

## **Title 15**

### **BUILDINGS AND CONSTRUCTIONS**

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**Chapter 15.03**

**DIVISION I. BUILDINGS**

## Chapter 15.04

### GENERAL PROVISIONS

#### Sections:

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#### **Section 15.04.010 Purpose.**

The purpose of this title is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, location and maintenance of buildings and structures within the jurisdiction of the city. (Ord. 5A-80 § 1 (part); prior code § 8-1)

#### **Section 15.04.020 Scope.**

A. The provisions of this title shall apply to the construction, alteration, moving, demolition, repair and use of any building or structure within the jurisdiction of the city, except work located primarily in a public way, public utility towers and poles and hydraulic flood control structures.

B. Additions, alterations, repairs and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as may otherwise be provided in the technical codes adopted in this title.

C. Where, in any specific case, different sections of technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern.

D. Wherever in an adopted technical code reference is made to the appendix, the provisions in the appendix shall not apply unless specifically adopted in this title. (Ord. 5A-80 § 1 (part); prior code § 8-2)

#### **Section 15.04.030 Additions, alterations or repairs--Conformance required.**

Buildings and structures to which additions, alterations or repairs are made shall comply with all the requirements of the adopted technical codes for new facilities except as specifically provided otherwise in the codes. (Ord. 5A-80 § 1 (part); prior code § 8-3(a))

#### **Section 15.04.040 Additions, alterations or repairs--Regulations generally.**

A. Additions, alterations or repairs may be made to any building or structure without requiring the existing building or structure to comply with all the requirements of the adopted technical codes provided the addition, alteration or repair conforms to that required for a new building or structure. Additions, alterations or repairs shall not cause any part of an existing building or structure to become unsafe or overloaded. Any building so altered, which involves a change in use or occupancy shall not exceed the height, number of stories or area permitted for new buildings.

B. Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings.

C. Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect any structural member or any part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed.

D. Exception. The installation or replacement of glass, electrical wiring and apparatus, plumbing and mechanical features shall be as required for new installations. (Ord. 5A-80 § 1 (part): prior code § 8-3(b))

**Section 15.04.050 Continuation of existing occupancy.**

Buildings in existence at the time of the adoption of the ordinance codified in this title may have their existing use or occupancy continued, if the use or occupancy was legal at the time of the adoption of the ordinance codified in this title, provided the continued use is not dangerous to life. (Ord. 5A-80 § 1 (part): prior code § 8-3(c))

**Section 15.04.060 Maintenance.**

All buildings and structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by the adopted technical codes shall be maintained in conformance with the code edition under which installed. The owner or his designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this section, the building official may cause any structure to be reinspected. (Ord. 5A-80 § 1 (part): prior code § 8-3(d))

**Section 15.04.070 Moving buildings and temporary buildings.**

A. Buildings or structures moved into or within the jurisdiction of the city shall comply with the provisions of the adopted technical codes for new buildings or structures.

B. Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. The buildings or structures need not comply with the type of construction or fire-resistive time periods required by the building code. Temporary buildings or structures shall be completely removed upon the expiration of the time limits stated in the permit. (Ord. 5A-80 § 1 (part): prior code § 8-3(e))

**Section 15.04.080 Historic buildings.**

Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building or structure may be made without conformance to all the requirements of the adopted technical codes when authorized by the building official, provided:

A. The building or structure has been designated by official action of the legally constituted authority of the city, county or state as having special historical or architectural significance;

B. Any unsafe conditions as described in the adopted codes are corrected;

C. The restored building or structure will be no more hazardous based on life safety, fire safety and sanitation than the existing building. (Ord. 5A-80 § 1 (part): prior code § 8-3(f))

**Section 15.04.090 Alternate materials and methods of construction.**

A. The provisions of this title are not intended to prevent the use of any material or method of construction not specifically prescribed by the adopted technical codes, provided any alternate has been approved and its use authorized by the building official.

B. The building official may approve any such alternate, provided he finds that the proposed design is satisfactory and complies with the provisions of the appropriate code and that the material, method or work offered is, for the purpose intended, at least equivalent of that prescribed in the appropriate code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

C. The building official shall require that sufficient evidence or proof be submitted to substantiate any

claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the city. (Ord. 5A-80 § 1 (part): prior code § 8-4)

**Section 15.04.100 Modifications to requirements.**

Whenever there are practical difficulties involved in carrying out the provisions of a technical code, the building official may grant modifications for individual cases, provided he shall first find that a special individual reason makes the strict letter of the code impractical and that the modification does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the city. (Ord. 5A-80 § 1 (part): prior code § 8-5)

**Section 15.04.110 Testing.**

A. Whenever there is insufficient evidence of compliance with any of the provisions of any adopted code or evidence that any material or construction does not conform to the requirements of any adopted code, the building official may require tests as proof of compliance to be made at no expense to the city.

B. Test methods shall be as specified by the appropriate code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures.

C. All tests shall be made by an approved agency. Reports of the tests shall be retained by the building official for the period required for the retention of public records. (Ord. 5A-80 § 1 (part): prior code § 8-6)

## Chapter 15.08

### ORGANIZATION AND ENFORCEMENT

#### Sections:

- 15.08.010** Enforcement agency established.
- 15.08.020** Building official--Enforcement authority.
- 15.08.030** Building official--Deputies.
- 15.08.040** Building official--Right of entry for inspection.
- 15.08.050** Building official--Stop orders authorized.
- 15.08.060** Building official--Use discontinuance order.
- 15.08.070** Building official--Liability for damage.
- 15.08.080** Building official--Cooperation of other officials.
- 15.08.090** Unsafe buildings or structures nuisances.
- 15.08.100** Citation, summons and complaint form.
- 15.08.110** Utility disconnection.
- 15.08.120** Recordkeeping.
- 15.08.130** Board of Adjustments.
- 15.08.140** Penalty for violation.

#### **Section 15.08.010** Enforcement agency established.

There is established in the city a code enforcement agency which shall be under the administrative and operation control of the building official. (Ord. 5A-80 § 1 (part); prior code § 8-16)

#### **Section 15.08.020** Building official--Enforcement authority.

The building official is authorized and directed to enforce all the provisions of this title and the technical codes adopted in this title unless otherwise specifically provided by an adopted code or other ordinance. For such purposes, he shall have the powers of a law enforcement officer. (Ord. 5A-80 § 1 (part); prior code § 8-17(a))

#### **Section 15.08.030** Building official--Deputies.

In accordance with prescribed procedures and with the approval of the mayor, the building official may appoint plan examiners, inspectors and other related technical officers and other employees as shall be authorized from time to time. (Ord. 5A-80 § 1 (part); prior code § 8-17(b))

#### **Section 15.08.040** Building official--Right of entry for inspection.

Whenever necessary to make an inspection to enforce any of the provisions of this title or whenever the building official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes the building or premises unsafe, dangerous or hazardous, the building official or his authorized agent may enter the building or premises at all reasonable times to inspect it or to perform any duty imposed upon the building official by this title; provided, that if the building or premises is occupied, he shall first present proper credentials and request entry; and if the building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the building official or his authorized representative shall have recourse to every remedy provided by law to secure entry. When the building official or his authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as provided in this section, to promptly permit entry therein by the building official

or his authorized representative for the purpose of inspection and examination pursuant to this title. (Ord. 5A-80 § 1 (part): prior code § 8-17(c))

**Section 15.08.050 Building official--Stop orders authorized.**

Whenever any work is being done contrary to the provisions of this title or the adopted codes, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing the work to be done, and any such persons shall forthwith stop the work until authorized by the building official to proceed with the work. (Ord. 5A-80 § 1 (part): prior code § 8-17(d))

**Section 15.08.060 Building official--Use discontinuance order.**

Whenever any building or structure or equipment therein regulated by this title is being used contrary to the provisions of any adopted technical code, the building official may order the use discontinued and the structure, or portion thereof, vacated by notice served on any person causing the use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of the notice to make the structure, or portion thereof, comply with the requirements of the adopted codes. (Ord. 5A-80 § 1 (part): prior code § 8-17(e))

**Section 15.08.070 Building official--Liability for damage.**

A. The building official, or his authorized representative charged with the enforcement of this title, acting in good faith and without malice in the discharge of his duties, shall not render himself personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of his duties. Any suit brought against the building official or employee because of such act or omission performed by him in the enforcement of any provision of this title shall be defended by legal counsel provided by the city until final termination of the proceedings.

B. This title and the codes adopted by this title shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property because of defects, nor shall the city be held as assuming such liability by reason of the inspections authorized by this title or any certificates of inspection issued under this title. (Ord. 5A-80 § 1 (part): prior code § 8-17(f))

**Section 15.08.080 Building official--Cooperation of other officials.**

The building official may request, and shall receive so far as is required, in the discharge of his duties, the assistance and cooperation of other officials of the city. (Ord. 5A-80 § 1 (part): prior code § 8-17(g))

**Section 15.08.090 Unsafe buildings or structures nuisances.**

A. All buildings or structures regulated by the codes adopted in this title which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or which constitute a health hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment are, for the purpose of this section, unsafe uses. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified in the building code are designated as unsafe building appendages.

B. All such unsafe buildings, structures or appendages are declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the dangerous buildings code or such alternate procedures as may have been or may be adopted by the city. As an alternative, the building official, or other employee or official of the city as designated by the city council may institute any other appropriate action to prevent, restrain, correct or abate the violation. (Ord. 5A-80 §

1 (part): prior code § 8-18)

**Section 15.08.100 Citation, summons and complaint form.**

A uniform citation, summons and complaint issued under this title by the building official shall be in the form and contain the information required by the rules of criminal procedure for justice of the peace courts and municipal courts pursuant to the rules in force at the time of the violation, a copy of the rules being available at the office of the Secretary of State, Capitol Building, Cheyenne, Wyoming and the office of the Municipal Court in the City. (Ord. 5A-80 § 1 (part): prior code § 8-19) (Ord. 08a-2003, Amended, 08/05/2003)

**Section 15.08.110 Utility disconnection.**

The building official is empowered to disconnect or order the discontinuance of electric service or gas service to any wiring, piping, equipment or appliance which he may find to be defective or defectively installed or installed or used in violation of the adopted codes, and he shall enforce the same until such time as the defect or violation is eliminated; and meanwhile no electric current or gas service from any other source whatsoever shall be supplied to the defective installation. In case of emergency, he may disconnect, or order disconnection or shutting off of any wiring or piping where the electricity or gas may be dangerous to life or property, or interfere with the work of the fire department. (Ord. 5A-80 § 1 (part): prior code § 8-20)

**Section 15.08.120 Recordkeeping.**

The building official shall keep complete records of all permits issued and inspections made, and other official work performed under the provisions of this title. (Ord. 5A-80 § 1 (part): prior code § 8-21)

**Section 15.08.130 Board of Adjustments.**

- A. There shall be and is created a Board of Adjustments consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction. From and after the time when the Board of Adjustments shall have organized and selected its officer and shall have adopted its rules of procedure and submitted the rules of procedure to the City Council for approval, then the Board of Adjustments shall have all the powers, duties and responsibilities set forth in this section.
- B. The powers and duties of the Board of Adjustments are as follows:
1. Act as a Board of Appeals to determine:
    - a. the suitability of alternate materials and methods of construction;
    - b. to decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the adopted Building, Plumbing, Mechanical, Fire, Abatement of Dangerous Buildings, and Electrical codes, although the Board shall have no authority relative to interpretation of the administrative provisions of these codes nor shall the board be empowered to waive any requirements of these codes; and
    - c. to review the experience requirements for applicants of Master and Journeyman Plumbing licenses.
  2. To recommend to the City Council any changes necessary to update local Building, Plumbing, Mechanical, Fire, Abatement of Dangerous Buildings, and Electrical codes.
- C. When acting within the capacity of a Board of Appeals, a quorum of the Board of Adjustments shall meet and make a determination on an appeal within thirty days of application for appeal, or the decision of the building official is final. The Board of Appeals shall render all decisions and findings in writing to the building official with a duplicate copy to the appellant. (Ord. 5A-80 § 1 (part): prior code § 8-22) (Ord. No. 1A-96, Amended, 01/02/96)(Ord. 05-2012, Amended 5/1/12)

**Section 15.08.140      Penalty for violation.**

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this title or the codes adopted in this title. The city may enjoin any action in violation of this title or the codes adopted in this title and the city may petition the district court for a mandatory injunction requiring any person, firm or corporation to do any act required by this title or the codes adopted in this title. (Ord. 5A-80 § 1 (part); prior code § 8-23)

## Chapter 15.12

### PERMITS

#### Sections:

15.12.010	Required.
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15.12.030	Exemptions--Plumbing work.
15.12.040	Exemptions--Mechanical work.
15.12.050	Exemptions--Electrical work.
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15.12.070	Exemption--Violation not authorized.
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15.12.200	Application--Expiration.
15.12.210	Work without permit prohibited.
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15.12.230	Fees - Repealed.

#### Section 15.12.010 Required.

A. It is unlawful for any person, firm or corporation to perform any of the following kinds of work or activities or cause the same to be done without first obtaining a separate permit for each separate building or structure:

1. Erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure regulated by any building code which has been adopted by the City of Rawlins, except as specified in this chapter;
2. Make any installation, alteration, repair, replacement or remodel of any plumbing system regulated by any plumbing code which had been adopted by the City of Rawlins, except as specified in this chapter;
3. Make any installation, alteration, repair, replacement or remodel of any mechanical system regulated by any mechanical code which has been adopted by the City of Rawlins, except as specified in this chapter;
4. Make any installation, alteration, repair, replacement or remodel of any electrical system regulated by any electric code adopted by the City of Rawlins, except as specified in this chapter;
5. Erect, re-erect, construct, alter or maintain any sign or sign structure except as specified in this chapter. A separate permit shall be required for a sign or signs for each business entity.
6. Any concrete work on City property, including any City right-of-way or easements;
7. Retaining walls over four (4) feet in height measured from the bottom of the footing to the top of the retaining wall;
8. Structural foundations.

B. Separate permits for plumbing work, mechanical work, electrical work and signs shall be required whenever the work being performed is not included as part of the work of a project for which a permit has been issued. (Ord. 5A-80 § 1 (part): prior code § 8-31) (Ord. 12-2020 Amended 12/15/20)(Ord. No. 6C-2022, Amended 6/21/22)

**Section 15.12.020 Exemptions--Construct work.**

A permit will not be required for the following types of construction work:

- A. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed one hundred fifty square feet;
- B. Oil derricks;
- C. Cases, counters and partitions not over five feet high;
- D. Retaining walls which are not over four feet in height measured from the bottom of the footing to the top of the wall unless supporting a surcharge or impounding flammable liquids;
- E. Water tanks supported directly upon grade if the capacity does not exceed five thousand gallons and the ratio of height to diameter or width does not exceed two to one;
- F. Platforms, walks and driveways not more than thirty inches (30") above grade and not over any basement or story below;
- G. Painting, papering and similar finish work;
- H. Temporary motion picture, television and theater stage sets and scenery;
- I. Window awnings supported by an exterior wall of Group R, Division 3, and Group M occupancies when projecting not more than fifty-four inches;
- J. Prefabricated swimming pool accessory to a Group R, Division 3 occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed five thousand gallons. (Ord. 5A-80 § 1 (part): prior code § 8-32(a)) (Ord. 12-2020 Amended 12/15/20)(Ord. No. 6C-2022, Amended, 6/21/22)

**Section 15.12.030 Exemptions--Plumbing work.**

A permit will not be required for the following exclusively plumbing work whenever the work is not incidental to construction work requiring a building permit:

- A. The stopping of leaks in drains, soil waste or vent pipe;
- B. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of plumbing fixtures, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures;
- C. Replacement of damaged and/or defective traps, drainpipe, soil pipe, waste pipe, vent pipe and plumbing fixtures whenever such work is performed by a licensed plumbing contractor;
- D. Removal and replacement of any hot, cold or steam piping, provided such work is performed by a licensed plumbing contractor;
- E. Upgrading of any existing plumbing system including valves, fixtures, traps, drainpipe, soil pipe, waste pipe, vent pipe, hot and cold water pipe, nor steam pipe when such work is performed by a licensed plumbing contractor and further provided the total value of all such work does not exceed one thousand dollars. (Ord. 5A-80 § 1 (part): prior code § 8-32(b))

**Section 15.12.040 Exemptions--Mechanical work.**

A permit will not be required for the following exclusively mechanical work whenever it is not incidental to construction work requiring a building permit:

- A. Any portable heating appliance, portable ventilating equipment, portable cooling unit or portable evaporative cooler;
- B. Any closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by the plumbing code;
- C. Replacement of any component part or assembly of an appliance which does not alter its original approval and complies with other applicable requirements of the plumbing code;
- D. Any refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the plumbing code;
- E. Any unit refrigerating system;

F. Removal and replacement of any air duct system provided such work is performed by a licensed mechanical contractor and further provided the total value of all such work does not exceed one thousand dollars. (Ord. 5A-80 § 1 (part): prior code § 8-32(c))

**Section 15.12.050 Exemptions--Electrical work.**

A permit will not be required for the following, exclusively electrical work whenever the work is not incidental to construction work requiring a building permit and provided the work is performed by an electrical contractor and does not exceed five hundred dollars in value for single-family residences nor more than two thousand dollars in value for any other type of structure:

A. Electrical maintenance work including the removal and replacement of defective wiring and apparatus;

B. Upgrading existing electrical wiring systems including switches, outlets, fixtures, etc., but not to include new electrical services;

C. Minor extensions of existing electrical circuits in conformance with the provisions of the electrical code. (Ord. 5A-80 § 1 (part): prior code § 8-32(d))

**Section 15.12.060 Exemptions--Sign work.**

A permit will not be required for the following sign work:

A. The changing of the advertising copy or message on a painted or printed sign only. Except for theater marquees and similar signs specifically designed for the use of replaceable copy, electrical signs shall not be included in this exemption;

B. Painting, repainting or cleaning of an advertising structure or the changing of the advertising copy or message thereon shall not be considered an erection or alteration which requires a sign permit unless a structural change is made;

C. Signs less than six feet above grade. (Ord. 5A-80 § 1 (part): prior code § 8-32(e))

**Section 15.12.070 Exemption--Violation not authorized.**

Exemption from the permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in violation of the provisions of the adopted codes or any other laws or ordinances of the city. (Ord. 5A-80 § 1 (part): prior code § 8-32(f))

**Section 15.12.080 Application--Contents.**

To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the building official for that purpose. Every such application shall:

A. Identify and describe the work to be covered by the permit for which application is made;

B. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work;

C. Be accompanied by plans, diagrams, computations and specifications and other data as required by the building official;

D. State the valuation of the work to be done;

E. Be signed by permittee, or his authorized agent, who may be required to submit evidence to indicate such authority;

F. Give such other data and information as may be required by the building official. (Ord. 5A-80 § 1 (part): prior code § 8-33(a))

**Section 15.12.090 Plans and specifications--Required.**

A. Plans and other data shall be submitted in two or more sets with each application for a permit. The building official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such.

B. Exception. The building official may waive the submission of plans, etc., if he finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with the adopted codes. (Ord. 5A-80 § 1 (part): prior code § 8-33(b))

**Section 15.12.100 Plans and specifications--Contents.**

Plans and specifications shall be drawn to scale upon substantial drafting material and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the applicable codes and all relevant laws, ordinances, rules and regulations. (Ord. 5A-80 § 1 (part): prior code § 8-33(c))

**Section 15.12.110 Issuance.**

A. The application, plans and specifications and other data filed by an applicant for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of the city to verify compliance with any applicable laws or rules under their jurisdiction. If the building official finds that the work described in application for permit and the plans, specifications and other data filed therewith conform to the requirements of the applicable codes and other pertinent laws and ordinances, and that the fees specified in Title 1 of this code have been paid, he shall issue a permit therefor to the applicant.

B. When the building official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications "APPROVED." The approved plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the approved plans.

C. The building official may issue permits for the construction of a part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the codes. The holder of the permits shall proceed at his own risk without assurance that permits for the entire building or structure will be granted. (Ord. 5A-80 § 1 (part): prior code § 8-34(a))

(Ord. 08a-2008, Amended, 08/19/2008)

**Section 15.12.120 Plans retention.**

One set of approved plans, specifications and computations shall be retained by the building official for a period of not less than ninety days from the date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant. When required by the building official, one set of approved plans shall be kept on the site of the building or work at all times during which the work authorized is still in progress. (Ord. 5A-80 § 1 (part): prior code § 8-34(b))

**Section 15.12.130 Violation not authorized.**

A. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this title, the adopted technical codes or of any other ordinance of the city. No permit presuming to give authority to violate or cancel the provisions of the adopted codes shall be valid.

B. The issuance of a permit based upon plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this title, the adopted technical codes or of any other ordinance of the city. (Ord. 5A-80 § 1 (part): prior code § 8-34(c))

**Section 15.12.140 Expiration.**

A. Every permit issued by the building official under the provisions of this title shall expire by limitations and become null and void if the building or work authorized by the permit is not commenced

within one hundred eighty days from the date of the permit, or if the building or work authorized by the permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty days. Before the work can be recommenced, a new permit shall first be obtained to do so, and the fee therefor shall be one-half the amount required for a new permit for the work, provided no changes have been made or will be made in the original plans and specifications for the work; and provided further, that the suspension or abandonment has not exceeded one year.

B. Any permittee holding an unexpired permit may apply for an extension of the time within which he may commence work under that permit when he is unable to commence work within the time required by this chapter for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding one hundred eighty days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee. (Ord. 5A-80 § 1 (part): prior code § 8-34(d))

#### **Section 15.12.150      Suspension or revocation.**

The building official may, in writing, suspend or revoke a permit issued under the provisions of this title whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this title. (Ord. 5A-80 § 1 (part): prior code § 8-34(e))

#### **Section 15.12.160      Building Permit Fees.**

Building Permit fees shall be established by resolution of the City Council as per Title 1 of this code.

#### **Section 15.12.200      Application--Expiration.**

Applications for which no permit is issued within one hundred eighty days following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding one hundred eighty days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee as established by resolution of the City Council as per Title 1 of this code. (Ord. 5A-80 § 1 (part): prior code § 8-35(e))  
(Ord. 08a-2008, Amended, 08/19/2008)

#### **Section 15.12.210      Work without permit prohibited.**

Whenever any work for which a permit is required by this chapter has been commenced without first obtaining the permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee as established by resolution of the City Council as per Title 1 of this code shall be collected whether or not a permit is then or subsequently issued. The payment of the investigation fee shall not exempt any person from compliance with all other provisions of this title nor from any penalty prescribed by law. (Ord. 5A-80 § 1 (part): prior code § 8-35(f)) (Ord. No. 10B-94, Amended, 10/04/94)  
(Ord. 08a-2008, Amended, 08/19/2008)(Ord. No. 02-2013, Amended 2/5/13)

#### **Section 15.12.220      Fees--Refunds.**

Fees - Refunds shall be established by resolution of the City Council as per Title 1 of this code.  
(Ord. 5A-80 § 1 (part): prior code § 8-35(g))  
(Ord. 08a-2008, Amended, 08/19/2008)

#### **Section 15.12.230      Fees - Repealed.**

(Ord. 5A-80 § 1 (part): prior code § 8-35 (part))

## Chapter 15.16

### INSPECTIONS

#### Sections:

<b>15.16.010</b>	<b>Authorized.</b>
<b>15.16.020</b>	<b>Notice to inspect.</b>
<b>15.16.030</b>	<b>Record card.</b>
<b>15.16.040</b>	<b>Approval required for additional work.</b>
<b>15.16.050</b>	<b>Called inspections.</b>
<b>15.16.060</b>	<b>Other inspections.</b>
<b>15.16.070</b>	<b>Reinspections.</b>
<b>15.16.080</b>	<b>Special inspections--Designated.</b>
<b>15.16.090</b>	<b>Special inspector--Qualifications.</b>
<b>15.16.100</b>	<b>Special inspector--Duties.</b>
<b>15.16.110</b>	<b>Special inspections--Waiver.</b>
<b>15.16.120</b>	<b>Special inspections--Periodic.</b>

#### **Section 15.16.010 Authorized.**

A. All work for which a permit is required shall be subject to inspection by the building official, and certain types of construction shall have continuous inspection by special inspectors as specified in Sections 15.16.080 through 15.16.120.

B. A survey of the lot may be required by the building official to verify compliance of the structure with approved plans. It shall be the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. Neither the building official nor the city shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. (Ord. 5A-80 § 1 (part); prior code § 8-36(a))

#### **Section 15.16.020 Notice to inspect.**

A. It shall be the duty of the person doing the work authorized by a permit to notify the building official that the work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before the inspection is desired. The request may be in writing or by telephone at the option of the building official.

B. It shall be the duty of the person requesting any inspections required by this chapter to provide access to and means for proper inspection of the work. (Ord. 5A-80 § 1 (part); prior code § 8-36(b))

#### **Section 15.16.030 Record card.**

When required by the building official, work shall not be commenced until the permit holder or his agent has posted an inspection record card in a conspicuous place on the premises and in such position as to allow the building official conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained in such position by the permit holder until final approval has been granted by the building official. (Ord. 5A-80 § 1 (part); prior code § 8-36(c))

#### **Section 15.16.040 Approval required for additional work.**

A. No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The approval shall be given only after an inspection has been made of each successive step in the construction as indicated by each of the inspections required in Section 15.16.050.

B. There shall be a final inspection and approval on all buildings and structures when completed and

ready for occupancy or use. (Ord. 5A-80 § 1 (part): prior code § 8-36(d))

**Section 15.16.050      Called inspections.**

A. Reinforcing steel structural framework, wiring, piping or duct work of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official.

B. The building official, upon notification from the permit holder or his agent, shall make the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with the adopted codes:

1. Foundation Inspection. To be made after trenches are excavated and forms erected and when all materials for the foundation are delivered on the job. Where concrete from a central mixing plant (commonly termed "transit mixed") is to be used, materials need not be on the job.

2. Concrete Slab or Under-Floor Inspection. To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is poured or floor sheathing installed, including the subfloor.

3. Frame Inspection. To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing and heating wires, pipes and ducts are approved.

4. Gypsum Board and Lath Inspection. To be made after all lathing and gypsum board, interior and exterior, is in place but before any gypsum board joints and fasteners are taped and finished or before any plastering is applied.

5. Final Inspection. To be made after finish grading and the building is completed and ready for occupancy. (Ord. 5A-80 § 1 (part): prior code § 8-36(e))

**Section 15.16.060      Other inspections.**

In addition to the called inspections specified in Section 15.16.050, the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of the adopted codes and other laws which are enforced by the city. (Ord. 5A-80 § 1 (part): prior code § 8-36(f))

**Section 15.16.070      Reinspections.**

A. A reinspection fee as established by resolution of the City Council as per Title 1 of this code may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

B. This section is not to be interpreted as requiring inspection fees the first time a job is rejected for failure to comply with the requirements of the applicable codes, but as controlling the practice of calling for inspections before the job is ready for the inspection or reinspection.

C. Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

D. To obtain a reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with Title 1 of this code.

E. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid. (Ord. 5A-80 § 1 (part): prior code § 8-36(g))  
(Ord. 08a-2008, Amended, 08/19/2008)

**Section 15.16.080      Special inspections--Designated.**

In addition to the inspections to be made as specified in Sections 15.16.010 through 15.16.070 the owner shall employ a special inspector during construction on the following types of work:

A. Concrete. During the taking of test specimens (when required by the project specifications) and placing of all reinforced concrete and pneumatically placed concrete.

Exceptions.

1. Concrete for foundations conforming to the minimum requirements of ~~Table 29-A~~ of the building code and for Group R, Division 3 and Group M, Division 1 occupancies provided the building official finds no special hazards exist;

2. For foundation concrete when the structural design is based on a compressive strength of concrete, psi ( $f'_c$ ) of no greater than two thousand pounds per square inch;

3. Nonstructural slabs on grade, including prestressed slabs on grade when effective prestress in concrete is less than one hundred fifty pounds per square inch;

4. Site work concrete full-supported on earth and concrete where no special hazard exists.

B. Ductile Moment-Resisting Concrete Frame. As required by Section 2626(h) of the building code.

C. Reinforcing Steel and Prestressing Steel.

1. During all stressing and grouting of prestressed concrete;

2. During placing of reinforcing steel, placing of tendons and prestressing steel for all concrete required to have special inspection by subsection A of this section.

Exception. The special inspector need not be present during entire reinforcing steel and prestressing steel placing operations, provided he has inspected for conformance with the approved plans prior to the closing of forms of the delivery of concrete to the job site.

D. Welding.

1. Ductile moment-resisting steel frames. As required by Section 2722(f) of the building code;

2. All structural welding, including welding of reinforcing steel.

Exceptions:

1. When welding is done in an approved fabricator's shop;

2. When approved by the building official, single-pass fillet welds when stressed to less than fifty percent of allowable stresses and floor and roof deck welding and welded studs when used for structural diaphragm or composite systems may have periodic inspections as defined in Section 306(e) of the building code. For periodic inspection, the inspector shall check qualifications of welders at start of work and then make final inspection of all welds for compliance prior to completion of welding.

E. High-Strength Bolting. During all bolt installations and tightening operations.

Exceptions:

1. The special inspector need not be present during the entire installation and tightening operation, provided he has:

a. Inspected the surfaces and bolt type for conformance to plans and specifications prior to start of bolting; and

b. Will, upon completion of all bolting, verify the minimum specified bolt tension for ten percent of the bolts for each "type" of connection, for a representative number of total connections established by the plans and specifications.

2. In bearing-type connections when threads are not required by design to be excluded from the shear plane, inspection prior to or during installation will not be required.

F. Structural Masonry. During preparation of masonry wall prisms, sampling and placing of all masonry units, placement of reinforcement, inspection of grout space, immediately prior to closing of cleanouts and during all grouting operations. Where the modulus of rupture, psi ( $f'_r$ ) is less than two thousand six hundred pounds per square inch and special inspection stresses are used, test specimens may consist of either one prism test for each five thousand square feet of wall area or a series of tests based on both grout and mortar for the first three consecutive days and each third day thereafter.

Exception. Special inspection will not be required for structures designed in accordance with the values in appropriate tables for noncontinuous inspection.

G. Reinforced Gypsum Concrete. When cast-in-place Class B gypsum concrete is being mixed and placed.

H. Insulating Concrete Fill. During the application of insulating concrete fill when used as part of a structural system.

Exception. The special inspections may be limited to an initial inspection to check the deck surface and placement of reinforcing. The special inspector shall supervise the preparation of compression test

specimens during this initial inspection.

I. Sprayed-On Fireproofing. As required by U.B.C. Standard No. 43-8.

J. Piling, Drilled Piers and Caissons. During driving and testing of piles and construction of cast-in-place drilled piles or caissons. See subsections A and C for concrete and reinforcing steel inspection.

K. Special Grading, Excavation and Filling. During earthwork excavations, grading and filling operations inspection to satisfy the requirements of Chapter 29 of the building code.

L. Special Cases. Work which, in the opinion of the building official, involves unusual hazards. (Ord. 5A-80 § 1 (part): prior code § 8-37(a))

#### **Section 15.16.090 Special inspector--Qualifications.**

The special inspector shall be a qualified person who, at the discretion of the building official, may be required to demonstrate his competence, to the satisfaction of the building official, for inspection of the particular type of construction or operation requiring special inspection. (Ord. 5A-80 § 1 (part): prior code § 8-37(b))

#### **Section 15.16.100 Special inspector--Duties.**

A. The special inspector shall observe the work assigned to be certain it conforms to the design drawings and specifications.

B. The special inspector shall furnish inspection reports to the building official, the engineer or architect of record, and other designated persons. All discrepancies shall be brought to the immediate attention of the contractor for correction, then, if uncorrected, to the proper design authority and to the building official.

C. The special inspector shall submit a final signed report stating whether the work requiring special inspection was, to the best of his knowledge, in conformance with the approved plans and specifications and the applicable workmanship provisions of the code. (Ord. 5A-80 § 1 (part): prior code § 8-37(c))

#### **Section 15.16.110 Special inspections--Waiver.**

The building official may waive the requirement for the employment of a special inspector if he finds that the construction is of minor nature. (Ord. 5A-80 § 1 (part): prior code § 8-37(d))

#### **Section 15.16.120 Special inspections--Periodic.**

Some inspections may be made on a periodic basis and satisfy the requirements of continuous inspection, provided this periodic scheduled inspection is performed as outlined in the project plans and specifications and approved by the building official. (Ord. 5A-80 § 1 (part): prior code § 8-37(e))

## Chapter 15.20

### CERTIFICATE OF OCCUPANCY

#### Sections:

<b>15.20.010</b>	<b>Required for use or occupancy.</b>
<b>15.20.020</b>	<b>Change in use.</b>
<b>15.20.030</b>	<b>Conditions required for issuance.</b>
<b>15.20.040</b>	<b>Issuance and contents.</b>
<b>15.20.050</b>	<b>Temporary issuance.</b>
<b>15.20.055</b>	<b>Revocation of certificate.</b>
<b>15.20.060</b>	<b>Posting.</b>
<b>15.20.070</b>	<b>Buildings Previously Occupied.</b>

#### **Section 15.20.010 Required for use or occupancy.**

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. (Ord. 5A-80 § 1 (part); prior code § 8-38(a))  
(Ord. 03-2005, Amended, 06/21/2005)

#### **Section 15.20.020 Change in use.**

Changes in the character or use of a building shall not be made except as specified in Section 301 of the building code. (Ord. 5A-80 § 1 (part); prior code § 8-38(b))  
(Ord. 03-2005, Amended, 06/21/2005)

#### **Section 15.20.030 Conditions required for issuance.**

Prior to the issuance of a certificate of occupancy, the following conditions must be met:

A. The permittee or his agent shall submit to the building official an as-built site plan which shall contain all information required by the building official.

B. All off-site improvements normally required by the subdivision regulations shall be completed, inspected and approved by the director of planning, except when specifically waived by the director of planning in one or more of the following circumstances:

1. A single-family residence constructed upon a lot platted by a subdivision prior to April 24, 1978;
2. A mobile home residence placed upon a lot platted by a subdivision prior to April 24, 1978;
3. When winter weather conditions prevent the completion of asphalt paving and/or sidewalk construction.

C. All required off-street parking facilities and improvements except when specifically waived by the director of planning in instances when winter weather conditions prevent the completion of asphalt paving. (Ord. 5A-80 § 1 (part); prior code § 8-38(c))

(Ord. 11-2007, Amended, 11/06/2007; Ord. 03-2005, Amended, 06/21/2005)

#### **Section 15.20.040 Issuance and contents.**

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number;
2. The address of the building;

3. The name and address of the owner;
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified;
  6. The name of the building official.
  7. The edition of the code under which the permit was issued.
  8. The use and occupancy, in accordance with the provisions of Chapter 3.
  9. The type of construction as defined in Chapter 6.
  10. The design occupant load.
  11. If an automatic sprinkler is provided, whether the sprinkler system is required.
  12. Any special stipulations and conditions of the building permit.

(Ord. 5A-80 § 1 (part): prior code § 8-38(d))  
(Ord. 03-2005, Amended, 06/21/2005)

#### **Section 15.20.050 Temporary issuance.**

The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

(Ord. 5A-80 § 1 (part): prior code § 8-38(e))  
(Ord. 03-2005, Amended, 06/21/2005)

#### **Section 15.20.055 Revocation of certificate.**

The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion therefor is in violation of any ordinance or regulation or any of the provisions of this code.

(Ord. 03-2005, Add, 06/21/2005)

#### **Section 15.20.060 Posting.**

The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official. (Ord. 5A-80 § 1 (part): prior code § 8-38(f))

(Ord. 03-2005, Amended, 06/21/2005)

#### **Section 15.20.070 Buildings Previously Occupied.**

The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

If a commercial building is unoccupied for a period of one (1) year, it shall be required to obtain a certificate of occupancy and comply with current building codes.

## Chapter 15.24 BUILDING CODES

### Sections:

<b>15.24.010</b>	<b>Adoptions Generally.</b>
<b>15.24.020</b>	<b>Building Code.</b>
<b>15.24.025</b>	<b>Building Conservation Code.</b>
<b>15.24.030</b>	<b>Plumbing Code.</b>
<b>15.24.040</b>	<b>Mechanical Code.</b>
<b>15.24.050</b>	<b>Electrical Code.</b>
<b>15.24.060</b>	<b>Sign Code.</b>
<b>15.24.070</b>	<b>Fire Code.</b>
<b>15.24.080</b>	<b>Flammable and Combustible Liquids Code.</b>
<b>15.24.090</b>	<b>Dangerous Building Code.</b>
<b>15.24.100</b>	<b>Solar Energy Code.</b>
<b>15.24.110</b>	<b>Uniform Swimming Pool, Spa and Hot Tub Code.</b>
<b>15.24.120</b>	<b>Uniform Mobile Home and R.V. Standards.</b>
<b>15.24.130</b>	<b>Uniform Housing Code.</b>
<b>15.24.140</b>	<b>Public Works Standard Specifications.</b>
<b>15.24.150</b>	<b>Existing Building Code.</b>
<b>15.24.160</b>	<b>Property Maintenance Code.</b>
<b>15.24.170</b>	<b>Residential Code.</b>
<b>15.24.180</b>	<b>Private Sewage Code.</b>
<b>15.24.190</b>	<b>Energy Conservation Code.</b>
<b>15.24.200</b>	<b>Wildland Interface Code.</b>
<b>15.24.210</b>	<b>Zoning Code.</b>
<b>15.24.220</b>	<b>Performance Code.</b>
<b>15.24.230</b>	<b>Life Safety Code.</b>
<b>15.24.240</b>	<b>Appeals.</b>

### **Section 15.24.010 Adoptions generally.**

The technical codes adopted in this chapter are adopted in their entirety except as modified in this chapter, and by this reference expressly made a part of this chapter, insofar as the codes do not conflict with other city ordinances to the contrary. (Ord. 12-85 (part): Ord. 3-82 § 1 (part): Ord. 5A-80 § 1 (part): prior code § 8-51) (Ord. 03-2005, Amended, 06/21/2005)

### **Section 15.24.020 Building Code.**

The International Building Code, 2021 Edition, as published by the International Code Council, is adopted as the Rawlins Building Code as amended to read as follows:

107.2.8 Relocated Buildings: Construction documents for relocated building shall comply with Section 3113

[F] 903.2.8 Group R an automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a Group R Fire area.

### Exceptions.

1. Detached one and two family dwellings and multiple single family dwellings (townhouses) constructed in accordance with the International Residential Code for one and two family dwellings.

Section 105.1.1 and 105.1.2 are DELETED

(Ord. 02-2019, Amended, 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.025 Building Conservation Code.**

The Building Conservation Code is DELETED.

(Ord. 8-89) (Ord. No. 1C-98, Amended, 01/20/98)(Ord.03-2005, Amended, 06/21/2005)(Ord. 09-2012, Amended 9/4/12)

**Section 15.24.030 Plumbing Code.**

The International Plumbing Code, 2021 Edition, as published by the International Code Council, is adopted as the Rawlins Plumbing Code and amended to read as follows:

Amend 108.5 to include amounts of not less than Two Hundred Fifty (\$250.00) and not more than Five Hundred (\$500.00).

Sections 106.1.1, 106.1.2, 106.6.2 and 109 are DELETED

Appendix A DELETED

(Ord. 02-2019, Amended, 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.040 Mechanical Code.**

The International Mechanical Code, 2021 Edition, as published by the International Code Council, is adopted as the Rawlins Mechanical Code and amended to read as follows:

Sections 106.1.1, 106.1.2, and 106.5.3 are DELETED

Appendix B DELETED

(Ord. 02-2019, Amended, 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.050 Electrical Code.**

The National Electric Code, NFPA 70, as published by the National Fire Protection Association, the latest edition as adopted as the State of Wyoming, Fire Marshal Office, is adopted as the Rawlins Electrical Code. (Ord. 12-85 (part): Ord. 3-82 § 1 (part): Ord. 5A-81 § 1: Ord. 5A-80 § 1 (part): prior code § 8-55) (Ord. No. 5A-93, Amended, 05/18/93; Ord. No. 1C-98, Amended, 01/20/98)(Ord. 04-2008, Amended, 04/01/2008; Ord. 03-2005, Amended, 06/21/2005; 8-99, Amended, 08/03/1999)(Ord. 09-2012, Amended 9/4/12)(Ord. 02-2019, Amended, 02/05/2019)

**Section 15.24.060 Sign Code.**

The Sign Code is DELETED.

(Ord. 8-91 (part): Ord. 12-85 (part): Ord. 3-82 § 1 (part): Ord. 5A-80 § 1 (part): prior code § 8-56) (Ord. No. 7B-95, amended, 07/05/95; Ord. No. 1C-98, Amended, 01/20/98)(Ord. 03-2005, Amended, 06/21/2005)(Ord. 09-2012, Amended 9/4/12)

**Section 15.24.070 Fire Code.**

The International Fire Code, 2021 Edition, as published by the International Code Council is adopted as the Rawlins Fire Code as amended as follows:

Section 307.4.3 to exclude the exception of portable outdoor fire places used at one and two family dwellings.

Appendix A, B, L and J are DELETED

(Ord. 02-2019, Amended 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.080 Flammable and Combustible Liquids Code.**

The International Fuel Gas Code, 2021 Edition, as published by the International Code Council, is adopted as the Rawlins Flammable and Combustible Liquids Code as amended as follows: 404.9.1 Meter protection. Fuel gas services shall be in an approved location and/or provided with structures designed to protect the fuel gas meter and surrounding piping from physical damage. If an added structure is used it must still provide access for compliance with the IBC and the IRC.

Section 106.1.1, 106.1.2 and 106.6.2 are DELETED

(Ord. 02-2019, Amended 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.090 Dangerous Building Code.**

The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as published by the International Conference of Building Officials is adopted as the Rawlins Dangerous Building Code, as amended to read as follows:

403 Repair, vacation and Demolition. 1.3 If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry in an aesthetically pleasing manner as defined by the Rawlins Property Maintenance Code and approved by the Building Official.

502 Effect of Failure to Appeal or Stipulation. Failure of any person to file an appeal in accordance with the provisions of Section 501 or waiver by stipulation of the owner and the City shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or any portion thereto. Failure to appeal or failure to comply with stipulation provisions shall result in enforcement pursuant to Chapter 7 of this code. (Ord. 8-91 (part): Ord. 5A-89 (part): Ord. 12-85 (part): Ord. 3-82 § 1 (part): Ord. 5A-80 § 1 (part): prior code § 8-59)(Ord. No. 7B-95, Amended, 07/05/95; Ord. No. 1C-98, Amended, 01/20/98)(Ord.03-2005, Amended, 06/21/2005)(Ord. 09-2012, Amended 9/4/2012)

**Section 15.24.100 Solar Energy Code.**

The Solar Energy Code, 2018 Edition as published by the International Code Council, is adopted as the Rawlins Solar Energy Code. (Ord. 12-85 (part): Ord. 3-82 § 1 (part): Ord. 5A-80 § 1 (part): prior code § 8-60)(Ord. No. 1C-98, Amended, 01/20/98)(Ord. 03-2005, Amended, 06/21/2005)(Ord. 09-2012, Amended 9/4/12) (Ord. 02-2019, Amended, 02/05/2019)

**Section 15.24.110 Uniform Swimming Pool, Spa and Hot Tub Code.**

The ISPSC-International Swimming Pool and Spa Code, 2021 Edition, as published by the International Code Council is adopted as the Rawlins Swimming Pool and Spa Code. (Ord. 03-2005, Amended, 06/21/2005)(Ord. 09-2012, Amended 9/4/2012)(Ord. 02/2019, Amended 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.120 Uniform Mobile Home and R.V. Standards.**

The following are installation standards for manufactured housing for new installations or for existing manufactured or mobile homes that are subject to relocation, building alteration, remodeling or rehabilitation:

1. The manufacturer's installation instructions for the model being installed are the primary standard.
2. If the manufacturer's installation instructions for the model being installed is not available or is incomplete, the following standards apply:
  - a. Appendix E of the 2021 IRC as issued by the International Code

Council for installation defined in Section AE101 of Appendix E;  
or

- b. If an installation is beyond the scope of the 2021 Edition of the IRC as defined in Section AE101 of Appendix of the 2013 Edition of the NFPA 225, use Model Manufactured Home Installation Standard issued by the National Fire Protection Association.
- c. A manufacturer, retailer, or homeowner is permitted to design for unusual installation of a manufactured home not provided for in the manufacturer's standard installation instructions, Appendix E of the 2021 IRC or the 2017 NFPA 225, if the design is approved in writing by a professional engineer or architect licensed in Wyoming.

The above standards are adopted as the Rawlins Manufactured/Mobile Home Installation Standard.

#### NFPA 1194 2021 Standard for Recreational Vehicle Parks and Campgrounds

The above standards are adopted as the Rawlins standard for recreational vehicle parks and campgrounds.

(Ord. 12-85 (part)(Ord. 03-2005, Amended, 06/21/2005)(Ord. 09-2012, Amended 9/4/12)(Ord. 02-2019, Amended 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

#### **Section 15.24.130 Uniform Housing Code.**

The Uniform Housing Code is DELETED. (Ord. 8-91 (part): Ord. 12-85 (part)(Ord. No. 7B-95, Amended, 07/05/95; Ord. No. 1C-98, Amended, 01/20/98)(Ord. 03-2005, Amended, 06/21/2005)(Ord. 09-2012, Amended 9/4/12)

#### **Section 15.24.140 Public Works Standard Specifications.**

The Wyoming Public Works Standard Specifications, 2001 Edition, as published by the Wyoming Association of Consulting Engineers and Surveyors, is adopted as the City of Rawlins standard for technical specifications used in public works projects performed by the City, or by contractors doing work for the City or within the jurisdiction of the City.

#### **Section 15.24.150 Existing Building Code.**

The International Existing Building Code, 2021 Edition, as published by the International Code Council is adopted as the Rawlins Existing Building Code. (Ord. 04-2008, Amended, 04/01/2008; Ord. 03-2005, Add, 06/21/2005)(Ord. 09-2012, Amended 9/4/12) (Ord. No. 6B-2022, Amended, 6/21/22)

#### **Section 15.24.160 Property Maintenance Code.**

The International Property Maintenance Code, 2021 Edition, as published by the International Code Council, is adopted as the Rawlins Property Maintenance Code. (Ord. 04-2008, Amended, 04/01/2008; Ord. 03-2005, Add, 06/21/2005)(Ord. 09-2012, Amended 9/4/12)(Ord. 02-2019, Amended, 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

#### **Section 15.24.170 Residential Code.**

The International Residential Code, 2021 Edition, as published by the International Code Council, is adopted as the Rawlins Residential Code as amended to read as follows:

Section R309.5 is DELETED.

Section R311.7.5.1 is amended to read as follows:

R311.7.5.1 Riser Height: The maximum height shall be 8 inches (203mm).  
Sections 313.2 and 313.2.1 are DELETED.  
G2412.1.2 Gas Meter Protection. Fuel gas service shall be in an approved location and/or provided with structures designed to protect the fuel gas meter and piping from physical damage. If an added structure is used, it must provide access for service and comply with the IBC and IRC.  
Section 1102.4.1.2 (R402.4.1.2) is DELETED.  
P-2904 are DELETED.  
Chapters 34 through 43 are DELETED.  
Appendix E is adopted in its entirety.  
Appendix L is DELETED.  
Appendix Q is adopted in its entirety.  
Appendix R is DELETED.  
Appendix S is DELETED.  
(Ord. 04-2008, Add, 04/01/2008)(Ord. 09-2012, Amended 9/4/12)(Ord. 02-2019, Amended, 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.180 Private Sewage Code.**

The IPSDC-International Private Sewage Code, 2021 Edition, as published by the International Code Council is adopted as the Rawlins Private Sewer Code as amended to read as follows:  
Section 106.1.1 and 106.1.2 are DELETED  
(Ord. 02-2019, Amended, 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.190 Energy Conservation Code.**

**A. Commercial Buildings**

Ashrae 90.1 standards or a Comcheck compliance report reference to the International Energy Conservation Code (IECC) shall be submitted with the proposed building plans at the time of application for review and comment. Only the building envelope calculations are required.

**Exception:** IBC Occupancies S-1, S-2, F-1, F-2, & U are exempt from the above requirement.

“Comcheck” software may be obtained at no cost on the internet at:  
[http://www.energycodes.gov/comcheck/ez\\_download.stm](http://www.energycodes.gov/comcheck/ez_download.stm)

B. Chapter 11 of the International Residential Code is amended to read as follows:

**Residential Energy Efficiency Requirements for IRC Housing Climate Zone-6B. Heating Degrees Days (HDD) 7995**

**Note:** Insulation R-Values are pre-calculated for insulation only and already assume credible R-values for other building materials. I.e. you cannot add R-Value for sheetrock, OSB, vinyl siding, block, concrete, house wrap, etc....

- i. **Framed Walls:** R-19 Cavity or R-13 Cavity + R-5 Insulation sheathing.
- ii. **Ceilings:** R-49
- iii. **Basement Walls:** R-13 Cavity or R-10 Continuous.  
**Note:** This applies to finished and unfinished basements.
- iv. **Floors:** R-30<sup>2,3,4</sup>.
- v. **Crawl Space Walls:** R-13 Cavity or R-10 Continuous.
- vi. **Window Maximum Allowable U-Factor:** 0.324

**vii. Door Maximum Allowable U-Factor: 0.354**

**Footnotes:**

- Or insulation sufficient to fill the framing cavity, R-13 minimum.
  - **Intent:** To allow for the use of hand cut rafters for cathedral ceilings and shed roofs that will not accommodate R-49.
- Or insulation sufficient to fill the framing cavity, R-19 minimum.
  - **Intent:** To allow for the use of 2 x 6 floor joists that will not accommodate R-30
- Floor insulation may be deleted when the floor is over a conditioned space.
- Required as modified by RES-check option.

**B. “REScheck” Software Option**

- i. A “REScheck” compliance report based on the 2021 International Energy Conservation Code (IECC) may be submitted with the permit application as an alternative method to the above prescriptive requirements. This software may be obtained at no cost on the internet at:  
<http://www.energycodes.gov/rescheck/download.stm>

**C. Additional Requirements:**

- i. A permanent certificate shall be posted on or in the electrical distribution panel. The certificate shall be completed by the builder or design professional and shall list all R-values of insulation for walls, ceilings/roofs, foundation walls, floor(s) over outside air, crawl space walls and or floors, ducts outside conditioned space(s), and U-factors of all doors and windows. The certificate shall list the type, size and efficiency of heating and cooling equipment. An additional copy shall be provided to the building inspection division prior to the final inspection. The “Residential Energy Efficiency Certificate” shall be provided by The City of Rawlins Building Inspection Division.
- ii. The thickness of blown in or sprayed roof/ceiling insulation (fiberglass or cellulose) shall be written in inches on markers that are installed at least one for every 300 ft<sup>2</sup> throughout the attic space. The markers shall be affixed to the trusses or joists and marked with the minimum initial installed thickness with numbers a minimum of one (1”) inch high. Each marker shall face the attic access opening.
- iii. HVAC supply and return ducts located in any unconditioned space shall be insulated to a minimum R-8.
- iv. The following shall be caulked, gasketed, weather-stripped, or otherwise sealed with an air barrier material, suitable film or solid material.
  - a. All joints, seams and penetrations
  - b. Windows, doors and skylights.
  - c. Openings between window and door assemblies and their respective jambs and framing.
  - d. Utility penetrations.
  - e. Dropped ceilings or chase adjacent to the thermal envelope.
  - f. Knee walls.
  - g. Walls and ceilings separating the garage from conditioned spaces.

- h.** Behind tubs and showers on exterior walls.
  - i.** Common walls between dwelling units.
  - j.** Other sources of infiltration.
  - k.** Joints of duct systems shall be made substantially airtight in accordance with Section M1601.4.1
- v.** All building plans (including Master Plans) shall clearly indicate all R-values of insulation for walls, ceilings/roofs, foundation walls, floor(s) over outside air, crawl space walls and or floors, ducts outside conditioned space(s), and U-factors of all doors and windows. The plans shall list the type, size and efficiency of heating, cooling and service water heating equipment.  
(Ord. 02-2019, Amended, 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.200 Wildland Interface Code.**

The International Wildland Interface Code, 2021 Edition, as published by the International Code Council, is adopted as the Rawlins Wildland Interface Code.  
(Ord. 02-2019, Amended, 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.210 Zoning Code.**

The Zoning Code is DELETED.

**Section 15.24.220 Performance Code.**

The International Performance Code, 2021 Edition, as published by the International Code Council, is adopted as the Rawlins Performance Code.  
(Ord. 02-2019, Amended, 02/05/2019) (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.230 Life Safety Code.**

The Life Safety Code 101, 2021 Edition, as published by the National Fire Protection Association, is adopted as the Rawlins Life Safety Code. (Ord. No. 6B-2022, Amended, 6/21/22)

**Section 15.24.240 Appeals.**

**A. General.** In order to hear and decide appeals of orders, decisions, or determinations made by the code official relative to the application and interpretation of the codes in this chapter, there shall be and is hereby created a board of appeals and/or hearing examiner. The board of appeals and/or hearing examiner shall be appointed from time to time and as needed by the City Manager to hear each appeal. The board or examiner shall conduct business in accordance with the Wyoming Administrative Procedure Act.

**B. Limitations on authority.** An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed. The board or examiner shall have no authority to waive requirements of the code.

**C. Qualifications.** The board of appeals and/or hearing examiner shall consist of a member or members who in the sole discretion of the City Manager are qualified by experience and training to pass on matters pertaining to these codes.

**D.** As an alternative to sections A, B and C above the City Manager may elect to follow the notice and hearing procedure described in the adopted code. (Ord. 04-2008, Add, 04/01/2008)

**Chapter 15.28**  
**CONTRACTORS**

**Sections:**

- 15.28.010 Definitions.**
- 15.28.020 License--Required.**
- 15.28.030 Duties and responsibilities of contractors.**
- 15.28.040 Classes of licenses and qualification requirements.**
- 15.28.050 Application procedure.**
- 15.28.060 Expiration of license.**
- 15.28.070 Partial payment prohibited.**
- 15.28.080 License Fees.**
- 15.28.090 Suspension and Revocation of a Contractor's License.**
- 15.28.100 Fraudulent use.**
- 15.28.110 Exception for homeowner.**

**Section 15.28.010 Definitions.**

1. Contractor- For the purpose of this title the word "contractor" means one who contracts to furnish supplies or perform work at a certain price or rate.
2. License- A license is authority granted to the person whom it is issued to perform permitted construction or demolition.
3. General Contractor "Class A"- A person qualified and experienced in contracting and overseeing the completion of any construction project, including the work subcontracted to other licensed contractors.
4. Building Contractor "Class B"- A person licensed to construct any building three (3) stories or less in height, including overseeing the work subcontracted to other licensed contractors.
5. Residential Contractor "Class C"- A person licensed to construct one (1) and two (2) family residential buildings, including overseeing the work performed by other licensed contractors.
6. Master Plumber- A person licensed to contract or install plumbing systems and gas in all structures.
7. Journeyman Plumber- A person licensed to install plumbing systems and gas under the supervision of a licensed master plumber.
8. Master HVAC- A person licensed to contract or install heating, ventilation, air conditioning, refrigeration, and related systems in all structures.
9. Journeyman HVAC- A person licensed to install heating, ventilation, air conditioning, refrigeration, and related systems under the supervision of a licensed master HVAC.
10. Fire Suppression Contractor- A person licensed to contract or install fire suppression systems in all structures.
11. Concrete Contractor (Structural)- A person licensed for placement of any concrete.
12. Concrete Contractor (Nonstructural)- A person licensed for nonstructural flat work only.
13. General Roofing Contractor- A person licensed for installation of any roof covering material.

14. Shingle Roof Contractor- A person licensed for shingled roofing material installations.
15. Landscape/Irrigation Contractor- A person licensed to install landscaping and/or irrigation systems, but not the connection to the electrical or plumbing system.
16. Electrical Contractor- A person licensed as an electrical contractor by the state of Wyoming.
17. Limited Low Voltage Contractor- A person licensed through the state of Wyoming as a low voltage contractor.
18. Grading/Utilities- A person licensed to provide grading work for construction projects, roads, and related work, and/or the installation of water and sewer lines from the main lines to the building.
19. Exterior Wall Coverings- A person licensed to install exterior weatherproof wall coverings, trim and windows.
20. Interior Finish- A person licensed to install interior finishes such as: interior wall coverings, floor coverings, drop ceilings, and framing or any other installations as approved by the building official.
21. Main Line Utilities Contractor- A person licensed for the installation of utilities, electrical, water and sewer, gas, cable television, communications, satellite systems, etc. This includes the installation of main lines and individual feeds.
22. Arborist- A person licensed to trim or remove trees.
23. Sign Contractor- fabricates, installs, and erects signs, including the wiring of electrical signs, and non-electrical signs; including but not limited to post or pole supported signs, signs attached to structures, painted wall signs, and modifications to existing signs.

#### **Section 15.28.020 License--Required.**

A. It is unlawful for any person, firm or corporation to carry on or engage or offer to engage in the business of contracting for any of the following types of work or services within the City without first having a valid contractor's license in the particular contracting category under the provisions of this article, issued by the building official: build, erect, construct, alter, add to, repair or demolish any building or structure, sign installing, excavating, grading, pole and tower installing or construction, concrete work, landscaping, tree trimming, and any other type of work regulated by this title.

B. Nothing in this section shall prevent any property owner from doing such regulated work on his own property, with his own hands, provided:

1. All such work meets the requirements of the technical codes adopted in this title;
2. Is inspected by the building official as provided in this title;
3. A proper permit has been issued for the work.

C. The requirements for contractor's licensing shall not apply to properly franchised utility companies.

#### **Section 15.28.030 Duties and responsibilities of contractors.**

Any contractor licensed under this chapter shall be responsible for:

1. All work included in his/her contract whether or not such work is done by the contractor directly or by a subcontractor;
2. Obtaining licenses required for work performed by the contractor or under his/her contract;
3. Verifying that a permit has been issued for the work being performed;

4. Making sure all work performed is by a licensed contractor or an employee of a licensed contractor;
5. Presenting the appropriate license when requested by the building official;
6. Performing work according to the plans and specifications as permitted and approved by the building official. Any changes to plans and specifications shall be reviewed and approved by the building official;
7. Call for inspections when required by the adopted construction codes or the building official

**Section 15.28.040 Classes of licenses and qualification requirements.**

There shall be the following classes of licenses and the holder of each license shall be authorized to do the following:

Type of Contractor	Proof of Min. Liability	Contractor Test Type	Documented Years of Experience in Field of Interest
General Cont. "Class A"	\$300,000.00	ICC General Building Contractor (A)	8
Building Cont. "Class B"	\$300,000.00	ICC Building Contractor (B)	6
Residential Cont. "Class C"	\$300,000.00	ICC Residential Building Contractor (C)	4
Plumbing Cont.	\$300,000.00	ICC Master Plumber	Master Plumber Certification
Master Plumber	\$300,000.00	ICC Master Plumber	5 as journeyman and 4 as apprentice
Journeyman Plumber	\$300,000.00	ICC Journeyman Plumber	4 years as apprentice, must work under Master
Apprentice Plumber	\$300,000.00	No Test	NONE, must work under Master
HVAC	\$300,000.00	ICC Master HVAC	Master HVAC Certification
Master HVAC	\$300,000.00	ICC Master HVAC	5 as journeyman and 4 as apprentice
Journeyman HVAC	\$300,000.00	Journeyman HVAC	4 years as apprentice, must work under Master
Apprentice HVAC	\$300,000.00	No Test	NONE, must work under Master
Fire Suppression	\$300,000.00	ICC Fire Suppression Installer/Worker	2
Concrete (Structural)	\$300,000.00	ICC Concrete Contractor	4
Concrete (Non-Structural)	\$300,000.00	No Test	2
Roof	\$300,000.00	ICC General Roofing or ICC Steel/Shingle Roofing	4
Electrical Cont.	\$300,000.00	State Electrical Contractors License	State of Wyoming License
Master Electrical	\$300,000.00	State of Wyoming License	State of Wyoming License

Journeyman Electrical	\$300,000.00	State of Wyoming License	State of Wyoming License
Apprentice Electrical	\$300,000.00	No Test	NONE- Must work with Journeyman or higher
Exterior Finish	\$300,000.00	No Test	2
Interior Finish	\$300,000.00	No Test	2
Low Voltage	\$300,000.00	State of Wyoming Low Voltage Contractor	State Requirements
Landscaping/ Arborist	\$300,000.00	No Test	2
Grading/ Utilities	\$300,000.00	No Test	4
Outside Utilities Contractor	\$300,000.00	No Test	4
Demolition- Residential Only, all commercial demolition requires Class A	\$300,000.00	No Test	2
Sign	\$300,000.00	No Test	2

1. Qualification Requirements.

- a. Applicants desiring to obtain a contractor's license must have the required level of experience, **or** successfully pass the appropriate Wyoming Trades Certification Program test or the appropriate I.C.C. test on the table above;
- b. Any licensed contractor may do required work that is incidental to the licensed work as approved by the building official;
- c. Confirmation of experience will be confirmed by W-2 records, pay stubs, insurance records, copies of prior licenses, workers compensation records. Other means of verification will be considered and must be approved by the building official;
- d. Any unlisted contractors, test type, fees, and insurance will be reviewed by building official;
- e. If a contractor's license lapses for any reason, the applicant must apply for a new contractor's license and meet all the requirements as a new applicant;
- f. Any applicant protesting a licensing decision made by the building official may appeal that decision to the Board of Adjustments.

**Section 15.28.050 Application procedure.**

Application for license shall be made at the Community Development Department. Upon review and approval by the administrative authority and on payment of the required fee, the Community Development Department shall issue the license.

**Section 15.28.060 Expiration of license.**

Licenses shall be renewed annually on February 1<sup>st</sup> with a thirty (30) day grace period following the renewal date. Any work performed after the expiration and prior to obtaining such license shall be in violation of this code.

**Section 15.28.070 Partial payment prohibited.**

No partial payment shall be accepted by the Community Development Department for any license fee.

**Section 15.28.080 License Fees.**

- A. Annual fees required as established by Resolution by City Council.
- B. Pro-rating of fees. Fees will be prorated by months remaining until February 1<sup>st</sup>.
- C. Specialty Trade Licenses will not be prorated.
- D. License fee refund. License fees are not refundable.

**Section 15.28.090 Suspension and Revocation of a Contractor's License.**

A. All Licensees shall be responsible for work requiring a permit under the provisions of this article.

1. The Building Official may suspend or revoke a Contractor's license if it is found it was obtained through error or fraud. The Building Official may suspend a Contractor's license when one or more of the following are committed by any Licensed Contractor in the City of Rawlins:

- a. Failure to obtain the proper permit prior to performing work.
- b. Failure to faithfully construct, without substantial departure from or disregard of drawings and specifications when such drawings and specifications have been filed and approved by the department and permit issued for same, unless such changes are approved by the department.
- c. Failure to obtain inspection services when the same are required by any City ordinance or any adopted building code.
- d. Failure to pay any fee assessed under any City ordinance or any adopted building code.
- e. Failure to build in compliance with all applicable codes.
- f. Failure to contact Carbon County Underground Utility Coordinating Council before doing any excavation in compliance with §37-12-301 through 304, Wyoming Statutes, 1977.
- g. Failure to immediately notify the owner of any underground facility if it is contacted or damaged in the course of excavation in compliance with §37-12-301 through 304, Wyoming Statutes, 1977.
- h. Failure to obtain a current license and insurance prior to contracting.
- i. Failure to obtain a Certificate of Occupancy prior to occupancy by an owner of a building or structure.
- j. Knowingly combining or conspiring with a person, firm, or corporation by permitting one's license to be used by such person, firm or corporation.
- k. By acting as agent, partner, associate, or in any other capacity, with persons, firms or corporations to evade the provisions of this article.
- l. Knowingly violating any provisions of this article.

2. Any person who shall violate the provisions of this article by doing business within the city as a Contractor, as defined herein, without a license, or after a license has been suspended, shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than Seven Hundred Fifty Dollars (\$750.00). Each separate physical address that a violation occurs at shall be considered a separate offense. Each

day's continuance of such violation shall be deemed a separate offense.(Ord. 10-2020 amended 10/20/2020)

3. The Building Official shall provide the Contractor written notice of the violation of Section 15.28 known as a first time warning letter, and order him to correct his violation within five (5) days. A second warning letter will be sent to the Contractor if he does not comply with the terms of the first time warning letter. The second warning letter will be sent by certified mail, return receipt requested or will be hand delivered to the Contractor and will advise the Contractor to correct the violation of 15.28 within five (5) days, or his Contractor's license will be suspended. If the Contractor's violation of Section 15.28 is in performance of the work, and the violation constitutes a threat to health and safety, the Building Official may contact the Contractor and order an immediate correction of the work. If the items in violation of 15.28 are not rectified within the time specified in the second warning letter, the following disciplinary action may be taken:

a. The Building Official shall have the discretion of placing the Contractor on probation for a period of time not to exceed one (1) year only if the Contractor has been charged with a violation of 15.28 and if the Contractor fails to comply with the second warning letter A Probationary Contractor may perform all actions permitted by a Contractor's License. If a Probationary contractor violates 15.28 during his probationary period then his Contractor's License shall be suspended pursuant to 15.28.-Probationary Contractors may appeal this decision to the Board of Adjustments in accordance with Section 15.28

b. 1st Offense or any subsequent violation of different items - 10 calendar day license suspension.

c. 2nd Offense of the same item as the 1st offense within a 12 month period, whether or not at the same address - 30 calendar day license suspension.

d. 3rd Offense of the same item within a 12 month period - 3 month license suspension. Prior to contracting after the completion of this suspension period, the Contractor must reapply for a Contractor's License. The Building Official may require the Contractor to take and pass any testing requirements that are in place for new Contractor's License. The Contractor's License shall be reinstated if the violations listed in the notice to the Contractor have been corrected and required testing taken and passed. If the violations listed in the notice to the Contractor have not been corrected, then the Building Official shall have the authority to suspend the Contractor's License for a period of one (1) year. After the conclusion of the one (1) year suspension, the Contractor shall be eligible to apply for a new Contractor's License, which may only be granted subject to a one (1) year probation.

4. Three (3) first time warning letters for the same type of violation within a 12 month period shall constitute a first offense and require a ten (10) day suspension. The 12 month period begins with the mailing of the first letter.

B. When any of the acts or omissions as herein enumerated are committed by a licensed Contractor, the Building Officer shall notify the Contractor of his decision as provided in this section to suspend his license as provided in this section. All Contractors whose licenses are revoked or suspended may appeal and have their case heard by the Board of Adjustments. The failure of the Contractor to appeal as provided in this section shall make the decision of the Building Official final and not subject to review in any other tribunal.

1. The Contractor shall be notified, in writing, by certified mail, at the address for the Contractor on file with the Building Official at least seven (7) days prior to the start of the suspension.
2. Upon receipt of the notice, the Contractor may request a hearing by filing an appeal in writing with the Building Official within ten (10) days of mailing of the notice.
3. If an appeal is filed by a Contractor, the Building Official shall notify the Community Development Department and the Community Development Department shall set a time, date and place for the hearing and the Building Official shall so notify the licensee in writing.
4. When a hearing is conducted, the Contractor shall, and other interested parties may, be in attendance. Upon completion of the hearing, the Community Development Department shall notify the Contractor of its findings and ruling in writing by certified mail.
5. The Community Development Department shall have the power to modify the suspension and/or probation. No probationary period shall extend longer than one (1) year. The Community Development Department may also:
  - a. issue an informal reprimand which does not become part of the Contractor's file;
  - b. issue a formal reprimand stating the Community Development Departments findings of fact and conclusions of law. A formal reprimand becomes part of the Contractor's file and may be considered in subsequent determinations of the Director of Community Development;
  - c. require a Contractor to conform his work to the appropriate code within a stated reasonable period of time. If the Contractor fails to conform the work within the stated time period, the permit shall be voided and the permittee shall remove himself from the job; or
  - d. issue such injunctive relief as may be appropriate in the circumstances.
6. If the decision rendered by the Community Development Department is adverse to the Contractor, the Contractor may appeal to the District Court in writing within thirty days (30) days of the mailing of the notice of ruling.
7. Working or contracting during a suspension will automatically subject an individual to a suspension of thirty (30) calendar days in addition to the period of suspension then in effect and shall expose him to the provisions of 15.28
8. While a license is suspended, a Contractor or his employees shall not contract further work. The Contractor may perform warranty work, repairs or other operations commonly associated with the contracting business only with the written approval of the Building Official.

**Section 15.28.100      Fraudulent use.**

The lending of any certificate of qualification or the obtaining of permits thereunder for any other person shall be deemed unlawful.

**Section 15.28.110      Exception for homeowner.**

Nothing in this chapter shall prevent any homeowner from doing such work with his own hands, provided the work meets inspection requirements, and a proper permit has been issued.

**Chapter 15.31 DIVISION II. PLUMBING\***

\* For provisions adopting the plumbing code, see Section 15.24.030 of this code.

## Chapter 15.32

### GENERAL PROVISIONS

#### Sections:

<b>15.32.010</b>	<b>Purpose.</b>
<b>15.32.020</b>	<b>Scope.</b>
<b>15.32.030</b>	<b>Definitions.</b>
<b>15.32.040</b>	<b>Exceptions.</b>
<b>15.32.050</b>	<b>Liability.</b>
<b>15.32.060</b>	<b>Penalty for violation.</b>

#### **Section 15.32.010 Purpose.**

This division provides minimum requirements and standards for the protection of the public health, safety and welfare. (Ord. 4B-78 (part): prior code § 23-1)

#### **Section 15.32.020 Scope.**

The provisions of this division shall apply to the erection, installation, alteration, addition, repair, relocation, replacement, maintenance or use of any plumbing system except as otherwise provided for in this division. (Ord. 4B-78 (part): prior code § 23-2)

#### **Section 15.32.030 Definitions.**

A. "Apprentice plumber" means a person who labors at the trade of plumbing as an employee under the direct supervision and in the immediate presence of a master plumber or journeyman plumber.

B. "Building official" means the duly appointed building official of the city or his authorized representative.

C. "Journeyman plumber" means a person who labors at the trade of plumbing as an employee.

D. "Master plumber" means a person skilled in the planning, superintending and practical installation of plumbing and who is familiar with the laws, rules and regulations governing the same.

E. "Plumbing contractor" means a person who may conduct, carry on or engage in the business of plumbing. (Ord. 4B-78 (part): prior code § 23-3)

#### **Section 15.32.040 Exceptions.**

No business or license or permits shall be required under this chapter for the installation, alteration or repair of gas or steam piping, appliance or equipment, installed by or for a public utility, for the use of the utility in the generation, transmission, distribution or metering of gas, electric or steam service, and no journeyman's license shall be required for employees engaged in such work for the utility. (Ord. 4B-78 (part): prior code § 23-4)

#### **Section 15.32.050 Liability.**

The building official or any employee charged with the enforcement of this division, acting in good faith and without malice for the city in the discharge of his duties, shall not thereby render himself liable personally and he is relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or by reason of any act of omission in the discharge of his duties, such act or omission performed by him in the enforcement of any provisions of this division, shall be

defended by the city attorney until final termination of the proceedings. (Ord. 4B-78 (part): prior code § 23-6)

**Section 15.32.060      Penalty for violation.**

Any person, firm or corporation violating any provisions of this division shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided by this code. Each separate day or any portion thereof during which any violation of this division occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as provided. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this division. No permit presuming to give authority to violate or cancel the provisions of this division shall be valid, except insofar as the work or use which it authorized is lawful. (Ord. 4B-78 (part): prior code § 23-5)

## Chapter 15.36

### LICENSING

#### Sections:

15.36.010	Contractor license required.
15.36.020	Master plumber license required.
15.36.030	Journeyman plumber license required.
15.36.040	Exception for homeowner.
15.36.050	Application required.
15.36.060	Application--Renewal of expired journeyman or master plumber license.
15.36.070	Application--Temporary work permit.
15.36.080	Contractor license--Bond and master plumber.
15.36.090	Fees.
15.36.100	Examinations.
15.36.110	Reexamination. REPEALED.
15.36.120	Certificates.
15.36.130	Expiration and renewal.
15.36.140	Revocation.
15.36.150	Transfer.
15.36.160	Fraudulent use.
15.36.170	Examination of existing licensees.
15.36.180	Reexamination upon adoption of new plumbing code.

#### **Section 15.36.010 Contractor license required.**

It is unlawful for any person to conduct, carry on or engage in the business of plumbing or act in the capacity of a plumbing contractor without first having a valid plumbing contractor's license, issued to him by the building official. (Ord. 5A-84(b) (part))

#### **Section 15.36.020 Master plumber license required.**

It is unlawful for any person to labor at the trade of plumbing in the capacity of a master plumber without first having had issued to him a valid master plumber's license by the building official. (Ord. 5A-84(b) (part))

#### **Section 15.36.030 Journeyman plumber license required.**

It is unlawful for any person to labor at the trade of plumbing in the capacity of a journeyman plumber without first having had issued to him a valid journeyman plumber's license by the building official. (Ord. 5A-84(b) (part))

#### **Section 15.36.040 Exception for homeowner.**

Nothing in this chapter shall prevent any homeowner from doing such work with his own hands, provided the work meets inspection requirements, and a proper permit has been issued. (Ord. 5A-84(b) (part))

#### **Section 15.36.050 Application required.**

Any person who is required by this division to possess a plumber's license shall make application therefor to the building official on application blanks provided by the building official. (Ord. 5A-84(b) (part))

**Section 15.36.060 Application--Renewal of expired journeyman or master plumber license.**

The holder of a city journeyman or master plumber's license which has expired within the past five years may, at the discretion of the building official, renew the license by paying all back charges due the city and by satisfying the building official of their competency. This section shall be applicable only to those persons who have been licensed under another jurisdiction during the time mentioned in this section. (Ord. 5A-84(b) (part))

**Section 15.36.070 Application--Temporary work permit.**

Pending the examination of an applicant for a journeyman license, the building official may issue a temporary work permit, good only until an examination can be scheduled. (Ord. 5A-84(b) (part))

**Section 15.36.080 Contractor license--Bond and master plumber.**

Before a plumbing contractor's license may be issued to a person, he shall file a bond in the amount of five thousand dollars with the building official. A plumbing contractor shall present evidence that at least one full-time employee is a holder of a valid master plumber's license. In the event a licensed contractor is without an employee holding a master plumber's license, he will be granted thirty days to secure an employee with a master plumber's license. If, at the end of thirty days, an employee holding a master plumber's license cannot be secured, the plumbing contractor's license shall be revoked. (Ord. 5A-84(b) (part))

**Section 15.36.090 Fees.**

A. Every person qualifying and obtaining a plumber's license shall pay to the city, at the time the license is granted, a fee as established by resolution of the City Council, and provided for in Title 1 of this code.

B. Every person applying to take the license examinations, or reexamination, upon making application, shall pay a fee as established by resolution of the City Council, and provided for in Title 1 of this code. (Ord. 5A-84(b) (part) (Ord. No. 10B-94, Amended, 10/04/94) (Ord. 08a-2008, Amended, 08/19/2008))

**Section 15.36.100 Examinations.**

Written examinations conducted by the Wyoming Plumbing Trades Certification Program are required in order to obtain a master plumber or journeyman plumber license. Following is the experience criteria and all examinations require seventy-five percent (75%) or more for a passing score. Affidavits corroborating the number of years claimed to have been worked at the trade from former employers are required if prior experience is claimed.

A. Master Plumber. Two years as a licensed journeyman plumber in the city. Experience as a journeyman plumber or master plumber under the recognized licensing authority of a state or other municipality having license examinations comparable to that of the city will be accepted in lieu thereof for each year required. Equivalent training or experience in this trade documented by affidavits from

former employers or certificates from training programs may be accepted in lieu of Journeyman program if acceptable to Building Official.

B. Journeyman Plumber. Completion of a four-year plumbing apprenticeship training program recognized by the city. One year's experience as an apprentice plumber, journeyman or master plumber under a recognized authority of a state or municipality will be accepted in lieu thereof for each year of required apprenticeship. Equivalent training or experience in this trade documented by affidavits from former employers and certificates from training programs may be accepted in lieu of apprenticeship program if acceptable to Building Official. (Ord. 5A-84(b) (part) (Ord. No. 12A-95, Amended, 12/05/95)

**Section 15.36.110 Reexamination. REPEALED.**

(Ord. 5A-84(b) (part) (Ord. No. 12A-95, Amended, 12/05/95)

**Section 15.36.120 Certificates.**

A certificate of qualification shall be issued to every person who makes application for the certificate, pays the required fee, has the required experience, and has and successfully passed the Wyoming Plumbing Trades Certification examination; provided, however, that the building official may issue the certificate to any person who makes application therefor, pays the required fee and possesses and presents a valid certificate of qualification issued to him by any other governmental agency giving an examination the scope and character of which, in the opinion of the building official, is at least equal to that given by the Wyoming Plumbing Trades Certification program. (Ord. 5A-84(b) (part) (Ord. No. 12A-95, Amended, 12/05/95)

**Section 15.36.130 Expiration and renewal.**

A. Every certificate of qualification and contractor's license issued under the provisions of this chapter shall remain in force and effect for one year after issuance, unless cancelled or revoked.

B. Licenses shall be renewable for another one-year period upon payment of the prescribed renewal fee as established by resolution of the City Council as per Title 1 of this code provided the fee is paid within thirty days after the date of expiration.

C. Failure to renew a license within the prescribed time period shall result in automatic cancellation of the license and a new license will only be issued upon approval of the building official. (Ord. 5A-84(b) (part)

(Ord. 08a-2008, Amended, 08/19/2008)

**Section 15.36.140 Revocation.**

The building official may, after a hearing is held, cancel or revoke any certificate of qualification issued to any person, if the person later shows incompetency or lack of knowledge in matters relevant to the certificate or if the certificate was obtained by fraud. Hearings shall be held pursuant to the provisions of the Wyoming Administrative Procedures Act, Sections 9-4-101 through 9-4-105, Wyoming Statutes, annotated, (1977), and all amendment thereto. If the certificate of qualification of any person is so cancelled or revoked, another such certificate shall not be granted to such person within twelve months after the date of cancellation or revocation. (Ord. 5A-84(b) (part)

**Section 15.36.150 Transfer.**

Certificates of qualification issued under the provisions of this chapter shall not be transferable from

one person to another. (Ord. 5A-84(b) (part))

**Section 15.36.160      Fraudulent use.**

The lending of any certificate of qualification or the obtaining of permits thereunder for any other person shall be deemed unlawful. (Ord. 5A-84 (b) (part))

**Section 15.36.170      Examination of existing licensees.**

All master plumber or journeyman licenses which have been issued prior to the effective date of the ordinance codified in this division shall remain in full force and effect until the license expires. Upon its expiration, renewal thereof shall only be allowed after recertification of the license holder by the building official pursuant to written examination which sufficiently demonstrates that the applicant possesses the qualifications required of his profession. (Ord. 5A-84(b) (part))

**Section 15.36.180      Reexamination upon adoption of new plumbing code.**

All licensed master plumbers shall be required to be reexamined within a maximum time period of twelve months following the adoption by the city council of a new plumbing code if, in the opinion of the building official there have been significant changes from the previous code. The reexamination may be by written examination or oral examination or both, and directed to determining whether or not the examinee is proficient with the changes reflected in the new plumbing code. (Ord. 5A-84(b) (part))

**Chapter 15.43DIV      DIVISION III. ELECTRICITY\***

\* For provisions adopting the electrical code, see Section 15.24.050 of this code.

## Chapter 15.44

### ELECTRICAL CONTRACTING

#### Sections:

- 15.44.010**      **Applicability.**
- 15.44.020**      **Emergency disconnection.**
- 15.44.030**      **Appeal.**
- 15.44.040**      **Liability for damages.**

#### **Section 15.44.010**      **Applicability.**

The provisions of this division shall apply to the business, trade or industry known as the "electrical contracting industry," which term as used in this division means the business of installing, altering, repairing or servicing electrical wiring, fixtures, conductors, fittings, devices, appliances, equipment, materials, apparatus and the like, within or on public, quasi-public or private building structure and premises, located within the city, except as provided in this chapter, and to apply to the persons, whether natural, firm, partnership, association, corporation, trustee, receiver, agency or otherwise, engaging or engaged in the business or industry, either as an owner, part owner, manager, lessee, employer, employee, stockholder or otherwise, except as provided in this chapter, for the purpose of safeguarding the persons and property and promoting the public health, safety and welfare of the city. (Prior code § 11-1)

#### **Section 15.44.020**      **Emergency disconnection.**

Any person owning or controlling electric wires or apparatus for the transmission of light, heat or power, in time of fire or other emergency wherein lives or property may be endangered by the operation of such wires or apparatus shall, upon request of the mayor, the chief of the fire department or the building inspector, disconnect such wires as are designated by said officials during the continuance of such immediate danger. Wiring shall be put in a serviceable condition in accordance with standard requirements of this title before being reconnected. (Prior code § 11-2)

#### **Section 15.44.030**      **Appeal.**

If the building inspector condemns all or part of the electrical work in or on any building or structure, the licensee or his agent or attorney may, within five days after receiving notice from the building inspector, file a petition in writing for review of the action of the building inspector with the mayor. Upon receipt of such notice, the mayor shall at once proceed to determine whether the electrical construction complies with this title, and shall, within three days, make a decision in accordance with his findings. Any person shall have the right to appeal from the action of the mayor to the city council, either in the matter of granting a license or in the matter of condemnation of electrical work. (Prior code § 11-3)

#### **Section 15.44.040**      **Liability for damages.**

This division shall not be construed to relieve from or lessen the responsibility of any person owning, operating or installing any electrical wires, material, appliances or equipment, for damage to anyone injured by any defect therein, nor shall the city or any agent thereof be held as assuming any such liability by reason of the inspection authorized in this division, or the label of inspection or approval issued by the building inspector. (Prior code § 11-4)

## Chapter 15.48

## ELECTRICIAN LICENSING

### Sections:

15.48.010	Use of name of another prohibited.
15.48.020	Required.
15.48.030	Exceptions.
15.48.040	Maintenance license.
15.48.050	Retail appliance dealer.
15.48.060	Journeyman electricians.
15.48.070	Homeowners.
15.48.080	Application.
15.48.090	Examination.
15.48.100	Bond.
15.48.110	Issuance.
15.48.120	Expiration.
15.48.130	Display.
15.48.140	Fees.

### Section 15.48.010 Use of name of another prohibited.

No person holding a business license under this chapter shall either directly or indirectly allow his or their name to be used for the purpose of obtaining an installation permit for any other person. (Prior code § 11-15)

### Section 15.48.020 Required.

No person shall engage in the business of installing electrical wires, fixtures, signs, sign boards or similar appliances, illuminated, controlled or operated by electrical current, or appliances in or on any building or premises within the corporate limits of the city for the purpose of transmitting or utilizing electrical current for light, heat, power, house annunciators, burglar alarms, electric bells, electric signal systems or lighting fixtures, or of installing electrical apparatus of any kind, without first establishing a place of business and procuring an electrical contractor's license, or an electrical maintenance license in accordance with this chapter; provided, however, that no part of this section shall apply to those persons or companies excepted from the provisions of this chapter. (Prior code § 11-21)

### Section 15.48.030 Exceptions.

No business license required by the provisions of this chapter shall be required for:

A. No licenses or permits shall be required for the installation, alteration or repair of electric wiring, appliances or equipment installed by or for a public utility for the use of the utility in the generation, production, transmission, distribution or metering of electric service, and no licenses shall be required for employees engaged in such work for the utility;

B. Work involved in the manufacture, test or repair of electrical materials, appliances or equipment, exclusive of any permanent wiring not required for testing purposes;

C. The assembly, erection and connection of electric equipment by the manufacturer or installer thereof, exclusive of any electric wiring not involved in making electrical connections on the equipment itself or between two or more parts thereof. (Prior code § 11-22)

### Section 15.48.040 Maintenance license.

An electrical maintenance license shall entitle the holder thereof to undertake the work of, and secure permits for, installing, maintaining, altering and repairing electrical wiring, appliances and equipment; provided, that such work shall be confined to premises owned or occupied by the holder of the license, the

location of which premises shall be described in the license. The work performed under the license must conform to the standards of this division or the license will be revoked. (Prior code § 11-23)

**Section 15.48.050      Retail appliance dealer.**

A business engaged in selling, loaning, renting, servicing and installing electrical appliances and fixtures may obtain a license which shall be limited solely to the installation of electrical appliances and fixtures sold, loaned, rented, serviced or installed by that business. Installations made under such a license shall meet inspection requirements and a fixture permit must be obtained for the installation. (Prior code § 11-24)

**Section 15.48.060      Journeyman electricians.**

A. No person shall engage in installing, altering or repairing electrical wires and apparatus, for any purpose whatsoever, in the city, without first having procured a license therefor.

B. Any journeyman electrician coming to this city from another city, who produces credentials showing him to be an accredited journeyman electrician shall, upon approval of the credentials by the electrical inspector and/or a member of the electrical examining board, be excused of the examination, but must pay the required license fee as established by resolution of the City Council as per Title 1 of this code before going to work.

C. Any licensed electrical contractor may employ an apprentice electrician to assist a journeyman electrician. No examination or license fee, but must register with the electrical inspector, and shall work under the immediate supervision of a journeyman electrician.

D. Journeymen electricians failing to pass examination may appear for reexamination after the expiration of one month, upon payment of another examination fee.

E. Before any license issued by the city can be granted to either an electrical contractor or electrician, the electrical contractor or electrician must first obtain and show proof of a valid electrical contractor's license or electrician's license. (Ord. 5-87 § 1; prior code § 11-25)

(Ord. 08a-2008, Amended, 08/19/2008)

**Section 15.48.070      Homeowners.**

A permit to perform electrical work in or about his home may be issued to an owner; provided, that all work thereunder shall be done with his own hands and is done in an one-family dwelling which is occupied or to be occupied by no one except his own family. The electrical inspector, however, shall not issue the permit unless the person who is to perform the work is named in the permit. (Prior code § 11-26)

**Section 15.48.080      Application.**

Application for a license required by the provisions of this chapter shall be made to the city clerk and approved by the mayor and city council. (Prior code § 11-27)

**Section 15.48.090      Examination.**

No person may engage in inside wiring or perform any electrical service as electrician until the person has first established his qualifications and competency to perform the work by examination taken before the State Board of Examiners. The examinations shall be practical and elementary in character and sufficiently strict to test the qualifications of the applicant. (Prior code § 11-28)

**Section 15.48.100      Bond.**

Every applicant for electrical contractor's license or electrical maintenance license, before the license is issued, shall furnish a bond to the city, with surety to be approved by the building inspector, conditioned that all work performed by or under the direction of the licensee will comply with the requirements of this chapter; the bonds from an accepted bonding company to be in the amount as follows:

Electrical contractor	\$1,000.00
Electrical maintenance (Prior code § 11-29)	1,000.00

**Section 15.48.110 Issuance.**

Electrical contractor's licenses and electrical maintenance licenses shall be issued by the building inspector, who may withhold his approval of any application if he determines that the applicant is not qualified to engage in such business, or has failed to establish an approved place of business. (Prior code § 11-30)

**Section 15.48.120 Expiration.**

Each license issued under the provisions of this chapter shall expire on the last day of December following the date of its issuance. (Prior code § 11-31)

**Section 15.48.130 Display.**

Each business license issued under this chapter shall be displayed in a conspicuous place in the licensee's place of business. Each electrician's license shall be carried on the licensee's person at all times while the licensee is engaged in performing electrical work. (Prior code § 11-32)

**Section 15.48.140 Fees.**

Electrical licensing fees shall be established by resolution of the City Council, and provided for in Title 1 of this code. (Ord. 5-87 § 2) (Ord. No. 10B-94, Amended, 10/04/94)  
(Ord. 08a-2008, Amended, 08/19/2008)

## Chapter 15.52

### PERMITS

#### Sections:

15.52.010	Required.
15.52.020	Fees.
15.52.030	Qualifications.
15.52.040	Inspection--Required and notice.
15.52.050	Inspection--Fee.
15.52.060	Notice of nonconformance.
15.52.070	Defect correction.
15.52.080	Inspection--Concealed work.
15.52.090	Connection permit required.
15.52.100	Temporary use.
15.52.110	Preliminary installation.
15.52.120	Inspector's label.

#### Section 15.52.010 Required.

With the exceptions provided in this chapter, no person shall undertake to perform any work of installing any electrical wiring, appliance or equipment, whether permanent or temporary, within any structure or premises, existing wiring, appliances or equipment without first securing a permit therefor from the building inspector. (Prior code § 11-44)

#### Section 15.52.020 Fees.

The applicant for a permit required by this chapter shall pay fees as established by resolution of the City Council, and provided for in Title 1 of this code. (Prior code § 11-45) (Ord. No. 10B-94, Amended, 10/04/94)  
(Ord. 08a-2008, Amended, 08/19/2008)

#### Section 15.52.030 Qualifications.

Permits for the installation, alteration and repair of electrical wiring, appliances or equipment shall be issued only to a person holding a current electrical contractor's license, electrical maintenance license from the city, as a business installing only appliances or fixtures rented, loaned or sold by it, or to a home owner for doing his own work in his own home. (Prior code § 11-46)

#### Section 15.52.040 Inspection--Required and notice.

Upon the completion of the work which has been authorized by any permit, it shall be the duty of the permittee to notify the building inspector, who shall inspect the installation within twenty-four hours (exclusive of Saturdays, Sundays and holidays) of the time notice is given, or as soon thereafter as practicable. (Prior code § 11-47)

#### Section 15.52.050 Inspection--Fee.

Applications for permit to install electric wire and appliances shall be made to the city by the person installing such wires and appliances. Fees, to be paid in advance, shall be established by resolution of

the City Council, and provided for in Title 1 of this code. If after the original application for permit and the receipt by the city for payment of the fees in advance are at variance with the installation authorized by the permit, a correct permit shall be issued upon application and fees paid accordingly as established by ordinance of the City Council, and provided for in Title 4 of this code. (Prior code § 11-48) (Ord. No. 10B-94, Amended, 10/04/94)  
(Ord. 08a-2008, Amended, 08/19/2008)

**Section 15.52.060 Notice of nonconformance.**

If, upon inspection, any installation is found not to fully conform with the provisions of this chapter, the building inspector shall at once notify the permittee of the defects which have been found to exist, allowing a reasonable time for compliance with the requirements, and the permittee shall pay to the City Engineer a fee as established by resolution of the City Council as per Title 1 of this code for such reinspection. (Prior code § 11-49)  
(Ord. 08a-2008, Amended, 08/19/2008; Ord. 11-2007, Amended, 11/06/2007)

**Section 15.52.070 Defect correction.**

Any permittee, upon receiving notice from the building inspector that his work, or any part thereof, is defective, shall promptly correct any such defect or defects; and he shall be denied any further permits until the defects have been corrected. (Prior code § 11-50)

**Section 15.52.080 Inspection--Concealed work.**

A. All steam fittings, furnace work, gas fittings which are to be concealed must be installed before the electric wiring is completed; and no wiring shall be considered as completed until the work is in place.

B. When any part of a wiring installation is to be hidden from view by the permanent placement of parts of the building, the permittee shall notify the building inspector; and such parts or the wiring installation shall not be concealed until they have been inspected and approved by the building inspector.

C. On large installation, where the concealment of parts of the wiring proceeds continuously, the permittee shall give the building inspector due notice, and inspections shall be made periodically during the progress of the work. (Prior code § 11-51)

**Section 15.52.090 Connection permit required.**

Except as otherwise provided in this chapter, it is unlawful for any person or utility company to make or permit a connection to any electrical installation for which a permit is required, or to supply current to same, until a connection permit has been issued by the building inspector. (Prior code § 11-52)

**Section 15.52.100 Temporary use.**

An application for temporary meter must first be approved by the building inspector before being connected by the utility company, and is to be used only for temporary work prior to the completion of the permanent installation. The permit shall expire sixty days after issuance. (Prior code § 11-53)

**Section 15.52.110 Preliminary installation.**

To authorize the connection and use of certain specific portion of an incompleated installation, the

building inspector may give preliminary approval thereof, but this will be revoked ninety days after issuance. (Prior code § 11-54)

**Section 15.52.120      Inspector's label.**

Upon inspecting any electrical wiring or work the building inspector shall leave a notice in the form of a label attached to or near the service cabinet. This notice shall clearly state whether the work is approved or is to be kept open for connection; and no workman shall lathe, ceil or in any manner conceal any electric wiring until it has been fully approved by the inspector. (Prior code § 11-55)

## Chapter 15.56

### BLASTING AND USE OF EXPLOSIVES

#### Sections:

15.56.010	Definitions.
15.56.020	Permit Required.
15.56.030	Blasting Plan.
15.56.040	Pre-notification and survey.
15.56.050	Notification Prior to Blasting Operations.
15.56.060	Transportation.
15.56.070	Blasting Operations.
15.56.080	Manufacture and Storage of Explosives.
15.56.090	Corrective Measures.
15.56.100	Revocation of Permit.

#### Section 15.56.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the respective meanings ascribed to them:

- A. "Blasting Plan" means the plan for conduct of any blasting operations, and any amendments thereto, which has been approved by the City as provided in this Ordinance.
- B. "Blasting Operations" means the use of explosives within the City.
- C. "Blasting Permit" means a permit issued by the City in accordance with the provisions of this Ordinance to allow blasting operations within the City.
- D. "Explosives" means any material or container containing a chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion and that contains any oxidizing and combustible materials or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, but shall not mean the components for handloading rifle, pistol and shotgun ammunition, or fireworks.
- E. "Seismograph" means a seismograph instrument capable of the following: measuring three (3) wave components; vertical, longitudinal and transverse; equipped with a self-triggering device; automatically calculate peak particle velocity; provide a hard copy of the wave forms. (Ord. No. 1-96, Enacted, 01/02/96)

#### Section 15.56.020 Permit Required.

A. The manufacture, storage and use of explosives within the City is to be governed by this Chapter. It shall be unlawful to manufacture, store, or use explosives within the City except in compliance with this chapter. A Blasting Permit issued by the City shall be required for the use of any explosives within the City. In order to obtain a permit, the applicant must have met all of the requirements of this Ordinance and any other applicable local, state or federal law, ordinance, rule and regulation. A Blasting Permit is personal to the individual to whom it is issued and shall not be assigned. Any attempt to do any assignment shall void the permit. In order to obtain a Blasting Permit, the applicant must:

1. Possess a current class B contractor's license issued by the City.
2. Possess current knowledge of the local, State and Federal laws and regulations applicable to this work.
3. Provide evidence of a minimum of two years' experience in the type of blasting operation to be covered by the permit.
4. Provide a current Blaster Certification issued by the Wyoming Department of Environmental Quality, Land Quality Division. The City may accept blasting certification by another Federal, State or City agency in lieu of Wyoming Department of Environmental Quality certification if applicant provides

proof of equivalent training consisting of the following:

- a. Selection of the type of explosives to be used;
  - b. Determination of the properties of explosives which will produce desired results at an acceptable level of risk;
  - c. Handling, transportation, and storage of explosives.
  - d. Geologic and topographic considerations of blast designs;
  - e. Design of a blast hole with critical dimensions;
  - f. Pattern design, field layout, and timing of blast holes;
  - g. Field applications of blast designs;
  - h. Loading blast holes, including priming and boosting;
  - i. Initiation systems and blasting machines;
  - j. Blasting vibrations, airblast and flyrock, including: monitoring techniques and methods to control adverse affects;
  - k. Secondary blasting applications;
    - l. Blast records;
  - m. Preblasting surveys, including availability, coverage, and the use of in-blast designs;
  - n. Blast plan requirements;
  - o. Signs, warning signals, and site control;
  - p. Unpredictable hazards, including lighting, stray currents, radio waves, and misfires.
5. Provide proof of workers' compensation insurance.
6. Provide proof of general liability and property damage insurance coverage in an amount not less than one million dollars (\$1,000,000.00) which specifies that the insured will be covered in the use of explosives and which names the City of Rawlins as an additional named insured, which amount may be adjusted upwards if the City determines that the fair market value of the real property surrounding the blasting site a distance of 1000 feet exceeds the insurance limits.
- B. Permit fee will be in accordance with the current City fee schedule for building permits. (Ord. No. 1-96, Enacted, 01/02/96)

### **Section 15.56.030      Blasting Plan.**

A. The permittee must submit, as part of the blasting permit application a detailed plan of the proposed Blasting Operations. The blasting plan shall be prepared by the permittee or a licensed engineer or geologist competent in blasting technology. All Blasting Operations shall be conducted in strict accordance with the approved Blasting Plan. Any changes to the planned Blasting Operations must be submitted as an amendment to the Blasting Plan and be approved by the director of planning prior to conducting any Blasting Operations. The Plan shall include:

1. A map to twenty (20) scale with north indicated by arrow, depicting the property for which a Blasting Permit is sought;
  2. The work area relative to any structures, underground or overhead improvements;
  3. The location and duration of storage of any explosive materials to be used in the blast before, during and after each blast;
  4. The spacing, depth, and diameter of bore holes;
  5. The area to be cleared of vehicles and persons immediately prior to and during any blast; and
  6. Anything else required by applicable law, rule or regulation, or which the City determines is necessary to reasonably protect the public, health, safety and welfare of the residents of the City.
- B. A Blasting Plan will not be approved unless it meets the following minimum specifications;
1. The maximum bore hole diameter shall be two and one-half inches (2-1/2");
  2. The minimum bore hole depth shall be four feet (4');
  3. A seismograph must be used to monitor vibrations next to the nearest structure when any structure is less than five hundred feet (500') from a bore hole loaded with explosives.

4. The amount of explosives must be a scaled distance formula of a minimum of:  $S.W. = D/W^{1/2}$  by the use of a seismograph using a peak particle velocity of 1.25 inches per second:

$$S.D. = 50$$

D = distance from the blast to the structure of concern in feet

W = maximum charge weight of explosives, in pounds, per delay of 8 ms or more or by the use of a seismograph using a peak particle velocity of 1.25 inches per second.

5. All bore holes containing explosives shall be adequately covered. Absent extenuating circumstances, adequate coverage may be blasting mats when the distance to the nearest structure is less than or equal to two hundred fifty feet (250'), and earth cover when the bore hole is more than two hundred fifty feet (250') from the nearest structure. Flyrock shall not be cast from the blasting site more than half the distance to the nearest occupied structure or beyond the permit area.

6. Airblast shall not exceed the following specified values at any dwelling or building:

<u>Lower frequency limit of measuring system.Hz(+3dB)</u>	<u>Maximum level in dB</u>
2Hz or lower-flat response	133 peak
6Hz or lower-flat response	129 peak

(Ord. No. 1-96, Enacted, 01/02/96)

(Ord. 11-2007, Amended, 11/06/2007)

#### **Section 15.56.040 Pre-notification and survey.**

A. At least two weeks in advance of any blasting operation for which a blasting permit has been issued, the permittee shall notify in writing all the occupants of all property within one thousand feet (1000') of the blasting site by:

1. Placing a notice on the door of all buildings within such area, and
2. Publishing a blasting schedule in a newspaper of general circulation in the locality.

B. The notices shall contain:

1. Name, address and telephone number of the operator;
2. Identification of the specific areas in which blasting will take place;
3. Dates and time periods when explosives are to be detonated;
4. Methods to be used to control access to the blasting area;
5. Types of audible warning to be used before blasting; and
6. Manner for requesting a preblasting survey.

C. The permittee shall certify in writing to the City that such notice has been provided to the surrounding occupants.

D. On the request of a resident or owner of a man-made dwelling or structure that is located within one thousand feet (1000') of any part of the area covered under the permit, the permittee shall conduct a preblasting survey. The request may be made either directly to the permittee with confirming documents forwarded to the City, or to the City with confirming documents forwarded to the permittee. The operator shall promptly conduct a preblasting survey of the dwelling or structure and promptly prepare a written report of the survey. The operator shall determine the condition of the dwelling(s) and structure(s) and document any preblasting damage and other physical factors that could reasonably be affected by the blasting.

E. A written report of the survey shall be prepared and signed by the person who conducted the survey. The report shall include recommendations of any special conditions or proposed adjustments to the blasting procedures outlined in this section which should be incorporated into the blasting plan to prevent damage. Copies of the report shall be provided to the person requesting the survey and to the City. The person requesting the survey may submit any written disagreements he has with the results of the survey to the permittee and the City.

F. Any surveys requested more than three days before the planned initiation of blasting shall be completed

by the operator before the initiation of blasting. (Ord. No. 1-96, Enacted, 01/02/96)

**Section 15.56.050 Notification Prior to Blasting Operations.**

A. The City Manager, Fire Chief, Chief of Police, Public Works Director and City Engineer shall be notified at least forty-eight (48) hours prior to any Blasting Operations. The Fire Chief shall again be notified thirty (30) minutes prior to any ignition of an explosive.

B. Two (2) minutes prior to any Blasting Operations, the permittee will warn of the shot by use of an air horn that is clearly audible within such area. (Ord. No. 1-96, Enacted, 01/02/96)

**Section 15.56.060 Transportation.**

A. Explosive material shall be transported without undue delay to the blast site by Department of Transportation approved vehicles.

B. Detonators shall not be transported on the same vehicle with other explosives unless:

1. Kept in closed containers; and
2. Separated from the explosives or blasting agents by 4-inches of hardwood, laminated partition, or equivalent. The hardwood, laminated partition, or equivalent shall be fastened to the vehicle or conveyance.

C. Vehicles containing explosive material shall be maintained in good condition and shall be:

1. Equipped with sides and enclosures higher than the explosive material being transported or have the explosive material secured to a nonconductive pallet;
2. Equipped with cargo space that shall contain the explosive material (passenger areas shall not be considered cargo space);
3. Equipped with at least two multipurpose dry-chemical fire extinguishers or one such extinguisher and an automatic fire suppression system;
4. Posted with warning signs that indicate the contents and are visible from each approach;
5. Occupied only by persons necessary for handling the explosive material;

D. Vehicles containing explosives shall have:

1. No sparking material exposed in the cargo space; and
2. Only properly secured non-sparking equipment in the cargo space with the explosives. (Ord. No. 1-96, Enacted, 01/02/96)

**Section 15.56.070 Blasting Operations.**

A. Explosives may only be handled by the permittee.

B. No person for which a Blasting Permit is issued shall smoke tobacco or any other substance within fifty feet (50') of any explosive material or have in his or her possession any matches, lighters, or other spark-producing materials during Blasting Operations. No open flames shall be allowed on the property for which a Blasting Permit is issued during Blasting Operations.

C. Once loading begins, the only activities permitted within the blast site shall be those activities directly related to the blasting operation. Loading shall be continuous except where adverse circumstances such as unfavorable atmospheric conditions, or circumstances beyond the operator's control necessitate an interruption in loading.

D. Prior to firing a blast, the permittee shall make certain that surplus explosive materials are in a safe place, and that all persons and vehicles are at a safe distance or under sufficient cover.

E. Vehicles and equipment shall not be driven over explosive material or initiating systems in a manner which could contact the material or system, or create other hazards.

F. In electric blasting prior to connecting to the power source and in nonelectric blasting prior to attaching an initiation device, all persons shall leave the blast area. When loading is completed and circuits are connected, the blasts shall be fired without undue delay unless adverse circumstances beyond the

operator's control necessitate delay.

G. The permittee shall remove all debris, blasting caps, and other materials related to the blasting operations from the site prior to leaving the site each day. (Ord. No. 1-96, Enacted, 01/02/96)

**Section 15.56.080      Manufacture and Storage of Explosives.**

Explosives may not be manufactured anywhere within the jurisdictional limits of the City of Rawlins or stored anywhere within the City of Rawlins. Provided, however, explosives to be used in a one day blasting operation may be stored at the location of Blasting Operations in accordance with the terms of a Blasting Plan. (Ord. No. 1-96, Enacted, 01/02/96)

**Section 15.56.090      Corrective Measures.**

The City, upon discovery of any defect in the work or for the permittee failing to complete the Blasting Operations or removal of debris for which a Blasting Permit is issued may:

- A. Suspend permit until required corrective action is taken by the permittee; or
- B. The City may make such corrective action it deems necessary as follows:

- 1. In the event of an emergency, order a private contractor to do everything necessary to complete such work to acceptable standards, particularly where hazards exist due to the failure of the permittee to restore or maintain the site in accordance with the provisions and conditions of his permit.

- 2. In the event of a non-emergency, give notice to the permittee and his sureties in writing of the nature and location of such defects, including notice of a reasonable time, not less than ten (10) calendar days, within which such defects are to be repaired. Such period of time may be extended by the City upon application for good cause shown.

- 3. In the event of failure of the permittee to perform the required work within the period provided by such notice, a private contractor on order of the City shall make such repairs as may be necessary.

- C. The City shall recover any and all costs of work performed by its personnel or by a private contractor, including the cost of labor, equipment, materials and administrative costs at the expense of the permittee by applying any deposit, bond, letter of credit, or other security in its possession to payment thereof, and shall recover any remaining unpaid balance of such costs from the permittee. (Ord. No. 1-96, Enacted, 01/02/96)

**Section 15.56.100      Revocation of Permit.**

A. The City may revoke the permit granted by this Ordinance if the applicant is found to have violated any of the provisions listed above, or in any of the following circumstances:

- 1. The permittee violates any of the provisions of the ordinances of the City governing the activities permitted by the permit; or
- 2. The permittee obtains a permit by fraud or misrepresentation; or
- 3. Revocation is necessary to maintain the public health, safety and welfare; or
- 4. The permittee fails to maintain the required insurance, bond, letter of credit, or other guarantee(s) of performance during the course of the construction.

B. The City shall advise the permittee in writing of the grounds for revocation of the permit and the permittee may be allowed to appeal such revocation to the Board of Adjustments. (Ord. No. 1-96, Enacted, 01/02/96)

(Ord. 06B-2016, Amended 7/5/16)