

Bond Case Briefs

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ZONING & LAND USE - WYOMING

Board of County Commissioners of Teton County v. Mackay Investments, LLC

Supreme Court of Wyoming - March 28, 2018 - P.3d - 2018 WL 1516744 - 2018 WY 34

Campground owner filed declaratory judgment action against board of county commissioners, seeking determination that county's land development regulation prohibiting fractional ownership of campgrounds was unenforceable.

The District Court granted summary judgment in favor of owner. Board appealed.

The Supreme Court of Wyoming held that regulation did not regulate the use of land, only its ownership, and thus, regulation was beyond county's zoning authority and was unenforceable.

County's land development regulation prohibiting fractional ownership of campgrounds did not regulate the use of land, only its ownership, and thus, regulation was beyond county's zoning authority and was unenforceable, where regulation did not alter the length of camp site occupancy, did not control the rate of turnover at campgrounds, and did not control owner's decision to place tents or recreational vehicles permanently on their campsites.