

SENATE FILE NO. SF0049

County zoning authority-private schools.

Sponsored by: Senator(s) Bebout, Agar, Boner, Coe, Driskill
and Steinmetz and Representative(s) Clausen,
Greear, Hallinan, Lindholm, Miller and Salazar

A BILL

for

1 AN ACT relating to counties; exempting private schools from
2 county zoning authority as specified; and providing for an
3 effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 18-5-201 is amended to read:

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9 **18-5-201. Authority vested in board of county**
10 **commissioners; inapplicability of chapter to incorporated**
11 **cities and towns; mineral resources; private schools.**

12

13 **(a)** To promote the public health, safety, morals and
14 general welfare of the county, each board of county
15 commissioners may regulate and restrict the location and use

1 of buildings and structures and the use, condition of use or
2 occupancy of lands for residence, recreation, agriculture,
3 industry, commerce, public use and other purposes in the
4 unincorporated area of the county. However, nothing in W.S.
5 18-5-201 through 18-5-208 shall be construed to contravene
6 any zoning authority of any incorporated city or town. ~~and No~~
7 zoning resolution or plan shall prevent any use or occupancy
8 reasonably necessary to the extraction or production of the
9 mineral resources in or under any lands subject thereto. ~~No~~
10 zoning resolution or plan shall restrict the location, use or
11 occupancy of a private school as defined in W.S.
12 21-4-101(a)(iii) provided that the private school:

13

14 (i) Is sited on one (1) contiguous property of
15 thirty-five (35) acres or more; and

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17 (ii) Has capacity for fifty (50) students or more.

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19 **Section 2.** This act is effective July 1, 2019.

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(END)