

Chapter 8.04

FOOD SAFETY REGULATIONS

Sections:

- 8.04.010** Adoption of food safety regulations.
8.04.020 Licenses.

8.04.010 Adoption of food safety regulations.

The board of health shall adopt regulations for the design, construction and operation of food establishments, and shall set standards for food operations and food handling within the city. Those regulations shall be equal in scope to regulations in current use by the Wyoming Department of Agriculture, Consumer Health Services. (Ord. 1339 § 2 (part), 2001)

8.04.020 Licenses.

A. Any person processing, distributing, storing or preparing any food for wholesale or retail use shall obtain a license. The license is not transferable, shall be renewed on an annual basis and shall be prominently displayed in the establishment. No food establishment shall serve, hold for sale or sell food to the public without a valid license. An agricultural producer shall be exempt from the licensure requirement in this section for processing, distributing or sale of any raw agricultural commodity he produces. Licenses run from January 1st through December 31st of each calendar year, and must be renewed prior to expiration. Licenses not renewed prior to expiration are invalid. Yearly license fees may not be prorated.

B. Written application for a new license shall be made on an approved form and shall be signed by the applicant. An initial license fee of one hundred dollars shall accompany each application. The license fee for a temporary food event shall be twenty-five dollars which event shall not exceed fourteen days. License requirements and fees for temporary food events operated by nonprofit organizations shall be waived. Licenses may be renewed each year upon

application accompanied by a fee of fifty dollars. Any establishment which has a license on the effective date of this chapter shall pay a fee of fifty dollars for the following year and shall not be liable to pay the initial license fee of one hundred dollars.

C. Licenses may be revoked for due cause. Proceedings for the revocation of an establishment license may be commenced by the filing of a written application with the board of health. The application shall be accompanied by an affidavit stating the facility for which the license was issued has been inspected by a registered environmental health specialist or registered food safety specialist, the conditions which present an imminent health hazard and in his or her opinion conditions exist that present an imminent health hazard or that the license holder has willfully refused to allow an inspection of the premises. Upon receipt of the application, the board of health shall issue notice of a hearing to the license holder. The notice and the hearing shall be governed by the provisions of the Wyoming Administrative Procedure Act. If, upon completion of the hearing and consideration of the record, the board finds that the conditions present at the facility pose an imminent health hazard, or that the license holder has willfully refused to allow an inspection of the premises, the board shall issue an order of license revocation which shall include findings of fact and conclusions of law, and finding of actions necessary to cure the causes leading to the revocation. (Ord. 1339 § 2 (part), 2001)

Chapter 8.08

PUBLIC SWIMMING POOLS, SPAS AND BATHHOUSES

Sections:

- 8.08.010** Permit required.
8.08.020 Rules and regulations.

8.08.010 Permit required.

It shall be unlawful to construct, alter, or operate a public swimming pool, plunge pool, wading pool,

wave pool, flow-through pool, flotation tank, flume, slide or bathhouse without first obtaining a permit from the city manager or designated representative. (Ord. 1339 § 3 (part), 2001)

8.08.020 Rules and regulations.

The board of health shall adopt rules and regulations establishing the minimum standards for the design, construction and operation of public swimming pools, plunge pools, wading pools, wave pools, flow-through pools, flotation tanks, flume tanks, slides and bathhouses. Those rules and regulations shall be equal in scope to those in current use by the Wyoming Department of Health. (Ord. 1339 § 3 (part), 2001)

Chapter 8.12

TATTOOING AND BODY PIERCING

Sections:

- 8.12.010 License required.**
- 8.12.020 Rules and regulations.**
- 8.12.030 Definitions.**
- 8.12.040 Tattooing—Persons under eighteen years.**
- 8.12.050 Body piercing—Persons under eighteen years.**
- 8.12.060 Proof of age and identity.**
- 8.12.070 Penalty.**
- 8.12.080 Rules authorized.**

8.12.010 License required.

It is unlawful for any person to engage in the business of operating a tattoo or body piercing establishment or to engage in the practice of tattooing or body piercing without first obtaining a license. (Ord. 1339 § 4 (part), 2001)

8.12.020 Rules and regulations.

The board of health shall adopt minimum standards for the design, construction, operation, practice and licensing of tattooing and body piercing. Such rules shall be adequate to control epidemic, endemic and

communicable disease within the community, and as otherwise necessary for the protection of the general public health. (Ord. 1339 § 4 (part), 2001)

8.12.030 Definitions.

“Tattooing” means to puncture the skin of a person with a needle and insert indelible permanent colors through the puncture to leave permanent marks or designs.

“Body piercing” means puncturing or penetration of a person’s skin, usually to allow the placing of jewelry or other adornment in the opening, for decorative or other non-medical purposes, by a person not directly under the supervision of a licensed physician as defined by W.S. 33-26-303. The site or location of the piercing on the patron’s body is included in this definition. Puncturing the outer perimeter or lobe of the ear using a pre-sterilized single use stud and clasp ear piercing system is not included in this definition. (Ord. 1340 § 1, 2001)

8.12.040 Tattooing—Persons under eighteen years.

No person shall knowingly place a tattoo upon or under the skin of a person who is under the age of eighteen years, except with the written consent given on the premises of the person’s parent or legal guardian. The tattooist shall require proof of age before administering a tattoo to any person. (Ord. 1340 § 2, 2001)

8.12.050 Body piercing—Persons under eighteen years.

No person shall knowingly perform body piercing upon a person who is under the age of eighteen years, except with the written consent given on the premises of the person’s parent or legal guardian. The person performing the procedure shall require proof of age before administering body piercing to any person. (Ord. 1340 § 3, 2001)

8.12.060 Proof of age and identity.

A motor vehicle driver’s license, a registration card issued under the federal Selective Service Act,

an identification card issued to a member of the armed forces, a valid United States passport or an identification card issued by the Wyoming department of transportation is prima facie evidence of the age and identity of the person. Proof that the tattooist demanded, was shown and acted in reasonable reliance upon the information contained in any one of the above documents as identification and proof of age is a defense to any criminal prosecution under this chapter.
(Ord 1340 § 4, 2001)

8.12.070 Penalty.

Any person who violates this chapter shall, upon conviction, be punished by a fine not to exceed seven hundred fifty dollars.
(Ord. 1340 § 5, 2001)

8.12.080 Rules authorized.

The board of health may make rules and regulations to require persons engaged in tattooing or body piercing to keep records of the identity and age of persons under the age of eighteen who receive a tattoo or piercing.
(Ord. 1340 § 6, 2001)

Chapter 8.16

GARBAGE*

Sections:

8.16.010 Definitions.

8.16.020 Premises to be kept clean.

*Editor's note—Ord. No. 1562, adopted Aug. 4, 2009, amended former Ch. 8.16, §§ 8.16.010—8.16.260, in its entirety Former Ch. 8.16 pertained to similar subject matter and derived from the prior codification and the following:

Ord. No.	Section	Date
753	1	1983
874	1	1986
1199	1—3	1996
1239	1	1998
1509	1, 2	2007
1560		6- 2-09

- 8.16.030 Containers—Required.**
- 8.16.040 Securing garbage, refuse and other materials.**
- 8.16.050 Receptacles—Specifications.**
- 8.16.060 Receptacles—Location—Security.**
- 8.16.070 Receptacles—Placing of liquids.**
- 8.16.080 Occupancy taken as proof of refuse accumulation.**
- 8.16.090 Hauling—Restricted to city—Exceptions.**
- 8.16.100 Hauling—Contracting for nonsingle-kitchen units.**
- 8.16.110 Collector's license—Fee.**
- 8.16.120 Collection vehicle—License required—Revocation.**
- 8.16.130 Collection vehicle—Requirements—Inspection.**
- 8.16.140 Storage over twenty-four hours.**
- 8.16.150 Nonresidents using the landfill.**
- 8.16.160 Depositing on streets and public places.**
- 8.16.170 Collection—Temporary termination.**
- 8.16.180 Fees—Households—Generally.**
- 8.16.190 Fees—Households—Basic cans.**
- 8.16.200 Fees—Households—Additional Receptacles.**
- 8.16.210 Fees—Multiple unit buildings.**
- 8.16.220 Fees—Petition for waiver.**
- 8.16.230 Rate schedule for city-provided receptacles two-cubic yards and larger.**
- 8.16.240 Use of receptacle belonging to another forbidden.**
- 8.16.250 Refuse removal refusal.**
- 8.16.260 Purpose—Enforcement.**

3. Be living on the property from which the nuisance is abated.

B. Applications for waiver of nuisance abatement costs shall be filed with the city manager on forms supplied by the city, within ten days after receipt of a notice of assessment. All information required to be given on such form shall be supplied and verified by the applicant. The maximum amount that may be waived under this section for any one parcel of real property or any one person shall be five hundred dollars per calendar year. (Ord. 1483 § 16, 2006). (Ord. No. 1535, § 1, 9-2-2008)

8.32.250 Vehicle impoundment—Transfer of title to the city.

Title to any impounded nuisance vehicle not reclaimed by the registered responsible person(s) or any lien holder within thirty days of the date of the report of an abandoned vehicle shall vest in the city. A change in the title may be obtained by the city pursuant to the authority of this chapter and the procedure established in state statutes to obtain a change in title. (Ord. 1483 § 17, 2006). (Ord. No. 1535, § 1, 9-2-2008)

8.32.260 Emergency abatement.

If any nuisance exists in such a condition so menacing to the public health, peace or safety that it is necessary that it be summarily abated, the city manager may proceed to abate the nuisance without notice or hearing. The determination of costs, notice of assessment and an appeal of charges for an emergency abatement shall be subject to the provisions of Section 8.32.230. (Ord. No. 1535, § 1, 9-2-2008)

8.32.270 Personal liability of owner.

The owner of the property on which a public nuisance was abated by the city shall be personally liable to the city for the reasonable costs incurred as a result of that abatement. (Ord. No. 1535, § 1, 9-2-2008)

8.32.280 Removal—Voluntary consent—Affidavit.

The author of a nuisance may voluntarily consent to its removal by the city. To give such con-

sent, all responsible persons of the property shall execute an affidavit acceptable to the city manager, stating that there are no other responsible person(s) of the property or lien holders having a security interest in the property; that the responsible person(s) waive the right to hearing under Section 8.32.210; that the responsible person(s) will reimburse the city for the actual costs of removal and administrative overhead attributable to removal; and that reimbursement will be made to the city within thirty days of removal. The affidavit shall contain an agreement by the responsible person(s) to indemnify the city for any loss, damage or expense alleged by any person as a result of removal or disposal. The affidavit shall release the city from any and all liability on account of the removal and disposal of a nuisance. (Ord. No. 1535, § 1, 9-2-2008)

8.32.290 Other methods of abating nuisances.

Nothing in this title shall be deemed to limit the use of other lawful methods of abating nuisances, including, but not limited to, taking action in district court. (Ord. No. 1535, § 1, 9-2-2008)

8.32.300 Severability.

If any section, subsection, sentence, clause, phrase or portion of the ordinance codified in this chapter is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance codified in this chapter. (Ord. No. 1535, § 1, 9-2-2008)

Chapter 8.36

HOTELS AND LODGINGHOUSES

Sections:

8.36.010 Compliance with chapter.

8.36.020 Screening and ventilation.

8.36.030 Cleanliness—Generally.

8.36.040 Water supply and sewage facilities.

8.36.050 Toilet, bath and lavatory facilities.

8.36.060 Garbage disposal.

8.36.070 Adequacy determined by board of health.

8.36.010 Compliance with chapter.

It is unlawful for any person to conduct in the city a tourist camp, tourist court, motel, hotel or commercial roominghouse and boardinghouse except in compliance with the provisions of this chapter. (Prior code § 19-36).

8.36.020 Screening and ventilation.

The owner or person legally in charge of any of

the businesses enumerated in Section 8.36.010 shall see that his premises are properly screened, ventilated and in all respects sanitary. (Prior code § 19-37).

8.36.030 Cleanliness—Generally.

A. It is unlawful for any person legally in charge of any buildings designated in Section 8.36.010, to permit or allow the beds, bedding, floors, roofs, ceilings or walls to become dirty, broken, foul or become or remain infested with bedbugs, cockroaches, injurious insects or rodents.

B. It is unlawful for any person, owner, lessee or person legally in charge of any business designated in Section 8.36.010 to permit the premises or surroundings to be littered with accumulations of garbage, rubbish, trash or wastes of any nature. (Prior code § 19-38).

8.36.040 Water supply and sewage facilities.

In all cases where any of the establishments designated in Section 8.36.010 provide their own water supply and sewage facilities, they shall be adequate, safe and sanitary in all respects. (Prior code § 19-39).

8.36.050 Toilet, bath and lavatory facilities.

All establishments designated in Section 8.36.010 shall provide their places with adequate, sanitary and convenient toilets, baths and lavatory facilities. (Prior code § 19-40).

8.36.060 Garbage disposal.

All establishments designated in Section 8.36.010 shall comply with all respects with the provisions of Chapter 8.16, pertaining to garbage disposal. (Prior code § 19-41).

8.36.070 Adequacy determined by board of health.

The board of health shall investigate and determine the necessary facilities required in all premises where camping or lodging in establishments designated in Section 8.36.010 is permitted, to the end that the same may be kept in good repair, in a sanitary condition,

free from infectious or contagious diseases and complies with the terms of this chapter and the rules and regulations of the board of health. The owner or caretaker shall report immediately to the board of health anyone having or suspected of having any infectious or contagious disease. (Prior code § 19-42).

Chapter 8.40

NOISE

Sections:

Article I. Noise Pollution—General

- 8.40.005** Noise from electronic devices prohibited.
- 8.40.010** Noise prohibited.
- 8.40.020** Classification—Measurement of noise.
- 8.40.030** Permissible noise levels.
- 8.40.040** Permissible increases.
- 8.40.050** Periodic, impulsive noises.
- 8.40.060** Construction projects.
- 8.40.070** Railroad rights-of-way.
- 8.40.080** Permit for relief.
- 8.40.090** Exception.
- 8.40.095** School-sponsored marching bands.

Article II. Noise Pollution—Vehicles

- 8.40.100** Vehicle noise limits.
- 8.40.110** Emergency vehicles excepted.
- 8.40.120** Modifications prohibited.
- 8.40.130** Motorcycles and off-highway vehicles—Scope.
- 8.40.140** Motorcycles and off-highway vehicles—Definitions.
- 8.40.150** Motorcycles and off-highway vehicles—Use.
- 8.40.160** Motorcycles and off-highway vehicles—Mufflers.
- 8.40.170** Motorcycles and off-highway vehicles—Other regulations.
- 8.40.180** Violation—Penalty.