

WYOPASS RECOMMENDED CHANGES TO EXTRATERRITORIAL JURISDICTION LEGISLATION (18LSO-054 Working Draft)

I. STRIKE SECTION 1 ENTIRELY FROM PROPOSAL

Section 1. W.S. ~~16-13-101~~ is created to read:
CHAPTER ~~13~~

~~16-13-101. Extraterritorial jurisdiction; authorization.~~

etc.

II. STRIKE AMENDMENTS TO W.S. 15-3-202 FROM SECTION 2—which would mean existing language about County nullification that was adopted a few years ago would be retained.

Section 2. W.S. ~~15-3-202(b)(intro) and (ii)~~, 15-9-103(a)(ii) and 34-12-103 are amended to read:

~~15-3-202. Jurisdiction beyond corporate limits; exception.~~

etc.

III. USE THE FOLLOWING LANGUAGE FOR THE PROPOSED AMENDMENTS TO W.S. 15-9-103(a)(ii)

15-9-103. Definitions.

(a) As used in this chapter, unless a different meaning is clearly indicated by the context:

(i) "Agency" or "urban renewal agency" means a public agency created by W.S. 15-9-134;

(ii) "Area of operation" means the area within the corporate limits of the municipality and; ~~the area within five (5) miles of those limits, except that it does not include any area which lies within the territorial boundaries of another incorporated city or town unless a resolution has been adopted by the governing body of the other city or town declaring a need therefor;~~

(A) Any area which lies within the territorial boundaries of another incorporated city or town if a resolution has been adopted by the governing body of the other city or town consenting to the inclusion.

(B) Any unincorporated area within five (5) miles of the corporate limits of a municipality if a resolution has been adopted by the Board of County Commissioners of that county consenting to the inclusion.

IV. USE THE FOLLOWING LANGUAGE FOR AMENDMENTS TO W.S. 34-12-103:

34-12-103. Contents of plat; acknowledgment; approval by county commissioners or governing body of cities or towns; filing and recording.

- (a) Every ~~such~~ plat shall contain a statement to the effect that "the above or foregoing subdivision of (here insert a correct description of the land or parcel subdivided) as appears on this plat, is with the free consent, and in accordance with the desires of the undersigned owners and proprietors", which shall be signed by the owners and proprietors, and shall be duly acknowledged before some officer authorized to take the acknowledgement of deeds. The plat shall meet the approval of the board of county commissioners if it is of land situated without the boundaries of any city or town or by the governing body of the city or town if situated within the boundaries of such city or town. ~~When thus executed, acknowledged and approved, said plat shall be filed for record and recorded in the office of the clerk of the proper county; provided, however, that any such plat of land adjacent to any incorporated city or town, or within one (1) mile of the boundaries of any such city or town, shall be jointly approved by both the board of county commissioners of said county and the governing body of said city or town before same shall be filed and recorded in the office of the county clerk as aforesaid.~~
- (b) In addition to compliance with applicable regulations of the reviewing jurisdiction(s), plat approval shall require the following criteria to be met in the affirmative:
- i. Consistency with any applicable city or county land use plans;
 - ii. Conformity to any adopted major street plan of the city, town or county;
 - iii. Dedicated public right-of-way for all streets, roads and alleys located within an incorporated town or city or within one-mile of an incorporated town or city;
 - iv. Easements for all existing and proposed utilities; and
 - v. Any additional criteria the governing body of the city or town and the board of county commissioners of the county agree to through a jointly adopted plan or agreement.
- (c) Notwithstanding the requirement for joint approval of a plat, the board of county commissioners may, by affirmative vote of at least three-fourths of the commission, nullify any city or town decision or requirement pertaining to a plat of property within one mile of a city or town. If a decision or requirement of a city or town has been thus nullified, the decision of the county commission shall control as to the plat decision or requirement and written findings shall be provided to the governing body

- of the city or town prior to said plat being filed for record and recorded in the office of the clerk of the proper county.
- (d) When thus executed, acknowledged and approved, said plat shall be filed for record and recorded in the office of the clerk of the proper county.