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RESOLUTION NO. 121204-09

2012 AMENDMENTS TO THE RESIDENTIAL CODE REGULATIONS OF LARAMIE COUNTY

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RESOLUTION NO.

A RESOLUTION AMENDING THE RESIDENTIAL CODE REGULATIONS OF LARAMIE COUNTY BY REPLACING THE 2006 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS WITH THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS WITH MODIFICATIONS.

WHEREAS, Wyo. Stat. §§ 18-5-201 and 18-5-301 authorize 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, Wyo. Stat. § 35-9-121 authorizes Laramie County to adopt electrical, mechanical and building codes applicable in unincorporated Laramie County; and

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

WHEREAS, minimum regulations governing the conditions and maintenance 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 Laramie County Commissioners has complied with the requirements of Wyo. Stat. § 16-3-103(a) by providing an opportunity for public comment 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 Residential Code Regulations of Laramie County".

Section 2. 2006 Code Repealed.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amendments thereto, which were adopted and amended as the "Residential Code Regulations of Laramie County" are hereby repealed and replaced as follows.

Section 3. 2012 International Residential Code Adopted. The Board of County Commissioners for Laramie County, Wyoming, for the purpose of prescribing regulations governing the design and construction of one- and two-family dwellings and townhouses and inspection thereof, adopts the International Residential Code, 2012 Edition, including Appendices "E", "G" and "H", save and except such portions as are herein deleted, added, modified, or amended as the Residential Code Regulations of Laramie County. 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 Residential Code, 2012 Edition, including Appendices “E”, “G” and “H”, which is adopted herein, are modified and/or added to as follows:

A. **Section R101.1 Title** shall read as follows:

These provisions shall be known as the Residential Code for one and two family dwellings of Laramie County, and shall be cited as such and will be referred to herein as “this code.”

B. **R101.2 Scope. Exceptions.** Shall read as follows:

1. Live /work units complying with the requirements of Section 419 of the International Building Code shall be permitted to be built in one and two family dwellings or townhouses.
2. Owner – occupied lodging houses with five or fewer guestrooms shall be permitted in to be constructed with the International Residential Code for one and two family dwellings and townhomes

C. **Section R103.1 Creation of Enforcement Agency** shall read as follows:

The department of building safety for purposes of these Residential Code Regulations shall be the Laramie County Planning and Development Department and the official in charge thereof shall be known as the building official.

D. **Section R108.2 Schedule of fees** shall read as follows:

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

E. **Section R108.5 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. **Section R112.1 Board of Appeals, General;** 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.

- G. **Section R113.4 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 offense. 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).

- H. **Section R313 Automatic Fire Sprinkler Systems** is hereby deleted in its entirety.

- I. **Part IV Energy Conservation, Chapter 11 Energy Efficiency** is hereby deleted in its entirety.

- J. **Section P2904 Dwelling Unit Fire Sprinkler Systems** is deleted in its entirety.

- K. **Chapter 45 Prefabricated Buildings** is created to read as follows:

Section 4501 General.

1. **Purpose.** The purpose of this chapter is to regulate materials and establish methods of safe construction where any structure or portion thereof is wholly or partially prefabricated.
2. **Scope.** Unless otherwise specifically stated in this chapter, all prefabricated construction and all materials

used therein shall conform to all applicable requirements of the International Codes.

Section 4502 Permit Required. Prior to construction or installation of any prefabricated building or component, the applicant shall first obtain a building permit and pay the required fees as required by the International Codes. The following information and supporting documentation will be required:

1. Proof that a properly permitted foundation, in the case of a building or structure, has been installed, inspected and approved by the building official;
2. Compliance with applicable laws, ordinances, rules and regulations, which may include a site plan and approved zoning designation.

Section 4503 Definitions. The following definition shall apply in the interpretation and enforcement of this chapter:

1. "Prefabricated assembly" means a structural unit, the integral parts of which have been built up or assembled prior to incorporation in the building.
2. "Prefabricated building" means any off-site premanufactured structure that is designed and constructed in accordance with the International Codes, as amended, as set forth in this title.

Section 4504 Testing, inspection, certification. Testing, inspection and certification of all prefabricated construction or prefabricated items, to include residential, shall be in accordance with the applicable provisions of Chapter 17 of the International Building Code (IBC), as determined by the Building Official

Section 4505 Inspections; certificate of occupancy - Required. Inspections of prefabricated items shall comply with the provisions of the International Codes. Prior to use or occupancy of a prefabricated structure, the owner shall obtain a final inspection and certificate of occupancy from the building official.

L. **Chapter 46 Exceptions** is created to read as follows:

Section 4601. These Regulations shall not apply to any of the following:

1. Agricultural structures as defined by the International Building Code
2. Mines and their appurtenant facilities, oil field operations, petroleum

2012;

- 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 Residential 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



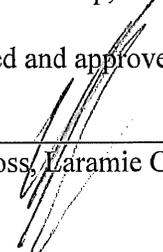
Gay Woodhouse, Chairman

ATTEST:



Debra K. Lathrop, Laramie County Clerk

Reviewed and approved as to form:



Mark Voss, Laramie County Attorney