

HOUSE BILL NO. HB0085

Municipal jurisdiction-extraterritorial authority.

Sponsored by: Representative(s) Moniz, Baker, Burkhart,
Davison, Greear, Paxton and Semlek and
Senator(s) Case, Geis and Hicks

A BILL

for

1 AN ACT relating to municipalities; repealing
2 extraterritorial jurisdiction of ordinances; providing
3 conforming amendments; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 15-1-103(a)(xxviii), 15-1-401(a)(ii),
8 15-1-402(c)(i), 15-1-404(a)(ii)(A) and 15-1-405(b) are
9 amended to read:

10

11 **15-1-103. General powers of governing bodies.**

12

13 (a) The governing bodies of all cities and towns may:

14

15 (xxviii) Regulate or prevent the storage, use
16 and transportation of any combustible or explosive material

1 within the corporate limits; ~~or within a given distance~~
2 ~~thereof;~~

3
4 **15-1-401. Definitions.**

5
6 (a) As used in this article:

7
8 (ii) "Landowner" means the owner of real
9 property in the territory proposed to be annexed who in the
10 last calendar year was liable for a property tax thereon or
11 was exempt by law from the payment of taxes on the
12 property. Anyone having a right to purchase land under a
13 written contract is the owner of that land for annexation
14 purposes. For purposes of W.S. 15-1-402, 15-1-404 and
15 15-1-405 "landowner" shall include persons owning property
16 which, as a result of the proposed annexation would then be
17 brought within one-half (1/2) mile of the corporate limits
18 of a city; ~~which has exercised the authority granted under~~
19 ~~W.S. 15-3-202(b)(ii);~~

20
21 **15-1-402. Annexing territories; findings required;**
22 **when contiguity not deemed affected; annexation report.**

1 (c) An annexing municipality shall prepare a proposed
2 annexation report as specified in this subsection. The
3 report shall, at a minimum, contain:

4
5 (i) A map of the area proposed to be annexed
6 showing identifiable landmarks and boundaries and the area
7 which will, as a result of the annexation then be brought
8 within one-half (1/2) mile of the new corporate limits of
9 the city~~;~~~~, if it has exercised the authority granted under~~
10 ~~W.S. 15-3-202(b)(ii);~~

11
12 **15-1-404. Annexing territories; initiation of**
13 **proceedings; by governing bodies; determination.**

14
15 (a) The governing body of any city or town may
16 initiate proceedings to annex territory by the following
17 procedure:

18
19 (ii) The governing body shall:

20
21 (A) Cause to be prepared a legal
22 description, a listing of the current mailing address of
23 each landowner as shown in the records of the county
24 assessor and a map showing identifiable landmarks and

1 boundaries of the area considered for annexation and the
2 area which will, as a result of the annexation then be
3 brought within one-half (1/2) mile of the new corporate
4 limits of the city; ~~if it has exercised the authority~~
5 ~~granted under W.S. 15-3-202(b)(ii);~~

6
7 **15-1-405. Annexing territories; public hearing**
8 **required; notice thereof.**

9
10 (b) The clerk shall give notice of the public hearing
11 by publishing a notice at least twice in a newspaper of
12 general circulation in the territory sought to be annexed.
13 The first notice shall be given at least fifteen (15)
14 business days prior to the date of the public hearing. The
15 notice shall contain a location map which includes
16 identifiable landmarks and boundaries of the area sought to
17 be annexed and the area which will, as a result of the
18 annexation then be brought within one-half (1/2) mile of
19 the new corporate limits of the city; ~~if it has exercised~~
20 ~~the authority granted under W.S. 15-3-202(b)(ii).~~ The
21 notice shall include a summary of the proposed annexation
22 report prepared pursuant to W.S. 15-1-402(c). Upon written
23 request to the clerk of the annexing municipality, the

1 clerk shall provide a legal description of the area and the
2 names of the persons owning property within the area.

3

4 **Section 2.** W.S. 15-3-202 (b) is repealed.

5

6 **Section 3.** This act is effective July 1, 2013.

7

8 (END)