

**1114301**

**ORDINANCE NO. 769**

**AN ORDINANCE REPEALING THE EXISING TITLE 15 OF THE MILLS MUNICIPAL CODE DEALING WITH BUILDING AND CONSTRUCTION AND REPLACING IT, IN ITS ENTIRETY, WITH A NEW CHAPTER 15 DEALING WITH BUILDING AND CONSTRUCTION**

**WHEREAS**, The City of Mills, Wyoming has had the occasion to review Title 15 of its Ordinances and to revise the same; and

**WHEREAS**, after said review and due deliberation, the City of Mills has decided that the attached text better serves the needs of the public and the City of Mills as of the current date;

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OT THE CITY OF MILLS HERBY REPEALS THE ENTIRE EXISITNG TITLE 15 AND REPLACES THE SAME WITH THE ATTCHED TEXT, WHICH SHALL BE THE NEW TITLE 15 UPON THE EFFECTIVE DATE OF ADOPTION.**

This ordinance shall be in full force and effect upon passage on three readings and publication.

PASSED on 1<sup>st</sup> reading the 27<sup>th</sup> day of July 2021.

PASSED on 2<sup>nd</sup> reading the 12<sup>th</sup> day of October, 2021.

PASSED, APPROVED AND ADOPTED on 3<sup>rd</sup> and final reading this 26<sup>th</sup> day of October, 2021

CITY OF MILLS, WYOMING

Seth Coleman  
Seth Coleman, Mayor

Darla R. Ives  
Darla R. Ives, Council

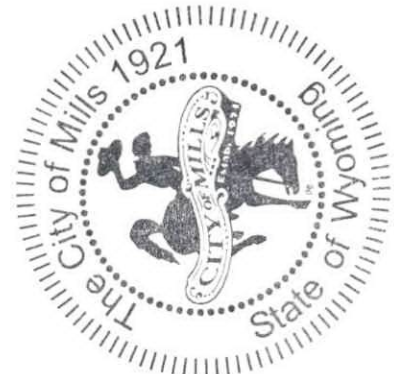
Brad Neumiller  
Brad Neumiller, Council

Sara McCarthy  
Sara McCarthy, Council

James Hollander  
James Hollander, Council

ATTESTED:

Christine Trumbull  
Christine Trumbull, City Clerk



## **TITLE 15 - PUBLIC SERVICES**

Chapters:

- 15.02 International Residential Code
- 15.04 International Building Code
- 15.06 International Existing Building Code
- 15.08 Building Permits
- 15.12 Board of Examiners and Appeals, and Contractor Licensing
- 15.16 Construction Regulations
- 15.18 International Fuel Gas Code
- 15.20 International Mechanical Code
- 15.24 Plumbing Code
- 15.28 National Electrical Code
- 15.32 Solar Energy
- 15.40 International Fire Code
- 15.44 Moving Buildings
- 15.48 Abatement of Dangers Buildings

### **Title 15 BUILDINGS AND CONSTRUCTION**

#### **Chapter 15.02 INTERNATIONAL RESIDENTIAL CODE**

**15.02.010 Short title.**

The code adopted by the ordinance from which this chapter is derived shall be known as the Residential One and Two Family Dwelling Building Code of the city.

**15.02.020 Document adopted by reference—Applicability.**

There is hereby adopted by the city for the purpose of prescribing regulations for minimum standards, to safeguard life, health, property and public welfare that certain suggested code known as the 2021 International Residential Code for one and two family dwellings, and the whole thereof, with the exception of Part V, titled Mechanical, more specifically Chapters 12 through 23; Part VI, titled Fuel Gas, more specifically Chapter 24; Part VII, titled Plumbing; more specifically

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Chapters 25 through 33; Part VIII, titled Electrical, more specifically Chapters 34 through 42, which are hereby repealed; and, except such portions as are hereinafter modified, repealed or amended by this chapter, not less than two copies which have been and are now filed within the office of the Building Inspectors, and the same are adopted and incorporated as fully as if set at length herein and from the date on which the ordinance from which this chapter is derived shall take effect the provisions thereof shall be the controlling within the limits of the city.

**15.02.030 Amendments and changes to the International Residential Code.**

The International Residential Code for one and two family dwellings, 2021 Edition, is amended in the following respects, as set out in Sections 15.02.020 through 15.020.090.

**15.02.040 Building permit issuance.**

No building permit shall be issued for a building on any unplatted property in the city except upon written application with complete plans showing in detail all proper approaches to street, alleys, and upon deeding such streets and alleys and approaches to the city, and after acceptance of streets, alleys and approaches, by vote of the city council.

**15.02.050 Work exempt from permit.**

One-story detached accessory building under two hundred square feet in area as measured at the maximum exterior wall dimension.

**15.02.060 Section R302.7 amended—Under-stair protection.**

Section R302.7 reference to 1/2" gypsum board is amended and replaced to read 5/8" Type X gypsum board.

**15.02.070 Section R302.6 and Table 302.6 amended—Dwelling/garage separation fire separation.**

Table R302.6 amended to read as follows:

All references in Table 302.6 of 1/2" gypsum board are amended and replaced to read 5/8" Type X gypsum board.

**15.02.080 Table R702.3.5 amended—Minimum thickness and application of gypsum board.**

Create footnote "E" to Table R702.3.5 to read:

All ceiling applications for gypsum board with 24" spacing of framing members must be a minimum of 5/8" in thickness.

**15.02.090 Fire sprinklers.**

Section R309.5, Fire Sprinklers—Deleted in its entirety.

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**15.02.100 Automatic fire sprinkler systems.**

Section R313.2, One and Two-Family Automatic Fire Sprinkler Systems—Deleted in its entirety.

**15.02.110 Fire protection of floors.**

Section R302.13, Fire Protection of Floors—Deleted in its entirety.

**15.02.120 [Structures unsafe for human occupancy.]**

Section 15.02.120 shall not apply to owner occupied residential properties.

[1] Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because the structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[2] Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress, inadequate light, ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or hazardous maintenance as defined herein, shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section.

A. Inadequate means of egress. Means a safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code. Locked doors shall be able to be readily opened from the side from which egress is to be made without the use of keys, special knowledge or effort, except where permitted by the International Building Code. Emergency escape openings shall be maintained in accordance with the code in effect at the time of construction.

B. Multi-Family Egress Lighting. Every common hall and stairway in residential multi-family occupancies shall be lighted at all times. Interior and exterior means of egress, stairways shall be illuminated at all times with not less than one foot candle at floors, landings and treads.

C. Ventilation. Every habitable space shall be ventilated by natural or mechanical means. Natural ventilation means each habitable space shall have not less than one operable window. Mechanical ventilation requires supply and return or exhaust air be provided by approved equipment and produce equal amounts of supply and return or exhaust air. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

D. Fire Hazard - multi-family dwellings and rental units. The required fire resistant-rated construction, including walls, fire stops, shaft enclosures, partitions, smoke barriers, floors, ceilings and sprayed fire resistant materials shall be maintained to limit the spread

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of fire and smoke. Existing Fire protection systems shall be inspected and maintained. Smoke alarms shall be installed and maintained in institutional and residential dwellings where required. Carbon Monoxide alarms shall be installed and maintained when applicable.

E. Heating Facilities. Dwellings shall be provided with an approved heating appliance such as a furnace or boiler capable of maintaining a room temperature of 68 degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances shall not be used, nor shall portable unvented fuel burning space heaters be used, as a means to provide required heating. Electrical space heaters are allowed for supplemental heat only.

Exception: Fuel burning space heaters shall be allowed for emergency use only, until repairs are complete on the required approved heating appliance.

F. Electrical System Hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacles and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

G. Water system. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.

H. Sanitary Drainage. Plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage septic system. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects. Prohibited: Sanitary waste shall not be collected, stored or disposed of on any property other than as referenced herein.

I. A vacant structure that is not secured against entry shall be deemed unsafe.

[3] Structures unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by ordinance or code, or because the location of the structure or the facility or equipment within the structure constitutes a hazard to the occupants of the structure or to the public.

[4] Unlawful Structure. An unlawful structure is one found whole or in part to be occupied by more persons than permitted by code, or was erected, altered or occupied contrary to law.

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### **15.02.130 Testing.**

Section N1102.4.1.2, Testing—Deleted in its entirety.

## **Chapter 15.04 INTERNATIONAL BUILDING CODE\***

### **15.04.010 Short title.**

The code adopted by the ordinance from which this chapter is derived shall be known as the building code of the city.

### **15.04.020 Building permit issuance.**

- A. No building permits shall be issued for a building on any unplatted property in the city except upon written application with complete plans showing in detail all proper approaches to streets, alleys and upon deeding such streets and alleys and approaches to the city, and, after acceptance of streets and alleys and approaches, by vote of the city council.
- B. No building permit will be issued except when a site plan has been submitted and approved in accordance with requirements of Title 17, zoning, of this code; except that, in lieu of site plan approval, the city engineer may, upon written request of the applicant, waive the site plan requirement based on a determination by the city engineer that all necessary site improvements are existing and will not be altered by the proposed construction. Consideration of site improvements will include drainage control, traffic control, driveways, curb and gutter, sidewalks and street features. In the event a site plan is not required, the city engineer will issue a letter waiving the site plan requirement.
- C. Financial surety must be provided for any off-site improvements, on-site drainage improvements and other improvements required in accordance with the approved site plan provided under subsection B of this section. Financial surety shall be as required under Section 16.28.070, financial surety. No building permit may be issued prior to receipt by the city of any required financial surety.

### **15.04.030 Signature of registered engineer or architect required.**

No building permit will be issued or plan review undertaken for a building or structure or addition thereto that provides for the employment, housing, or assembly of fifty or more persons, or covers more than five thousand square feet of floor area, including basement, if any, intended for use by the general public, unless the plans and specifications for such building or structure bear the signature of a registered engineer or architect licensed by the state of Wyoming to practice as such.

### **15.04.040 Document adopted by reference—Applicability.**

There is adopted by the city for the purpose of prescribing regulations for minimum standards, to safeguard life, health, property and public welfare that certain suggested code known as the International Building Code, 2021 Edition, and except such portions as are hereinafter modified,

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deleted or amended by this chapter, not less than two copies of which have been and are now filed in the office of the Building Inspector, and the same are adopted and incorporated as fully as if set out at length herein and from the date on which the ordinance from which this chapter is derived shall take effect the provisions thereof shall be controlling within the limits of the city.

**15.04.050 Amendments and changes to International Building Code.**

The International Building Code, 2021 Edition, is amended and changed in the following respects, as set out in Sections 15.04.040 through 15.04.180.

**15.04.060 Section 103.2 amended—Appointment of building official.**

Section 103.2 is amended to read as follows:

Section 103.2 Building Official General—The City Mayor, or his duly authorized representative is hereby authorized and directed to enforce all of the provisions of this code.

Where used in this code, the term building official shall be defined as in this amended section.

**15.04.070 Section 105.1—Structures unsafe for human occupancy.**

Section 105.1, which shall not apply to owner occupied residential structures, is amended to read:

Section 105.1 Structures unsafe for human occupancy.

[1] Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because the structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[2] Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress, inadequate light, ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or hazardous maintenance as defined herein, shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section.

A. Inadequate means of egress. Means a safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code. Locked doors shall be able to be readily opened from the side from which egress is to be made without the use of keys, special knowledge or effort, except where permitted by the International Building Code. Emergency escape openings shall be maintained in accordance with the code in effect at the time of construction.

B. Multi-Family Egress Lighting. Every common hall and stairway in residential multi-family occupancies shall be lighted at all times. Interior and exterior means of egress,

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stairways shall be illuminated at all times with not less than 1-foot candle at floors, landings and treads.

C. Ventilation. Every habitable space shall be ventilated by natural or mechanical means. Natural ventilation means each habitable space shall have not less than one operable window. Mechanical ventilation requires supply and return or exhaust air be provided by approved equipment and produce equal amounts of supply and return or exhaust air. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

D. Fire Hazard - multi-family dwellings and rental units. The required fire resistant-rated construction, including walls, fire stops, shaft enclosures, partitions, smoke barriers, floors, ceilings and sprayed fire resistant materials shall be maintained to limit the spread of fire and smoke. Existing Fire protection systems shall be inspected and maintained. Smoke alarms shall be installed and maintained in institutional and residential dwellings where required. Carbon Monoxide alarms shall be installed and maintained when applicable.

E. Heating Facilities. Dwellings shall be provided with an approved heating appliance such as a furnace or boiler capable of maintaining a room temperature of 68 degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances shall not be used, nor shall portable unvented fuel burning space heaters be used, as a means to provide required heating. Electrical space heaters are allowed for supplemental heat only.

Exception: Fuel burning space heaters shall be allowed for emergency use only, until repairs are complete on the required approved heating appliance.

F. Electrical System Hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacles and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

G. Water system. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.

H. Sanitary Drainage. Plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage septic system. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects. Prohibited: Sanitary waste shall not be collected, stored or disposed of on any property other than as referenced herein.

I. A vacant structure that is not secured against entry shall be deemed unsafe.

[3] Structures unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to



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which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by ordinance or code, or because the location of the structure or the facility or equipment within the structure constitutes a hazard to the occupants of the structure or to the public.

[4] Unlawful Structure. An unlawful structure is one found whole or in part to be occupied by more persons than permitted by code, or was erected, altered or occupied contrary to law.

[5] Unlawful Activity. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure in the city, or cause or permit the same to be done, in violation of this code.

Editor's note(s)—Ord. No. 12-20, § 2, adopted June 16, 2020, changed the title of § 15.04.070 from "Section 105.1 amended—Unlawful activity designated" to read as herein set out.

**15.04.080 Section 105.3.3—Paragraph 8 added—Application requirements.**

Add new Paragraph 8 to Section 105.3.3 to read as follows:

8. Said application shall be accompanied by a letter from the Public Works Director of the City certifying to the building official the availability of water and sewer service for said land.

**15.04.090 Section 111.1 amended—Certificate of occupancy.**

Section 111.1 is amended to read as follows:

Section 111.1 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, and providing that all off-site improvements required by the subdivision code have been completed.

**15.04.100 Building permit fees.**

Fees shall be established by resolution of the city council of the city of Mills, Wyoming.

**15.04.110 Paragraph 1301.1.2 added—Energy efficiency.**

Paragraph 1301.1.2 is added to Section 1301 to read as follows:

A Comcheck Compliance Report using the 2021 Edition of the International Energy Conservation Code shall be submitted with the proposed building plans for the building envelope only at the time of application for review and comment. The Comcheck Compliance Report will be required for all occupancies within the 2021 International Building Code, except for S-1, S-2, F-1, F-2 and U occupancies.

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**15.04.120 Section 903.3 amended—Automatic sprinkler system.**

Section 903.3 is amended to add paragraph 903.1.2 which shall read as follows:

An automatic fire sprinkler system shall be installed when the fire flow requirements exceed 2500 gallons per minute, as determined by Appendix B, International Fire Code, 2015 Edition.

**15.04.130 Section 2504.1.3—Vertical and horizontal assemblies.**

Section 2504.1.3, vertical and horizontal assemblies, is created to read as follows:

Section 2504.1.3 All single ply gypsum wall board installed on ceilings with 24" spacing of framing members shall be a minimum of 5/8" thickness.

**15.04.140 Section 1511.3.1—Roof recover.**

Amend Section 1512.2.1, Roof recover, and add subparagraph 5, to read as follows:

1511.3.1 Asphalt Shingle Application. Not more than one overlay of asphalt shingles shall be applied over an existing asphalt shingle roof.

**15.04.150 Violation—Penalty.**

Any person violating any of the provisions of the code adopted by this chapter shall be deemed guilty of a misdemeanor. Each and every such day or portion thereof during which any violation of any of the provisions of such code is committed, continued, or permitted shall be a separate offense. Upon conviction of any such violation, such person may be punished as set forth in Chapter 1.28 of this code.

**Chapter 15.06 INTERNATIONAL EXISTING BUILDING CODE**

**15.06.010 Short title.**

The Code adopted by the ordinance from which this chapter derives shall be known as the "international existing building code" of the city.

**15.06.020 Document adopted by reference—Applicability.**

To provide minimum standards to safeguard life, health, property, and public welfare, the city hereby adopts the 2021 Edition of the international existing building code. The provisions of the code shall apply to the repair, alteration, change of occupancy, addition to, or relocation of existing buildings within the limits of the city. A copy of the adopted international existing building code is on file in the office of the city clerk.

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### **15.06.030 Violation—Penalty.**

Any person violating any of the provisions of the code adopted by this chapter shall be deemed guilty of a misdemeanor. Each and every such day or portion thereof during which any violation of any of the provisions of such code is committed, continued, or permitted shall be a separate offense. Upon conviction of any such violation, such person may be punished as set forth in Chapter 1.28 of this code.

## **Chapter 15.08 BUILDING PERMITS**

### **15.08.010 Purpose of chapter provisions.**

The purpose of the provisions set out in this chapter is to regulate and control the issuance of building permits within the city, and to require final inspections prior to the issuance of occupancy permits for all structures.

### **15.08.020 Definitions.**

The following words and phrases, when used in this chapter, shall for the purpose of this article have the meanings respectively ascribed as follows:

- A. "All-weather roadway" means a standard street section constructed in accordance with city ordinances and standards for construction of streets, excluding the required asphalt surfacing.
- B. "City" means the city of Mills, Wyoming.
- C. "City engineer" means the city engineer or his designated representative.
- D. "Construction phase" means a particular area of construction activity, or planned construction activity, within a platted subdivision.
- E. "Curb stop" means a valve or other device located on individual water service connections to a publicly owned water main for the purpose of regulating the flow of water from the main to the individual customer.
- F. "Final plumbing inspection" means the final inspection of plumbing in a structure, required by city ordinances regulating construction and inspection of plumbing.
- G. "Foundation permit" means a permit issued by the engineering director for the construction of a building foundation only.
- H. "Off-site improvements" means all public improvements required by city ordinances to be constructed upon publicly dedicated streets and rights-of-way, including but not limited to streets, sanitary sewers, water mains, storm sewers, curbs, gutters and sidewalks.
- I. "Person" means any individual person, partnership, corporation, association, governmental agency, estate, trust, or two or more individual persons having a joint or common interest in property.

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- J. "Subdivision" means an area of land within the city divided into lots, tracts or parcels, and for which a subdivision plat has been approved by the city in accordance with city ordinances, and recorded in the office of the Natrona County clerk.
  - K. "Subdivision agreement" means an agreement between the person or persons who own land comprising a subdivision and the city, the purpose of which is to ensure completion of public improvements within the subdivision, and which is required by Section 17.18 and other pertinent provisions of this code.

#### **15.08.030 Building and foundation permits—Issuance conditions.**

No building permit or foundation permit may be issued by the building department prior to completion of all off-site improvements in any city subdivision, except as follows. A foundation or building permit may be issued under the following conditions:

- A. A foundation permit, including construction of necessary underground utility connections, including but not limited to water, sewer, natural gas and electricity, may be issued upon commencement of construction of off-site improvements in any subdivision or construction phase of a subdivision.
- B. A building permit for the completion of any building may be issued upon completion of all-weather roadways, acceptance of the public water and sewer mains and appurtenant facilities, and payment of all required fees, including connection charges for connection to the water and sewer mains in a subdivision, or construction phase of a subdivision.

#### **15.08.040 Occupancy permit conditions.**

- A. No person shall occupy a building for which a building permit is required, prior to obtaining an occupancy permit for the building. An occupancy permit may be issued upon completion of a final inspection of a building, as required by city ordinances, and upon completion of all off-site improvements in a subdivision or construction phase of a subdivision, and upon compliance with all city ordinances, except as provided in subsection B of this section. Upon completion of the final plumbing inspection as required by city ordinance for any structure for which a building permit has been issued, the person making such inspection shall shut off water service to the building at the curb stop, and lock the same. The person to whom the building permit is issued is required to notify and request a final plumbing inspection upon completion of the plumbing and prior to occupancy of the building. At the time of issuance of any occupancy permit, water service shall be turned on to the building for which the occupancy permit is issued, and any lock on the curb stop for such water service shall be removed.
- B. Occupancy permits may be issued upon completion of a building for which a building permit is issued prior to November 15th, and prior to completion of off-site improvements from the period between November 15th to March 1st, under the following conditions:
  - 1. All-weather roadways in the subdivision, or in a construction phase of a subdivision, must be completed and approved by the city engineer. Such all-weather roadways shall, at a minimum, provide access to and be immediately adjacent to the property and

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building for which an occupancy permit is issued. The all-weather roadway shall be constructed so that an acceptable base material is placed to the lip of the gutters. All curb stops, manholes and other appurtenances shall be protected in a manner approved by the city engineer.

2. The person responsible by city ordinance and applicable subdivision agreement for completion of off-site improvements shall notify the city engineer on or before October 15th of his intention to construct or use all-weather roadways during the period of November 15th to March 1st. Such all-weather roadways shall be completed to the satisfaction of the city engineer prior to November 15th.
3. In addition, such person must submit for approval by the city engineer, a plan for maintenance of the all-weather roadways including, but not limited to, the equipment to be used in such maintenance, a specific person who will be responsible directly for the supervision and actual maintenance of the all-weather roadways, including addresses and phone numbers, and provisions for protecting improvements located in the all-weather roadways, including but not limited to manholes, valve boxes, curb stops, curb, gutter and sidewalk.
4. The owner/subdivider is obligated to maintain the improvements during the period between November 15th to March 1st. Providing that the owner/subdivider immediately installs traffic controls to prevent hazards associated with a deficiency, the owner/subdivider shall have one week from the time it is notified of a deficiency to correct the deficiency. The city shall have the right, in the event the owner/subdivider does not perform maintenance and construction obligations in accordance with the plans submitted to the city engineer within one week of the time the owner/subdivider is notified of a deficiency, to complete maintenance and construction of off-site improvements, using the financial surety deposited in accordance with Section 17.18. The city may perform the necessary construction by itself or by using third parties. The city may collect any amount over and above the amount provided for, in the event the financial surety deposit is insufficient to pay for the city's costs in maintaining or constructing the improvements. In the event the financial surety deposit is insufficient to pay the city's costs; the city may also collect, and the owner/subdivider shall be responsible for, any attorney's fees, costs and expenses incurred by the city in collecting such amounts. In addition, the owner/subdivider shall enter into a hold harmless agreement with the city, upon a form prepared by the city prior to beginning any improvements.
5. As of March 1st, weather conditions permitting, any person responsible for completion of off-site improvements in a subdivision in which occupancy permits have been issued under this section, shall commence and complete construction of all off-site improvements.

**15.08.050 Violation of chapter—Penalty.**

- A. Any person who violates any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and shall be punished as provided in Chapter 1.28 of the Mills Municipal Code.

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- B. In addition, any building contractor who has been licensed by the city who violates any of the terms of this chapter may have his building contractor's license suspended or revoked.

## **Chapter 15.12 BOARD OF EXAMINERS AND APPEALS, AND CONTRACTOR LICENSING**

### **15.12.010 Purpose.**

The purpose of this chapter is to regulate and control the issuance of building permits within the city to licensed contractors; to provide for the various classifications of contractors; and to require strict adherence to the various codes and ordinances of the city relative to building construction and alteration.

### **15.12.020 Definitions.**

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

1. "Administrative authority" means the city mayor or his authorized representative.
2. "Affidavit" means a properly notarized written statement from former employers, governmental entities, or firm representatives which will corroborate the number of years claimed to have been worked at the trade. This statement must describe the work performed and be written on the firm stationery or on an affidavit furnished by the administrative authority.
3. "Board" means the contractor licensing board of examiners and board of appeals as set forth by this chapter.
4. "Boiler operator, high pressure" means a person entrusted with the operation, care and management of steam boilers not in excess of two hundred fifty psi or water boilers not in excess of three hundred seventy-five psi.
5. "Boiler operator, low pressure" means a person entrusted with the operation, care and management of steam boilers not in excess of fifteen psi gauge pressure or water boilers not in excess of fifty psi.
6. "Building contractor" means a person who builds, constructs, alters, repairs, adds to or demolishes a building or structure for a fixed sum, price, fee, percentage or other compensation, and for which a permit is required.
7. "Commercial building" means a structure intended to be used for the barter of goods, office facilities, warehousing or other commercial purpose, as opposed to a residence, which shall mean a structure intended to be used for human habitation.
8. "Demolition contractor" means a person who demolishes or removes a building or structure for a fixed sum, price, fee, percentage or other compensation and for which a permit is required.

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9. "Department" means the city building inspection department.
  10. "Electrical contractor" means any person who contracts or offers to contract for another the planning, laying out, supervising and installing, or the making of additions, alterations and repairs in the installation or wiring of apparatus and equipment for electric light, heat and power. Such contractor shall hold a current state electrical contractor's license and be, or employ, a master electrician. Any person who only plans or designs electrical installations need not be classed as an electrical contractor.
  11. "Electrical contractor, limited" means a person engaged in the installation of sound systems, burglar alarms, fire alarm systems and other low voltage systems of under ninety volts.
  12. "Electrical wiring" means the fixed installation of electrical wires, appliances, fixtures or utilization equipment, used or to be used or to be maintained, on or in any building or property for electric heat, light, power, electric signs, smoke detectors, electric generation plants, electric heaters, fire alarms, burglar alarms, electric bells, electric signal and communication systems, telegraph messenger call systems, lighting fixtures or electrical utilization equipment of any kind or description, and is not intended to include portable appliances, portable fixtures or utilization equipment capable of being readily removed except portable signs, where established practices or the condition of use make it necessary or convenient for it to be detached from its source of current by means of flexible cord and attachment plug.
  13. "Electrician, apprentice" means a person being taught and laboring at the electrical trade as an employee under the supervision and in the presence of a master or journeyman electrician.
  14. "Electrician, journeyman" means a person having at least four years' experience in the electrical wiring industry with technical knowledge to wire, supervise, install and repair electrical apparatus and equipment for light, heat, power and other purposes, in accordance with the National Electrical Code, the city electrical ordinance and holding a current state journeyman's license.
  15. "Electrician, master" means a person having at least eight years practical experience in the electrical wiring industry with technical knowledge to properly plan, lay out and supervise the physical installation and repair of wiring apparatus and equipment for electrical light, heat, power and other purposes in accordance with the National Electrical Code, the city electrical ordinance, and holding a current state master electrician's license.
  16. "Full-time employee" means a person who is employed in an active full-time capacity as his principal employment. A qualifying person shall represent no more than one firm or corporation, and must be available during regular business hours.
  17. "Gasfitter" means a person who labors at the trade of installing gas piping as an employee of a plumbing contractor or gas utility.
  18. "Gas utility contractor" means a gas utility company may conduct, carry on, or engage in the business of installation of appliances, except for water heaters and boilers, as
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defined by the Uniform Mechanical Code, latest edition, and must have a licensed gas utility installer as a full-time employee.

19. "Gas utility installer" means a person who is employed in the trade of installation of gas appliances, except for water heaters and boilers, as defined by the Uniform Mechanical Code, latest edition.
20. "License" means the authority granted by the city to a person to whom it is issued authorizing said person to perform certain work as provided in this chapter.
21. "Mechanical apprentice" means a person who labors at the trade of heating, air conditioning, refrigeration ventilation and associated sheet metal as an employee under the supervision and in the presence and instruction of a master or journeyman.
22. "Mechanical contractor" means a person who may conduct, carry on or engage in the business of heating, air conditioning, ventilation, refrigeration and associated sheet metal work, as identified by the Uniform Mechanical Code, latest edition, and must have a licensed master mechanical as a full-time employee.
23. "Mechanical journeyman" means a person who labors at the trade of heating, air conditioning, refrigeration ventilation and associated sheet metal as an employee of a licensed mechanical contractor.
24. "Mechanical master" means a person skilled in the planning, superintending and practical installation of heating, air conditioning, refrigeration ventilation and associated sheet metal.
25. "Mobile home contractor" means a person who may conduct, carry on or engage in the business of connecting, blocking, leveling, skirting and all other aboveground requirements necessary to place a mobile home in established parking areas.
26. "Mobile home installer" means a person who labors at the trade of connecting gas, waste and/or water in a mobile home as an employee of a mobile home contractor.
27. "Permit" means the written authority given by the city to build, construct, alter, repair, move, improve, remove, convert or demolish any building or structure or appurtenances thereto in the city as required by city ordinance.
28. "Person" means an individual, firm, partnership, corporation, company or association.
29. "Plumber, apprentice" means a person who labors at the trade of plumbing as an employee under the supervision and in the presence of a master plumber or journeyman plumber.
30. "Plumber, journeyman" means a person who labors at the trade of plumbing as an employee of a licensed plumbing contractor.
31. "Plumber, master" 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.



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32. "Plumbing contractor" means a person who may conduct, carry on or engage in the business of plumbing, together with steam or hot water boiler installations, and must have a master plumber in his full-time employment.
  33. "Qualified person" means an individual person who qualifies, as provided in this chapter, for a license on behalf of a partnership, corporation or association.
  34. "Roofing contractor" means a person who solely constructs, alters, repairs, or is engaged in the business of installation and repair of roofs for a fixed sum, price, fee, percentage or other compensation, and for which a permit is required.
  35. "Sewer cleaning contractor" means a person who may conduct, carry on or engage in the business of cleaning sewer lines, drain lines, sludge pits or sand traps.
  36. "Utility contractor" means a person who may engage in the business of installing and repairing of water and sewer lines and the installation and repair of septic systems, and must have a licensed utility installer in his full-time employment.
  37. "Utility installer" means a person who labors at the trade of installing and repairing of water and sewer lines and septic systems from the building out, and is an employee of a licensed utility contractor.
  38. "Water conditioning contractor" means a person who may conduct, carry on or engage in the business of installation and repair of water piping as a part of a water treatment system.

**15.12.050 License—Required—Contents.**

- A. No person shall perform work as a contractor, or be issued a permit to do work within the city for which a permit is required, who has not met the qualifications for licensing and is found to be competent by examination to perform the duties of the trade for which he has applied, and received a license so to act.
- B. A license issued to a partnership, corporation or association shall state the name, address and phone number of the qualified person upon whose competency it is issued, and the name and address of the partnership, corporation or association to whom it is issued.

**15.12.060 License—Exceptions.**

- A. The provisions of this chapter shall not apply to:
  1. Steam heating boilers operated at not over fifteen pounds per square inch gauge pressure in private residences or apartments of six or less families or to hot water heating or supply boilers operated at not over fifty pounds per square inch gauge pressure and temperatures not over two hundred fifty degrees Fahrenheit when in private residences or apartments of six or less families;
  2. A person who constructs, alters or repairs his own residence for his personal use, and not for resale, without the aid of a building contractor may secure a permit without the necessity of being registered. A person who alters or repairs his own commercial building, without the aid of a building contractor, may secure a permit without the

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necessity of being registered; provided, however, that such alterations or repairs shall not exceed twenty-five percent of the building value, as determined by the administrative authority. In making such determination, the administrative authority shall consider and use appropriate guidelines published by national building trade organizations and comparative building values in the immediate area of the building for which a permit is sought;

3. An owner of a residence and its accessory buildings, who makes ordinary repairs which can be considered as routine maintenance of his residence and accessory buildings, and which do not involve the structural soundness of the building, shall not be considered to be a building contractor;
  4. Any person who constructs, repairs or alters more than one building or structure in any one-year period and for which a permit is required, shall be required to become a registered building contractor as provided herein, except for owner-occupied single-family residence;
  5. Work performed by any person for which a plumbing permit is required and is within the exception set forth in Section 26(A)1408 of the Uniform Plumbing Code as adopted by city ordinance;
  6. Buildings constructed by a school or community college district as part of an industrial arts curriculum under the direct supervision of a qualified industrial arts instructor; provided, however, that the school or community college district shall have the installations inspected as required by law;
  7. Licensed electrical contractors employing master or journeyman electricians, or apprentice electricians supervised by a master or journeyman electrician shall install all electrical equipment. This requirement is waived for:
    - a. Installation by person or persons on their own residential property if the property is not for immediate resale,
    - b. Oilfield operations, railroads, petroleum, refineries, mines and their appurtenant facilities,
    - c. Liquefied petroleum, gas, electric or communication facilities exercising their function as public utilities,
    - d. Cable TV, AM or FM radio stations, television stations and related services;
- B. The above exceptions shall not apply to any person who contracts or subcontracts to or for any exempt person.

**15.12.070 License—Classifications.**

- A. There shall be the following class of licenses, and the holder of each license shall be authorized to do the following:
  1. Building Contractor, Class I. To contract for the construction, alteration or repair of any type or size of structure permitted by the city building codes;

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2. Building Contractor, Class II. To contract for the construction, alteration or repair of all residential and commercial structures up to twelve thousand square feet;
  3. Building Contractor, Class III. To contract for the repairing, remodeling or altering of a single-family residence or structure in an amount not to exceed twenty-five percent of the assessed value of the structure when such repair, remodel or alteration requires a permit as provided by city ordinances;
  4. Demolition Contractor. To contract for the demolition or removal of any structure or building;
  5. Electrician's License, Master. The right and privilege to do any electrical wiring that may be required of a master electrician within the city limits and shall be a valid qualification for obtaining a contractor's license upon proper application and payment of fees. A master electrician's license shall be issued to the applicant upon presentation of a valid master electrician's license issued by the State Electrical Licensing Board and the payment of the required fee. A master electrician shall be the master of record for only one contractor at a time;
  6. Electrician's License, Journeyman. The right and privilege to do any electrical wiring that may be required of a journeyman electrician within the city limits. A journeyman's electrical license shall be issued to the applicant upon presentation of a valid journeyman electrician's license issued by the State Electrical Licensing Board and the payment of the required fee;
  7. Electrician's License, Apprentice. A licensed electrical contractor may employ registered apprentice electricians to assist master or journeyman electricians. Such apprentices shall be registered with the state and the city upon the payment of the required fee, and shall work under the immediate supervision of a master or journeyman electrician. No contractor shall have more than two apprentices for each master or journeyman electrician;
  8. Electrical Contractor's License. The right and privilege to contract for the installation of any electrical wiring within the city limits. An electrical contractor's license shall be granted upon presentation of a valid electrical contractor's license issued by the State Electrical Licensing Board and the payment of the license fee;
  9. Limited Electrical Contractor's License. The right and privilege to contract for installation of limited electrical wiring within the city limits. Limited electrical wiring is that wiring for which a limited contractor's license shall be obtained as defined in Section 15.28.020 of this title. A limited contractor's license shall be granted upon presentation of a valid limited contractor's license issued by the State Electrical Licensing Board and the payment of a fee;
  10. Gasfitter's License. The right and privilege to install gas piping as an employee of a plumbing contractor or gas utility, within the city. A gasfitter's license shall be issued to the applicant upon the successful completion of a review by the board and the payment of the required fee;
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11. Gas Utility Contractor. The right and privilege to conduct, carry on, or engage in the business of installation and service of gas appliances, except for water heaters and boilers, as defined by the Uniform Mechanical Code, latest edition. A license shall be issued to the applicant upon the payment of the required license fee and proof of employment of a full time gas utility installer;
  12. Gas Utility Installer. The right and privilege to do installation of gas appliances, except for water heaters and boilers, as defined by the Uniform Mechanical Code, latest edition. The utility installer license shall be issued to the applicant upon the successful completion of a written examination and the payment of the required license fee;
  13. High Pressure Boiler Operator's License. The right and privilege to operate steam boilers not in excess of two hundred fifty psi gauge saturated steam pressure or water boilers operating not in excess of three hundred seventy-five psi gauge pressure and four hundred fifty degrees Fahrenheit temperature within the city. A high pressure boiler operator's license shall be issued to the applicant upon the successful completion of a written examination, a review by the board and the payment of the required fee;
  14. Low Pressure Boiler Operator's License. The right and privilege to operate steam boilers not in excess of fifteen psi gauge pressure or water boilers not in excess of fifty psi gauge pressure and two hundred fifty degrees Fahrenheit temperature within the city. A low pressure boiler operator's license shall be issued to the applicant upon the successful completion of a written examination, a review by the board and the payment of the required fee;
  15. Mechanical Contractor's License. The right and privilege to conduct, carry on or engage in the business of heating, ventilation, air conditioning, refrigeration and associated sheet metal work and as outlined in the Uniform Mechanical Code, latest edition, within the city. A license shall be issued to the applicant upon the payment of the required fee, and proof of employment of a full-time licensed mechanical master;
  16. Mechanical Master License. The right and privilege to do any heating, venting, air conditioning and refrigeration work that may be required within the city and shall be a valid qualification for obtaining a mechanical contractor's license. Such license shall be issued to the applicant upon the successful completion of a written examination and the payment of the required fee;
  17. Mechanical Journeyman's License. The right and privilege to do any heating, venting, refrigeration and air conditioning work that may be required of a mechanical journeyman within the city, as an employee of a mechanical contractor. Such license shall be issued to the applicant upon the successful completion of a written examination and the payment of the required fee;
  18. Mechanical Apprentice License. The right and privilege to work as an apprentice for a mechanical contractor within the city; provided such work time is in the presence and under the instruction of a licensed master or journeyman. An apprentice license shall be issued to the mechanical contractor in the name of the applicant upon payment of the required fee. Such license shall be valid only for the term of his employment with that
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contractor. No mechanical contractor shall have more than one apprentice for each city/county licensed journeyman or master mechanical;

19. Mobile Home Contractor. The right and privilege to install mobile homes and the related exterior work of plumbing connections, blocking, leveling, skirting and all other aboveground requirements. The license will be issued upon proof of full-time employment of a mobile home installer and payment of required fees;
20. Mobile Home Installer. The right and privilege to do plumbing, blocking, leveling and skirting work related to the outside of a mobile home. A mobile home installer's license will be issued upon the successful completion of a written exam and the payment of required fees;
21. Plumbing Contractor's License. The right and privilege to contract for the installation of any plumbing work, including the installation of steam or water boilers, within the city. A plumbing contractor's license shall be granted upon the payment of a license fee;
22. Master Plumber's License. The right and privilege to do any plumbing work that may be required of a master plumber within the city and shall be a valid qualification for obtaining a plumbing contractor's license. A master plumber's license shall be issued to the applicant upon the successful completion of a written examination and the payment of the required fee;
23. Journeyman Plumber's License. The right and privilege to do any plumbing work that may be required of a journeyman plumber, as the employee of a plumbing contractor within the city. A journeyman plumber's license shall be issued to the applicant upon the successful completion of a written examination and the payment of the required fee;
24. Apprentice Plumber's License. The right and privilege to work as an apprentice plumber for a plumbing contractor within the city. An apprentice plumber's license shall be issued, in the name of the applicant, to the plumbing contractor with whom he is employed. Such license shall be valid only for the term of his employment with that contractor. No plumbing contractor shall have more than one apprentice for each city-licensed journeyman or master plumber;
25. Roofing Contractor's License. The right and privilege to repair, alter, and install roofs, roofing material and related decking material.
26. Sanitary Sewer Cleaning Contractor's License. The right and privilege to clean: Sanitary sewers or drain lines; sludge pits and sand traps within the city. A sanitary sewer cleaning contractor's license shall be issued to the applicant upon the payment of a fee;
27. Utility Contractor's License. The right and privilege to repair and install sewer and water lines from the building out. Such license shall be issued to the applicant upon the successful completion of a written examination and the payment of the required fee, and proof of employment of a full-time licensed utility installer;
28. Utility Installer's License. The right and privilege to repair and install sewer and water lines from the building out. Such license shall be issued to the applicant upon the successful completion of a written examination and the payment of the required fee;

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29. Water Conditioning Contractor's License. The right and privilege to install water conditioning and softening systems within the city. Such license shall be issued to the applicant upon the payment of the required fee.

- B. Each contractor must have and maintain during the effective period of his license:
1. Telephone service where he may be contacted during normal business hours; and
  2. All motor vehicles owned or leased by a contractor must carry identifying signs showing the contractor's name.
- C. A licensed contractor shall be responsible for all work included under his permit whether or not such work is done by him or his subcontractor.

**15.12.080 License—Application.**

- A. All persons required to be licensed by this chapter shall apply for said license upon a form approved by the board. The board shall provide different application forms for different trades which are regulated by city ordinance.
- B. The application shall measure the applicant's knowledge of the applicable codes, laws and ordinances adopted by the city for the particular trade for which a license is being applied for. The board shall set the application standards and establish procedures which shall be approved by the city council prior to the issuance of any license.
- C. The determination of eligibility for license or other matters pertaining thereto shall be by the board. Each applicant shall be required to complete and pass an examination approved by the board which shall test the competency of the applicant.
- D. Every person subject to the licensing requirements of this chapter shall make an application for such license within thirty days from its effective date. All building construction in progress by such persons may continue until action has been taken by the board of the prospective licensee's application. Should such application be denied by the board, the person will be allowed to complete any work under construction but no further permits will be issued nor work be allowed until said person has obtained the necessary license.

**15.12.090 License—Experience and examination criteria.**

- A. The board will license without examination, an applicant for a category of license who holds a valid license issued by another Wyoming entity which has or had at the time the applicant was licensed, requirements for licensure substantially similar to those of this chapter. All tests given by the Wyoming Association of Municipalities for applicant's trade and proof of a passing score will be accepted by the board.

**15.12.140 Licensee responsibility.**

A licensee shall be responsible for work requiring a permit under the provisions of this chapter or other applicable city ordinance without limitation to the items as herein listed, and shall do or cause to be done the following:

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- A. To present his license when requested by the administrative authority;
  - B. To obtain a permit when the same is required;
  - C. 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 building department and a permit issued for same, unless such changes are approved by the building department;
  - D. To complete all work authorized on the permit issued by the department unless good cause is shown;
  - E. To obtain inspection services when the same are required by city ordinances;
  - F. To pay any fee assessed under the authority of the Building Code adopted by the city;
  - G. To build in compliance with all applicable codes;
  - H. To warrant the workmanship, structural soundness and code compliance of the residence or building for a period of one year from the date of occupancy of such residence or building or, in case of a remodeling, one year from the date of final inspection.

**15.12.150 License—Insurance requirements.**

Every contractor granted a license of any kind under the terms of this chapter shall be required as a condition of receiving and holding said license to maintain, at all times, employer's liability insurance and workman's compensation insurance (if employees are hired by such contractor) and public liability insurance of a minimum limit of not less than two hundred fifty thousand dollars for personal injury or death of one person; five hundred thousand dollars for personal injury or death of all persons arising out of any one incident; property damage insurance with a minimum limit of not less than two hundred fifty thousand dollars for one incident; and shall furnish the city a certificate that such insurance is maintained.

**15.12.200 Board of appeals.**

- A. It shall be the duty of the board of appeals.
- B. Any person may appeal a decision of the administrative authority with regard to the suitability of alternate materials, methods of construction or interpretation of the building, mechanical, electrical, plumbing and fire codes adopted by the city. Appeal shall be commenced by the person by giving written notice of such appeal and stating therein the decision and reasons for the appeal to the secretary of the board of appeals within a period of five working days of the decision. The administrative authority shall present, in writing, to the board within five working days thereafter, all facts pertaining to the decision rendered by him.
- C. The board of appeals shall, within thirty calendar days thereafter, hold a hearing and follow the hearing procedures set forth in subsections C, D and E of Section 15.12.170.

## **Chapter 15.16 CONSTRUCTION REGULATIONS**

### **15.16.010 Building construction prohibited during certain hours—Exceptions.**

The erection (including excavating), demolition, alteration or repair of any building other than between the hours of seven a.m. and six p.m. on weekdays, is declared to be unlawful except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed three days or less while the emergency continues, and which permit may be renewed for periods of three days or less while the emergency continues. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of six p.m. and seven a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of six p.m. and seven a.m. upon application being made at the time the permit for the work is awarded or during the progress of the work.

### **15.16.020 Excavations—Fencing requirements.**

- A. No person shall own, lease, operate, maintain or conduct within the city for commercial purposes, for a period of more than four days, any pit, hole in the ground, pool or other excavation without first having such pit, hole in the ground, pool or other excavation securely fenced. Such fence shall be not less than five feet high and constructed of woven wire at least twenty-six inches high with four strands of wire above the woven wire equal distances apart to the top of each post with a wooden or steel guard arm one-foot long extending from each fence post, with one strand of wire attached to each such guard arm. The fence posts shall be at least five feet above the ground, eight feet apart and set at least two feet in the ground, with two stays of wire between each post, securely attached to the woven wire below.
- B. In the event woven wire cannot be obtained, then such fence shall consist of wire every six inches apart commencing three inches above the ground and extending to the top of the fence posts with wire stays every two feet between such fence posts and with a wooden or steel guard arm one foot long extending from each fence post, with at least one strand of wire attached thereto.

### **15.16.030 Excavations—Sign requirements.**

The fence required in Section 15.16.020 shall have posted thereon a proper "No Trespassing" sign.

## **Chapter 15.18 INTERNATIONAL FUEL GAS CODE**



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### **15.18.010 Code adopted.**

There is adopted by the city, for the purpose of prescribing regulations governing the installation, alteration or repair of fuel gas and gas appliance systems as prescribed in this code and inspection thereof, that certain suggested code known as the International Fuel Gas Code, 2021 Edition, and including Appendices A, B, C, and D, and the whole thereof, save and except such portions as are herein deleted, added, modified or amended. Not less than three copies of each code have been, and now are filed, in the office of the city clerk, and the same are adopted and incorporated as fully as if set out at length herein and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

### **15.18.020 Amendments, additions and deletions.**

The International Fuel Gas Code, 2021 Edition, and including Appendices A, B, C, and D, as adopted by this chapter is amended as set out in Sections 15.18.030 through 15.18.160 of this chapter.

### **15.18.030 Administration.**

IPC Chapter I, Administration, is deleted in its entirety and replaced with Sections 15.18.040 through 15.18.100 of this chapter.

### **15.18.040 Code official and duties.**

Whenever the term "Code Official" is used in this Code, it shall be construed to mean the City Mayor or the duly authorized representative of the City Mayor.

The Code Official shall maintain public office hours necessary in its discretion, to efficiently administer the provisions of this Code and amendments thereto, and may perform the following duties:

1. To require submission of permit applications on a form designated by the authority and to examine and check plans and specifications, drawings, descriptions, and diagrams when necessary in discretion of the authority, to demonstrate the character, kind, and extent of work covered by said application and upon approval of the application to issue the permit applied for.
2. Keep a permanent, accurate account of all fees for permits issued and other monies collected and received, as provided by this Code, the names of persons upon whose account the same were paid, the date and amount thereof, together with the location or premises to which they relate.
3. Administer and enforce the provisions of this Code in a manner consistent with the intent thereof and shall inspect all fuel gas and gas appliances systems authorized by any permit to assure compliance with provisions of this Code or amendments thereto, approving or condemning said work in whole or in part as conditions require.
4. Issue upon request a Certificate of Approval for any work approved by the Code Official.

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5. Condemn and reject all work done or being done, or materials used or being used, which do not in all respects comply with the provisions of this Code and amendments thereto.
  6. Order changes in workmanship and/or materials essential to obtain compliance with all provisions of this Code.
  7. Investigate any construction or work regulated by this Code and issue such notices and orders as provided in Section 1503, Mills Municipal Code.
  8. Keep a complete record of all the essential transactions of his office.
  9. Transfer all fees collected by him to the proper authority provided by law to receive such funds.
  10. Maintain an official register of all persons, firms, or corporations lawfully entitled to carry on or engage in, the business of installation of fuel gas piping and fuel gas appliances, or to labor at the trade of the installation fuel gas piping and fuel gas appliances to whom a license has been issued in accordance with Chapter 15.12, Mills Municipal Code.

**15.18.050 Dangerous and unsafe construction.**

1. Any portion of the fuel gas system found by the Code Official to be unsafe as defined herein is hereby declared to be a nuisance.
  2. Whenever brought to the attention of the department having jurisdiction that any unsanitary conditions exist or that any construction or work regulated by this Code is dangerous, unsafe, nuisance, or a menace to life, health, or property, or otherwise in violation of this Code, the said department may request an investigation by the Code Official who, upon determining such information to be fact, shall order any person, firm, or corporation using or maintaining any such condition, or responsible for the use or maintenance thereof, to discontinue the use or maintenance thereof or to repair, alter, change, remove, or demolish same as he may consider necessary for the proper protection of life, health, or property; and in the case of any gas piping or gas appliance may order any person, firm, or corporation supplying gas to such piping or appliance to discontinue supplying gas thereto until such piping or appliance is made safe. Every such order shall be in writing, addressed to the owner, agent, or person responsible for the premises in which such condition exists and shall specify the date or time for compliance with such order sent Certified Mail, return receipt required.
  3. Refusal or failure to comply with any such notice or order shall be considered a violation of this Code.
  4. When any fuel gas system is maintained in violation of this Code and in violation of any notice issued pursuant to the provisions of this section and such continuing violation, in the discretion of the Code Official, constitutes a nuisance, the Code Official may institute any appropriate action or proceeding in any court of competent jurisdiction to prevent, restrain, correct, or abate the violation or nuisance. In the case of fuel gas piping and fuel gas appliances, the Code Official may issue an order directing the utility company to discontinue supplying fuel gas until such piping system or appliances are made safe to life, health, or property.
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5. Any fuel gas system lawfully installed prior to the effective date of this Code may have its existing use, maintenance, or repair continued if the use, maintenance, or repair is in accordance with the original design and location and no hazard to the public health, safety, or welfare has been created by such system.

**15.18.060 Permits required.**

It shall be unlawful for any person to install, remove, alter, repair, or replace, or cause to be installed, removed, altered, repaired, or replaced any fuel gas or fuel gas appliances in a building or premises without first obtaining a permit to do such work from the Code Official.

A separate permit shall be obtained for each building or structure.

No person shall allow any other person to do or cause to be done, any work under a permit secured by a permittee, except persons in his employ.

**15.18.070 Validity of permits.**

The issuance or granting of a permit, or approval of plans and specifications, shall not be deemed or construed to be a permit for, or an approval of any violation of any of the provisions of this Code. If any permit is issued, and the issuance results in the violation of the provisions of the Code, that permit shall be amended, and the violation abated within thirty (30) days of the date of notice sent to the permit holder by Certified Mail, return receipt required.

The issuance or granting of a permit, or approval of plans, shall not prevent the Code Official from thereafter requiring the correction of errors in said plans and specifications, or from preventing construction operations being carried on thereunder when in violation of this Code or of any ordinance, or from revoking any certificate of approval when issued in error. Violation shall be abated within thirty (30) days of the date of notice sent to the permit holder by Certified Mail, return receipt required.

Every permit issued by the Code Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred and twenty (120) days. Before such work can be recommenced, a new permit shall be first obtained.

**15.18.080 To whom permits may be issued.**

No permit shall be issued to any person to do or cause to be done any work regulated by this Code, except to a person holding a valid contractor's license as required by Chapter 15.12, Mills Municipal Code for the type of work to be done, unless otherwise hereinafter provided in this section.

Any permit required by this Code may be issued to any person to do any work regulated by this Code in a single-family dwelling used exclusively for his living purposes, including the usual accessory buildings in connection with such building in the event that such person is the bona fide owner of any such dwelling and accessory buildings, and not for immediate resale, and that said owner shall purchase all material and shall personally perform all labor in connection therewith.

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**15.18.090 Application for permit.**

Any person legally entitled to apply for and receive a permit shall make such application on forms provided for that purpose. The applicant shall give a description of the character of the work proposed to be done, and the location, ownership, occupancy, and use of the premises in connection therewith. The Code Official may require plans, specifications, or drawings, and such other information as he may deem necessary.

If the Code Official determines that the plans, specifications, drawings, descriptions, or information furnished by the applicant is in compliance with this Code, the permit applied for shall be issued upon payment of the required fee as hereinafter fixed.

**15.18.100 Cost of permit.**

Fees shall be established by resolution of the City Council of the City of Mills, Wyoming.

**15.18.110 Unvented appliances.**

Section 303.0 amended and language added—Unvented appliances.

Section 303.3 - All unvented appliances permitted by this section must have prior approval of the Code Official before installation.

**15.18.120 Reserved.**

Editor's note(s)—Section 2 of Ord. No. 22-12, adopted July 2, 2012, deleted § 15.18.120, which pertained to electrical bonding, and derived from Ord. No. 16-06, adopted in 2006.

**15.18.130 Reserved.**

Editor's note(s)—Section 3 of Ord. No. 22-12, adopted July 2, 2012, deleted § 15.18.130, which pertained to piping through foundation wall, and derived from Ord. No. 16-06, adopted in 2006.

**15.18.140 Test pressure measurements.**

Section 406.4, Subparagraphs 406.4.1 and 406.4.2, Test Pressure Measurements, are deleted and Section 406.4 is amended to read as follows:

Section 406.4 - All installation of fuel gas piping in new construction shall be tested at 30 PSI for a duration not less than 30 minutes, and existing piping including new piping added to an existing system shall be tested at not less than 15 PSI. The Code Official may approve alternative methods of fuel gas testing with prior approval.

**15.18.150 Equipment not required to be vented.**

Section 501.8 - Equipment Not Required to be Vented—Amended.

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Section 501.8 - Amended and language added - All unvented appliances permitted by this section must have prior approval of the Code Official before installation.

**15.18.160 Unvented room heaters.**

Section 621 Unvented Room Heaters—Amended.

Section 621 - Amended and language added - All unvented appliances permitted by this section must have prior approval of the Code Official before installation.

**15.18.170 Violation—Penalty.**

Any person, firm or corporation violating any of the provisions of the code adopted by this chapter shall be deemed guilty of a misdemeanor. Each and every day or portion thereof during which any violation of any of the provisions of such code is committed, continued, or permitted shall be a separate offense. Upon conviction of any such violation, such person may be punished as set forth in Chapter 1.28 of this code.

**15.18.180 Validity.**

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

**Chapter 15.20 INTERNATIONAL MECHANICAL CODE**

**15.20.010 Short title.**

The code adopted by the ordinance from which this chapter derives shall be known as the "International Mechanical Code" of the city.

**15.20.020 Code adopted—Applicability.**

There is adopted by the city for the purpose of prescribing standards to safeguard life and limb, health, property, and public welfare, the certain suggested code known as the "International Mechanical Code" being particularly the 2021 Edition thereof, save and such portions as hereby modified, deleted, or amended by Section 15.20.030, not less than three copies of which have been and are now filed in the office of the city clerk, and the same as adopted and incorporated as fully as if set out at length herein, and from the date on which the resolution from which this chapter is derived shall take effect, the provisions thereof shall be controlling within the limits of the city.

**15.20.030 Amendments, additions and deletions.**

The International Mechanical Code, 2021 Edition, is amended and changed in the following respects:

- A. IMC subparagraph 103.1 is repealed and amended to read:

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Subparagraph 103.1 General - The City Mayor, or his duly authorized representative, is hereby authorized and directed to enforce all provisions of the Code.

B. After subparagraph 106.1, Section 106, of the 2006 International Mechanical Code, add the following section:

106.1.1 No permit shall be issued to any person to do or cause to be done any work regulated by this Code, except to a person holding a valid, unexpired, and unrevoked mechanical contractor's license for the type of work to be done, unless otherwise hereinafter provided in this section.

Any permit required by this Code may be issued to any person to do any work regulated by this Code in a one-family dwelling used exclusively for his/her living purposes, including the usual accessory buildings in connection with such building, and such person is the bona fide owner of any such dwelling and accessory buildings.

C. IMC Subparagraph 106.5.2, fee schedule is repealed and amended to read:

Subparagraph 106.5.2, Mechanical Permit Fees—Fees shall be established by resolution of the City Council of the City of Mills, Wyoming.

#### **15.20.040 Violation—Penalty.**

Any person violating any of the provisions of the code adopted by this chapter shall be deemed guilty of a misdemeanor. Each and every day or portion thereof during which any violation of any of the provisions of such code is committed, continued, or permitted shall be a separate offense. Upon conviction of any such violation, such person may be punished as set forth in Chapter 1.28.

### **Chapter 15.24 PLUMBING CODE\***

#### **15.24.010 Code adopted.**

There is adopted by the city, for the purpose of prescribing regulations governing the installation, alteration or repair of plumbing and drainage systems and inspection thereof, that certain suggested code known as the International Plumbing Code, 2021 Edition. Not less than three copies of each code have been, and now are filed, in the office of the city clerk, and the same are adopted and incorporated as fully as if set out at length herein and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

#### **15.24.020 Amendments, additions and deletions.**

The International Plumbing Code, 2021 Edition, as adopted by this chapter is amended as set out in Sections 15.24.010 through 15.24.120 of this chapter.

#### **15.24.030 International Plumbing Code Chapter I deleted and replaced—Administration.**

Chapter I, Administration, is deleted in its entirety and replaced with Sections 15.24.040 through 15.24.100 of this chapter.

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#### **15.24.040 Code official.**

Whenever the term "Code Official" is used in this Code, it shall be construed to mean the City Mayor or the duly authorized representative of the City Mayor.

##### **Duties of the Code Official.**

The Code Official shall maintain public office hours necessary in its discretion, to efficiently administer the provisions of this Code and amendments thereto, and may perform the following duties:

1. To require submission of permit applications on a form designated by the authority and to examine and check plans and specifications, drawings, descriptions, and diagrams when necessary in discretion of the authority, to demonstrate the character, kind, and extent of work covered by said application and upon approval of the application to issue the permit applied for.
2. Keep a permanent, accurate account of all fees for permits issued and other monies collected and received, as provided by this Code, the names of persons upon whose account the same were paid, the date and amount thereof, together with the location or premises to which they relate.
3. Administer and enforce the provisions of this Code in a manner consistent with the intent thereof and shall inspect all plumbing and drainage work authorized by any permit to assure compliance with provisions of this Code or amendments thereto, approving or condemning said work in whole or in part as conditions require.
4. Issue upon request a Certificate of Approval for any work approved by the Code Official.
5. Condemn and reject all work done or being done, or materials used or being used, which do not in all respects comply with the provisions of this Code and amendments thereto.
6. Order changes in workmanship and/or materials essential to obtain compliance with all provisions of this Code.
7. Investigate any construction or work regulated by this Code and issue such notices and orders as provided in Section 1503.
8. Keep a complete record of all the essential transactions of his office.
9. Transfer all fees collected by him to the proper authority provided by law to receive such funds.
10. Maintain an official register of all persons, firms, or corporations lawfully entitled to carry on or engage in, the business of plumbing, or to labor at the trade of plumbing to whom a plumber's license has been issued in accordance with this Code.

#### **15.24.050 Dangerous and unsanitary construction.**

1. Any portion of the plumbing system found by the Code Official to be unsanitary as defined herein is hereby declared to be a nuisance.

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2. Whenever brought to the attention of the department having jurisdiction that any unsanitary conditions exist or that any construction or work regulated by this Code is dangerous, unsafe, unsanitary, a nuisance, or a menace to life, health, or property, or otherwise in violation of this Code, the said department may request an investigation by the Code Official who, upon determining such information to be fact, shall order any person, firm, or corporation using or maintaining any such condition, or responsible for the use or maintenance thereof, to discontinue the use or maintenance thereof or to repair, alter, change, remove, or demolish same as he may consider necessary for the proper protection of life, health, or property; and in the case of any gas piping or gas appliance may order any person, firm, or corporation supplying gas to such piping or appliance to discontinue supplying gas until such piping or appliance is made safe. Every such order shall be in writing, addressed to the owner, agent, or person responsible for the premises in which such condition exists and shall specify the date or time for compliance with such order sent Certified Mail, return receipt required.

3. Refusal or failure to comply with any such notice or order shall be considered a violation of this Code.

4. When any plumbing system is maintained in violation of this Code and in violation of any notice issued pursuant to the provisions of this section and such continuing violation, in the discretion of the Code Official, constitutes a nuisance, the Code Official may institute any appropriate action or proceeding in any court of competent jurisdiction to prevent, restrain, correct, or abate the violation or nuisance. In the case of any water piping, fixture, or plumbing outlet, the Code Official may issue an order directing the utility company to discontinue supplying water thereto until such piping fixtures or outlets are made safe to life, health, or property.

5. Any plumbing system lawfully installed prior to the effective date of this Code may have its existing use, maintenance, or repair continued if the use, maintenance, or repair is in accordance with the original design and location and no hazard to the public health, safety, or welfare has been created by such system.

Any person, firm, or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor. Each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted shall be a separate offense. Upon conviction of any such violation, such person may be punished as set forth in Chapter 1.28 of this Code.

#### **15.24.060 Permits required.**

It shall be unlawful for any person to install, remove, alter, repair, or replace, or cause to be installed, removed, altered, repaired, or replaced any plumbing, gas, or drainage piping work, or any fixture, water heating, or treatment equipment in a building or premises without first obtaining a permit to do such work from the Code Official.

A separate permit shall be obtained for each building or structure.



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No person shall allow any other person to do or cause to be done, any work under a permit secured by a permittee, except persons in his employ.

**15.24.070 Validity of permits.**

The issuance or granting of a permit, or approval of plans and specifications, shall not be deemed or construed to be a permit for, or an approval of any violation of any of the provisions of this Code. If any permit is issued, and the issuance results in the violation of the provisions of the Code, that permit shall be amended, and the violation abated within thirty (30) days of the date of notice sent to the permit holder by Certified Mail, return receipt required.

The issuance or granting of a permit, or approval of plans, shall not prevent the Code Official from thereafter requiring the correction of errors in said plans and specifications, or from preventing construction operations being carried on thereunder when in violation of this Code or of any other ordinance, or from revoking any certificate of approval when issued in error. Violation shall be abated within thirty (30) days of the date of notice sent to the permit holder by Certified Mail, return receipt required.

Every permit issued by the Code Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred and twenty (120) days. Before such work can be recommenced, a new permit shall be first obtained.

**15.24.080 Work not requiring permit.**

No permit shall be required in the case of any repair work as follows: The stopping of leaks in drains, soil, waste, or vent pipe, provided, however, that should any trap, drainpipe, soil, waste, or vent pipe be or become defective and it becomes necessary to remove and replace the same with new material in any part or parts, the same shall be considered as such new work and a permit shall be procured and inspection made as herein before provided. No permit shall be required for the clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

**15.24.090 To whom permits may be issued.**

No permit shall be issued to any person to do or cause to be done any work regulated by this Code, except to a person holding a valid plumbing contractor's license for the type of work to be done, unless otherwise hereinafter provided in this section.

Any permit required by this Code may be issued to any person to do any work regulated by this Code in a single-family dwelling used exclusively for his living purposes, including the usual accessory buildings in connection with such building in the event that such person is the bona fide owner of any such dwelling and accessory buildings, and not for immediate resale, and that said owner shall purchase all material and shall personally perform all labor in connection therewith.

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Permits shall be required for tapping and connecting a building sewer to the public sewer and shall be issued only to a person holding a valid plumbing contractor's license or utility contractor's license.

**15.24.100 Application for permit.**

Any person legally entitled to apply for and receive a permit shall make such application on forms provided for that purpose. The applicant shall give a description of the character of the work proposed to be done, and the location, ownership, occupancy, and use of the premises in connection therewith. The Code Official may require plans, specifications, or drawings, and such other information as he may deem necessary.

If the Code Official determines that the plans, specifications, drawings, descriptions, or information furnished by the applicant is in compliance with this Code, the permit applied for shall be issued upon payment of the required fee as hereinafter fixed.

**15.24.110 Cost of permits.**

Fees shall be established by resolution of the City Council of the City of Mills.

**15.24.120 Section 202 amended—Definitions.**

Amend the definition of "public sewer" in this section to read as follows:

A public sewer shall include all mains, laterals, and appurtenances located on public rights-of-way or easements directly controlled by public authority.

**15.24.130 Section 305.4.1 amended—Sewer depth.**

Twelve inches is minimum depth for all sewer lines.

**15.24.140 IPC Section 306 is deleted and replaced to read as follows — trenching, excavating and backfill.**

Section 306.3.1 - All excavations shall be completely backfilled as soon after inspection as practical. Adequate precaution shall be taken to ensure proper compaction of backfill around piping without damage to such piping. Trenches shall be backfilled in thin layers to twelve inches (12") above the top of the piping with clean earth, which shall not contain stones, boulders, cinder fill, or other materials which would damage or break the piping or cause corrosive action. Mechanical devices such as bulldozers, graders, etc., may then be used to complete the backfill to grade with the following exceptions:

All street and alley excavations shall be completely backfilled in accordance with Mills City Code Chapter 12.16.

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All excavations within ten feet (10") of any sidewalk or other concrete flat work, shall be compacted to the density of the surrounding ground and backfill shall be placed in twelve inch (12") layers during compaction.

All other fill shall be properly compacted. Suitable precautions shall be taken to insure the permanent stability for pipe laid in, filled, or made ground.

No other utility shall be run or laid in the same trench with water service pipes or any underground water pipes and/or building sewer pipes, except for crossovers.

**15.24.150 Section 312 added—Tests and inspection.**

Add Section 312.1.2, to read as follows:

All testing of drain, waste, and vent systems, sewer lines, shower pan receptors and water piping will be at the discretion of the Code Official.

**15.24.160 IPC Section 406.3 added—Automatic clothes washer—Floor drain.**

Section 406.3 - A floor drain shall be installed within six (6) feet of every automatic clothes washer installation.

**15.24.170 Section 428 added—Accessible working space.**

Section 428.1 - Each appliance typically found in the mechanical room of a single family or multi-family residential structure shall have the minimum space available to allow for the adequate installation and repair of the appliance. There shall be adequate space to allow the appliance to be replaced or serviced with minimal or no disruption to the other appliances in the room. These space requirements are minimums and may vary with the specific equipment involved. The Code Official may approve different spacing with prior approval.

APPLIANCES	MINIMUM SPACE PER APPLIANCE
Water heater	4 square feet floor space
Water softener	8 square feet
Furnace	24 square feet
Hot water boiler	24 square feet
Central vacuum	9 square feet
Water meter	(CPU specifications Section 39-4) 6" from floor to bottom of the meter. 9 square feet floor space total

**15.24.180 Section 504.7.3 added—Water heater—Floor drain.**

Section 504.7.3 - A floor drain shall be installed within six (6') feet of every hot water heater or hot water boiler.

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**15.24.190 Section Tables 605.3 and 605.4 amended—Material, joints and connections.**

Delete galvanized steel pipe from Tables 605.3, 605.4 and steel from Table 605.5.

**15.24.200 Section 703.7 added—Sewer required.**

Section 703.6 - When the public sewer is not available as described under Section 1101(d), then a permit shall be secured from the Mills-Natrona County Health Department, as well as from the code official.

**15.24.210 Section 708.3.2 added—Building sewers.**

Section 708.3.2 - All building sewers shall have cleanouts installed at each change in direction in excess of twenty-two and one-half degrees ( $22\frac{1}{2}^{\circ}$ ).

Except as required by Section 708.3.2 of this Code, no additional cleanouts shall be required between twenty-two and one-half degrees ( $22\frac{1}{2}^{\circ}$ ) changes of directions provided a minimum distance of twelve inches (12") is maintained between fittings except as required in Section 708.2 of this Code.

**15.24.220 Section 712.1 added—Sumps and ejectors.**

Section 712.1.1 - All sumps and receiving tanks shall be automatically discharged, and when in public use or any multiple-family dwelling, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. The lowest inlet shall have a minimum clearance of two inches (2") from the high water or starting level of the sump.

**15.24.230 Section 715.1 deleted and replaced to read as follows—Backwater valves.**

Section 715.1 - Drainage piping serving floor drains or fixtures, which have flood level rims located more than four feet (4') below the elevation of the top rear curb face, shall drain by gravity into the main sewer, and shall be protected from backflow of sewage by installing an approved type backwater valve. The backwater valve shall be installed only in that branch or section of the drainage system which receives the discharge from fixtures. The elevation of the top rear curb face and the proposed elevation of the lowest floor level shall be indicated on the building plans before a plumbing permit will be issued.

It shall be the responsibility of the building contractor and/or the building owner to determine the elevation of the lowest floor level.

**15.24.240 IPC Section 13.**

IPC Section 13 is hereby deleted entirely.

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**15.24.250 Section 918 amended—Air admittance valves.**

Section 918.2 - Air admittance valves permitted by this section must have prior approval of the Code Official before installation in the plumbing system.

**15.24.260 Section 1001.1 deleted and replaced to read as follows—Traps, interceptors, separators.**

Section 1001.2 - All Traps, Interceptors, and Separators shall comply with Section 13.32.110, Mills Municipal Code, and code requirements of Chapter 10, IPC, are adopted and may be utilized with prior approval of the Code Official.

**15.24.270 Section 1109 deleted—Combination sanitary and storm system.**

Section 1109, IPC is deleted entirely.

(Ord. No. 21-12, § 8, 7-2-2012)

**15.24.280 Violation—Penalty.**

Any person violating any of the provisions of the code adopted by this chapter shall be deemed guilty of a misdemeanor. Each and every day or portion thereof during which any violation of any of the provisions of such code is committed, continued, or permitted shall be a separate offense. Upon conviction of any such violation, such person may be punished as set forth in Chapter 1.28 of this code.

**15.24.290 Validity.**

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

**Chapter 15.28 NATIONAL ELECTRICAL CODE<sup>1</sup>**

***Article I. Code Adoption and Administration***

**15.28.010 National Electrical Code adopted.**

- A. There is adopted by the city, for the purpose of prescribing regulations governing the installation, alteration, maintenance or repair of electrical installations and inspections thereof, that certain suggested code known as the NFPA 70-2020 Edition of the National Electrical Code, and the whole thereof, save and except such portions as are herein deleted,

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<sup>1</sup>Editor's note(s)—Appendix A is on file with Ordinance 87-87 in the offices of the city clerk and the city engineer.

Note(s)—Prior ordinance history: Ord. 24-86.

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added, modified or amended by this chapter. Not less than three copies of the code have been, and now are filed, in the office of the city clerk, and the same are adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, shall be controlling within the limits of the city.

**B. Unsafe Electrical Systems or Equipment.**

1. Electrical systems or equipment regulated by this code which are unsafe, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of electrical systems or equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.
2. Unsafe electrical systems or equipment 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 Uniform Code for the Abatement of Dangerous Buildings as adopted, or an alternative procedure as may be adopted by this jurisdiction. As an alternative, the electrical inspector or other employee or official of this jurisdiction as designated by the governing body, may institute other appropriate action to prevent, restrain, correct or abate the violation.

**15.28.020 Limited contractor's license.**

A limited contractor's license shall be obtained for the following purposes:

- A. The installation of sound systems, fire alarms, burglar alarms, satellite TV antennas and other low voltage systems of under ninety volts;
- B. The installation of electrical signs, not to extend past the load side of the sign disconnect, within sight of and attached to the sign;
- C. The installation of elevator wiring, not to extend past the load side of the elevator disconnect, within sight of the controllers; and
- D. The installation of electrical wiring for water wells and irrigation systems, not to extend past the load side of the disconnect, within sight of the controllers for the well or systems.

**15.28.030 City electrical inspector—Qualification—Appointment—Unlawful activities designated.**

- A. There is created the office of city electrical inspector. The person chosen to fill the office of city electrical inspector shall be a competent electrician, shall have at least four years' experience as a wireman or electrical contractor, and shall obtain certification as an electrical inspector by the International Code Council and/or other competent authority.
- B. The electrical inspector shall be appointed by the city mayor. It is unlawful for the city electrical inspector to engage in the business of the installation and the maintenance of electrical wiring and appliances, either directly or indirectly, and he shall have no financial

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interest in any concern engaged in such business in the city, at any time, while holding the office of city electrical inspector.

**15.28.040 City electrical inspector—Powers and duties.**

- A. The city electrical inspector is given the authority to refuse to issue a certificate of approval of any addition or extension to any wiring system, in or on any building, structure or property where, in his professional opinion, the wiring is in an unsafe condition. In case the work does not comply with this chapter and the 2020 Edition of the National Electrical Code, he shall issue and mail a written statement and telephone the electrical contractor within twenty-four normal business hours, stating the changes necessary to bring the work up to the required standard.
- B. Whenever any electrical wire or other piece of electrical utilization equipment is defective, by reason of improper or insufficient insulation, or for any other cause becomes dangerous, the city electrical inspector shall at once notify the owner or the agent of the owner of the electrical utilization equipment to repair or remove the same, and upon the owner's failure to repair or remove the wire or utilization equipment within a reasonable time, the city electrical inspector shall cause the turning off of all electrical current.
- C. Whenever there are practical difficulties involved in carrying out the provisions of this code, the electrical inspector may grant modifications for individual cases, provided that a special individual reason makes the strict letter of this code impractical and the modification is in conformity with the intent and purpose of this code, and that such modification does not lessen health, life and fire safety requirements. The details of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.
- D. Every company, firm, partnership or individual owning or controlling electrical wires and utilization equipment for the transmission of light, heat or power shall, as soon as possible after receipt of notice of a fire, have an agent or representative at the fire whose duty shall be to cut, deaden and test any of the power wires that might endanger the lives or property of anyone in that vicinity.
- E. Upon request of the property owner, lessee or occupant, the city electrical inspector shall inspect, for electrical safety, any old wiring or electrical utilization equipment in, or on, any building, structure or property within the corporate limits of the city, upon payment of a fee of as listed in the permit fee schedule. In case the installation does not comply with this chapter, he shall file a report of his inspection with the property owner, lessee or occupant, identifying the areas of noncompliance. Code compliance inspections shall also be required when the meter or service drop has been removed or disconnected from any structure or building, by the electric utility company or as ordered by the electrical inspector, his authorized representative or the fire department.
- F. 1. It is unlawful for any light or power company to make any electrical connections to any building or property until a certificate of approval has been issued by the city electrical inspector. All such firms, corporations or individuals shall, upon written notice from the city electrical inspector, disconnect from any service as designated by such notice, and shall not reconnect such service, except upon written notice from the city electrical inspector.

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2. The city electrical inspector is also authorized and shall have the authority to order the termination of all electric current and cut, or disconnect, in cases of emergency or hazard, any wire where such electrical currents are dangerous to life or property, or may interfere with the work of the fire department.
- G. After inspection of the electrical wiring of any building, the city electrical inspector shall leave notice in the form of a tag attached in a prominent location. This notice shall clearly state that the work has, or has not, passed the inspection by the city electrical inspector. On new or remodeled construction, no workman shall lath, seal or in any manner conceal any electric wiring, until he knows that it has passed the city electrical inspector's inspection. If the wiring is in such a position as to interfere with the completion of the building as called for by the plans, the electrical contractor must be notified, within twenty-four hours, of the necessary changes to be made. The city electrical inspector must, in all cases when such is practical, inspect all electrical wiring within the corporate limits of the city within forty-eight hours of the receipt of notice from the electrical contractor, stating that the work is completed. Saturdays, Sundays and holidays shall not be included in this time.
  - H. The city electrical inspector shall have the general supervision over the placing, stringing and attaching of telephone, telegraph, electric light or other wires, only insofar as fire prevention, accident or injury to persons or property is concerned, and any or all of such wires or electrical utilization equipment now existing, and hereafter constructed and placed, shall be subject to such supervision.
  - I. Right of Entry.
    1. Whenever necessary to make an inspection to enforce the provisions of this code, or whenever the electrical inspector or an authorized representative has reasonable cause to believe that there exists in a building or upon a premises a condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the electrical inspector or an authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the electrical inspector by such codes, provided that if such building or premises be occupied, the electrical inspector shall first present proper credentials and request entry. If such building or premises is unoccupied, the electrical inspector 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 entry is refused, the electrical inspector or an authorized representative shall have recourse to every remedy provided by law to secure entry.
    2. When the electrical inspector or an authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner or occupant or other person having charge, care or control of the building or premises, shall not fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the electrical inspector or authorized representative for the purpose of inspection and examination pursuant to this code.
  - J. Liability. This code shall not be construed to relieve from or lessen the responsibility of a person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the code
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enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspection authorized by this code or approvals issued under this code.

- K. **Suspension or Revocation.** The electrical inspector may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the jurisdiction.

**15.28.050 Permit—Required.**

- A. All companies, firms, partnerships, corporations, individuals or entities who do electrical wiring for electric signs, electric fixtures, appliances or utilization equipment installed in or on any buildings or property, or removed from the interior or exterior on any building or property (except as allowed by Section 15.28.080(A), exceptions 2, 3 and 4), shall procure a permit from the city electrical inspector. Permits shall only be issued to a contractor holding a valid, unexpired or unrevoked contractor's license of the proper category, as covered in Section 15.28.080, or an individual for private work, as covered in Section 15.28.090. Permits may also be issued for all work requiring a permit, where the person doing said work is exempted from the licensing requirements provided in Section 15.28.080.
- B. It is unlawful for all contractors, workmen or individuals to in any way interfere with any electric wiring, except as allowed by Section 15.28.080(A)(2),(3) and (4), in or on any building or property, in any manner whatsoever, without first having secured a permit therefore. Failure to obtain a permit prior to the start of the work shall result in the applicable permit fees being doubled. Permits shall expire by limitations, and become null and void if the work authorized by such permit is not commenced within one hundred eighty days and completed within one year from the date of the permit, unless an extension is granted by the building/code enforcement mayor or his authorized representative. Before such work can be recommenced, a renewal permit shall be obtained, and the fee therefore shall be one-half the amount of the original permit; provided work is recommenced within thirty days of the ending of the original permit. A permit for private work is defined in Section 15.28.090.
- C. **Changes in Building Occupancy.** Electrical systems and equipment which are a part of any building or structure undergoing a change in use or occupancy, as defined in the building code, shall comply with the requirements of this code which are applicable to the new use or occupancy.
- D. **Moved Building.** Electrical systems and equipment which are a part of buildings or structures moved into or within this jurisdiction shall comply with the provisions of this code for new installations.
- E. **Maintenance.**
1. All electrical systems and equipment, both existing and new, and all parts thereof shall be maintained in a proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards which are required by this code shall be maintained in conformance with this code. The owner shall be responsible for the maintenance of the electrical system. To determine compliance with this subsection, the electrical inspector may cause any electrical system to be re-inspected.

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2. Persons other than the building owner shall have the proper electrical license for the type of electrical system being repaired or maintained.

#### **15.28.060 Permit—Fees.**

Before any company, firm, partnership, corporation or individual shall do any electric wiring, either new work or any addition to old work, for which a permit is required under this chapter, a written application must be filed with the city electrical inspector for a permit. The fee for such permit shall be in accordance with the currently adopted building permit fee schedule, and shall be paid at the time the permit is issued. Valuation to be determined by multiplying the number of openings, motors, fixtures by the proper multiplier, and then adding all subtotals to provide a total valuation of the work. Total valuation to then be used to determine permit fee from table of permit fees. The determination of value or valuation under any of the provisions of this code shall be made by the electrical inspector. Fees required under this section shall be established by resolution of the city council.

#### **15.28.070 Definitions.**

- A. "Apprentice electrician" means any person with insufficient qualifications to be a journeyman electrician, and who is hired by a licensed electrical contractor to assist a journeyman or master electrician, and under the direct supervision of a journeyman or master electrician, in accordance with state of Wyoming Statutes Section 35-9-127, as amended.
- B. "Electrical contractor" means any person, firm, partnership, corporation, association or combination thereof, who contracts, or offers to contract for another, the planning, laying out, supervising and installing or the making of additions, alterations and repairs in the installation or wiring of apparatus and equipment for electric light, heat and power. Such contractor shall hold a current state electrical contractor's license and be, or employ, a master electrician. Any person who only plans or designs electrical installations need not be classed as an electrical contractor.
- C. "Electrical wiring," as used in this chapter, is intended to mean the fixed installation of electrical wires, appliances, fixtures or utilization equipment used, or to be used, or to be maintained, on or in any building or property for electric heat, light or power, electric signs, smoke detectors, electric generation plants, electric heaters, fire alarms, burglar alarms, electric bells, electric signal and communication systems, telegraph messenger call systems, lighting fixtures or electrical utilization equipment of any kind or description and is not intended to include portable appliances, portable fixtures or utilization equipment capable of being readily moved, where established practices or the condition of use make it necessary or convenient for it to be detached from its source of current by means of flexible cord and attachment plug, except for portable signs.
- D. "Journeyman electrician" means a person having at least four years' experience in the electrical wiring industry, with technical knowledge to wire, supervise, install and repair electrical apparatus and equipment for light, heat, power and other purposes, in accordance with the National Electrical Code, the electrical ordinance, and holding a current state journeyman's license.

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- E. "Master electrician" means a person having at least eight years practical experience in the electrical wiring industry, with technical knowledge to properly plan, lay out and supervise the physical installation and repair of wiring apparatus and equipment for electric light, heat, power and other purposes in accordance with the National Electrical Code, the electrical ordinance, and holding a current state master electrician's license.

**15.28.080 License or registration required when—Fees to be set by ordinance.**

- A. A valid master's or journeyman's license of the proper category, or proper registration as an apprentice electrician, shall be required of any and all persons employed by an electrical contractor performing any electric wiring as defined in this chapter within the city limits, except as provided for in Sections 15.28.100 and 15.28.160. A further exception from the licensing requirements are provided for:
1. Installation by persons on their own property, if the property is not for immediate resale, and is allowed under Section 15.28.090;
  2. Oilfield operations, railroads, petroleum refineries, mines and their appurtenant facilities;
  3. A gas, electric or communication facility in the exercise of its function as a public utility, except as provided in subsections D and F of Section 15.28.040 and Section 15.28.110; and
  4. Cable TV, AM or FM radio stations, television stations and related service, but not including premises wiring systems.
- B. Subdivisions 1 through 4 of subsection A of this section shall not apply to anyone who contracts or subcontracts to or for any exempt person, partnership or corporation.
- C. Licenses and fees are as required by the current licensing ordinance.

**15.28.090 Private work.**

- A. A permit to perform electrical work in or about his own residential property may be issued to the owner provided:
1. It is not a public place;
  2. It is not a place of business;
  3. It is not a place of worship; and
  4. That all work therein shall be done with his own hands.
- B. A permit is not required under this section for normal maintenance work required on any building, structure or residence. Normal maintenance shall mean the routine, reoccurring work required to keep a facility in such a condition that it may be utilized at its original or designed capacity and efficiency for its installed purpose. Any extensions to, or modification of, existing electrical circuitry shall require a permit.

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### **15.28.100 Temporary work permit.**

A temporary work permit may be issued upon presentation by the applicant of a temporary permit issued by the State Electrical Licensing Board. The fee for a temporary work permit is to be one-half of journeyman's fee, and is nonrenewable.

### **15.28.110 Plans and specifications.**

- A. Any person, firm, corporation, partnership, architect or builder is required, when drawing plans and specifications, to state in such plans and specifications the location and circuiting of all outlets. The location of the main distribution panel and service attachment point shall be approved by the city electrical inspector and a power company representative. All electrical work shown on plans and incorporated in the specifications shall conform to this chapter.
- B. Applicants for permits shall be required to furnish plans and specifications of the proposed work, as may be deemed necessary by the city electrical inspector, before a permit is issued. The city electrical inspector shall be notified of any revision or change orders prior to the implementation of any change. A copy of said change shall be filed with the city electrical inspector.
- C. Equipment installed under Article 505 of the NEC shall only be installed under the direction of a registered licensed electrical engineer after the installation is approved by the city electrical inspector.
- D. Voltage drop of all branch circuits, feeder circuits, control circuits and service entrance conductors shall be properly calculated. In no case shall voltage drop of conductors be such as to damage or prevent the operation of equipment that is properly attached to a circuit.

### **15.28.120 Certificate of approval—Issuance conditions.**

When requested by the owner, a certificate of approval shall be issued by the city electrical inspector, provided all electrical work covered by a permit is completed to the satisfaction of the city electrical inspector. It is further provided, but not limited, that all plumbing, heating and ventilation, furnace work, gas fitting, telephone wiring and alarm systems which are to be installed, or to be made a part of the construction, must be in place before a certificate is granted.

### **15.28.130 Code provisions not to apply to prior existing lawful work.**

No provision of this code shall be deemed to require a change in any portion of the electrical system, or any other work regulated by this code, in or on an existing building or lot, when such work was installed and is maintained in accordance with law in effect prior to the effective date of the ordinance adopting this chapter, except when any such electrical system, or other work regulated by this code, is determined by the administrative authority to be dangerous, unsafe and a threat to life, health or property.

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**15.28.140 Board of appeals—Interpretative authority.**

All questions not provided for in this chapter or covered by the current National Electrical Code, pertaining to the installation of electrical wires and utilization equipment, and any questions that may arise concerning the interpretation of this chapter, shall be decided by the appeals board.

**15.28.150 Board of appeals—Designated.**

The licensing board of the city shall serve as the board of appeals.

**15.28.160 Violation—Penalty.**

Any person, firm, partnership, corporation or other entity violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and the penalty for violation hereof shall be that set forth in Chapter 1.28 of this code.

***Article II. Installation Materials and Specifications***

**15.28.170 Compliance required.**

All wiring within the corporate limits of the city shall be at all times installed in accordance with the requirements of the National Electrical Code (NFPA 70-2020 Edition). In the interest of safety and sound construction practice the following requirements, as set out in this article, are also to be adhered to.

(Ord. No. 17-20, § 1, 9-1-2020)

**15.28.180 Underwriters or other testing required.**

All electrical materials, devices or appliances installed shall be listed or labeled by Underwriters Laboratories, Inc., or Factory Mutual Research Corporation or other nationally recognized testing agencies.

**15.28.190 Ampere service requirements—New buildings and utility poles.**

- A. Requirements. All services installed within or on all new buildings, structures or utility poles, and all alterations in and additions to wiring in or on buildings now existing, shall be a minimum of one hundred twenty-five amperes when the computed load is not more than one hundred amperes. Where the computed minimum load exceeds one hundred amperes, the service size shall be increased by one hundred twenty-five percent. Wafer and tandem circuit breakers are not allowed on new construction. Basements shall be included when computing the square foot area of a building for the size of service required.
- B. Exceptions.
  - 1. Individual service, when approved by the city electrical inspector due to limitations of supply source or load requirements, shall not be smaller than three No. 6 A.W.G. conductors, when serving no more than three circuits.

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2. For installations to supply limited loads of a single branch circuit, when approved by the city electrical inspector, the conductors shall not be smaller than the conductors of the branch circuit, and shall be a minimum of three No. 6 A.W.G. conductors.
  3. Billboards with not more than a thirty-ampere computed load may be served by three No. 6 A.W.G. conductors.
  4. For other installations and for temporary services on construction poles serving not more than two twenty-ampere, one-hundred-twenty-volt, circuits may be served by three No. 6 A.W.G. conductors. All one-hundred-twenty-volt, single-phase, fifteen-ampere and twenty-ampere receptacle outlets on construction sites shall have ground fault circuit interrupters. Two-hundred-thirty-volt outlets shall only be used for two-hundred-thirty-volt utilization equipment.

C. Protection of Ungrounded Conductors.

1. Protection of ungrounded conductors shall be provided by an overcurrent device in series with each ungrounded service conductor having a rating or setting not higher than the allowable ampacity of the conductor.
2. Where more than one and not more than six overcurrent devices provide the required protection for the ungrounded conductors, their total ampacity shall not exceed the allowable ampacity of the ungrounded conductor(s). Refer to Section 240.4(b) and (c) of the National Electrical Code for overcurrent protection of wire.

D. Services on manufactured (mobile) homes shall be allowed when all of the following requirements are met:

1. Service will be of the meter and exterior main type of no less than one hundred twenty-five amps.
2. The manufactured (mobile) home is owner-occupied and not located on leased property.
3. The smallest conductor in the manufactured (mobile) home is #12 copper wire.
4. The manufactured (mobile) home is permanently set on a foundation designed to meet all of the local jurisdiction's requirements.

**15.28.200 Wire size required—Aluminum conductors prohibited when.**

No wires smaller than No. 12 A.W.G. copper shall be used in wiring nominal one hundred twenty volts or over within the corporate limits of the city, except for remote control circuits. No aluminum conductors smaller than No. 2 A.W.G. shall be used for wiring or services.

**15.28.210 Separate circuitry required when.**

Separate circuits shall be provided for furnaces, ranges, dryers, dishwashers, disposals and any appliances exceeding fifty percent of the circuit capacity. Ranges, dryers, dishwashers, disposals and washing machines in residences may be cord-connected. Built-in ovens and cook-top units may be direct-wired with flexible conduit from a junction box not more than three feet away and the conductors shall have an ampacity equal to the branch circuit overcurrent protection device. All furnaces and boilers shall have overcurrent devices responsive to the motor current and

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shall be rated or selected to trip at not more than one hundred twenty-five percent of motor current. Range and dryer receptacles shall be three-pole, four-wire, when the branch circuit originates from a feeder panel.

A separate twenty-amp one-hundred-twenty-five-volt circuit shall be provided for each three-quarter or full bathroom in a dwelling and for every two half bathrooms in a dwelling. Where commercial non-dwelling bathrooms have outlets there shall be a separate twenty-amp one-hundred-twenty-five-volt circuit for every two bathrooms.

#### **15.28.215 GFCI outlets in commercial crawl spaces.**

Commercial crawl spaces containing receptacle outlets in commercial structures shall have ground fault circuit interrupter protection of those receptacles.

#### **15.28.220 Raceways.**

- A. Metal raceways shall be used for electric power, light, heat and all wiring supplying ninety volts and over in all commercial, industrial or public types of buildings, and in buildings or any part of buildings whose use is changed from residential to any other use. Armored cable shall be permitted for use in commercial buildings, for branch circuits, and shall be required to have a copper equipment grounding conductor as an integral part from the factory.
- B. Metal raceways are defined as galvanized rigid conduit (heavy-wall conduit) intermediate metal conduit, electrical metallic tubing (thin-wall conduit, metal molding, metal troughing, metal ducts, and flexible metallic conduit (as allowed by Section 15.28.320). Flexible metal conduit shall not be installed outdoors, exposed to weather.
- C. Fiber duct, PVC or equivalent raceways may be installed underground, and in concrete slabs, in accordance with the National Electrical Code. PVC may be installed in corrosive atmospheres by special permission from the city electrical inspector.
- D. PVC and electrical nonmetallic tubing (ENT) may be installed only in structures where combustible construction is allowed, including commercial and public buildings, with the following limitations:
  - 1. ENT may be installed in buildings of no more than three floors. ENT shall not be permitted for exposed work, high temperature areas or exposed to physical damage. All bends in runs of ENT shall count in the total degrees of bend, which shall not exceed three hundred sixty degrees between boxes.
  - 2. Bushings shall be installed when run in metal studs.
  - 3. Metal plates of the proper type shall be used for protection of ENT, when run in wooden stud walls and unable to be run in the center of the stud.
  - 4. Tie wire shall not be used as a strapping method for ENT. Article 362 of the National Electrical Code shall apply for other installation requirements.
  - 5. PVC (rigid nonmetallic conduit) may be installed only in structures where combustible construction is allowed, and in accordance with Article 352 of the National Electrical Code, with the following limitations: PVC may be installed in slabs, and in buildings of

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no more than three floors. PVC shall not be permitted for exposed work (except as allowed by this section), high-temperature areas or exposed to physical damage. Short runs for protection of ground wires on exterior of buildings shall be permitted. All bends in runs of PVC shall count in the total degrees of bend, which shall not exceed three hundred sixty degrees between boxes. Metal plates of the proper type shall be used for protection of PVC when run in wooden stud walls and unable to be run in the center of the stud. Tie wire shall not be used as a strapping method for PVC.

- E. All raceways installed below grade shall have approved expansion joints installed within one foot immediately above grade on each end. All underground raceways shall have a sleeve installed where passing through concrete or masonry. A junction box shall be sized and constructed to power company requirements and may be above ground or underground, but in no case shall junction boxes be smaller than twelve inches wide by eighteen inches high by six inches deep above ground or thirteen inches by twenty-four inches by eighteen inches deep underground. Meter bases that provide room for eighteen inches of slack within the meter base shall not be required to have a junction box.

**15.28.230 Metal conduit or raceway required when.**

All wiring exposed on the outside, or exposed on inside concrete or masonry walls of any building within the corporate limits of the city, shall be installed in a metal conduit or raceway system (rigid conduit, intermediate or electrical metallic tubing). All service entrance wires hereafter installed from the public utilities service drop conductors into the building or structure to be served, shall be in an approved metal conduit or raceway system (rigid conduit, intermediate or electrical metallic tubing) equipped at the outer end with a service head fitting. When a mast is required, it shall be at least two-inch galvanized rigid metal conduit. Service laterals may be installed with rigid nonmetallic conduit approved for the purpose. Service drop and lateral installation and meter location shall be in accordance with the power company specifications.

**15.28.240 Metallic tubing installment and coating requirements.**

Electrical metallic tubing shall not be installed in contact with the earth, or in concrete at ground level or below. Rigid and intermediate conduits shall be PVC coated or taped, and coated when buried or when subject to direct contact with earth. Rigid nonmetallic conduit approved for the purpose may be buried or installed in concrete.

**15.28.250 Nonmetallic sheathed cable.**

- A. Nonmetallic sheathed cable with ground wire may be used in wood frame, one-family and two-family dwellings and wood frame multifamily dwellings not exceeding three floors above grade. Flexible armored cable (BX) shall not be installed in residential structures within the corporate limits of the city. Nonmetallic sheathed cable shall not be used to wire assembly areas of multifamily dwellings.
- B. Exposed nonmetallic sheathed cable installed in accessible attics, unfinished garages and basements shall be routed either parallel or perpendicular to structural members and walls,



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protected from physical damage and avoiding proximity to sources of heat such as flues, ducts and hot water lines.

**15.28.255 GFCI accessibility—Spa, hot tub disconnects.**

- A. All ground fault circuit interrupters shall be readily accessible; they shall not be installed in any attic, crawl space, behind panels or any other similar area, except for those outlets required for service of equipment in such areas.
- B. An emergency switch or shutoff shall be located as required by Article 680.41, regardless of the type of occupancy. The emergency switch or shutoff shall be clearly labeled in an effective and permanent manner acceptable to the city electrical inspector.

**15.28.260 Service entrance switches.**

Service entrance switches or any service distribution equipment, including branch circuit panels, shall not be installed within or have the only access through a bathroom, toilet room or clothes closet.

**15.28.270 Three-phase and single-phase panels.**

A three-phase panel with one hundred twenty/two hundred forty volt, four-wire delta wiring shall not be permitted for use as a lighting and appliance panel. Separate panels shall be furnished for three-phase and single-phase loads.

**15.28.280 Circuit breakers.**

- A. Back-fed main circuit breakers will not be permitted on main-lug-only panels used as service equipment.
- B. Back-fed main circuit breakers that are factory installed in panels, or listed factory main breaker kits, will be permitted in residential services.
- C. Back-fed main circuit breakers or plug in main lug devices that are back-fed shall be secured in place by an additional mechanical fastener that is approved for the purpose, whether the device is field or factory installed.

**15.28.290 Isolation circuits.**

Orange shall only be used to designate the high leg on a delta service, or as required by Section 517.160 of the National Electrical Code, for isolation circuits. Orange shall be permitted in any building with no three-phase delta power or isolation circuits.

**15.28.300 Grounding.**

Equipment and service grounds will be rigidly inspected by the city electrical inspector, and inspection tags will not be attached to any installation which is not adequately grounded in accordance with the grounding requirements contained in the 2020 Edition of the National Electrical Code. The main system service ground shall be a minimum of No. 6 A.W.G. copper,

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and connected to the waterpipe on the street side of the water meter, if feasible, or to the nearest cold waterline. A minimum No. 6 A.W.G. copper bonding jumper shall be installed around the water meter. A minimum No. 6 A.W.G. copper bonding jumper shall be installed between the hot and cold water pipes on water heaters and water softeners (if applicable). Bonding requirements of services shall be determined by Article 250-28 of the National Electrical Code. All grounding electrode conductors shall be copper.

#### **15.28.310 Load calculations.**

Load calculations shall be provided to the city electrical inspector when derating the grounded conductors for a reduction in size and reducing it by more than one size.

#### **15.28.320 Extension to existing facilities.**

Where extensions are made to commercial or residential installations which have been originally wired in metal raceways, flexible metallic conduit (Green Field) of the type allowing the pulling and withdrawing of wires when the conduit is in place may be used; providing existing circuits are adequate. Where extensions are made to residential installations which are originally wired in knob and tube, nonmetallic sheathed cable may be used for extension; providing existing circuits are adequate and provided that such building or structure is not of a commercial nature where metal raceways are required. Flexible metal conduit shall not be installed outdoors exposed to weather.

#### **15.28.330 Disconnects.**

A maximum of six main disconnects will be permitted at one service entrance location served by a service drop or service lateral. Additional services at the same location shall not increase the maximum number of service disconnecting means at that location.

#### **15.28.340 Modular or prefabricated building requirements.**

- A. A modular or prefabricated building shall be inspected for conformance with this chapter, either by the city electrical inspector or by a certifying agency or authority acceptable to the city council. This modular or prefabricated building shall be inspected at the plant where being built or fabricated. The owner, builder or fabricator shall arrange with the city or a certifying agency for inspection, pay all required fees and, if approved, have the certifying agency furnish to the city electrical inspector written certification that the electrical wiring does conform to the requirements of this chapter.
- B. The city electrical inspector shall inspect each building to determine the point of service attachment.
- C. Any electrical wiring required to be done at the building erection site shall be in accordance with this chapter, including payment of permit fee to the city and inspection by the city electrical inspector.

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**15.28.350 Services for mobile homes and other approved service installations.**

- A. Where permanent overhead services are mounted on poles for serving mobile homes or other approved service installations, the pole shall be at least twenty feet long so that when buried, the top of the pole will be at least sixteen feet above the ground, and must not be less than five and one-half inches by five and one-half inches, if square, nor less than five and one-half inches in diameter at the top if round. The pole shall be either rot-resistant wood (redwood, cedar, hemlock, etc.) or treated to resist rot with penta, creosote, or other substances or methods approved by the city electrical inspector.
- B. The method of identifying ungrounded conductors in buildings having two voltage systems shall be 277/480 — brown, orange, yellow; 120/208 — black, red, blue.

**15.28.360 Electrified fences prohibited.**

No electrified fences of any sort shall be installed in the corporate limits of the city.

**15.28.370 Electric signs and outline lighting.**

- A. All electric signs and outline lighting shall be wired to comply with Article 600 of the 2020 Edition of the National Electrical Code. All new signs or outline lighting shall be inspected by the city electrical inspector prior to connection to any electrical supply source.
- B. Portable electric signs shall have GFCI protection of the type approved for signs provided on the sign. Any portable sign without GFCI protection on the sign, shall have GFCI protection as an integral part of the supply cord to the sign, and be of the type approved for use with portable signs. Supply cords for portable signs shall be type S.O. cord, or equivalent, no longer than ten feet, sized for load, but not smaller than No. 14. Permits for connection of portable signs to outlets for power shall be applied for by the owner of the sign, the owner of the sign shall apply for the electrical permit for rented/leased signs.

**15.28.380 TV satellite dish antennas.**

Satellite TV reception dish antennas used for private TV reception shall be grounded with a No. 6 groundwire to the building's grounding electrode system. If the dish is more than fifty feet from the building, a five-eighths inch by eight foot ground rod shall be permitted.

**15.28.390 Smoke detectors.**

- A. Smoke detectors shall be installed in all hotels, motels and residential dwellings as required by the current International Building Code and International Residential Code, as adopted by the city of Mills, and all smoke detectors shall be supplied by line voltage, with battery backup, in all new construction and complete rewires.
- B. Number 14/2 and 14/3 nonmetallic cable shall be permitted for the wiring and interconnection of smoke detectors when used with a dedicated fifteen-amp branch circuit in one-family and two-family dwelling units.

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**15.28.400 Temporary construction service.**

Temporary construction service shall be located on the same side of the alley, street or driveway as the construction for which the service is required.

**15.28.410 Temporary decorative lighting.**

- A. Temporary decorative lighting is exempt from this chapter and is the responsibility of the owner to maintain in safe operating condition.
- B. Extension cords shall not be left attached to buildings or through windows or doors more than ninety days once a year for decorative lighting. (NEC 400-8.)

**15.28.420 Nails to secure electrical equipment.**

Nails that pass through the interior of the box or equipment shall not be used to secure electrical boxes or equipment to walls, studs, poles or ceilings, unless they are installed as required by Article 314.23.

**15.28.430 No wiring to be attached to trees or shrubs.**

In no case shall any method of electrical wiring be permanently attached to living trees or shrubs.

**15.28.440 Carnivals, circuses, fairs, and similar events.**

- A. Electrical permits and inspections shall be obtained before any of the items included in Article 525 of the 2020 Edition of the National Electrical Code are open to the general public. The owner of the property on which the event takes place shall insure that all permits are obtained and operators/owners of the equipment have passed inspection before allowing that equipment to be operated on their property.
- B. All International Building Code and National Electrical Code requirements shall be met and the following items are also required:
  - 1. All rides and amusement attractions and structures shall have a certificate of inspection from an acceptable certified amusement ride inspector not more than sixty days prior to the opening of the amusement ride.
  - 2. There shall also be a certificate from an acceptable testing agency that shall have passed all amusement rides with a magna flux or other nondestructive test as required by manufacture not more than six months prior to the opening of the amusement ride.
  - 3. All cords and wiring laid on the ground shall be protected by mats that are listed and labeled by an approved testing agency for that purpose, or approved by the administrative authority.
  - 4. Fees for inspection shall be as established by resolution of the city council.

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5. Any repair or modification on site of items covered by this section shall be done by licensed electrical contractors.

## **Chapter 15.32 SOLAR ENERGY**

### **15.32.010 Statutory authority.**

The ordinance codified in this chapter was enacted pursuant to Section 34-22-105(b), Wyoming Statutes 1977, Republished Edition as amended, which provides for the establishment by local governments of permits systems for the use and application of solar energy.

### **15.32.020 Title for citation.**

The ordinance codified in this chapter may be cited as the "solar permit ordinance."

### **15.32.030 Purpose of provisions.**

The city recognizes that economic benefits may be derived for the people of the city from the use of solar energy, and this chapter is intended to encourage use of the same. It is the further intent of this chapter to provide a means for the balancing of the property rights of the citizens of Mills, and to provide a means of protection for the use of solar collectors without causing undue hardships on the rights of adjacent property owners.

### **15.32.040 Definitions.**

For the purposes of this chapter, the following words shall have the meanings respectively ascribed to them by this section:

- A. "Board" means the Mills board of adjustment.
- B. "City mayor" means the city mayor of the city of Mills, or his designated appointee.
- C. "Engineering director" means the engineering director of the city of Mills.
- D. "May" means permissive.
- E. "New construction" means structures for which the start of construction commenced on or after the effective date of the ordinance codified in this chapter.
- F. "Owner" means the person who holds a solar permit issued by the city mayor in accordance with this chapter.
- G. "Permittee" means a person who holds a solar permit issued by the city mayor in accordance with this chapter.
- H. "Person" means any person, partnership, corporation, association, governmental agency, estate, trust, two or more individuals having a joint or common interest in property, or any other recognized legal entity.

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- I. "Possessor of real property" means a person holding an interest in real property less than the fee simple interest, and who is entitled to take immediate possession or has possession of the property.
  - J. "Prior use" means any legal use of real property or appurtenances thereto made by the owner or possessor of such real property prior to the effective date of the ordinance codified in this chapter, or the date of application for a solar permit the granting of which may affect such legal use.
  - K. "Property line" means the legal boundary of any particularly described parcel of land under the ownership of an owner or possessor of real property.
  - L. "Shall" means mandatory.
  - M. "Solar collector" means one of the following, which is capable of collecting, storing or transmitting at least twenty-five thousand Btu's (British thermal units) on a clear winter solstice day:
    - 1. A wall, clerestory or skylight window designed to transmit solar energy into a structure for heating purposes;
    - 2. A greenhouse attached to another structure and designed to provide part of the heating load for the structure to which it is attached;
    - 3. A Trombe wall, "drum wall" or other wall or roof structural element designed to collect and transmit solar energy into a structure;
    - 4. A photovoltaic collector designed to convert solar energy into electric energy;
    - 5. A plate-type collector designed to heat air, water or other fluids for use in hot water or space heating, or for other applications; or
    - 6. A massive structural element designed to collect solar energy and transmit it into internal spaces for heating.
  - N. "Solar permit" means an official document or certificate issued by the city mayor, establishing a solar right with respect to the particular solar collector it describes, and which conforms to city ordinances and applicable state statutes.
  - O. "Solar right" means a property right to an unobstructed line-of-sight path from a solar collector to the sun, which permits radiation from the sun to impinge directly on the solar collector. The extent of the solar right shall be described by that illumination provided by the path of the sun on the winter solstice day which is put to a beneficial use or otherwise limited by this chapter or state statutes.
  - P. "Start of construction" means the date application is made for a building permit; or, in the event a building permit is not needed, the first placement of permanent construction of a structure on a site.
  - Q. "Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
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- R. "Winter solstice day" means the solstice, on or about December 21st, which marks the beginning of winter in the northern hemisphere, and is the time when the sun reaches its southernmost point.

**15.32.050 Interpretation of provisions.**

The provisions of this chapter shall be held to be minimum requirements to meet the intent expressed in Section 15.32.030. Where the provisions herein impose greater restrictions than those of any other ordinance or regulation, the provisions of this chapter shall prevail. Where the provisions of any other ordinance or regulation impose greater restrictions than those of this chapter, the provisions of such other ordinance or regulation shall prevail.

**15.32.060 Solar rights—Establishment and applicability.**

From and after the effective date of the ordinance codified in this chapter, no solar rights shall be established or changed except in conformity with the provisions of this chapter. Solar rights may be established in conjunction with solar collectors for which a solar permit has been issued, as provided herein. Solar rights in existence prior to the effective date of the ordinance codified herein shall be limited to the terms of a solar permit issued for solar collectors, as provided herein; provided, however, that nothing in this chapter alters, amends, denies, impairs or modifies a solar right, lease, easement or contract right which has vested prior to said effective date. Solar rights established by a solar permit are limited to and defined by the solar permit, this chapter, and applicable state statutes.

**15.32.070 Permit—Application—Contents.**

Any person desiring a solar permit authorized by this chapter shall apply to the city of Mills. The application shall be made upon a form prepared by the city, and the original and two copies shall be filed in the office of the engineering director of the city, and shall contain the following items:

- A. The name and address of the applicant;
- B. The common address and legal description of the property on which the solar collector is located or proposed to be located;
- C. The legal description of property immediately adjacent to the property on which the solar collector is to be located, which may be affected by solar rights granted under the permit, and the names and addresses of the record owners of such properties;
- D. The present or proposed use of the structure to which the solar collector is attached, and the zoning of the applicant's property and adjacent properties;
- E. The type or types of solar collectors, as defined in this chapter, for which the permit is sought;
- F. A description of the collector surface, or that portion of the collector surface for which the solar permit is sought, such description to include the following items:
  1. The dimensions of the collector surface,

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2. The direction of orientation,
  3. The height above ground level, and
  4. The location of a collector on the solar user's property;
- G. Be accompanied by plans, diagrams, computations and specifications and all other data, as required in Section 15.32.080 of this chapter.

**15.32.080 Permit—Application—Plans and specifications.**

Plans and specifications shall be drawn to scale upon substantial paper, 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 this chapter. The following plans shall be submitted with the application:

- A. Plans for the proposed solar energy system, including the solar collector and any heat storage and distribution facilities; such plans shall include calculations and the sum total as to collection and beneficial use of heat, expressed in Btu's per day;
- B. A site plan, showing the following:
  1. The boundaries of the parcel or parcels of land which either contain or are proposed to contain a solar collector, and all adjacent property the use of which may be affected by the solar right,
  2. The names of the owners and/or the possessor of the real property for the parcels shown,
  3. Where relevant to the solar permit requested, the topography of the land, location of structures, fixtures and vegetation in existence, or known by the applicant to be planned,
  4. The horizontal and vertical dimensions of such structures, fixtures and vegetation,
  5. The spatial and temporal boundaries of the solar rights to be established by the solar permit.

**15.32.090 Permit—For additions to existing system.**

In the event a permittee desires to obtain a solar permit for a solar collection system for which a solar permit has been granted because of the addition of new solar collectors, he shall apply to the city mayor for a new solar permit and shall be required to comply with Sections 15.32.070 and 15.32.080 of this chapter.

**15.32.100 Permit—For existing solar collectors.**

- A. Any person who has a solar collector in existence and being beneficially used on the effective date of the ordinance codified in this chapter may apply for a solar permit, as provided in Sections 15.32.070 through 15.32.090 of this chapter. The applicant shall have the burden of proving to the satisfaction of the city mayor that the permit requested will not unreasonably or unnecessarily restrict the uses of neighboring property. The application shall further state



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the date upon which the solar collector was first beneficially used. Any permit granted for existing solar collectors shall define the beneficial use thereof, and the solar rights granted thereunder shall be limited to such beneficial use. The priority date for such solar rights shall be the first date the solar collector was beneficially used.

- B. All persons who own a solar collector being beneficially used on the effective date of the ordinance codified in this chapter must apply within five years of such effective date; otherwise, the use of the solar collector shall be without priority.

**15.32.110 Permit—Application—Review and corrections.**

- A. Upon receipt of an application for a solar permit, it shall be the city mayor's duty to date the application and to make a record of receipt of the same in a suitable book in the office of the engineering director. It shall be the city mayor's duty to examine all applications to ascertain that they contain all the necessary information required by this chapter.
- B. If, upon examination, an application is found to be defective or incomplete, the city mayor shall return the application for correction by registered letter, with a return, reasons therefor, and the time allowed within which to make such corrections, which in all cases shall not be more than ninety days. A record of such return shall be made in the book kept for recording of the receipt of the applications. Upon receipt of a corrected application, the date of the return of the same shall also be entered in the book provided for receipt of applications.
- C. If, at the expiration of time allowed within which to make corrections, the application has not been returned to the office of the engineering director with the corrections properly made, it shall be the duty of the city mayor to cancel the filings covered by such application, and the application shall be considered to be null and void.
- D. The city mayor may, upon request by the applicant for good cause shown, grant extensions of time for making corrections.

**15.32.120 Permit—Application—Notice requirements.**

- A. Upon receipt of an application for a solar permit, the city the Mayor, or designated appointee shall notify all persons named in the permit as adjacent property owners whose property rights may be affected by the issuance of the solar permit, and any other person whose rights may be affected by such permit. Notice shall be given by registered mailing a notice to all persons enumerated above, stating that an application for a solar permit has been received, and that the person's property rights may be affected by the issuance of the permit. The notice shall further contain the following information:
  - 1. The application is on file at the office of the engineering director, and may be viewed during normal business hours;
  - 2. The person notified may protest the issuance of the permit by filing a written objection thereto at the office of the engineering director. The written protest must be filed within thirty days after notification to the person, and must state with particularity the reasons for the protest;

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3. Failure to file a written protest within the stated time shall constitute a waiver of the right to protest the issuance of the permit and of a right to a hearing on the matter;
  4. Upon receipt of a written protest by the city mayor, the person protesting shall have a right to a hearing before the board on the matter, if the city mayor decides to issue the permit.
- B. Upon receipt by the city mayor of a written objection filed in accordance with this section, and when he decides whether to approve or reject the application, he shall immediately notify the person who filed the objection by certified mail, with a return receipt requested. An appeal of the city mayor's decision may be taken in accordance with Sections 15.32.230 through 15.32.270 of this chapter. The notice to the person objecting to the permit shall state the reason for the approval or rejection of the application for the permit.
- C. In the event a written protest to the application for a solar permit is not received in the office of the city engineer within thirty days after notification to persons, as provided in this section, such persons shall be deemed to have waived the right to further protest the issuance of the solar permit and the right to a hearing on the matter.

**15.32.130 Permit—Fees.**

- A. An application fee of fifty dollars shall accompany each application for a solar permit relating to the establishment of a solar right which did not exist, to the extent requested in the permit, prior to the enactment of the ordinance codified in this chapter.
- B. An application fee of ten dollars shall accompany each application for a solar permit relating to the establishment of a solar right which did exist to the extent requested prior to the enactment of the ordinance codified herein.
- C. An application fee of ten dollars shall accompany each application to void a solar permit.
- D. An application fee of ten dollars shall accompany each petition to correct a solar permit.
- E. If the city is the applicant, the application fee shall be waived.

**15.32.140 Permit—Form and contents.**

- A. The solar permit issued by the city mayor shall contain at the minimum a description of the solar collector surface to which the permit is granted; such description shall include the dimensions of the collector surface, the direction of orientation, the height above ground level, and the location of the collector on the solar user's property. The solar permit shall contain a statement that it is limited to the contents of the application on file with the city engineer's office and approved by the city mayor.
  - B. The solar permit shall further contain a statement that the permit and all rights granted thereby shall be null and void and of no further effect unless the solar collector for which the permit is issued is put to beneficial use within two years of the date of the permit, and such use is certified as provided in Section 15.32.210 of this chapter.
  - C. The solar permit shall be in a form which may be recorded in the office of the Natrona County clerk.
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**15.32.150 Permit—Issuance conditions—Recordkeeping.**

- A. All applications which shall comply with the provisions of this chapter and with applicable state statutes shall be recorded in a suitable book kept for that purpose at the office of the engineering director. It shall be the duty of the city mayor to approve all applications made in proper form, and which comply with the provisions of this chapter and of applicable state statutes. All applications received shall be approved, rejected or returned for correction as soon as reasonably possible, but in no event later than ninety days after receipt.
- B. It shall be the duty of the city mayor to reject all applications, and refuse to issue a solar permit sought, for the following reasons:
  - 1. The solar collector, or a portion thereof, will unreasonably or unnecessarily restrict uses of neighboring property;
  - 2. The use by the owner of the solar collector for which the permit is sought will adversely affect the public health and safety;
  - 3. The application is defective or incomplete, and the applicant has failed to make the necessary corrections within the time allowed;
  - 4. The city mayor finds that the structure for which a solar permit is sought is not in fact a solar collector, as defined by this chapter;
  - 5. The city mayor finds that the solar collector for which a permit is sought cannot be put to beneficial use within two years.
- C. The refusal or approval of an application shall be endorsed on the same, and recorded in the office of the engineering director. The applicant shall be notified of the acceptance or rejection and, if rejected, a copy of the application shall be returned to the applicant. Upon approval, the applicant shall be authorized to take all steps necessary to put the solar collector to beneficial use and perfect the solar right, as provided in Section 15.32.140 of this chapter. In such event the original and one copy of the application shall be returned to the applicant.
- D. In the event an application is rejected, the applicant may appeal the decision of the city mayor to the board of adjustment, and during the pendency of the appeal all further action on the application shall be stayed.

**15.32.160 Applications to void permits.**

- A. An application shall be made to the city mayor by the owner or possessor of real property to whom a solar permit has been issued or transferred in accordance with state law, when such owner or possessor of real property desires to void, in whole or in part, such permit. The application shall identify the permit which is requested to be voided, and, in the event the person requesting the permit is not the person to whom the original permit was granted, the application shall be accompanied by an instrument or instruments showing that the applicant is the legal owner of the solar right. If the permit is to be voided only in part, the application shall specify with particularity that portion of the permit which is to be voided, and the city mayor may require that the application shall show information required in Section 15.32.070

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through 15.32.090 above. Upon partially voiding a solar permit, the city mayor shall issue an amended solar permit to the permittee.

- B. No application to void a solar permit wholly or in part shall be granted if the granting of such application will injuriously affect the property rights of another person, unless such person consents to the granting of such application in writing.
- C. The issuance of an amended solar permit shall not affect the priority of the original solar right granted and which is amended.

#### **15.32.170 Correction of errors in permits.**

The city mayor is authorized, upon written petition of a permittee, to amend any solar permit, for the purpose of correcting errors or otherwise, when in his opinion such amendment appears desirable or necessary, provided that the amendment shall not have the effect of enlarging the solar right granted so that it will injuriously affect the property rights of an adjacent property owner. The city mayor may require any and all reasonable information necessary to make such determination. When any permit is corrected, as provided in this section, the city mayor shall issue a corrected solar permit to the permittee, and the issuance of the corrected permit shall not affect the priority of the permit originally issued.

#### **15.32.180 Location of solar collectors.**

Solar collectors shall be located on the owner's property so as not to unreasonably or unnecessarily restrict the uses of neighboring property. No solar right attaches to a solar collector, or a portion of a solar collector, which would be shaded by a ten-foot wall located on the owner's property line on a winter solstice day, or to a building or structure located on adjacent property which is built before or after the issuance of a solar permit in accordance with the city's zoning ordinance.

#### **15.32.190 Beneficial use policy.**

Beneficial use shall be the basis, the measure and the limit of the solar right, except as may be otherwise provided by written contract, or as provided in this chapter, or the applicable state statutes. If the amount of solar energy which a solar user can beneficially use varies with the season of the year, then the extent of the solar right shall vary likewise. A solar right which is not applied to a beneficial use for a period of five years or more shall be deemed abandoned and without priority.

#### **15.32.200 Solar rights—Time restrictions and priority.**

The solar right to radiation of the sun before nine a.m. or after three p.m., Mountain Standard Time, is de minimus, and may be infringed without compensation to the owner of the solar collector. Priority in time shall have the better right in disputes over the use of solar energy. The priority of new construction, with regard to interference in solar rights, shall vest as of the date the building permit for such construction is applied for.

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**15.32.210 Solar rights—Vesting and certification.**

- A. Solar rights vest on the date which the city mayor grants the solar permit. The solar collector for which a solar permit has been granted shall be put to beneficial use within two years of the date of the permit, except the city mayor may allow additional time upon request of the permittee to certify within two years of the date of the permit to the city mayor, by sworn affidavit, that the solar collector for which the solar permit has been issued has been constructed and put to beneficial use in accordance with the solar permit.
- B. Upon the receipt of the city mayor of such sworn certification, he shall have the authority to inspect the solar collection system, including the solar collector, to assure that beneficial use is being made of the solar collector.
  - 1. In the event that the city mayor does find that the solar collector is being beneficially used, he shall certify the solar right and its beneficial use, in writing, and deliver such certification to the permittee. Such certification shall be a form which may be recorded in the office of the county clerk.
  - 2. In the event the city mayor finds that the solar collector for which the solar permit has been issued is not being beneficially used as provided in the solar permit and the application for a solar permit, he shall have the right to refuse to certify the solar right and its beneficial use.
  - 3. In the event the city mayor refuses to certify the solar right and its beneficial use, as provided in this section, the permittee may appeal his decision to the board, as provided in this chapter.
- C. It shall be the duty and obligation of the permittee to record in the office of the county clerk the certification of the right and its beneficial use upon receipt of the same from the city mayor. When any solar right is certified, a record of the same shall be made in a book for that purpose in the office of the engineering director.
- D. In the event a permittee fails to put a solar collector to beneficial use within two years after a permit is issued for such solar collector, or fails to certify the beneficial use as provided in this section, the permit and all rights granted shall be thereby null and void, and of no further force and effect.

**15.32.220 Solar rights—Recordation.**

Upon the grant of a solar permit to a permittee, it shall be his obligation and duty to record the same in the office of the county clerk, and neither the city mayor nor the city shall have any obligation to assure that the permit is recorded. Upon the certification of the solar right and its beneficial use, it shall be the permittee's obligation to record the same.

**15.32.230 Appeals board—Establishment and organization.**

The city board of adjustment is established as an appeals board to hear all appeals from any decisions or interpretations of this chapter. The board shall consist of membership as provided in the city's zoning ordinance. The board shall have the power to hear and decide appeals when it is

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alleged there is error in any order, requirement, decision or determination made by the city mayor, when the same is made in accordance with this chapter or any amendments hereto. In exercising its powers, the board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination, as necessary, and to that end has all the powers of the officer from whom the appeal is taken. The concurring vote of a majority of the duly appointed members of the board is necessary to reverse any order, requirement or decision of any official, or to decide in favor of the contestee on any matter which it is required to pass under this chapter.

#### **15.32.240 Right to appeal.**

Any person aggrieved by an order, requirement, decision or determination of the city mayor, made in accordance with the provisions of this chapter, shall have the right to appeal to the board from the order, requirement, decision or determination made.

#### **15.32.250 Appeals—Procedure generally.**

- A. Notice of appeal of the city mayor's order, requirement, decision or determination shall be filed in the office of the engineering director of the city within fifteen days of the date the contestee is notified in writing of the order, requirement, decision or determination of the city mayor. The filing of the notice of appeals stays all proceedings in furtherance of the action appealed from.
- B. The written appeal shall be in a form substantially complying to the following:
  - 1. A heading in the words "Before the Mills Board of Adjustment of the City of Mills";
  - 2. A caption reading: "Appeal of \_\_\_\_\_," giving the names of all contestants participating in the appeal;
  - 3. A brief statement setting forth what legal rights or interests are affected by the order, requirement, decision or determination of the city mayor, as the same applies to each contestant;
  - 4. A brief statement in ordinary and concise language of the specific order, requirement, decision or determination protested, together with any material facts claimed to support the contentions of the contestant;
  - 5. A brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed the protested order, requirement, decision or determination should be reversed, modified or otherwise set aside;
  - 6. Signatures of all parties named as contestants, and their official mailing addresses;
  - 7. The verification, by declaration under penalty of perjury of at least one contestant, as to the truth of the matter stated in the notice of the appeal.
- C. Upon the filing of the notice of appeal, the board shall be immediately notified, and the board shall fix a reasonable time and place for the hearing of the appeal. Such date shall be not less than ten days nor more than sixty days from the date the appeal was filed. Written notice of the time and place of the hearing shall be given at least ten days prior to the date of the hearing to each contestant by the secretary of the board, either by causing a copy of such notice to be

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delivered to the contestant personally, or by mailing a copy thereof, postage prepaid, addressed to the contestee at his address shown on the appeal. The notice shall include a statement of:

1. The time, place and nature of the hearing;
  2. The legal authority and jurisdiction under which the hearing is to be held;
  3. The particular section or sections of this chapter involved;
  4. A short and plain statement of the matters asserted.
- D. All appeals to the board shall be considered contested cases, and shall be conducted in accordance with the Wyoming Administrative Procedure Act.

#### **15.32.260 Appeals—Scope of hearings.**

Only those matters or issues specifically raised by the contestants shall be considered in the hearing of the appeal.

#### **15.32.270 Effect of failure to appeal.**

Failure of any person to file an appeal in accordance with the provisions of Sections 15.32.230 through 15.32.270 of this chapter shall constitute a waiver of his right to an administrative hearing and adjudication of the order, requirement, decision or determination, or any portion thereof, and the order, requirement, decision or determination shall become final. Such person shall have no further rights to appeal.

### **Chapter 15.40 INTERNATIONAL FIRE CODE**

#### **15.40.010 Adoption of the International Fire Code.**

Pursuant to the authority granted by W.S. Section 15-1-119, as amended, there is adopted by the city, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the International Fire Code, published by the International Code Council being particularly the 2021 Edition thereof, including B, C, D, F, H, and I, save and except such portions are hereinafter deleted, modified, or amended by Sections 15.40.070 and 15.40.080 of this chapter, hereinafter referred to as the International Fire Code. A copy of the International Fire Code is on file in the office of the city clerk and the office of the fire chief of the city.

#### **15.40.020 Establishment and duties of community risk reduction division.**

- A. The International Fire Code shall be enforced by the community risk reduction division of the city, which shall be operated under the supervision of the fire chief.
- B. The chief in charge of the community risk reduction division shall be appointed by the city mayor after consulting with the fire chief.

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- C. The fire chief of the city may detail such members of the fire department as inspectors as shall, from time to time, be necessary. The fire chief shall recommend to the city mayor the employment of technical inspectors to assist the chief of the community risk reduction division.

**15.40.030 Definitions.**

- A. Whenever the word "jurisdiction" is used in the International Fire Code, it shall be held to mean the city of Mills, Wyoming, and such city-owned property outside the city limits upon which the International Fire Code is made applicable.

**15.40.040 Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is to be prohibited.**

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.

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

**15.40.050 Establishments of limits in which bulk storage of liquefied petroleum gases is to be restricted.**

The limits referred to in Section 6104.2 of the International Fire Code in which bulk storage liquefied petroleum gas is restricted, are all areas within the jurisdiction.

**15.40.060 Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.**

The limits referred to in Section 5604 of the International Fire Code, in which storage of explosives and blasting agents is prohibited, shall apply in all areas within the jurisdiction.

**15.40.070 Establishment of limits of districts in which the storage of hazardous materials is to be prohibited or limited.**

The limits referred to in Section 5001 of the International Fire Code in which the storage of hazardous materials is prohibited or limited, are established as follows: Quantities in excess of the amounts as listed in Tables 5003.1.1(1), (2), (3) and (4) shall only be allowed in the general industrial zone (M-2) of the jurisdiction.

**15.40.080 Amendments made in the International Fire Code.**

The following sections of the International Fire Code are deleted, modified or amended in the following respects:

- A. Chapter 109.3 is deleted and replaced as follows:



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Chapter 109.3. The fire chief and members of the community risk reduction division shall have authority to issue a written citation containing a notice to appear in Municipal Court to any person, who said fire chief or member of the community risk reduction division have probable cause to believe is committing a violation of any of the terms of this code.

B. Chapter 105 Permits

Any fees associated with the issuance of permits shall be established by resolution of the city council.

C. Section 903.2 is amended as follows:

An automatic fire sprinkler system shall be installed when the fire flow requirements exceed 2500 gallons per minute, as determined by Appendix B, International Fire Code, 2015 Edition.

D. Section 5704.1 is amended as follows:

Section 5704.1 General.

1. Outside portable container storage of permitted flammable and combustible liquids shall only be allowed in the general industrial (M-2) zone of the jurisdiction.
2. 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 division chief of the community risk reduction division and pursuant to Section 105.

E. Chapter 319. General to be amended to read:

Mobile food preparation vehicles, food stands, push carts or trailers that are equipped with appliances that produce smoke or grease-laden vapors shall comply with this section. However, non-enclosed food preparation vehicles, food stands, push carts and trailers are not required to install an exhaust hood and/or a fire protection system. Cooking appliances that have the manufacturers' built in venting systems are not required to have additional hood systems installed.

Intermediate appeals of Mills Fire Department inspections pursuant to this paragraph shall be made to the city council of Mills, which shall act as a board of appeal. Final appeal shall be to the State Fire Marshal, in accordance with state statute. Any person or entity adversely affected may appeal the fire department's decision, with regard to the suitability of alternate materials, methods of construction or interpretation of the building, mechanical, electrical, plumbing and fire codes and amendment thereto adopted by the city. Appeal shall be commenced by the person by giving written notice of such appeal and stating therein the decision and reasons for the appeal to the city council as board of appeals within a period of five working days of the decision. The Mills Fire Department shall present, in writing, to the Mills City Council as board of appeals within five working days thereafter, all facts and laws pertaining to the decision rendered by it.

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The Mills City Council, as board of appeals, shall within thirty calendar days thereafter, hold a hearing and follow the hearing procedures set forth:

1. When an appeal is requested by an applicant, the city council, as board of appeal, shall set a time, date and place for such hearing, and so notify the appealing party and the fire department in writing. Such notice shall include a statement of:

i. The time, place and nature of the hearing.

ii. A copy of the written request for appeal and the fire department's response shall be attached as exhibits.

2. When a hearing is conducted, all interested parties may be in attendance and present testimony and exhibits and authorities upon which the parties rely. Each party may question witnesses.

3. Upon completion of the hearing, the city council or board shall render its decision, either affirming or reversing the decision of the fire department, or reversing in part or with qualifications of the decision of the fire department.

#### **15.40.085 Nuisance fire alarms.**

A. Time Periods. For the purpose of determining the time periods imposed by this section, nuisance fire alarms, as defined by the International Fire Code 2015 ed., shall be dated from the day of their occurrence.

B. Registered Systems. Alarm systems registered with the city finance department shall be defined as registered systems.

C. First Response. Mills Fire-EMS response to a premises with a registered system at which no other nuisance alarms have occurred within the same calendar year shall be referred to as a "first response." No penalty or administrative sanction shall be imposed by any first response. However, non-registered systems are subject to penalties in Article 4 upon first response and all subsequent responses.

D. Third and Subsequent Response—Civil Penalty. When three or more nuisance alarms have occurred at any premises in any calendar year, the owner shall have committed the infraction of a "repetitive nuisance alarm." The civil penalty for a third and succeeding nuisance alarm in any calendar year shall be one hundred dollars per occurrence, in addition to any fees imposed pursuant to Section 15.40.110. Any nuisance alarm which results from a failure to take required corrective action to prevent such recurrence after notice thereof by the community risk reduction division and/or any nonpayment of any nuisance alarm penalty may result in the community risk reduction division providing written notice ordering the disconnection of such alarm until the required corrective action or payment of penalty has been made; provided, however, that no disconnection shall be ordered on any premises required by law to have an alarm system in operation.

E. Notice of Violation.

1. Responsibility for Issuance. The community risk reduction division shall be responsible for the issuance of written notices of infraction to the owner following

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the second and each succeeding nuisance alarm in any calendar month. The community risk reduction division shall notify the city finance department of the amount of the penalties to be collected. It shall be the responsibility of the finance department to collect such penalties.

2. Waive Imposition. In the event the community risk reduction division determines that the nuisance alarm(s) occurred as a direct result of an interruption of electrical power, telephone system malfunction, an alarm equipment malfunction, or other causes beyond the control of the owner, the community risk reduction division may waive imposition of the applicable nuisance alarm penalty or administrative sanction.

#### **15.40.090 Appeals.**

Whenever the fire chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire chief to the Wyoming Council on Fire Protection and Electrical Safety within thirty days from the date of the decision appealed.

#### **15.40.100 New materials, processes or occupancies which may require permits.**

The city mayor, the fire chief, and the chief of the fire prevention bureau community risk reduction division shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in said code. The chief of the fire prevention bureau community risk reduction division shall make available such lists of permitted materials, processes or occupancies in and distribute copies thereof to interested persons upon request.

#### **15.40.110 Penalties.**

Any person who shall violate any of the provisions of this code or fail to comply herewith or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications as plans submitted and approved hereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Wyoming Council on Fire Prevention and Electrical Safety, or by a court of competent jurisdiction within the time fixed herein shall be severally, for each and every such violation and non-compliance, respectively, be guilty of a misdemeanor and the penalty for violation hereof shall be that set forth in Chapter 1.28 of this code.

### **Chapter 15.44 MOVING BUILDINGS**

#### **15.44.010 Permit—Required.**

No person shall move any garage, house or other structure of similar size on or over any of the streets, alleys or other property in the city without first having secured a permit to do so from the city engineer.

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**15.44.020 Permit—Application—Inspection—Conformance agreement.**

Any person desiring or intending to move any structure shall make written application for such permit on a form furnished by the city engineer which shall set forth the kind, size and height of the structure to be moved, the location from which and to which the same is to be moved, the route to be followed as approved by the city engineer. The building shall be inspected and approved by the building inspector and the applicant shall agree to conform with the zoning, building, electrical, plumbing codes and all pertinent city ordinances.

**15.44.030 Permit—Equipment, bond, deposit and fee requirements.**

Before a permit required by Section 15.44.010 is issued, the applicant shall supply the following:

- A. Assurance that he has adequate machinery, appliances and equipment for the proper move;
- B. Personal and property damage bond in the amount of five thousand dollars as protection to persons and property against damage by the moving operations, which bond shall be approved by the mayor or city council;
- C. A cash deposit of one hundred dollars; which deposit will be held to insure payment of the following fees, which shall be in addition to the permit fee hereinafter set forth:
  - 1. To cover the expenses of cutting wires and reuniting same and moving and replacing poles,
  - 2. Any dispute arising as to the actual costs may be, by either party, referred to the city council who shall investigate the same and decide as to the rights of the parties;
- D. A fee of five dollars per day for each and every day, or part thereof, that the structure is occupying any street, alley or public property while in transit.

**15.44.040 Permit—Fee.**

In addition to the fees set forth in Section 15.44.030, the permit fee shall be paid for in cash at the time the permit is issued and shall be in accordance with the moving fee set forth as follows:

Total Square Foot Area	Moving Permit Fee
Less than two hundred square feet	\$ 5.00
More than two hundred square feet, less than five hundred square feet	10.00
More than five hundred square feet, less than one thousand square feet	15.00
More than one thousand square feet, less than fifteen hundred square feet	20.00
More than fifteen hundred square feet, less than two thousand square feet	25.00
More than two thousand square feet	two dollars and fifty cents per one hundred square feet.

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Where work for which a permit is required by this chapter is started or proceeded with prior to obtaining the permit, the fees above specified shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this chapter.

**15.44.050 Permit—Issuance conditions.**

When the required bond has been approved and the one hundred dollars deposit required by Section 15.44.030 made, and upon payment of the permit fee prescribed in Section 15.44.040, the city engineer is authorized to issue to the applicant a permit granting him the right to move the structure described in his application which will specify the route therefor as prescribed and approved by the city engineer.

**15.44.060 Permit—Revocation.**

The city Building Inspector may revoke any permit granted under the terms of this chapter when it shall become known to him that the permittee is in any manner whatsoever failing to comply with the terms thereof. In the event of such revocation, any person to whom such permit was granted shall thereafter be operating without a permit and subject to punishment as provided in Chapter 1.28 of this code.

**15.44.070 Permit—Receipt.**

It is the duty of the city Building Inspector to issue his official receipt for all fees received by him under this chapter, and to indicate on such receipt the purpose for which each amount is collected.

**15.44.080 Streets, trees and other public property—Inspection charge.**

The permittee shall protect the street surface and trees as and if required by the city Building Inspector. If necessary, the city Building Inspector will provide an inspector to oversee the moving of such building for the protection of public property and other property located in the city. The permittee shall pay for such additional service, in addition to the fees prescribed in Sections 15.44.030 and 15.44.040, a charge of not less than five dollars nor more than ten dollars for each day's service.

**15.44.090 Application and route approval by city officials—Permit holder's responsibility.**

It is the duty of a permittee to move the structure for which a permit is granted as expeditiously as possible and no deviation from the assigned route shall be made except with the approval of the city engineer. The city engineer, before granting the permit, shall be sure that the application and route for moving has been approved in writing by the chief of the city fire department, chief of police and the city electrician, together with the local representatives of the power and telephone companies and radio and television stations, who shall receive a copy of the route to be traversed shown thereon. The moving permit shall disclose the time when moving operations will commence. If the cutting of wires or removing of poles is necessary for the moving of any

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structure, the person so desiring the same shall give the owner of such wires or poles at least twenty-four hours' written notice of such desire.

**15.44.100 Wire, pole and service line cutting restrictions.**

No one other than the owner thereof, or the owner's agent or employee, shall cut, remove or injure any radio and television transmitter, telephone, telegraph, electric light and power wires or poles or service lines in the city.

**15.44.110 Occupation of building while in transit prohibited.**

No building which is being moved upon or over streets, alleys or property of the city shall be occupied while in transit.