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RESOLUTION NO. 12W04-09

2012 AMENDMENTS TO THE MECHANICAL CODE REGULATIONS OF LARAMIE COUNTY

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A RESOLUTION AMENDING THE MECHANICAL CODE REGULATIONS OF LARAMIE COUNTY BY REPLACING THE 2006 EDITION OF THE INTERNATIONAL MECHANICAL CODE WITH THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL CODE WITH MODIFICATIONS.

WHEREAS, Wyo. Stat. §§ 18-5-201 and 18-5-301 authoize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the subdivision, use, location, design of land and buildings in unincorporated Laramie County; and

WHEREAS, W yo. Stat. § 35-9-121 authorizes Laram ie County to adopt electrical, mechanical and building codes applicable in unincorporated Laramie County; and

WHEREAS, the State of W yoming has adopted the 2012 edition of the International Mechanical Code; and

WHEREAS; Wyo. Stat. § 35-9-121(a)(ii) requi res county's where local enforcem ent has been granted to adopt new standards within six months of the adoption by the State of Wyoming; and

WHEREAS, m inimum regulations governing the conditions and m aintenance of all property, buildings and structures is essential to ensure that property, buildings and structures are safe, sanitary and fit for occupation and use;

WHEREAS, the Board of Laram ie County Com missioners has com plied with the requirements of Wyo. Stat. § 16-3-103(a) by provi ding an opportunity for public com ment and a public hearing.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, as follows:

Section 1. Short Title. The amendments adopted by this resolution shall be known as the "2012 Amendments to the Mechanical Code Regulations of Laramie County".

Section 2. 2006 Code Repealed. The 2006 Edition of the International Mechanical Code and amendments thereto, which were adopted and amended as the "Mechanical Code Regulations of Laramie County" are hereby repealed and replaced as follows.

Section 3. 2012 Edition of the International Mechanical Code Adopted. The Board of County Commissioners for Laramie County, Wyoming, for the purpose of prescribing regulations governing the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of mechanical systems and permits and inspection thereof,

adopts the International Mechanical Code, 2012 Edition, as published by the International Code Council, Inc., and including Appendices "A", B", "C" and "D", save and except such portions as are herein deleted, added, modified, or amended. A copy of the code has been filed in the office of the County Clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein and from the date of adoption. These provisions shall be controlling within the unincorporated areas of the County.

Section 4. Amendments, Additions, and Deletions. The following sections of the International Mechanical Code, 2012 Edition, including Appendix "A", which are adopted herein, and are modified and/or added to as follows:

A. **Section 101.1.** shall read as follows:

These provisions shall be known as the International Mechanical Code of Laramie County, and shall be cited as such and will be referred to herein as "this Code."

B. **103.1 Department of Mechanical Inspection; General** shall read as follows:

The department of inspection for purposes of this Code shall be the Laramie County Planning and Development Department. The Code official in charge thereof shall be known as the chief building official.

C. **106.5.2 Fee Schedule** shall read as follows:

The schedule of fees are those fees published and adopted by the Laramie County Board of Commissioners each July 1.

D. **Section 106.5.3 Fee refunds** shall read as follows:

The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The building official may authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code. The building official may authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

F. **108.4 Violation Penalties** shall read as follows:

Any person violating any provision of this Code shall be deemed guilty of a misdemeanor. Each and every day or portion thereof during which a violation of any provision of such Code is committed, continued or permitted shall constitute a separate offence. Upon conviction, such person may be punished by a fine of not more than Seven Hundred Fifty Dollars ($750.00) for each offense. (Wyo. Stat. §§ 18-5-201 through 18-5-207).

G. **108.5 Stop Work Orders** shall read as follows:

Any person violating a stop work order issued in accordance with these Regulations shall be deemed guilty of a misdemeanor. Each and every day or portion thereof during which a violation of any provision of such Regulations is committed, continued or permitted shall constitute a separate offense. Upon conviction, such person may be punished by a fine of not more than Seven Hundred and Fifty Dollars ($750.00). (Wyo. Stat. §§ 18-5-201 through 18-5-207).

H. **109.2 Membership of board** is replaced in its entirety and shall read as follows:

The Board of Appeals for purposes of these regulations shall be the board of appeals as established by the Laramie County Commissioners. The establishing resolution by Laramie County for the Board of Appeals shall govern the membership and procedures of the board. A final decision by the board of appeals shall be final for purposes of the Wyoming Administrative Procedures Act.

M. **Chapter15 Exceptions** is created to read as follows:

Section 1501. These Regulations shall not apply to any of the following:

1. Agricultural structures as defined by the International Building Code 2012;

2. Mines and their appurtenant facilities, oil filed operations, petroleum refineries and liquefied petroleum gas facilities;

3. Railway shops, railway buildings (except those used for public assembly, cafeterias, dormitories, etc), rolling stock and locomotive equipment;
4. Automotive equipment employed by a railway, gas, electric or communication utility in the exercise of its function as a public utility;

Section 5. Repealer.

If any section, subsection, sentence, clause, or phrase of this resolution is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

Section 6. Effective Date.

These 2012 Amendments to the Mechanical Code Regulations of Laramie County shall become effective on the date this Resolution is approved.

PRESENTED, READ, PASSED, APPROVED AND ADOPTED this 4th day of December, 2012.

BOARD OF LARAMIE COUNTY COMMISSIONERS

Gay Woodhouse

Gay Woodhouse, Chairman

ATTEST:

Debra K. Lathrop

Debra K. Lathrop, Laramie County Clerk

Reviewed and approved as to form:

Mark Voss, Laramie County Attorney