

ORDINANCE 2020-06

AN ORDINANCE RELATING TO THE ANNEXATION TO THE CITY OF CODY, WYOMING OF LANDS OWNED BY RONALD AND KELLY HUNT LOCATED AT 137 BELFRY HIGHWAY

WHEREAS, notice of a public hearing to consider the annexation and zoning of the subject property was published in the Cody Enterprise on March 26 and April 2, 2020, and mailed to owners of properties within 140 feet of the subject property on March 16, 2020, as required;

WHEREAS, the Cody Planning and Zoning Board reviewed the annexation and accompanying zoning request at their April 14, 2020 regular meeting and recommend approval as requested;

WHEREAS, the City of Cody does not exercise authority granted under Wyoming Statue 15-3-202(b)(ii);

WHEREAS, a public hearing was held on April 21, 2020 before the City Council at their regular meeting, as advertised, at which meeting the City Council heard comments from all persons wishing to speak for or against the proposed ordinance;

WHEREAS, the Cody City Council makes the following findings in accordance with Section 402(a) of Article 4 of Chapter 1 of Title 15, Wyoming Statutes, for the reasons noted in the agenda summary:

- (i) An annexation of the area is for the protection of the health, safety and welfare of the persons residing in the area and in the city or town;
- (ii) The urban development of the area sought to be annexed would constitute a natural, geographical, economical and social part of the annexing city or town;
- (iii) The area sought to be annexed is a logical and feasible addition to the annexing city or town and the extension of basic and other services customarily available to residents of the city or town shall, within reason, be available to the area proposed to be annexed (Making note that no utility services are needed or proposed for the annexed land);
- (iv) The area sought to be annexed is contiguous with or adjacent to the annexing city or town, or the area meets the requirements of W.S. 15-1-407;
- (v) If the city or town does not own or operate its own electric utility, its governing body is prepared to issue one (1) or more franchises as necessary to serve the annexed area pursuant to W.S. 15-1-410 (Not Applicable); and,
- (vi) The annexing city or town, not less than twenty (20) business days prior to the public hearing required by W.S. 15-1-405(a), has sent by certified mail to all landowners and affected public utilities within the territory a summary of the proposed annexation report as required under subsection (c) of this section and notice of the time, date and location of the public hearing required by W.S. 15-1-405(a).

WHEREAS, the Cody City Council has thoroughly reviewed the matter and deems that it is in the best interest of the public and the City of Cody to approve the proposed ordinance;

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, WYOMING:

Section 1. The following described territory is hereby annexed to the City of Cody, Wyoming:

That property described in Exhibit A, as attached, and as found in the deed filed April 12, 2019 in Book 2019, Page 1651, records of Park County, WY.

Section 2. The territory described in Section 1 of this ordinance is hereby made a part of Ward Number 3 of the City of Cody, Wyoming.

Section 3. The survey map of the annexation shall be provided pursuant to W.S. 15-1-413, and shall be filed pursuant to said statute.

This ordinance shall become effective after final passage and publication in the Cody Enterprise.

PASSED ON FIRST READING
PASSED ON SECOND READING
PASSED ON THIRD READING

May 19, 2020
June 2, 2020
June 9, 2020

Matt Hall, Mayor

Attest:

Cynthia Baker, Administrative Services Director