**2-2-108 NUISANCE**

a. Purpose and Applicability

The purpose of this regulation is to promote and encourage the maintenance of properties within Laramie County and to protect and provide for the highest level of health, safety and welfare of County citizens. This regulation shall not regulate any permitted industrial facility or oil and gas or mining operations necessary to the extraction, production or exploration of the mineral resources, nor shall this regulation be construed to impair or modify any rights afforded to farm or ranch operations pursuant to the Wyoming Right to Farm and Ranch Act. A farm or ranch operation shall not be found to be a public or private nuisance by reason of that operation if that farm or ranch operation:

i. Conforms to generally accepted agricultural management practices; and,

ii. Existed before a change in the land use adjacent to the farm or ranch land and the farm or ranch operation would not have been a nuisance before the change in land use or occupancy occurred (§11-44-103).

b. General

i. A site, property, tract, lot, building grounds, area or other property may be declared a nuisance by the Board of Laramie County Commissioners in conformance with Wyoming State Statute §18-2-115 et seq. if a nuisance as listed in this article exists on said site, property, tract, lot, building grounds, area or other property.

ii. The Board of Laramie County Commissioners authorizes and designates the Director of Public Works or designee to investigate and determine the existence of a nuisance and to issue orders on behalf of the Commissioners declaring a property a nuisance in conformance with Wyoming State Statute §18-2-101(a)(viii)

c. Procedures and Process

iii. All investigations will be made by the Laramie County Planning and Development Office for determination of validity and compliance with this and other pertinent regulations. State and local agencies with specific expertise shall be consulted by Laramie County as appropriate as part of the investigation.

iv. If in the course of an investigation a nuisance is found, the property owner shall be notified, except as described below, by certified mail within ten (10) days of determination that the County is declaring a nuisance and that an order may be issued to the owner in conformance with §18-2-115 within fourteen (14) days of the certified mailing date.

v. If a nuisance is determined to be an immediate threat to the health, safety and welfare of the citizens of Laramie County, the County shall immediately issue an order in conformance with §18-2-115 without prior notice as described above.

vi. A reasonable time frame to abate said nuisance as determined by Laramie County in consultation with the property owner shall be provided in any order.

vii. The following may be declared a nuisance by the Board of Laramie County Commissioners:

(A) Failure to keep material, debris, waste, refuse or garbage properly contained;

(B) Failure to maintain a structure designed and built for human habitation so as to avoid health, life safety and welfare hazards as determined by the Chief Building Official;

(C) The outside, unscreened storage or keeping of four or more inoperable and/or unregistered vehicles within the regulatory areas of Laramie County;

(D) The outside, unscreened storage or keeping of any inoperable and/or unregistered vehicle within the zoned area of Laramie County, except as permitted by the regulations of a specific zone district;

(E) The unscreened and/or unlicensed accumulation of materials, debris, waste recyclables, or other scrap or junk material;

(F) The active or passive discharge into the environment of toxic or noxious materials in such concentrations as to endanger the public health from a primary property or source;

(G) The active or passive discharge of effluent from any cesspool, septic tank, drain field or sewage disposal system upon the surface of the ground from a primary property or source;

(H) The active or passive contamination of any well, cistern, stream, lake, groundwater, or other body of water by sewage, waste or other materials or substances from a primary property or source;

(I) Accumulation of manure from domestic animals and fowl that are handled, stored or disposed of in a manner that creates a health hazard;

(J) Accumulation of decayed or decaying matter, trash, rubbish, garbage or any substance which is demonstrated and determined to be a health hazard;

(K) Storage, use or disposal of hazardous material, in such quantity or manner that creates a public health hazard;

L) Any condition or situation which renders a structure designed and constructed for human habitation or any part thereof unsanitary, unhealthy or unfit for human habitation, occupancy or use, or renders any property unsanitary or unhealthy;

(M) Failure to comply with any law or rule regarding sanitation and health.

d. Violations

Violations of the foregoing provisions may be enforced through any method authorized for enforcement of this regulation, through the provisions of W.S. § 18-2-115 et seq., through injunction, mandamus or other form of judicial action and any other applicable method under law including, but not limited to, criminal citations. The selection of one remedy for enforcement shall not prohibit the implementation of any other remedies available under law. All remedies available may be used individually or cumulatively.