
448 adoption agreement at the owner's expense. Failing to comply with the terms of the  
449 adoption contract will constitute violation of this section. Any owner who fails to fulfill the  
450 terms of any adoption will be denied future adoptions from MAS, until the owner is in  
451 compliance. If there is a medical reason the animal cannot be spayed or castrated, the owner  
452 shall be required to furnish MAS with corresponding documentation from a licensed  
453 veterinarian.

454 4. The person to whom the animal is released, pays any associated fees as set by resolution.



455 6.04.160 - Animals at large—Citation of violation when.  
456 In addition to, or in lieu of impounding an animal found at large, the animal protection  
457 officer or police officer may issue to the known owner (or his/her agent) of such animal a  
458 citation or notice of ordinance violation. A criminal warrant may be initiated if the owner or  
459 his/her agent fails to appear as stated in the citation or notice, or fails to post an appropriate  
460 bond in lieu ~~of appearing thereof~~.  
461 6.04.170 - Vaccination and rabies control—Animal bites.  
462 A. The owner of a dog or cat shall have the dog or cat vaccinated against rabies when the  
463 dog or cat reaches six (6) months of age. If the owner obtains the dog or cat, or brings the  
464 dog or cat into the Metro Animal Services District after the dog or cat reaches six (6) months  
465 of age, the owner shall have the dog or cat vaccinated against rabies within thirty (30) days  
466 after the dog or cat was obtained or brought into the Metro Animal Services District, unless  
467 the dog or cat has been vaccinated as evidenced by a current certificate of rabies vaccination  
468 from this state or another state. The owner of a dog or cat shall have the dog or cat  
469 revaccinated against rabies by a veterinarian before the date that the immunization expires,  
470 as stated on the certificate of vaccination.  
471 B. The owner shall pay the cost of the rabies vaccination.  
472 C. A law enforcement officer, an animal services officer, or a county health officer or  
473 his/her designee may order an animal quarantined if the officer has reason to believe the  
474 animal bit a person, is infected with rabies, or has been in contact with a high risk rabies  
475 vector animal. If a quarantine cannot be imposed because the animal cannot be captured, the  
476 officer may euthanize the animal. The officer may euthanize the animal only as a last resort,  
477 or if the owner agrees. The officer shall attempt to euthanize the animal in a humane manner  
478 and in a manner which avoids damage to the animal's head. The specimen will be sent to the  
479 State Veterinary Lab for testing. In addition, a law enforcement officer, an animal  
480 protection officer, or a county health officer or his/her designee may euthanize an animal  
481 and have it examined for the purpose of determining whether or not it has been infected with  
482 rabies if the animal has not been vaccinated as provided in subsection A of this section, he  
483 or she has reason to believe the animal has been exposed to or in physical contact with a  
484 high risk rabies vector animal, and he or she has reason to believe the animal has been in  
485 physical contact with humans.  
486 D. An officer who orders an animal to be quarantined shall deliver the animal, or shall order  
487 the animal delivered, to an isolation facility as soon as possible, but no longer than twenty-  
488 four (24) hours after the original order is issued. If the animal is currently immunized  
489 against rabies and was not off the premises of the owner at the time of the bite, the officer  
490 may order the animal quarantined on the owner's premises.  
491 E. The custodian of an isolation facility, or the owner, shall keep the animal which is  
492 ordered to be quarantined in strict isolation under the supervision of a law enforcement  
493 officer, an animal protection officer, or a county health officer or his/her designee.  
494 Supervision for animals ordered quarantined on the owner's premises shall include  
495 examination by a law enforcement officer, an animal protection officer, or a county health  
496 officer or his/her designee within twenty-four (24) hours of the bite and on the tenth (10<sup>th</sup>)  
497 day of quarantine, if the animal has not exhibited any symptoms of rabies, the animal will be

498 examined by a veterinarian and, upon the veterinarian's clearance, shall be released from  
499 quarantine.

500 F. A licensed veterinarian, a law enforcement officer, an animal protection officer, an  
501 employee at MAS or a county health officer or his/her designee determines that an animal  
502 exhibits symptoms of rabies during the quarantine period, the county health department shall  
503 be notified, and the county health department or a veterinarian shall be consulted to confirm  
504 the symptoms of rabies. ~~and~~ If the county health department or veterinarian confirm the  
505 symptoms of rabies, the officer who ordered the animal quarantined and/or another APO  
506 and/ the officer or the consulting veterinarian, shall euthanize the animal. If the animal has  
507 bitten a person, the county health department shall notify the person and the person's  
508 physician.

509 G. The owner of an animal is responsible for any expenses incurred in connection with  
510 keeping the animal in an isolation facility, supervision and/or examination and treatment of  
511 the animal by a veterinarian. If the owner is unknown, Metro Animal Services is responsible  
512 for these expenses.

513 H. An owner who refuses to comply with an order issued under this section to deliver an  
514 animal to an officer, isolation facility or veterinarian, or who does not comply with the  
515 conditions of an order that an animal be quarantined, shall be in violation of this section.

516 I. Any person having knowledge that an animal has bitten a human shall immediately  
517 report that incident to the Casper Police Department ~~MAS~~ or the county health officer,  
518 together with the name and address of the person or persons bitten, if known.

519 6.04.180 - Cruelty to animals—Unlawful acts designated.

520 It is a violation of this ordinance to inflict cruelty upon an animal as stated herein:

521 A. No person shall override, overload, drive when overloaded, overwork, torture or torment  
522 an animal, or deprive an animal of necessary sustenance.

523 B. No person shall ~~unnecessarily or~~ cruelly beat, mutilate or kill an animal unless  
524 specifically authorized by law.

525 C. No person shall cause, instigate, be a spectator at or permit a dogfight, cockfight,  
526 bullfight (bloodless or otherwise), or other combat involving animals.

527 D. No person shall abandon any animal, but may relinquish the animal and ownership  
528 rights in the animal to an animal shelter or other qualified caretaker.

529 E. No person shall fail to provide his/her animal with sufficient good and wholesome food  
530 and clean water, proper shelter to protect it from the weather (including sunlight), veterinary  
531 care when needed to prevent suffering, and with humane care and treatment.

532 F. It is unlawful to annoy, bait, harass, torment or tease any confined or chained animal.

533 G. Unless specifically authorized by law, no person shall willfully maim or disfigure any  
534 domestic or wild animal, or administer poison, or cause to be ingested any foreign object to  
535 any such animal, or expose any poisonous substance with the intent that it shall be taken by  
536 any animal, except pests of public health concern. The provisions of this section and  
537 Sections 6.04.190, 6.04.200, subsections B and C of Section 6.04.210 and Sections 6.04.220  
538 and 6.04.250 do not in any way limit the right of a police officer or animal protection officer

539 to humanly euthanize any wild or domestic animal if such officer determines that there is a  
540 reasonable danger to the public safety or if the animal is sick or injured to an extent that  
541 humanly euthanizing the animal is the appropriate action to take.

542 H. No person shall tether a dog while the dog is outdoors, or within any structure that is not  
543 the dog owner's home, except when all of the following conditions are met:

- 544 1. The dog is in visual range of a responsible party.
- 545 2. The tether is connected to the dog by a well fitted, buckle-type collar or a body harness  
546 made of nylon or leather, not less than one-inch in width.
- 547 3. The dog is tethered in such a manner as to prevent injury, strangulation, or entanglement.
- 548 4. The tether shall confine the dog to the owner's property.
- 549 5. The dog has access to water, shelter, and dry ground.
- 550 6. The dog is at least six months of age. Puppies shall not be tethered.
- 551 7. No dog shall be tethered for more than 2 hours in any 24-hour period.

552 I. The owner of every animal shall be required to provide such animal with sanitary living  
553 conditions by timely removing animal waste from an interior or exterior pen, shelter, yard or  
554 other keeping area. All animal waste must be disposed of in an approved container.

555 6.04.190 - Baby animals and fowl.

556 No person shall sell, offer for sale, barter or give away ~~baby chickens~~, ducklings, ~~goslings or~~  
557 ~~other fowl~~, or rabbits under eight (8) weeks of age, as pets, toys, premiums or novelties, or  
558 color, dye or transport the same into the ~~City of Casper Animal Services District~~. ~~Chickens,~~  
559 ~~and~~ Ducklings and geese younger than eight (8) weeks of age may not be sold in quantities of  
560 less than twenty-five (25) to a single purchaser.

561 6.04.200 - Animals as commercial incentives.

562 No person shall give away, offer for sale or barter any live animal, fish, reptile or bird as a  
563 prize for or as an inducement to enter any contest, game or competition, or as an inducement  
564 to enter a place of amusement or business, or offer such vertebrate as an incentive to enter  
565 any business agreement whereby the offer was the purpose of attracting trade.

566 6.04.210 - Animals in motor vehicles—Unlawful acts.

567 A. No person shall leave a dog unattended in the bed of a pickup truck in a public parking  
568 area unless the dog is restrained in such a manner as to prevent the dog from making  
569 physical contact with a pedestrian who is passing the truck in a place where that pedestrian  
570 is legally entitled to be; if a dog is found to be not restrained as stated, the dog is “at large.”

571 B. It is considered cruel and therefore unlawful for a person to leave an animal unattended  
572 in a motor vehicle with excessive temperatures. ~~When~~ the temperature is ~~sixtyseventy~~  
573 ~~(760)~~ degrees Fahrenheit or above, unless, in the opinion of the officer, adequate ventilation  
574 and water ~~are~~ provided, there exist the presence of a potential problem and APOs and  
575 other law enforcement may undertake investigatory steps and actions appropriate under the  
576 circumstances to protect the life of any animal confined in such a vehicle.

577 C. No person shall carry an animal in a motorized vehicle in an ~~an~~ ~~cruel~~ ~~or~~ inhumane ~~or~~  
578 ~~unsafe~~ manner.

579 6.04.220 - Accidents injuring animals.

580 The driver of any motor vehicle involved in an accident, within the City of Casper resulting  
581 in injury to a domestic animal shall immediately and safely stop and render such assistance  
582 as is safely possible, and shall take reasonable steps to notify the owner of such animal or  
583 give notice of such accident to the ~~local~~Casper ~~p~~Police ~~d~~Department, ~~or Metro Animal~~  
584 ~~Services~~.

585 6.04.230 - Removal of deceased animals.

586 A. It shall be the duty of the animal protection officer to remove from the streets, alleys and  
587 public places within the Animal Control District deceased animals, excluding livestock, and  
588 large wild game animals, unless otherwise agreed with the Wyoming Game and Fish, and  
589 shall notify the owner, if known.

590 B. It shall be the duty of the owner to dispose of his/her own deceased animals from his/her  
591 private property.

592 6.04.240 - Trapping restrictions for dogs and cats.

593 A. No traps shall be used for the capture of an animal by any person within the City of  
594 ~~Casper Animal Control District~~, other than humane live box traps. Also, no traps shall be  
595 set when trap temperatures exceed ninety (90) degrees Fahrenheit or fall below thirty-two  
596 (32) degrees Fahrenheit.

597 B. Animals captured must be turned over to MAS as soon as reasonably possible, or may  
598 be returned to the owner, if known.

599 C. Traps must be checked every four (4) hours unless they are set in such a manner as to  
600 provide proper shelter once the animal is confined.

601 D. Animal control protection officers may go onto private property, exclusive of buildings,  
602 to remove a trapped animal.

603 ~~E. The final decision for placement of a trap shall be at the discretion of the animal~~  
604 ~~protection officer.~~

605 6.04.250 - Cruelty to animals—Intervention authorized.

606 A. In addition to the prosecution of violations in this Chapter, an animal protection officer  
607 may lawfully interfere to prevent the perpetration of any act of cruelty upon any animal in  
608 his/her presence.

609 B. A law enforcement officer or an animal protection officer may remove, shelter and care  
610 for any animal found to be cruelly exposed to the weather, starved or denied adequate water,  
611 neglected, abandoned or otherwise treated in a cruel manner, and ~~shall~~may deliver such  
612 animal to MAS for proper care and placement ~~another person to be cared for and given~~  
613 ~~medical attention, and, if deemed necessary, a veterinarian~~. In all cases, the owner, if known,  
614 shall immediately be notified; ~~and such officer or other person having possession of the~~  
615 ~~animal shall have a lien thereon for its care, keeping and medical attention, and expense of~~  
616 ~~notice~~. If the owner or custodian is unknown and cannot, with reasonable effort, be

617 ascertained, or does not, within ~~seven~~<sup>five</sup> (7~~5~~<sup>5</sup>) days after impoundment of the animal, it may  
618 be treated as abandoned and dealt with as provided in Sections 6.04.10~~10~~<sup>10</sup> through 6.04.160,  
619 and subsection ~~BA~~ of Section 6.04.210.

620 C. Whenever, in the opinion of any law enforcement officer, animal control protection  
621 officer or county health officer (officers), any animal is suffering from distemper, parvo  
622 virus or other serious disease, or is severely maimed and suffering from injury, it shall be  
623 lawful for such officer to humanely euthanize such animal after consulting with a licensed  
624 veterinarian. If the animal is licensed, an attempt to notify its owner shall be made before the  
625 animal is euthanized. The above-mentioned officers or designees may humanely euthanize  
626 an animal without consulting with a licensed veterinarian or an owner if it is considered an  
627 emergency situation, to relieve the animal from undue suffering. The owner thereof shall not  
628 recover damages for such animal unless he/she shall prove that euthanasia was unwarranted  
629 without reason under the circumstances known to the officers.

630 6.04.260 – Fowl—Other Than Chickens--Location restrictions.

631 Ducks, geese or turkeys may be kept and maintained within the Animal Control District only  
632 in areas which are properly zoned for such use, or a zoning board of adjustment exception  
633 has been allowed. Such exceptions may be granted for organized youth group projects.

634 6.04.270 - Chicken hens – Enclosure and other limitations.

635 Chicken hens shall be permitted in association with an occupied single-family residential  
636 dwelling/structure as an accessory use, subject to the following regulations:

- 637 1. The maximum number of chicken hens permitted shall be six (6).
- 638 2. No roosters shall be permitted, with the exception that roosters shall be permitted in the  
639 AG (urban agriculture) zoning district.
- 640 3. Only chicken hens shall be permitted. Chicken hens may be any breed or crossbreed of  
641 chicken. No hybrids will be allowed unless properly zoned, or a conditional use permit has  
642 been approved by the Planning and Zoning Commission.
- 643 4. Chicken hens shall be provided with a covered, fully enclosed and predator-resistant  
644 coop which is adequately ventilated, designed for easy access for cleaning, and shall consist  
645 of an enclosed area (may include the pen) of at least five (5) square feet per chicken hen.  
646 Chicken hens shall be protected from predators by being enclosed in the coop from dusk  
647 until dawn.
- 648 5. During daylight hours, the chicken hens shall have access to the coop/pen at all times. If  
649 the chicken hens are permitted outside of the coop/pen, then the area which they have access  
650 to must be secured, with a minimum of a six foot high privacy fence, and if necessary, wing  
651 feathers shall be clipped to prevent the birds from flying and escaping.
- 652 6. The coop/pen shall be cleaned and maintained so as not to cause excessive smells or  
653 odors, dust, or attract excessive insects or vermin. The frequency of cleaning shall depend  
654 on the number of chicken hens, the type of litter, the area of the coop, and the weather.  
655 Section 6.04.090 shall apply to the enforcement of chicken waste, to include unharvested  
656 eggs, and the owner's responsibilities.
- 657 7. No butchering of chickens is permitted within the city limits.

658 8. Coops and pens shall be constructed a minimum of six (6) feet from side and rear  
659 property lines, and are only permitted in the rear yard of a home. If an alley is located  
660 adjacent to the property, the minimum setback for the coop/pen shall be three (3) feet from  
661 the alley.

662 9. It is unlawful for chicken hens to be at large, as defined in Section 6.04.010. Any  
663 chicken hen found to be at large may be taken into possession and impounded by Metro  
664 Animal Services, and shall be adopted, rehomed or euthanized if not reclaimed within five  
665 (5) working days.

666 10. Chicken hens shall be provided with access to adequate and fresh water at all times, and  
667 in a manner to prevent the water from freezing.

668 11. No coop shall exceed a footprint of sixty (60) square feet, or shall exceed a height of  
669 seven (7) feet at the highest point of the roof.

670 12. Chicken feed shall be stored in an airtight, metal container to discourage attracting  
671 mice, rats, and other vermin.

672 13. Chicken hens shall be confined in such a fashion as to prevent them from coming into  
673 contact with wild ducks or geese or their excrement.

674 14. The requirements of this section are minimum requirements and do not affect any  
675 private controls, including any more stringent regulations or prohibitions on the keeping of  
676 chicken hens contained in private covenants. Nothing in this chapter shall affect the  
677 authority of any owners' association to adopt and enforce more stringent standards for the  
678 keeping of chicken hens, or to prohibit outright the keeping of chicken hens on any property  
679 within the jurisdiction of such association.

680 6.04.280 - Livestock restrictions.

681 Livestock may be kept and maintained within the Animal Control District only in areas  
682 properly zoned for such use provided. However, that for the purpose of loading and shipping  
683 any such animal or animals, it shall not be unlawful to keep the same in loading pens,  
684 provided that no such animal shall be kept in such pens within the Animal Control District  
685 for a period of no more than twelve (12) hours.

686 6.04.290 – Poisonous/venomous prohibited.

687 It is unlawful for any person to own or possess any poisonous and/or venomous snake,  
688 reptile, or spider. In addition to the penalties provided, the venomous snake, reptile or  
689 spider shall be humanely euthanized, unless the court permits an alternative option that will  
690 protect the public.

691 6.04.300 – Vicious animals - indicia.

692 Indicia of vicious animals includes, but is not limited to, animals that:

693 a. Have bitten, attacked, endangered or inflicted injury on a human being on public or  
694 private property;

695 b. Have injured or killed a domestic animal;

696 c. Have interfered with delivery of mail by the United States Postal Service, or other  
697 delivery services as attested to by ~~a mail~~the delivery carrier or witnessed by authorities;

698 d. Have followed or chased a person upon the streets, sidewalks, or any public grounds in a  
699 menacing fashion or with apparent attitude of attack.

700 6.04.301 – Vicious and Dangerous Animals – Limitations and Prohibitions.

701 It shall be unlawful to keep, possess, or harbor a dangerous or vicious animal within City  
702 limits as follows:

703 No person shall have, keep, harbor, or allow to be upon any premises occupied by him/her,  
704 or in or under his/her charge or control, any vicious or dangerous animal, or any animal that  
705 may manifest a disposition to bite anyone, without having the animal properly restrained to  
706 prevent the animal from inflicting damage upon any person or property (See 6.04.302(d)  
707 below). When off the premises of its owner, such animal shall be securely caged or  
708 muzzled, and restrained by a secure collar and leash not to exceed three (3) feet in length.  
709 The leash shall be of sufficient strength to prevent escape and shall be under the direct  
710 control of the owner.

711  
712 6.04.302 Public Safety Measures

713  
714  
715 (a) If, under the provisions of this section and, upon conviction of a person for harboring a  
716 vicious dog in violation of this chaptersection, it shall appear to the court that the dog is  
717 living, the court may, in addition to the punishment provided for violation of this  
718 chaptersection, order the animal protection officer or any officer to forthwith cause such dog  
719 to be humanely euthanized, and for that purpose, and pursuant to the court’s order, any such  
720 officer charged with such duty shall have the right, pursuant to the court’s order, to enter  
721 upon any premises within the Animal Control District.

722  
723 (b) If the court under this subsection does not order an animal destroyed, the owner of the  
724 animal shall, within ten (10) days, provide proof to the court that such animal has been  
725 permanently marked with an implanted microchip. The microchip shall be implanted under  
726 the skin behind the neck, between the shoulder blades and the number registered with Metro  
727 Animal Services. Any expenses incurred in connection with microchipping shall be borne by  
728 the pet owner or his/her agent. Microchipping shall be done by either a licensed veterinarian  
729 or a Metro Animal Services officer.

730 (c) Any dog, cat or animal of a vicious or dangerous nature found upon any property,  
731 public or private, not the premises of the owner may, if such animal cannot be safely taken  
732 up and impounded by reasonable means, be euthanized by the animal protection officer or  
733 any police officer.

734 (d) No vicious or dangerous animal shall be unconfined on its owner's premises. A vicious  
735 or dangerous animal is "unconfined" as the term is used in this section if the animal is not  
736 securely confined indoors or confined in a securely enclosed and locked pen, or upon the  
737 premises of the owner. Any pen or run area shall be suitable to confine the animal and to  
738 prevent the entry of young children or persons other than the owner of the animal. The pen  
739 or run area must have all sides at least six (6) feet high and a secure top. No sides of the pen  
740 or run can be part of the perimeter property fence. If the pen or run structure has no bottom  
741 secured to the sides, the sides must be imbedded into the ground no less than one (1) foot.

742 (e) Any person owning a vicious or dangerous animal must have the animal spayed or  
743 neutered, at the owner's expense, within fifteen days after the animal is found to be vicious  
744 or dangerous by a court if the animal is currently not spayed or neutered.

745 (f) The owner of a vicious or dangerous animal shall notify MAS or the Casper Police  
746 Department immediately of the animal's escape or release, that the animal is loose,  
747 unconfined, has attacked another animal or human being, has died or has been sold or given  
748 away or relocated in any manner. If the vicious animal has been sold or given away, or if  
749 the current owner moves, within the jurisdiction of MAS, the owner or keeper shall provide  
750 MAS with the name, address and telephone number of the new owner or the new address of  
751 the current owner. Upon sale or conveyance, the new owner will be obligated to comply  
752 with the requirements of this section, and the current owner shall be required to comply with  
753 the requirements of this section at any subsequent location or residence.

754 (g) If an animal protection officer has probable cause to believe that a vicious or dangerous  
755 animal is being kept, harbored or cared for, in violation of this chapter, the animal protection  
756 control officer may seize and impound the animal if it is on property not of the owner or  
757 seek a court order to impound the animal until a hearing on the matter may be held or until  
758 the owners have built or bought an enclosure to protect the public as provided in this chapter  
759 and/or otherwise addressed the court's order.

760 (h) If a purported vicious or dangerous animal is impounded, the animal shall be held  
761 pending trial and disposition of the case and thereafter pursuant to court order, unless the  
762 court is convinced that the public will be protected by specified actions ordered by the court  
763 or agreed upon by the court and owners.-

764 (i) The owner of a vicious or dangerous animal shall be liable for and shall pay all costs  
765 associated with impoundment, removal, care, treatment and potentially euthanasia of said  
766 animal.

767 (j) If the owner of the animal impounded under subsection (a) of this section is not  
768 reasonably ascertainable at the time of impoundment, the ~~Director~~ MAS Manager shall  
769 immediately notify the owner by mail sent to the owner's last known address, postage  
770 prepaid, which upon the passage of three (3) days be deemed complete service or by  
771 personal service upon the last known address, within five (5) business days after the  
772 animal's impoundment.

773 (k) The notice of impoundment shall inform the owner of the animal that the owner may  
774 request, in writing, a hearing to contest the impoundment. Upon receipt of the notice of  
775 impoundment either through personal service or by mail (receipt is complete three (3) days  
776 after mailing to the last known address of owner postage prepaid), the owner has sevenfive  
777 (75) business days from personal service or ~~teneight~~ (108) business days from date of  
778 mailing to request a hearing by serving on the ~~Director of MAS Manager Animal Control~~ a  
779 written request for the hearing.

780 (l) Upon request by the owner of the animal for a hearing under subsection (k), a hearing  
781 must be held within seven (7) business days after receipt of the request. Notice of the date,  
782 time and location of the hearing shall be provided by regular mail to the animal owner  
783 requesting the hearing, and the animal owner, if an active phone number is available shall be  
784 advised that a copy of the notice of hearing may be picked up from MAS or the Court's



785 office. If the owner picks up the notice of hearing the obligation to provide a copy of the  
786 notice by regular mail is waived - The impoundment hearing shall determine if the animal  
787 poses a risk to public health and safety, as articulated for the definition and description of  
788 dangerous and vicious animals herein. The burden of proof for this determination is beyond  
789 a reasonable doubt.

790 (m) The owner must pay all of the cost of the impoundment and must post sufficient funds  
791 to cover the anticipated costs for continued impoundment. The owner may also seek the  
792 animal's release upon furnishing evidence that that precautions are in place, which satisfy  
793 the court that the public's safety and welfare will be protected. Failure to post funds  
794 sufficient to pay for the costs of impoundment or getting the animal released constitutes a  
795 waiver of any rights the owner may have to a hearing under this chapter and the animal may  
796 be humanely euthanized.

#### 797 6.04.303 – Continuation of Dangerous or Vicious Animal Declaration.

798 Any animal that has been declared dangerous or vicious by any agency or department of  
799 this City, another municipality, county, or state shall be subject to the provisions of this  
800 Ordinance. The person owning or having custody of any animal designated as dangerous or  
801 vicious by any municipality, county, or state government shall notify the Department of  
802 Animal Control of the animal's address and conditions of maintenance within ten (10) days  
803 of moving the animal into the City of Casper, Wyoming. The restrictions and conditions of  
804 maintenance of any animal declared dangerous or vicious by this City, another municipality,  
805 county, or state shall remain in force while the animal remains in the City. No animal  
806 declared dangerous or vicious by any other designation agency or department of another  
807 municipality, county, or state based solely on size, breed or mix of breeds, shall be subject to  
808 this Section.

#### 809 6.04.305 – Reckless Animal Owner.

810 (a) (i) Any owner who is found to have violated this Chapter, other than by a violation of  
811 Sections 6.04.~~160301~~, 6.04.~~180302~~, and/or 6.04.~~310303~~, three (3) or more times in an  
812 ~~eighteen~~ ~~twenty-four~~ (~~1824~~) month period, ~~may~~ shall be declared a reckless animal owner; or

813 (ii) Any owner who is found to have violated this Chapter, who is found to have violated  
814 this Chapter, by violating Sections 6.04.301, 6.04.302, or 6.04.303 two (2) or more times in  
815 any ~~three~~ ~~five~~-year period, ~~may~~ shall be declared a reckless animal owner.

816  
817 (b) The Municipal Court shall issue a notification of the declaration or Reckless Animal  
818 Owner to the person with the following:

- 819 (i) name and address of the person subject to the declaration,
- 820 (ii) the description, violation, and conviction that led to the declaration,

821  
822 (c) Once declared a reckless animal owner, pursuant to 6.04.305 (a)(i), above, the  
823 city licenses of all animals owned by the person shall be revoked and no new  
824 licenses shall be issued for the period of time set by the court, except that the period  
825 of license prohibition, and to prevent the person ~~from shall not own,~~ keeping or,  
826 possessing, or harbor an animal shall not exceed ~~for~~ a period of one ~~five~~ (~~15~~) ~~full~~  
827 ~~years~~ from the date of the declaration.  
828

829 (d) Once declared a reckless animal owner, pursuant to 6.04.305 (a)(ii), above, the  
830 city licenses of all animals owned by the person shall be revoked and no new  
831 licenses shall be issued for the period of time set by the court, except that the period  
832 of license prohibition, and to prevent the person from shall not own, keeping or,  
833 possessing, ~~or harbor~~ an animal shall not exceed ~~for~~ a period of thirty (30)  
834 consecutive months from the date of the declaration.

835  
836 (e) A person declared to be a reckless animal owner may apply to the Municipal  
837 Court to have the no license declaration waived after a period of six months for a  
838 declaration made pursuant to 6.04.305(a)(i) and for a period of twelvethirty (1230)  
839 months upon meeting the following conditions:

- 840
- 841 (i) The person has no subsequent violations of this Chapter of the Code, and
  - 842 (ii) The person has complied with all of the provisions of this act, since the courts  
843 declaration for a period of thirty (30) months, and
  - 844 (iii) The person provides proof to the Municipal Court of successful completion of a  
845 program designed to improve the person's understanding of animal ownership  
846 responsibilities and based upon an interview with the Court, establishes that  
847 understanding.
  - 848 (iv) If the Court finds clear and convincing evidence that the person has complied  
849 with all conditions in this subsection, the Court may rescind the reckless owner  
850 declaration subject to conditions that can help to ensure no future violations. The  
851 person must provide clear and convincing proof that ownership of an animal in  
852 the future will be handled responsibly and not in violation of any law or  
853 ordinance.

854  
855 6.04.310 - Public nuisance.

856 A. No owner or person in charge of any dog or cat, or group of dogs and/or cats shall fail to  
857 exercise proper care and control of such animal or animals to prevent them from becoming a  
858 public nuisance, as defined in Section 6.04.010.

859 B. For the purposes of this section or a conviction hereunder, it shall not be necessary to  
860 demonstrate which animal in a group of animals has created a public nuisance as defined in  
861 Section 6.04.010

862 6.04.320 - Breaking into animal services shelter prohibited.

863 It is unlawful for any person to break into the animal services shelter, or vehicle, or turn  
864 loose or otherwise release any animal impounded therein, or hinder, destruct or prevent the  
865 animal control protection officer from impounding any animal liable to be impounded.

866 6.04.325 - Police canine exclusions, exemptions.

867 Police canines working on duty with law enforcement personnel are excluded from Sections  
868 6.04.010(7), 6.04.010(19) and 6.04.010(23); and are exempted from Sections 6.04.170(C)  
869 through (G) and (I) and (J), and 6.04.300.

870 6.04.330 - Enforcement—Police department authority.

871 The provisions of this chapter shall be enforced by sworn officers of the city police  
872 department and/or animal protection officers. It is unlawful, and a violation of this chapter,  
873 to interfere with an animal protection officer in the performance of his/her duties, or to fail  
874 to obey the lawful order of an animal protection officer.

875 6.04.340 - Violation—Citation and notice to appear.

876 Whenever an animal protection officer observes or has reasonable cause to believe that a  
877 person has violated one or more provisions of this chapter, such officer is authorized to  
878 prepare one or more written citations containing a notice to appear in municipal court. The  
879 citations, at a minimum, shall be written on a form which notifies the person of the offense  
880 with which he is charged, and the time and place where the person must appear to answer to  
881 the charge.

882 6.04.350 - Citation—Deemed complaint when—Disposition.

883 Every animal protection officer, upon issuing a citation herein authorized, shall deposit the  
884 original of the citation with the municipal court, and shall issue a copy of the same to the  
885 person against whom the violation is charged. Upon deposit of the original citation with the  
886 court, the citation may be disposed of only by trial in court or other official action by the  
887 judge of the court, which may include forfeiture of the bail, or by the deposit of sufficient  
888 bail with, or payment of a fine to the municipal court by the person to whom the citation was  
889 issued by the animal protection officer. When the citation is sworn to, as required under the  
890 general laws of the state in respect to a complaint charging a commission of the offense  
891 alleged in the citation to have been committed, then the citation, when filed with the  
892 municipal court, shall be deemed a lawful complaint for the purpose of prosecution under  
893 this chapter.

894 6.04.360 - Violation—Penalty.

895 A. For the purpose of this section, a "conviction" means a finding of guilt by the court after  
896 trial, or a plea of guilty or *nolo contendere* to the offense charged.

897 B. Any person who violates any of the provisions of this chapter shall be deemed guilty of  
898 a misdemeanor, and upon conviction ~~may~~ shall be punished by a fine or up to Seven  
899 Hundred and Fifty Dollars (\$750.00) or six months in jail or both, as provided in Chapter  
900 1.28 of the Casper Municipal Code, and in addition, to the provisions hereafter stated.

901 ~~C. If a person is convicted of two (2) violations of this Chapter, sections 6.04.301 to~~  
902 ~~6.04.303 within one (1) year of a prior conviction of said section, a minimum fine of up to~~  
903 ~~Five Hundred Dollars (\$500.00), one (1) day in jail, or both, shall be imposed by the court.~~

904 ~~D. If a person is convicted of a violation of 6.04.301 to 6.04.303, within a two-year period~~  
905 ~~for a third or subsequent offense, an appearance before the court is required. Upon~~  
906 ~~conviction for such offense, a minimum penalty of Seven Hundred Fifty Dollars (\$750.00),~~  
907 ~~and/or seven (7) days in jail, or both, plus applicable court costs and restitution shall be~~  
908 ~~imposed by the court, unless the owner of the animal(s) surrenders custody and ownership of~~  
909 ~~the animal(s) to Metro Animal Control. In the event of surrender, the court may impose~~  
910 ~~such sentence as it determines to be just.~~

911 ~~E. In the event more than one of an owner's animals are at large as a result of a single,~~  
912 ~~unintentional incident, upon conviction of the owner, and in relation to determining the~~

913 ~~appropriate penalty, the court shall not consider any other conviction of the owner arising~~  
914 ~~out of the same incident, as a prior conviction.~~

915 ~~F. If a person is convicted within an 18 month period of a third or subsequent offense, other~~  
916 ~~than a violation of Sections 6.04.301 to 6.04.304, such person shall be prohibited from~~  
917 ~~keeping or harboring any animal within the City limits of Casper for a term of not less than~~  
918 ~~six (6) months following the date of conviction.~~

919 ~~G. Any individual who is convicted of a violation of 6.04.300 and/or 6.04.310 shall register~~  
920 ~~themselves, to include the address where the animal(s) are harbored, a current phone~~  
921 ~~number, and any animals they own, harbor, reside with or keep with Metro Animal Services.~~  
922 ~~Further, if any of those animals become deceased, the individual shall notify MAS within~~  
923 ~~twenty four (24) hours.~~

924  
925 NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF  
926 THE CITY OF CASPER, WYOMING:

927  
928 That the Casper City Council, having determined that the Animal Care and  
929 Control Ordinance within the Casper Municipal Code, Chapter 6.04 shall be further defined and  
930 that the Chapter be repealed and replaced with the above.

931 This Ordinance shall become effective on \_\_\_\_\_, 2018.

932 PASSED on 1<sup>st</sup> reading the \_\_\_\_ day of \_\_\_\_\_, 2018.

933 PASSED on 2<sup>nd</sup> reading the \_\_\_\_ day of \_\_\_\_\_, 2018.

934 PASSED, APPROVED AND ADOPTED ON 3<sup>rd</sup> and final reading the \_\_\_\_ day  
935 of \_\_\_\_\_, 2018.

936

937

938 APPROVED AS TO FORM:

939

940

941

942

---

943

944 ATTEST:

945

946

947

948

---

949 Fleur D. Tremel

950 City Clerk

CITY OF CASPER  
A municipal corporation

---

Ray Pacheco

Mayor

November 13, 2018

MEMO TO: Casper City Council  
J. Carter Napier, City Manager *JCN*

FROM: John Henley, City Attorney *JH*

SUBJECT: Sixth cent – special project – tax discussion

Meeting Type & Date:

Work Session  
November 27, 2018

Action Type

Direction requested

Recommendation

That Council provide direction regarding a possible sixth cent – special project – tax.

Summary

The sixth cent tax, also referred to as the special project excise tax (SPET), is authorized by, and discussed in, Wyoming Statutes § 39-15-203 (a) (iii) and § 39-15-204 (a) (iii).

The proposition for special purposes excise tax must be adopted by the governing body of the county. It also must be adopted by the governing bodies of at least two-thirds of the incorporated municipalities within the county. Thus, the county may exercise a veto over whether the proposal for the SPET will go forward or not. Of course, if the county agrees to such a proposition, then at least two-thirds of the incorporated municipalities must also concur.

Once the proposition has been adopted by the county and two-thirds of the governing bodies, the proposition for the tax must be placed before the electors. However, this is not a generic idea or goal which is voted upon.

The special purpose(s) must have specificity and the gross amount of the tax to be recovered must be stated. Specific purposes shall not include ordinary operations of local government, except those operations related to a specific project.

While specific purposes is not defined in the statute, the example given is:

Specific purposes may include one (1) time major maintenance, renovation or reconstruction of a specifically defined section of the public roadway. Specific purposes shall not include ordinary operations of local government except those operations related to a specific project.

W.S. § 39-15-203 (iii) (B).

In addition to the special project requirement, the amount of revenue to be collected must be referenced and tied to the specific purpose or purposes for which the revenues are to be used. The tax shall terminate when the amount approved by the voters is collected.

The sixth penny option is to have an excise tax imposed, following the election, approving the collection of this special purpose tax.

The description of the special purpose must be quite detailed for a ballot measure.

#### Financial Considerations

The proposed Ordinance does not impact the City's budget.

#### Attachments

Wyoming State Statutes Language

Examples of ballot wording from 2017 SPET ballot in Teton County

**§ 39-15-203. Imposition (a) (iii):**

(iii) The following provisions apply to imposition of the specific purpose excise tax under **W.S. 39-15-204(a)(iii)** :

- (A) Before any proposition to impose the tax or incur the debt shall be placed before the electors, the governing body of a county and the governing bodies of at least two-thirds (2/3) of the incorporated municipalities within the county shall adopt a resolution approving the proposition, setting forth a procedure for qualification of a ballot question for placement on the ballot and specifying how excess funds shall be expended;
- (B) The revenue from the tax shall be used in a specified amount for specific purposes authorized by the qualified electors. Specific purposes may include one (1) time major maintenance, renovation or reconstruction of a specifically defined section of a public roadway. Specific purposes shall not include ordinary operations of local government except those operations related to a specific project;
- (C) No tax shall be imposed under this paragraph until the proposition to impose the tax for specific purposes in specific amounts is approved by the



vote of the majority of the qualified electors voting on the proposition. The amount of revenue to be collected and the purpose or purposes for which it is proposed to be used shall be specified in the proposition. The election shall be held in accordance with **W.S. 22-21-101** through **22-21-112**. Any debt created may also be repaid, in whole or in part, by a property tax levy if general obligation bonds are authorized by the electors. If a county seeks to increase a tax rate previously approved by the qualified electors of the county that increase shall be separately proposed and voted upon, provided that the total amount of the separate propositions is subject to the limitations specified in **W.S. 39-15-204(a)(iii) and (iv)**. Any excise tax imposed under this subsection shall commence as provided by **W.S. 39-15-207(c)** following the election approving the imposition of the tax, except that it shall commence on the first day of any subsequent month following the receipt of tax funds in the approved amount by any tax previously imposed under this subsection as provided by subparagraph (E) of this paragraph. Unless terminated earlier by the sponsoring entities pursuant to subparagraph (G) of this paragraph, the relevant portion of the tax shall terminate as

provided by **W.S. 39-15-207(c)** when the amount approved by the electors is collected;

- (D) No debt may be incurred or approved which when added to the existing indebtedness of the sponsoring entity or entities, would exceed the constitutional debt limitation of the sponsoring entity or entities. However, nothing herein prohibits the approval of a proposition which establishes a fund for accumulation of funds sufficient to carry out the purpose approved or to pay a sufficient amount of the cost so as to bring the remainder of the debt within the debt limitation of the sponsoring entity or entities;
- (E) Upon certification of the election results by the county clerk to the treasurer, the county treasurer shall, within ten (10) days, notify the department of revenue of the requirement for imposition of any tax under this subsection and shall, upon the estimated collection of all tax funds in the amount approved, notify the department of revenue that the special sales tax levy is terminated. When determining the point in time in which to terminate the tax, the county treasurer in consultation with the department shall estimate future receipts of tax collections to minimize excess collection. The

county treasurer shall make his best effort to ensure that sufficient money is collected while minimizing any excess collection. In no event shall the action or inaction of the county treasurer or the department be deemed to prohibit the collection of the full amount of the tax approved by the voters. The department of revenue shall, upon notification, inform all holders of sales tax licenses within the county of the requirement for the collection and payment of the additional tax. After receipt of notice that the amount has been collected or that the sponsoring entities have terminated the tax pursuant to subparagraph (G) of this paragraph, the department shall notify the license holders of the termination of the tax;

- (F) The first county imposing the tax provided by this act shall be responsible for payment of costs incurred by the department to initially set up computer records and support systems for administration of this tax. These costs shall be withheld by the department from the proceeds to be distributed pursuant to the preceding paragraph until such costs are fully recovered;
- (G) The sponsoring entities may agree to terminate the tax if the tax collected reaches the actual cost of

the completed projects and the amount specified in the proposition exceeds the actual cost of the completed projects. The sponsoring entities shall inform the department of revenue and the county treasurer that the tax is terminated.

---

**§ 39-15-204. Taxation rate (a) (iii):**

- (iii) An excise tax not to exceed two percent (2%) upon retail sales of tangible personal property, admissions and services made within the county. The total excise tax imposed within any county under this paragraph shall not exceed two percent (2%). The revenue from the tax shall be used in a specified amount for specific purposes authorized by the qualified electors. Specific purposes shall not include ordinary operations of local government except those operations related to a specific project;

*Shall Teton County, State of Wyoming, be authorized to adopt and cause to be imposed a one percent (1%) specific purpose excise tax (the "Tax") within Teton County for the purpose of raising and collecting the amounts set forth below, the proceeds from which, and the interest earned thereon to be used and applied for specific projects, and to the extent necessary and allowed by law, the pledge to or payment of debt service and/or lease payments thereon:*

**Fire Station #1 (Jackson) and Fire Station #3 (Hoback) Improvements**

**\$6,800,000.00** for the purpose of funding the renovation, construction and seismic upgrades to Fire Station #1 (Jackson) and to fund the acquisition of land, easements, and the planning/engineering of a new Fire Station #3 (Hoback). This project is sponsored by Teton County.

FOR the Proposition \_\_\_\_\_

AGAINST the Proposition \_\_\_\_\_

**Fleet Maintenance Facility and START Bus Storage**

**\$15,330,000.00** for the purpose of funding planning, design, engineering, and construction for a Fleet Maintenance Facility and START Bus Storage. The Fleet Maintenance Facility services and maintains critical response and general use vehicles of the town and county including, but not limited to, law enforcement, buses, snow plows, street maintenance, and water/sewer maintenance. This project is sponsored by Town of Jackson.

FOR the Proposition \_\_\_\_\_

AGAINST the Proposition \_\_\_\_\_

**Teton County/Town of Jackson Recreation Center Capital Repair, Replacement, and Renovation**

**\$2,400,000.00** for the funding of equipment purchases and construction of necessary aquatic and facility repairs, renovation, and replacement to existing infrastructure in the Teton County/Jackson Recreation Center. This project is sponsored by Teton County.

FOR the Proposition \_\_\_\_\_

AGAINST the Proposition \_\_\_\_\_

As noted in the Wyoming Sales, Use and Lodging Tax Revenue Report of October 2017, ten (10) counties, Albany, Carbon, Crook, Laramie, Niobrara, Platte, Sheridan, Sweetwater, Teton, and Weston, all had adopted the specific purpose tax, at least as of January 1, 2017.

Attached are copies of Wyoming Statutes § 39-15-203 and §39-15-204.

November 19, 2018

TO: Honorable Mayor, and Members of the Casper City Council

FROM: Carter Napier, City Manager  
Jolene Martinez, Assistant to the City Manager

SUBJECT: Wyoming Legislative Agenda 2019

**Meeting Type & Date**

Work Session, November 27, 2018

**Recommendation**

Direction requested.

**Summary**

In order to plan long term and protect the health and safety of and provide services to Casper's citizens, staff is recommending that Casper's Wyoming Legislative Agenda for 2019 focus on areas that protect and increase revenue for the City so that safety and security investments as well as infrastructure investments, especially those that protect water quality can be made. Many of the focus areas are also focus areas for the Wyoming Association of Municipalities (WAM). As a member of WAM, Casper was part of their process to select their priorities. The WAM resolutions are attached for Council reference.

A threat to the City's General Fund is the suggestion from the Wyoming Legislature that direct distribution to local governments throughout the state no longer be given. Casper receives \$3.8 million per year in General Fund revenue from direct distribution. WAM Resolution No. 18-16 encourages the Wyoming Legislature to support state funding for cities and towns. To adequately replace direct distribution, if needed, and give local governments the ability to raise their own revenue, staff is following several proposals being reviewed by the Corporations, Elections, and Political Subdivisions Committee (Corporations Committee), Joint Revenue Committee, and the Joint Appropriations Committee (JAC). WAM is following the same issues and has resolution numbers 18-04 and 18-13 that address local government authority to raise revenue.

Three additional revenue items of note include a WAM and Wyoming County Commissioners Association request to Governor Mead to resurrect consensus funding in the State's budget at \$50 million for the biennium; a Wyoming Lottery consideration of ways the lottery can maximize funds to local government; and the Casper City Council, with the support of WAM, plan to explore a process to make vendors and the State accountable for sales tax collection, remittance, and distribution without violating the confidentiality of businesses. Casper's experience with a major sales tax error has highlighted the weaknesses in the State's sales tax collection system. Neither vendors nor the State have any incentive to correctly report, remit, and distribute sales tax. The only group penalized for errors are the cities, towns and counties that receive overpayment.

To fund school safety, staff is exploring work with the Education Committee on school safety and security funding legislation. To fund infrastructure issues related to water quality, staff is actively working on surface water legislation with Representative Sweeney and the Corporations Committee. This is a carry-over from Council's 2018 Legislative Agenda and is supported by WAM Resolution No. 18-14. The surface water legislation, currently sponsored by the Corporations Committee, if passed, will allow local governments to use their ordinance process to create a stormwater utility. In Casper, a stormwater utility, if adopted by Council, would be used to fund the over \$35 million of stormwater infrastructure improvements awaiting funding and the \$50 million of deferred stormwater infrastructure maintenance.

Another infrastructure funding opportunity may exist with the Minerals, Business & Economic Development Committee (Minerals Committee) and the JAC on landfill remediation issues. Specifically staff is exploring working with the JAC to facilitate a \$45 million budget to the landfill remediation program and with the Minerals Committee to make a wording change to Wyoming Statutes § 35-11-534 and 35-11-535(c) that allows the City of Casper to collect money, in the form of credits, due from Wyoming Department of Environmental Quality for the investments Casper has made to proactively implement corrective action remedies to protect groundwater against landfill contamination. The amount owed to Casper is \$2.8 million.

Other legislation and legislative action on WAM resolutions staff is following, as it may be of interest to Council, includes special districts legislation being considered in the Corporations Committee; WAM Resolution No. 18-08 that advocates for legislation to clarify the lien and assessment process for nuisance and dangerous buildings; and reinstatement of sales tax on food being reviewed by the Joint Revenue Committee and supported by WAM Resolution No. 18-07.

In summary, staff is seeking Council direction on (1) what the ideal will be regarding revenue for the City of Casper, (2) other legislative issues of importance to Council, and (3) authorization of what to include in Casper's 2019 Legislative Agenda.

### **Financial Considerations**

There are no financial considerations.

### **Oversight/Project Responsibility**

Jolene Martinez

### **Attachments**

WAM resolutions.

**WAM RESOLUTION NO. 18-01**

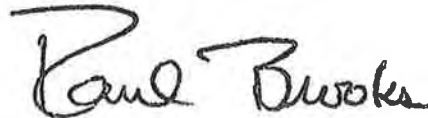
**A RESOLUTION OF THE WYOMING ASSOCIATION OF MUNICIPALITIES RELATING TO THE 63rd ANNUAL CONVENTION IN PINEDALE, WYOMING, JUNE 2018**

**WHEREAS**, the 2018 Annual Convention of the Wyoming Association of Municipalities on June 13-15, in Pinedale, Wyoming has proven to be an outstanding session focusing on the education of elected officials and municipal staff members and enhancing the tools available to them in order to provide the best service to their communities; and

**WHEREAS**, the success of this Convention is due in large measure to the generous contribution of time, effort and resources on the part of the staff and elected officials from the Town of Pinedale and sponsors who hosted, planned, and arranged logistics and activities of the 2018 WAM Convention.

**THEREFORE, BE IT RESOLVED** by the Wyoming Association of Municipalities on this 14th day of June 2018 in Pinedale, Wyoming that the Association gratefully extends its appreciation to every person and organization in Pinedale and with the Town of Pinedale who devoted time, effort and resources in the planning, arranging, providing and presenting of the programs and activities of the 63rd Annual WAM Convention.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President



**WAM RESOLUTION NO. 18-02**

**A RESOLUTION TO CREATE UTILITY AND OTHER MUNICIPAL SERVICES LIEN AUTHORITY FOR MUNICIPALITIES AND JOINT POWERS BOARDS**

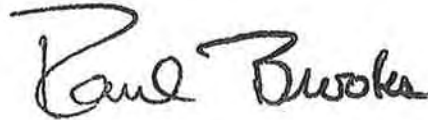
**WHEREAS**, municipalities in Wyoming have become aware of problems relating to the ability of the municipalities and joint powers boards to collect past due utility and other municipal service bills; and

**WHEREAS**, the current law of the State of Wyoming allows irrigation districts, water and other improvement districts to create liens under the right circumstances or have statutorily been granted automatic and perpetual liens under certain circumstances; and

**WHEREAS**, there is nothing similar to the creation of a lien found in zoning regulations or any other powers granted to a municipality or joint powers board in current state laws of the State of Wyoming,

**THEREFORE, BE IT RESOLVED** that the Wyoming Association of Municipalities supports such legislation as may be necessary to provide authority to a municipality or joint powers board to create a lien arising from past due bills for public utilities and other municipal services necessary to correct hazardous conditions.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-04**

**A RESOLUTION SUPPORTING LEGISLATION ALLOWING MUNICIPALITIES THE AUTHORITY TO IMPLEMENT LOCAL OPTION SALES TAXES WITHIN DEFINED LOCAL BOUNDARIES**

**WHEREAS**, municipalities have little to no control over most revenue sources, including sales tax; and

**WHEREAS**, Wyoming cities and towns are the most reliant of any state in the nation upon the State government for revenue; and

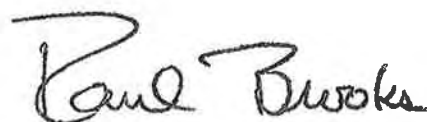
**WHEREAS**, for those cities and towns with significant sales tax base, independent revenue authority will help fund critical infrastructure projects, economic development initiatives, or supplement tourism projects without additional state aid and upon which the municipalities are currently dependent on the State; and

**WHEREAS**, lodging tax dollars may not be spent on capital projects according to Wyoming Statute; and

**WHEREAS**, the local option sales tax for economic development is poorly defined and underutilized in the state.

**NOW, THEREFORE, BE IT RESOLVED**, the Wyoming Association of Municipalities supports such legislation as may be necessary to provide local taxing authority, to expand alternatives for the local option economic development tax to include any combination of one quarter percent (0.25%) for transportation OR tourism impacts OR economic development OR municipal infrastructure projects up to one percent (1%) AND the ability for a local government agency or a consortium of agencies to impose this option with a city or town-wide vote.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-06**

**A RESOLUTION ADVOCATING FOR STATE LEGISLATION  
TO REPEAL AND REPLACE THE NON-TRANSIENT LODGING  
TAX DEFINITION OF TRANSIENT GUEST**

**WHEREAS**, Wyoming State Statute §39-15-101(xiv) defines “transient guest” as a guest who remains for less than thirty [30] continuous days; and

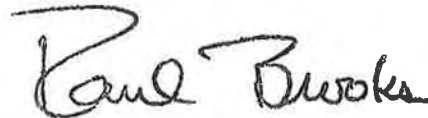
**WHEREAS**, Wyoming State Statute §39-15-103(G) states “the sale price paid for living quarters in hotels, motels, tourist courts and similar establishments providing lodging for transient guests”; and

**WHEREAS**, municipalities across the state are in the midst of another economic downturn and reductions in both use and lodging taxes are impacting operating budgets; and

**WHEREAS**, the unpredictability of the temporary workforce places great demands on a community’s lodging inventory and thereby reduces the availability of lodging for tourists traveling through a community. This reduction in tourism impacts collection of visitor dollars across our community.

**NOW, THEREFORE, BE IT RESOLVED**, that the Wyoming Association of Municipalities support and advocate to the Wyoming Legislature a repeal and replace the non-transient definition striking the following: “remains for less than thirty [30] days’ and replace with “who is not a resident of that county”.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-07**

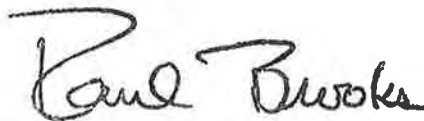
**A RESOLUTION ADVOCATING FOR STATE LEGISLATION  
TO REPEAL WYOMING STATE STATUTE §39-15-105(a)(vi)(E)  
SALES TAX EXEMPTION OF FOOD FOR DOMESTIC HOME  
CONSUMPTION FROM SALES TAX IMPOSITION**

**WHEREAS**, in 2006 the Wyoming Legislature enacted legislation that effectively removed tax on food sales for domestic consumption from taxation by both the state and local governments and partially funded the local governments with “backfill” payments which were terminated on July 1, 2010; and

**WHEREAS**, taxation on food is a stable and vital source of revenue and funding to local governments and the loss of this funding stream has resulted in significant and profound financial losses to local government operating revenues; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Wyoming Association of Municipalities supports and advocates the Wyoming Legislature to repeal the sales tax exemption of food for domestic home consumption and return this stable and vital source of revenue for both state and local governments.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-09**

**A RESOLUTION SUPPORTING A REVISION TO THE WYOMING STATE STATUTES PROVIDING THE OPTION FOR MUNICIPALITIES TO PARTICIPATE IN THE STATE OF WYOMING INSURANCE PROGRAMS**

**WHEREAS**, in order for municipal governments in the State of Wyoming to be competitive, municipal employees strive to offer employees the best health insurance options; and

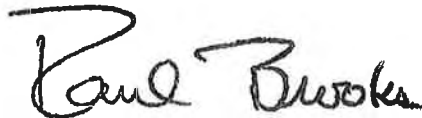
**WHEREAS**, cities and towns commonly pay a percentage of health insurance premiums as a benefit to the employee; and

**WHEREAS**, Wyoming State Statutes 9-3-201 through 9-3-218 currently allow employees of the State of Wyoming, its political subdivision, and school districts to obtain group health insurance; and

**WHEREAS**, cities and towns recognize the potential value of the health insurance programs offered by the State of Wyoming as provided to other political subdivisions and school districts;

**NOW, THEREFORE, BE IT RESOLVED**, that the Wyoming Association of Municipalities support changes to Title 9, Article 2 of Wyoming State Statutes to include the option for municipalities to elect insurances as otherwise provided to other entities included in Article 2 of Title 9 for health, dental, vision, life, accident, and/or hospitalization through the State's health insurance program.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.n



---

President

**WAM RESOLUTION NO. 18-08**

**A RESOLUTION ADVOCATING FOR LEGISLATION TO CLARIFY THE LIEN AND ASSESSMENT PROCESS BY WHICH MUNICIPAL EXPENSES FOR ABATING NUISANCES AND DANGEROUS BUILDINGS MAY BE RECOVERED**

**WHEREAS**, Wyoming State Statute §15-1-103 permits cities to abate dangerous buildings; and

**WHEREAS**, Wyoming Statute §15-1-119 permits municipalities to adopt any national building code which includes but is not limited to the 1997 Uniform Code for Abatement of Dangerous Buildings; and

**WHEREAS**, the 1997 Uniform Code for the Abatement of Dangerous Buildings, Section 905.1, provides authority for the governing body of a city or town to thereupon order that said [costs] shall be made a personal obligation of the property owner or assess said [cost]s against the property involved; and

**WHEREAS**, the 1997 Uniform Code for the Abatement of Dangerous Buildings, Section 905.3, provides that the legislative body of this jurisdiction orders that [costs] shall be assessed against the property, it shall confirm the assessment roll, and thereafter said assessment shall constitute a special assessment against and a lien upon the property; and

**WHEREAS**, municipalities across the state are facing another economic downturn and reduction in direct and indirect funding streams, the need to recoup these abatement costs is more vital than ever before; and

**WHEREAS**, the property is enriched by the removal and abatement of the dangerous conditions and/or dangerous buildings; and

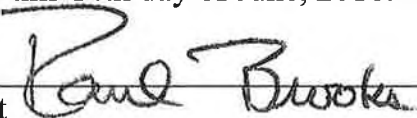
**WHEREAS**, this abatement shouldn't be wholly funded by public funds without a clear process in place for municipalities to recoup these abatement costs; and

**WHEREAS**, municipalities are created statutorily, and all rights are enabled through legislation and Wyoming Statutes are silent regarding this special lien assessment relief; and

**WHEREAS**, Wyoming Statutes do not succinctly provide either a lien procedure or an assessment process on the real property involved thus hindering municipalities ability to recoup expenses incurred by municipalities as a result of abating nuisances and dangerous buildings.

**NOW, THEREFORE, BE IT RESOLVED**, that the Wyoming Association of Municipalities support and advocate for Wyoming legislation to clarify the lien and assessment process by which municipal expenses for abating nuisances and dangerous buildings may be recovered.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.

President 

**WAM RESOLUTION NO. 18-10**

**A RESOLUTION SUPPORTING STATEWIDE ANTI-DISCRIMINATION LEGISLATION**

**WHEREAS**, diversity is necessary for any thriving city or town; and

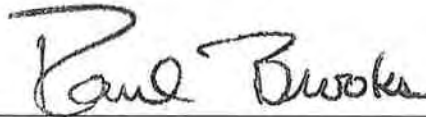
**WHEREAS**, discrimination still occurs on the basis of race, color, religion, national origin, sex, pregnancy, gender identify, age, sexual orientation family status, veteran status, disability and marital status; and

**WHEREAS**, there are no state statutes protecting against discrimination based on sexual orientation and gender identity; and

**WHEREAS**, a commitment to diversity and the creation of a community welcoming to all which will enhance our local economies, encourage a positive forward-thinking environment that will help attract and retain businesses.

**NOW, THEREFORE, BE IT RESOLVED**, that the Wyoming Association of Municipalities should encourage and support state wide anti-discrimination legislation, prohibiting discrimination based on perceived sexual orientation or gender identity in housing, employment and public accommodations.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-11**

**A RESOLUTION SUPPORTING PILT (PAYMENT IN LIEU OF TAXES) FOR STATE-OWNED PROPERTIES**

**WHEREAS**, cities and towns receive most of their revenue to provide basic governmental services such as police and fire protection from sales tax and property tax; and

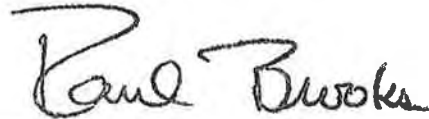
**WHEREAS**, all state-owned properties are tax exempt and therefore not required to pay property tax or sales tax; and

**WHEREAS**, in multiple communities across Wyoming, state agencies own and operate considerable property that require basic city services; and

**WHEREAS**, Payment in Lieu of Taxes (PILT) to local municipalities is a federal and nationwide practice which replaces lost revenue and allows municipalities to serve all their residents and property owners with basic services.

**NOW, THEREFORE, BE IT RESOLVED**, that the Wyoming Association of Municipalities should present legislation during the 2019 Wyoming legislative session establishing a PILT program for state owned properties.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President



**WAM RESOLUTION NO. 18-12**

**A RESOLUTION SUPPORTING LOCAL AIR SERVICE AS  
ESSENTIAL TO WYOMING'S PROSPERITY**

**WHEREAS**, local air service that provides connections to major cities is a critical component of a thriving economy; and

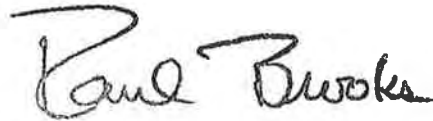
**WHEREAS**, Wyoming's rural nature makes traditional private air service very difficult to sustain; and

**WHEREAS**, during the 2018 Legislative Session, a bill was passed which provides money to airports across Wyoming in sustaining their air service, but essentially excludes Essential Air Service airports; and

**WHEREAS**, the continued funding of air enhancement programs, including providing funding for EAS airports is critical to the future of Wyoming cities and towns.

**NOW, THEREFORE, BE IT RESOLVED**, that the Wyoming Association Municipalities work during the 2019 Legislative Session to continue funding for Wyoming airports and develop air enhancement opportunities for EAS eligible airports.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-13**

**A RESOLUTION SUPPORTING GREATER FINANCIAL INDEPENDENCE AND AUTHORITY FOR WYOMING CITIES AND TOWNS**

**WHEREAS**, Wyoming's ninety-nine (99) cities and towns are responsible to provide basic and essential services like safe streets, police protection and fire suppression for sixty-nine percent (69%) of all Wyoming residents who reside in those communities; and

**WHEREAS**, the State of Wyoming does not grant local taxation authority to municipal governing bodies sufficient to empower these elected officials to provide consistent services required by city and town residents; and

**WHEREAS**, numerous reports at the national state and local level substantiate that Wyoming municipalities have the least local fiscal authority and the absolute lowest local revenue generating capacity of any of the 50 States; and

**WHEREAS**, the taxation system established by States directly affects the overall economic vitality of the State and can either drive, or suppress, economic prosperity; and

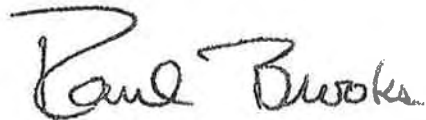
**WHEREAS**, because municipalities are not allowed local taxation authority, State government has directly appropriated funding to cities and towns, but this historical practice is not sustainable for Wyoming's long-term future.

**WHEREAS**, to ensure a sustainable financial future with economic prosperity generated locally and throughout Wyoming for both current and future generations of Wyomingites, Wyoming must consider implementing the Principles of High-Quality State Revenue Systems as they pertain to State-to-Local government relationships and recommended by the National Conference of State Legislatures, among other national and state agencies.

**NOW, THEREFORE, BE IT RESOLVED**, the Wyoming Association of Municipalities supports legislation to request that the State of Wyoming empower municipalities to raise sufficient revenues to meet the needs of residents by granting to their governing bodies all of the three key elements of local taxation authority including:

- a) authority to directly levy taxes,
- b) control of the local rate of taxation, and
- c) authority to allocate local tax revenue to municipal purposes and services.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-14**

**A RESOLUTION SUPPORTING MUNICIPAL STORM WATER  
ENTERPRISE FUNDS**

**WHEREAS**, the majority of Wyoming residents live in cities and towns and rely upon their municipal governments for essential surface water drainage and utility infrastructure that keeps the public safe and protects both public and private properties from damage from storm water run-off; and

**WHEREAS**, Wyoming statutes do not authorize cities to create storm water enterprise funds for operation of storm water drainage systems and, consequently, there are millions of dollars of unmet financing needs for surface water drainage within the City of Laramie.

**NOW, THEREFORE, BE IT RESOLVED**, that the Wyoming Association of Municipalities requests that the State of Wyoming authorize cities and towns to establish and operate surface water drainage systems as public utility services and make available by statute similar financing options as are provided for potable water and sanitary sewer utilities; and that the State of Wyoming allow municipal governing bodies to establish user fees to support financial operations of surface water drainage systems.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-15**

**A RESOLUTION SUPPORTING EQUAL AND ACCESSIBLE  
STATE-TO-MUNICIPAL FUNDING SUFFICIENT TO SUSTAIN  
SERVICES FOR MUNICIPAL RESIDENTS**

**WHEREAS**, sixty-nine percent (69%) of all Wyoming residents reside within the corporate limits of a city or town; and,

**WHEREAS**, the majority of Wyomingites rely upon their municipal government for basic and essential services like safe streets, police protection and fire suppression; and,

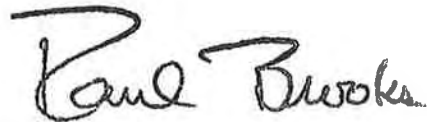
**WHEREAS**, Wyoming cities have no authority to generate revenue locally and must, therefore, utilize revenue appropriated directly from the State to provide essential municipal services; and,

**WHEREAS**, significant fluctuations in the amount of shared, state-to-municipal funding occur each year, preventing municipal officials from planning responsibly for either the current or future needs of Wyoming's municipal residents; and,

**WHEREAS**, State-to-municipal funding is shared disproportionately among Wyoming's cities, with the FY2018 direct distribution ranging widely from \$30 per resident to \$2500 per resident.

**NOW, THEREFORE, BE IT RESOLVED**, that the Wyoming Association of Municipalities requests that the State of Wyoming implement proportionate per capita funding equitably among Wyoming's municipalities and municipal residents; and requests that the State of Wyoming establish a consistent amount of recurring annual funding sufficient to sustain the critical health and human safety services municipal governments provide to Wyoming residents.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-16**

**A RESOLUTION SUPPORTING APPROPRIATION OF STATE FUNDING FOR ALL 99 WYOMING CITIES AND TOWNS DURING THE 2019 REGULAR SESSION OF THE WYOMING LEGISLATURE**

**WHEREAS**, the 2019 Regular Session of the Wyoming Legislature is scheduled to commence in January 2019 and the Wyoming Association of Municipalities has developed a legislative agenda relating to municipal funding issues that will be considered by the Wyoming Legislature during the upcoming session; and

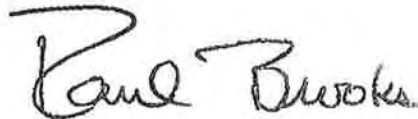
**WHEREAS**, all 99 Wyoming cities and towns, which comprise of the membership of the Wyoming Association of Municipalities, rely on legislatively determined funding models for over 70% of the operations and services of direct benefit to residents and businesses of their respective community and maintain vital services for its communities which involve the health, safety and welfare of its citizens; and

**WHEREAS**, the cap placed on the Severance and Mineral Royalty Taxes in 2000 has never been adjusted for inflation, and cities and towns have had to become heavily reliant upon the direct distribution provided by the Wyoming State Legislature to offset the cost of providing for the Citizens within their respective boundaries; and

**WHEREAS**, All the other sources of legislatively provided funding streams rise and fall with inflation and the state of the Wyoming's economy, and the cap on Federal Mineral Royalties and Severance Tax should also be adjusted to reflect the rising cost of inflation.

**NOW, THEREFORE, BE IT RESOLVED**, that the 2019 Wyoming Association of Municipalities' legislative agenda and the Association's efforts in seeking to raise the cap on mineral royalties and severance tax appropriation of state funding for all 99 Wyoming Cities and Towns during the 2019 Session of the Wyoming Legislature is hereby supported for the benefit of all Wyoming community residents and businesses.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-17**

**A RESOLUTION SUPPORTING AMENDMENT OF THE  
WYOMING CONSTITUTION FOR THE REMOVAL OF LIMITS ON  
INDEBTEDNESS FOR SEWAGE DISPOSAL SYSTEMS**

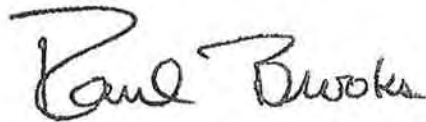
**WHEREAS**, Article 16 Section 5 of the Wyoming Constitution states no city or town shall in any manner create any indebtedness exceeding four percent (4%) of the assessed value of the taxable property therein, except that an additional indebtedness of four percent (4%) of the assessed value of the taxable property therein may be created for sewage disposal systems; and

**WHEREAS**, municipal sewage disposal systems must be self-sustaining per Wyoming Statute 15-7-407; and

**WHEREAS**, municipalities increasingly rely on the state grant and funding programs especially since county-wide consensus funds have been eliminated this will make securing this type of funding very competitive in the future.

**NOW, THEREFORE, BE IT RESOLVED**, the Wyoming Association of Municipalities supports a constitutional amendment to Article 16, Section 5 such that sewer debt is excepted from the limitations of Article 16, Section 5 of the Constitution.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-19**

**A RESOLUTION SUPPORTING LEGISLATION TO ALLOW MUNICIPALITIES TO REQUIRE UNIFORM INFRASTRUCTURE STANDARDS IN EXTRATERRITORIAL AREAS WITHIN ONE MILE OF A MUNICIPALITY'S CORPORATE LIMITS.**

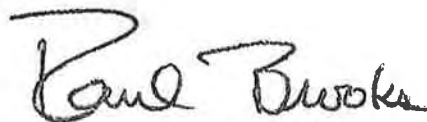
**WHEREAS**, statutory language in Wyo. Stat. §34-12-103(b), as recently amended by HB0014, and signed by the Governor on March 3, 2018, requires counties solicit input from a city or town for developments located within one (1) mile the corporate limits of the city or town, but limits the implementation of a city or town's request "to the extent practical"; and

**WHEREAS**, municipalities have an interest in ensuring compatible and efficient streets, utilities, and other infrastructure for future annexation and subsequent connections; and,

**WHEREAS**, the burden to improve streets and related infrastructure prior to annexation to the standards required by cities or towns creates hardship for both landowners and the municipality;

**NOW, THEREFORE, BE IT RESOLVED** that the Wyoming Association of Municipalities support and advocate for changes to legislation as may be necessary to ensure compatible infrastructure for new development which occurs within one (1) mile of the corporate limits of municipalities.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President

**WAM RESOLUTION NO. 18-20**

**A RESOLUTION SUPPORTING LEGISLATION TO ALLOW MUNICIPALITIES THE ABILITY TO TRACK AND COLLECT THE MUNICIPAL SHARE OF LOCAL SALES, USE AND LODGING TAXES.**

**WHEREAS**, municipalities in Wyoming currently receive their portion of sales, use, and lodging tax revenue from the State of Wyoming after the Wyoming Department of Revenue has collected the taxes from local retailers and lodging entities; and

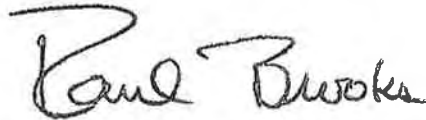
**WHEREAS**, the collections are received by municipalities at an irregular interval; and

**WHEREAS**, municipalities have both the capability and interest in ensuring sales, use, and lodging taxes are collected in a timely manner from local tax generators; and,

**WHEREAS**, municipalities have a unique understanding of the businesses and their owners and the ability to form local partnerships and relationships as it relates to tax collection;

**NOW, THEREFORE, BE IT RESOLVED** that the Wyoming Association of Municipalities support and advocate for legislation as may be necessary to allow for municipalities to track and collect the municipal share of sales, use, and lodging taxes locally by municipal officials.

**PASSED, APPROVED AND ADOPTED** this 14th day of June, 2018.



---

President



**WAM RESOLUTION NO. 18-21**

**A RESOLUTION OF THE WYOMING ASSOCIATION OF MUNICIPALITIES THANKING AND RECOGNIZING GOVERNOR MATTHEW H. MEAD**

**WHEREAS**, Governor Matthew H. Mead has served the State of Wyoming with distinction and honor as the 32nd Governor of the Equality State; and

**WHEREAS**, Governor Mead has served Wyoming from January 2011 to January 2019; and

**WHEREAS**, Wyoming's 99 incorporated cities and towns, and most importantly the citizens, have benefitted from his steadfast and non-wavering support; and

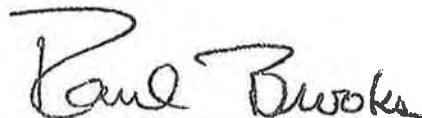
**WHEREAS**, through Governor Mead's leadership and commitment, the legacy and viability of Wyoming cities and towns has been enhanced, protected and preserved for generations; and

**WHEREAS**, Governor Mead is to be highly commended for his years of selfless public service and caring for Wyoming's municipalities and citizens.

**THEREFORE, BE IT RESOLVED** that the Wyoming Association of Municipalities gratefully extends its full appreciation and thanks to the Honorable Governor Matthew H. Mead for his service and support; and,

**BE IT FURTHER RESOLVED**, that Governor Matthew H. Mead be, and hereby is bestowed with the position of Honorary Member of the Wyoming Association of Municipalities.

**PASSED, APPROVED AND ADOPTED** this 14<sup>TH</sup> day of June 2018.



---

President