

**ORDINANCE NO. 1 – 2001**

**TITLE 13, CHAPTER 1, SECTION 13-101**

**ORDINANCE REPEALING SECTIONS 13-101 THROUGH 13-109 OF CHAPTER 1, TITLE 13 OF THE CODE OF THE TOWN OF MOORCROFT, WYOMING 1979, AND ENACTING AS SECTION 13-101 A REPLACEMENT OF THERETO ENTITLED “JUNK AND JUNKED VEHICLES PROHIBITED-DEFINITIONS-EXCEPTIONS”; AND PROVIDING FOR AN EMERGENCY PASSAGE**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MOORCROFT, WYOMING, CROOK COUNTY, WYOMING, that:**

**SECTION 1:** The provisions of Sections 13-101 through 13-109 of Chapter 1, Title 13 of the Code of the Town of Moorcroft, Wyoming, 1979 shall be, and the same hereby repealed.

**SECTION 2:** Chapter 1 of Title 13 of the Code of the Town of Moorcroft, Wyoming, 1970 shall be and hereby is amended to include as Section 13-101 the following:

**“13-101 – STORAGE OF JUNK AND JUNKED VEHICLES PROHIBITED-DEFINITIONS-EXCEPTIONS-**

(a) For the purposes of this section, the following words and phrases shall have the following meanings:

(1) “Junk” includes any iron, glass, paper, rags, cordage, wood, machinery parts, cloth, manufactured item which by reason of partial or complete disassemble or dilapidation is unable to perform the function or purpose for which it was originally constructed, and any other waste or discarded material of any nature or substance whatsoever, and any scrap or salvage purposes. “Junk” does not include firewood in individually lengths which are stacked.

(2) “Junked vehicle” means any motor vehicle as defined below which is wrecked, junked, dismantled, partially dismantled, inoperative, abandoned or discarded; or is unable to perform the function or purpose for which is was originally constructed.

(3) “Motor vehicle” means any vehicle originally designed or constructed to be self-propelled, regardless of whether is contains an engine at any other time, including without limitation, automobiles, trucks, buses, motor homes, motorized campers, motorcycles, motor scooters, tractors, snowmobiles, dune buggies, and other off-road vehicles.

(4) “Person” includes an individual, partnership, corporation, limited liability company or any other entity or association, public or private.

(5) "Unsheltered" means located outside a garage or other building, wall or fence and visible to a person standing upon any public street, alley, sidewalk or right-of-way or to any person standing at ground level upon any adjoining property.

(b) It shall be unlawful for any person to store, or allow or permit the storage of, unsheltered junk and/or junked vehicles upon any real property within the town which that person owns, leases, rents, occupies and/or exercises control over; provided, however, that this section shall not apply to: (i) the storage of one junked vehicle provided that it is completely covered (except wheels) by a commercially manufactured car cover in good condition; (ii) the storage of a junked vehicle incident to a motor vehicle towing and/or repair business operated commercially for profit and in compliance with all applicable land and for a period not exceeding thirty days; and (iii) the storage of junked vehicles incident to a salvage yard business operated commercially for profit and in compliance with all applicable law, provided such business was in existence and duly licensed under the provisions of Wyoming Statute Section 31-13-114 on March 28, 2001 and remains so licensed at all times thereafter and only upon such property as said business was being conducted on March 28, 2001.

(c) Prior to the commencement of a criminal prosecution pursuant to this section, written notice of the violation shall be given by the town by mailing the notice to the violator(s) by first class United States mail addressed to the last known address of the violator(s), or by personal delivery of the notice to the violator(s), or by posting the notice in a conspicuous place on the real property upon which the junk and/or junked vehicles is stored. The violator(s) shall have thirty days from the date the notice is mailed, personally delivered or posted to comply with the provisions of this section. A violator(s) shall not be deemed to have complied with this section if the junk and/or junked vehicles, or any part thereof, is moved to other real property within the town and thereat stored not in compliance with section.

(d) Violation of this section constitutes a misdemeanor."

**SECTION 3:** It is hereby declared that an emergency exists, and that passage of this Ordinance is necessary to preserve the public health, peace, safety or welfare, and that the required three (3) public readings shall be suspended in accordance with Wyoming Statute Section 15-1-115, and that this Ordinance shall be in full force and effect after its passage and upon proclamation of the Mayor pursuant to Wyoming Statute Section 15-1-116.

**PASSED, APPROVED AND ADOPTED** this 28<sup>th</sup> day of March, 2001

TOWN OF MOORCROFT

s/ Barbara A. Jeffres