

Title 1

GENERAL PROVISIONS

Chapters:

<u>1.01</u>	<u>Code Adoption</u>
<u>1.04</u>	<u>General Provisions</u>
<u>1.08</u>	<u>Town Seal</u>
<u>1.12</u>	<u>Annexations</u>
<u>1.16</u>	<u>General Penalty</u>

Chapter 1.01

CODE ADOPTION

Sections:

- 1.01.010 Adoption.
- 1.01.020 Title--Citation--Reference.
- 1.01.030 Reference applies to all amendments.
- 1.01.040 Title, chapter and section headings.
- 1.01.050 Reference to specific ordinances.
- 1.01.060 Ordinances passed prior to adoption of the code.
- 1.01.070 Effect of code on past actions and obligations.
- 1.01.080 Constitutionality.

1.01.010 Adoption. There is adopted the "Baggs Municipal Code," as compiled, edited and published by Book Publishing Company, Seattle, Washington. (Ord. 164 (part), 1994)

1.01.020 Title--Citation--Reference. This code shall be known as the "Baggs Municipal Code" and it shall be sufficient to refer to said code as the "Baggs Municipal Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the Baggs Municipal Code. Further reference may be had to the titles, chapters, sections and subsections of the Baggs Municipal Code and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code. (Ord. 164 (part), 1994)

1.01.030 Reference applies to all amendments. Whenever a reference is made to this code as the Baggs Municipal Code or to any portion thereof, or to any ordinance of the town of Baggs, Wyoming, codified herein, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. 164 (part), 1994)

1.01.040 Title, chapter and section headings. Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof. (Ord. 164 (part), 1994)

1.01.050 Reference to specific ordinances. The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code. (Ord. 164 (part), 1994)

1.01.060 Ordinances passed prior to adoption of the code. The last ordinance included in this code was Ordinance 162, passed September 14, 1993. The following ordinance, passed subsequent to Ordinance 162, but prior to adoption of this code, is adopted and made a part of this code: Ordinance 163. (Ord. 164 (part), 1994)

1.01.070 Effect of code on past actions and obligations. The adoption of this code does not affect prosecutions for ordinance violations committed prior to the effective date of this code, does not waive any fee or penalty due and unpaid on the effective date of this code, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirement of any ordinance. (Ord. 164 (part), 1994)

1.01.080 Constitutionality. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. (Ord. 164 (part), 1994)

Chapter 1.04GENERAL PROVISIONSSections:

- 1.04.010 Title for citation.
- 1.04.020 Definitions and rules of construction.
- 1.04.030 Catchlines and headings.
- 1.04.040 Amendment or repeal of code provisions.
- 1.04.050 Repeal of repealers.
- 1.04.060 Numbering of ordinances.
- 1.04.070 Franchises.
- 1.04.080 Town bonds.
- 1.04.090 Severability of parts of code.

1.04.010 Title for citation. The ordinances embraced in this chapter and the following chapters and sections shall constitute and be designated as "The Code of the Town of Baggs" and may be so cited. (Prior code §1-1)

1.04.020 Definitions and rules of construction. In the construction of this code and of all ordinances of the municipality, the following definitions and rules of construction shall be observed, unless they are inconsistent with the manifest intent of the governing body or the context clearly requires otherwise:

**Administrative Official.** The term "administrative official" means the board, commission, committee, officer, agent or employee of the municipality charged by the governing body with the administration, enforcement or both the administration and enforcement of the particular provisions of this code in which the term is used.

**Computation of Time.** The time within which an act is to be done shall be computed by excluding the first and including the last day unless the last day is a Saturday, a Sunday or a legal holiday, in which case the period shall run until the end of the next day which is not a Saturday, a Sunday or a legal holiday.

**County.** The word "county" means the county, in the state of Wyoming, in which the municipality is located.

**Gender.** Words importing the masculine gender include the feminine and neuter.

**Governing Body.** The term "governing body" means the elected legislative body of the municipality.

**In the Municipality; In the Corporate Limits of the Municipality.** The words "in the municipality" or "in the corporate limits of the municipality" mean and include any

territory within the corporate limits of the municipality, the police jurisdiction thereof and any other territory over which regulatory powers has been conferred on the municipality by general or special act.

Joint Authority. All words giving a joint authority to three or more persons shall be construed as giving such authority to a majority of such persons.

Month. The word "month" means a calendar month.

Municipality. The word "municipality" means the city or town enacting the section in which the word "municipality" is used.

Number. Words used in the singular include the plural and words used in the plural include the singular.

Oath. The word "oath" includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" are equivalent to the words "affirm" and "affirmed."

Owner. The word "owner," when applied to a building or land, includes not only the owner of the whole but also any part owner, joint owner, tenant in common or joint tenant of the whole or a part of such building or land and includes any agent of such owner, and where such owner is a body corporate, it includes the managing agent or officer within the municipality.

Person. The word "person" includes a firm, partnership, association of persons, corporation, organization or any other group acting as a unit, as well as an individual.

Personal Property. The term "personal property" includes every species of property, except real property.

Preceding; Following. The words "preceding" and "following" mean next before and next after, respectively.

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

Real Property. The term "real property" includes lands, tenements and hereditaments.

Shall; May. The word "shall" is mandatory, and the word "may" is permissive.

Sidewalk. The word "sidewalk" means any portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

State. The word "state" means the state of Wyoming.

State Law. References to "state law" means the Wyoming Statutes of 1977, as amended.

Street. The word "street" means and includes public streets, avenues, boulevards, highways, roads, alleys, lanes, viaducts, bridges and the approaches thereto and all other public thoroughfares in the municipality.

Tenant; Occupant. The words "tenant" and "occupant," when applied to a building or land, mean any person who occupies the whole or a part of such building or land, whether alone or with others.

Tense. Words used in the past or present tense include the future as well as the past and present.

Written; In Writing. The words "written" or "in writing" include printing, lithographing or other modes of representing words and letters; provided, that, in all cases where the written signature of a person is required, the proper handwriting of such person, or his mark, shall be required.

Year. The word "year" means a calendar year. (Ord. 125, 1993: prior code §1-2)

1.04.030 Catchlines and headings. The catchlines of the sections and the headings of chapters, articles, divisions and subdivisions of this code are intended as mere catchwords to indicate the contents of the sections, chapters, articles, divisions and subdivisions and shall not be deemed or taken to be titles of such sections, chapters, articles, divisions and subdivisions nor as any part of any section, nor unless expressly so provided, shall they be so deemed when any section, chapter, article, division or subdivision including its catchline or heading, is amended or reenacted. (Prior code §1-3)

1.04.040 Amendment or repeal of code provisions. The amendment or repeal of existing provisions of this code or the insertion of additional provisions in this code shall be done in the following manner:

A. Ordinances amending existing sections shall designate, by section number, the sections which are affected and set out in full the new language of each such section.

B. Ordinances repealing existing sections shall designate, by section number, the sections which are repealed.

C. Ordinances adding sections to the code shall designate where such sections are to be inserted.

1. Sections which should be placed between existing sections shall be numbered as illustrated in the following example: An ordinance adding a section which should logically fall between Sections 3.12.010 and 3.12.020 would be numbered 3.12.015.

2. Ordinances adding new material not presently covered by a chapter heading in the code shall be inserted in alphabetical order between existing chapters based on the subject matter of the ordinance. The new chapter shall be numbered as illustrated in the following example: An ordinance adding a new chapter which should be inserted between existing Chapters 2.20 and 2.24 would be numbered 2.22 with the individual sections of such chapter being numbered 2.22.010, et seq.

3. Nothing in subsection C of this section shall be interpreted as prohibiting the rearrangement of such additional materials by the official codifier of the municipality's ordinances in order to insure the proper codification of such ordinances. (Prior code §2-21)

1.04.050 Repeal of repealers. The repeal of an ordinance which repeals a former ordinance or provision of this code shall not revive the former ordinance or provision of this code unless expressly so provided. (Prior code §2-22)

1.04.060 Numbering of ordinances. Each ordinance passed by the governing body shall be systematically identified by a number assigned to such ordinance pursuant to a systematic numbering system adopted by the governing body. The numbering system so adopted shall reflect the sequence of adoption of all the municipality's ordinances from the implementation of such numbering system and shall assign a particular number to only one ordinance. (Prior code §2-23)

1.04.070 Franchises. A. At least one copy of each ordinance granting a franchise from the town shall be kept on file in the office of the town clerk. The copy shall remain on file during the period of the franchise agreement. At least one copy of each ordinance amending or modifying the franchise shall be kept with the copy of the franchise.

B. Each franchise granted by the town is incorporated in this section as fully as if set out at length herein and the provisions thereof shall be controlling within the town during the period of the franchise agreement. (Prior code §8-1)

1.04.080 Town bonds. A. At least one copy of each ordinance providing for submission to the people for a vote on the question of issuing town bonds and each ordinance providing for the issuance of town bonds shall be kept on file in the office of the town clerk. The copy shall remain on file during the period of bond indebtedness.

B. Each ordinance providing for submission to the people for a vote on the question of issuing town bonds and each ordinance providing for the issuance of town bonds is incorporated in this section as fully as if set out at length herein and the provisions thereof shall be controlling within the town during the period of bond indebtedness. (Prior code §23-1)

1.04.090 Severability of parts of code. If for any reason any part, section, subsection, sentence, clause or phrase of this code, or the application thereof to any person or circumstance, is declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this code. (Prior code §1-4)

## Chapter 1.08

### TOWN SEAL

#### Sections:

1.08.010 Town seal.

1.08.010 Town seal. The town seal shall be affixed to all vouchers, licenses, contract, deeds, resolutions, ordinances, minutes of the governing body and all other papers which are signed by the mayor and attested by the town clerk. (Prior code §1-7)

## Chapter 1.12

### ANNEXATIONS

#### Sections:

1.12.010 Title for citation.  
 1.12.020 Administration.  
 1.12.030 Authorization.  
 1.12.040 Purpose.  
 1.12.050 Chapter provisions supplemental.  
 1.12.060 Compliance.  
 1.12.070 Fees.  
 1.12.080 Procedure.  
 1.12.090 Conditions of approval.  
 1.12.100 Specifications for annexation plat.  
 1.12.110 Annexations and subdivisions on file.  
 1.12.120 De-annexation of properties.

1.12.010 Title for citation. This chapter shall be known and may be cited as "Baggs Annexation Ordinance." (Ord. 85 §1(a), 1982)

1.12.020 Administration. This chapter shall be administered by the city council or its designated representative. (Ord. 85 §1(b), 1982)

1.12.030 Authorization. Authorization for this annexation ordinance is contained in Title 15, Cities and Towns, W.S. 15-1-401 through 15-1-420. (Ord. 160, 1993: Ord. 85 §1(c), 1982)

1.12.040 Purpose. The purpose of this chapter is to promote the public health, safety and general welfare of the community. The overall objective of this chapter is to consider land annexations as part of a plan for the orderly, efficient and economical development of the land within the town's jurisdiction. The following provisions shall guide the city council in formulating their decision concerning annexation:

A. That the annexation of the area is for the protection of the health, safety and welfare of persons residing in the town;

B. That the urban development of the area sought to be annexed would constitute a natural, geographical, economical and social part of the town;

C. That the area sought to be annexed is a logical and feasible addition to the town and that the extension of basic services such as water and sewer systems, police and fire protection, and other services customarily available to the residents of the town can be reasonably furnished to the area proposed to be annexed;

D. That the area sought to be annexed is contiguous with or adjacent to the existing corporate limits of the town. (Ord. 85 §1(d), 1982)

1.12.050 Chapter provisions supplemental. This chapter supplements all other laws, regulations, ordinances or resolutions. The more restrictive requirements shall apply where they are at variance with other laws, regulations, ordinances or resolutions. (Ord. 85 §1(e), 1982)

1.12.060 Compliance. The petitioner for annexation shall comply with all reasonable conditions laid down by the town council for design, dedication, improvement and restrictive use of land, so as to conform to the physical and economical development of the town and to the safety and general welfare of the future plot owners within the annexed area and of the community at large. (Ord. 85 §1(g), 1982)

1.12.070 Fees. To effect and facilitate the proper administration of this chapter and the annexation of properties to the town, the petitioner shall, at the time of submission of this petition to the town clerk, file therewith amounts as determined by the town council from time to

time sufficient to cover the costs incurred in administering, filing and recording any documents necessary for the annexation of properties into the town. Any fees so established shall be done by resolution passed by the council of the town. (Ord. 85 §1(h), 1982)

1.12.080 Procedure. A. Compliance With State Law and Chapter. Any proceeding for annexation of eligible territory to the town shall be subject to the provisions of this chapter and in compliance with the laws of the state of Wyoming.

B. Preliminary Conference. Prior to or in conjunction with the filing of a petition for annexation as required herein, the prospective petitioner shall arrange for a preliminary conference with the planning commission in order to facilitate planning and subsequent review of the petition for annexation by the town council.

C. Petition for Annexation. Formal proceedings for the annexation of eligible territory to the town shall be initiated by filing a written petition for annexation and two copies thereof with the clerk of the town, who shall immediately mark the date and time of receipt thereof and forward such petition to the town planning commission for review and recommendations thereon prior to submission to the town council. Forms for petitions for annexation may be obtained from the town clerk. The petition for annexation shall consist of and contain at a minimum the following:

1. The petition shall be signed and dated by the petitioner and land owners of a majority of the area sought to be annexed;
2. A legal description of the area sought to be annexed;
3. A request that the described territory be annexed;
4. A statement and proof thereof that each signer is an owner of land and the description of his land within the area proposed to be annexed;
5. A map in the form of an annexation plat as hereinafter provided showing all areas to be annexed;
6. A letter setting out the desired zoning and specifically describing each tract or parcel of land and its proposed zoning.

D. Review of Petition. The planning commission shall review the petition for annexation to determine if it is in compliance with the requirements set forth in subsection C of this section. If the petition is found to be in compliance, the planning commission shall immediately draw up a resolution to that effect and forward it to the town council for action. If the petition is not in compliance as

required, the petitioner shall be notified by the planning commission, in writing, of its deficiencies and that no further action will be taken on the petition until it is in compliance. If the petitioner disputes the planning commission's decision as provided for herein, the petitioner may present the petition directly to the town council for action thereon.

E. Hearing on Petition. As part of the resolution presented to the town council as provided above, there shall be established, when required by law, a date, time and place when a public hearing will be held to hear any objections to the proposed annexation and to determine if the land sought to be annexed meets the conditions and requirements stated in Section 1.12.040. The hearing shall be conducted by the town council and be not less than thirty days nor more than one hundred twenty days after the effective date of the resolution. Notice of public hearing shall be given by publishing a notice at least twice in a newspaper of general circulation in the territory sought to be annexed with the first notice given at least thirty days prior to the date of the hearing by mailing a copy of the published notice to the property owner in the proposed area to be annexed. The notice shall contain a legal description of the area and the names of persons owning property within the area sought to be annexed.

F. Annexation Ordinance. Upon finding that the conditions as required herein exist and all other requirements imposed have been met, the town council shall adopt a resolution to that effect and proceed to annex the proposed area by ordinance. If the annexation should be disapproved by the town council, the reasons for such disapproval shall be stated in writing and shall be forwarded to the petitioner.

G. Agreement to Accompany Ordinance. In conjunction with the annexation by ordinance by the town council of the proposed area, the petitioner, in cooperating with the planning commission, shall execute an agreement drafted by the town attorney and the planning commission which shall set forth the conditions of annexation together with the services agreed to be provided by the town council, for their review and execution upon final passage of the annexation ordinance covering the proposed lands. (Ord. 85 §2, 1982)

1.12.090 Conditions of approval. A. Right-of-Way Dedication. Whenever appropriate for the purpose of implementing the master plan of the town or for the purpose of extending existing rights-of-way, the town council may require the dedication of rights-of-way and/or easements through all or portions of the lands to be annexed.

B. Offsite Improvements. Where appropriate, the town council may require the petitioner to construct, at his/her own expense, such offsite improvements which may be reasonably required to serve the annexing properties in order to provide adequate and efficient transportation, water, sewage and other public facilities in order to avoid excessive expenditures of public funds for the supply of such facilities. Such improvements may include, but are not limited to the following:

1. Sanitary sewer lines to, through and adjacent to the annexing property;
2. Water line extensions to, through and adjacent to the annexing property;
3. Street improvements through and adjacent to the annexing property;
4. Storm drainage improvements and facilities within and adjacent to the annexing property.

C. Payment. When appropriate, the town council may require as a condition of annexation, payment for a reasonable fair share of the cost of existing public facilities which have been installed to, through or adjacent to the annexing property. Such public facilities may include, but not be limited to, sanitary sewers, water mains, street improvements or storm drainage facilities.

D. Public Land Donation. When appropriate, the town council may require that a portion or portions of the annexing properties be reserved for future parks and/or recreational sites, school sites or open spaces.

E. Assurances for Completion of Improvements. All improvements which may be required by the town council as a condition of annexation shall be sufficiently guaranteed in writing. A performance bond or other form of assurance acceptable to the town council and the town attorney in accord with the requirements for the same as provided in the Baggs Subdivision Ordinances shall be provided by the petitioner prior to final approval of the proposed annexation by the town council. (Ord. 85 §3, 1982)

1.12.100 Specifications for annexation plat. A. Plat Size, Materials and Map. The annexation plat shall be accurately and legibly prepared in black, waterproof ink upon one or more sheets of polyester film measuring twenty-four inches by thirty-six inches. A marginal line shall be drawn completely around each sheet leaving an entirely blank margin of two inches on the left side and one-half inch on all other sides. All signatures shall be in black, waterproof ink. The scale of the map shall be a maximum of one hundred feet to an inch unless otherwise authorized by the town council.

B. Contents. The following items shall be included on the annexation plat:

1. Name of the annexation, date, label "Annexation Plat," written and graphic scale, north arrow. The title of the annexation plat shall contain a subtitle which indicates the quarter section, section, township and range in which the annexation is located;

2. An accurate and complete boundary survey shall be made of the land to be annexed. A traverse of the exterior boundaries of the lands to be annexed when computed from field measurements on the ground, must close within a limit of one foot to ten thousand feet of perimeter. The boundary of the annexation shall be clearly indicated on the plat. All lines shown on the plat which do not constitute a part of the annexation shall be dashed;

3. The annexation plat shall show all survey and mathematical information and data necessary to locate all monuments and to locate and retrace any and all interior and exterior boundary lines appearing thereon including bearings and distances and deflection for all circular curves. Where, under unusual circumstances, curves other than circular are used, the plat must indicate type of curve and pertinent data;

4. All rights-of-way or parcels required to be dedicated for any purpose shall be particularly delineated and designated with all dimensions, boundaries, and courses shown clearly and defined in every case. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every parcel which is a part thereof. The area of each parcel shall be shown with an accuracy of one to one hundred (1:100);

5. The annexation plat shall show fully and describe clearly what stakes, monuments and/or evidence which were used to determine the boundaries of the legal description of the annexation were found on the ground. The final plat shall also show fully and clearly each adjacent corner of each adjoining subdivision or portion thereof, by lot and block numbers, tract names or number, and place of record; or by section, township and range; or by other proper designation. The location of all monuments placed in making the survey and, if any points were reset by ties, that information shall be stated. Affixed securely to the top of each such monument established shall be the Wyoming registration number of the land surveyor responsible for the establishment of the monument. These monuments shall be set at all angle points, and at the beginning, end and points of change of direction or change of radius of any curved boundaries. To ensure accurate resurveys and future

adjacent platting, ties to at least two section corners and/or quarter section corners shall be shown on the annexation plat;

6. The annexation plat shall contain a certificate signed and acknowledged by all parties having any record title interest in the land being annexed consenting to the annexation of the subject properties;

7. A certificate, signed and acknowledged as above, offering for dedication all parcels of land shown on the annexation plat and intended for public dedication, whenever such dedications are required as a condition of the annexation;

8. A certificate shall be signed by a registered land surveyor in the state of Wyoming, stating that he is responsible for the survey and that the plat accurately depicts the lands being annexed and the survey. A statement by the land surveyor explaining how bearings were determined shall be included on the plat. The signature of such surveyor shall be accompanied by his registration number;

9. Certificate for execution by each of the following:

- a. Town attorney,
- b. Town engineer or designated representative,
- c. Mayor,
- d. Town clerk,
- e. Planning commission chairman;

10. Legal description of the lands being annexed and reflecting the boundary survey and including the section, township and range. The method of description shall be by use of the standard land measurement term and/or by use of metes and bounds except in cases of previously subdivided land, the subdivision, block, tract and/or lot shall also be described. A complete legal description is also required of all the property being annexed, shown by reference to maps or deeds of the property shown thereon, as shall have been previously recorded or filed. Each reference to such description, to any tract or subdivision, shall be spelled and worded identically with the original record thereof, and must show book and page reference to the record of the county. The description shall also include reference to any vacated area with the book and page number of the instrument of vacation, and any expected tract shall be described as in the original instrument.

C. Subdivision Annexation. When a petition for annexation includes only lands being subdivided or resubdivided, the annexation plat shall consist of the approved subdivision plat and shall conform to all the requirements set forth in the Baggs subdivision regulations. The

more restrictive or strict requirements shall apply where there is a variance between this chapter and the Subdivision Ordinance. (Ord. 85 §4, 1982)

1.12.110 Annexations and subdivisions on file. A.

At least one copy of each ordinance providing for annexation to the town shall be kept on file in the office of the town clerk. At least one copy of all maps of the annexed area and all agreements entered into by and with the town concerning the annexed area shall be kept with the copy of the ordinance.

B. Each ordinance annexing an area to the town is incorporated in this section as fully as if set out at length herein and the provisions thereof shall be controlling. (Prior code §22-1)

1.12.120 De-annexation of properties. A.

The owners of any land within a city or town may petition the governing body of the city or town to have their land or a portion of its de-annexed and the boundaries of the city or town redrawn so their land is outside the city or town boundaries. The governing body of the city or town may by ordinance provide for this de-annexation and redrawing of boundaries provided that:

1. The owners of all the land to be de-annexed either sign the petition for de-annexation or consent to the de-annexation within one hundred twenty days of the final passage of the de-annexation ordinance and before its effective date. The passage of the ordinance shall serve as the consent of the city or town for any land owned by the city or town within the area to be de-annexed;

2. The ordinance is adopted within one hundred twenty days of the receipt of the de-annexation petition and within one hundred eighty days of the landowner's signature of the petition, unless a further consent of all the landowners is obtained after the adoption of the ordinance and before it is effective; and

3. If the de-annexation causes land within the city or town boundaries to no longer be contiguous with the rest of the city or town, the de-annexation ordinance may be adopted only with the consent of all the owners of the land to be isolated by the de-annexation.

B. If the city or town owns any rights-of-way, easements, street or other property or improvements within the area to be de-annexed it may:

1. Vacate or abandon them;

2. Transfer them to the county government with the consent of the county commissioners;

3. Agree to transfer them to another city or town upon completion of the annexation or all or part of the de-annexed land to that other city or town;

4. Retain ownership of them.

C. The area de-annexed shall remain liable for any assessments incurred or levied while it was within the city or town boundaries and for all mill levies necessary to repay any indebtedness that was outstanding at any time the property was within the city or town boundaries. Neither the de-annexation nor subsequent annexation to or incorporation as another city shall increase or decrease these liabilities. (Ord. 122, 1993)

Chapter 1.16

GENERAL PENALTY

Sections:

1.16.010 General penalty--Remedies generally.

1.16.020 Actions for penalties or fines.

1.16.010 General penalty--Remedies generally. A.

Whenever in this code or in any ordinance, resolution or regulation promulgated by any officer or agency of the municipality under authority vested in him by law or ordinance, any act is prohibited or is declared to be unlawful or an offense or a misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance, resolution or regulation shall be punished by a fine of not more than seven hundred fifty dollars; provided, that the imposition of any such fine shall not bar institution of appropriate legal actions or proceedings by the municipality to restrain, correct or abate the violation nor shall the institution of such legal actions or proceedings be deemed a bar to the imposition of such fine.

B. Except as otherwise provided, each day any violation of this code or any such ordinance, resolution or regulation continues shall constitute a separate offense. (Ord. 123 §1(part), 1993; Ord. dated 2/12/92; prior code §1-5)

1.16.020 Actions for penalties or fines. A. To be Brought in Corporate Name. All actions brought to recover any penalty or fine shall be brought in the corporate name of the municipality.

B. Disposition of Recoveries. The recoveries, when collected, shall be paid into the treasury of the municipality. (Prior code §1-6)