

SENATE FILE NO. SF0049

County zoning authority-private schools.

Sponsored by: Senator(s) Bebout, Agar, Boner, Coe, Dockstader, Driskill, Gierau, Hutchings, Kinskey, Perkins and Steinmetz and Representative(s) Burkhart, Clausen, Clem, Eklund, Greear, Hallinan, Lindholm, Miller, Northrup, Salazar and Western

A BILL

for

1 AN ACT relating to counties; exempting private schools from
2 county zoning authority as specified; and providing for an
3 effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 18-5-201 is amended to read:

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9 **18-5-201. Authority vested in board of county**
10 **commissioners; inapplicability of chapter to incorporated**
11 **cities and towns; mineral resources; private schools.**

12

1 (a) To promote the public health, safety, morals and
2 general welfare of the county, each board of county
3 commissioners may regulate and restrict the location and use
4 of buildings and structures and the use, condition of use or
5 occupancy of lands for residence, recreation, agriculture,
6 industry, commerce, public use and other purposes in the
7 unincorporated area of the county. However, nothing in W.S.
8 18-5-201 through 18-5-208 shall be construed to contravene
9 any zoning authority of any incorporated city or town. ~~and No~~
10 zoning resolution or plan shall prevent any use or occupancy
11 reasonably necessary to the extraction or production of the
12 mineral resources in or under any lands subject thereto. No
13 zoning resolution or plan shall regulate and restrict the
14 location and use of buildings and structures and the use,
15 condition of use or occupancy of a private school as defined
16 in W.S. 21-4-101(a)(iii) in any manner different from a public
17 school, provided that the private school:

18
19 (i) Is certified by the professional engineer or
20 architect of record for the private school as being
21 substantially similar to school facility commission
22 guidelines for education buildings and siting and is designed

1 to be constructed with appropriate materials, means and
2 methods;

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4 (ii) Has capacity for fifty (50) students or more;

5 and

6

7 (iii) Is owned and operated by a not for profit

8 Wyoming corporation.

9

10 **Section 2.** This act is effective July 1, 2019.

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(END)