

ORDINANCE 736

AN ORDINANCE OF THE TOWN OF PINEDALE, STATE OF WYOMING CREATING ARTICLE V OF CHAPTER 160 RELATING TO BUSINESS LICENSES.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PINEDALE, WYOMING, THAT ARTICLE V OF CHAPTER 160 OF THE PINEDALE MUNICIPAL CODE IS HEREBY CREATED TO READ AS FOLLOWS:

Chapter 160 Business licenses.

§ 160-27. Purpose.

Pursuant to the authority granted by Wyoming Statute § 15-1-103, and in furtherance of the powers and obligation of the Town of Pinedale to promote the health, safety and general welfare of its citizens, this article is enacted to regulate and license the transacting of business within the Town. It is the intent and purpose of this article to:

- A. Promote consumer protection to the citizens of Pinedale from unethical, unsafe, or illegal business practices;
- B. Support the development and success of businesses within Pinedale and the resulting employment opportunities and expanding tax base;
- C. Promote the public health, safety, and welfare in connection with the operation of businesses within Pinedale;
- D. Provide reasonable oversight of business activities to address safety, location, or potential adverse impacts consistent with Town and state law; and
- E. Establish a licensing framework intended solely to recover reasonable administrative costs associated with business registration, compliance verification, and enforcement, and not for general revenue generation.~~that helps offset the administrative costs of business oversight and related municipal purposes.~~

§ 160-28. License required.

- A. Before any person shall engage in transacting business within the Town of Pinedale, they shall apply for and obtain a business license pursuant to this article.
- B. The Town Clerk shall maintain and publish on the town's website a public register of all licensed businesses within the Town.
- C. Exemptions from the licensing requirement shall include, but are not limited to, charitable or nonprofit activities, short-term or seasonal events permitted by the Town, casual or incidental sales, and governmental entities. Additional exemptions may be granted by the Town Council by resolution when the Council determines that (1) the activity is short-term, low-risk, or primarily

charitable in nature; and (2) the administrative cost of licensing would exceed any public benefit gained.

- D. The Town may require a license from any entity conducting business on a temporary or itinerant basis within Town limits, regardless of where the principal place of business is located. Itinerant merchants or local pop-up vendors operating independently of a Town-approved event shall obtain an itinerant merchant ~~a one-day license permit~~ under §160-35(E).
- E. This article shall not apply to businesses conducted exclusively online that have no physical presence within the Town, do not perform services locally, do not deliver goods locally by business-owned vehicles or personnel (delivery by common carrier or the U.S. Postal Service alone shall not constitute local delivery), do not solicit customers in person within the Town, and do not otherwise require Town permits, inspections, or on-site services.

§ 160-29. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BUSINESS – Any trade, profession, occupation, enterprise, or activity carried on for profit within the Town limits, including those conducted from a fixed place of business or through itinerant or mobile means. The term does not include businesses conducted exclusively online with no physical presence, no local performance of services, no delivery by business-owned vehicles or personnel (delivery by common carrier or the U.S. Postal Service alone shall not constitute local delivery), no in-person solicitation, and no material use of Town infrastructure or services. ~~Businesses conducted exclusively online with no physical presence, delivery into, or in-person solicitation within the Town are not included.~~

BUSINESS LICENSE – A license issued by the Town of Pinedale granting legal authorization for the operation of a business within Town limits, subject to compliance with all applicable laws, ordinances, and regulations.

LICENSEE - The individual, partnership, corporation, limited liability company, trust, or other legal entity to whom a business license has been issued.

LOW-IMPACT HOME-BASED BUSINESS – A business operated from a residence that generates no on-site customer traffic, no signage, no hazardous materials, no commercial deliveries beyond standard mail or parcel service, and no noise, traffic, or safety impacts beyond normal residential use.

NON-RESIDENT CONTRACTOR/SUPPLIER - Any person, business, or entity with a principal place of business outside of Pinedale that engages in business activity, contracting, or supplying of goods or services within the Town or the Town's municipal airport. (Non-resident means a principal place of business outside the Town of Pinedale, whether in or out of Wyoming.)

§ 160-29.1. Locally Regulated or Unregulated Activities.

- A. Any business that engages in activities or sells products subject to regulation or restriction under federal or State of Wyoming law — including but not limited to gaming, wagering, vaping, CBD or hemp-derived products, and other activities where no specific state or federal licensing framework provides oversight — shall disclose such activity or products in its business license application.

- B. The applicant shall provide proof of all required state and federal licenses or authorizations prior to commencing operation within the Town.
- C. Failure to maintain required licenses or to comply with applicable state or federal regulations shall constitute grounds for suspension or revocation of the Town business license.
- D. Businesses proposing to conduct any gaming, wagering, or amusement device operation regulated under W.S. § 6-7-101 et seq. or W.S. § 9-24-101 et seq. or otherwise subject to the Town's gaming and amusement-device ordinances, shall provide documentation of state authorization and location approval prior to license issuance.

§ 160-30. Application procedure.

- A. Persons requiring a business license shall apply to the Town Clerk on a form approved by the Town Council. Applications must be signed by the owner, operator, or person primarily responsible for the business. Low-impact home-based businesses are subject to this article but shall be eligible for a simplified application and shall not be required to provide insurance unless otherwise required under subsection (B)(7).
- B. Applications shall include, at a minimum:
 - (1) Name and contact information of the owner or responsible party;
 - (2) Description of the nature and scope of the business;
 - (3) Location of the business, if fixed;
 - ~~(34)~~ Wyoming sales/use tax identification number, if applicable;
 - ~~(45)~~ Proof of registration with the Wyoming Secretary of State, where required;
 - ~~(56)~~ Evidence of required professional or trade licenses; and
 - ~~(67)~~ Proof of insurance shall be required only where such insurance is already required under Town code, permit conditions, or applicable state or federal law for the type of business activity proposed, including but not limited to construction, contracting, food service, public-facing operations, or regulated activities. No insurance shall be required for low-impact home-based businesses or other businesses presenting no material risk to the public unless otherwise required by law.
 - ~~(8)~~ Any other information reasonably necessary to verify compliance with this article or other applicable Town, state, or federal licensing or permitting requirements; provided, however, that such requests shall not be used to impose insurance, bonding, or disclosure requirements beyond those expressly authorized by this article or other adopted ordinances. Any other information as may be reasonably requested by the Town Clerk or Town Council.
- C. The Town Clerk is authorized to issue licenses for new businesses, itinerant merchants, and renewals of existing licenses. A business license issued under this article is in addition to, and does not replace, any other license or permit required under Town, state, or federal law, including but not limited to liquor licenses, gaming approvals, or temporary use permits.

The Town Council shall retain approval authority for classes of businesses determined to have significant community impact, including but not limited to contractors, liquor establishments,

adult-oriented businesses, gaming establishments, or other categories as designated by Town Council resolution.

- D. Resident businesses shall comply with the same disclosure and compliance requirements as non-resident applicants, including any obligations under §160-29.1 for regulated or restricted activities. The Town Clerk may request additional documentation to verify state or federal licensing for such businesses.
- E. Short-term rentals (STRs) shall be licensed as a business under this article and are subject to any operational standards adopted by separate Council resolution.
- F. A business license shall be required only for the entity that actively transacts business within the Town. Affiliated or related entities that do not transact with customers, deliver goods, perform work, or otherwise operate within the Town shall not require a separate license unless both entities independently conduct business locally.

§ 160-31. Review of new businesses.

- A. Any application for a new business to be established at a fixed place of business within Pinedale shall be reviewed by the Town Clerk, with referral to the Town Council only when the business involves a use or occupancy requiring additional permits, zoning review, or public-safety coordination under Town or state law.
- B. The reviewing authority may require information sufficient to evaluate location, parking, traffic flow, noise, fire protection, unsafe conditions, and other considerations. Businesses proposing any activity subject to § 160-29.1 shall provide all supporting documentation required for compliance verification.
- C. The reviewing authority may, as a condition of approval, require:
 - (1) Proof of insurance, but only where such insurance is required by Town code, permit conditions, or applicable law for the proposed activity; Proof of general liability insurance in amounts consistent with industry standards for the proposed business activity; or
 - (2) Any other reasonable measures necessary to protect the health, safety, and property of the public.

§ 160-32. Special regulation of new businesses.

The Town Council reserves the right to adopt and impose additional rules and regulations on any class or type of business when necessary to address demonstrable impacts on public health, safety, or property, or to ensure compliance with applicable law.

This may include additional disclosure, inspection requirements for regulated or restricted businesses as described in § 160-29.1. (Bonding requirements, if any, shall be adopted by separate Council resolution for specific classes of work.)

Any additional rules or regulations adopted under this section shall be narrowly tailored, non-discriminatory, and based on demonstrable impacts, and shall not be used to prohibit lawful businesses solely based on product type, business model, or community preference.

§ 160-33. Non-resident contractors and suppliers.

- A. At least three full business days before engaging in business in Pinedale, any non-resident contractor or supplier shall apply for a business license. (The Clerk may waive the three-day requirement for emergency work.)
- B. The application shall include, without limitation:
- (1) Permanent business address and contact information;
 - (2) Names and addresses of owners and/or officers;
 - (3) Contact person present and responsible for business in Pinedale;
 - (4) Detailed description of work, supplies, or services;
 - (5) Proof of required state trade license, if applicable (e.g., electrical or plumbing) and evidence of current liability insurance. Wyoming does not require licensing for most contractors; however, where state law does require a trade license, proof of such licensure must be provided;
 - (6) Sales and use tax numbers, where applicable;
 - (7) Proof of required permits and inspections;
 - (8) A complete list of ~~products or~~ product categories to be offered for sale, including any items subject to federal or state regulation (e.g., CBD/hemp-derived products, vaping devices, or state-regulated gaming devices);
 - (9) Certification that all regulated or restricted products comply with applicable federal and State of Wyoming law; and
 - (10) Other information reasonably required by the Town Clerk.
- C. A performance bond may be required for major construction or work affecting public rights-of-way, Town-owned facilities, or publicly accessible infrastructure ~~public-facing~~ projects by separate Council resolution or as a condition specific to the project.
- D. Non-resident retailers are subject to this section only when they conduct multi-day or recurring sales activity within the Town that does not qualify as an itinerant merchant under §160-35(E). Single-day or short-duration sales are regulated as itinerant merchants under §160-35(E).

§ 160-34. Exemptions.

Yard sales, charitable or nonprofit activities, governmental functions, seasonal vendors participating in Town-approved events, casual or incidental sales under a de minimis threshold, and other activities determined by the Town Council to be short-term, small-scale, or incidental are exempt from the licensing requirements of this article. Examples of exempt activities include nonprofit fundraising by youth organizations (e.g. school or church groups, and similar charitable sales.)

§ 160-35. Term; expiration; proration of fee.

- A. All business licenses shall expire at midnight on ~~December 31~~ June 30 following issuance.

- B. The license fee shall be due ~~January~~ July 1 and must be paid within 30 days.
- C. No license shall be issued for more than one year.
- D. Businesses beginning operation after ~~June 30~~ December 31st shall pay one-half of the annual license fee.
- E. ~~One-day licenses for itinerant merchants permits~~ permits may be granted by the Town Clerk for a period not to exceed seven (7) consecutive days, and not to exceed fourteen (14) total days in a calendar year per licensee; any merchant wishing to operate beyond these limits shall submit a new business license application under this article. ~~A one-day license may not be renewed more than once, and may not be converted into an annual business license. Any merchant wishing to operate beyond the temporary period shall submit a new business license application under this article.~~

§ 160-36. Fees.

- A. Notwithstanding any other provision of this article, the annual business license fee shall be ten dollars (\$10.00) for the first license year beginning July 1, 2026, and twenty-five dollars (\$25.00) for the second license year beginning July 1, 2027.
- B. Beginning with the third license year and thereafter, the business license fee shall be established by Town Council resolution. The Town Council may, by resolution, establish classifications of businesses and corresponding fee adjustments or discounts when such distinctions serve a public purpose, including but not limited to verified lodging-tax remitters or members of a business organization operating under a memorandum of understanding with the Town. The business license fee, including one-day itinerant merchant license fees, shall be established by Town Council resolution and may be altered. The Town Council may, by resolution, establish classifications of businesses and corresponding fee adjustments or discounts when such distinctions serve a public purpose, including but not limited to verified lodging-tax remitters or members of a business organization operating under a memorandum of understanding with the Town.
- ~~B.C.~~ A reinstatement fee, in addition to the annual license fee, may be charged for licenses renewed after expiration, as set by Town Council resolution.
- ~~C.~~ During the first year of implementation (calendar year 2026), existing businesses already operating within the Town as of January 1, 2026, shall be eligible for a one-time reduced license fee of \$___ if paid by March 31, 2026. New businesses commencing after January 1, 2026, shall pay the standard license fee established by Council resolution. ~~D. Any increase in the business license fee shall not exceed ten percent (10%) over the most recently adopted fee. If no increase has occurred in prior years, any subsequent increase shall be calculated solely from the last adopted fee and shall not be cumulative.~~
- ~~E.~~ License fees shall be reasonably related to the Town's actual administrative costs for licensing, compliance verification, recordkeeping, and enforcement.

Commented [MM1]: This preserves:

- Blueblade category logic
- STR / food truck layering
- Resolution-level flexibility

§ 160-37. Posting and display.

Every license issued under this article shall be posted in a conspicuous place of business or, if itinerant, carried by the licensee. The license shall be presented upon request by law enforcement or Town officials;

presentation is required for itinerant or mobile businesses when operating away from a fixed location. ~~Members of the public may consult the Town's online Business License Registry to verify the status of any town business. Members of the public may be directed to the Town's public registry to verify licensing.~~

§ 160-38. Investigation and inspection.

By submitting a signed application, the applicant expressly authorizes the Town to investigate the veracity of application information. Once issued, the Town is authorized to inspect the business at any reasonable time to ensure compliance with laws and license conditions.

The Town may request documentation or inspection related to the legality of any regulated or restricted activity, including proof of state registration, testing, or licensing required for gaming, hemp-derived or CBD products, or other controlled activities.

This authority extends to verification of compliance under § 160-29.1 and may include coordination with state enforcement or regulatory agencies.

Inspections and information requests shall be limited to what is reasonably necessary to verify compliance with applicable laws and license conditions and shall not be used for arbitrary or selective enforcement.

§ 160-39. Transfer of license; change of location.

- A. Business licenses are personal privileges and may not be transferred.
- B. A new license is required if ownership changes.
- C. A change of business location must be approved by the Town Clerk, subject to appeal to the Town Council and to the same inquiry and review as a new business application. No additional fee shall be charged for an approved change of location.

§ 160-40. Order to desist.

Before issuing a cease-and-desist order or citation, the Town, including law enforcement officers and the Town's Animal Control & Municipal Officer (ACMO), shall, where practicable, follow a progressive compliance process consisting of: (1) education and notice of deficiency; (2) reasonable opportunity to correct; and (3) enforcement action only if noncompliance continues or presents an immediate risk to public health or safety.

If any person transacts business without a valid license, violates this article, or operates in a manner dangerous to persons or property, a law enforcement officer or the Town's Animal Control & Municipal Officer (ACMO) may order the person to cease and desist until the violation is corrected. Written notice of violation shall be provided. Failure to comply may result in a civil citation, administrative penalty, or, for repeated or willful violations, prosecution under the General Penalty provisions of Chapter 1, Article IV, § 1-29 ~~(Penalty for Violations violations).~~

§ 160-41. Penalty.

~~Any person who, after notice and opportunity to correct, transacts business without the required license or violates any provision of this article may be subject to enforcement under the General Penalty provisions of Chapter 1, Article IV, § 1-29. Any person transacting business without the required license, or violating any provision or condition of a license, shall be guilty of a misdemeanor and punished pursuant to the General Penalty provisions of Chapter 1, Article IV, § 1-29 (Penalty for Violations).~~ Each day of violation shall constitute a separate offense. Civil penalties may be applied in addition to or in lieu of misdemeanor prosecution, including suspension or revocation of the business license.

§ 160-42. Formerly illegal businesses.

If any business, occupation, or enterprise previously deemed illegal is later authorized by law, such business shall be subject to all requirements of this article.

§ 160-43. Effective date.

The implementation date of this article shall be ~~January~~ July 1, 2026.

PASSED ON FIRST READING ON _____, ~~NOVEMBER 24,~~ 2025.

PASSED ON SECOND READING ON ~~DECEMBER 08, 2025~~ _____, 2025.

PASSED, APPROVED AND ADOPTED ON THIRD READING ON _____, 2026~~5~~.

TOWN OF PINEDALE
STATE OF WYOMING

BY: _____

ATTEST:

MATT W. MURDOCK, MAYOR

TOWN CLERK

ATTESTATION BY TOWN CLERK

STATE OF WYOMING)

COUNTY OF SUBLETTE) ss.

TOWN OF PINEDALE)

I hereby certify that the foregoing Ordinance No. _____ was duly published in the _____, a newspaper of general circulation published in the Town of Pinedale, Wyoming, on the _____ day of _____, ~~2025~~2026.

I further certify that the foregoing Ordinance was duly recorded on Page _____ of Book _____ of Ordinances of the Town of Pinedale, Wyoming.

Town Clerk