

SENATE FILE NO. SF0027

County nuisance abatement authority.

Sponsored by: Senator(s) Ross and Representative(s)
Illoway

A BILL

for

1 AN ACT relating to counties; providing for regulation of
2 nuisances by counties; and providing for an effective date.

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

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6 **Section 1.** W.S. 18-2-101(a)(vii) and by creating a
7 new paragraph (viii) and 35-10-408 are amended to read:

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9 **18-2-101. General powers.**

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11 (a) Each organized county in the state is a body
12 corporate and politic. The powers of the county shall be
13 exercised by a board of county commissioners which may:

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15 (vi) Establish a surface water drainage system,
16 utilities and drainage management; ~~and~~ and

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(viii) Declare and abate nuisances through resolution. No person shall create, continue or permit nuisances to exist in violation of a resolution adopted by a board of county commissioners pursuant to this paragraph. Any resolution, passed by a board of county commissioners pursuant to this paragraph is enforceable, in addition to other remedies provided by law, by injunction, mandamus or abatement. Whoever violates a resolution passed pursuant to this paragraph shall be fined not more than seven hundred fifty dollars (\$750.00) for each offense.

35-10-408. Additional authority of counties, cities and towns to regulate nuisances.

(a) Nothing in this act ~~contained~~ shall be ~~so~~ construed as to prevent any city, town or village, incorporated under the laws of this state, or the proper corporate authority thereof, from passing or enforcing any ordinance, bylaw, regulation or rule, regulating, restraining, or prohibiting nuisances of any kind or character, or from enforcing any ordinance, bylaw, rule or regulation thereupon, already passed and in force.

1 (b) Nothing in this act shall be construed as to
2 prevent any county from passing or enforcing any resolution
3 regulating, restraining, or prohibiting nuisances of any
4 kind or character pursuant to W.S. 18-2-101(a)(viii), or
5 from enforcing any resolution already passed and in force.

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7 **Section 2.** This act is effective July 1, 2008.

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(END)