**TOWN OF COKEVILLE
NUISANCE ORDINANCE NO. 25-05**

**Draft**

AN ORDINANCE REGULATING NUISANCES RELATED TO VEHICLES, PILED-UP GARBAGE OR MATERIALS, EXCESS MATERIALS AROUND PROPERTIES, AND DILAPIDATED BUILDINGS WITHIN THE TOWN OF COKEVILLE, WY

\*\*WHEREAS\*\*, the Town Council of Cokeville, Wyoming has determined that junk vehicles, accumulated garbage, excess materials, and dilapidated buildings pose significant threats to public health, safety, and welfare; and

\*\*WHEREAS\*\*, such conditions can reduce property values, create fire hazards, attract criminal activity, attract vermin, and detract from the overall aesthetic character of the town; and

\*\*WHEREAS\*\*, the Town Council seeks to establish clear standards and procedures for addressing these nuisances;

\*\*NOW, THEREFORE, BE IT ORDAINED\*\* by the Town Council of Cokeville, Wyoming:

**SECTION 1: PURPOSE**

The purpose of this ordinance is to protect public health, safety, and welfare by regulating the accumulation of junk vehicles, garbage, other materials, and dilapidated buildings that may pose hazards, create unsightly conditions, or negatively affect property values within the Town of Cokeville, WY.

**SECTION 2: DEFINITIONS**

For the purposes of this ordinance, the following definitions apply:

1. Nuisance – Any condition, object, or activity that is harmful to public health, safety, or general welfare, or that significantly interferes with the enjoyment of life or property.
2. Junk Vehicle – Any vehicle that is inoperable, unregistered, dismantled, abandoned, or left in a state of disrepair for more than 30 consecutive days.
3. Garbage – Any waste material, including but not limited to, household trash, food waste, discarded packaging, or any other refuse.
4. Excess Materials – Any accumulation of debris, scrap metal, wood, tires, construction materials, or any other items that are not in active use or stored in an orderly manner.
5. Property Owner – The person or entity that owns, leases, or is responsible for the maintenance of a property.
6. Visual Blight – The accumulation of junk, debris, dilapidated structures, or other unsightly conditions on a property that negatively affect the aesthetics of the surrounding area and reduce property values.
7. Fire Hazard – Any condition that increases the risk of fire, including but not limited to, overgrown vegetation, improperly stored flammable materials, excessive debris, or obstructed fire lanes.
8. Safety Risk – Any situation that poses a danger to individuals, including unstable structures, sharp or hazardous materials, obstructed sidewalks or pathways, or conditions that could lead to injury or accidents.
9. Dilapidated Building – Any structure that meets one or more of the following conditions:
\* Significant structural defects that render the building unsafe for occupancy

\* Deterioration of walls, foundations, floors, ceilings, roofs, or other structural components that create hazardous conditions
\* Inadequate weather protection, including broken windows, doors, or deteriorated roofing
\* Physical damage from fire, wind, water, or other causes that has not been repaired within 180 days
\*  Boarded windows or doors for more than 90 consecutive days
 \* Accumulation of debris, refuse, or other materials creating fire, health, or safety hazards
10. Owner – Any person, entity, corporation, or partnership with legal or equitable interest in the property.
11. Public Nuisance – Any condition that endangers public health, safety, or welfare, substantially interferes with the comfortable enjoyment of life and property, or depreciates the value of neighboring properties.

**SECTION 3: PROHIBITED CONDITIONS**

A. **Junk Vehicles**
1. No property owner or occupant shall allow the accumulation of junk vehicles on their property unless such vehicles are stored within a fully enclosed structure or in compliance with an approved zoning or business permit.
2. Any junk vehicle left on a property for more than 30 days may be subject to removal at the owner's expense.

B. **Accumulation of Garbage and Materials**
1. It shall be unlawful for any property owner or occupant to accumulate or allow the accumulation of garbage, waste, or discarded materials that create a public nuisance, health hazard, or attract vermin.
2. Garbage must be properly contained in designated waste bins and removed regularly in accordance with local waste collection schedules.

C. **Excess Materials Around Properties**
1. Properties shall not contain excessive piles of materials, including but not limited to scrap metal, wood, tires, or construction debris, unless they are part of an ongoing, permitted construction project.
2. All materials must be stored in an orderly manner or within an enclosed structure to prevent visual blight, fire hazards, or safety risks.

 D. **Dilapidated Buildings**
1. No owner shall maintain or permit to remain on their property any dilapidated building that constitutes a public nuisance.
2. No owner shall allow a vacant building to become dilapidated or remain in a dilapidated condition.

**SECTION 4: ENFORCEMENT PROCEDURES**
A. Inspection and Notice of Violation
1. The Town Building Inspector or designated official may inspect any property suspected of violating this ordinance.
2. Upon determination of a nuisance violation, the Town of Cokeville, WY shall issue a written notice to the property owner, specifying the violation and providing a period of 10-30 days to correct the issue.
3. For dilapidated buildings, notice shall specify violations, required corrective actions, and timeframe for compliance.
4. Notice shall be served personally or by certified mail to the owner's last known address.

B. Compliance Period
1. For general nuisance violations, owners shall comply within the timeframe specified in the notice, which shall not be less than 10 days nor more than 30 days from receipt of notice.
2. For dilapidated building violations, owners shall have 30 days from receipt of notice to submit a remediation plan.
3. Remediation plans for dilapidated buildings must include timeline for repairs not to exceed 180 days.
4. Town officials may grant extensions for good cause shown.

C. Failure to Comply
1. If the violation is not remedied within the specified time, the Town of Cokeville, WY may take further action, including fines, abatement measures, or legal proceedings.
2. The Town may remove junk vehicles, garbage, excess materials, or address dilapidated buildings at the owner's expense if compliance is not achieved.

**SECTION 5: APPEALS**
1. Property owners may appeal a violation notice in writing to the Town of Cokeville, WY within 30 days of issuance.
2. For dilapidated building violations, owners may appeal the determination within 15 days of receiving notice.
3. Appeals shall be reviewed by Town Council or designated board, and a decision shall be rendered within 30 days.
4. Council decisions shall be final.

**SECTION 6: REMEDIES AND PENALTIES**
A. Abatement
1. If owner fails to comply with notice, the Town may abate the nuisance.
2. Costs of abatement shall be assessed against the property.
3. Town may file a lien against the property for all costs incurred.

B. Penalties
1. A violation of this ordinance shall be classified as a misdemeanor.
2. Violators shall be subject to either:
   - A fine of up to $750 per offense, or
3. Additional penalties, including liens against the property, may be applied if the Town is required to perform cleanup or removal.

**SECTION 7: SEVERABILITY**
If any provision of this ordinance is found to be invalid, the remaining provisions shall remain in full force and effect.

**SECTION 8: EFFECTIVE DATE**
This ordinance shall take effect 30 days after passage and publication as required by law.

PASSED AND ADOPTED by the Town Council of TOWN OF COKEVILLE, WY on this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_.

Mayor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Town Clerk: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_