

285 ORDINANCE NO. 2022-03

INTERNATIONAL BUILDING CODE

AN ORDINANCE REPEALING AND REPLACING 276 ORDINANCE NO. 2020-05 AND PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL BUILDING CODE 2021 EDITION FOR THE TOWN OF ALPINE AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ALPINE, WYOMING IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

276 Ordinance No. 2020-05 is hereby repealed in its entirety.

SECTION II.

Permit Required- Application.

It is unlawful for any person to erect, construct, reconstruct, alter or change the use of any building or other structure within the town limits without obtaining a building permit from the Town of Alpine. The Town shall not issue any permit unless the plans of and for the proposed erection, construction, reconstruction, alteration or use fully conforms to the zoning regulations, subdivision regulations and building regulations then in effect. All applications for building permits shall be accompanied by all documentations as required on the building permit application. All building permit fees are to be determined by the town council by resolution or ordinance and may be changed from time to time.

SECTION III.

International Building Code.

All buildings and temporary structures built or located within the Town from and after the established effective date, upon approval and passage of this Ordinance, shall be constructed in accordance with the requirements of the International Building Code (IBC) 2021 Edition as published by the International Code Council, specifically excluding all appendices. The International Building Code (OBC) 2018 Edition is hereby adopted and incorporated herein by reference with the exception of the following amendments:

1. Section 101.4.8 **Electrical** shall read, "The provisions of the *National Electrical Code* shall apply to the installation of electrical systems, including alterations, repairs, replacement equipment, appliances, fixtures, fittings and appurtenances thereto".
2. The last sentence of Section 101.4.3 **Plumbing** shall read, "The provisions of the *Wyoming Department of Environmental Quality* shall apply to private sewage disposal systems".
3. Section 101.4.4 **Property Maintenance** shall be deleted on its entirety.

4. Section 102.1 **General** shall have a second sentence added which shall read, "Substitute the *National Electrical Code* for all reference to the *ICC Electrical Code* throughout the IBC".
5. Section 103.3 **Deputies** shall be amended by deleting the last sentence.
6. Section 105.2 **Work exempt from permit**. Delete #1 and #2. Item 11 shall read, "Swings and other playground equipment".
7. Section 105.3.2 **Time limitation of application** shall be deleted in its entirety.
8. Section 105.5 **Expiration** shall be deleted in its entirety.
9. Section 105.5 **Expiration**. The last sentence shall be revised to read, "The Town of Alpine is authorized to grant in writing one extension of time for a period of not more than one (1) year."
10. Section 107.1 **General**. Construction documents, special inspection and structural observation programs, and other data shall be submitted in three sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the Planning and Zoning Commission is authorized to require additional construction documents to be prepared by a registered design professional.
11. Section 108.3 **Temporary Power**. The last sentence shall read, "The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the *National Electrical Code*".
12. Section 109.6 **Refunds** shall read, "The governing authority is authorized to establish a refund policy when no work has been done under a permit issued in accordance with this code".
13. Add Section 110.3.12 **Re-inspection Fee**. "A re-inspection fee will be assessed for each inspection or re-inspection when such portion of the work for which inspection is requested is not complete or when required corrections have not been made. Re-inspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from the plans requiring the approval of the Town of Alpine".
14. A sixth sentence shall be added to the first paragraph of Section 1608.2 **Ground Snow Loads** and shall read, "The roof snow load shall be 100 lbs. per square foot".

SECTION IV.

Stamp or Seal of Licensed Engineer Required.

All plans for structures submitted with a permit application as required under this Ordinance shall be designed by a civil or structural engineer licensed in the State of Wyoming. Such plans shall contain the stamp or seal of a civil or structural engineer licensed in the State of Wyoming.

SECTION V.

Priority of Ordinances.

In the event any of the adopted ordinances of the town as codified with any other sections of the Town of Alpine Municipal Code, the most restrictive shall apply.

SECTION VI.

Definitions.

The definitions as set forth in the International Building Code as said code is adopted in Section III of this Ordinance shall apply in interpretation of said code unless there is a discrepancy between the definitions contained in said code and definitions found in Planning and Zoning Ordinance Chapter II of the Town of Alpine Municipal Code and in that event the definitions found in Planning and Zoning Ordinance Chapter II of the Town of Alpine Municipal Code shall take precedence.

SECTION VII.

Building Permit Issuance - Compliance Required.

The Town of Alpine shall not issue a building permit for any building or temporary structure to be built within the town unless the plan submitted for such building or temporary structure complies fully with the provisions of this chapter.

SECTION VIII.

Business License - Non-Issuance for Non-Compliance.

No business license shall be issued to any business located in any building or temporary structure in which the building or temporary structure fails to comply with the provisions of this chapter. No business license shall be issued to any business located in any building or temporary structure which did not comply with the equivalent or applicable zoning or building ordinance in effect at the time of the construction or placement of such building.

SECTION IX.

Appeal to Board of Adjustments.

An appeal from the provisions of the chapter shall be made to the Board of Adjustments on a form to be furnished by the board which may be secured at the town office. Any recommendations by the Board of Adjustments for departure from the provisions of this chapter shall be subject to the approval of the Town Council.

SECTION X.

Severability.

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and to this and the provisions of this act are severable.

SECTION XI.

Ordinances Repealed.

All ordinances and parts of ordinances in conflict with the provisions of these ordinances are hereby repealed.

SECTION XII.

Effective Date.

This Ordinance shall become effective from the date of its passage provided; however, this ordinance shall not apply to any previously approved building permits.

PASSED 1ST READING THIS 15TH DAY OF MARCH 2022

Vote: ___ yes, ___ no, ___ abstain, ___ absent.

PASSED 2ND READING THIS 19TH DAY OF APRIL 2022

Vote: ___ yes, ___ no, ___ abstain, ___ absent.

PASSED 3RD READING THIS 17TH DAY OF MAY 2022

Vote: ___ yes, ___ no, ___ abstain, ___ absent.

TOWN OF ALPINE

BY: _____
W. Kennis Lutz, Mayor

ATTEST:

BY: _____
Sharon L. Backus, Town Clerk/Treasurer

ATTESTATION OF THE TOWN CLERK

STATE OF WYOMING)
)
COUNTY OF LINCOLN)

I hereby certify that the forgoing **285 ORDINANCE NO. 2022-03** was duly posted for ten (10) days in the Town Clerk's Office.

I further certify that the forgoing Ordinance was duly recorded in the BOOK OF ORDINANCES VI, TOWN OF ALPINE, LINCOLN COUNTY, WYOMING.

ATTEST:

SHARON L. BACKUS, CLERK/TREASURER