

Article 14-1

1979 REVISED ORDINANCES OF THE CITY OF ROCK SPRINGS, WYOMING

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14-101 Revised Ordinances.

That from and after the passage of this Ordinance and its due publication, to-wit:

- CHAPTER I, Articles 1-10, inclusive, entitled "Government Organization and Administration;"
- CHAPTER II, Article 1, entitled "Police Court;"
- CHAPTER III, Articles 1-5, inclusive, entitled "Morals and Conduct;"
- CHAFFER IV, Articles 1-9, inclusive, entitled "Health and General Welfare;"
- CHAPTER V, Articles 1-3, inclusive, entitled "Traffic Code;"
- CHAPTER VI, Articles 1-5, inclusive, entitled "Streets, Alleys

- CHAPTER VII, and Sidewalks;" Articles 1-5, inclusive, entitled "Building, Electrical, Gas, Plumbing and Sewer Codes Inspector;"
- CHAPTER VIII, Articles 1-3, inclusive, entitled "Police and Fire Department, Fire Regulations and Inspection;"
- CHAPTER IX, Articles 1 and 2, entitled Taxes;"
- CHAPTER X, Articles 1-5, inclusive, entitled "Issuance and Regulation of Licenses and Permits;"
- CHAFFER XI, Articles 1-7, inclusive, entitled "Franchises and Rights of Way;"
- CHAPTER XII, Article 1, entitled "Delinquent Assessments - Improvement Districts;"
- CHAPTER XIII, Article 1, entitled "Zoning;"
- CHAPTER XIV, Article 1, entitled "1979 Revised Ordinance of the City of Rock Springs, Wyoming;"
- CHAPTER XV, Articles 1-3, inclusive, entitled "Urban Renewal;"
- CHAPTER XVI, Articles 1-9, inclusive, entitled "Subdivision;"
- CHAPTER XVII, Articles entitled "New Ordinances;"

shall be and constitute the 1963 Revised Ordinances of the City of Rock Springs, Wyoming.
(Ord. No. 1612, 8-31-64, Rev. Ord. 1979).

14-102 Ordinances Included in Revision.

That all ordinances of a private, local and temporary nature, including franchises, grants, dedications, special levies for local

assessments, ordinances creating paving districts, bond issues, occupational tax ordinances, resolutions authorizing the signing of contracts and all other ordinances and resolutions which have to be passed yearly or periodically, shall not be included in this Revision, but shall remain in full force and effect, and the City Clerk is directed to have the original of said ordinances and resolutions available for inspection at all times. (Ord. No. 1612, 8-31-64).

14-103 Repeal of Existing Ordinances.

That all ordinances of a general nature in force and which are not included in Section 14-101, or which are not herein expressly continued in force by Section 14-102, are hereby repealed. (Ord. No. 1612, 8-31-64).

14-104 Effect of Repealing Ordinances.

That the repeal of ordinances, as provided in Section 14-103, shall not affect any act done or any right accruing or any suit or proceeding had or commenced in any civil or criminal cause before the said repeal, but all rights and liabilities under said ordinances shall continue and be in force in the same manner as if said repeal had not been made, and all offenses committed and all penalties and forfeitures incurred under any ordinance hereby repealed may be prosecuted and punished in the same manner and with the same effect as if said repeal had not been made; and that the repeal of any ordinance shall not thereby have the effect of reviving any ordinance theretofore repealed or superseded. (Ord. No. 1612, 8-31-64).

14-105 Rules for Construction of Ordinances and Amendments.

That in the construction of the 1963 Revised Ordinances and all ordinances amendatory thereof or supplementary thereto, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of the

legislative body or repugnant to the context of the ordinance.

The singular number includes the plural.

Words used in the present tense include the future.

Words used in the masculine gender comprehend, as will, the feminine and neuter.

The word "person" includes bodies politic and corporate partnerships, associations and corporations.

The word "writing" includes printing, writing and typewriting.

The word "signature" includes any name, mark or sign written with the intent to authenticate any instrument or writing.

The word "month" means a calendar month unless otherwise expressed, and the word "year" or the abbreviation "A.D." is equivalent to the expression "Year of Our Lord."

The word "oath" includes "affirmation" and the word "swear" includes the word "affirm." Every mode of oral statement under oath or affirmation is embraced in the term "testify" and every written one in the term "depose."

The word "Property" includes both real and personal property.

The terms "land," "real estate," and "real property" include lands, tenements, hereditaments, water rights, possessory rights, and claims.

The term "personal property" includes every description of money, goods, chattels, effects, evidence of rights in action, and all written instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged, or diminished, and every right or interest therein.

The word "street" includes alleys, lanes, courts, boulevards, public ways, public squares, public places and sidewalks.

When any time is specified in these Ordinances, it shall mean standard time, as distinguished from solar time, and the words "midnight" or "noon" shall be taken to be

midnight or noon standard time. The word "owner" applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.

The word "tenant" or "occupant" applied to a building or land shall include any person who occupies the whole or any part of such building or land either alone or with others.

Words prohibiting anything being done, except in accordance with a license or permit or authority from a board or officers, shall be construed as giving such board or officer power to license or permit or authorize such thing to be done.

The word "officer" shall include officers and boards in charge of departments and the members of such boards.

The term "wilfully," when applied to the intent with which an act is done or omitted, implies simply a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate law, or to injure another, or to acquire any advantage.

The terms "neglect," "negligence," "negligent" and "negligently" impart a want of such attention to the nature or probable consequences of the act or omission as a prudent man ordinarily bestows in acting in his own concern.

The term "knowingly" imparts only a knowledge that the facts exist which bring the act or omission within the provisions of these Ordinances. It does not require any knowledge of the unlawfulness of such act or omission. (Ord. No. 1612, 8-31-64).

14-106 Intent to Defraud.

That whenever by any of the provisions of the 1963 Revised Ordinances, an intent to defraud is required in order to constitute any offense, it is sufficient if an intent appears to defraud any person, association or body politic or corporate whatever. (Ord. No. 1612, 8-31-64).

14-107 Liability of Employers and Agents to Penalty for Violation of Ordinances.

That when the provisions of an Ordinance

prohibit the commission or omission of an act, not only the person actually doing the prohibited thing or omitting the directed act, but also the employer and all other persons concerned or aiding or abetting therein, shall be guilty of the offense described and liable to the penalty prescribed for the offense. (Ord. No. 1612, 8-31-64).

14-108 To What Acts Penalty Shall Attach.

That any person who shall commit any act declared by any Ordinance of the City of Rock Springs to be unlawful, or any act which is forbidden by an Ordinance, or who fails to perform any act or discharge any obligation or duty required by or imposed upon him by any ordinance shall be deemed guilty of violating such Ordinance, and shall be subject to the penalty fixed for the violation of any City Ordinance with like effect as if such penalty were specifically declared in the section or provision of the Ordinance forbidding such act or declaring the same to be unlawful or prescribing the duty or imposing the obligation, and where any duty is prescribed or obligation imposed, or where any act is of a continuing nature is forbidden or declared to be unlawful, each day such duty or obligation remains unperformed or such act continues, shall constitute a separate offense except where otherwise provided in these Ordinances. (Ord. No. 1612, 8-31-64).

14-109 General Penalty.

That any person who shall violate any Ordinance or any provision of any Ordinance of the City of Rock Springs shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not more than One Hundred (\$100.00) Dollars, to which may be added the costs at the discretion of the Court; and in default of the payment of such fine and costs, be confined in the City jail at the rate of one day for each One Dollar and Fifty cents (\$1.50) of the fine and costs so imposed, and while so confined, may be required to work on any street, alley or other public work of this City for the benefit of

this City. (Ord. No. 1612, 8-31-64).

14-110 Titles of Sections and Subsections Not Restricted.

That the title of any section or subsection of these ordinances shall be deemed to in no way restrict or qualify or to limit the effect of the provisions set forth and contained in such section or subsection. (Ord. No. 1612, 8-31-64).

14-111 Constitutionality; Effect of.

That should any section, subsection, or portion of these 1963 Revised Ordinances, or of any Ordinance which may be hereafter passed, approved and published, as required by law, be declared by any court of competent jurisdiction to be unconstitutional or void, such adjudication shall in no way effect the remaining portion of such section, subsection, part or portion of these 1963 Revised Ordinances or of any such Ordinance hereafter passed, approved and published. (Ord. No. 1612, 8-31-64).