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RESOLUTION NO. _____

**2021 AMENDMENTS TO THE RESIDENTIAL CODE REGULATIONS OF LARAMIE
COUNTY**

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RESOLUTION NO. _____

A RESOLUTION AMENDING THE RESIDENTIAL CODE REGULATIONS OF LARAMIE COUNTY BY REPEALING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS AND REPLACING WITH THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS WITH MODIFICATIONS.

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

WHEREAS, Laramie County has been granted local enforcement authority by the Wyoming State Fire Marshall; and

WHEREAS, Wyo. Stat. § 35-9-121 authorizes Laramie County to adopt electrical, mechanical and building codes applicable in unincorporated Laramie County establishing minimum regulations governing the conditions and maintenance of all property, buildings and structures essential to ensure that property, buildings and structures are safe, sanitary and fit for occupation and use; and

WHEREAS, Wyo. Stat. § 35-9-121 the State Fire Marshal has delegated interpretation and enforcement as well as transfer of jurisdiction for same from the State of Wyoming for fire, building, existing building standards and electrical safety standards as well as sole plan review authority in accordance with Wyo. Stat. § 35-9-107(a)(iv) to Laramie County; and

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

WHEREAS, the State of Wyoming adopted the 2021 edition of the International Building Codes, including the 2021 edition of the International Residential Code and the State adopted these new standards on July 1, 2021; and

WHEREAS, the Laramie County Board of County Commissioners find remaining a local enforcement authority is important to the health, safety and welfare to citizens of the County, and wish to continue to act as the local enforcement authority under State Statute; and

WHEREAS, the Laramie County Board of County Commissioners has complied with the requirements of Wyo. Stat. § 16-3-103(a) by providing an opportunity for public comment and a public hearing.

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

Section 1. Short Title. The amendments adopted by this resolution shall be known as the "2021 Amendments to the Residential Code Regulations of Laramie County".

Section 2. 2018 Code Repealed. The 2018 Edition of the International Residential Code and amendments thereto, which were adopted and amended as the "Residential Code Regulations of Laramie County" are hereby repealed and replaced as follows.

Section 3. 2021 International Residential Code Adopted. The Board of County Commissioners for Laramie County, Wyoming, for the purpose of prescribing regulations governing the design and construction of one- and two-family dwellings and townhouses and inspection thereof, adopts the International Residential Code, 2021 Edition, including Appendices "E", "G", "H", and "J" save and except such portions as are herein deleted, added, modified, or amended as the Residential Code Regulations of Laramie County. A copy of the code has been filed in the office of the County Clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein and from the date of adoption. These provisions shall be controlling within the unincorporated areas of the County.

Section 4. Amendments, Additions, and Deletions. The following sections of the International Residential Code, 2021 Edition, including Appendices "E", "G", "H" and "J" which is adopted herein, are modified and/or added to as follows:

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

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

B. **Section R101.2 Scope. Exception: 1.** Shall read as follows:

Live /work units located in townhouses and complying with the requirements of Section 508.5 of the International Building Code.

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

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

D. **Section 103.2 Appointment** is deleted in its entirety.

- E. **Section R108.2 Schedule of Permit Fees** shall read as follows:

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

- F. **Section R108.5 Fee refunds** shall read as follows:

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

- G. **Section R112.1 Board of Appeals, General;** shall read as follows:

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

- H. **Section R113.4 Violation Penalties** shall read as follows:

Any person violating any provision of this Code shall be deemed guilty of a misdemeanor. Each and every day or portion thereof during which a violation of any provision of such Code is committed, continued or permitted shall constitute a separate offense. Upon conviction, such person may be punished by a fine of not more than Seven Hundred Fifty Dollars (\$750.00) for each offense. (Wyo. Stat. §§ 18-5-201 through 18-5-207) and/or pursuant to the penalty provisions of Wyo. Stat. § 35-9-130 (as amended).

- I. **Section R114 Stop Work Order** shall read as follows:

Upon notice from the code official that work is being performed contrary to the provisions of this code or in a dangerous or un safe matter, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's

authorized agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person violating a stop work order issued in accordance with these regulations shall be deemed guilty of a misdemeanor. Each and every day or portion thereof during which a violation of any provision of such regulations is committed, continued or permitted shall constitute a separate offense. Upon conviction, such person may be punished by a fine of not more than Seven Hundred and Fifty Dollars (\$750.00). (Wyo. Stat. §§ 18-5-201 through 18-5-207) and/or pursuant to the penalty provisions of Wyo. Stat. §§ 35-9-130 (as amended).

J. **Section R302.2.2 Common walls. 1.** shall read as follows:

Where a fire sprinkler system in accordance with NFPA 13D is provided, the common wall shall be not less than a 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.

K. **Section R302.2.2 Common walls. 2.** shall read as follows:

Where a fire sprinkler system in accordance with NFPA 13D is not provided, the common wall shall not be less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.

L. **Section R302.13 Fire protection of floors** is deleted in its entirety.

M. **Section 309.5 Garages and carports. Fire sprinklers** is deleted in its entirety.

N. **Section R313 Automatic Fire Sprinkler Systems** is hereby designated as voluntary and not mandatory. Automatic Fire Sprinkler systems are not mandated in Laramie County but may be voluntarily installed. The standards of this section shall govern those voluntary installations.

O. **Part IV-Energy Conservation. Chapter 11 Energy Efficiency.** is deleted in its entirety.

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

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

Section 4501 General.

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

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

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

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

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

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

Section 4505 Inspections; certificate of occupancy - Required. Inspections of prefabricated items shall comply with the provisions of the International Codes. Prior to use or occupancy of a

prefabricated structure, the owner shall obtain a final inspection and certificate of occupancy from the building official.

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

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

1. Agricultural structures as defined by the 2021 International Building Code;
2. Mines and their appurtenant facilities, oil field operations, petroleum refineries and liquefied petroleum gas facilities;
3. Railway shops, railway buildings (except those used for public assembly, cafeterias, dormitories, etc), rolling stock and locomotive equipment;
4. Automotive equipment employed by a railway, gas, electric or communication utility in the exercise of its function as a public utility;

Section 5. Repealer. If any section, subsection, sentence, clause, or phrase of this resolution is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

Section 6. Effective Date. These 2021 Residential Code Regulations of Laramie County and amendments shall become effective on January 1, 2022.

PRESENTED, READ, PASSED, APPROVED AND ADOPTED this ____ day of _____, 201__.

BOARD OF LARAMIE COUNTY COMMISSIONERS

Gunnar Malm, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

Laramie County Attorney Office