

TITLE 1

GENERAL PROVISION

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- 1-5 Code Adoption
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CHAPTER 5

CODE ADOPTION

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1-5-100. Adoption. Pursuant to the provisions of W.S. § 15-1-103(a)(xxxviii), there is hereby adopted the "Big Piney Municipal Code," consisting of all the regulatory and penal ordinances and certain other administrative ordinances of the Town of Big Piney, Wyoming, as compiled, edited and published by the Town Attorney. (Ord. 98-23, §1, 1999; Ord. 117, 1978; Ord. 101, §1-101, 1972; Ord. 64, 1959)

1-5-110. Repeal of Existing Ordinances. All ordinances not included in this codification are hereby repealed, subject to the exceptions in Section 1-5-120. (Ord. 98-23, §2, 1999; Ord. 117, §1-102, 1978; Ord. 101, §1-102, 1972; Ord. 64, §1-102, 1959)

1-5-120. Effect of General Repeal. The codified ordinances shall not affect any right which has accrued, any duty imposed, any penalty incurred, any tenure of office of any person holding office at the time the Big Piney Municipal Code take effect, or any action or proceeding commenced under or by virtue of the ordinance repealed. Any ordinances heretofore in force, such as are of a private, local or temporary nature including grants, dedications, bond issues, or special levies for local assessments do not come within the scope of the repeal clause contained in Section 1-5-110. (Ord. 98-23, §3, 1999; Ord. 117, §1-103, 1978; Ord. 101, §1-103, 1972; Ord. 64, §1-103, 1959)

1-5-130. Title, Citation, Reference. This code shall be known as the "Big Piney Municipal Code" and it shall be sufficient to refer to said code as the Big Piney Municipal Code" in any prosecution for the violation of any provision thereof or in any proceeding at

law or in 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 Big Piney Municipal Code. Further reference may be had to the titles, chapters, sections, and subsections of the Big Piney Municipal Code and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code. (Ord. 98-23, §4, 1999)

1-5-140. Reference Applies to All Amendments. Whenever a reference is made to the Big Piney Municipal Code or to any portion thereof, or to any ordinance of the Town of Big Piney, Wyoming, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. 98-23, §5, 1999)

1-5-150. Reference to Specific Ordinances. The provisions of The Big Piney Municipal 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 The Big Piney Municipal Code. (Ord. 98-23, §7, 1999)

1-5-160. Effective Date. The Big Piney Municipal Code shall be come effective on the effective date of the adoption of this code as the "Big Piney Municipal Code." (Ord. 98-23, §8, 1999; Ord. 117, §1-106, 1978; Ord. 101, §1-106, 1972)

TITLE 1

GENERAL PROVISION

CHAPTER 10

ORDINANCES

Sections:

1-10-100	Construction of Ordinances
1-10-110	When Rules of Construction Shall Not Apply
1-10-120	Penalty, Where Not Otherwise Provided
1-10-130	Title, Chapter and Section Headings
1-10-140	Evidence in Court
1-10-150	Severability

1-10-100. Construction of Ordinances. In the construction of all ordinances of the Town of Big Piney, Wyoming, the following rules shall be observed, unless such construction would be inconsistent with the manifest intent of the ordinance.

(a) All words and phrases shall be construed and understood according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

(b) Every word in any ordinance importing the masculine gender shall extend to and be applied to females as well as males, and every word importing the singular number only shall extend and be applied to several persons or things as well as to one person or thing, and every word importing the plural number only shall extend and be applied to one person or thing as well as to several persons or things.

(c) The word "person" shall extend and be applied to firms, corporations, or voluntary associations, as well as to individuals, unless plainly is applicable.

(d) The use of any verb in the present tense shall include the future when applicable.

(e) When an ordinance requires an act to be done which may by law as well be done by an agent as by the principal, such requisition shall be construed to include all such acts when done by an authorized agent. (Ord. 117, §1-104, 1978; Ord. 101, §1-104, 1972; Ord. 64, §1-104, 1959)

1-10-110. When Rules of Construction Shall Not Apply. The rules of construction set forth in Section 1-10-100 shall not be applied to any ordinance which shall contain any express provision excluding such construction, or when the subject matter or context of such ordinance may be repugnant thereto. (Ord. 117, §1-105, 1978; Ord. 101, §1-105, 1972)

1-10-120. Penalty, Where Not Otherwise Provided.

(a) Any person convicted of a violation of the following ordinances may be fined in a sum not to exceed \$750.00 to which may be added costs, or imprisonment for a period not to exceed six (6) months, or both; to-wit:

Section 6-5-100	Disorderly Conduct
Section 6-5-130	Larceny
Section 6-5-150	Receiving and Concealing Stolen Property
Section 6-5-170	Vandalism
Section 6-5-240	Defrauding an Innkeeper
Section 6-10-100	Carrying Concealed Weapons
Section 6-10-170	False Alarm or Report
Section 6-10-190	Assisting In Escape
Section 6-15-100	Prostitution
Section 6-15-130	Gambling
Section 6-20-150	Contributing to the Delinquency of a Minor
Section 6-30-170	Controlled Substances

(b) Any person convicted of a violation of any misdemeanor of the Town of Big Piney, other than set forth in sub-section (a) above, may be fined in a sum not to exceed \$750.00 to which may be added costs. This does not apply where a specific penalty provision is included in an ordinance. (Ord. 89-5, 1989; Ord. 85-H-5, 1985; Ord. 117, §1-107, 1978; Ord. 101, §1-107, §6-126, 1972; Ord. 85, §6-155, 1967)

1-10-130. Title, Chapter and Section Headings. Title, chapter and section headings contained in the Big Piney Municipal Code 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 of the Big Piney Municipal Code. (Ord. 98-23, §6, 1999)

1-10-140. Evidence In Court: The Big Piney Municipal Code together with any subsequent revisions added in compliance with the provisions of this chapter, shall be received in all actions and proceedings as prima fascia evidence of the ordinances of Big Piney of a permanent nature in force and effect as of the date of each clerk's certificate. (Ord. 117, §1-110, 1978; Ord. 101, §1-110, 1972)

1-10-150. Severability. If any section, subsection, sentence, clause or phrase of The Big Piney Municipal Code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of The Big Piney Municipal Code. The Town Council hereby declares that it would have passed The Big Piney Municipal Code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional; and if for any reason The Big Piney Municipal Code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

(Ord. 98-23, §9, 1999; Ord. 117, §1-108, 1978; Ord. 101, §1-108, 1972)