

ORDINANCE 728

AN ORDINANCE of the TOWN OF MILLS amending Chapter 15.10 of the Mills Municipal Code, and adopting the 2018 edition of the *International Fire Code*, including certain appendices, and amendments regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property within 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 15.10 of the Mills Municipal Code, for the purpose of adopting the 2018 edition of the International Fire Code.

WHEREAS the Town of Mills is ever mindful of ensuring the security and safety from fire, 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:

Section 15.10.010 of the Mills Municipal Code is hereby amended as follows:

Section 15.10.010 Adoption

Except as otherwise provided by this chapter, all of the International Fire Code, 2018 edition, with all appendixes and future editions is adopted as the code governing conditions hazardous to life and property from fire or explosion within the town, and the same is adopted and incorporated as fully as if set out at length in this chapter. (Ord. 341, 1982; Ord. 283 §1(part), 1979; Ord. 278 §1(part), 1979)

That a certain document, two (2) copies of which is on file in the office of the TOWN CLERK of the TOWN OF MILLS being marked and designated as the International Fire Code, 2018 edition, including Appendix Chapters B, C, D, H, I and J as published by the International Code Council, be and is hereby adopted as the Fire Code of the TOWN OF MILLS in the State of WYOMING regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the



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TOWN OF MILLS

occupancy of buildings and premises 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 Fire Code on file in the office of the TOWN or MILLS 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 and Section 3 of this ordinance.

Section 2:

Section 15.10.020 of the Mills Municipal Code is hereby deleted and replaced with the following:

15.10.020 Applicability.

The International Fire Code, 2018 edition applies to all new construction and existing structures. However, owners of existing structures have one year from December 7, 2018, in which to comply. (Ord. 283 §1(part), 1979: Ord. 278 §1(part), 1979).

Mills Town Code Section 15.10.020 2018 International Fire Code revisions.

That the following sections of the 2018 International Fire Code are hereby revised:

Section 101.1. Insert: TOWN OF MILLS

Section 109.4. Insert: Misdemeanor, Seven hundred and fifty (750), 0 days

Section 111.4. Insert: Five hundred (500) Seven hundred and fifty (750)

Section 109.3 is deleted and replaced as follows:

Section 109.3 the fire chief or the fire chief's designee shall have authority to issue a written citation containing a notice to appear in municipal court to any person, who said fire chief or the fire code official have probable cause to believe is committing a violation or has committed a violation of any of the terms with in of this code.

Section 105.1.1 is amended to include:

Section 105.1.1 a permit shall be obtained from the fire code official prior to engaging in any activity outlined in section 105 of the International Fire Code, any fees associated with the issuance of permits shall be established by resolution of the town council.

Section 505.1 is deleted and replaced as follows:

Section 505.1. Premises Identification.

Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background, shall be arabic numerals and shall have a minimum height dimension of at least four inches (4") with a minimum stroke width of (0.5"). address illumination shall be installed on all new construction, illumination shall be from dusk till dawn, and illuminated from the rear or direct in a fashion not to be disabled other than for service.

Section 506.1 is deleted and replaced as follows:

Section 506.1. when access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the fire chief may require a key box to be installed key box contents must include a full set of operable keys to the occupancy or occupancies, the keys shall be identified as to use, and any diagrams as requested by the fire chief or designee. It shall be the occupant or property owner's responsibility to notify the fire chief or designee immediately of any key changes to the building, buildings and or premises. Key box must be of an appropriate size to accommodate all required contents within. Building / property owner/s or occupant shall purchase a key box directly from a vendor approved by the fire chief. The location of the key box shall be permanently affixed not more than 6 feet above finished grade, but not less than 4 feet above finished grade. The location is to be specified by the fire chief or designee. A key box shall be required for any building or premises within the jurisdiction that meet any one of the following:

- A. Fire alarm system local or remote monitoring (excluding R-3)
- B. Fire suppression system (excluding R-3 occupancies)
- C. Multi-unit commercial / industrial buildings occupancies
- D. Assembly group A occupancies
- E. Business group B occupancies
- F. Educational group E occupancies
- G. Factory industrial group F occupancies
- H. High-hazard group H occupancies
- I. Institutional group I occupancies
- J. Mercantile group M occupancies
- K. Residential group R occupancies (excluding R-3 occupancies)
- L. Storage group S occupancies

Section 507.2 is amended to read as follows:

Section 507.2 Type of Water Supply.

Water supply may consist of reservoirs, pressure tanks, elevated tanks, water mains, or other fixed systems capable of providing the required fire flow. In setting the requirements for fire flow, the fire chief shall be guided by the provision in appendix b of the International Fire Code, 2018 edition.

Section 5601.1.3 is amended as follows:

Section 5601.1.3. Possession, storage, use, handling, and sales of all fireworks is prohibited.

Exception. 1) the use of fireworks for display is allowed as set forth in Section 5608

Section 5704.1 is amended as follows:

Section 5704.1 General.

The storage of flammable and combustible liquids in closed containers, or portable tanks outside of buildings, shall be in accordance with this code. Possession of a valid permit issued pursuant to section 105 shall be a precondition to storage. Non-permitted storage is hereby declared illegal. Outside portable container storage of permitted flammable and combustible liquids shall only be allowed in the industrial zones of the jurisdiction. Portable tank storage is prohibited.

Exceptions:

- 1) portable tanks which are located within a special enclosure as described in Section 2306.2.6, or equivalent are permitted.
- 2) Temporary storage of flammable and combustible liquids used at construction sites.
- 3) Permits for portable tanks are to be issued only after inspection and approval by the fire code official and pursuant to Section 105.

Section 3:

Section 15.10.030 of the Mills Municipal Code is hereby deleted and replaced with the following:

#### 15.10.030 Copy Filing.

The authority for adoption of this code by the town is derived from less than two *copies* of the code, shall be kept on file in the office of the town clerk of Mills, Wyoming, Official Copy." (Ord. 283 §2, 1979: Ord. 278 §2, 1979). Mills Code

#### Section 15.10.030 Geographic Limits.

That the geographic limits referred to in certain sections of the 2018 International Fire Code are hereby established as follows:

Section 5704.2.9.6.1 The limits referred to in Section 5704.2.9.6.1 of the International Fire Code in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited, shall apply in all areas within the jurisdiction except for allowed in the established or developing industrial zone (EI,DI) .

EXCEPTION: Outside above-ground tanks which are located within a special enclosure, as described in Section 2306.2.6, or equivalent are permitted.

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): established residential, developing residential, established business, developing business, and established industrial.

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): established residential, developing residential, and developing business.

#### Section 4.

The 2006/2003/2015 editions of the International Fire Code, including any version of the uniform fire code, the following Town of Mills ordinances (341), (283),( 278 ), and the following Town of Mills municipal codes 15.10.040 ( board of appeals) 15.10.050 (violation each day a separate offense) 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 Fire 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 any rights acquired, or liability incurred, 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 28<sup>th</sup> day of November, 2018.  
PASSED ON SECOND READING the 5<sup>th</sup> day of December, 2018.  
PASSED, APPROVED, AND ADOPTED ON THIRD AND FINAL READING the 19<sup>th</sup> day of December, 2018.

TOWN OF MILLS, WYOMING

By:   
Seth Coleman, Mayor

  
Darla R. Ives, Council

  
Sara McCarthy, Council

  
Mike Pyatt, Council

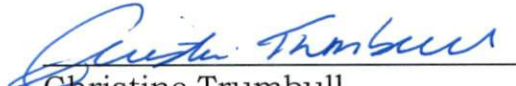
 12-19-18  
Ronald Wales, Council

ATTEST:   
Christine Trumbull  
Town Clerk

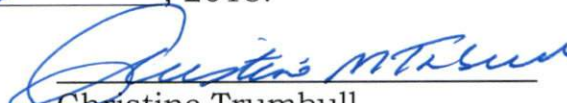
I, Christine Trumbull, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 728, entitled "An Ordinance of the Town of Mills amending Chapter 15.10 of the Mills Municipal Code, and adopting the 2018 edition of the *International Fire Code*, including certain appendices, and amendments regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials, and devices,

and from conditions hazardous to life or property within 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 30<sup>th</sup> day of November, 2018.

  
Christine Trumbull  
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. 728 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 29<sup>th</sup> day of December, 2018.

  
Christine Trumbull  
Town Clerk

