



## CITY COUNCIL AGENDA

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### I. 6:00 PM **CALL TO ORDER: NOVEMBER 13, 2018 COUNCIL WORKSHOP**

#### A. **DISCUSSION ON THE SOLID WASTE SERVICES RATE INCREASE FROM WYOMING WASTE SYSTEMS**

Wyoming Waste Systems has informed the City that they are planning to increase the rates for solid waste services beginning January 1, 2019. Per the Agreement; Escalation Clause 13.1 Effective January 1 of each year, all services pursuant to this agreement will be eligible for a rate adjustment. All such rates will be adjusted by 100% of the actual percentage increase in the Consumer Price Index for the most recent rolling twelve month period for which such index is available. 13.5 All fee changes are subject to the City Council approval, which will not be unreasonably withheld.

Documents:

[LETTER - WYOMING WASTE SYSTEMS.PDF](#)

#### B. **DISCUSSION ON AMENDING ORDINANCE CHAPTER 7, ARTICLES II THROUGH IX BUILDINGS AND BUILDING REGULATIONS**

The latest edition of the International Building Code family has been released for adoption. This includes the 2018 International Building Code, 2018 International Existing Building Code, 2018 International Residential Code, 2018 International Plumbing Code, 2018 International Mechanical Code, 2018 International Property Maintenance Code, 2018 International Fuel Gas Code, 2018 International Fire Code and the most recent National Electrical Code. The new codes are proposed to be adopted with minor added amendments as described on the attachment. In addition to the specific added amendments, contractors should be aware that additional updates/changes within the 2018 code family are more clear and user friendly than the 2015 edition. It is the contractors responsibility to stay educated on the latest editions that are adopted in each community.

Documents:

[ORDINANCE AND CODE EXPLANATION.PDF](#)

### II. **CITY ADMINISTRATOR'S REPORT**

**III. MAYOR AND COUNCIL BOARD UPDATES & REPORTS**

**IV. ADJOURNMENT**



October 12, 2018

City of Green River  
50 E 2<sup>nd</sup> N  
Green River WY 82935

Mayor and City Council

Re: Escalation for Service Fees 2019



I would like to thank you and the residents of Green River for allowing Wyoming Waste Services to provide waste removal services in our great City for the past year. We look forward to providing exceptional waste removal services for many years to come.

Wyoming Waste would like to request your approval to implement a price increase for services in Green River effective January 1, 2019.

In accordance with the Refuse Service Contract (part 13) Escalation Clause, all services will be eligible for a rate adjustment January 1 of each year. The CPI according to the United States Department of Labor, Bureau of Labor Statistics is currently at 2.3%, as of September 2018. We will take the % as of December 2018.

Thank you for your consideration

Michelle Foote  
Wyoming Waste  
Site Manager

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HUMAN RESOURCES

12.2. CONTRACTOR agrees to receive and accept from each Commercial Customer the rates (plus applicable Taxes and Fees ) set forth on Exhibit C, attached hereto and incorporated herein by reference, for the collection of Commercial Refuse For purposes of this Section 12, the term "Taxes and Fees" shall mean any adoption of, or changes to, any federal, state, or local laws, rules or regulations by any governmental authority or agency that results in an increase in CONTRACTOR's costs, including but not limited to the imposition of new or the increase to existing governmental taxes, and franchise and other fees, and surcharges. CONTRACTOR will bill and collect the Rates from Commercial Customers monthly in arrears.

12.3. Notwithstanding the foregoing or anything else to the contrary set forth in this Agreement, CONTRACTOR shall, at any time, have the right to adjust the Rates in the event that a Force Majeure Event arises which materially affects CONTRACTOR's costs or revenues under this Agreement. CONTRACTOR shall submit to the CITY all substantiating documentation, via certified mail, thirty (30) days prior to any proposed Rate increase. CONTRACTOR agrees to use commercially reasonable efforts to inform the CITY at the earliest possible moment when CONTRACTOR learns of the impending change that could affect this Section. Under no circumstances shall CONTRACTOR have the right to assess any increases pursuant to this Section until the CITY has consented to same, which consent shall not be unreasonably withheld, conditioned or delayed. If the CITY and CONTRACTOR cannot agree on a proposed increase in Rates, CONTRACTOR shall have the right, with thirty (30) day's written notice, to terminate the Agreement.

### XIII ESCALATION CLAUSE

13.1. Effective January 1 of each year, all services pursuant to this Agreement will be eligible for a rate adjustment. All such rates will be adjusted by 100% of the actual percentage increase in the Consumer Price Index for the most recent rolling twelve (12) month period for which such index is available. The Consumer Price Index or "CPI-U" means the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, 1982-84=100, as prepared by the United States Department of Labor, Bureau of Labor Statistics ("BLS"), or its successor. If BLS designates an index with a new title or code number or table number as being the continuation of the index cited above, the new index will be used. Otherwise, the parties shall agree upon a new index. In the event the CPI-U decreases by seven percent (7%) or more for the most recent 12-month period, all rates shall be reduced by that percentage.

13.2. In the event of a solid waste tip fee change that exceeds the CPI-U, or that occurs other than January 1, an additional rate adjustment is warranted. This rate change will become effective concurrent with the change in tip fees, with retroactive billing allowed as necessary. Rates will be adjusted uniformly by the following formula:

(Total Disposal Expense for previous 12 month period) X (% Change in Tip Fee) / (Total Contract Revenue for previous 12 month period)

13.3. Similarly, in the event of a significant change in CONTRACTOR's operational costs, occurring for reasons outside CONTRACTOR's control, including but not limited to a change in federal, state, or local laws or a significant change in commodity markets,

CONTRACTOR requests an opportunity to present a proposal for an extraordinary price adjustment to CITY's City Council. Where possible, the proposal will be fashioned similarly to the adjustment formula for Tip Fees as described above. The City Council shall not unreasonably withhold approval to adjust rates for significant items. For the purpose of this Section 13.3, "significant change" shall be defined as a change of five percent (5%) or more in one or more specific operational costs incurred by CONTRACTOR in performing pursuant to this Agreement.

13.4. CONTRACTOR shall provide at least 30 days' advance notice to customers for annual CPI increases, and 30 days notice for significant or off-cycle adjustments. The notice requirement is waived in the event of a tip fee or government fee increase that is assessed on CONTRACTOR with less than 45 days notice.

13.5. All fee changes are subject to City Council approval, which will not be unreasonably withheld.

#### **XIV TERM**

14.1. The initial term of this Agreement shall be for the ten (10) year period commencing on and including the 1st day of January, 2018, and expiring on the 31st day of December, 2027 CONTRACTOR shall commence Recycling and Yard Waste collection on April 1, 2018. CONTRACTOR shall commence distributing commercial front load containers to commercial Customers, as agreed between CONTRACTOR and commercial Customers, upon delivery of front load containers.

14.2. Following the aforementioned expiration date, this Agreement will automatically extend for two (2) additional five (5) year periods, unless either CONTRACTOR or the CITY notifies the other in writing at least ninety (90) days prior to the expiration of this Agreement of its intent not to renew this Agreement, subject, however, to the rights of the parties hereto under Article X of this Agreement.

#### **XV HOLIDAYS**

15.1. The following shall be holidays for the purposes of this Agreement:

- (a) New Year's Day;
- (b) Memorial Day;
- (c) Fourth of July;
- (d) Labor Day;
- (e) Thanksgiving Day; and

## Chapter 7 - BUILDINGS AND BUILDING REGULATIONS<sup>[1]</sup>

### Footnotes:

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**Cross reference**— Fire prevention and protection, Ch. 12; flood prevention and protection, Ch. 13; planning, Ch. 21; streets, sidewalks and other public places, Ch. 22; utilities, Ch. 25; zoning, App. B; subdivisions, App. C.

**State Law reference**— Housing, W.S. 1977, 15-11-101 et seq.

### ARTICLE I. - IN GENERAL

Secs. 7-1—7-15. - Reserved.

### ARTICLE II. - BUILDING CODE<sup>[2]</sup>

### Footnotes:

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**Editor's note**— Ord. No. [16-02](#), § 1, adopted Aug. 1, 2016, amended Art. II in its entirety to read as herein set out. Former Art. II, §§ 7-16—7-19, pertained to similar subject matter, and derived from Ord. No. 1024, § 1, 2-28-77; Ord. No. 85-23, § 1, 9-3-85; Ord. No. 94-4, § 1, 4-5-94; Ord. No. 94-11, § 1, 7-5-94; Ord. No. 97-3, § 1, 6-2-97; Ord. No. 00-05, § 1, 6-20-00; Ord. No. 03-07, § 1, 2, 10-7-03; Ord. No. 06-02, §§ 1, 2, 3-7-06; Ord. No. 07-04, §§ 1—3, 8-21-07; Ord. No. 12-09, § 1, 10-17-12.

Sec. 7-16. - ~~2015~~ [2018](#) International Building Code adopted; amendments.

- a. The ~~2015~~ [2018](#) International Building Code, including appendices chapters B, J, ~~and I~~ are hereby adopted by reference and incorporated herein as part of this section as fully as if completely set out herein. One copy of such code shall be kept on file at all times in the office of the city clerk or city building inspector for examination and inspection.
- b. The following sections of the ~~2015~~ [2018](#) International Building Code are amended, deleted or added as follows:
  1. Section 101.4 entitled "Referenced Codes" is deleted.
  2. Add Section 105.2.14 Detached membrane structures with floor area not exceeding two hundred fifty (250) square feet that meet the following conditions:
    - A. The structure complies with all current zoning requirements as indicated by an approval letter after zoning review.
    - B. No more than one membrane structure per residential lot will be allowed.
    - C. Membrane structures must be factory manufactured units.
    - D. Membrane structures used for vehicle parking or storage shall be placed on and secured to a minimum 3½-inch thick concrete slab, the method of attachment and thickness of concrete at attachment locations shall be as recommended by the manufacturer.
    - E. Membrane structures not used for vehicle parking or storage shall be anchored as recommended by the manufacturer.

Comment [DA1]: Add appendix I Patio Covers

3. Section 903.2.8 entitled "Group R" is amended to read: An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.  
 Exceptions: 1. Detached one- and two- family dwellings and multiple single family dwellings (townhouses) that are constructed in accordance with the International Residential Code for One- and Two- Family Dwellings, and have a floor area of less than 5,000 square feet.
4. Add Section 1301.1.2 to Chapter 13 of the International Building Code to read as following:  
 1301.1.2. Commercial Buildings  
 A building energy analysis indicating compliance with the current adopted IECC shall be submitted with the proposed building plans at the time of application for review and comment.  
 Exception: IBC Occupancies S-1, S-2, F-1, F-2, & U are exempt from the above requirement.
5. Chapter 27 entitled "Electrical" is deleted.
6. The opening paragraph of Appendix B Section 101.2.2 is amended to read "It is recommended that the board of appeals consist of five (5) individuals, one from each of the following professions or disciplines: the remaining subparagraphs numbered 1 through 5 shall remain the same.

(Ord. No. [16-02](#), § 1, 8-1-16)

**State Law reference**— Authority to adopt building code by reference, W.S. 1977, 15-1-120B.

Sec. 7-17. - [20152018](#) International Residential Code adopted; amendments.

- a. The [20152018](#) International Residential Code, including appendices chapters A, B, C, E, F, G and H, excepting those sections specifically deleted or amended herein, are hereby adopted by reference and incorporated herein as part of this section as fully as if completely set out herein. One (1) copy of such code shall be kept on file at all times in the office of the city clerk or city building inspector for examination and inspection.
- b. The following sections of the [20152018](#) International Residential Code are amended, deleted or added as follows:

Table R301.2(1) shall be completed with the following information:

Ground Snow Load = 20	Ice Shield Underlayment Required = Yes
Wind Speed = 115	Flood Hazard = 2000 FIRM
Seismic Design Category = C	Air Freezing Index = 2282
Weathering = Severe	Mean Annual Temp = 42.7F
Frost Line Depth = 42"	<b>MANUAL J DESIGN CRITERIA"</b>
Termite = None to slight	<b>Elevation = 6132'</b>
Decay = None to slight	<b>Latitude 41.5286° N</b>
Winter Design Temp = -20 F	<b>Winter heating = -6°</b>

**Comment [DA2]:** The 2018 IRC has improved from the 2015 code resulting in a more user friendly language with a improved clear figures

Summer cooling 88°

Indoor design temperature 70 °

Altitude correction factor =  
0.84

Design temperature cooling =  
70°-75°

Heating temperature difference  
= 50° F

Cooling temperature difference  
= 18°F

Wind velocity heating = 15 mph

Wind velocity cooling = 7.5 mph

Coincident wet bulb = 62°

Daily range = H

Winter humidity = Low

Summer humidity 50%

2. Section R105 Permits is amended as follows:

A. Section R105.2. "Work exempt from a permit, Building" items 1 and 2 are amended to read as follows:

1. ~~One-story detached accessory structures, provided that the floor area does not exceed 200 square feet and has a total building height of no more than 10.5 feet.~~

2. ~~Fences not exceeding 6 feet in height.~~

B. Section R105.5 entitled "Expiration" is amended to read:

~~R105.5 Expiration. Building permits will only be issued for the entire project and shall automatically expire one year after date of issuance.~~

1. ~~Building permit extensions may be applied for, and the building inspector may allow the same when good cause is shown. In no case shall a building permit, including all authorized extensions exceed twenty-four (24) months from the original date of issuance unless the applicant can demonstrate consistent and continuous improvements on the site, in which case, two (2) additional extensions of not more than six (6) months may be permitted.~~

2. ~~Upon expiration of the building permit and any extensions thereto, all further construction activity on the project must stop. If the project is still incomplete the permit holder shall have ten (10) days to disassemble the structure unless an extension is granted by the city council at a regular public hearing. Failure to do so may result in the city removing the structure and all resulting costs incurred by the city shall be billed to the permit holder.~~

3. Section R302 Fire-Resistant Construction is amended as follows:

A. Section R302.2 entitled "Townhouses" is amended by adding an option 3 to read as follows: "The separation provisions may be obtained by either two 1-hour walls or one 2-hour wall."

B. Section R302.13 entitled "Fire protection of floors" is deleted in its entirety.

4. Section R313 Automatic Fire Sprinkler Systems is amended as follows:

A. Section 313.1 entitled "Townhouse automatic fire sprinkler systems" is deleted in its entirety.

B. The opening paragraph of Section R131.2 entitled "One- and two-family dwellings automatic fire systems" is amended to read "An automatic residential fire sprinkler system is not required in one- and two-family dwellings and townhouses that are constructed in

**Comment [DA3]:** Jurisdictions will now include variables for Manual J assessments with other climatic and geographic design criteria available in the building department's Table R301.2(1) Design Criteria.

**Comment [DA4]:** Staying with the code as written on these two items

**Comment [DA5]:** This section of the ordinance is not being enforced and has not been enforced as long as I have been here

**Comment [DA6]:** Two paths for achieving the fire-resistant separation between townhouse dwelling units—two 1-hour walls or a common wall—are spelled out in the townhouse provisions.



accordance with the International Residential Code for One- and Two- Family Dwellings, and have a floor area of less than 5,000 square feet.

~~5. Section R403.1.1 is amended to read, "Minimum size, Footings shall be at least 8" x 16" and be provided with a minimum of 3 #4 bars in the footing."~~

5. Section R403.1.1 entitled "Minimum Size is amended by adding exception #1 to read as follows: Exception 1. Footings shall be at least 8" x 16" and be provided with a minimum of 3 #4 bars in the footing for single unit residential housing footings per city of Green River Standards Specifications."

~~6. Section R404.1.2 is amended to read, "Concrete Foundation Walls. Concrete Foundation walls shall be minimum 8" thick and reinforced with #4 bars 18" on center vertically and horizontally, unless designed by a registered design professional."~~

6. Section R404.1.3 entitled "Minimum Size is amended by adding exception #1 to read as follows: Exception 1. "Concrete Foundation walls for single unit residential housing shall be minimum 8" thick and reinforced with #4 bars 18" on center vertically and horizontally, unless designed by a registered design professional."

7. Section R404.1.1 entitled "Design required" is amended by adding a third condition to read as follows: "3. ~~Foundation walls built to City standards.~~ Foundation walls for single unit residential housing are to be built to City standards"

~~8. Delete Table R602.7.5 and replace with the American Wood Council recommendations RB229-16 as follows:~~

**MINIMUM NUMBER OF FULL HEIGHT STUDS AT EACH END OF HEADERS IN EXTERIOR WALLS<sup>a</sup>**

Maximum Header Span (Feet)	Ultimate Design Wind Speed and Exposure Category	
	< 140 MPH, Exposure B Or < 130 mph, Exposure C	< 130 mph, Exposure B <sup>b</sup>
4	1	1
6	2	1
8	2	1
10	3	2
12	3	2

**Comment [DA7]:** Move section R404.1.2 to R404.1.3

**Comment [DA8]:** Add existing language for Minimum requirements for single unit residential housing footings and foundation walls built within the city of Green River

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**Comment [DA9]:** This section separates single family dwelling from accessory buildings to save on rebar materials

**Comment [DA10]:** This section and table is added to the language in the 2018 code

14	3	2
16	4	2
18	4	2

<sup>a</sup> For header spans between those given above, use the minimum number of full-height studs associated with the larger header span.

<sup>b</sup> The tabulated minimum number of full-height studs is applicable where Jack studs are provided to support the header at each end in accordance with 602.7.1(1). Where a framing anchor is used to support the header in lieu of a Jack stud in accordance with footnote "d" of Table 602.7(1), the minimum number of full height studs at each end of a header shall be in accordance with the requirements for wind speed > 140 mph, exposure:

Amending section N1102, Table N1102.1.2 Wood Frame Wall is amended to read as follows for climate 6:

TABLE INSET: Wood Frame Wall R-Value 21

<sup>9</sup> Section R1102.2 entitled "Specific insulation requirements" is amended by adding an exception to read as follows: Exception: When replace insulation in existing construction walls, may use same R-value cavity fill insulation as original construction.

**Comment [DA11]:** This section and table is added to the language in the 2018 code

**Comment [DA12]:** Change insulation values in walls as prior codes to 2015

**Comment [DA13]:** Replace insulation with that of existing walls r-value on existing dwellings

(Ord. No. [16-02](#), § 1, 8-1-16)

Sec. 7-18. - Reserved.

**Editor's note**— Ord. No. 07-04, § 3, adopted Aug. 21, 2007, repealed § 7-18, which pertained to foundations and derived from Ord. No. 94-4, § 4, adopted Apr. 5, 1994; and Ord. No. 96-10, § 1, adopted Oct. 1, 1996.

Sec. 7-19. - Structures built at the city horse corrals exempt.

Structures built for the sole purpose of housing animals upon land located within the area designated as the City Horse Corrals are specifically exempted from the requirements set forth in this chapter.

(Ord. No. [16-02](#), § 1, 8-1-16)

Sec. 7-20. - ~~2015~~2018 International Existing Building Code adopted.

The ~~2015~~2018 International Existing Building Code is hereby adopted by reference and incorporated herein as part of this section as fully as if completely set out herein. One copy of such code shall be kept on file in the office of the city clerk or city building inspector for examination and inspection.

(Ord. No. [16-02](#), § 1, 8-1-16)

Secs. 7-21—7-30. - Reserved.

#### ARTICLE III. - INTERNATIONAL PLUMBING CODE<sup>[3]</sup>

Footnotes:

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**Editor's note**— Ord. No. [16-02](#), § 2, adopted Aug. 1, 2016, amended Art. III in its entirety to read as herein set out. Former Art. III, § 7-31, pertained to similar subject matter, and derived from Ord. No. 1024, § 10, 2-28-77; Ord. No. 85-23, § 8, 9-3-85; Ord. No. 94-4, § 2, 4-5-94; Ord. No. 00-05, § 3, 6-20-00; Ord. No. 03-07, § 3, 10-7-03; Ord. No. 07-04, § 4, 8-21-07; Ord. No. 12-09, § 2, 10-17-12.

**Cross reference**— Sanitary sewer system, § 25-15 et seq.

Sec. 7-31. - ~~2015~~[2018](#) International Plumbing Code adopted; amendments.

- a. All plumbing within the city shall be installed, repaired and maintained in accordance with the ~~2015~~[2018](#) International Plumbing Code, including all appendices. The ~~2015~~[2018](#) International Plumbing Code is hereby adopted by reference and incorporated herein as part of this section as fully as if completely set out herein. One copy of such code shall be kept on file at all times in the office of the city clerk or city building inspector for examination and inspection.
- b. The following sections of the ~~2015~~[2018](#) International Plumbing Code are hereby amended to read as follows:
  1. Section 305.4 entitled "Freezing" shall be amended to read as follows: Water, soil and waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subjected to freezing temperature unless adequate provision is made to protect such pipes from freezing by insulation or heat or both. Exterior water supply system piping shall be installed not less than 72" inches below grade.
  2. Section 305.4.1. entitled "Sewer depth" shall be amended to read as follows: Building sewers shall be a minimum of 42 inches below grade unless adequate provision is made to protect such pipes from freezing by insulation or heat or both.

(Ord. No. [16-02](#), § 2, 8-1-16)

**State Law reference**— Authority to adopt plumbing code by reference, W.S. 1977, 15-1-120.

Secs. 7-32—7-45. - Reserved.

#### ARTICLE IV. - INTERNATIONAL MECHANICAL CODE<sup>[4]</sup>

Footnotes:

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**Editor's note**— Ord. No. [16-02](#), § 3, adopted Aug. 1, 2016, amended Art. IV in its entirety to read as herein set out. Former Art. IV, § 7-46, pertained to similar subject matter, and derived from Ord. No. 00-05, § 4, 6-20-00; Ord. No. 03-07, § 4, 10-7-03; Ord. No. 07-04, § 5, 8-21-07; Ord. No. 12-09, § 3, 10-17-12.

Sec. 7-46. - ~~2015~~[2018](#) International Mechanical Code adopted.

All heating systems, ventilating systems, cooling systems, refrigeration systems, incinerators or other miscellaneous heat-producing appliances within the city shall be installed, repaired and maintained in accordance with the ~~2015~~[2018](#) International Mechanical Code, including all appendices. The ~~2015~~[2018](#) International Mechanical Code is hereby adopted by reference and incorporated herein as part of this section as fully as if completely set out herein. One copy of such code shall be kept on file at all times in the office of the city clerk or city building inspector for examination and inspection.

(Ord. No. [16-02](#), § 3, 8-1-16)

Secs. 7-47—7-60. - Reserved.

ARTICLE V. - PROPERTY MAINTENANCE CODE<sup>[5]</sup>

Footnotes:

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**Editor's note**— Ord. No. [16-02](#), § 4, adopted Aug. 1, 2016, amended Art. V in its entirety to read as herein set out. Former Art. V, § 7-61, pertained to similar subject matter, and derived from Ord. No. 1024, § 2, 2-28-77; Ord. No. 94-4, § 3, 4-5-94; Ord. No. 00-05, § 5, 6-20-00; Ord. No. 03-07, § 5, 10-7-03; Ord. No. 07-04, § 6, 8-21-07; Ord. No. 12-09, § 4, 10-17-12.

**Cross reference**— Nuisances generally, Ch. 17.

Sec. 7-61. - ~~2015~~[2018](#) International Property Maintenance Code adopted.

The ~~2015~~[2018](#) International Property Maintenance Code is hereby adopted by reference and incorporated herein as part of this section as fully as if completely set out herein. One copy of such code shall be kept on file in the office of the city clerk or city building inspector for examination and inspection.

- a. That section 302.4 of the ~~2015~~[2018](#) International Property Maintenance Code is amended to read, "Twelve (12) inches as the maximum weed height."
- b. Delete 304.14 Insect screens.
- c. Delete 602.3 Heat supply.
- d. Delete 602.4 Occupiable work spaces.

(Ord. No. [16-02](#), § 4, 8-1-16)

**State Law reference**— Authority to adopt codes by reference, W.S. 1977, 15-1-120.

Secs. 7-62—7-75. - Reserved.

ARTICLE VI. - NATIONAL ELECTRICAL CODE<sup>[6]</sup>

Footnotes:

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**Editor's note**— Ord. No. [16-02](#), § 5, adopted Aug. 1, 2016, amended Art. VI in its entirety to read as herein set out. Former Art. VI, § 7-76, pertained to similar subject matter, and derived from Ord. No. 03-07, § 6, 10-7-03; Ord. No. 07-04, § 7, 8-21-07; Ord. No. 08-05, § 1, 7-17-08; Ord. No. 12-09, § 5, 10-17-12.

Sec. 7-76. - National Electrical Code (NEC) adopted.

The National Electrical Code as promulgated by NFPA 70, the latest edition as adopted by the Wyoming State Fire Marshal's Office is hereby adopted by reference and incorporated herein as part of this section as fully as if completely set out herein. One copy of such code shall be kept on file at all times in the office of the city clerk or city building inspector for examination and inspection.

An electrical permit shall be obtained for all electrical installations. The general contractor may include the fee for the electrical permit in the general building permit, but the permit may not be issued until the electrical contractor has signed the permit accepting responsibility for the electrical installation.

The electrical contractor MUST hold a valid Wyoming electrical contractor's license, and all individuals working on the job must hold valid Wyoming electrical journeyman and/or apprentice licenses and meet all requirements of Wyoming State electrical licensing. The City of Green River requires inspections be done in order to issue the required certificate of occupancy before a building may be legally occupied.

If the electrical permit is obtained from State of Wyoming, as is required for cities not holding "home rule ", a copy of this permit must be presented and it must be a guaranteed inspection permit requiring service, before cover, and final inspections be done, and it shall be added to the project file before the general building permit may be issued.

Exception: A home owner may install elect wiring on his primary residence. All other premises electrical wiring shall be installed by a Wyoming licensed electrical contractor.

(Ord. No. [16-02](#), § 5, 8-1-16)

Secs. 7-77—7-90. - Reserved.

ARTICLE VII. - INTERNATIONAL FUEL GAS CODE<sup>[7]</sup>

Footnotes:

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**Comment [DA14]:** July 25, 2018 Sec The reason for additional language in our current ordinance is to allow the general contractor to add the electrical fees to his building permit without requiring the electrical contractor to come in and applying for a separate electrical permit and paying additional fees, to clarify that a WY licensed electrical contractor is required to obtain any electrical permit per state statutes and to clarify that an electrical inspections are required to receive a final inspection on all structures.

**Editor's note**— Ord. No. [16-02](#), § 6, adopted Aug. 1, 2016, amended Art. VII in its entirety to read as herein set out. Former Art. VII, § 7-91, pertained to similar subject matter, and derived from Ord. No. 03-07, § 7, 10-7-03; Ord. No. 07-04, § 8, 8-21-07; Ord. No. 12-09, § 6, 10-17-12.

Sec. 7-91. - ~~2015~~[2018](#) International Fuel Gas Code adopted.

The ~~2015~~[2018](#) International Fuel Gas Code is hereby adopted by reference and incorporated herein as part of this section as fully as if completely set out herein. One copy of such code shall be kept on file in the office of the city clerk or city building inspector for examination and inspection.

(Ord. No. [16-02](#), § 6, 8-1-16)

Secs. 7-92—7-105. - Reserved.

#### ARTICLE VIII. - INTERNATIONAL FIRE CODE<sup>(8)</sup>

Footnotes:

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**Editor's note**— Ord. No. [16-02](#), § 7, adopted Aug. 1, 2016, amended Art. VIII in its entirety to read as herein set out. Former Art. VIII, § 7-91, pertained to similar subject matter, and derived from Ord. No. 03-07, § 8, 10-7-03; Ord. No. 06-02, § 3, 3-7-06; Ord. No. 07-04, § 9, 8-21-07; Ord. No. 12-09, § 7, 10-17-12.

Sec. 7-106. - ~~2015~~[2018](#) International Fire Code adopted.

The ~~2015~~[2018](#) International Fire Code, including appendix chapters A, B, C, D, E, F, and G, is hereby adopted by reference and incorporated herein as part of this section as fully as if completely set out herein. One copy of such code shall be kept on file in the office of the city clerk or city building inspector for examination and inspection.

(Ord. No. [16-02](#), § 7, 8-1-16)

Secs. 7-107—7-119. - Reserved.

Sec. 7-120. - Penalty.

Anyone convicted of violating any section of this chapter shall be punished by a fine of not more than seven hundred fifty dollars (\$750.00), to which the court may add restitution for costs incurred by the city. Any person who commences any work before obtaining the necessary permit(s) may be subject to an investigation fee as determined by the community development director or senior building inspector and his/her designee. The investigation fee shall be one hundred dollars (\$100.00) or equal to twice the permit fee, whichever is greater.

(Ord. No. [16-02](#), § 7, 8-1-16)

#### ARTICLE IX. - LICENSING OF BUILDING CONTRACTORS

Sec. 7-121. - License required; contractor defined; exceptions.

- (a) *License required.* No contractor shall perform any work as a contractor within the city without first having obtained a license as provided herein. No permits shall be issued for work to be done by a contractor who does not have a valid and existing license as required in this article.
- (b) *Contractor defined.* A contractor, within the meaning of this article, is a person, firm, partnership, company, corporation, agency, association, or other organization, or any combination thereof:
  - (1) Who undertakes with or for another within the city to build, construct, alter, repair, add to, demolish, or move any building or structure or any portion thereof, for a fixed sum, price, fee, percentage, or other compensation or any combination thereof.
  - (2) Who builds, constructs, alters, adds to, moves or demolishes any building or structure either on his own or other property for the purpose of resale or rental except residence buildings and buildings or structures accessory thereto intended for his own personal use and occupancy. A person constructing his own home without the aid of a licensed contractor may secure a permit on only one residence in any one-year period and the construction of more than one residence by said person in any one-year period shall be presumed to have been for resale.
- (c) *Exception.* The following shall not be deemed to be contractors as the term is used in this article:
  - (1) Owners making repairs, alterations, additions, or improvements to their residence or business, including building accessory thereto which do not involve the structural elements of the building. Owner is hereby defined as any person, firm, corporation, or agent having a legal or equitable interest in the property. For the purpose of this section, the term owner may extend to a tenant, lessee, employee(s) of the actual owner, in regards to repairs, alterations, additions, or improvements of said business or residence with written authorization of the actual owner to perform work for which a permit is issued.
  - (2) A homeowner who constructs his own residence or building accessory thereto which is intended for his own personal use; however, this will be permitted only once in a one-year period or such will come within the said definitions.

(Ord. No. 08-10, § 1, 11-3-08)

Sec. 7-122. - License defined; authority; licensing board, examinations; issuance of licenses, etc.

- (a) *Definition.* A license is issued to the owner of a sole proprietorship or to an individual with the proper credentials for a partnership, corporation, association, or other business entity to perform work according to the definition in subsection 7-121(b).
- (b) *Authority.* The designated employees of the community development department shall review applications for licenses and accomplish the provisions and objectives of this article.
- (c) *Issuance of licenses.* The determination of eligibility for license or other matters pertaining thereto shall be by the community development department.
  - (1) Applicant must completely fill out an application form obtained in the community development office.
  - (2) Applicant must show proof of liability insurance and must have minimum injury or death coverage greater than or equal to two hundred fifty thousand dollars (\$250,000.00).
  - (3) Applicant must have proof of a sign on a company vehicle complete with the name of the company and a working telephone number.
- (d) *[Disqualification of applicant.]* An applicant may be disqualified if:
  - (1) The application is incomplete, inaccurate, or contains misleading or false information, or;
  - (2) The applicant has unreasonably failed to complete past construction projects resulting in outstanding unsatisfied monetary judgments against this applicant, or;

- (3) The applicant has performed work without a license after receipt of notice from the city that a license is required.
- (e) *[Register of licensed contractors; publication.]* The department shall maintain a register reflecting the name of each contractor licensed by the City of Green River and shall publish that list twice a year in a local newspaper of general circulation.

(Ord. No. 08-10, § 2, 11-3-08)

Sec. 7-123. - License fees.

- (a) *Annual fees required.* The initial license fees shall be one hundred dollars (\$100.00).
- (b) *Prorating of fees.* Between February 1 and September 30 license fees shall not be prorated. Between October 1 and January 31 license fees shall be half of the stated rate.
- (c) *License fee refund.* License fees are not refundable.

(Ord. No. 08-10, § 3, 11-3-08)

Sec. 7-124. - License renewal.

- (a) Licenses shall be renewed annually in February with a thirty-day grace period following the renewal date. Any work performed after expiration and prior to obtaining such license shall be a violation of this article. A renewal fee of fifty dollars (\$50.00) is applicable at the time of renewal.
- (b) A licensee that fails to reapply for a license at the requested time shall surrender his license and the same shall be deemed to be null and void.

(Ord. No. 08-10, § 4, 11-3-08)

Sec. 7-125. - Validity of license.

- (a) A master of record shall be designated as the license holder for every business entity.
- (b) A business entity which changes its name or master of record shall be considered to operate without a license until the change is reported to the city. Changes shall be reported by the business entity and/or the master of record to the city within thirty (30) days of any changes.
- (c) A business entity which changes its form to create a new legal entity requires a designation of a master of record for the new entity. An example would include the incorporation of a sole proprietorship or the creation of a partnership or limited liability company. One of the owners of the new entity such as a stockholder or director of a corporation or a manager of a limited liability company may qualify as master of record. The license may be transferred to the extent that a new fee shall not be charged.

(Ord. No. 08-10, § 5, 11-3-08)

Sec. 7-126. - Suspension of a contractor license.

- (a) *[Reasons for suspension.]* A contractor's license may be suspended when one or more the following are committed by a licensed contractor in the City of Green River:
  - (1) More than one failure to obtain the proper permits prior to performing work, including building or excavation permits;



- (2) Failure 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 community development department and permit issued for same, unless such changes are approved by the department;
- (3) Failure to complete all work authorized on the permit issued under the authority of any city ordinance or any adopted building code unless good cause is proved;
- (4) Failure to obtain inspection services when the same are required by any city ordinance or any adopted building code;
- (5) Failure to pay any fee assessed under any city ordinance or any adopted building code;
- (6) Failure to build in compliance with all applicable codes;
- (7) Failure to contact "One-Call Wyoming" before doing any excavation;
- (8) Failure to immediately notify the owner of an underground facility if it is contacted or damaged in the course of excavation;
- (9) Failure to obtain a current license and insurance prior to contracting;
- (10) Failure to maintain required insurance through the time period of the license;
- (11) Failure to obtain a certificate of occupancy prior to occupancy by an owner of a building or structure;
- (12) Knowingly combining or conspiring with a person, firm, or corporation by permitting one's license to be used by such person, firm or corporation;
- (13) By acting as agent, partner, associate, or in any other capacity, with persons, firms or corporations to evade the provisions of this article;
- (14) Knowingly violating any provisions of this article;
- (15) Any person who shall violate the provisions of this article by doing business within the city as a contractor, as defined herein, without a license, or after a license has been suspended, shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than two hundred fifty dollars (\$250.00). Each day the violation continues shall be considered a separate offense.

(b) *Notification of suspension; procedures for appeal.*

- (1) *Contact by building inspector.* Should a contractor be in danger of having their license suspended, the building inspector shall make personal contact with the licensee to discuss the issue. During this meeting, the licensee and the building inspector shall create a plan of action to mitigate the issues that could lead to the suspension of the license. The licensee shall have thirty (30) days to show that they are working in good faith to mitigate the issues. The building inspector shall monitor the progress of the licensee and submit a report to both the licensee and the community development director.
- (2) *Contact by the community development department.*
  - a. If the report states that the licensee is not working in good faith to mitigate the issues, the community development director shall send a certified letter, return receipt requested, to the licensee setting up a meeting between the director, the building inspector and the licensee and/or their representatives. The previous action plan will be discussed and the licensee will need to show why they were unsuccessful in carrying out that plan. A new action plan shall be worked out and signed by the director, the building inspector and the licensee. The licensee shall be placed on probationary status for thirty (30) days. During the probationary status, the licensee shall not be able to receive any permits for work at a new location. Permits required to continue or complete work on a project may be granted at the discretion of the building inspector in coordination with the community development director.

- b. Under the terms of the action plan, the building inspector shall monitor the progress of the licensee. At the end of the thirty (30) days, the building inspector will make a report on the progress of the licensee and forward that report to both the licensee and the community development director. If the licensee is making good progress, the probationary status may be lifted. However, the probationary status can be continued for no more than thirty (30) days at the discretion of the community development director with the recommendation of the building inspector.
  - c. Should the report from the building inspector show that minimal or no progress is being made on the action plan, the community development director shall suspend the contractor's license and notify the licensee by certified mail, return receipt requested. Any permits that the licensee has requested shall be pulled and all work being done by the licensee shall be stopped by the building inspector. While a license is suspended, a contractor, or his employees shall not contract, perform warranty work, repairs or other operations commonly associated with the contracting business. The licensee is required to meet with the community development director and the building inspector and satisfy all the requirements of the action plan before the licensee can resume work as a contractor in the city.
- (3) *Exceptions.* A contractor's license may be suspended without warning for failure to maintain the required insurance or for the destruction or damage of city property through willful or negligent action. Should that happen, the licensee shall be notified by the community development department through a certified letter, return receipt requested, and through personal contact by the building inspector. Once a license has been suspended, all work by the contractor within the city will be halted through the methods listed in subsection 7-126(b)(2).
- (4) *Appeals.* If a contractor believes that its license has been suspended without due cause, it can appeal to the city council. Council retains the right to overturn the suspension of a contractor's license.

(Ord. No. 08-10, § 6, 11-3-08)

Sec. 7-127. - Licensee's responsibility.

- (a) *General.* All licensees shall be responsible for work requiring a permit under the provisions of this article, and without limitation, to these items as listed:
- (1) To present his license when requested by the building inspector or his authorized representatives; a sign on a company vehicle complete with the name of the company and a working telephone number
  - (2) To obtain a permit when the same is required;
  - (3) 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 community development department and permit issued for same, unless such changes are approved by the department;
  - (4) To complete all work authorized on the permit issued under the authority of the adopted building codes unless good cause is proved;
  - (5) To obtain inspection services when the same are required by the adopted city codes;
  - (6) To pay any fee assessed under authority of the adopted city codes;
  - (7) To build in compliance with the adopted construction codes;
  - (8) To contact "One Call Wyoming" before doing any excavation in compliance with Wyoming Statutes; and

Comment [DA15]:

- (9) To immediately notify the owner of an underground facility if it is contacted or damaged in the course of excavation.
- (b) *Safety measures.* All federal and state laws and municipal ordinances dealing with measures for the safety of workmen and of the public shall be observed in addition to any requirements contained within this article.
- (c) *Duties and responsibilities of the contractor.* Any contractor licensed hereunder shall be responsible for all work included in his contract whether or not such work is done by him directly or by a subcontractor. He shall be responsible for funds or property received by him for prosecution or completion of a specific purpose. He shall also see that all applicable permits are obtained by subcontractors under this contract.

(Ord. No. 08-10, § 7, 11-3-08)

## 2018 IBC-INTERNATIONAL BUILDING CODE

Adopting the 2018 International Building Code

- Adding Appendix I “Patio covers”

## 2018 IRC-INTERNATIONAL RESIDENTIAL CODE

Adopting the 2018 International Residential Code

- Adding to table Manual J Design Criteria
  - Elevation = 6132’
  - Latitude 41.5286° N
  - Winter heating = -6°
  - Summer cooling 88°
  - Indoor design temperature 70 °
  - Altitude correction factor = 0.84
  - Design temperature cooling = 70°-75° F
  - Heating temperature difference = 50° F
  - Cooling temperature difference = 18°F
  - Wind velocity heating = 15 mph
  - Wind velocity cooling = 7.5 mph
  - Coincident wet bulb = 62°
  - Daily range = H
  - Winter humidity = Low
  - Summer humidity 50%
- Removed language from ordinance and keeping language as the code states
  1. One-story detached accessory structures, provided that the floor area does not exceed 200 square feet and has a total building height of no more than 10.5 feet.
  2. Fences not exceeding 6 feet in height.
- Adding to Section R403.1.1 entitled “Minimum Size is amended by adding exception #1 to read as follows: Exception 1. Footings shall be at least 8" x 16" and be provided with a minimum of 3 - #4 bars in the footing for single unit residential housing footings per city of Green River Standards Specifications."
- Section R404.1.3 entitled “Minimum Size is amended by adding exception #1 to read as follows: Exception 1. "Concrete Foundation walls for single unit residential housing shall be minimum 8" thick and reinforced with #4 bars 18" on center vertically and horizontally, unless designed by a registered design professional."
- Section R404.1.1 entitled "Design required" is amended by adding a third condition to read as follows: "3. Foundation walls for single unit residential housing are to be built to City standards
- Section N1102, Table N1102.1.2 Wood Frame Wall is amended to read as follows for climate 6:  
TABLE INSET: Wood Frame Wall            R-Value            21
- Existing Dwellings: Replace insulation with that of existing walls sizes

## **2018 IEC-INTERNATIONAL EXISTING BUILDING CODE**

Adopting the 2018 International Existing Code – no amendments are necessary.

## **2018 IPC- INTERNATIONAL PLUMBING CODE**

Adopting the 2018 International Plumbing Code – no amendments are necessary.

## **2018 IMC-INTERNATIONAL MECHANICAL CODE**

Adopting the 2018 International Mechanical Code – no amendments are necessary.

## **2018 IFGC-INTERNATIONAL FUEL GAS CODE**

Adopting the 2018 International Fuel Gas Code – no amendments are necessary.

## **2018 IPMC-INTERNATIONAL PROPERTY MAINTENANCE CODE**

Adopting the 2018 International Property Maintenance Code – no amendments are necessary.

## **2018 IFC-INTERNATIONAL FIRE CODE**

Adopting the 2018 International Fire Code – no amendments are necessary.

## **ELECTRICAL CODE**

Adopting the latest edition of the National Electric Code NFPA 70 as published by the National Fire Protection Association and required by the State of Wyoming Fire Marshal Office is hereby adopted by reference and incorporated herein as part of this section as fully as if completely set out herein. One copy of such code shall be kept on file at all times in the office of the city clerk or city building inspector for examination and inspection.

- Adding the four paragraphs to clarify electrical code and permitting process

An electrical permit shall be obtained for all electrical installations. The general contractor may include the fee for the electrical permit in the general building permit, but the permit may not be issued until the electrical contractor has signed the permit accepting responsibility for the electrical installation.

The electrical contractor **MUST** hold a valid Wyoming electrical contractor's license, and all individuals working on the job must hold valid Wyoming electrical journeyman and/or apprentice licenses and meet all requirements of Wyoming State electrical licensing. The City of Green River requires inspections be done in order to issue the required certificate of occupancy before a building may be legally occupied.

If the electrical permit is obtained from State of Wyoming, as is required for cities not holding "home rule ", a copy of this permit must be presented and it must be a guaranteed inspection permit requiring service, before cover, and final inspections be done, and it shall be added to the project file before the general building permit may be issued.

Exception: A home owner may install electrical wiring on his primary residence. All other premises electrical wiring shall be installed by a Wyoming licensed electrical contractor.

## **Free Viewing of ICC 2018 Building Codes**

The following links are provided courtesy of ICC for free viewing of all 2018 Codes to be adopted by the City. The codes provided can only be viewed and not copied or saved. They contain all the code language and tables exactly as published in the code books.

2018 IBC: <https://codes.iccsafe.org/public/document/IBC2018>

2018 IRC: <https://codes.iccsafe.org/public/document/IRC2018>

2018 IPC: <https://codes.iccsafe.org/public/document/IPC2018>

2018 IEBC: <https://codes.iccsafe.org/public/document/IEBC2018>

2018 IFGC: <https://codes.iccsafe.org/public/document/IFGC2018>

2018 IPMC: <https://codes.iccsafe.org/public/document/IPMC2018>

2018 IFC: <https://codes.iccsafe.org/public/document/IFC2018>