

**ORDINANCE 585**

An Ordinance of the Town of Mills amending Chapter 15.11 of the Mills Municipal Code, and adopting the 2012 edition of the *International Fuel Gas Code*, regulating and governing fuel gas systems and gas-fired appliances in the Town of Mills providing for the issuance of permits and collection of fees therefore; repealing all other ordinances or parts of past laws in conflict therewith.

WHEREAS the Town of Mills in accordance with Sections 15-1-701 through 15-1-801 of the Wyoming Statutes, 1977 and the authority granted to the Town wishes to amend Chapter 15.11 of the Mills Municipal Code, for the purpose of adopting the 2012 edition of the International Fuel Gas Code.

WHEREAS the Town of Mills is ever mindful of ensuring the security and safety gas fired appliances, and promoting health and general welfare of the residents of Mills

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING THE FOLLOWING:

**Section 1:**

Chapter 15.11 of the Mills Municipal Code is hereby amended as follows:

Chapter 15.11 ~~Chimney Fires~~ Fuel Gas Code

Sections:

- 15.11.010 ~~Short Title.~~ **Adoption.**
- 15.11.020 ~~Definitions~~ **2012 International Fuel Gas Code revisions.**
- 15.11.030 ~~Chimney fired declared nuisance.~~ **Repealed.**
- 15.11.040 ~~Presumption of violation conditions.~~ **Repealed.**
- 15.11.050 ~~Chimney fires duty of Town Fire Inspector.~~ **Repealed.**
- 15.11.060 ~~Use of stoves or chimneys prior to cleaning prohibited.~~ **Repealed.**
- 15.11.070 ~~Violation Penalty.~~ **Repealed.**

~~15.11.010 Short title. The ordinance codified in this chapter shall be known as the "Mills, Wyoming chimney fire prevention ordinance." (Ord. 371 §1, 1986).~~

Section 15.10.010 Adoption

That a certain document, two (2) copies of which are on file in the office of the Town Clerk of the Town of Mills, being marked and designated as the *International Fuel Gas Code*, 2012 edition, including Appendix Chapters A, B, C, and D as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the Town of Mills, in the State of Wyoming for regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the Town Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2:**

~~15.11.020 Definitions. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning given in this section. When not inconsistent with the context, words used in the plural include the singular, and words in the singular include the plural. The word "shall" is always mandatory, and not merely directory.~~

~~(1) "Chimney fire" means any fire located in the chimney or exhaust flue between the damper of a heating stove or fire place and the exit of the chimney or exhaust flue from the building, which fire is caused by a buildup of combustible material in the chimney flue.~~

~~(2) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.~~

~~(3) "Town" means the town of Mills, Wyoming. (Ord. 371 §2, 1986).~~

Section 15.11.020 of the Mills Municipal Code is hereby deleted and replaced with the following:

Mills Town Code Section 15.10.020 *2012 International Fuel Gas Code* revisions.

That the following sections of the 2012 International Fuel Gas Code are hereby revised:

Section 101.1 - Insert: Town of Mills

Section 106.6.2 - Insert: **\$25.00**

Section 108.4 - Insert: **Misdemeanor, \$750.00, Zero (0) Days**

Section 108.5 - Insert: **\$ 325.00, \$750.00**

Section 106.6.3 - Amend: Fee Refunds

Section 106.6.3 Subparagraphs 2, and 3 are deleted entirely.

**Section 3.**

The following Town of Mills Municipal Codes 15.11.030 through 15.11.070 are hereby repealed and deleted entirely.

~~15.11.030 Chimney fires declared nuisances. It shall be the duty of every person, whether owner, lessee or renter of any property within the Town in which there is located a chimney, whether the same is stovepipe or masonry of any configuration, to allow the accumulation in the chimney of sufficient combustible material that the same may be ignited and cause a chimney fire as defined in Section 15.11.020. Any such accumulation of combustible material in a chimney is declared a nuisance such as may endanger public property and safety. Failure to keep a chimney sufficiently clean to prevent a chimney fire is declared to be a nuisance and is prohibited. Failure to keep the chimney properly maintained shall be deemed a violation of this chapter. (Ord. 371 §3, 1986).~~

~~15.11.040 Presumption of violation Conditions. The resident of any building in the town, whether the resident is the owner, lessee or renter of the premises in which there has occurred a chimney fire, and if there has been a chimney fire in the same premises within the preceding sixty days, then the person occupying the premises shall be presumed to have had knowledge of the earlier chimney fire and there is herewith declared a presumption in law that the resident has~~

~~violated the provisions of this chapter and has not properly maintained the chimney so as to prevent the recurrence of a chimney fire. (Ord. 371 §4, 1986).~~

~~15.11.050 — Chimney fires — Duty of town fire inspector. Upon the occurrence of a chimney fire in the town, the chief of the fire department, or the town fire inspector, may give written notice to the owner and occupant of the premises requiring the owner and occupant of the premises to insure that the chimney is properly cleaned and inspected prior to commencing use of the heat stove or fireplace again. The inspection may be done by the town fire inspector, fire chief or licensed chimney cleaner, and the inspection shall be certified to in writing. (Ord. 371 §5, 1986).~~

~~15.11.060 — Use of stoves or chimneys prior to cleaning prohibited. It is unlawful for any resident within the town who has been given a notice to cease and desist use of a heat stove or fireplace in the town to again use the heat stove or fireplace for the burning of any combustible material until the heat stove or fireplace and its chimney have been cleaned. (Ord. 371 §6, 1986).~~

~~15.11.070 — Violation — Penalty. Any person found guilty of violating any of the provisions of this chapter is guilty of a misdemeanor and upon conviction shall be fined in any sum defined appropriate by the municipal court of the town not to exceed seven hundred fifty dollars for each violation. (Ord. 371 §7, 1986).~~

**Section 4.** THE 2006/2003 EDITIONS OF THE INTERNATIONAL FUEL GAS CODE, INCLUDING ANY VERSION OF THE UNIFORM FIRE CODE, the following Town of Mills ordinance (371), are hereby repealed and deleted entirely.

**Section 5.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The TOWN COUNCIL hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 6.** That nothing in this ordinance or in the Fuel Gas Code hereby adopted shall be construed to affect the right or ability of the Town of Mills to initiate any suit or proceeding impending in any court, or asserting any rights acquired, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

PASSED ON FIRST READING the 22 day of Aug, 2012  
PASSED ON SECOND READING the 12 day of Sept., 2012  
PASSED, APPROVED, AND ADOPTED ON THIRD AND  
FINAL READING the 26 day of Sept., 2012

TOWN OF MILLS, WYOMING

By:

Margaret Wilson  
Elsie J. Herbert, Mayor

ATTEST:

Sue Regennas  
Sue Regennas  
Town Clerk

I, Sue Regennas, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 585, entitled "An ordinance of the Town of Mills amending Chapter 15.11 of the Mills Municipal Code, and adopting the 2012 edition of the *International Fuel Gas Code*, regulating and governing fuel gas systems and gas-fired appliances in the Town of Mills providing for the issuance of permits and collection of fees therefore; repealing all other ordinances or parts of past laws in conflict therewith."

passed on First Reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held by the Council Members on the 26 day of Sept., 2012.

Sue Regennas  
Sue Regennas, Town Clerk

I, the regularly appointed, duly qualified and action as Town Clerk of the Town of Mills, Wyoming do hereby certify that signed, attested, sealed, and certified copies of this Ordinance No. 585 approved and passed as certified above, and following its passage by the Town Council, was posted in the Town Clerk's Office and at the Mills Post Office for a period of ten (10) days as required by law; that it took effect and became in force as a legal ordinance of the Town of Mills, Wyoming on the 26 day of Sept., 2012.

Sue Regennas  
Sue Regennas, Town Clerk

