

## Title 2

### ADMINISTRATION AND PERSONNEL

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#### Chapter 2.02

### MAYOR AND TOWN COUNCIL

#### Sections:

- 2.02.010 Commencement of Terms of Office and Vacancies
- 2.02.020 Resignation
- 2.02.030 Presiding Officer, Mayor Pro Tem

2.02.010 commencement of Terms of Office and Vacancies.

A. The terms of office of the Mayor and Council Members shall begin on the first Tuesday in January after the date of their elections unless the first Tuesday falls on the first day of January, in which case their terms shall begin on the first Wednesday. The newly elected or re-elected Mayor and Council Members shall take their oaths of office at a special meeting called for that purpose.

B. A vacancy in the office of Mayor or any Council Member occurs when a majority of the Mayor and all elected Council Members determine that a Mayor or Council Member:

1. No longer maintains a residence within the corporate limits of the town;
2. Has been convicted of a felony;
3. Has been determined to be insane or mentally incompetent by a court of competent jurisdiction;
4. Has become disqualified from holding office for any reason specified by law;
5. Has refused to take the oath of office or to give or renew an official bond as required by law;
6. Has his election voided by a court decision;
7. Has died; or
8. Has his resignation accepted by the governing body.

C. For purposes of this section, the terms “residence” and/or “residency” means a place of a person’s fixed, permanent and customary habitation within the corporate limits of the municipality for a period of at least two hundred days during each calendar year.

D. A determination of the governing body relative to subdivisions 1 through 6 of subsection A of this section may be appealed to the District Court within fifteen days after the date the determination is made.

2.02.020 Resignation.

A. A Mayor or Council Person desiring to resign from his position on the governing body shall submit his resignation in writing to the Municipal Clerk specifying the date he or she desires the resignation to be effective, which date shall not be more than thirty days after the postmark date of the letter, if mailed, or after the date of delivery to the Municipal Clerk.

B. The Municipal Clerk shall place the question of resignation before the governing body for acceptance or rejection at the regular meeting next succeeding the postmark date of the letter of resignation or the delivery thereof to the Municipal Clerk.

C. The resignation may be withdrawn at any time prior to acceptance or rejection by the governing body but not thereafter; provided, that a request for withdrawal of a resignation must also be in writing and received by the Municipal Clerk prior to the agenda day of the regular meeting at which the resignation is to be considered.

D. For purposes of this section an abstention by any voting member of the governing body shall be considered a no vote.

2.02.030 Presiding Officer, Mayor Pro Tem. The Mayor shall preside at all meetings of the governing body. At the first meeting in January in odd numbered years, the Mayor shall appoint the Mayor Pro Tem, who in the absence of the Mayor, shall preside at all meetings of the governing body and when occupying the place of the Mayor, may exercise all of the powers of that office and have the same privileges as other members of the governing body. The Mayor Pro Tem shall serve a two year term. All acts of the Mayor Pro Tem, while so acting, are as binding upon the council and upon the Town as if done by the Mayor.

## Chapter 2.03

### APPOINTED OFFICERS

#### Sections:

2.03.010 Appointed Officers Designated

2.03.020 Appointed Procedure and Terms

2.03.010 Appointed Officers Designated. The appointed officers of the Town shall consist of the Clerk, Treasurer, Marshal, and Municipal Judge. The Clerk and Treasurer may be the same person.

2.03.020 Appointed Procedure and Terms. The appointed officers of the Town shall be appointed by the Mayor with the consent of the governing body. After assuming office, the officers shall serve until their successors are appointed by the Mayor and approved by the governing body.

## Chapter 4

### PLANNING COMMISSION

Sections:

- 2.04.010 Composition-Appointment and Compensation of Members
- 2.04.020 Staff and Consultants
- 2.04.030 Appeal from Commission Decisions
- 2.04.040 Commission's Power beyond Units of Town

2.04.010 Composition-Appointment and Compensation of Members. Five members shall constitute the membership of the Planning Commission who shall be appointed by the Mayor with the concurrence of a majority of the Council for staggered terms of three years' duration. The first members shall be appointed for terms staggered one year apart respectively and thereafter their replacement shall be appointed for the full three-year terms. Such member shall draw no compensation other than actual expenses incurred for commission business. The commission may adopt its own organization rules and regulations, subject to approval of the same by the governing body.

2.04.020 Staff and Consultants. The commission may appoint employees and staff necessary for its work and may contract with city planners and other consultants, including any appropriate agencies or departments of the state, for such service as it requires, provided that the expenditures of the commission shall not exceed the amount of funds appropriated by the governing body or placed at its disposal through gifts, grants or otherwise which may be accepted by the commission on behalf of the town.

2.04.030 Appeal from Commission Decisions. Any action taken by such commission may be appealed by any aggrieved party within a reasonable time thereafter to the governing body of the town which may either affirm or reverse the commission's ruling and decision. The governing body's decision to the district court of the county where personal freedom or property rights are affected.

2.04.040 Commission's Power beyond Units of Town. Planning work involving an area larger than the immediate boundaries of the town may be done by the commission through a member duly constituted as a representative working with similar representatives of other municipal, county, or state agencies. Any plans so developed must be approved and ratified by the Town's Commission and the governing body before becoming effective and binding. When the plan involves territory outside the town, action shall be taken with the concurrence of the board of County Commissioners of the county and the county Planning Commission or other similar agency of the county, together with other municipal governing bodies concerned. All other procedures and actions of the commission shall be carried out and done as prescribed by the laws of the state.

## Chapter 2.05

### MUNICIPAL JUDGE

#### Sections:

- 2.05.010 Municipal Judge
- 2.05.020 Punishment of Violators
- 2.05.030 Appeals from Judgement or Sentence
- 2.05.040 Disposition of Fines and Penalties
- 2.05.050 Monthly Report
- 2.05.060 Judgment in Included Costs

#### 2.05.010 Municipal Judge.

A. The Town shall have one Municipal Judge and alternate Municipal Judge, appointed by the Mayor with the consent of the Town Council, who shall be qualified elector of the state of Wyoming. Such Municipal Judge shall be entitled to such compensation as may be provided from time to time by resolution of the Town Council.

B. Before entering upon the duties of such office, the Municipal Judge shall take and subscribe to an oath that the Municipal Judge will support the Constitution and Laws of the State, Constitution of the United States, this code and other ordinances of the town and that the Municipal Judge will faithfully perform the duties of the office upon which the Municipal Judge is about to enter.

C. A Municipal Judge shall have jurisdiction to hear and determine all cases arising under this code and other ordinances subsequently adopted or amended by ordinances of the Town, including the duty to turn over to the parties entitled or as prescribed by ordinance of the Town all moneys collected by him or her by virtue of his or her office.

D. The Municipal Judge shall have jurisdiction to hear and determine all cases arising under this code and other ordinances subsequently adopted or amended by ordinance of the Town. The jurisdiction to fine, enter judgement, sentence, imprison, and hear and determine all cases arising under the ordinances of the Town, and the practice before such judge, in all cases shall conform to the provisions of the Wyoming Rules of Civil Procedure, and as near as may be to the provisions of the justice of peace administrative rules, all as promulgated by the Supreme Court of the State.

E. The Mayor, with the advice and consent of the Town Council, shall have the authority to appoint a Municipal Judge.

2.05.020 Punishment of Violators. Any person convicted before the Municipal Judge shall be punished by such fine or imprisonment as may be defined by ordinance, provided, that no fine shall be greater than seven hundred and fifty dollars. The Municipal Judge shall have the power to punish for contempt in the same manner and to the same extent as the district court.

2.05.030 Appeals from Judgement or Sentence. An appeal from the judgement or sentence of the Municipal Judge shall be taken to the district court in and for Carbon County, Wyoming, in the same manner as now provided by the law governing appeal from justice of the peace in all criminal cases.

2.05.040 Disposition of Fines and Penalties. All fines and penalties collected, arising from any breach of the ordinances of the Town shall be paid into the Treasury, by the Municipal Judge collecting the same. Any special assessments duly authorized and collected arising from any breach of the ordinances of the town, shall be paid to the appropriate agency or organization, by the Municipal Judge collecting the same.

2.05.050 Monthly Report. Such Municipal Judge or designee shall present his monthly report, in writing to the Town Council at a regular meeting thereof, of all cases that may have come before him, the disposition of the same, and all fines collected during the proceeding month.

2.05.060 Judgment in Included Costs. Every judgement by the Municipal Judge, that any person shall pay a fine for the violation of any ordinance of this town, shall include COURT COSTS IN THE AMOUNT OF TEN DOLLARS (\$10.00), AND THE SURCHARGE FOR THE WYOMING VICTIMS COMPENSATION FUND AS SET BY STATE STATUTE be paid by the defendant with such fine.

## Chapter 2.06

### ESTABLISHING THE MARSHAL'S OFFICE

#### Sections:

- 2.06.010 Creation
- 2.06.020 Appointments
- 2.06.030 Duties of Town Marshal
- 2.06.040 Police Officers
- 2.06.050 Conduct of Members
- 2.06.060 Service of Process
- 2.06.070 Rules and Regulations

2.06.010 Creation. There is created and established a police department for the Town of Hanna which shall be called the Hanna Marshal's Office. The Hanna Marshal's Office shall consist of the Chief of Police who shall be the Town Marshal, and such other police officers and members as may be provided for by the Town Council.

2.06.020 Appointments. The Town Marshal shall be appointed by the Mayor with the consent of the Town Council and shall be subject to removal from office by the Mayor with the consent of the Town Council. All other appointments to or promotions within the Marshal's Office shall be made by the Town Marshal with the approval of the Mayor. The Town Marshal shall be responsible for the performance by the Hanna Marshal's Office shall serve subject to the orders of the Town Marshal. The Town Marshal may, from time to time, designate by letter an acting Town Marshal to serve as head of the department during any extended absence by the Town Marshal to serve as head of the department during any extended absence by the Town Marshal from the Town of Hanna.

2.06.030 Duties of Town Marshal.

A. The Town Marshal shall be the Chief Law Enforcement Officer for the Town of Hanna and have supervision over all matters pertaining to the Hanna Marshal's Office, including all police officers and other law enforcement personnel. The Town Marshal shall keep such records and make such reports concerning the activities of his or her department as may be required by Statute of by the Mayor or Town Council.

B. Before entering upon the duties of such office, the Town Marshal shall take and subscribe to an oath that he or she will support the Constitution and Laws of the State, Constitution of the United States, this code and other ordinances of the Town and the Town Marshal will faithfully perform the duties of the office upon which the Town Marshal is about to enter.

2.06.040 Police Officers.

A. The police officers shall have all of the privileges and duties imposed upon peace officers by State Law and Municipal ordinances. It shall be the duty of the police officers of the Hanna Marshal's Office to see to the enforcement of all the ordinances of the Town of Hanna and all statutes applicable therein, and to preserve order and prevent infractions of the law and arrest violators thereof.

B. Before entering upon the duties of a police officer, each police officer shall take and subscribe to an oath that the police officer will support the Constitution and Laws of the State, the Constitution of the United States, the code and other ordinance of the town and that the police officer will faithfully perform the duties of the office upon which the police officer is about to enter.

2.06.050 Conduct of Members. It shall be the duty of every member of the Hanna Marshal's Office to conduct themselves, in a proper and law abiding manner, at all times. Each member of the Hanna Marshal's Office shall obey the orders and directions of his superior.

2.06.060 Service of Process. All forms of process may be served by the Town Marshal or any other member of the Hanna Marshal's Office acting under the direction of the Town Marshal.

2.06.070 Rules and Regulations. The Town Marshal may make or prescribe such rules or regulations as he or she shall deem advisable, such rules, when approved by the Town Council, shall be binding on such members. Such rules and regulations may cover, besides the conduct of the members, uniforms and equipment to be worn or carried, hours of service, assignment and station of members of the Hanna Marshal's Office, vacations, and all other similar matters necessary or desirable for the better efficiency of the department.

## Chapter 2.08

### PUBLIC WORKS DIRECTOR

#### Sections:

- 2.08.010 Created
- 2.08.020 Appointment and Term
- 2.08.030 Duties
- 2.08.040 Compensation

2.08.010 Created. There is hereby created and established the position of a public works director, who shall be a department head responsible for the management and supervision of the general maintenance, streets, waterworks and sewer works of the Town.

2.08.020 Appointment and Term. The Public Works Director shall be appointed by the Mayor with the consent of the governing body. After assuming office, the Public Works Director shall serve until his or her successor is appointed by the Mayor and approved by the governing body.

2.08.030 Duties. In addition to the duties proscribed for the Public Works Director in this Chapter and Chapter 13.04.020 and Chapter 13.08, the Public Works Director shall also make detailed managerial report to the Town of Hanna at least once each month, or whenever requested by the Council or Mayor. The report shall describe the general conditions of the streets, sewer and waterworks system, including the lines, mains, hydrants, and the lagoon, or such other matters as requested. The Public Works Director may recommend such



improvements, repairs, extension to, and modifications of the system as he may deem proper. He shall execute purchase orders for all new work and materials not exceeding five hundred dollars (\$500.00). All other purchase orders in larger amounts shall have to be approved by the Town of Hanna Council. He shall inspect and keep a correct record of all tapings or alterations made by consumers and users. He shall keep a current inventory of all tools, materials and supplies pertaining to the streets, general maintenance, water and sewer systems. He shall audit and approve, or disapprove any claim for labor performed, or materials furnished. No claim shall be honored by the Town Clerk until the Public Works Director has approved the same.

2.08.040 Compensation. The Public Works Director shall receive for his services such compensation as the Town of Hanna may establish by resolution from time to time.

## Chapter 2.10

### EMERGENCY MANAGEMENT ORGANIZATION

#### Sections:

- 2.10.010 Creation
- 2.10.020 Chief Elected Official-Powers and Duties
- 2.10.030 Emergency Operation Plan
- 2.10.040 Rules and Regulations
- 2.10.050 Emergency Operating Equipment
- 2.10.060 Location for Emergency Operations Center
- 2.10.070 Succession of Authority
- 2.10.080 Coordinator-Recommendation
- 2.10.090 Coordinator-Powers and Duties
- 2.10.100 Designation of Agents

2.10.010 Creation. There is created the Hanna Emergency Management Organization which shall be governed by a board consisting of:

- A. The Mayor and Town Council Members;
- B. The Chairman of the board shall be the Mayor;
- C. The Vice-Chairman of the board shall be the fire chief;

D. The board will become an integral part of the county emergency management organization during a countywide disaster.

2.10.020 Chief Elected Official-Powers and Duties. The primary responsibility for initiating action at the time of an emergency or disaster rests with the elected government of the Town of Hanna. A declaration of an emergency and subsequent assistance requests during or on account of an emergency or disaster in Hanna will be honored only when the emergency is declared by the Chief elected official and/or Town Council.

2.10.030 Emergency Operation Plan. The Hanna emergency board is empowered to prepare, review and recommend to the county emergency management organization an emergency operation plan for the city.

2.10.040 Rules and Regulations. It shall be the duty of the board to promulgate such rules and regulations necessary for the efficient management and operation of the Hanna emergency management organization.

2.10.050 Emergency Operating Equipment. The Hanna emergency board shall designate a suitable location of the establishment for emergency operating equipment and if practicable, fall out protection.

2.10.060 Location for Emergency Operations Center. The emergency operations center for Hanna shall be located at Hanna Police Department Dispatch Center. Emergency situations may warrant the establishment of a point of operation at the scene of the disaster.

2.10.070 Succession of Authority. The succession of authority within the Hanna emergency board will be:

- A. Mayor;
- B. Mayor Pro Tem;
- C. One Council Member.

2.10.080 Coordinator-Recommendation. The Hanna emergency board shall recommend to the Governor of the State a person to serve as coordinator for the board who shall serve at the pleasure of the board and the Governor.

2.10.090 Coordinator-Powers and Duties. The coordinator is empowered and directed:

- A. To prepare a local emergency operating plan for the Town of Hanna and assist in the development of a county wide emergency operations plan;
- B. To assist in the coordination of emergency responsibilities and functions of other departments, industry and citizens of Hanna;
- C. To execute directives and policies established by the Hanna emergency board;
- D. To coordinate training, planning, management and operational activities with the county emergency management department.

2.10.100 Designation of Agents. The Hanna emergency board will, with the consent of the Governor, designate agent(s) to receive services, equipment, funds, etc., offered by federal/state grant or loan and other donors.

## Chapter 2.12

### HIGH COUNTRY JOINT POWERS BOARD

#### Sections:

- 2.12.010 Created
- 2.12.020 Amendment to Joint Powers Agreement
- 2.12.030 Appointment
- 2.12.040 Execution

2.12.010 Created. Provided the towns of Medicine Bow and Elk Mountain, both situate in the county, lawfully, by ordinance, authorize creation of the High Country Joint Powers Board in the form, with the powers, for the purpose, and subject to the terms and conditions of the Joint Powers agreement dated November 1<sup>st</sup>, 1980, and by this reference incorporated in this chapter, the Town of Hanna creates the High Country Joint Powers Board in the form, with the powers, for the purpose, and subject to the terms and conditions of the Joint Powers agreement dated November 1<sup>st</sup>, 1980, and by this reference incorporated in this chapter, the

Town of Hanna creates the High Country Joint Powers Board in the form, with the powers, for the purpose, and subject to the terms and conditions of the Joint Powers agreement dated November 1<sup>st</sup>, 1980, and by this reference incorporated in this chapter. The Town of Hanna shall appoint members to the Joint Powers Board at the times, for the terms and in the manner set forth in the joint powers agreement dated November 1<sup>st</sup>, 1980.

2.12.020 Amendment to Joint Powers Agreement. The Towns of Hanna, Medicine Bow, and Elk Mountain have previously entered into the Joint Powers agreement authorizing the creation of the High Country Joint Powers Board with the powers and for the purposes subject to the terms and conditions of that agreement. Provided the town of Medicine Bow and Elk Mountain lawfully, by ordinance, authorize the amendment of the joint powers agreement dated November 1<sup>st</sup>, 1980, the Mayor and Town Clerk of the Town of Hanna are authorized and directed to execute the amendment to the Joint Powers agreement and bind the Town of Hanna to the amendment.

2.12.030 Appointment. Appointments to the High Country Joint Powers Board, at the times and in the manner provided in the Joint Powers agreement dated November 1<sup>st</sup>, 1980, and

by this reference incorporated in this chapter, shall be made from time to time by the Mayor with the advice and consent of the Town Council.

2.12.040 Execution. The Mayor and Town clerk of the Town of Hanna are authorized and directed to execute the Joint Powers agreement forming the High Country Joint Powers Board in the form provided in the Joint Powers agreement dated November 1<sup>st</sup>, 1980, and by this reference incorporated in this chapter and thereby, subject to the terms and conditions of this chapter, bind the Town of Hanna to the agreement.

## Chapter 2.16

### PARKS AND RECREATION BOARD

#### Sections:

- 2.16.010 Created-Purpose
- 2.16.020 Membership
- 2.16.030 Terms-Removal and Filling Vacancies
- 2.16.040 Duties
- 2.16.050 Officers-Meetings-Rules-Records
- 2.16.060 Employees-Contracts-Funds
- 2.16.070 Expenditure of Funds
- 2.16.080 Estimate of Expenditures and Budget Requests
- 2.16.090 Fiscal Agent
- 2.16.100 Submittal of Recommendations to Council for Approval or Disapproval

2.16.010 Created-Purpose. The Parks and Recreation Board is hereby established for the purpose of advising the governing body of the Town of Hanna as to operation of the town parks and recreational facilities so as to promote the physical and mental wellbeing of the community, as well as providing for the day-to-day operation of the Hanna Recreation Center, recreation programs, town parks and other facilities within the Town of Hanna.

2.16.020 Membership. The Parks and Recreation Board shall consist of five members. A minimum of four members shall be qualified electors of the Town of Hanna, the fifth member shall be a qualified elector of the Towns of Hanna, Medicine Bow or Elk Mountain. [Ex-officio members shall be the Mayor, or a member of the Town Council appointed by the Mayor, and the Recreation Director.] The Town Attorney, Town Engineer, Town Clerk, Public Works Director,

and Town Treasurer shall provide technical assistance, advice and support to the Parks and Recreation Board.

2.16.030 Terms-Removal and Filling Vacancies. The members of the Parks and Recreation Board shall be appointed for terms of three years; provided, however, that the appointments first made under this chapter shall be staggered terms of one, two and three years. Members may be reappointed. Each term of office shall begin in July of the year specified by the term appointed. All members shall hold office until their successors are appointed and qualified. Any member of the board may be removed by the Mayor, by and with the approval of a majority vote of all the members of the Town Council, incompetence, gross neglect of duty or malfeasance in office, moving from the Town of Hanna, or missing three consecutive regularly scheduled meetings without an excused absence as determined by the Parks and Recreation Board, or for other good and just cause. Vacancies occurring otherwise than through the expiration of the appointed term shall be filled for the unexpired term by virtue of the Parks and Recreation Board soliciting applications from the public for persons interested in serving on the Board. The applications shall be reviewed by the Parks and Recreation Board, who shall then forward its recommendation for appointment to the Town Council. The vacancy shall be filled by and with the approval of a majority vote of the Mayor and all members of the Town Council. The vacancy shall be filled by and with the approval of a majority vote of the Mayor and all members of the Town Council.

2.16.040 Duties.

A. The Parks and Recreation Board shall:

1. Determine the priorities of recreation, and methods of achieving these priorities, with appropriate input from the public, and make recommendations to the Mayor and Town Council on matters of recreational concern, operation of the Hanna Recreation Center, town parks and other recreational facilities.
2. Recommend to the Mayor and Town Council reasonable rules and regulations for the government of town parks, the Hanna Recreation Center, and such other recreational properties in the town so as to promote the use and enjoyment of the Town's recreational properties, programs and facilities.
3. Advise the Mayor and Town Council on matters of recreational planning, including short-term and long-term studies.
4. Recommend to the Mayor and Town Council master plans for overall planning and development of individual town parks and recreational projects, when, in the opinion of the Parks and Recreation Board, such plans are necessary.
5. Upon approval of the Mayor and Town Council, cooperate with agencies of the county, state and federal government in matters of recreation and recreation funding.

6. Establish policy, as well as reasonable rules and regulations, and oversee the general operation of the Hanna Recreation Center, town parks, recreational programs and other recreational facilities.

2.16.050 Officers-Meetings-Rules-Records.

A. The Parks and Recreation Board shall elect its own chairman and vice-chairman, and shall create and fill such other offices as it may determine is required for the proper conduct of the affairs and business of the board. The recreation director shall serve as the secretary/treasurer to the board. The chairman shall be eligible for reelection. The board and all officers shall serve without compensation.

B. The board shall hold at least one regular meeting in each month at such time and place as may be fixed by the board. Special meetings of the board may be called by the chairman or by two board members. A majority of the board shall constitute a quorum for the transaction of business. Board action requires the affirmative vote of a majority of the members of the board. Any member of the board shall automatically disqualify himself from voting on any matter in which he may have a personal interest or as may be required by law. All meetings shall be open to the public, except for executive sessions.

C. The board shall adopt such other rules and regulations governing its organization and procedure as it may deem necessary, which rules and regulations shall not be inconsistent with the ordinances of the Town of Hanna and the laws of the State.

D. The board shall keep a record, in the form of minutes, of its resolutions, transactions, findings and determinations which records shall be a public record. Each month or upon the request of the Mayor or Town Council, the board shall make a report to the Mayor and Town Council of its proceedings with a monthly statement of its receipts, disbursements, and the progress of its works during the preceding fiscal year or such other information as may be requested.

2.16.060 Employees-Contracts-Funds. The board shall make recommendations to the Mayor and Town Council as to the appointment or employment of employees for the performance of any duties deemed necessary by the Mayor and Town Council as it relates to the Hanna Recreation Center, recreation programs, town parks, and other recreation facilities within the Town of Hanna. The board may also recommend or request that the Mayor and Town Council contract with such professionals or other consultants for such services as may become necessary in achieving the purposes of this chapter. The board shall, when it deems necessary or appropriate, recommend to the Mayor and Town Council that the Mayor and Town Council contract for, accept, and expend grants from various sources for the purpose of recreation and from any agency of the local, state, or federal government which might have funds available for such purposes.

2.16.070 Expenditure of Funds. All funds expended by the Mayor and Town Council and all funds received from grants, gifts, donations, bequests, devises, or contributions of money or property and other sources for the use or purpose of recreation shall be deposited with the

Town Treasurer and payable only upon warrants reviewed by the recreation director and issued and approved by the Mayor and Town Council.

2.16.080 Estimate of Expenditures and Budget Requests. The board shall, on or before the fifteenth day of April of each year or such other date as may be determined by the Mayor or Town Council, prepare and file with the Town Treasurer a budget containing an estimate of the expenditures of the board for the ensuing fiscal year, itemizing the expenses, the amount and the purposes, together with an estimate of the revenues to be generated by the recreation programs and facilities.

2.16.090 Fiscal Agent. The Town shall be the fiscal agent of the board and shall receive all revenues and disburse payments. All receipts created by the Hanna Recreation Center or recreation programs shall be deposited into the general account of the Town to the credit of the recreation budget line item. For the purposes of budgeting, the fiscal year of the board shall be from July 1<sup>st</sup> to June 30<sup>th</sup>.

2.16.100 Submittal of Recommendations to Council for Approval or Disapproval. Any and all recommendations of the Parks and Recreation Board shall be submitted to the Mayor and Town Council for approval or disapproval. Such action by the Mayor and Town Council must be by a recorded vote of a majority vote of the Mayor and Town Council. Upon approval of a recommendation, the Mayor and Town Council shall, within a reasonable time, subject to Town fiscal constraints, take action to implement the recommendation or plan by appropriate administrative procedure, resolution or ordinance.

## Chapter 2.18

### CEMERTERY BOARD

#### Sections:

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| 2.18.010 | Creation-Purposes   |
| 2.18.020 | Composition-Appointment   |
| 2.18.030 | Terms and Removal of Members-Vacancies                                      |
| 2.18.040 | Organization-Compensation-Meeting-Rules and Regulations-Records and Reports |
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| 2.18.080 | Expenditure of Funds  |

2.18.090 Submission to board of Proposed Changes in Long Range or Short Range Master Plan.

2.18.010 Creation-Purposes. There is created an official cemetery board for the purpose of advising the Town Council and promoting the maintenance and improvement of the Hanna Cemetery.

2.18.020 Composition-Appointment. The Cemetery Board shall consist of six members, who shall be qualified electors of the town, and at least one of which shall be a member of the Town Council. The Cemetery Board shall be appointed by the Mayor with the consent of the Town Council.

2.18.030 Terms and Removal of Members-Vacancies.

A. The members of the Cemetery Board shall be appointed for terms of three years; provided, that of the members first appointed under this chapter, two shall be appointed to serve until February 1<sup>st</sup>, 1985, two shall be appointed to serve until February 1<sup>st</sup>, 1986, and two to serve until February 1<sup>st</sup>, 1987.

B. Members may be reappointed.

C. All members shall hold office until their successors are appointed and qualified.

D. Any member of the board may be removed by recommendation from the board and approval of the Town Council.

E. Vacancies occurring otherwise and through the expiration of the term shall be filled for the unexpired term by the Town Council.

2.18.040 Organization-Compensation-Meeting-Rules and Regulations-Records and Reports.

A. The Cemetery Board shall elect its own president and vice-president and shall create and fill such other offices as it may be determined are required for the proper conduct of the affairs and business of the board. The president shall be eligible for re-election. The board and all officers shall serve without compensation.

B. The board shall hold at least one regular meeting in each month at such time and place as may be fixed by the president or, in his absence, by any of the members of the board. A majority of the board shall constitute a quorum for the transaction of business. Any member of the board shall automatically disqualify himself from voting on any decision in which he may have a personal interest by virtue of the ownership of land to be affected by the decision of other similar situation.

C. The board shall adopt such other rules and regulations governing its organization of procedure as it may deem necessary, which rules and regulations shall not be inconsistent with this code and other ordinances of the town and the laws of the State.



D. The board shall keep a record of its resolutions, transactions, findings and determinations, which records shall be a public record. The board shall make a full statement of its receipts, disbursements and the progress of its work during the preceding fiscal year.

#### 2.18.050 Duties Generally.

A. The Cemetery Board shall conduct public hearings on the priorities and on improvements to be made to the cemetery; shall make recommendations to the Town Council on matters which concern the cemetery; and shall review and make recommendations to the Town Council on additions or changes in the Town's Cemetery.

B. The board shall recommend to the Town Council reasonable rules and regulations for the government of the cemetery for the conservation of peace and good order and the maintenance of the dignity of the Town's Cemetery, and for the preservation of the property therein; and to promote the use and preservation thereof and to declare what shall constitute a nuisance upon the cemetery.

C. The board shall recommend to the Town Council master plans for overall planning and development of the town cemetery, when, in the opinion of the board, such plans are necessary.

D. The board shall annually review the priorities of the town cemetery and any short term or long term planning to the achievement of these priorities.

E. All rules and regulations adopted by the board and approved by the Town Council shall be promulgated in accordance with the terms of the Wyoming Administrative Procedures Act.

#### 2.18.060 Recommendations to Town Council Generally.

A. The Cemetery Board shall make recommendations to the Town Council as to the appointment of employees for the performance of any duties deemed necessary by the Town Council.

B. The board may also recommend or request that the Town Council contract with municipal planners, engineers, landscape architects, legal counsel or other consultants for such services as may become necessary in achieving the purposes of this chapter. The board shall, when it deems it necessary or appropriate, recommend to the Town Council that the Town Council contract for, accept and expend grants from the federal government available for the purposes of maintaining and improving the town cemetery and from any agency of the state which might have funds available for such purposes.

#### 2.18.070 Approval or Disapproval and Implementation.

A. All recommendations of the Cemetery Board shall be submitted in writing to the Town Council for approval or disapproval. Such action by the Town Council must be by a recorded vote of the majority of the Town Council. Failure to officially act on a recommendation of the cemetery board shall be deemed disapproval.

B. Upon approval of a recommendation of the board, the Town Council shall, within a reasonable time, take action to implement the recommendation or plan by appropriate administrative procedure, resolution or ordinance.

2.18.080 Expenditure of Funds.

A. All money received from grants, gifts, donations, bequests, devises or contributions of money or property or other sources for the use of purpose of maintenance or improvement of the Town Cemetery, excluding appropriations by the Town Council for town cemetery maintenance or improvement, shall be placed by the town in a special fund to be called the cemetery fund and shall be held, without reverting to the general fund and/or any fund for nonuse, and disbursed only for the maintenance and improvement of the Hanna Cemetery.

B. All receipts so designated for the cemetery shall be deposited in a bank account to the credit of the cemetery fund. The Town Clerk shall account for the funds and the custody of the cash, and the bank checking account shall be in the hands of the Town Treasurer. These officers shall make reports to the board at reasonable intervals as determined by the board. For the purposes of budgeting, accounting and reporting, the fiscal year of the board and the funds shall be from July 1<sup>st</sup> to June 30<sup>th</sup>. An audit of the funds shall be made in conjunction with the regular town audit, as frequently as that audit is made.

2.18.090 Submission to board of Proposed Changes in Long Range or Short Range Master Plan.

A. Whenever the Mayor or Town Council have adopted a long range or short range master plan, or any portion thereof, as provided in this chapter, no matter involving a change in such plan or portion thereof shall be decided by the Mayor and Town Council until the matter has been submitted to the cemetery board for their recommendation.

B. In case the board disapproves such change, the board shall communicate its reason to the Mayor and Town Council.

Chapter 2.19

VOLUNTEER FIRE DEPARTMENT

Sections:

- 2.19.010 Creation
- 2.19.020 Funding and Expenditures
- 2.19.030 Fire Chief-Generally
- 2.19.040 Fire Chief-Powers and Duties

2.19.050	Officers
2.19.060	Members-Generally
2.19.070	Members-Appointment
2.19.080	Members-Required in-service Training
2.19.090	List of Members
2.19.100	Officers and Members-Duties
2.19.110	Insignia
2.19.120	Police Authority and Right of Entry
2.19.130	Records, Reports and Inspections
2.19.140	Compliance with Orders of Inspector
2.19.150	Evacuation-Demolition-Entry Authorized
2.19.160	Records and Reports of Activities
2.19.170	Interfering with Fire Department Prohibited
2.19.180	Cooperation of Water Department
2.19.190	Lending Firefighting Apparatus Prohibited
2.19.200	Fire Alarm System not to be Molested
2.19.210	Compliance with order of Fire Chief-Penalty for Failure
2.19.220	Fire Hazard-Abating by Town
2.19.230	Other Groups Prohibited
2.19.240	Violation-Penalty

2.19.010 Creation. There is created and established a volunteer fire department which shall prevent and extinguish fires, educate the public in all matters pertaining to fires and fire prevention, care for all firefighting apparatus and other municipal property in its charge and perform such additional duties as may be assigned to it by resolution or ordinance of the Council.

2.19.020 Funding and Expenditures. Moneys shall be appropriated from the general fund of the town for the operating expenses of the fire department. In addition, the fire department is authorized to raise funds and solicit donations through social activities, for the purpose of defraying expenses of the department. No member of the department or any other person shall contract any indebtedness on behalf of the department unless authorized to do so with approval by the Mayor.

2.19.030 Fire Chief-Generally. The Fire Chief shall be elected by the membership of the fire department, and shall take office upon appointment by the Mayor. The chief of the fire department shall take and subscribe an official oath, and shall file the oath with the Clerk. The oath shall be the same as the oath taken by other officers of the Town, except for additions and/or alterations as may be obviously necessary or desirable to render the oath suitable and adaptable to the intent of such officer and which may be authorized by the Council. In addition to the oath of office, the Chief shall execute a bond to the people of the town, if such bond is deemed necessary by the Council, in the amount as directed by the Council, conditioned upon faithful performance of the duties of his office in accordance with law and within the boundaries of his authority, and shall file the bond with the Clerk. The expense of the bond is to be paid out of the general fund of the Town Treasury, in the same manner as that in which the expense of the bonds for other officers of the Town is paid.

2.19.040 Fire Chief-Powers and Duties. The Chief of the fire department shall be responsible for the discipline, good order and proper conduct of the entire department, and for the enforcement of all regulations pertaining to it. He shall be responsible for the proper care of the houses, fire apparatus, and all other property of the department or in its charge. He shall have command and control over all officers and members of the department and all houses, fire apparatus and other property of the department or in its charge, and he likewise shall have control of all persons present at fires.

2.19.050 Officers. The Fire Chief may appoint and prescribe the duties of such other fire department officers as may be deemed necessary, following election of such officers by the membership.

2.19.060 Members-Generally. In addition to the Fire Chief and officers of the fire department, there shall be auxiliary firefighters who may be referred to as volunteer firefighters. There shall be such number of positions as are from time to time approved by the membership of the fire department.

2.19.070 Members-Appointment. No person shall be accepted to the position of volunteer firefighter until he has taken a training course prescribed by the membership, and passed an examination indicating adequate knowledge of the matters taught in the course. Such test shall be prescribed by the Fire Chief, and matters covered shall include methods of firefighting, types of buildings, operation of equipment, first aid, treatment of smoke inhalation, administering cardiopulmonary resuscitation or CPR, and such other relevant items as shall be directed by the Fire Chief.

2.19.080 Members-Required in-service Training. Each volunteer firefighter shall take regular training at least once each month, on the subjects prescribed and in the manner prescribed by the Fire Chief. The chief shall require a minimum number of hours of training each month for each member. The minimum number of hours shall be the amount required, the opinion of the chief, to learn new techniques and to continue to maintain skills under old techniques.

2.19.090 List of Members. The Chief of the fire department shall maintain in the office of the Clerk, an accurate list of the members of the fire department and shall report promptly any additions or withdrawals from the membership.

2.19.100 Officers and Members-Duties. It shall be the duty of every officer and member of the department to obey the orders of his superior officers at all times while in the fire station or at or going or returning from fires.

2.19.110 Insignia. The insignia of the fire department shall be determined by a vote of its members, and no members, and no member of the department shall attend any drill practice or respond to any fire alarm without wearing such insignia, whenever compliance with this section is reasonably possible, and if attendance at any fire drill or fire without the insignia is unavoidable, it shall be the duty of any member lacking such identification, to wear a helmet, slicker or other distinctive garb as designated by the officer in charge of the drill or firefighting procedure, by which the member may be readily identified as a member of the department. No member failing through inadvertence and no fault of his own to comply with this section, shall be penalized under the terms of this chapter for failure.

2.19.120 Police Authority and Right of Entry. The Chief of the fire department and members acting under his orders shall have full and complete police powers and authority within the fire station, at fires and proceedings to and returning from them in all, matters pertaining to the fire department. The Chief or other officer in charge shall have authority to prescribe limits within which no person shall be admitted except by order of the officer. While actually attendant at a fire, the Police Chief and his deputy and all other law enforcement officers of the town shall be under the orders of the chief or other officer of the department in charge of the fire, and such law enforcement officers shall cooperate with the officer in charge in the enforcement of the provisions of this chapter. In the case of an emergency, the Chief of the fire department and members of the department acting under the orders of the Chief shall have authority to enter any building in the proper performance of their duties.

2.19.130 Records, Reports and Inspections.

A. The Chief of the fire department, immediately after assuming office and annually thereafter, shall make an inventory of all property owned by the department or in its charge, noting the condition of each article. The inventory shall be submitted to the Mayor and Council at the regular meeting of the council last occurring before the meeting in which the Council annually considers and enacts the appropriation of funds to defray expenses of the Town for the fiscal year. The Chief shall accompany the inventory of equipment with a list of his recommendations for the purchase of additional equipment, and repairs to existing equipment he may deem necessary, and any other recommendations he may desire to submit affecting the fire department.

B. Loss of or damage to equipment and accidents involving members of the fire department in the performance of their duties shall be reported immediately by the Chief, to the Mayor and Council.

C. It shall be the duty of the fire chief to inspect, or cause to be inspected by officers or members of the department, as often as may be necessary, but not less than twice each year in outlying districts and four times each year in the closely built portion of the Town, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violation of the provisions or intent of any ordinances of the town affecting safety and/or fire prevention; however, no officer of the fire department shall enter onto private property without the consent of the occupant or owner, proper court order or probable cause that an emergency situation or an immediate safety hazard exists.

#### 2.19.140 Compliance with Orders of Inspector.

A. Whenever any officer or member of the department shall find in any building, or upon any premises or other place, combustible or explosive matter or any dangerous accumulation of rubbish or unnecessary accumulation of waste paper, boxes, shavings or any other highly flammable materials especially susceptible to fire, and which is so situated as to endanger property, or shall find an obstruction to or on any fire escape, stairs, passageway, door or window, likely to interfere with the operations of the department, or egress of the occupants, in case of fire, or shall find any condition to life or property by reason of the fire hazard thereby created, the member of the department shall thereupon report such condition to the Chief and it is hereby made a duty of the Chief, upon full investigation, to order any hazardous condition as described to be removed or remedied, and whether or not the member had been engaged in any routine fire inspection shall not affect the validity of the order. The order shall be complied with by the owner or occupant of the premises or building, subject to appeal within twenty-four hours to the Mayor, or in his absence, the Mayor pro tem, and, if available, the Mayor shall, within ten days, review the order and file his decision thereon, and unless the order is revoked or modified, shall remain in full force and be obeyed by the owner or occupant, and any owner or occupant failing to comply with any such order within ten days after the appeal shall have been determined, or if no appeal is taken within ten days after the service of the order, shall be liable to penalty under the terms of this chapter.

B. In those instances in which the owner and occupant of a building, or of any premises, are not one and the same person, the occupant of such building or premises shall first be held responsible for the abatement of any dangerous condition as described in this chapter, but in the event of the occupant being unavailable or otherwise immune to process, the owner of the building or premises shall be responsible.

C. The Fire Chief shall, have full authority to order the immediate discontinuance of the use of any hazardous stove, stovepipe, flue, furnace, electric wiring or other hazardous devices or conditions pending the result of an appeal to the Mayor.

#### 2.19.150 Evacuation-Demolition-Entry Authorized.

A. For the purpose of protecting persons or property, the Fire Chief or other officer of the fire department in charge of extinguishment of any fire, shall have authority to order the evacuation and/or abandonment of any building in immediate danger from an imminent

spreading of such fire. The members of the fire department are to revoke the contents of any threatened building whenever the authorized order for action cannot be otherwise carried out, and the officer in charge of extinguishment of any fire shall have complete police authority in the matter of removing persons from any threatened building.

B. For the purpose of investigating the extent of any fire, or the extent of damage or danger and/or the need for evacuation, abandonment, or other action to be taken for the protection of persons or property, the Chief or other officer in charge, and members of the fire department working under the orders of the officer, shall have authority to enter any building, private residence, or otherwise, breaking into the building if necessary. No break-in or other entry without consent of the owner, proprietor or occupant is absent, or in which the owner, proprietor or occupant of the building shall be ordered or made except in those cases which the owner, proprietor or occupant is present but refuses to grant consent; and when entry is immediately necessary for the protection of any person or for the protection of any valuable property.

C. The officer in charge shall have authority to order demolition of any building, fences or other objects obstructing access to fire hydrants and/or whose existence is likely to be liable for the loss to the owner of the building incurred by reason of such demolition.

2.19.160 Records and Reports of Activities. The Chief of the fire department shall keep or cause to be kept, a complete record of the activities of the fire department and shall make a thorough investigation of each fire and report to the Mayor and Council monthly, giving in detail, the following information in regard to each, if available: cause, location, time, owner, tenant, occupancy, type of building, insurance carried, building loss, contents loss, how extinguished, apparatus used, firefighters present, adequacy of water supply and pressure, and any other information of value in such a report, or desired by any member of the Council.

2.19.170 Interfering with Fire Department Prohibited.

A. No person shall enter or be allowed to enter the fire station unless accompanied by a member of the department, unless authorized so to enter by a member of the department. No person not a member of the department shall use any of the fire apparatus at fires or otherwise unless acting under orders of the officer of the fire department in charge of the fire, nor shall any person interfere in any way with the department or any member of the department, in the performance of its, or his duty.

B. Upon hearing a fire alarm, all drivers of vehicles shall take due warning and upon the approach of fire apparatus shall move promptly to the right curb and stop in order to leave the middle of the street clear for passage of the fire apparatus. Vehicles shall not follow fire apparatus nearer than one full block of the fire. This section shall not apply to those vehicles driven by members of the department proceeding to the fire for the purpose of assistance in its extinguishment. No vehicle shall be parked within fifteen feet of any fire hydrant or before the entrance to any theater, hall or other building in which large assemblages are held, and no vehicle shall be driven over any fire hose or other firefighting apparatus.

2.19.180 Cooperation of Water Department. The water department or its equivalent shall cooperate in every way possible with the fire department to provide an adequate supply of water at pressure suitable for firefighting and shall supply the fire department one or more accurate maps of the water distributing system, showing the size and location of all mains, valves and fire hydrants, which shall be posed and maintained in a conspicuous place in the fire station, and shall report promptly to the fire department the opening and closing of all valves in street mains, and any other information relative to the water supply to any and all parts of town, which information shall also be posted for the information of firefighters and other interested residents of the town.

2.19.190 Lending Firefighting Apparatus Prohibited. Firefighting apparatus and other Town property in the charge of the department shall not be loaned or rented except by permission of the chief of the department.

2.19.200 Fire Alarm System not to be Molested. No person shall knowingly give a false alarm of fire except those for test purposes given or caused to be given by the Chief of the department. No person shall interfere with any part of the fire alarm system unless authorized to do so by the Chief.

2.19.210 Compliance with order of Fire Chief-Penalty for Failure. Upon the receipt of an order from the Fire Chief to abate any dangerous condition or fire hazard as described in this chapter, the owner or proprietor of the premises upon which the fire hazard or dangerous condition exists, shall comply at once with the order. If the owner or proprietor has not complied with the order within three days following its issuance, the Fire Chief shall sign and file a complaint with the Municipal Justice of the Town, accusing the owner or proprietor of a misdemeanor and setting forth the nature of the offense committed. If convicted, the defendant named in the complaint shall be fined as provided in this chapter and shall be ordered by the Municipal Court Judge to comply with the order, of the Fire Chief, and thereafter, every day that the offensive condition is continued I existence shall constitute a separate and punishable offense, in addition to which a separate fine for contempt of court may be imposed. The Municipal Court Judge may permit the defendant a longer time in which to abate the condition if he deems leniency necessary.

2.19.220 Fire Hazard-Abating by Town. In those instances in which a fire hazard or dangerous condition is found to exist as provided in this chapter and the owner or proprietor of the promises is not found within the town, nor otherwise available upon the exertion of reasonable effort upon the part of the fire chief, or refuses or fails to remedy the hazard or condition, the fire chief shall notify the council at the next regular meeting, of the existence of the fire hazard or dangerous condition and the location thereof and the fact that the proprietor is not available or that the proprietor refuses or has failed to remedy the hazard or condition. Upon receipt of such notice, the Council is authorized to order the abatement of the condition reported as provided in this chapter. The abatement shall be carried out by the proper officer or officers of the town, members of the fire department or otherwise, and the expense of the abatement shall be paid out of the general fund of the Town Treasury and shall be included, together with a surcharge equal to two hundred percent of such costs to cover indirect administrative cost, in a



bill charged against the owner of the property within or upon which the fire hazard or dangerous condition was found to exist.

2.19.230 Other Groups Prohibited. No group of persons may provide fire protection and/or fire suppression on an organized basis unless and until such group has been organized as directed by this chapter and its operations and procedures specifically approved by the Council.

2.19.240 Violation-Penalty. The penalty for violation of any provision of this chapter shall be a fine not to exceed seven hundred fifty dollars. Each day of an offense is constituted as a separate offense.

## Chapter 2.20

### TOWN MEETINGS

#### Sections:

- 2.20.010 Open to Public
- 2.20.020 Information Required of Attending Public
- 2.20.030 Executive Sessions
- 2.20.040 Disruption of Public Meetings
- 2.20.050 Date and Time of Regular Meetings
- 2.20.060 Special Meetings
- 2.20.065 Work Session Meeting
- 2.20.070 Adjourned or Recessed Meetings
- 2.20.080 Presiding Officer
- 2.20.090 Journal Keeping by Clerk
- 2.20.100 Compensation for Mayor, Council Persons, Town Clerk, Town Treasurer, Town Clerk/Treasurer and Town Marshal

2.20.010 Open to Public. All meetings of the governing body and all other boards, commissions and agencies of the municipality shall be open to the public at all times, except as provided in Sections 2.20.030 and 2.20.040. No action of such body shall be taken except during a public meeting.

2.20.020 Information Required of Attending Public. A member of the public shall not be required, as condition of attendance at any meeting, to register his name, to supply information,

to complete a questionnaire, or fulfill any other condition precedent to his attendance, except that a person seeking recognition may be required to give his name and affiliation.

2.20.030 Executive Sessions. Executive sessions, not open to the public, of the governing body and all other boards, commissions and agencies of the municipality may be held:

A. With the Prosecuting Attorney, Municipal Attorney, Chief of Police or their respective deputies, or other officers of the law, on matters posing a threat to the security of public or private property or a threat to the public's right of access;

B. To consider the appointment, employment, right to practice or dismissal of a public officer, professional person or employee, or to hear complaints or charges brought against an employee, professional person or officer, unless the employee, professional person or officer requests a public hearing. The governing body may exclude from any public or private hearing during the examination of a witness, any or all other witnesses in the matter being investigated. Following the hearing or executive session, the governing body may deliberate on its decision in executive sessions;

C On matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party;

D. When the agency is a licensing agency while preparing, administering or grading examinations;

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

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

G. To consider or receive any information classified as confidential by law;

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

2.20.040 Disruption of Public Meetings. If any public meeting is willfully disrupted by a person or group of persons so as to render the orderly conduct of the meeting unfeasible, and order cannot be restored by the removal of the person or persons who are willfully interrupting the meeting, the governing body of an agency may order the removal of such person or group from the meeting room and continue in session, or may recess the meeting and reconvene at another location. Only matters appearing on the agenda may be acted upon in a meeting recessed to another location. A governing body of an agency shall establish procedures for readmitting an individual or individuals not responsible for disturbing the conduct of a meeting. Duly accredited members of the press or other news media except those who participated in a disturbance shall be allowed to attend any meeting permitted by this section.

2.20.050 Date and Time of Regular Meetings. Regular meetings of the governing body shall be held on the second Tuesday of the month and at all times designated by the governing

body; provided, that in all instances that such day is observed as a legal holiday for municipal office, the regular meeting of the governing body shall be held on the following day.

2.20.060 Special Meetings. Special meetings of the governing body may be called from time to time by the presiding officer of the governing body or any two members of the governing body. The subject for the special meeting shall be submitted to the governing body and the disposition thereof entered upon the journal of the governing body by the clerk of the municipality. The actin of the governing body at each special session shall be confined to the subject submitted to the governing body. The time, place and subject of the meeting shall be advertised or posted in accordance with the applicable state statutes pertaining to open meetings.

2.20.065 Work Session Meeting. A work session meeting of the governing body may be called from time to time by the presiding officer of the governing body or any town members of the governing body for the purpose of receiving information on current issues of the town or to study, discuss or analyze matters which have been, are, or may be subject to the consideration of the governing body. If possible, advance notice of work session meeting shall be given to the public. No "action" as defined by Wyoming Statutes 1977, section 16-4-402, may be taken at a work session meeting.

2.20.070 Adjourned or Recessed Meetings. Adjourned or recessed meetings of the governing body may be held at such time as the governing body may designate.

2.20.080 Presiding Officer. The Mayor shall preside at all meetings of the governing body; provided that in the absence of the Mayor, the senior Council Member shall preside as the Mayor Pro Tem.

2.20.090 Journal Keeping by Clerk. It shall be the duty of the Clerk of the Municipality to keep the journal of the governing body. The Clerk shall, within forty-eight hours after the adjournment of any regular or special meeting of the governing body, furnish the legal newspaper a copy of the proceedings of such meeting for publication. Such copy shall include every bill presented to the governing body showing the amount of the bill, the amount allowed, what the bill was for and by whom claimed. In addition the Clerk shall be responsible for the safe keeping of such journal and providing for the exhibition of such journal to the public when so requested.

2.20.100 Compensation for Mayor, Council Persons, Town Clerk, Town Treasurer, Town Clerk/Treasurer and Town Marshal. The following officers of the Town shall be compensated as indicated:

A. The Mayor shall be paid the sum of four thousand eight hundred (\$4,800.00) dollars per year in twelve (12) monthly installments of four hundred dollars each.

B. Each Council member shall receive the sum of twenty-five dollars (\$25.00) FOR ACTUAL ATTENDANCE AT EACH regular, special meeting or work session meeting of the Town Council, said sum to be paid semiannually. THE COMPENSATION OF COUNCIL MEMBERS SAHLL BE FIXED BEFORE THEIR TERMS BEGIN AND SAHLL NOT CHANGE DURING THE TERM FOR WHICH THEY ARE ELECTED.

C. The Town Clerk shall be paid a salary, the amount of which shall be established by the governing body from time to time by resolution.

D. The Town Treasurer shall be paid a salary, the amount of which shall be established by the governing body from time to time by resolution.

E. The Town Clerk/Treasurer shall be paid a salary, the amount of which shall be established by the governing body from time to time by resolution.

F. The Town Marshal shall be paid salary, the amount of which shall be established by the governing body from time to time by resolution.

## Chapter 2.22

### POSTING AND PUBLICATION

#### Sections:

2.22.010 Posting Places

2.22.010 Posting Places. The minutes of all regular and special meetings of the governing body of the town, the titles of all ordinances passed by the governing body of the town and every ordinance passed by the governing body of the town shall be posted for at least ten days in the Town Clerk's Office and the following other places in the town:

A. Hanna Post Office;

B. \_\_\_\_\_.

## Chapter 2.24

### COURT COST FEES

#### Sections:

2.24.010 Designated

2.24.010 Designated. Court Cost Fee will be set at ten dollars.

## Chapter 2.28

### REMOVAL OF EMPLOYEES

#### Sections:

2.28.010 Hearing Required

#### 2.28.010 Hearing Required.

A. If any employee of the town, other than the appointed officers and employees provided by law, is removed from office for incompetency, neglect of duty or otherwise for cause, as specified in the Town of Hanna Personnel Policies and Procedures Manual, adopted by Resolution No. 162 on the eighth day of July, 1986, the charges against that person shall be specified and the person removed shall be provided an opportunity for a hearing on the charges under procedures established in this section.

B. In the case of such a removal, the hearing procedures outlined in the Town of Hanna Personnel Policies and Procedures Manual shall govern the course of the hearing proceedings for such removal.

C. The Town of Hanna, Wyoming (Town) on September 9<sup>th</sup>, 2008 adopted a revised employee handbook effective September 10<sup>th</sup>, 2008.

## Chapter 2.32

### CONFLICTS OF INTEREST

#### Sections:

2.32.010 Definition

2.32.020 Applicability

2.32.030 Effect on Town

2.32.010 Definition. For the purposes of this chapter, “immediate family” means relatives by blood or by marriage, including wife, husband, children, parents, grandparents, grandchildren, brothers, sisters, nephews, nieces, aunts, uncles, brothers-in-laws, sisters-in-law, daughters-in-law, sons-in-law and parents-in-law and step relations.

2.32.020 Applicability. Section 2.32.030 of this chapter does not apply to any qualified member of the governing body of the Town, or any member of that qualified member's immediate family who may receive any monetary or other economic benefit from any contract made by the governing body if the qualified member complies with the following. The qualified member:

- A. Shall not participate in the consideration or discussion relating to the contract;
  - B. Shall not attempt to influence the other members of the governing body in any way relating to the contract;
  - C. Shall reveal the nature and extent of any monetary or other economic benefit he or any member of his immediate family may receive to the other members of the governing body prior to consideration of the contract;
  - D. Shall not vote on the matter of granting the contract;
  - E. Shall absent himself during the consideration, discussion and vote on the contract;
- and
- F. Shall not act, directly or indirectly, for the governing body in inspection, operation, administration or securing performance under eth contract in which he or any member of his immediate family may receive any monetary or other economical benefit.

2.32.030 Effect on Town. No qualified member of the governing body of the Town or any member of that qualified member's immediate family may receive any monetary or other economic benefit from any contract to which the town or anyone for its benefit is a party. The obligation on the part of the Town is void in any contract in which a monetary or other economic benefit will be received by a qualified member of the governing body or his family who does not comply with Section 2.32.020 of this chapter. Any money paid on the contract may be recovered by the town from any persons by an action brought in the name of the Town.

## Chapter 2.33

### DISCLOSURE OF BENEFIT OR INTEREST

#### Sections:

- 2.33.010 Disclosure of Benefit or Interest
- 2.33.020 Definitions

2.33.010 Disclosure of Benefit or Interest. No public officer or public servant who invests public funds for the Town of Hanna has authority to decide how public funds are invested, shall transact any personal business with, receive any pecuniary benefit from or have any financial interest in any entity other than a governmental entity, unless he has disclosed the

benefit or interest in writing to the governing body of the Town of Hanna. Disclosures shall be made annually in a public meeting and shall be made part of the record of proceedings. The public officer or public servant shall make the written disclosure prior to investing any public funds in any entity, other than a governmental entity, which:

- (i) Provides any services related to investment of funds by that same unit of government; or
- (ii) Has a financial interest in any security or other investment made by that unit of government.

2.33.020 Definitions. The following definitions apply:

- (i) “Governmental Function” includes any activity which a public servant is legally authorized to undertake on behalf of a government;
- (ii) “Harm” means loss, disadvantage or injury;
- (iii) “Pecuniary Benefit” is benefit in the form of property, but does not include:
  - A. Property with a value of less than twenty dollars (\$20.00);
  - B. Food or drink or entertainment authorized as a proper deductible expense of income tax purposes under the United States Internal Revenue Code up to an amount of one hundred dollars (\$100.00) per year;
  - C. Contributions to a political campaign of a public servant as provided in W.S. 22-25-102;
  - D. Benefits in the form of services such as, but not limited to, transportation and lodging.
- (iv) “Public Officer” means a person who holds an office which is created or granted authority by the constitution or the legislature and who exercises a portion of the sovereign power of the state.
- (v) “Public Servant” means any officer or employee of government, including legislators and judges, and any person participating, as juror, witness, advisor, consultant or otherwise, in performing a governmental function.
- (vi) “Personal Business” means any activity that is not a governmental function as defined in (i) above.

## Chapter 2.34

### ESTABLISHING ETHICS STANDARDS FOR COUNCIL MEMBERS, MEMBERS OF BOARDS AND COMMISSIONS

Sections:

2.34.010	Designation of Provisions
2.34.015	Definitions
2.34.020	Established-Purpose
2.34.030	Standards for Conduct of Duties
2.34.040	Work and Performance Standards-Exceeding Authority
2.34.050	Preferential Treatment Prohibited-Use of Public Property
2.34.060	Conflict of Interest
2.34.080	Political Activity
2.34.090	Applicability-Advisory Opinions
2.34.100	Enforcement-Violation-Penalty

2.34.010 Designation of Provisions. The provisions of this chapter shall be designated as the “Code of Ethics for Town Council Members and all members of Town Boards and Commissions.”

2.34.015 Definitions. The terms used in this chapter are defined as follows:

A. “Business” means a corporation, partnership, sole proprietorship, firm, organization or other legal entity engaged in buying, selling or exchanging commodities or services.

B. “Confidential Information” means information which, by law or practice, is not available to the general public.

C. “Financial Interest” means any interest which yields, directly or indirectly, a monetary or other material benefit (other than the duly-authorized salary or compensation for services to the Town) to a Town Council member or member of a Town Board or Commission.

D. “Personal or Private Interest” means any interest arising from blood, marital or adoptive relationship, whether or not any financial interest is involved, which is direct and immediate as opposed to speculative and remote and is an interest that provides the official a greater benefit or a lesser detriment than it does for a large or substantial group or class of person who are similarly situated.

E. “Public Official” or “Official” means:

1. Every Town Council member; and
2. Appointed Town Board or Commission member.



2.34.020 Established-Purpose. The proper operation of democratic local government requires that public officials be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in and respect for the integrity of its government. In recognition of these goals, there is established a code of ethics for all officials, whether elected or appointed, paid or unpaid. The purpose of this ethics is to establish ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interests of the Town and by directing disclosure by such officials of private financial or other interests of the Town and by directing disclosure by such officials of private financial or other interests in matter affecting the Town. The provisions and purpose of this code of ethics and such rules and regulations as may be established are declared to be in the best interests of the Town.

2.34.030 Standards for Conduct of Duties.

A. Public officials are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of Wyoming and to carry out impartially the laws of the nation, state and municipality and this to foster respect for Town government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach.

B. Public officials conduct their official duties with integrity, impartiality and in the public interest. They shall also conduct both their official and private affairs so as not to give a reasonable basis for the impression that any such official can be improperly influenced in the performance of their official duties. Such officials shall conduct themselves as to maintain public confidence in their public trust and in the Town. They should not be a source of embarrassment to the Town and should avoid the appearance of both actual and potential conflict between the public duties and private interests.

C. No Council member or other official shall, without proper legal or Council authorization, disclose confidential information concerning any Town official, employee or any other person, the property or any government affairs to the Town. Nor shall they use such information to advance the financial or other private interests of themselves or others. This provision does not pertain to "public records" as defined by state law.

D. No Council member or other official, as a result of holding such office or position, shall accept anything of value or any compensation other than their normal salary. The provisions and definitions of Wyoming Statutes Section 9-13-101 et. seq. regarding "Government Ethics" relating to the receipt of gifts by public officials, as they may, from time to time be amended shall apply to Town Council members, and officials, said provisions being incorporated herein at this point as if fully set forth.

2.34.040 Work and Performance Standards-Exceeding Authority. Appointed officials should not exceed their authority or breach the law or ask others to do so, and they should work

in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

2.34.050 Preferential Treatment Prohibited-Use of Public Property.

A. No official shall request or permit the use of publicly-supported property, Town-owned vehicles, equipment, materials, labor or service for personal convenience or profit, or the private advantage of themselves or any other person. This rule does not prohibit an official from requesting, using or permitting the use of such publicly-owned or publicly-supported property, vehicles, equipment, materials, labor or service which is made available to the public at large, or by stated public policy for the use of officials in the conduct of Town business.

B. No official shall grant any special consideration, treatment, advantage or favor to any citizen beyond that which is available to the public at large, or which is available to every other citizen.

2.34.060 Conflict of Interest.

A. Subject to the disclosure requirements of this section, no Council member or other official, either on his or her own behalf or on behalf of any other person, whether paid or unpaid, shall engage in any business or transaction or shall have any financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties in the public interest or would tend to impair his or her independence of judgment or action in the performance of his or her official duties. Personal as distinguished from financial interest includes an interest arising from blood or marriage relationships or close business or political association.

B. Any Council member or other official, who has a substantial or controlling financial interest in any business entity, transaction or contract with the Town, or in the sale of real estate, materials, supplies or services to the Town, shall disclose such interest in any matter on which they may be called to act in their official capacity. They shall refrain from voting upon or otherwise participating in the transaction or the making of such contract or sale.

C. A Council member or other official shall not be deemed interested in any contract or purchase or sale of land or other thing of value unless such contract or sale is approved, awarded, entered into or authorized by him or her in their official capacity.

D. A Council member who has a financial or other private interest in any action, matter, or legislation pending before Council shall disclose on the records of the Council or other appropriate authority the nature and extent of such interest. This provision shall not apply if the Council member disqualifies him or herself from voting on any such matter or action, and recuse himself or herself from the chamber while such matter or action is pending.

E. Any official who has a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties in the public interest or would tend to impair his or her independence of judgment or action in the performance of his or her official duties, and who participates in discussion with or gives an official opinion to the

Council, shall disclose on the records of the Council or other appropriate authority the nature and extent of such interest.

F. Specific conflicts of interest are enumerated below for the guidance of officials:

1. No Council member or official, shall engage in private employment when such employment is incompatible with, or give the appearance of incompatibility with, the proper discharge of their official duties, or would tend to impair their independence of judgment or action in the performance of their official duties.

2. No Council member or other official shall appear on behalf of private interests before any Board or Commission of the Town or Town council. A Council member or official shall not represent private interests in any action or proceeding against the interests of the Town in any litigation to which the Town is a part. A Council member may appear before a Town Board or Commission on behalf of constituents in the course of their duties as a representative of the electorate or in the performance of public or civic obligations. However, no Council member or other official shall accept a retainer or compensation that is contingent upon a specific action by the Town Board or Commission.

2.34.080 Political Activity.

A. No Town official shall use the prestige of his position in behalf of any political party.

B. A Town official shall not use public funds, time, personnel, facilities or equipment for political or campaign activity unless the use is:

1. Authorized by law; or

2. Properly incidental to another activity required or authorized by law and the public official, allocates or reimburses the Town for any additional costs incurred for that portion of the activity not required or authorized by law.

C. No Town official, whether elected or appointed, shall promise an appointment to any municipal position as a reward for any political activity.

2.34.090 Applicability-Advisory Opinions. When a Council member or other official has doubt as to the applicability of a provision of this code of ethics to a particular situation, they shall apply to the Town Attorney for an advisory opinion and be guided by that opinion when given. The Council member or other official shall have the opportunity to present their interpretation of the facts at issue and of the applicable provision of this code of ethics before such advisory decision is made. This code of ethics shall be operative in all instances covered by its provisions except when superseded by an applicable statutory, Town code provision or policy, and statutory or Town code action is mandatory, or when the application of a statutory or Town code provision is discretionary, but determined to be more appropriate or desirable.

2.34.100 Enforcement-Violation-Penalty.

A. Failure to comply with this chapter constitutes improper conduct.

B. Violation of any provisions of this code of ethics should raise conscientious questions for the Council member or other official concerned as to whether voluntary.

C. No Council member or any member of that Council member's immediate family may receive any monetary or other economic benefit from any contract to which the Town or anyone for its benefit is a party. The obligation on the part of the town is void in any contract in which a monetary or other economic benefit will be received by a Council member or his family who does not comply with Section 2.34.060 of this chapter. Any money paid on the contract may be recovered by the Town from any persons by an action brought in the name of the town.

D. Shall absent himself during the consideration, discussion and vote on the contract; resignation or other action is indicated to promote the best interests of the Town. Violation by any appointed official or Council member may constitute a reason for removal from office.