

# **Title 15 Buildings and Construction**

## **Title 15 BUILDINGS AND CONSTRUCTION**

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## Chapter 15.04 INTERNATIONAL BUILDING CODE

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### **15.04.010 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 Building Official, and such Building Official 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 documentation as required on the building permit application and such other information as may be deemed necessary to provide for the enforcement of the town's Land Development Regulations (LDRs) [Appendix A of this code]. All building permit fees are to be determined by the town council by resolution or ordinance, and may be changed from time to time. (Ord. 760 § 3, 2004; Ord. 271 § 1, 1981.)

### **15.04.020 International Building Code.**

All buildings and temporary structures built or located within the town from and after June 1, 2013 shall be constructed in accordance with the requirements of the International Building Code, 2013 Edition, as published by the International Code Council, specifically **excluding** all appendices. The said Code is incorporated herein by reference as if the same were more fully herein set out except as follows:

1. 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.*"
2. **Section 101.4.4 Property Maintenance** shall be deleted in its entirety.
3. **Section 103.3 Deputies.** The last sentence shall be deleted.
4. **Section 105.2 Work exempt from permit.** Item 11. shall read, "*Swings and other playground equipment.*"
6. **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."
7. **Section 109.2 Schedule of Fees** shall read, "On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit

shall be paid as established in the adopted fee schedules. A non-refundable deposit of two hundred and fifty dollars (\$250.00), to be applied against the full building permit fee, shall be paid at the time of building permit application for all commercial, industrial, and multi-family buildings. The fee for each permit shall be as set forth in the adopted Building Permit Fees Schedule of the Town of Jackson.

8. A second sentence shall be added to **Section 109.2** Schedule of permit fees which shall read, "Additionally, when a third party review is required by the administrative authority, it shall be paid for by the applicant, authorized representative, or owner."
9. **Section 109.6 Refunds** shall read "'Not more than 80 percent of the permit fee paid shall be refunded, when no work has been done under a permit issued in accordance with this code.'"
10. Add **Section 110.3.11 Re-inspection Fee**. "A re-inspection fee may 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 Building Official."
11. **Section 305.2 Group E, Day Care** Facilities shall be revised to read, "The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than ten children older than 2-1/2 years of age, shall be classified as a Group E occupancy."
12. **Section 308.6.4** Five or fewer persons receiving care in a dwelling unit. shall be revised to read, "A facility such as the above with ten or fewer persons shall be classified as a Group R-3 or shall comply with the International Residential code in accordance with Section 101.2."
13. **Section 901.7 Fire Areas**. Revise to read as follows: Where structures or portions thereof, are 5,000 square feet or larger, the building shall be protected by an approved automatic fire sprinkler system, installed in accordance with further requirements of the IBC, IFC, and/or NFPA 13, 13D or 13R, whichever applies based on type of occupancy. For the purpose of this section, square footage calculations shall be measured from the exterior surface of framing members encompassing the perimeter of the Fire Area, from the interior surface of concrete or masonry walls that are 50 % or more below grade, and for log construction to the exterior surface of foundations or supporting elements.
14. **Section 903.2 Where required**. A second sentence shall be added and shall read, "Additionally, all structures, regardless of occupancy, 5000 square feet or larger shall be protected by an approved automatic sprinkler system, installed in accordance with further requirements of this Chapter whichever applies based on type of occupancy. Where requirements in this chapter are more restrictive, the more restrictive requirement shall control. EXCEPTIONS: Agricultural buildings. Where uses other than residential occur within an agricultural building, and comprise not more than 10% of the floor area of such building, an automatic fire extinguishing system may be omitted unless otherwise required by this Chapter."
15. The exceptions to **Fire Alarms Sections 907.2.1** Group A, 907.2.2 Group B, 907.2.4 Group F, and 907 2.7 Group M shall be revised to read as follows:  
Exception: See section 907.2 of the International Fire Code for locations of manual fire alarm boxes.

16. A fourth sentence **shall be added to the first** paragraph of **Section 1608.2, Ground Snow Loads** and shall read, “The roof snow load shall be 75 lbs. per square foot.”
17. The first sentence of **Section 1809.4 Depth and Width of Footings** shall be amended to read, "Footings shall have a minimum depth of 34 inches below finished grade, unless another depth is recommended by a soils investigation."
18. The second sentence of Section **1805.1.2 Under Floor Space** shall be revised to read “Where there is evidence that the seasonal ground water table rises to the elevation of the bottom floor of the crawl space, the ground level of the under floor space shall be elevated to a minimum of 12 inches above such elevation unless an approved drainage system is provided”.
19. **Section 3401.1 Existing structures** shall have a second sentence added which shall read, “The repair, alteration, relocation and change of occupancy of existing buildings or structures including but not limited to those listed in the National Register of Historic Places or designated as historic under a state or local historic preservation program that is approved by the Department of Interior, may comply with the 2012 edition of the International Existing Building Code.”

(Ord.1020 § 1, 2013; Ord.854 § 2, 2007; Ord. 760 § 4, 2004; Ord. 601 § 1, 1998; Ord. 493 § 1, 1995; Ord. 483 § 1, 1994; Ord. 450 § 1, 1992; Ord. 430 § 1, 1991; Ord. 406 § 1, 1990; Ord. 320 § 1, 1984; Ord. 271 § 2, 1981.)

In the event any of the adopted ordinances of the town as codified in this code as of the date of the adoption of the ordinance codified in this section conflict with any other sections of the Town of Jackson Municipal Code, the most restrictive shall apply (Ord. 760 § 5, 2004.)

**15.04.030 Definitions.**

The definitions as set forth in the International Building Code, as said code is adopted in Section 15.04.020, shall apply in interpretation of the provisions of said code unless there is a discrepancy between the definitions contained in said code and definitions found in Appendix A of this code, and in that event, the definitions found in Appendix A of this code shall take precedence. (Ord 760 § 6, 2004; Ord. 271 § 3, 1981.)

**15.04.040 Sewer and water connections.**

All buildings and temporary structures built within the town from and after May 2, 1972 shall be connected to the water and sewer lines of the town. (Ord 760 § 7, 2004; Ord. 105A § 3 (part), 1972; Ord. 105 Ch. 2 § 11(H)(3), 1967.)

**15.04.050 Building permit issuance--Compliance required.**

The town building official 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. (Ord 760 § 8, 2004; Ord. 105A § 3 (part), 1972; Ord. 105 Ch. 2 § 11(H)(4), 1967.)

**15.04.060 Exceptions.**

The requirements of Section 15.04.040 shall not apply to garages or other noncommercial outbuildings which are to be constructed upon property zoned for residential development. (Ord. 760 § 9, 2004; Ord. 271 § 4, 1981.)

**15.04.070 Business license—Non-issuance for noncompliance.**

The town clerk shall not issue a business license to any business being conducted in any building or temporary structure constructed or placed after the effective date of the ordinance codified in this chapter which does not comply with the provisions of this chapter and shall not issue a business license to any business being conducted in any building or temporary structure which did not comply with applicable ordinances in effect at the time of construction or placement of such building. (Ord. 760 § 10, 2004; Ord. 271 § 5, 1981.)

**15.04.080 Appeal to board of adjustments.**

An appeal from the provisions of this chapter shall be made to the Town Board of Examiners/Appeals on a form to be furnished by the board, which may be secured at the town office. Any recommendation by the town Board of Examiners/Appeals for departure from the provisions of this chapter shall be subject to the approval of the town council.

**15.04.090 Building Permit Fees**

**BUILDING PERMIT FEE SCHEDULE FOR NEW BUILDINGS AND ADDITIONS**

Single Family Residence	1.06/ SF
Commercial, Office, Multi-Family and similar type construction	0.75/SF
Warehouse/storage and similar type construction	0.50/SF

**BUILDING PERMIT FEE SCHEDULE FOR REMODELS AND ALTERATIONS  
(1982 UBC Table No. 3-A, as modified)**

<b>Total Valuation</b>	<b>Fee</b>
\$1.00 to \$500.00	\$18.75
\$501.00 to \$2,000.00	\$18.75 for the first \$500.00 plus \$2.44 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$55.35 for the first \$2,000.00 plus \$9.76 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$279.83 for the first \$25,000.00 plus \$7.32 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$462.83 for the first \$50,000.00 plus \$4.88 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 and up	\$706.83 for the first \$100,000.00 plus \$4.06 for each additional \$1,000.00 or fraction thereof

**Other Inspections and Fees:**

- 1. Plan Review Fee Assessed @ 65% of Building Permit Fee
- 2. Inspections outside of normal business hours \$62.50 per hour
- 3. Re-inspection fee assessed under provisions of Section 305 (g) \$50.00 each
- 4. Inspections for which no fee is specifically indicated \$50.00 per hour  
(minimum charge 1 hour)
- 5. Additional plan review required by changes, additions,  
or revisions to approved plans \$50.00 per hour  
(minimum charge 1 hour)

(Ord.893 § 1, 2008; Ord. 770 § 3, 2004)

**WAIVER OF FEES**

The Town Council may reduce, defer, or waive application fees upon request if the proposed project advances significant community goals, which include but are not limited to, the following:

- 1. A project that is sponsored by a governmental entity, or a project that receives public funding.
- 2. A project that provides extraordinary charitable, civic, educational, or similar benefits to the community.

Such requests shall be submitted, for action by the Town Council, to the Building Official within 30 days of receipt and prior to the submittal of an application. Action on all requests shall be made prior to the issuance of a building permit. (Ord. 770 § 4, 2004)

(Ord. 770 § 2, 2004; Ord. 760 § 11, 2004; Ord. 256 § 6, 1979; Ord. 105A § 3 (part), 1972; Ord. 105 Ch. 2 § 11(H)(7), 1967.)

**Chapter 15.05**  
**INTERNATIONAL ENERGY CONSERVATION CODE**

**Sections:**

**15.05.010 International Energy Conservation Code—Adoption by reference.**

**15.05.010 International Energy Conservation Code--Adoption by reference.**

All buildings and temporary structures built or located within the town from and after June 1, 2013 shall be constructed in accordance with the requirements of the International Energy Conservation Code, 2012 Edition, as published by the International Code Council, specifically **excluding** all appendices. The said Code is incorporated herein by reference as if the same were more fully herein set out except as follows:

1. **Sections C401.1 and R401.1** shall have the following added to the end of the paragraphs:

**EXCEPTION:** Log buildings shall be provided with the following:

1. Exterior log walls shall have a minimum diameter of 8 inches and shall be exempt from the exterior wall insulation requirements.
  2. Roof/ceiling assemblies shall be provided with a minimum R-49 roof insulation.
  3. All mechanical equipment related to the primary heating source shall have a minimum efficiency rating of 90%.
  4. All HVAC ductwork shall be insulated or installed within conditioned space.
2. **Table C402.2** Amend the intersection of the climate zone 7 column with the row identified as Wood framed and other, to read R-20+R-3.8ci.

(Ord. 1021 § 1, 2013; Ord. 862 § 1, 2008.)

**Chapter 15.08**  
**INTERNATIONAL FIRE CODE**

**Sections:**

**15.08.010 Adoption of International Fire Code and International Wildland-Urban Interface Code**

**15.08.020 Priority of ordinances.**

**15.08.010 Adoption of the International Fire Code and International Wildland-Urban Interface Code.**

There is hereby adopted by the Town Council of the Town of Jackson, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain Codes known as the International Fire Code and International Wildland-Urban Interface Code, 2012 Edition, published by the International Code Council, Inc., with the following amendments:

**A. THE INTERNATIONAL FIRE CODE (IFC),** including Appendices B, C, D, E, F, and G, 2012 Edition, referring to the most current year standard referenced in the code, as published by the International Code Council, Inc., with the following amendments:

**1. GENERAL:** Substitute the *National Electrical Code* for all reference to the *ICC Electrical Code* throughout the IFC.

**2. CHAPTER 3, General, SECTION 307, Open Burning.** Add sections:

**307.6 Pile Volume.** The pile volume of any open burn shall not exceed 1000 cubic feet.

**307.7 Prohibited materials.** Materials containing paints, resins, glues, stains or any other manufactured coating or bonding material shall not be burned.

**3. CHAPTER 4, Emergency Planning and Preparedness, SECTION 408, Use and Occupancy-Related Requirements, SUBSECTION 408.3 Group E Occupancies.**

Add subsection:

**408.3.5 Alternate type of drill.** Alternate safety drills may be used in lieu of fire evacuation drills provided fire evacuation drills are conducted at each public or private Group E Occupancy not less than four (4) times during any one (1) academic year. The building's fire alarm system shall be tested at each fire evacuation or alternate safety drill. An alternate safety drill may include any organized response to a potential threat to the health and safety of the student population.

**4. CHAPTER 5, Fire Service Features, SECTION 506, Key Boxes, SUBSECTION 506.1 Where Required.** Add Subsection:

**506.1.2 Additional locations.** Whenever an elevator is installed within a structure, the Fire Code Official may require a key box immediately adjacent to the fire fighter control panel for the elevator. The key box shall contain all keys necessary to control the elevator and elevator shaft systems controlled at that location.

**5. CHAPTER 5, Fire Service Features, SECTION 507, Fire Protection Water Supplies, SUBSECTION 507.5.1 Where Required.** Amend exceptions to read:

**Exceptions:**

1. For Group R-3 and Group U occupancies, the distance requirements shall be 500 feet (152 m).
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 500 feet (152 m).

**6. CHAPTER 9, Fire Protection Systems, SECTION 903, Automatic Sprinkler Systems, SUBSECTION 903.2 Where Required.** Add second paragraph and exception:

Additionally, all structures, regardless of occupancy, 5000 square feet or larger, shall be protected by an approved automatic sprinkler system, installed in accordance with further requirements of this Chapter whichever applies based on type of occupancy. Where requirements in this chapter are more restrictive, the more restrictive requirement shall control.

**Exception: Agricultural buildings.**

Where non-agricultural uses, other than residential, occur within an agricultural building, and comprise not more than 10% of the floor area of such building, an automatic fire-extinguishing system may be omitted unless otherwise required by this Chapter.

**7. CHAPTER 9, Fire Protection Systems, SECTION 907, Fire Alarm and Detection Systems, SUBSECTION 907.2.1 Group A.** Add exception:

**Exception:** Manual fire alarm boxes may be omitted when approved by the Fire Code Official and where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

**8. CHAPTER 9, Fire Protection Systems, SECTION 907, Fire Alarm and Detection Systems, SUBSECTION 907.2.2 Group B.** Add Exception.

**Exception:** Manual fire alarm boxes may be omitted when approved by the Fire Code Official and where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

**9. CHAPTER 9, Fire Protection Systems, SECTION 907, Fire Alarm and Detection Systems, SUBSECTION 907.2.4 Group F.** Add exception.

**Exception:** Manual fire alarm boxes may be omitted when approved by the Fire Code Official and where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

**10.CHAPTER 9, Fire Protection Systems, SECTION 907, Fire Alarm and Detection Systems, SUBSECTION 907.2.7 Group M** Add exception.

**Exception:** Manual fire alarm boxes may be omitted when approved by the Fire Code Official and where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

**11.CHAPTER 9, Fire Protection Systems, SECTION 913, Fire Pumps, SUBSECTION 913.2 Protection against interruption of service.** Add subsections:

**913.2.2 Service disconnect.** Fire pump service wiring shall be installed such that disconnecting the normal building service does not interrupt power to the fire pump. A separate means of disconnect shall be provided for the fire pump and installed such that its power supply is taken from the line side of the buildings service panel. The service disconnect shall be installed in accordance with Section 695 of the National Electrical Code.

**913.2.3 Protection of service wiring.** Service wiring to fire pumps shall be installed within assemblies rated for not less than 1-hour fire-resistant construction. Installation shall be in accordance with Section 695 of the National Electrical Code.

**12.CHAPTER 23, Motor Fuel-Dispensing Facilities and Repair Garages, SECTION 2301, General.** Add subsections:

**2301.7 Emergency Spill Containment.** Each automotive motor fuel-dispensing facility, marine motor fuel-dispensing facility, and fleet vehicle motor fuel-dispensing facility shall maintain not less than one spill kit within 100 feet of dispensing equipment and shall be immediately available for Fire Department use. The type and size of spill kit shall be determined by the Fire Code Official and shall be based upon the product and potential spill size. The person in control of the facility shall be responsible to ensure kit supplies are replaced immediately after use.

**2301.8 Disposal of Spilled Product.** The person in control of the facility shall be responsible for proper disposal of all spilled materials and spill mitigation products. Spilled materials shall be immediately removed from the facility and shall be transported to the appropriate hazardous waste facility. If immediate removal is not possible, the spilled material and containment products shall be stored in a manner approved by the Fire Code Official.

**13.CHAPTER 56, Explosives and Fireworks, SECTION 5601, General, SUBSECTION 5601.1.3, Fireworks.**

Strike Exception 4.

**B. THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE (IWUIC),** including Appendices, 2012 Edition, as promulgated by the International Code Council, Inc., with the following amendments:

1. **GENERAL:** Substitute the *National Electrical Code* for all reference to the *ICC Electrical Code* throughout the IWUIC.
2. **CHAPTER 4, Urban-Wildland Interface Area Requirements, SECTION 403, Access, SUBSECTION 403.2.3 Service limitations.** Amend to read:

A driveway shall serve not more than two dwelling units.

3. **CHAPTER 5, Special Building Construction Regulations, SECTION 501, General.** Strike Exceptions 1 and 2.
4. **CHAPTER 6, Fire Protection Requirements, SECTION 606, Liquefied Petroleum Gas Installations.** Add subsection:

**606.3 Underground installation.** LP-gas containers shall be installed underground within the wildland-urban interface.

**Section 7. Fire Code Official.** The “Fire Code Official” referred to by the International Fire Code, as herein adopted, is the officer charged with the implementation, administration and enforcement of such codes. The Fire Code Official is hereby defined and declared to be the Fire Chief of Jackson Hole Fire/EMS.

**Section 8. Enforcement.** It shall be the duty of the Fire Chief to enforce the provisions of this ordinance and to make inspections and test hereunder.

**Section 9. Date of Effect.** This ordinance shall take effect and be in force from and after its approval date as required by law.

A copy of said Code is on file and available in the Office of the Fire Chief.

(Ord. 1022 § 1, 2013; Ord. 885 § 1, 2008; Ord. 761 § 3, 2004; Ord. 591 § 1, 1998; Ord. 497 § 1, 1995; Ord. 446 § 1, 1992; Ord. 408 § 1, 1990; Ord. 372 § 1, 1987; Ord. 321,C § 1, 1984; Ord. 277 § 2, 1981; Ord. 272 § 2, 1981.)

**15.08.020 Priority of ordinances.**

In the event any of the adopted ordinances of the town as codified in this code as of the date of the adoption of the ordinance codified in this section conflict with any other sections of the Town of Jackson Municipal Code, the most restrictive shall comply.

(Ord. 761 § 4, 2004; Ord. 591 § 1, 1998; Ord. 497 § 1, 1995; Ord. 372 § 2, 1987.)

## Chapter 15.12 INTERNATIONAL MECHANICAL CODE

### Sections:

**15.12.010 International Mechanical Code--Adoption by reference.**

**15.12.020 Priority of ordinances.**

**15.12.030 Mechanical/Fuel Gas Permit Fees**

### **15.12.010 International Mechanical Code--Adoption by reference.**

All buildings and temporary structures built or located within the town from and after June 1, 2013 shall be constructed in accordance with the requirements of the International Mechanical Code, 2012 Edition, as published by the International Code Council, specifically excluding all appendices. The said Code is incorporated herein by reference as if the same were more fully herein set out except as follows:

1. **Section 101.1 Title** shall read, "These regulations shall be known as the Mechanical Code of the Town of Jackson, hereinafter referred to as "this code".
2. **Section 106.5.2 Fee schedule** shall read, "The fees for work shall be as adopted by the Town of Jackson in the Mechanical/Fuel Gas fee schedule.
3. **Section 106.5.3 Fee refunds** number .2 shall read "Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
4. **Section 106.5.3 Fee refunds** number .3 shall be deleted.
5. A third sentence shall be added to **Section 107.2.3 Approval** and shall read, "A re-inspection fee may 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 Building Official".
6. **Section 108.4 Violation penalties** shall read, "Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing or mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate of occupancy issued under the provisions of this code, shall, upon conviction, be punished as provided in Section 1.12.010 of the Town of Jackson Municipal Code".
7. The last sentence of **Section 108.5 Stop work orders** shall read "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall, upon conviction, be punished as provided in Section 1.12.010 of the Town of Jackson Municipal Code".
8. The first sentence of **Section 702.1** shall be revised to read, "Combustion and dilution air shall be permitted to be obtained entirely from the indoors in buildings, *other than Group R Occupancies*, that are not of unusually tight construction".

9. The first sentence of **Section 704.1** shall read, “This section shall apply only to appliances located in confined spaces in buildings, *other than Group R Occupancies*, not of unusually tight construction.”
10. A second sentence shall be added to **Section 903.3 Unvented gas log heaters** and shall read, “Unvented gas log heaters shall not be installed in residential occupancies, habitable rooms or spaces or building of unusually tight construction.”

Said code is available in the offices of the Town Clerk and the Town Building Official.

(Ord.1023 § 1, 2013; Ord. 855 § 2, 2007; Ord. 762 § 3, 2004; Ord. 603 § 1, 1998  
Ord. 494 § 1, 1995; Ord. 447 § 1, 1992; Ord. 412 § 1, 1990; Ord. 322 § 1, 1984;  
Ord. 273 § 2, 1981.)

**15.12.020 Priority of ordinances.**

In the event any of the adopted ordinances of the town as codified in this code as of the date of the adoption of the ordinance codified in this section conflict with any other sections of the Town of Jackson Municipal Code, the most restrictive shall apply.

**15.12.030 Mechanical/Fuel Gas Permit Fees**

**MECHANICAL/FUEL GAS PERMIT FEE SCHEDULE**

1	For the issuance of each permit	\$27.50
2	For issuing each supplemental permit	\$8.75
3	Install or relocate gravity/forced air furnace to 100,000 btu/h	\$17.50
4	Install or relocate gravity/forced air furnace over 100,000 btu/h	\$20.00
5	Install or relocate each floor furnace, including vent	\$16.25
6	Install or relocate suspended, recessed or floor mounted heater	\$16.25
7	Install, relocate or replace appliance vent	\$8.75
8	Repair or alter any heating, cooling, absorption or evaporative system	\$15.00
9	Install or relocate boiler or compressor to 3 hp	\$16.25
10	Install or relocate absorption system to 100,000 btu/h	\$16.25
11	Install or relocate boiler or compressor 3-15 hp	\$30.00
12	Install or relocate absorption system 100,000-500,000 btu/h	\$30.00
13	Install or relocate boiler or compressor 15-30 hp	\$41.25
14	Install or relocate absorption system 500,000-1,000,000 btu/h	\$41.25
15	Install or relocate boiler or compressor 30-50 hp	\$62.50
16	Install or relocate absorption system 1,000,000-1,750,000 btu/h	\$62.50
17	Install or relocate boiler or compressor over 50 hp	\$107.50
18	Install or relocate absorption system over 1,750,000 btu/h	\$107.50
19	Each air-handling unit up to 10,000 cfm and attached ducts	\$12.50
20	Each air-handling unit over 10,000 cfm	\$20.00
21	Each evaporative cooler other than portable type	\$12.50
22	Each ventilation fan attached to a single duct	\$8.75
23	Each ventilation system not part of heating or air conditioning system	\$12.50
24	Installation of hood system serving any mechanical exhaust, including ducts	\$12.50
25	Install or relocate domestic type incinerator	\$20.00
26	Install or relocate commercial or industrial incinerator	\$83.75
27	Install, relocate or alter any unclassified equipment	\$12.50

	<b>Inspections and Fees</b>	
28	Inspections outside normal business hours	\$62.50
29	Re-inspection fee	\$50.00
30	Inspections for which no fee is specifically indicated	\$50.00
31	Additional plan review required by changes, additions, or revisions to approved plans (minimum charge 1 hour)	\$50.00

(Ord.891 § 1, 2008; Ord. 772 § 2, 2004).

### **WAIVER OF FEES**

The Town Council may reduce, defer, or waive application fees upon request if the proposed project advances significant community goals, which include but are not limited to, the following:

3. A project that is sponsored by a governmental entity, or a project that receives public funding.
4. A project that provides extraordinary charitable, civic, educational, or similar benefits to the community.

Such requests shall be submitted, for action by the Town Council, to the Building Official within 30 days of receipt and prior to the submittal of an application. Action on all requests shall be made prior to the issuance of a mechanical permit. (Ord. 772 §3, 2004)

(Ord. 772 § 1, 2004; Ord. 762 § 4, 2004; Ord. 603 § 1, 1998; Ord. 494 § 1, 1995.; Ord. 447 § 1, 1992; Ord. 412§1, 1990; Ord. 412 § 2, 1990; Ord. 322 § 1, 1984; Ord. 273 § 2, 1981.)

**Chapter 15.14**  
**SOLID FUEL BURNING DEVICES**

**Sections:**

**15.14.010 Definitions.**

**15.14.020 Mechanical permit required--Compliance.**

**15.14.030 Approved solid fuel burning devices.**

**15.14.040 Installation guidelines.**

**15.14.010 Definitions.**

- A. "Free burning" means a condition in which the air for combustion is not capable of being regulated and is drawn from its surroundings.
- B. "Solid fuel burning device (SFBD)" means any device, including but not limited to, fireplace inserts, woodstoves of any nature, or any other controlled burning device used for the purpose of burning combustible material. This definition shall specifically exclude site built free burning masonry fireplaces and barbecue devices.
- C. "Approved SFBD" means any woodstove or fireplace insert, which, through testing by a recognized testing agency, has been found to be in compliance with the U.S. Environmental Protection Agency's Phase II Standards for particulate emissions of woodstoves.
- D. "Existing SFBD" means any solid fuel device in use prior to the adoption of this resolution. Devices, which can show compliance with EPA Phase II Standards may be considered an approved device.

(Ord. 763 § 3, 2004; Ord. 431 § 1, 1991.)

**15.14.020 Mechanical permit required--Compliance.**

No SFBD shall be installed in any structure without a mechanical permit issued by the building official. Any installation of any SFBD shall be in compliance with the adopted edition of the International Mechanical Code in effect at the time of permit application. (Ord. 763 § 4, 2004)

**15.14.030 Approved solid fuel burning devices.**

Any SFBD installed after the effective date of this chapter shall be of the approved type. No SFBD, which is not the approved type shall be sold within the town for the purpose of installation within the town or Teton County for the purpose of installation. (Ord. 763 § 5, 2004)

**15.14.040 Installation guidelines.**

All factory built chimneys and solid fuel burning devices constructed, located or placed within the Town of Jackson from and after June 15, 1992 shall be constructed, placed or built in accordance with the requirements of the manufacturers listed installation specifications.

(Ord. 763 § 6, 2004; Ord. 498 § 1, 1995; Ord. 445 § 1, 1992; Ord. 431 § 1, 1991.)

**Chapter 15.16**  
**UNSAFE BUILDINGS AND OTHER STRUCTURES**

**15.16.010**            **Adoption of Uniform Code for the Abatement of Dangerous Building by reference.**  
Repealed.

(Ord. 764 § 1, 2004)

**15.16.020**            **Penalty for noncompliance.**

Repealed.

(Ord. 764 §, 2004; Ord. 324 § 3, 1984: Ord. 324 § 2, 1984: Ord. 289 § 22, 1980: Ord. 324 § 2, 1984: Ord. 69 § 15, 1959.)

**Chapter 15.17**  
**INTERNATIONAL RESIDENTIAL CODE**

**Sections:**

**15.17.010 International Residential Code--Adoption by reference.**

**15.17.020 Priority of ordinances.**

**15.17.010 International Residential Code--Adoption by reference.**

All detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress built or located within the town from and after June 1, 2013 shall be constructed in accordance with the requirements of the International Residential Code, 2012 Edition, as published by the International Code Council, specifically **including appendix F**. The said Code is incorporated herein by reference as if the same were more fully herein set out except as follows:

1. **Section R102.7 Existing Structures.** The first sentence shall read “The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue with out change, except as is specifically covered in this code or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.”
2. A second sentence shall be added to **Section 108.2 Schedule of permit fees** that reads, “On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as set forth in the adopted Town of Jackson permit fee schedule.”
3. **Section 108.5 Refunds** shall read, “Not more than 80 percent of the permit fee paid shall be refunded when no work has been done under a permit issued in accordance with this code”.
4. **Section R112.2.2 Criteria for issuance of a variance for areas prone to flooding** shall be deleted in its entirety.
5. **Section R113.4 Violation Penalties** shall be revised to read, “Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties 1.12.010 of the Town of Jackson Municipal Code”.
6. R313 Automatic Fire Sprinkler Systems shall be revised to read: All structures, regardless of occupancy, 5,000 square feet or larger, shall be protected by an approved automatic fire sprinkler system, installed in accordance with further requirements of the IBC, IFC and/or NFPA 13, 13D or 13R, whichever applies based on type of occupancy.

For the purpose of this section, square footage calculations shall be measured from the exterior surface of framing members encompassing the perimeter of the Fire Area, from the interior surface of concrete or masonry walls that are 50 % or more below grade, and for log construction to the exterior surface of foundations or supporting elements.

For the purpose of this section, fire walls shall not define separate buildings in R-3 Occupancies permitted for constructed after September 14<sup>th</sup> 2004.

**EXCEPTIONS:**

1. Town houses as defined in the International Residential Code and agricultural buildings. Where uses other than residential occur within an agricultural building, and comprise not more than 10% of the floor area of such building, an automatic fire extinguishing system may be omitted unless otherwise required by other provisions as adopted by Teton County.
2. Buildings that are connected by passageways that are a minimum of 12ft in length and a maximum of 8ft in width shall not be required to have sprinkler protection providing all of the following conditions are met.
  - a. There is a two hour fire partition separating the passageway midway between the two structures. The wall rating shall continue from foundation to the underside of the roof sheathing and to the exterior sub-sheathing of the intersecting walls.
  - b. The door or doors shall be 90 minute fire rated, automatic-closing, and provided with hold-open devices actuated to release on detection of smoke by detectors located on each side of the door or by loss of power.
  - c. There are no openings in the roof within 4ft of the wall. The passageway roof is provided with a minimum class B covering and the roof sheathing is constructed of fire-retardant-treated wood for a distance of 4ft on both sides of the wall.
  - d. The intersecting walls are protected by one hour construction for a distance of 4ft on each side of the wall with opening fire-protection ratings of not less than 3/4 hour.
  - e. Other than sub-sheathing the wall shall be structurally independent of the construction on each side of the wall.
  - f. The square footage of the structure on each side of the wall is less than 5000 square feet.
3. Buildings permitted before October 1<sup>st</sup> 1991.

**EXCEPTION:**

Buildings permitted before October 1<sup>st</sup> 1991 with additions permitted for construction on or after that date, totaling 5000 square feet or larger, shall be required to be protected by an approved sprinkler system throughout or may have the additions only, protected by an approved sprinkler system, provided they are separated from the existing construction by a two hour fire barrier approved by the Building Official.

7. **Table R301.2(2)** shall read as follows:

Ground snow load - 93 psf  
Wind Speed - 90 mph/3sec gust  
Seismic Design Category - D  
Weathering - Severe  
Frost Line Depth - 34 inches  
Termite - None to Slight  
Winter Design Temperature -30 degrees f  
Ice Shield Underlayment Required - Yes

Flood Hazards - 1989  
Air Freezing Index - 2531  
Mean Annual Temp - 38 degrees

8. The first sentence in **Section 301.1.3 Engineered design** shall be revised to read, “All residential structures shall be designed by a civil or structural engineer licensed in the State of Wyoming.

**EXCEPTION:**

Single family residences and accessory structures which are (1) of one story; (2) are of a regular (i.e. generally square or rectangular) shape; and (3) are of 2000 square feet of floor area or less. Such structures shall be designed in accordance with generally accepted engineering practices per the International Building Code, but need not obtain the stamp or seal of a civil or structural engineer.

9. R302.2 Townhouses. The first sentence of the exception shall read: “A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall.”
10. R302.2.4 Structural independence. Exception 5 shall read: Townhouses separated by a common 2-hour fire-resistance-rated wall as provided in Section R302.2.
11. **Section R305.1 Minimum height**, Exception 2 shall be deleted in its entirety.
12. **Sections R302.6 and R309.5 Shall be revised to read: Dwelling/garage Separation required:** “The garage shall be separated from the residence and its attic area by not less than 5/8 inch Type X gypsum board applied to the garage side. The structure supporting the separation shall also be protected by not less than 5/8 inch Type X gypsum board.
13. **Section R302.7 Under stair protection** shall be revised to read, “Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with 5/8 inch gypsum board.”
14. Delete Section R313 Automatic Fire Sprinkler Systems in it’s entirety.
15. **Section R403.1.4. Minimum Depth** the first sentence shall be revised to read “Footings subject to frost shall have a minimum depth of 34 inches from finished grade to the bottom of the footing.”
16. **Section R403.1.4.1 Frost Protection.** Remove item number .2 in its entirety. Change exception 1. to read “Freestanding accessory structures with an area of 600 square feet or less and an eave height of 10 feet or less shall not be required to be protected.”
17. **Sections R403.3.** shall be replaced with the sentence reading “Frost protected shallow foundations are prohibited in R – 3 occupancies.”
18. Delete section 501.3 in it’s entirety.
19. **N1101 GENERAL.** Amend by adding the following sections.

**N1101.1.1 Special Conditions.**

1. All pools and spas shall be equipped with evaporation control covers.
2. All exterior landscape lighting shall be solar powered.
3. The first 5 feet of piping to storage water heaters shall be insulated.
4. Interior lighting fixtures shall be limited to 25% maximum use of incandescent

lighting.

5. Fenestration shall not exceed 30% of the gross floor area above grade.
6. Finished garages and accessory structures shall meet the minimum insulation requirements for Table N1101.1.1.

**Table N1101.1.1  
SIMPLIFIED PRESCRIPTIVE BUILDING ENVELOPE THERMAL COMPONENT  
CRITERIA MINIMUM REQUIREMENTS FOR THERMAL PERFORMANCE (U-  
FACTOR AND R-VALUE) FOR CONVENTIONAL WOOD FRAME STRUCTURES  
LESS THAN 5000 SQUARE FEET GROSS AREA**

BUILDING LOCATION		MINIMUM INSULATION R-VALUE							
Climate Zone	HDD	MAXIMUM GLAZING FACTOR	U-	Ceilings	Walls	Floors	Basement walls	Slab perimeter R-value and depth	Crawl space walls
7	9,000-12,999	0.32		R-49	R-20+5	R-38	-19 R	-18, 48"	R-19

When using this table the reduction of R-values listed in N1102.2.1 and N1102.2.2 shall not apply.

20. Section **N1102.1 Insulation and fenestration criteria.** Amend by adding the following: In addition to these requirements, homes with exterior log walls shall meet following requirements.

1. Logs in exterior walls shall have a minimum dimension of 8 inches and shall have all spiral cracks greater than ¼ inch sealed in an approved manner.
2. Roof insulation shall be a minimum R-49.
3. The reduction of R-values listed in N1102.2.1 and N1102.2.2 shall not apply to
4. The primary heating source shall have a minimum AFUE rating of 90.
5. Fenestration shall not exceed 25% of the gross floor area above grade.

21. Section M1501.1 The following sentence shall be added to the first paragraph “ Back draft dampers shall be installed at the duct termination. Ducts shall be installed on the warm side of the insulation from inside the building envelope to the exterior of the building.
22. Section 1502.6 Delete Exception 1 in its entirety.
23. Section **M1701.1.1 Buildings of unusually tight construction.** Amend the first sentence to read as follows: In all structures containing habitable space or unusually tight construction, combustion air shall be obtained from outside the thermal envelope.
24. Section G2406.2 (303.3) Prohibited Locations. Delete Exceptions .2, .3, and .4 in their entirety.
25. Section G2414.5.2 shall be revised to read as follows: Copper and brass tubing shall not be used for installations of gas piping systems.
26. Section G2432.1 (602.1) Amend by adding the following: Decorative appliances installed in residential occupancies shall be listed and labeled to allow for installation of glass doors and be listed and labeled to operate with the doors in the closed position.
27. Section G2433.1(603.1) Log lighters. General. Amend by adding the following sentence: All gas fired log lighters shall be provided with a listed pilot safety device installed in accordance with the manufacturer’s installation specifications.
28. Section G2445.4 (621.2) Prohibited Use shall read, “Unvented room heaters shall not be installed in dwelling units, normally occupied spaces, any area meeting the definition of unusually tight construction, and shall also comply with Section G2406.2.
29. A second sentence shall be added to Section G2445.7 Unvented log heaters and shall read, “Unvented log heaters shall not be installed in habitable rooms or spaces or any space meeting the requirements of unusually tight construction.”
30. Section P2603.5 The last sentence shall be revised to read “ Water service pipe shall be installed not less than 72 inches deep”.
31. Section P2603.6.1 shall be revised to read: “Building sewers shall be a minimum of 48 inches below grade or shall be protected from freezing in an approved manner by the administrative authority.”
32. Section P3103.1 shall be revised to read “Open vent pipes that extend through a roof shall be terminated at least 16 inches above the roof or 6 inches above the anticipated snow accumulation, whichever is greater, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet above the roof.

(Ord.1024 § 1, 2013; Ord. 856 § 2, 2007; Ord. 764 § 3, 2004.)

**15.17.020 Priority of ordinances.**

In the event any of the adopted ordinances of the town as codified in this code as of the date of the adoption of the ordinance codified in this section conflict with any other sections of the Town of Jackson Municipal Code, the most restrictive shall apply.

(Ord. 764 § 4, 2004; Ord. 591 § 1, 1998: Ord. 497 § 1, 1995: Ord. 372 § 2, 1987.)

**Chapter 15.20**  
**ELECTRICAL CODE**

**Sections:**

**15.20.10 Adoption of the National Electrical Code**

**15.20.10 Adoption of the National Electrical Code**

**A. The National Electrical Code**, including Tables, Appendices and Uniform Administrative Code Provisions, by references, 2014 Edition, NFPA 70 (a document of the National Fire Protection Association, Inc.) with the following amendments:

- 1. ARTICLE 230, Services, SECTION VI, Service Equipment – Disconnecting Means, SUBSECTION 230.7, (A), (1) Readily Accessible Location**, replace with:

The service disconnecting means of all services over 200 ampere in size shall be installed outside of the building or structure at a readily accessible location nearest the point of entrance of the service location. Feeders to other buildings or structures will require a disconnect on the exterior.

- 2. ARTICLE 250, Grounding, SECTION III, Grounding Electrode System and Grounding Electrode Conductor, SUBSECTION 250.52, (A), (3) Concrete-Encased Electrode**, Add sentence:

All services over 200 amperes in size shall have at least 20 ft in length of bare copper conductor sized in accordance with Table 250-66 installed in the foundation footers and with enough length added to connect in the main disconnect.

- 3. ARTICLE 300, Wiring Methods, SECTION I, General Requirements, SUBSECTION 300.1, Scope, SUBSECTION (A) All Wiring Installations**, Add:

All electrical wiring installed in buildings, structures or premises designed using the International Building Code located in Teton County shall be installed in accordance with the following wiring methods:

1. Article 320, Armored Cable: Type AC
2. Article 330, Metal-Clad Cable: Type MC
3. Article 332, Mineral-Insulated, Metal-Sheathed Cable: Type MI
4. Article 342, Intermediate Metal Conduit: Type IMC
5. Article 344, Rigid Metal Conduit, Type RMC
6. Article 348, Flexible Metal Conduit, Type FMC
7. Article 350, Liquid-tight Flexible Metal Conduit: Type LFMC

8. Article 358, Electrical metallic Tubing: Type EMT

**Electrical Fee Schedule**

Valuation of Electrical Work		Fee	
1.00	to	500.00	27.23
500.01	to	600.00	30.75
600.01	to	700.00	34.32
700.01	to	800.00	37.84
800.01	to	900.00	41.36
900.01	to	1,000.00	44.94
1,000.01	to	1,100.00	48.46
1,100.01	to	1,200.00	51.98
1,200.01	to	1,300.00	55.55
1,300.01	to	1,400.00	59.07
1,400.01	to	1,500.00	62.59
1,500.01	to	1,600.00	66.17
1,600.01	to	1,700.00	69.69
1,700.01	to	1,800.00	73.21
1,800.01	to	1,900.00	76.78
1,900.01	to	2,000.00	80.30
2,000.01	to	3,000.00	90.86
3,000.01	to	4,000.00	105.00
4,000.01	to	5,000.00	119.13
5,000.01	to	6,000.00	133.32
6,000.01	to	7,000.00	147.46
7,000.01	to	8,000.00	161.65
8,000.01	to	9,000.00	175.78
9,000.01	to	10,000.00	189.92
10,000.01	to	11,000.00	204.11
11,000.01	to	12,000.00	218.24
12,000.01	to	13,000.00	232.43
13,000.01	to	14,000.00	246.57
14,000.01	to	15,000.00	260.70
15,000.01	to	16,000.00	274.89
16,000.01	to	17,000.00	303.22
17,000.01	to	18,000.00	317.35
18,000.01	to	19,000.00	331.49
19,000.01	to	20,000.00	345.68
20,000.01	to	21,000.00	359.81
21,000.01	to	22,000.00	374.00
22,000.01	to	23,000.00	388.14
23,000.01	to	24,000.00	402.27
24,000.01	to	25,000.00	416.96

25,000.01 to 50,000.00	\$416.96 for the first \$25,000.00 plus \$10.62 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00.
50,000.01 to 100,000.00	\$667.70 for the first \$50,000.00 plus \$7.10 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00.
100,000.01 and up	\$1,037.08 for the \$100,000.00 plus \$5.89 for each additional \$1,000.00 or fraction thereof.

Temporary Services – a fee of \$25.00 will be charged for all temporary services to be connected.

The schedule of fees set forth above may be altered, modified or amended by resolution pursuant to the terms of Section 1.01.120 of the Municipal Code of the Town of Jackson.

(Ord. 1101 § 1, 2015; Ord. 1057 § 1, 2014; Ord. 990 § 1, 2011; Ord. 899 §1, 2008; Ord. 886 §1, 2008; Ord. 803 §1, 2005; Ord. 706 §1, 2002, Ord. 633 §1, 2000; Ord. 413 §1, 1990; Ord. 325 §1, 1984; Ord. 313 §2, 1983.)

**Chapter 15.24**  
**INTERNATIONAL PLUMBING CODE**

**Sections:**

**15.24.010 Adoption of International Plumbing Code by reference.**

**15.24.020 Priority of Ordinances**

**15.24.030 Plumbing/Fuel Gas Permit Fees**

**15.24.010 Adoption of International Plumbing Code by reference.**

All buildings and temporary structures built or located within the town from and after June 1, 2013 shall be constructed in accordance with the requirements of the International Plumbing Code, 2012 Edition, as published by the International Code Council, specifically **excluding** all appendices. The said Code is incorporated herein by reference as if the same were more fully herein set out except as follows:

1. Section 106.6.2 **Fee Schedule** shall read, “The fees for work shall be paid as required in the adopted Town of Jackson plumbing fee schedule.”
2. Section 106.6.3 **Fee refunds** number .2 shall read, “Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Section 106.6.3 **Fee refunds** number 3 shall be deleted.
4. Section 108.4 **Violation penalties** shall read, “Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate of occupancy issued under the provisions of this code, shall, upon conviction, be punished as provided in Section 1.12.010 of the Town of Jackson Municipal Code.
5. The last sentence of Section 108.5 **Stop work orders** shall read, “Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall, upon conviction, be punished as provided in Section 1.12.010 of the Town of Jackson Municipal Code”.
6. The last sentence of Section 305.4 **Freezing** shall read, “Exterior water supply system piping shall be installed not less than 6 feet below grade.”
7. Section 305.4.1 **Sewer depth** shall read “Building sewers shall be a minimum of 48 inches below grade or shall be protected from freezing in an approved manner by the administrative authority.”
8. Section 413 **Commercial Food Waste Grinder Units** shall have an additional section 413.1.1 **Prohibited Installations** added which shall read, “Food waste grinder units shall not be installed in commercial kitchens unless connected to an approved grease interceptor with a minimum liquid capacity of 750 gallons.”
9. Section 608.16.4 Connection to automatic fire sprinkler systems and standpipe systems shall read, “The potable water supply to automatic fire sprinkler and standpipe systems shall be protected against backflow by a reduced pressure principle backflow preventer.

10. Section 904.1 Roof vent extension shall read, “All open vent pipes that extend through a roof shall be terminated at least 16 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet above the roof.”
11. **903.2 Frost closure.** Amend the first sentence to read: Every vent extension through a roof or wall shall be a minimum of 3 inches in diameter.
12. Section 1003.3 Grease interceptors shall read, “Grease interceptors shall be approved by the Building Official and shall comply with the requirements of Sections 1003.3.1 through 1003.3.5. Interior grease interceptors shall be provided with a solids interceptor that shall separate the discharge before connecting to the interior grease interceptor.”
12. Section 1003.3.2 Food Waste Grinders shall be amended to read, “*Food waste grinders shall not be connected to a grease interceptor with a liquid capacity of less than 750 gallons. Emulsifiers, chemicals, enzymes and bacteria shall not discharge into the food waste grinder.*”
13. An additional Section 1003.3.6 Grease Interceptor Sizing shall be added which shall read, “Grease interceptors for commercial kitchens shall be sized in accordance with the following:”

## **DESIGN, CONSTRUCTION AND INSTALLATION OF COMMERCIAL KITCHEN GREASE INTERCEPTORS**

### **H 101.0 GENERAL**

The provisions of this appendix shall apply to the design, construction, installation, and testing of commercial kitchen grease interceptors.

### **H 102.0 WASTE DISCHARGE REQUIREMENTS**

H 102.1 Waste discharge from fixtures and equipment in establishments which may contain grease, including but not limited to, scullery sinks, Pot and pan sinks, dishwashing machines, soup kettles and floor drains located in areas where grease-containing materials may exist, may be drained into the sanitary waste through the interceptor when approved by the Administrative Authority.

H 102.2 Toilets, urinals, and other similar fixtures shall not drain through the interceptor.

H 102.3 All waste shall enter the interceptor through the inlet pipe only.

### **H 103.0 DESIGN**

H 103.1 Interceptors shall be constructed in accordance with the design approved by the Administrative Authority and shall have a minimum of two compartments with fittings designed for grease retention.

H 103.2 There shall be an adequate number of manholes to provide access for cleaning all areas of an interceptor; a minimum of one (1) per ten (10) feet (3048 mm) of interceptor length. Manhole covers shall be gastight in construction having a minimum opening dimension of twenty (20) inches (508mm).

H 103.3 In areas where traffic may exist the interceptor shall be designed to have adequate reinforcement and cover.

## **H 104.0 LOCATION**

H 104.1 Each grease interceptor shall be so installed and connected that it shall be at all times easily accessible for inspection, cleaning, and removal of the intercepted grease. A grease interceptor may not be installed in any part of a building where food is handled. Location of the grease interceptor shall meet the approval of the Administrative Authority.

H 104.2 Interceptors shall be placed as close as practical to the fixtures it serves.

H 104.3 Each business establishment for which a grease interceptor is required shall have an interceptor, which shall serve only that establishment.

## **H 105.0 CONSTRUCTION REQUIREMENTS**

H 105.1.0 PURPOSE Grease interceptors shall be designed to remove grease from effluent, and shall be sized in accordance with this appendix. Grease interceptors shall also be designed to retain grease until accumulations can be removed by pumping the interceptor. It is recommended that a sample box be located at the outlet end of all grease interceptors so that the Administrative Authority can periodically sample effluent quality.

H 105.2.0 DIMENSION AND TOLERANCE REQUIREMENTS Drawings shall be complete and shall show all dimensions, capacities, reinforcing, and structural design calculations.

H 105.2.2 Grease interceptors shall have two (2) compartments. The inlet compartment shall be two-thirds ( $2/3$ ) of the total capacity of the interceptor, shall have a minimum liquid volume of three hundred thirty three (333) gallons (1260 L) and in all cases shall be longer than the maximum inside width of the interceptor. The outlet compartment shall have minimum capacity of one-third ( $1/3$ ) of the total interceptor capacity. The liquid depth shall not be less than two feet six inches (2'6") (362 mm) nor more than six feet (6') (1829 mm).

H 105.2.3 All grease interceptors shall have at least one (1) square foot (0.09 m<sup>2</sup>) of surface area for every forty-five (45) gallons (170 L) of liquid capacity.

H 105.2.4 Access to each grease interceptor shall be provided by a manhole over the inlet and a manhole over the outlet. There shall also be an access manhole for each ten (10) feet (3048 mm) of length for interceptors over twenty (20) feet (6096 mm) long. Each such access opening shall have a leak-resistant closure (i.e., lid) that cannot slide, rotate or flip, exposing the opening when properly installed and which does not require the use of mechanical fasteners. Note: The intention is that a child-resistant lid be provided. Mechanical fasteners are recommended to augment the safety of and ensure positive closure of the lid. Manholes shall extend to grade, have a minimum size of 20"x20" square (508mm x 508 mm), and shall have a gasket cover at grade.

H 105.2.5 The inlet and outlet shall have a baffle tee or similar flow device with a minimum cross sectional area equal to the required cross sectional area of the inlet. Each baffle shall extend from at least four (4) inches (102 mm) above the liquid level to within at least twelve (12) inches (305 mm) of the inside floor of the interceptor.

H 105.2.6 Adequate partitions or baffles of sound durable material shall be constructed between compartments of the grease interceptor and shall extend at least six (6) inches (152 mm) above the liquid level. Flow from inlet compartment to outlet compartment shall be through a quarter bend, or similar device equivalent in cross sectional area to the inlet into the interceptor, and shall extend down to within twelve (12) inches (305 mm) of the inside floor. Wooden baffles are prohibited.

H 105.2.7 Inlet, outlet and main baffle shall have a free vent area equal to the required cross sectional area of the inlet pipe.

H 105.2.8 The inside cover of the grease interceptor shall be minimum of nine (9) inches (229 mm) above the liquid level over the entire surface area of the interceptor. The airspace shall have a minimum capacity equal to 12-1/2% of the grease interceptor's liquid volume.

### H 105.3.0 **STRUCTURAL REQUIREMENTS**

H 105.3.1 Grease interceptors shall be designed to withstand all anticipated loads.

H 105.3.2 Grease interceptors and covers shall be designed for an earth load of not less than five hundred (500) pounds per square foot (24 kPa) when the maximum coverage does not exceed three (3) feet (914 mm). Each interceptor and cover shall be structurally designed to withstand all anticipated earth or other loads and to be installed level and on a solid bed. Wood covers are prohibited. Grease interceptors for installation in traffic areas shall be designed to withstand an AASHTO H20-44 wheel load, an additional three (3) foot (914 mm) earth load with an assumed soil weight of one hundred (100) pound per square foot (4.8 kPa), and thirty (30) pounds per square foot (1.4 kPa) fluid equivalent sidewall pressure.

H 105.3.3 Independent laboratory tests and engineering calculations certifying the grease interceptor capacity and structural stability shall be provided.

H 105.4.0 Material requirements

H 105.4.1 Concrete shall have a minimum compressive strength of four thousand (4000) pounds per square inch (27579 kPa).

Specification for Fly Ash and Raw or Calcined Natural Pozzolan for use as a Mineral Admixture in Portland Cement Concrete.

H 105.4.2 Walls shall have a thickness of at least three (3) inches (76mm), except where engineering analysis and production methods can justify a lesser thickness.

H 105.4.3 The minimum area of steel reinforcement (in both directions) of the structural elements shall be 0.0015 times the gross cross-sectional area of the reinforced section, if of bars; and not less than three fourths (3/4) as much if of welded wire fabric. All reinforcement shall be protected with a minimum of one (1) inch (25.4 mm) of concrete and shall comply with ASTM A 185-85, Specification for Steel Welded Wire Fabric, Plain for Concrete Reinforcement and ASTM A 165, Specification for Deformed and Plain Billet-Steel Bars for Concrete Reinforcement. Tanks shall be of sufficient strength to resist stresses caused during handling and installation without structural cracking.

H 105.4.4. If repairs are necessary, they shall be carried out in accordance with the established practices of the manufacturer in a manner that insures that the repaired interceptor meets the requirements of this appendix.

H 105.5.1 Steel. Steel grease interceptors shall comply with the requirements for steel septic tanks in Section 4 of PS 1.

H 105.6.1 Fiberglass reinforced polyester

Fiberglass reinforced polyester grease interceptors shall comply with the requirements for fiberglass reinforced polyester septic tanks in Section 4 of PS 1.

H 105.6.2 Polyethylene. Polyethylene grease interceptors shall comply with the requirements for polyethylene septic tanks in Section 4 of PS 1.

H 105.7.0 Water tight testing

H 105.7.1 Water testing. A sampling from each manufacturer’s production run shall be water tested. One sample shall be tested for each size interceptor manufactured. Sample interceptors shall be assembled per manufacture’s instructions, set level, and water raised to the flow-line of the outlet fitting. Interceptors shall show no leakage from section seams, pinholes, or other imperfections. Any leakage is cause for rejection. When leakage occurs additional water testing shall be made from new samples after correcting measures in production or installation have been completed. Test reports shall show total number of interceptors tested, number passing, number failing, location and cause of leakage. When leakage occurs corrective measures taken shall be reported.

H 105.8.0 Marking and Identification

H 105.8.1 Grease interceptors shall be permanently and legibly marked with the following:

- (1) Manufacturer’s name of trademark.
- (2) Model number.
- (3) Any other marking required by law.

**H 106.0 SIZING CRITERIA**

H 106.1 Parameters. The parameters for sizing a grease interceptor are hydraulic loading and grease storage capacity, for one or more fixtures.

H 106.2 Sizing formula. The size of the interceptor shall be determined by using the method outlined in Table H-1.

**H 107.0 EFFLUENT SAMPLING.** The Administrative Authority may require an effluent sampling box on grease interceptors.

Sizing of Grease Interceptors

$$\begin{matrix} \text{Number of meals} & \text{Waste Flow} & \text{Retention} & \text{storage} & \text{Interceptor Size} \\ \text{Per peak hour 1} & \times \text{ Rate}^2 & \times \text{ time}^3 & \times \text{ factor}^4 & = \text{ (liquid capacity)} \end{matrix}$$

1. Meals Served at Peak Hour

2. Waste Flow Rate

- a. With dishwashing machine .....6 gallon (22.7L) flow
- b. Without dishwashing machine .....5 gallon (18.9 L) flow
- c. Single service kitchen\*..... 2 gallon (7.6 L) flow

- d. Food waste disposer.....1 gallon (3.8 L) flow
- 3. Retention Times
  - Commercial kitchen waste Dishwasher .....2.5 hours
  - Single-Service Kitchen\*
    - Single-serving.....1.5 hours
- 4. Storage Factors
  - Fully equipped commercial kitchen .....8-hour operation: 1
    - .....16-hour operation: 2
    - .....24-hour operation: 3
  - Single-Service Kitchen\*.....1.5

\*Single service kitchen - paper service only; no food preparation

14. Section 1106.1 General. Amended to read as follows: The sizing requirements for this section shall be based upon the annual rainfall rate of 1.8 inches.

(Ord. 1025 § 1, 2013; Ord. 857 § 2, 2007; Ord. 765 § 3, 2004; Ord. 602 § 1, 1998; Ord. 495 § 1, 1995; Ord. 448 § 1, 1992; Ord. 407 § 1, 1990; Ord. 323 § 1, 1984; Ord. 274 § 1, 1981; Ord. 64 § 1, 1958.)

**15.24.020 Priority of ordinances.**

In the event any of the adopted ordinances of the town as codified in this code as of the date of the adoption of the ordinance codified in this section conflict with any other sections of the Town of Jackson Municipal Code, the most restrictive shall apply. (Ord. 765 § 3, 2004.)

**15.24.030 Plumbing/Fuel Gas Permit Fees**

**PLUMBING PERMIT FEE SCHEDULE**

	<b>Description</b>	<b>Number</b>	<b>Fee</b>	<b>Amount</b>
1	For issuing each permit		\$25.00	
2	For each plumbing fixture on one trap or set of fixtures on one trap (including water, drainage piping and backflow protection)		\$8.75	
3	For each building sewer and trailer park sewer		\$18.75	
4	Rainwater systems – per drain (inside building)		\$8.75	
5	For each water heater and/or vent		\$8.75	
6	For each gas-piping system of one to five outlets		\$6.25	
7	For each additional gas-piping system outlet, per outlet		\$1.25	
8	For each industrial waste pretreatment interceptor including its trap and vent, excepting kitchen type grease interceptors functioning as fixture traps		\$8.75	
9	For each installation, alteration or repair of water piping and/or water treating equipment, each fixture		\$8.75	
10	For each repair or alteration of drainage or vent piping, each fixture		\$8.75	
11	For each lawn sprinkler system on any one meter including backflow protection devices		\$8.75	
12	For atmospheric-type vacuum breakers not included in Item #10: 1 to 5 each over 5 each		\$6.25 \$1.25	
13	For each backflow protective device, other than atmospheric-type vacuum breakers: 2 inch diameter and smaller over 2 inches in diameter		\$8.75 \$18.75	
	<b>Inspections and Fees</b>			
14	Inspections outside normal business hours		\$62.50	
15	Re-inspection fee		\$50.00	
16	Inspections for which no fee is specifically indicated		\$50.00	
17	Additional plan review required by changes, additions, or revisions to approved plans (minimum charge 1 hour)		\$50.00	

(Ord. 892 § 1, 2008; Ord. 771 § 2, 2004)

## **WAIVER OF FEES**

The Town Council may reduce, defer, or waive application fees upon request if the proposed project advances significant community goals, which include but are not limited to, the following:

1. A project that is sponsored by a governmental entity, or a project that receives public funding.
2. A project that provides extraordinary charitable, civic, educational, or similar benefits to the community.

Such requests shall be submitted, for action by the Town Council, to the Building Official within 30 days of receipt and prior to the submittal of an application. Action on all requests shall be made prior to the issuance of plumbing permit. (Ordinance 771 §3, 2004)

(Ord 772 § 1, 2004; Ord 765 § 3, 2004; Ord 701 § 2, 2002; Ord. 24, 1930)

**Chapter 15.26**  
**ENERGY EFFICIENCY CODE**

**Sections:**

**15.26.010 Adoption of the Wyoming State Energy Efficiency Code by reference.**

Repealed. (Ord 766 § 1, 2004)

**15.26.010 Adoption of the Wyoming State Energy Efficiency Code by reference.**

All new and renovated public buildings and new residential buildings constructed or located within the town, from and after January 15, 1984, shall be constructed or built in accordance with the requirements of the revised July 1, 1980 edition of the Wyoming State Energy Efficiency Code for New and Renovated Public Buildings and New Residential Buildings published by the Wyoming State Energy Conservation Office.

Repealed. (Ord 766 § 1, 2004; Ord. 315 § 1, 1984.)

**Chapter 15.27**  
**INTERNATIONAL FUEL GAS CODE**

**Sections:**

**15.27.010 International Fuel Gas Code - Adoption by reference.**

**15.27.020 Priority of Ordinances**

**15.27.010 International Fuel Gas Code-- Adoption by reference.**

All buildings and temporary structures built or located within the town from and after June 1, 2013 shall be constructed in accordance with the requirements of the International Fuel Gas Code, 2012 Edition, as published by the International Code Council, specifically **excluding** all appendices. The said Code is incorporated herein by reference as if the same were more fully herein set out except as follows:

1. **Section 101.1 Title** shall read, “These regulations shall be known as the Fuel Gas Code of the Town of Jackson, hereinafter referred to as “this code”.
2. **Section 106.6.2 Fee Schedule** shall read, “The fees for work shall be as indicated in the adopted Town of Jackson Mechanical/Plumbing permit schedule.”
3. **Section 106.6.3 Fee Refunds** number .2 shall read “Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. Number 3 shall be deleted.
4. A third sentence shall be added to **Section 107.2.3 re-inspection and testing** and shall read, “A re-inspection fee may 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 Building Official”.
5. **Section 108.4 Violation Penalties** shall read “Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing or mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate of occupancy issued under the provisions of this code, shall, upon conviction, be punished as provided in Section 1.12.010 of the Town of Jackson Municipal Code”.
6. The last sentence of **Section 108.5 Stop Work Orders** shall read “Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall, upon conviction, be punished as provided in Section 1.12.010 of the Town of Jackson Municipal Code”.
7. **Section 303.3 Prohibited Locations** Exception Number 2, 3, and 4 shall be deleted.
8. **Section 403.4.3 Copper and Brass** shall be revised to read “Copper piping shall not be used for natural gas piping.”
9. **Section 602.1** Amend by adding the following: Decorative appliances installed in residential occupancies shall be listed and labeled to allow for installation of glass doors and be listed and labeled to operate with the doors in the closed position.

10. **Section 603.1 Log Lighters** shall have the following sentence added “All gas fired log lighters shall be provided with a listed pilot safety device installed in accordance with the manufacturer’s installation requirements.”
11. **Unvented Room Heaters Section 621.2 Prohibited Use** shall be deleted.
12. **Section 621.4 Prohibited Locations** shall read, “Unvented room heaters shall not be installed in residential occupancies, habitable rooms or spaces, or building of unusually tight construction.”
13. **Section 621.7 Unvented decorative room heaters.** Revise to read as follows: An unvented decorative room heater shall not be installed in a factory-built fireplace unless the fireplace system has been specifically tested, listed and labeled for such use in accordance with UL 127 and Section 602.
14. **Section 621.7.1 Ventless firebox enclosures** shall be deleted in its entirety.

(Ord.1026 § 1, 2013; Ord. 858 § 2, 2007; Ord. 766 § 1, 2004.)

**15.27.020 Priority of ordinances.**

In the event any of the adopted ordinances of the town as codified in this code as of the date of the adoption of the ordinance codified in this section conflict with any other sections of the Town of Jackson Municipal Code, the most restrictive shall apply.

(Ord. 766 § 1, 2004)

**Chapter 15.28**  
**SIGNS**

**Sections:**

**15.28.010 Purpose and authority. (Repealed Ord. 774)**

**15.28.020 Short title--Citation. (Repealed Ord. 774)**

**15.28.010 Purpose and authority.**

The purpose of the ordinance codified in this chapter is to establish standards for the fabrication, erection and use of signs, symbols, markings and advertising devices within the town. These standards are designed to protect and promote the public welfare, health and safety of persons within the community and to aid in the development and promotion of business and industry by providing sign regulations which encourage aesthetic creativity, effectiveness and flexibility in the design and use of such devices without creating detriment to the general public and is adopted in accordance with that authority granted in Sections 15-1-103(a)(xiii) and 15-1-601, Wyoming Statutes (1977) and the general police powers of the town.

Repealed. (Ord. 774 § 1, 2004; Ord. 336 § 2 (part), 1985.)

**15.28.020 Short title--Citation.**

This chapter shall be known as the "sign code" of the town and may be so cited and pleaded and shall be referred to herein as the code.

Repealed. (Ord 774 § 1, 2004; Ord. 336 § 2 (part), 1985.)

**Chapter 15.30**  
**FLOOD DAMAGE PREVENTION**

**Sections:**

- 15.30.010 Findings of fact.**
- 15.30.020 Statement of purpose.**
- 15.30.030 Methods of reducing flood losses.**
- 15.30.040 Definitions.**
- 15.30.050 Land to which this chapter applies.**
- 15.30.060 Basis for establishing the areas of special flood hazard.**
- 15.30.070 Compliance.**
- 15.30.080 Abrogation and greater restrictions.**
- 15.30.090 Interpretation.**
- 15.30.100 Warning and disclaimer of liability.**
- 15.30.110 Establishment of development permit.**
- 15.30.120 Designation of the administrator.**
- 15.30.130 Duties and responsibilities of the Town Administrator.**
- 15.30.140 Variance procedure.**
- 15.30.150 Provisions for flood hazard reduction.**
- 15.30.160 Specific standards.**
- 15.30.170 Floodways.**

**15.30.010 Findings of fact.**

- A. The flood hazard areas of the Town are subject to periodic inundation which results in threats to loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- B. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from damage also contribute to the flood loss.

**15.30.020 Statement of purpose.**

The purpose of this chapter is to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to accomplish the following:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;

- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas:
- G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. Ensure that those who occupy the areas of special flood hazards assume responsibility for their actions.

**15.30.030 Methods of reducing flood losses.**

In order to accomplish the purposes of this chapter, methods and provisions for accomplishing the following shall be adopted:

- A. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

**15.30.040 Definitions.**

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common use and to give this chapter its most reasonable application.

- “**Alluvial fan flooding**” means flooding occurring on the surface of an alluvial fan or similar landform, which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.
- “**Apex**” means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
- “**Appeal**” means a request for a review of the Floodplain Administrator’s interpretation of any provisions of this chapter or a request for a Variance.
- “**Area of shallow flooding**” means a designated AO, AH or VO zone on a community’s Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity follow may be evident. Such flooding is characterized by ponding or sheet flow.

- **"Area of special flood hazard"** means the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year.
- **"Base flood"** means the flood having a one-percent chance of being equaled or exceeded in any given year.
- **"Basement"** means the lowest level of a building which must be located with the floor above the one-hundred-year flood elevation. This does not include areas used exclusively for parking of vehicles, limited storage or building access which meet the FEMA requirements as contained in 44 CFR 60.3.
- **"Critical Feature"** means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- **"Development"** means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.
- **"Elevated building"** means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, Ah, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings, sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.
- **"Existing construction"** means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."
- **"Existing manufactured home park or subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

- **“Expansion to an existing manufactured home park or subdivision”** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- **"Flood" or "flooding"** means a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland or tidal waters, or (2) the unusual and rapid accumulation or runoff of surface waters from any source.
- **"Flood Insurance Rate Map (FIRM)"** means the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- **"Flood Insurance Study"** means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Boundary-Floodway Map and the water surface elevation of the base flood.
- **“Floodplain or Flood-Prone Area”** means any land area susceptible to being inundated by water from any source (see definition of flooding).
- **“Floodplain Management”** means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.
- **“Floodplain Management Regulations”** means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- **“Flood Protection System”** means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
- **“Flood Proofing”** means any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- **"Floodway (Regulatory Floodway)"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without

cumulatively increasing the water surface elevation more than one foot above base flood elevation.

- **“Functionally Dependent Use”** means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- **“Highest Adjacent Grade”** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- **“Historic Structure”** means any structure that is:
  1. Listed individually in the National Register of Historic Places (a listing maintained by The Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
  2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
  4. Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
    - a) by an approved state program as determined by the Secretary of the Interior or;
    - b) directly by the Secretary of the Interior in states without approved programs.
- **“Levee”** means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
- **“Levee System”** - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
- **"Lowest floor"** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor;

provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

- **“Manufactured Home”** - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".
- **“Manufactured Home park or Subdivision”** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- **“Mean sea level”** means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
- **"New construction"** means structures for which the "start of construction" commenced on or after the effective date of this chapter and includes any subsequent improvements to such structures.
- **“New manufactured home park or subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- **“Recreational vehicle”** means a vehicle which is:
  1. built on a single chassis;
  2. 400 square feet or less when measured at the largest horizontal projections;
  3. designed to be self-propelled or permanently towable by a light duty truck; and
  4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- **"Start of construction"** means the date a building permit is issued, provided the actual start of construction, substantial improvement, repair, reconstruction, placement or other improvement is within one hundred eighty days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it

include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

- **"Structure"** means a walled and roofed building or manufactured home that is principally above ground.
- **"Substantial damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- **"Substantial improvement"** means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either: (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored. For the purpose of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either: (1) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

- **"Variance"** means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.
- **"Violation"** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.
- **"Water Surface Elevation"** means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Ord. 1091 §1, 2015)

#### **15.30.050 Land to which this chapter applies.**

This chapter shall apply to all areas of special flood hazards within the jurisdiction of the Town.

#### **15.30.060 Basis for establishing the areas of special flood hazard.**

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled The Flood Insurance Study for Teton County and Incorporated Areas, dated September 16, 2015, with an accompanying Flood Insurance Rate

Map (FIRM) are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and FIRM are on file at the office of the Town of Jackson Planning & Building Office, 150 East Pearl Avenue, Jackson, Wyoming. (Ord. 1091 §1, 2015; Ord. 970 §1, 2010)

**15.30.070 Compliance.**

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations.

**15.30.080 Abrogation and greater restrictions.**

This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. Where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**15.30.090 Interpretation.**

In the interpretation and application of this chapter all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under Wyoming State Statutes.

**15.30.100 Warning and disclaimer of liability.**

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the Town of Jackson, any officer or employee thereof, or the Federal Emergency Management Agency for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

**15.30.110 Establishment of development permit.**

- A. A development permit or a building permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 15.30.060.
- B. Application for a development permit or a building permit shall be made on forms furnished by the Town Administrator or his designee and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:
  - 1. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;
  - 2. Elevation in relation to mean sea level to which any structure has been floodproofed;

3. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 15.30.160B of this chapter; and
4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

**15.30.120 Designation of the administrator.**

The Town Administrator is appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

**15.30.130 Duties and responsibilities of the Town Administrator.**

Duties of the Town Administrator or his/her designee shall include, but not be limited to the following:

A. Development Review.

1. Review all development permit applications to determine that the permit requirements of this chapter have been satisfied.
2. Review all development permit applications to determine that all necessary permits have been obtained from federal, state or local governmental agencies from which prior approval is required.
3. Review all development permit applications to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 15.30.170A are met.
4. Review all development permit applications to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.

B. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 15.30.060 of this chapter, the Town Administrator shall obtain, review and reasonably use any base flood elevation and floodway data available from any federal, state or other source as criteria for requiring that new construction, substantial improvements or other development in Zone A are administered in accordance with Section 15.30.160 of this chapter.

C. Information to be Obtained and Maintained.

1. Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
2. For all new or substantially improved floodproofed structures:

- a. Verify and record the actual elevation (in relation to mean sea level) to which the structure has been floodproofed:
  - b. Maintain the floodproofing certifications required in Section 15.30.110B3 of this chapter.
3. Maintain for public inspection all records pertaining to the provisions of this chapter.
- D. Alteration of Watercourses.
1. Notify adjacent communities and the Wyoming Office of Homeland Security prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency. (Ord. 1091 §1, 2015; Ord. 830 §2, 2006; Ord. 392 §1, 1989.)
  2. Require that maintenance is provided within the altered or relocated portion of said watercourse so that flood-carrying capacity is not diminished.
- E. Interpretation of FIRM Boundaries. Make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 15.30.140 of this chapter.
- F. When a regulatory floodway has not been designated, the administrator or his/her designee must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

**15.30.140 Variance procedure.**

- A. Appeal Board.
1. The Town Board of Adjustment, as established by the Town, shall hear and decide appeals and requests for Variances from the requirements of this chapter.
  2. The Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the Town Administrator or his designee in the enforcement or administration of this chapter.
  3. Those aggrieved by the decision of the Board of Adjustment or any taxpayer, may appeal such decisions to the 9th Judicial District Court as provided by Wyoming Statutes.
  4. In passing upon such applications, the Board of Adjustment shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter and:
    - a. The danger that materials may be swept onto other lands to the injury of others;

- b. The danger to life and property due to flooding or erosion damage;
  - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;
  - d. The importance of the services provided by the proposed facility to the community;
  - e. The necessity to the facility of a waterfront location, where applicable;
  - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - g. The compatibility of the proposed use with the existing and anticipated development;
  - h. The relationship of the proposed use to the comprehensive plan and flood damage prevention for that area;
  - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - j. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets and bridges.
5. Upon consideration of the factors of subdivision 4 of this subsection, and the purposes of this chapter, the Board of Adjustment may attach such conditions to the granting of Variances as it deems necessary to further the purposes of this chapter.
  6. The Town Administrator or his designee shall maintain the records of all appeal actions, including technical information, and report any Variances to the Federal Emergency Management Agency.
- B. Conditions for Variances.
1. Generally, Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to a and surrounded by lots with existing structures constructed below the base level, providing paragraphs a through k of subdivision 4 of subsection A of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justifications required for issuing the variance increases.
  2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the rest of this section.

3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the Variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon the following:
  - a. A showing of good and sufficient cause;
  - b. A determination that failure to grant the Variance would result in exceptional hardship to the applicant; and
  - c. A determination that the granting of a Variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in subdivision 4 of subsection A of this section or conflict with existing local laws or ordinances.
6. Any applicant to whom a Variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk from the reduced lowest floor elevation.
7. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the Variance is the minimum necessary to preserve the historic character and design of the structure.
8. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
  - a. The criteria outlined in Section 15.30.140 are met, and
  - b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

**15.30.150 Provisions for flood hazard reduction.**

**A. General Standards.**

1. In all areas of special flood hazards, the standards set out in this section are required:

**B. Anchoring.**

1. All new construction and substantial improvements shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure and capable of resisting the hydrostatic and hydrodynamic loads, including the effects of buoyancy as projected by a Wyoming registered engineer.

2. All manufactured homes must be elevated and adequately anchored to resist flotation, collapse or lateral movement and be capable of resisting the hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces. Specific requirements may be:
  - a. Over-the-top ties be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations, with manufactured homes less than fifty feet long requiring one additional tie per side;
  - b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with manufactured homes less than fifty feet long requiring four additional ties per side;
  - c. All components of the anchoring system be capable of carrying a force of four thousand eight hundred pounds; and
  - d. Any additions to the manufactured home must be similarly anchored.

C. Construction Materials and Methods.

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
3. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

D. Utilities.

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and
3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

E. Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage;
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
4. Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least fifty lots or five acres, (whichever is less).

**15.30.160 Specific standards.**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 15.30.060, or Section 15.30.130B, the following provisions are required:

**A. Residential Construction.**

1. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated one foot above the base flood elevation.

**B. Nonresidential Construction.** New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated one foot above the level of the base flood elevation or, together with attendant utility and sanitary facilities, shall:

1. Be flood-proofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this paragraph. Such certifications shall be provided to the official as set forth in Section 15.30.130C2.

**C. Manufactured Homes.**

1. Manufactured homes shall be anchored in accordance with Section 15.30.150B2.
2. All new manufactured homes or those to be substantially improved shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is one foot above the base flood elevation and is securely anchored to an adequately anchored foundation system.

**D. Enclosures - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:**

- a) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

- b) The bottom of all openings shall be no higher than one foot above grade.
- c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

E. **Recreational Vehicles** - Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:

- a) be on the site for fewer than 180 consecutive days,
- b) be fully licensed and ready for highway use, or
- c) meet the permit requirements of Article 4, Section C(1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

F. Standards for below grade crawlspaces in Special Flood Hazard areas.

The interior grade of a below grade crawlspace may be constructed below an elevation equal to the base flood elevation plus one foot provided:

1. That the interior grade of the crawlspace is no lower than two feet below the lowest adjacent exterior grade.
2. The height of the crawlspace measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four feet at any point.
3. There must be an adequate drainage system that removes floodwaters from the interior of the crawlspace.
4. That the building must be designed and adequately anchored to resist flotation, collapse and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
5. That the portions of the building below the base flood elevation (BFE) must be constructed with materials resistant to flood damage.
6. Those portions of the building below the BFE must be constructed by methods and practices that minimize flood damages.
7. That electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities constructed are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
8. That the areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

**15.30.170 Floodways.**

Located within areas of special flood hazard established in Section 15.30.060 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- B. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 15.30.150.

(Ord. 830 §2, 2006; Ord. 686 §1, 2001; Ord. 393 §1, 1989; Ord. 392 §1, 1989.)

## **Chapter 15.32**

### **MUNICIPAL CAPITAL CONSTRUCTION PROJECTS**

#### **Sections:**

##### **15.32.010 Definitions**

##### **15.32.020 Standard design process.**

##### **15.32.030 Design consultant selection process.**

##### **15.32.040 Contracts for public improvements.**

##### **15.32.050 Conflict of interest.**

#### **15.32.010 Definitions**

For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- A. 'Major municipal capital improvement project' is any capital project which is in whole or part funded by the town and the total cost of which is estimated to exceed \$100,000 (the threshold currently set forth in Sub-section 9-2-1031(b) of the Wyoming Statutes).
- B. 'Design consultant' shall mean an individual or firm engaged in the practice of architecture or landscape architecture pursuant to Sections 33-4-101 through 33-4-115 of the Wyoming Statutes or engaged in the practice of engineering or land surveying pursuant to Sections 33-29-114 through 33-29-139 of the Wyoming Statutes.

#### **15.32.020 Standard design process.**

There shall be a standard design process utilized by the town for all major municipal capital improvement projects. This process shall be set forth in and adopted by resolution of the town council. Said process may be amended by further resolution adopted by the town council. Other municipal capital improvement projects not meeting the threshold set forth in Sub-section 15.32.010A of this chapter are not required to utilize the standard design process but may do so if the project is deemed to be of high visibility or sensitivity to the community. Should a major municipal capital improvement project be subject to a conditional use permit approval process, said process shall substitute for the required standard design process. (Resolution 99-06)

#### **15.32.030 Design consultant selection process.**

For all major municipal capital improvement projects and for those other municipal capital improvement projects for which the estimated design consultant fee is in excess of \$25,000 (the threshold currently set forth in Sub-section 9-2-1031(b) of the Wyoming Statutes) for which the town elects to utilize a design consultant, the town shall also utilize a formal design consultant selection process. Said process shall at a minimum comport with the State of Wyoming 'Professional Architectural, Engineering and Land Surveying Services Procurement Act' (Wyoming Statutes 9-2-1027 through 9-2-1033). The process utilized by the town shall be set forth in and adopted by resolution of the town council. Said process may be amended by further

resolution adopted by the town council. Other municipal capital improvement projects not meeting the thresholds set forth in Sub-section 9-2-1031(b) of the Wyoming Statutes are not required to follow the full design consultant selection process but may follow an abbreviated process comporting with Sub-sections 9-2-1031(a), (c), and (d) of the Wyoming Statutes. (Resolution 99-05)

**15.32.040 Contracts for public improvements.**

All contracts for any type of public improvement, excluding contracts for professional services, shall be advertised for bid if the cost exceeds the threshold set forth in Sub-section 15-1-113(a) of the Wyoming Statutes. The procedures utilized by the town in letting contracts for public improvements shall at a minimum comport with Section 15-1-113 and Sections 16-6-101 through 16-6-119 of the Wyoming Statutes.

**15.32.050 Conflict of interest.**

For the purposes of this chapter, the mayor, members of the town council, and members of the planning and zoning commission/board of adjustment are considered to be ‘public officials,’ as that term is defined in Section 9-13-102 of the Wyoming Statutes, and shall be subject to all of the provisions of Sections 9-13-101 through 9-13-107 and Section 9-13-109. (Ord. 627 § 1, 1999)

## **Chapter 15.36**

### **CONTRACTOR LICENSING**

#### **Sections:**

- 15.36.000 Purpose and Scope.**
- 15.36.010 Board of Examiners Created; Duties of Same.**
- 15.36.020 Definitions.**
- 15.36.030 Contractor Licenses and Certificates of Qualifications.**
- 15.36.040 Contractor Licenses Required.**
- 15.36.050 Certificates of Qualification Required.**

#### **15.36.000 Purpose and Scope.**

To provide minimum safety measures and equipment to protect property, workmen and the public as provided herein or otherwise prescribed by the Town of Jackson and other local, State or Federal regulations.

#### **15.36.010 Board of Examiners Created; Duties of Same.**

- A. Town of Jackson Board of Examiners shall be created, consisting of five (5) to nine (9) members, including a chairperson, to be appointed by the Town Council. The Board shall serve at the pleasure of the Town Council and members shall be volunteer, non-paid positions. Upon the affirmative vote of a majority of the Town Council, members may be removed from the Board. Members of the Board of Examiners shall consist of tradespeople from the trades that are being regulated or others who have knowledge of such issues as may be taken under consideration by the Board of Examiners. At least one member shall be from the public at large. The Building Official or designee shall be an ex-officio member of the Board.
- B. The Board of Examiners shall establish rules, regulations and procedures for conducting business, subject to the approval of the Town Council, such approval not to be unreasonably withheld. These shall be established and written and will be made available to the public prior to any decisions or determinations being made.
- C. Initial appointments to the Board of Examiners shall be two (2) appointments for one (1) year and three (3) appointments for two (2) years, and thereafter members shall be appointed for a term of two (2) years in the manner herein provided at the expiration of the term of each member.
- D. The Board of Examiners shall review the qualifications of applicants licensed in other jurisdictions or applicants who have not passed the contractors license exam as administered by the Wyoming Association of Municipalities (WAM) to determine the applicants eligibility to obtain a license to perform work within the Town of Jackson.
- E. The Board of Examiners shall also serve as the Board of Appeals as required by the building code, in order to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of the building code.

#### **15.36.020 Definitions.**

- A. **Apprentice.** Apprentice means an individual who is learning a trade under the direct supervision of a person qualified under the terms of this ordinance to train an individual in that trade.
- B. **Certificate of Qualification.** Certificate of Qualification means non-transferable authority to perform certain skills and is issued to an individual by the administrative authority.
- C. **Contractor.** Contractor means anyone engaged in any of the trades as a general, building, or residential contractor, construction manager, electrical contractor, plumbing contractor, HVAC contractor, gas service contractor, wood stove/ gas stove installer, water conditioning installer, lawn sprinkler installer, fire sprinkler contractor or refrigeration contractor.
- D. **Journeyman.** Journeyman means an individual who, through proven experience and demonstrated knowledge, shows proficiency in their trade. Such an individual shall be qualified to work for a licensed contractor without direct supervision.
- E. **License.** License means the authority to contract for the construction, alteration, addition to or relocation of any system or portions of a system regulated by this ordinance. A license shall be non-transferable.
- F. **Master.** Master means an individual who, through demonstrated knowledge and verified experience, may qualify a business, corporation, partnership or individual for a license.
- G. **Supervision.** Supervision means the continuous control of all work in progress as authorized by the journeyman or master.

**15.36.030 Contractor Licenses and Certificates of Qualification.**

There is vested in the Building Official or designee, herein known as the administrative authority, the duty of determining the qualifications of applicants for those contractor licenses and certificates established by this ordinance. When approved, the Town shall issue a contractor license and certificate.

**15.36.040 Contractor Licenses Required.**

- A. Except as provided for in this ordinance, it shall be unlawful for any person, firm, corporation or other organization to contract for any of the types of work regulated by this section for work within the Town. Such license shall serve as the business license as required in Chapter 5.12 of the Town of Jackson Municipal Code.
- B. Exemptions. A homeowner who constructs, alters or repairs their own residence that they occupy, including accessory buildings, may do so without a contractor's license. A homeowner building their own residence shall not build more than one residence in any two year period without obtaining, at a minimum, a Class C Residential Contractor license. The owner or tenant of a commercial structure or tenant space may perform their own repairs or maintenance as permitted in the Permits-Exempt Work provisions of each applicable code. A qualified individual in the employ of the business may perform work requiring a permit without obtaining a contractor's license for that trade, provided he/she has been granted a certificate of qualification, specific to that business, by the Town of Jackson. Sewer and water service line installation and repair work from the building to the public sewer or public water main shall be exempt from the requirements of this ordinance. However, this shall not exempt the work being performed from the requirements of a permit pursuant to the current edition of the adopted codes.

- C. Application. Every applicant for a license shall complete the application form provided by the administrative authority. A non-refundable application fee shall be submitted at the time of application for a license. The name of the certified master of the trade to be licensed shall appear on the license application. A final review and appropriate action shall be taken on such license application and the administrative authority shall notify the applicant within thirty days of such action.
- D. Business Location and Telephone Required. Every applicant for a license shall provide a physical and mailing address. In the event of any change in the required address, the licensee shall notify the administrative authority within a ten-day period. Failure to do so shall result in the same suspension time frames and penalties as enumerated below. No license shall be issued unless the licensee has a business telephone listed in the telephone directory that serves the town or on file with the office of the administrative authority. The telephone shall be answered during normal working hours. The removal of the telephone service shall automatically suspend the license. The license may be removed from suspension by providing the required telephone service within a ten (10) day period of suspension and notifying the administrative authority of that action. In order to reestablish the business license after said ten-day period and within sixty (60) days of such suspension the licensee must provide the required telephone service and pay the full new license fee. In the event that the license is not removed from suspension within the sixty (60) day period immediately following suspension of the license, the license shall automatically be revoked and in order to reestablish said license the full application fee and process for new licenses must be followed.
- E. Supervision Required. Every contractor shall be required to have in their employ a person holding a master certificate of qualification in such classification as the licensed is issued. The license shall be valid only as long as the named master shall remain in the employ of the licensee in an active, full-time capacity. If the master should leave the employ of the licensee, the licensee shall notify the administrative authority within five (5) business days. Failure of the licensee to notify the administrative authority shall be cause for suspension or revocation of the license, as determined by the Board of Examiners. The licensee shall be required to obtain a qualified master as otherwise required by this ordinance within thirty (30) days of notification to the Town. The administrative authority may grant not more than three (3) ten (10) day extensions when considered to be in the best interest of the Town. If such master is not obtained within the thirty (30) day period or subsequent extensions, the license shall be deemed suspended until such supervisor is obtained.
- F. Additional Requirements.
1. Applicants for a general, building, residential, plumbing, or HVAC license shall provide a certificate of insurance assuring that the applicant has purchased and has in effect an insurance policy by an insurance company authorized to do business in the State of Wyoming providing for public liability and property damage in the amount of not less than five hundred thousand dollars (\$500,000.00). Applicants for a low voltage electrical, wood stove/gas stove installer, gas service contractor, lawn sprinkler installer, and water conditioner installer's license shall provide a certificate of insurance assuring that the applicant has purchased and has in effect an insurance policy by an insurance company authorized to do business in the State of Wyoming providing for public liability and

property damage in the amount of not less than three hundred thousand dollars (\$300,000.00).

2. Every applicant shall provide proof of Workers' Compensation with the State of Wyoming, or provide proof of why such is not required.
  3. Every applicant shall provide proof of Unemployment Insurance with the State of Wyoming, or provide proof of why such is not required.
  4. Every application shall be accompanied by a compliance bond in the amount of ten thousand dollars (\$10,000) and executed by a surety company authorized to transact business in the State of Wyoming, as Surety with the applicant as Principal on the bond, and the Town of Jackson as Obligee, conditioned that the applicant shall faithfully perform the duties and in all things comply with the provisions of this ordinance, including all amendments thereto, pertaining to the license or permit applied for.
  5. Every applicant that is a corporation or limited liability company shall show proof of good standing with the office of the Wyoming Secretary of State.
  6. Each applicant shall be required to remit all sales tax receipts as specified by the Wyoming Department of Revenue.
- G. Classifications. There shall be the following classes of licenses and the holder of each license shall be authorized to do the following:
1. General Contractor (Class A) – To contract for the construction, alteration or repair of any type or size of structure.
  2. Building Contractor (Class B) – To contract for the construction, alteration or repair of commercial buildings and single or multi-dwelling residential buildings, not exceeding three (3) stories in height.
  3. Building Contractor – Restricted (Class Br) – To contract for work of a non-structural nature in a commercial tenant space with a maximum gross floor area of 5000 square feet or less and for the construction, alterations and repairs of one and two family residences, townhouses and buildings accessory thereto.
  4. Residential Contractor (Class C) – To contract for the construction, alterations and repairs of one and two family residences, and buildings accessory thereto.
  5. Electrical Contractor – A person or company that holds a State of Wyoming electrical contractor license. Electrical contractors are not subject to the WAM testing program as referenced in 15.36.050 C.
  6. Low Voltage Electrical Contractor – A person or company that holds any or all of the low voltage electrical contractor categories and is licensed in those categories by the State of Wyoming. Low voltage electrical contractors are not subject to the WAM testing program as referenced in 15.36.050.
  7. Plumbing Contractor - Installation, alteration, addition or relocation of all sanitary plumbing, sanitary sewer and potable water supply and distribution piping, including all plumbing fixtures and traps and potable water-treating or water-using equipment, and including piping for transmission of chemicals, oil and gases, installation of steam and hydronic heating and chilled systems and water heaters and related vents. The appropriate licensed low voltage or electrical contractor shall perform electrical installations.

8. Heating, Ventilating and Air Conditioning (HVAC) Contractor - Installation, alteration, addition to, relocation, or replacement of any heating, ventilating, cooling, refrigeration system, incinerators or other miscellaneous heat-producing appliances, to include gas piping of related equipment.
9. Wood Stove/Gas Stove Installer - Installation, alteration, or relocation of any solid fuel or gas heating appliance and venting.
10. Gas Service Contractor - Installation, repair or maintenance of fuel gas systems.
11. Lawn Sprinkler Installer - Installation of water lines for lawn sprinkler systems, including their connection to potable water supply and related backflow prevention devices. The appropriately licensed low voltage or electrical contractor shall perform electrical installations.
12. Water Conditioning Installer - Installation and repair of potable water softeners and filtering equipment, including all necessary connections to the potable water supply and drainage system and related backflow prevention devices. The appropriately licensed low voltage or electrical contractor shall perform electrical installations.
13. Refrigeration Contractor - Installation and repair or maintenance of refrigeration systems for freezing or cooling cabinets and mechanically refrigerated air- conditioning units.
14. Fire Sprinkler Contractor - Installation, repair and maintenance of fire sprinkler systems including all necessary connections to the potable water supply and related backflow prevention devices.

(Ord. 1089, § 1, 2015; Ord. 701 § 1, 2002.)

H. Responsibilities. All licensees shall be responsible for work requiring a permit under the provisions of this ordinance and without limitation to the items as specified in this section:

1. To provide minimum safety measures and equipment to protect property, workmen and the public as provided herein or otherwise prescribed by the Town of Jackson and other local, State or Federal regulations;
2. To obtain permits and inspections when required;
3. To present certificate of qualification cards when requested by authorized agents of the administrative authority;
4. To faithfully construct and complete the project as indicated by the permit and approved set of plans, without substantial departure from, or disregard of, drawings and specifications, when such drawings and specifications have been filed and approved and permit issued for same, unless such changes are approved by the administrative authority;
5. To complete all work authorized by the permit issued unless good cause is shown.
6. To pay any fee assessed by the Town of Jackson;
7. To comply with all applicable codes and ordinances;
8. To be responsible for all work for which a permit is issued.

I. Contractor License Fees. The fees for a contractor license shall be as follows:

<b>Classification</b>	<b>License Fee</b>
General Contractor (Class A)	\$300
Building Contractor (Class B)	\$300
Building Contractor Restricted (Class Br)	\$300

Residential Contractor (Class C)	\$300
Electrical Contractor	\$300
Low Voltage Electrical Contractor	\$300
Plumbing Contractor	\$300
HVAC Contractor	\$300
Woodstove/Gas Stove Installer	\$300
Gas Service Contractor	\$300
Lawn Sprinkler Installer	\$300
Water Conditioning Installer	\$300
Refrigerator Contractor	\$300
Fire Sprinkler Contractor	\$300

Annual Renewal fees shall be in accordance with the business license renewal fees as required in Chapter 5.16 of the Town of Jackson Municipal Code.

(Ord. 1089, § 1, 2015; Ord. 701 § 1, 2002.)

- J. Renewal. Contractor licenses shall expire on December 31 of each year and shall be renewed by that date. Any work performed after expiration and prior to obtaining such license shall be in violation of this section. To reestablish a license after it expires, a new application shall be filed and new license fees shall be paid. Current proof of compliance with State of Wyoming laws pertaining to contractors shall be provided. A 30 day grace period may be granted by the administrative authority.
- K. Suspension or Revocation. The administrative authority shall review any complaint concerning the licensee's activities and upon finding good cause for license suspension or revocation, shall notify the licensee in writing of the grounds for suspension or revocation. The licensee shall have ten days from receipt of said notice in which to file a written request for hearing in front of the Board of Examiners. Such hearing shall be held within thirty days of the request and shall be conducted in accordance with the provisions of the Wyoming Administrative Procedures Act for contested case-type hearings. Failure to file a written request for hearing in a timely manner shall constitute a waiver by the licensee of any right to a hearing on the matter. After hearing, or after the ten day notification period in the event that there is not written request for hearing, the Board shall take whatever action it deems appropriate as to the license, including but not limited to, suspension or revocation of said license.

**15.36.050 Certificates of Qualification Required.**

- A. Certificates of qualification shall be required of individuals for all types of work involving skills as specified and classified in this section and as otherwise provided in Section 15.36.040 B. In lieu of a Town of Jackson Certificate of Qualification, Masters, journeyman, and apprentices in the electrical trade shall be certified by the State of Wyoming. While engaged in a building or trade activity, the Certificate of Qualification shall be in the possession of the individual.

Through December 31, 2002, for transition purposes, the following will apply:

1. One master certificate will be granted to any contractor in a trade defined as a “Contractor” in Section 15.36.020 C provided they have been in business within the Town of Jackson for five (5) or more years or as approved by the Board of Examiners.
  2. Journeyman certificates shall be granted to any tradesperson who can verify having worked in the Town of Jackson, in their trade for four (4) or more years, or as approved by the Board of Examiners.
  3. Businesses in a trade defined as a “Contractor” in Section 15.36.020 C who have been in business in the Town of Jackson for less than the time period of five (5) years shall have until December 31, 2002 to obtain a master certificate of qualification pursuant to this ordinance.
- B. The Board of Examiners shall determine that this requirement is met by examining each application for such certificates. All other applicants will be required to obtain their certificate pursuant to this ordinance.
- C. Examining Procedure. The Town shall use the Wyoming Association of Municipalities Wyoming Trades Certification Program as a means of determining the qualifications of applicants for those certificates that are covered by said program. Electrical and low voltage electrical contractors shall be subject to existing State laws regarding such contractors. The Town of Jackson Building Department shall test wood stove/gas stove installer, gas service contractor, lawn sprinkler, water conditioning, refrigeration, and fire sprinkler installers.
- D. Temporary Work Authorization - The Building Official may grant a temporary work authorization to applicants for a master, journeyman, or apprentice certificate of qualification. A temporary work authorization shall not apply to general, building, or residential master certificates of qualification.
- E. Application Fee. Applicants for a certificate of qualification shall fill out the form provided by the administrative authority and shall pay all application fees. Testing shall be through the Wyoming Association of Municipalities “Wyoming Trades Certification Program”. Testing arrangements and fees are the responsibility of the applicant. A Town of Jackson certificate of qualification will be issued to the applicant upon presentation of the Wyoming Association of Municipalities certificate noting successful completion of the appropriate examination and meeting all other requirements of this ordinance. If the applicant is reexamined for any reason whatsoever, a new application shall be filed and an additional fee shall be required.
- F. Issuance/Reciprocity. A certificate of qualification shall be issued to every person who makes application for such certificate, is able to show proper qualifications, pays the required fees and successfully passes an examination conducted by the Wyoming Association of Municipalities, “Wyoming Trades Certification Program”; provided, however, that in lieu of an examination, the administrative authority may issue such certificate to any person who makes application therefore, is able to show proper qualifications, pays the required fees and possesses and presents a valid certificate of qualification issued to them by any other governmental agency giving an examination, the scope and character of which, in the opinion of the Board of Examiners, is at least equal to that used by the administrative authority. The Board of Examiners may grant reciprocity with other jurisdictions and/or agencies as the Board determines appropriate. The Board shall maintain a record of all reciprocal agreements that the Board has approved. The applicant shall procure such certificate within

thirty (30) days after being notified of approval. If applicant fails to procure said certificate within thirty (30) days, the certificate shall be void and a new application shall be filed.

- G. Certificate Fee. The initial fee for a certificate of qualification shall be fifty (\$50.00) dollars. The fee for the renewal of certificates of qualification shall be twenty-five dollars (\$25.00). This shall be a non-refundable fee.
- H. Examination Failure. Every applicant who fails to pass the required examination shall not be eligible for another examination for thirty (30) days, and any applicant who fails to pass the second examination shall not be eligible for re-examination for six (6) months thereafter.
- I. Classifications. There shall be the following classes of certification and the holder shall be authorized to do the following:
1. Masters Certificate of Qualification - A certificate of qualification shall be required and shall permit the holder thereof to be supervisor or master for each of the trades in which they have been certified.
  2. Journeyman Certificate of Qualification - A certificate of qualification shall be required in the trades described in this chapter and shall entitle the individual to work only in the trade for which they are certified and classified. Such certificates shall permit the individual to work only under the authority of a certified master or supervisor.
  3. Apprentice Certificate of Qualification - A certificate of qualification shall serve as a registration with the administrative authority. Such certificate shall entitle the apprentice to work under the direct supervision of a journeyman or master within each respective classification. With the exception of general, building, and residential contractors, no individual journeyman or master shall have more than four apprentices under their direct supervision.
- J. Classifications - Experience Required. - An application shall be filed in accordance with the time periods listed below unless otherwise approved by the Board of Examiners. A person may not apply to upgrade their certificate to the next higher classification until they have met the experience requirement or equivalent, as approved by the Board. Up to 50% credit may be given toward the experience period set forth below at the discretion of the Board for relevant equivalent education in the construction field. The Board shall assist in verifying such experience requirements.
1. Building Contractor (Class A) - Master applicants shall be able to verify at least eight (8) years actively working in the building construction or contracting trade.
  2. Building Contractor (Class B) - Master applicants shall be able to verify at least four (4) years working in the building construction or contracting trade.
  3. Building Contractor Restricted (Class Br) - Master applicants shall have held a Class C license for the previous two years and make application to the Board of Examiners for this license classification. The Board shall determine if an applicant qualifies. No additional testing required
  4. Residential Contractor (Class C) – Master applicants shall be able to verify at least two (2) years working in the building construction or contracting trade.
  5. Electrical – Apprentice – as registered with the State of Wyoming;  
Journeyman – as licensed with the State of Wyoming;  
Master – as licensed with the State of Wyoming.

6. Low Voltage Electrical – as licensed with the State of Wyoming.
7. Plumbing - Apprentices shall be able to verify four (4) years of working actively in a training program or for a qualified plumbing contractor prior to applying to advance to the journeyman level. Journeyman shall be able to verify four (4) years of working actively in a training program or for a qualified plumbing contractor prior to applying to advance to the master level.
8. HVAC –Apprentices shall be able to verify four (4) years of working actively in a training program or for a qualified HVAC contractor as an apprentice prior to applying to advance to the journeyman level. Journeyman shall be able to verify four (4) years of working actively in a training program or for a qualified HVAC contractor as a journeyman prior to applying to advance to the master level.
9. Wood Stove/Gas Stove Installer – Masters shall pass an examination as required by the Town of Jackson.
10. Gas Service - Applicants shall be able to verify three (3) years of working actively in a training program or for a qualified gas service contractor prior to attempting to advance to the master level. Masters shall pass an examination as required by the Town of Jackson.
11. Lawn Sprinkler Installer – Masters shall pass an examination as required by the Town of Jackson.
12. Water Conditioning Installer – Masters shall pass an examination as required by the Town of Jackson.
13. Refrigeration – Applicants shall be able to verify three (3) years of working actively in a training program or for a refrigeration contractor prior to attempting to advance to the master level. Masters shall pass an examination as required by the Town of Jackson.
14. Automatic Fire Sprinkler Installer – Masters shall pass an examination as required by the Town of Jackson.

(Ord. 1090, § 1, 2015; Ord. 701 § 1, 2002.)

- K. Renewal. Certificates of qualification shall expire three (3) years from date of issuance and shall be renewed by that date. Certificate renewal shall consist of either eight (8) hours of approved educational seminar covering the adopted code for the applicable trade or the applicant may re-test through the Wyoming Association of Municipality Wyoming Trade Certification Program. Any work performed after expiration shall be in violation of this section. To establish a certificate of qualification after it expires, a new application shall be filed and new application fees shall be paid.
- L. Suspension and Revocation.
  1. The Board of Examiners shall review any complaint concerning the activities of the holder of a certificate of qualification and, upon finding good cause for certificate suspension or revocation, shall notify the holder in writing of the grounds for suspension or revocation.
  2. The holder shall have ten (10) days from receipt of said notice in which to file a written request for an appeal hearing before the Board. The hearing shall be held within thirty (30) days of the request and shall be conducted in accordance with the provisions of the Wyoming Administrative Procedures Act for contested cases-type hearings. Failure to

file a written request for the hearing in a timely manner shall constitute a waiver by the holder of any right to a hearing on the matter.

3. After the hearing, or after the ten (10) day notification period runs, in the event that there is not written request for hearing, the Board shall take whatever action it deems appropriate as to the suspension or revocation of said certificate. The Board's decision may be appealed to the Town Council within 30 days of the Board's decision, such decision being final. Further appeal may be made to the district court by the town or the holder pursuant to the Wyoming Rules of Appellate Procedure.

(Ord. 701 § 1, 2002)

**Chapter 15.38**  
**DEMOLITION STANDARDS**

**Sections:**

**15.38.010 Permit Required-Application**

**15.38.020 Historic Buildings.**

**15.38.030 Priority of Ordinances.**

**15.38.040 Penalty.**

**15.38.010 Permit Required- Application**

It is unlawful for any person to demolish any building or structure within the town limits, whether in connection with the application for a separate building permit or other purpose without obtaining a demolition permit from the Building Official or his designee. Such Building Official or designee shall not issue any demolition permit unless the plans of and for the proposed demolition fully conform to the building regulations and the International Building Code then in effect. All applications for demolition permits shall be accompanied by all documentation as required on the demolition permit application and such other information as may be deemed necessary to provide for the enforcement of the Town's Land Development Regulations (LDR's)[Appendix A of this code].

For purposes of this Chapter, demolition includes the act of either demolishing or removing (including removals without destruction of the component elements of the structure):

- fifty percent or more of the exterior walls of a building as measured continuously around the building coverage; or
- fifty percent or more of the roof area as measured in plan view (defined as the view of a building from directly above which reveals the outer perimeter of building roof areas to be measured across a horizontal plane); or
- any exterior wall facing a public street or right of way.

(Ord. 888 § 1, 2008.)

**15.38.020 Historic Buildings**

**A. General.** The Town Council recognizes that many areas, improvements, buildings or structures have features with historic character or special historic or aesthetic interest or value representing architectural products of distinct periods in the history of Jackson. The Town Council also recognizes that the protection, enhancement and perpetuation of areas, improvements, buildings and structures with features having historic character or special historical or aesthetic interest or value is a public necessity and is required in the interest of the people of the Town.

For the purposes of this section, historic buildings or structures are those buildings, improvements or structures, which are in excess of fifty (50) years old, or which are otherwise historically or architecturally significant.

Every applicant for a demolition permit shall state to the best of his or her knowledge whether a building or structure for which demolition is sought is either in excess of, or less than, fifty (50) years old as of the date of the application.

**B. Authority to Enact.** Authority for enacting this chapter to protect historic integrity is provided in Wyo. Stat. Section §15-1-601(d)(iv).

**C. The Teton County Historic Preservation Board.** The Teton County Historic Preservation Board (“TCHPB”) shall be an advisory board to owners seeking to demolish historic buildings within the Town.

1. The TCHPB shall be an informational and advisory board only, and shall advise owners or residents of buildings or structures on the historic nature, aspects and other historic preservation issues concerning the building or structure sought for demolition.

2. The TCHPB will maintain a non-exclusive list of structures which are either in excess of fifty (50) years old or are otherwise historically or architecturally significant. This list, the TCHPB Building List, will be made publicly available and will be updated from time to time. The TCHPB Building List updated from time to time serves as a guideline to building owners and Town of Jackson officials.

3. The TCHPB may present to the Town Council its findings and recommendations about any development proposal or regulation which impacts any building or structure in excess of fifty (50) years old or which are otherwise historically or architecturally significant.

**D. Demolition Permit Review**

1. Upon receipt of a demolition permit application pursuant to Section 105.1 of the International Building Code, the planning and building department shall refer the demolition application to the TCHPB.

2. The TCHPB shall review demolition proposals which affect the exterior of any principal or accessory building or structure which is on the TCHPB Building List for their impacts on historic resources. The TCHPB will make a recommendation to the planning and building department and/or Town Council within twenty-one (21) calendar days from initial submission of the demolition application to the TCHPB. The TCHPB will either determine that:

A. The building or structure is not historically or architecturally significant, or

B. That the building or structure is historically or architecturally significant and recommend a ninety (90) day stay in the issuance of a demolition permit for public comment and in order for the applicant, the TCHPB and other interested parties to explore alternatives to demolition. The TCHPB shall cite the historic preservation principles upon which it is relying to make its comments or recommendations regarding the impact of such demolition on historic preservation.

3. All demolition permit applicants pertaining to historic buildings or structures may meet with the TCHPB, or a sub-committee thereof, to discuss the impacts of demolition on historic resources. A meeting will be scheduled during the initial twenty-one (21) day review period on applicant's request.
4. In the event the TCHPB does not make a recommendation to the planning and building department and/or Town Council within twenty-one (21) calendar days from initial submission of the demolition application, the Town will assume that the TCHPB does not have a formal recommendation, and the application shall proceed through the regular permitting process.

(Ord. 888 § 1, 2008.)

#### **15.38.30 Priority of Ordinances**

In the event any of the adopted ordinances of the Town as codified in this code as of the date of the adoption of the ordinance codified in this section conflict with any other sections of the Town of Jackson Municipal Code, the most restrictive shall apply. (Ord. 888 § 1, 2008.)

#### **15.38.40 Penalty**

- A. It is a misdemeanor for any person to violate any provisions of this chapter.
- B. Except as provided in specific sections in this chapter, every person convicted of a misdemeanor for a violation of any of the provisions of this chapter shall be punished in accordance with the provisions of Section 1.12.010 of this code.

(Ord. 888 § 1, 2008.)

**Chapter 15.50**  
**ENFORCEMENT**

**Sections:**

**15.50.010**

**15.50.010 General.**

Building Officials and Building Inspectors of the Planning Department, appointed as Special Municipal Officers by the Town of Jackson, have specific authority to issue citations for violations of the provisions of the this entire Title as set forth by W.S. § 7-2-103(e) and W.S. § 15-1-103(a)(x1x). (Ord. 843 § 1, 2007.)