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Chapter 2.04GOVERNING BODYSections:

- 2.04.010 Regular meetings.
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- 2.04.030 Adjourned or recessed meetings.
- 2.04.040 Presiding officer.
- 2.04.050 Duties of clerk as to journal.

2.04.010 Regular meetings. Regular meetings of the governing body shall be held at the Municipal Town Hall on the second and fourth Tuesdays of each month at seven p.m.; provided, that in all instances that such day is observed as a legal holiday for municipal office, the regular meeting of the governing body shall be held on the following day. (Ord. 194, 1999: Ord. dated 5/9/89: Ord. dated 12/8/87: prior code §2-16)

2.04.020 Special meetings. Special meetings of the governing body may be called from time to time by a majority of qualified members of the governing body. The subject for the special meeting shall be submitted to the governing body in writing, and the disposition thereof entered upon the journal of the governing body by the clerk of the municipality. The action of the governing body at each special session shall be confined to the subject submitted in writing to the governing body. (Ord. 127, 1993: prior code §2-17)

2.04.030 Adjourned or recessed meetings. Adjourned or recessed meetings of the governing body may be held at such time as the governing body may determine. (Prior code §2-18)

2.04.040 Presiding officer. The mayor shall preside at all meetings of the governing body; provided, that in the absence of the mayor, the president of the council shall preside as the mayor pro tem. (Prior code §2-19)

2.04.050 Duties of clerk as to journal. It is the duty of the clerk of the municipality to keep the journal of the governing body. The clerk shall, within forty-eight hours after the adjournment of any regular or special meeting of the governing body, post a copy of the proceedings of such meetings for at least ten days in the town clerk's office and two other places as the governing body determines. Such copy shall include a listing of all bills presented to the governing body stating the amount of the bill, the amount allowed, what the bill was for and by whom claimed. In addition, the clerk shall be responsible for the safekeeping of such journal and providing for the exhibition of such journal to the public when so requested. (Ord. 175, 1996: prior code §2-20)

Chapter 2.08

TOWN OFFICERS GENERALLY

Sections:

- 2.08.010 Town officers and employees--Terms and salaries.
- 2.08.020 Town clerk--Duties.
- 2.08.030 Town treasurer--Duties.

2.08.010 Town officers and employees--Terms and salaries. The municipal officers of the town shall be a mayor and four council persons, who shall together form a town council, all of whom shall be elected or appointed when necessary. The employees and officers of the town are as follows, but not limited to, one clerk who shall be ex officio assessor and treasurer, one municipal judge, one marshal/police officer and one director of public works. All employees and officers of the town shall be appointed by the mayor, by and with the consent and advice of the remaining members of the town council. All appointed employees and officers of the town, excluding appointed council persons, shall be appointed for a term of one year.

All officers of the town, whether elected or appointed, shall be qualified as by law provided. All salaries and wages shall be established annually, in ordinance form, by town council. (Ord. 186, 1997: Ord. 126, 1993: prior code §2-4)

2.08.020 Town clerk--Duties. It is the duty of the town clerk to keep the corporate seal, papers and books belonging to the town, to attend the meetings of the town council, and to keep a journal of all their proceedings; also to keep a record of all ordinances passed by the town council, which journal and record, with the approval of the same shall be signed by the mayor and attested by the clerk; to issue licenses issued pursuant to ordinances providing for the same, upon the presentation of the receipt of the treasurer showing that the money therefor has been paid to the treasurer; to attest all warrants, bonds and licenses issued in pursuance to the orders and ordinances of the town council; to affix the corporate seal thereto; to keep an account in a suitable book, under appropriate heads, of all warrants drawn on the treasurer and an account of all licenses issued, showing the date and the amount thereof. (Prior code §2-5)

2.08.030 Town treasurer--Duties. The treasurer of Baggs shall so keep his accounts as to show when and from what sources all moneys paid to him have been derived and to whom and when such moneys or any part thereof have been paid out; his books, accounts and vouchers shall at all times be subject to examination by the town council or any elected of the town, and it is made the duty of the town council to examine the same at regular meetings of the council, or some day between the first and last Monday of March of each year and have settlement with the treasurer. (Prior code §2-6)

Chapter 2.12

OFFICIAL MEETINGS

Sections:

- 2.12.010 Meetings to be open to the public.
- 2.12.020 Executive sessions.
- 2.12.030 Disruption of meetings.

2.12.010 Meetings to be open to the public. A. All meetings of the governing body and all other boards, commissions and agencies of the municipality shall be open to the public at all times, except as provided in Sections 2.12.020 and 2.12.030. No action of such a body shall be taken except during a public meeting.

B. A member of the public shall not be required, as a condition of attendance at any meeting, to register his

name, to supply information, to complete a questionnaire, or fulfill any other condition precedent to his attendance except that a person seeking recognition may be required to give his name and affiliation. (Prior code §2-1)

2.12.020 Executive sessions. Executive sessions, not open to the public, of the governing body and all other boards, commissions and agencies of the municipality may be held:

A. With the prosecuting attorney, municipal attorney, chief of police or their respective deputies, or other officers of the law, on matters posing a threat to the security of public or private property or a threat to the public's right of access;

B. To consider the appointment, employment, right to practice or dismissal of a public officer, professional person or employee, or to hear complaints or charges brought against an employee, professional person or officer, unless the employee, professional person or officer requests a public hearing. The governing body may exclude from any public or private hearing during the examination of a witness, any or all other witnesses in the matter being investigated. Following the hearing or executive session, the governing body may deliberate on its decision in executive sessions;

C. On matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party;

D. When the agency is a licensing agency while preparing, administering or grading examinations;

E. To consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price;

F. To consider acceptance of gifts, donations and bequests which the donor has requested in writing be kept confidential;

G. To consider or receive any information classified as confidential by law;

H. To consider accepting or tendering offers concerning wages, salaries, benefits and terms of employment during all such negotiations. (Prior code §2-2)

2.12.030 Disruption of meetings. If any public meeting is wilfully disrupted by a person or group of persons so as to render the orderly conduct of the meeting unfeasible, and order cannot be restored by the removal of the person or persons who are wilfully interrupting the meeting, the removal of such person or group from the meeting room may be ordered and the meeting continued, or the meet-

ing may be recessed and reconvened at another location. Only matters appearing on the agenda may be acted upon in a meeting recessed to another location. Procedures for readmitting an individual or individuals not responsible for disturbing the conduct of a meeting shall be established by the body conducting such meeting. Duly accredited members of the press or other news media except those who participated in a disturbance shall be allowed to attend any meeting permitted by this section. (Prior code §2-3)

Chapter 2.16

TOWN MARSHAL AND POLICEMEN

Sections:

- 2.16.010 Town marshal established.
- 2.16.020 Town marshal--Powers and duties.
- 2.16.030 Town marshal terms of office--Compensation.
- 2.16.040 Bond for town marshal.
- 2.16.050 Deputy marshals--Terms and compensation.
- 2.16.060 Deputy marshals--Powers and duties.

2.16.010 Town marshal established. There is created the office of town marshal. The town marshal shall be appointed by the mayor with the consent of the town council. The town marshal is the chief of police. (Prior code §18-1)

2.16.020 Town marshal--Powers and duties. A. The marshal of the town shall possess the same powers and be subject to the same liabilities possessed and conferred by statute upon peace officers in executing the orders of the town council and enforcing the by-laws and ordinances of Baggs, Wyoming; he shall at all times have power to make and order arrests with proper process for any offense against the ordinances of the town, or the laws of the state of Wyoming, and bring the offender to trial before the proper officer and to arrest without process in all cases where such offense shall be committed or attempted on view. He shall be subject to removal from office as by law provided.

B. He will render a just and true account of any and all moneys which may come into his hands belonging to the town, and will pay the same over the treasurer of the town immediately upon its receipt. He shall deliver to his successor in office or to any person authorized by law or

the ordinances to receive the same, all books, papers, records and other things pertaining to his office, which belong to the town. (Ord. 142(part), 1993; prior code §18-3)

2.16.030 Town marshal terms of office--Compensation.
The marshal shall be appointed annually to a one-year term as outlined in Section 2.08.010 and shall be paid such compensation as is established annually by ordinance. (Ord. 142(part), 1993: prior code §18-6)

2.16.040 Bond for town marshal. Before entering upon the duties of his office, and within ten days after receiving notice of his appointment, the town marshal shall qualify by executing to the town a bond to be approved by the council in the sum of five thousand dollars, conditioned that he will truly, faithfully and fully perform the duties required of him by law, the provisions of the ordinances of the town, which now are or shall hereafter be ordained. (Prior code §18-5)

2.16.050 Deputy marshals--Terms and compensation.
Deputy marshals may be appointed by the mayor with the consent and advice of the remaining members of the town council, annually to a one-year term. Deputy marshals shall be paid compensation as is established annually by ordinance. (Ord. 141(part), 1993: prior code §18-2)

2.16.060 Deputy marshals--Powers and duties. The deputy marshals of Baggs shall have power to arrest all offenders against the laws of the state or the ordinances of the town, by day or by night, in the same manner as the marshal, and to transport them to the county jail or other place to prevent their escape until trial can be had before the proper officer. The deputy marshals shall be subject only to the orders of the mayor and town marshal. (Ord. 141(part), 1993: prior code §18-4)

Chapter 2.20

MUNICIPAL JUDGE

Sections:

- 2.20.010 Municipal judge established--Jurisdiction and term.
- 2.20.020 Municipal judge--Powers and duties.
- 2.20.030 Bond for municipal judge.
- 2.20.040 Compensation.

2.20.010 Municipal judge established--Jurisdiction and term. There is created the office of municipal judge within and for the town. He shall have jurisdiction over all infractions and violations of the ordinances of the town. The municipal judge shall be appointed annually to a one-year term by the mayor with the consent and advice of the town council. (Ord. 143(part), 1993; prior code §18-7)

2.20.020 Municipal judge--Powers and duties. A. The municipal judge shall keep a docket of all cases and proceedings in his court and shall hear and determine all suits, actions and prosecutions instituted in the municipal court before him, under and by virtue of the town ordinances. He shall pay all fines collected for the violation thereof to the town treasurer.

B. The municipal judge shall conduct the court and follow procedures as provided by law.

C. He will render a just and true account of all moneys belonging to the town which may come into his hands and pay the same over to the treasurer of the town immediately on its receipt. He shall deliver to his successor in office, or to any person authorized by law or the ordinances of the town to receive the same, all books, papers, records and other things pertaining to his office, which belong to the town.

D. The municipal judge shall access in all cases such costs as are provided by law to be charged by municipal judges in like cases. The costs collected shall be for the benefit of the town and shall be placed in the general fund.

E. At the first stated meeting in each month the municipal judge shall present to the town council a written report, giving a statement of the cases tried for offenses against the ordinances of the town and the fines and costs collected during the preceding calendar month. The report shall be accompanied by a receipt from the town treasurer for the amount of such fines and costs. (Ord. 143(part), 1993; prior code §18-8)

2.20.030 Bond for municipal judge. Before entering upon the duties of his office, and within ten days after receiving notice of appointment, the municipal judge shall qualify by executing to the town a bond, to be approved by the town council, in the sum of five hundred dollars, conditioned that he will truly, faithfully and fully perform the duties of the office of municipal judge, required of him by law and the provisions of the ordinances of this town, which now are or shall hereafter at any time be ordained. (Prior code §18-9)

2.20.040 Compensation. The municipal judge shall be paid such compensation as shall be agreed by the town council. (Prior code §18-10)

Chapter 2.24

FIRE DEPARTMENT

Sections:

- 2.24.010 Fire prevention generally.
- 2.24.020 Fire department created--Duties.
- 2.24.030 Obedience of members to superiors.
- 2.24.040 Police power of chief and members at fires.
- 2.24.050 Chief and assistant chief--Appointment--Term.
- 2.24.060 Chief and assistant chief--Powers and duties.
- 2.24.070 Renting or loaning of apparatus.
- 2.24.080 Interference with department's performance.

2.24.010 Fire prevention generally. A. The fire prevention code shall be enforced by the fire department of the town which is established and which shall be operated under the supervision of the chief of the fire department.

B. The chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary. The chief of the fire department shall recommend to the governing body the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause. (Prior code §9-12)

2.24.020 Fire department created--Duties. There is created the volunteer fire department of the town, which shall prevent and extinguish fires, educate the public in all matters pertaining to fires and fire prevention, care for all fire apparatus and other municipal property in its charge and perform such other duties as may be assigned to it by the governing body. The department shall be organized with the following officers and minimum staff: a chief, a first assistant chief, a second assistant chief, a secretary-treasurer, eight firemen, at least two of whom are capable of operating the pumptruck. (Prior code §9-20)

2.24.030 Obedience of members to superiors. Each officer and member of the town fire department shall obey without question the orders of his superior officers at all times while in the fire station or at or going to or returning from fires. (Prior code §9-21)

2.24.040 Police power of chief and members at fires.
 A. The chief of the town fire department and members acting under his order shall have full and complete police powers and authority within the fire station, at fires and proceeding to or returning from them in all matters pertaining to the fire department, and shall also have authority to make arrests for violations of any provision of this code or other town ordinances, the enforcement of which is under his jurisdiction. The chief of police and all members of the town police department shall be subject to his orders at fires and shall cooperate with him in the enforcement of such provisions of this code or other ordinances of the town.

B. The chief of the fire department may prescribe limits at fires within which no person shall be admitted except by his order. (Prior code §9-22)

2.24.050 Chief and assistant chief--Appointment--Term. The chief and assistant chief of the town fire department shall be appointed annually by the governing body. They shall be appointed to a one-year term. (Ord. 133(part), 1993: prior code §9-23)

2.24.060 Chief and assistant chief--Powers and duties. A. The chief of the town fire department shall be responsible for the discipline, good order and proper conduct of the whole town fire department, for the enforcement of all provisions of this code or other ordinances and regulations of the municipality pertaining thereto, and for the care and condition of the house, fire apparatus and all other property of the department or in its charge. He shall have command and control of all officers and members of the department and of all houses, fire apparatus and other property of the department or in its charge.

B. The chief of the fire department shall have control of all persons present at the fires, and shall have power, if need be, to summon all able-bodied persons present to aid in extinguishing any fire, in removing property from any burning and exposed building and in guarding the same. Any able-bodied person refusing to obey such summons shall be liable to the penalties provided in Section 1.16.010.

C. The chief of the town fire department shall keep or cause to be kept a complete record of the activities of the fire department and shall make a thorough investigation

of each fire and report to the governing body monthly, giving in detail, if available, the cause, location, time, owner, tenant, occupancy, type of building, insurance carried, insurance paid, building loss, contents and how extinguished, the apparatus used, firemen present, adequacy of water supply and pressure and any other information of value.

D. The chief of the fire department, immediately after assuming office and annually thereafter, shall make an inventory of all property owned by the town fire department or in its charge, noting the condition of each article, which shall be submitted to the governing body together with recommendations for the purchase of additional equipment needed and any other recommendations he may desire to submit affecting the town fire department.

E. The chief of the fire department shall inspect or cause to be inspected by members of the town fire department, annually or more often if needed, all fire hydrants and list those needing attention in his next report to the governing body.

F. The chief of the fire department shall maintain in the office of the clerk of the town an accurate list of the members of the fire department and shall report promptly any additions or withdrawals from the membership.

G. The chief of the fire department shall report immediately the loss of or damage to equipment and accidents involving members of the fire department in the performance of their duties to the governing body. (Ord. 133(part), 1993; prior code §9-24)

2.24.070 Renting or loaning of apparatus. No fire apparatus shall be let out for fire or loaned in any case without the consent of the chief of the fire department. (Ord. 192, 1998; prior code §9-26)

2.24.080 Interference with department's performance. No person shall interfere in any way with the fire department in the performance of its duties. (Prior code §9-29)

Chapter 2.28PLANNING COMMISSIONSections:

- 2.28.010 Composition--Appointment and compensation of members.
- 2.28.020 Appeal from commission decisions.
- 2.28.030 Commission's power beyond town boundaries.

2.28.010 Composition--Appointment and compensation of members. A. Three members shall constitute the membership of the planning commission who shall be appointed by the mayor with the concurrence of a majority of the council for staggered terms of three years' duration. The first members shall be appointed for one, two and three years respectively and thereafter their replacements shall be appointed for the full three years' term. Such members shall draw no compensation other than actual expenses incurred for commission business. The commission may adopt its own organizational rules and regulations, subject to the approval of the same by the governing body.

B. The commission may appoint employees and staff necessary for its work, and may contract with city planners and other consultants, including any appropriate agencies or departments of the state of Wyoming, for such service as it requires; provided, that the expenditures of the commission shall not exceed the amount of funds appropriated by the governing body or placed at its disposal through gifts, grants or otherwise which may be accepted by the commission on behalf of the town. (Prior code §2-24)

2.28.020 Appeal from commission decisions. Any action taken by such commission may be appealed by any aggrieved party within a reasonable time thereafter to the governing body of the town which may either affirm or reverse the commission's ruling and decision. The governing body's decision shall be final except any aggrieved person may appeal the governing body's decision to the district court of Carbon County where personal freedom or property rights are affected. (Prior code §2-25)

2.28.030 Commission's power beyond town boundaries. Planning work involving an area larger than the immediate boundaries of the town may be done by the commission through a member duly constituted as a representative working with similar representatives of other municipal, county or state agencies. Any plans so developed must be approved

and ratified by the town's commission and the governing body before becoming effective and binding. When the plan involves territory outside the town, action shall be taken with the concurrence of the board of county commissioners of the county of Carbon and the Carbon County planning commission or other similar agency of Carbon County, together with other municipal governing bodies concerned. All other procedures and actions of the commission shall be carried out and done as prescribed by the laws of the state of Wyoming. (Prior code §2-26)

Chapter 2.32

EMERGENCY MANAGEMENT ORGANIZATION

Sections:

- 2.32.010 Created.
- 2.32.020 Emergency operations center.
- 2.32.030 Emergency council--Succession of authority.
- 2.32.040 Declaration of emergency.
- 2.32.050 Emergency operations plan.
- 2.32.060 Emergency council--Responsibility.
- 2.32.070 Coordinator for council.
- 2.32.080 Coordinator--Powers and duties.
- 2.32.090 Receipt of donations.

2.32.010 Created. There is created the city emergency management organization which shall be governed by a council consisting of:

A. The mayor and city council members and city manager;

B. The chairman of the council shall be the mayor;

C. The vice-chairman shall be appointed by the mayor.

The council will become an integral part of the county emergency management council during a county-wide disaster. (Ord. 158(part), 1993: Ord. 77 §1, 1982)

2.32.020 Emergency operations center. The emergency operations center for Baggs shall be located at the local high school. (Ord. 158(part), 1993: Ord. 77 §6, 1982)

2.32.030 Emergency council--Succession of authority. The succession of authority within the Baggs emergency council will be:

A. Mayor;

B. Council president;

- C. Council member;
- D. Council member;
- E. Council member. (Ord. 158(part), 1993: Ord. 77 §7, 1982)

2.32.040 Declaration of emergency. The primary responsibility for initiating action at the time of an emergency or disaster rests with the elected government of the city. A declaration of emergency and subsequent assistant requests during or on account of an emergency or disaster in the city will be honored only when the emergency is declared by the chief elected official and/or emergency council. (Ord. 77 §2, 1982)

2.32.050 Emergency operations plan. The Baggs emergency council is empowered to prepare, review and recommend to the Carbon County/city emergency management council an emergency operations plan for Baggs. (Ord. 77 §3, 1982)

2.32.060 Emergency council--Responsibility. It is the duty of the emergency council to promulgate such rules and regulations necessary for the efficient management and operation of the city emergency management organization. (Ord. 77 §4, 1982)

2.32.070 Coordinator for council. The city emergency council shall recommend to the Governor of Wyoming a person to serve as coordinator for the council who shall serve at the pleasure of the council and the Governor. (Ord. 77 §8, 1982)

2.32.080 Coordinator--Powers and duties. The coordinator is empowered and directed:

- A. To prepare a local emergency operating plan for Baggs and assist in the development of a countywide emergency operations plan;
- B. To assist in the coordination of emergency responsibilities and functions of other departments, industry and citizens of Baggs;
- C. To execute directives and policies established by the emergency council;
- D. To coordinate training, planning, management and operational activities with the county emergency management department. (Ord. 77 §10, 1982)

2.32.090 Receipt of donations. The emergency council will, with the consent of the Governor, designate agent(s) to receive services, equipment, funds, etc., offered by federal/state grant or loan and other donors. (Ord. 77 §9, 1982)