

Title 15

BUILDINGS AND CONSTRUCTION

Chapters:

- 15.04 Building Codes Adopted
- 15.08 Building Construction Regulations
- 15.12 Electrical Code
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- 15.20 Solar Collector Permits
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Chapter 15.04

BUILDING CODES ADOPTED

Sections:

- 15.04.010 International codes adopted.
- 15.04.020 Exceptions.

15.04.010 International codes adopted. There is adopted by the City for the purpose of prescribing regulations governing the construction of buildings and other structures that code known as the International Building Code and International Residential Code, recommended and published by the International Code Council (ICC), being particularly the 2006 editions, including the International Mechanical Code and International Existing Building Code, all 2006 editions and the International Energy Code, except such portions thereof as are hereinafter deleted, modified or amended, and all future editions of said codes as may hereinafter be adopted by the State of Wyoming from time to time, and such codes are hereby adopted and incorporated herein as fully as if set out verbatim herein. At least three copies of the codes shall be kept on file by the City Building Official for inspection by and use of the public and shall be marked with the words "City of Powell, Official Copy." (Ord. 11-2005) (Ord. 6-1995 § 1, 1995: Ord. 11-1992 § 1, 1992) (Ord. 29-2008)

15.04.020

15.04.020 Exceptions. The following modifications shall supersede certain provisions of the International Codes adopted in Section 15.04.010.

A. The International Existing Building Code is amended by the addition of the following subsection:

Rehabilitation of older buildings, exception.

This subsection shall govern the rehabilitation of buildings, structures, and utilities in group A, E, H, B or R occupancies which were built prior to January 1, 1950, and shall supersede all requirements of the Uniform Building Code except for the requirements of Section 203 of the International Building Code except for the requirements of Section 115 of the International Existing Code relating to unsafe buildings. An exception may be granted to allow for the repair, rehabilitation or change of occupancy of such a building, structure, or utility where the planned repairs, rehabilitation, or change of occupancy would not otherwise comply with the provisions of this code. No exceptions shall be authorized hereunder unless the Building Official shall find all the following conditions to exist:

1. The building was constructed prior to January 1, 1950.
2. The building, structure or utility is structurally sound and the proposed repairs, rehabilitation, or change of occupancy will substantially improve the use, safety and welfare of the occupants.
3. The Building Official and the Fire Department concur in any alternative method, utility, appliance or system related to the repair, rehabilitation, or change of occupancy.

B. Section 10.53.1 of the International Building Code is amended by adding thereto the following:

When required by the Building Official, each applicant for a building permit shall further provide a survey of the lot upon which the improvements are to be constructed, such survey to be prepared by a surveyor registered under the laws of the State of Wyoming, and before the issuance of any such permit, the applicant shall provide to the City any written easements deemed necessary by the City for utility and garbage service to such lot.

C. Those portions of the appendix to the International Building Code which are adopted are Chapters A, B, C, D, E, G, H, J, L and any chapters in the appendix not specifically herein listed are not adopted.

D. Section A101 in appendix A to the International Existing Building Code is amended to read as follows:

(a) **Effective Date.** Upon inspection of existing buildings, the City will set the date by which plans for compliance shall be submitted and approved and also the date by which the work shall be completed or the building vacated until made to conform, and shall give notice of such dates to the appropriate parties.

E. Section 105.2 of the International Building Code is amended by deleting No. 2 in order that a building permit will be required for the construction of a fence.

F. Notwithstanding any provision of the International Building Code to the contrary, a City building permit is required to be obtained before a mobile home of any size whatsoever may be located or placed within the City outside of an area of a mobile home park.

G. Section 104.11 of the International Building Code is amended to read as follows:

104.11. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this code as well as of the International Plumbing Code and the International Mechanical Code, there is hereby created a Board of Appeals consisting of five members which shall include a plumber, a building contractor, an electrician, a supplier of building materials, and one additional at-large member, none of whom shall be employees of the City. The Building Official shall be an ex-officio appointed by the Mayor with the consent of the Council. The terms of members shall be two years expiring in any event at the time of the first meeting of the governing body in odd numbered years. Members shall hold office until their successors are appointed and qualified. Any member of the Board may, after hearing before the governing body unless such hearing is waived in writing, be removed by the

Mayor, with the consent of the Council, for inefficiency, neglect of duty, or malfeasance in office. Vacancies occurring otherwise than through the expiration of a term shall be filled for the unexpired term by the Mayor with consent of the Council.

(Ord. 11-2005)

Chapter 15.08

BUILDING CONSTRUCTION REGULATIONS

Sections:

- 15.08.010 Building permit fees.
- 15.08.020 Plan review fees.
- 15.08.030 Off-site improvements required.
- 15.08.040 Adequate street access required.
- 15.08.050 Site development plans.
- 15.08.060 Landscaping.

15.08.10 Building permit fees.

A. The fee schedule for all building, plumbing, electrical and mechanical permits shall be as set forth in Table No. 1-A, Section 107 of the Uniform Building Code, 1997 Edition. (Ord. 5-2006)

B. The determination of value under this title shall be made by the Building Official. An accurate standard for the determination of value shall be deemed to be the current estimated cost of construction as published in the "Building Standards" magazine by the International Conference of Building Officials.

C. If work for which a permit is required by this code is started prior to obtaining such a permit, the fees shall be doubled, but the payment of such double fee shall not relieve any person from full compliance with the requirements of this code in the execution of the work, nor from any other penalties. (Ord. 11-1992 § 2, 1992)

15.08.020 Plan review fees. Plan review fees shall be assessed for structures five thousand square feet or greater in gross floor area at a rate of forty percent of the building permit fees.

15.08.030 Off-site improvements required. When necessary for access or service to a new development or to

comply with City standards, the Building Official may require the construction or installation of off-site improvements such as, but not limited to gutter, sidewalk, paving, drainage structures, fire hydrants, and landscaping to be constructed or installed in an alley, street, or other public right-of-way or easement or publicly owned property adjacent to property for which a building permit is being sought.

A. Construction and Acceptance. Final approval and Certificate of Occupancy shall be withheld until all required off-site improvements are completed in accordance with City specification and have been inspected, approved, and accepted by the City, provided however, that in the event that such improvements are delayed by weather or other similar adverse conditions, their construction may be guaranteed by performance bond or cash deposit approved by the Building Official and the City Attorney or a sum determined by the Building Official to be adequate to effect the improvements as required. In the latter event the improvements shall be installed by the owner or applicant within thirty days after demand therefore as made by the City, failing in which, such shall be forfeited and accrued to the City, and the City may cause the completion of such work, apply such bond or cash deposit to the cost thereof, and assess any remaining costs as a lien upon the property and premises for which the building permit was obtained.

B. Temporary Waiver. In the event it is desired by the City to delay installation of off-site improvements because of practical difficulties such as conflict with proposed public improvements, efficiency of coordination, or inclement weather or other circumstances the City may waive for a temporary period only the requirement of installation of off-site improvements, but such waiver shall be predicated only upon the construction of said improvements, and said improvements shall thereafter be installed and constructed within thirty days after demand therefore by the City.

15.08.040 Adequate street access required. No building permits shall be issued until the adjacent public street or streets and also access to within twenty-five feet of the proposed building site shall be completed with a minimum base course of at least two inches of asphaltic material or other dust-proof, nonerrodable material as may be accepted by the Building Official for the purpose of providing access to the site for both construction and emergency service vehicles.

15.08.050 Site development plans. A. With the exception of nonclustered single family residential structures and related accessory structures, no structure or building shall be built or modified as to use or occupancy

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until a site development plan has been submitted and approved as provided in this section.

B. Site Development Plan Requirements. The applicant shall submit to the Building Official seven copies of the proposed site development plan. Such proposed plan shall include, at a minimum, the following:

1. Name, address and telephone number of applicant;
2. North point, scale and date;
3. Legal description;
4. Adjacent and included public rights-of-way;
5. Location, building outline, site area coverage, gross floor area, building height and proposed use of each existing structure to be retained, and all new structures proposed for the site;
6. Location, dimension, and site area of existing and proposed unobstructed open space including, but not limited to landscaped areas, pedestrian ways and malls as applicable;
7. Designation of paved areas, landscaped areas, fences, lighting and signs including location, type of materials, height and orientations, as applicable;
8. Location and type of irrigation system provided. Details of the system shall be shown. The design of the sprinkler system shall be certified by a qualified landscape architect or other person versed in sprinkler system design; and
9. Site drainage including, but not limited to, location of drainage ways, one-hundred year floodplains, proposed and existing drainage facilities, and other drawings and specifications necessary to show that all runoff in excess of the historic one-hundred-year runoff shall be detained on site.

C. Site Plan Review. The Development Review Committee shall preview and approve, reject or modify all site development plans to insure their compliance with the provisions of the ordinance of the City. Before approving a site development plan, the Committee shall find that:

1. All city ordinances are complied with;
2. Proposed lighting is arranged to prevent any glare from reaching adjoining properties or streets;
3. The following are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, adequate fire protection can be provided, and there will be minimal adverse effects on surrounding property:
 - a. Location of buildings, structures and improvements,
 - b. Vehicular ingress and egress,
 - c. Internal vehicular circulation,
 - d. Yards,
 - e. Height of buildings,

- f. Surface of facilities,
 - g. Walls,
 - h. Landscaping,
 - i. Sidewalks,
- 4. Curb cuts into arterial and collector streets are minimized and placed in safe locations;
 - 5. Community water and sewer systems are not compounded because of this development;
 - 6. Storm water runoff problems are not compounded because of the development;

D. **Action and Review.** The decision of the Development Review Committee on the site plan shall be final unless the applicant requests review in writing. Such review request shall be filed with the Building Official within ten days after the decision of the Committee, and the decision of the Committee shall then be reviewed by the Board of Appeals as established by the Building Code, which shall approve, disapprove, or modify the decision of the Development Review Committee within thirty working days. In approving with stipulations, the Board shall consider the same standards as provided herein for consideration by the Development Review Committee.

E. **Approved Development Plan.** When a site development plan has been approved, the applicant shall submit to the Building Official five copies of the site development plan as finally approved. Such copies shall be distributed to the Building Official, the City Engineer, and the Chairman of the Planning and Zoning Commission, and the Fire Marshall and a copy shall be placed in the file for the applicant.

F. **Time Limit.** An approved site plan will be void after one year from the date of approval unless construction has begun or an extension of approval has been granted before one year has expired by the Building Official.

15.08.060 Landscaping. A. The owner of any real property which is used for any multi-family business or industrial use or which is used for commercial gain within the City shall be responsible for regular weeding, irrigating, pruning and other maintenance of all plantings located on such private property adjacent to any public rights-of-way or located on that portion of the public right-of-way between the curb line and his adjoining property line in which landscaping has been placed.

B. Plant material in those areas specified which exhibit evidence of insect pest, disease and/or damage shall be appropriately treated and dead plant materials shall be replaced.

C. Property owner of land abutting a constructed public right-of-way shall be responsible for landscaping and maintenance of any right-of-way area between his prop-

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perty line and the curb line, and that area shall be so pruned so as to comply with any site plans for that area approved by the Development Review Committee. The areas that are landscaped pursuant to the terms of this chapter shall meet the following standards:

1. Grass or comparable ground cover shall not exceed four inches in height and shall be kept free of weeds. It shall be edged back from walkways, and drives in such a manner as to preclude it from covering any public right-of-way intended for pedestrian or vehicular use.
2. Rock, park or ground cover areas shall be kept free of weeds.
3. Trees and shrubs shall be trimmed and maintained in such a manner as not to overhang or encroach upon walkways, drives, or parking areas to the extent that they interfere with the intended use of those facilities.
4. All plantings in these areas shall be subject to periodic inspection by the City.
5. Any failure to comply with the provisions of this section is unlawful and shall further be deemed to be a nuisance subject to abatement and also subject to fine upon conviction thereof as provided generally for nuisance under Chapter 8.12 of the revised ordinances of the City.

Chapter 15.12

ELECTRICAL CODE

Sections:

15.12.010	Definitions.
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15.12.030	Inspector—Duties.
15.12.040	License—Required.
15.12.050	Permit—Required.
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15.12.100	Inspection procedures.
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15.12.290	Service availability by zoning district.
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15.12.450	Licensed electrician—Failure to apply for permit.
15.12.460	Failure to obtain permit—Inspection—Withholding of service—Penalty.
15.12.470	Failure to correct defects.

15.12.010 Definitions. The following terms shall be construed as herein defined:

“Furnish” means to provide and pay for.

“Inspector” means the City Electrical Inspector or Building Official or his designated representative.

“Line” means a system of poles and ducts, wires or cables, transformers, and accessory equipment owned by the City.

“Point of service termination” means the point at which the City terminates its service drop or lateral and the customer begins its wiring, which point shall be determined in each instance by the City Electrician.

“Rough-in” means that portion of an electrical system which includes raceways, outlets, pull boxes and panel boxes which are usually concealed in the building structure.

“Temporary service” means a nonrecurring service intended to be used for less than one year.

15.12.020-15.12.090

15.12.020 Electrical inspection department—Created. A City Electrical Inspection Department is created to regulate the installation, operation, and maintenance of all customer-owned electrical wiring within the City.

15.12.030 Inspector—Duties. The inspector shall be in charge of electrical inspection. His duties shall include, but not be limited to inspection of all customer-owned electrical wiring.

15.12.040 License—Required. Any person desiring to do electrical wiring of any kind within the City shall first be licensed by the state, provided that no person shall be required to obtain a license to do electrical wiring on a single family residence owned and occupied by him.

15.12.050 Permit—Required. No building or other structure shall be wired, no wiring in any existing building or structure altered, no motor installed (except for cord-connected appliances), nor any electric display sign be installed or erected before a permit is granted therefore to the person intending to do such wiring, install such motor, or install or erect such display sign.

15.12.060 Permit—Application. Application for a permit shall be made in writing to the Inspector. The applicant shall furnish such plans and specification for proposed work as may be deemed necessary by the City before any permit shall be issued.

15.12.070 Permit—Contents. Every permit for electrical work shall briefly state the nature, description and location of the work to be performed and the electrician in charge, and the license number of the master electrician in charge.

15.12.080 Inspection. The Inspector shall inspect all electrical installations for which a permit is granted and all other customer-owned electrical installations for the purpose of seeing that all provisions of this chapter and the adopted National Electrical Code are complied with.

15.12.090 Inspection and permit fees. A. Inspection and permit fees for permits required by this chapter shall be deemed to be included in the building permit fees imposed pursuant to Section 15.08.010.

B. Where work for which a permit is required by this code is started prior to obtaining such permit, the fees

shall be doubled, but the payment of such double fee shall not relieve any person from full compliance with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

15.12.100 Inspection procedures. A. Concealment without approval prohibited. No workman shall lath, seal, enclose or otherwise conceal any electrical rough-in in any manner until a rough-in approval notice has been posted by the Inspector.

B. Approval Withheld if Defects Exist. The inspector shall not approve any electrical installation wherein he deems that defects exist which require correction, even though such defect may not be part of the installation for which the permit was granted.

C. Correction of Defects. Any permittee shall correct any defect in the work promptly after being notified of such defect by the Inspector or his representative.

15.12.110 Outside disconnects on new construction. Every newly constructed building shall be required to have an outside disconnect of ample size adjacent to or attached to the meter base or at the point of service entry into the building.

15.12.120 Outside disconnects on remodeling projects. Every remodeling project that exceeds twenty-five percent of the evaluation of the building and involves changes in the electrical system shall have an outside disconnect of ample size adjacent to or attached to the meter base or at the point of service entry into the building.

15.12.130 National Electrical Code. There is adopted by the City for the purpose of prescribing regulations governing all electrical construction, all materials and all appliances used in connection with electrical work, and the operation, maintenance, and arrangements of all electrical apparatus, the rules and regulations set forth in the National Electrical Code, being particularly the 1993 Edition and all future Editions thereof and the whole thereof, and otherwise known as Pamphlet 70 of the National Fire Prevention Association, except where modified by this chapter or amendments hereto. At least three copies of the most current edition of the National Electrical Code shall be kept on file by the City Clerk for inspection by and use of the public and shall be marked with the words, "City of Powell Official Copy." (Ord. 12-1993 §1, 1993).

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15.12.140 Application for service. Any person desiring new electrical service shall make application to the City Clerk in person or in writing at least three working days before electric service is required.

15.12.160 Right of Entry; Access to Meters and Read-Out. A. The City's authorized employees or agents shall have access at all reasonable times to the customer's premises for inspection and repair of its own meters and equipment and for inspection of the customer's equipment.

B. If a meter or remote read-out cannot be read because of locked gates, the presence of a dog or any other obstacle preventing the meter reader or any other agents of the City from obtaining a reading, a written notice will be given to the owner to remove such obstacle and make the meter or read-out accessible at no cost to the City. If the meter continues to be inaccessible, a remote read meter may be installed by the City at the customer's expense.

15.12.170 Payment of accounts. Charges for electrical service begin upon installation and connection of the meter. Bills are due by the twentieth day after the date of the bill. The penalty for delinquent payment shall be imposed as provided in Section 13.04.030. If the bill becomes delinquent, electrical service may be discontinued as provided in Section 13.04.050 and the customer's deposit, if any, will be forfeited.

15.12.180 Rates for power. A. Residential Rates. The following monthly rates will be charged for electrical service:

- | | |
|--|---------|
| 1. Customer charge: | \$12.00 |
| 2. Energy charge: All kilowatt hours used by KWH | 0.0713 |
| 3. Minimum monthly charge: | \$12.00 |

B. Commercial Service Rates. The following monthly rates will be charged to single- and three-phase commercial customers having an estimated demand of less than 20 kilowatts:

- | | |
|---|---------|
| 1. Customer charge: | \$15.00 |
| 2. Energy charge: All kilowatt hours used per KWH | 0.0776 |
| 3. Minimum monthly charge: | \$15.00 |

C. Trailer Parks and Apartment Houses.

1. Where service is rendered to each tenant separately by the City through individual meters, residential rates will be charged.
2. Where service is rendered through one meter and energy distributed by the owner, general rates will be charged.
3. Commercial rates will be charged for use within trailer parks and apartment houses for other than residential purposes.
4. Individually metered service to tenants will be extended to new trailer courts and apartment houses upon demand by the owner, subject to service rules and regulations and other provisions and requirements provided in this chapter, provided that the point of service termination may be required by the City to be in banks of two or

banks of two or more meters as determined by the City Electrical Superintendent.

D. Service to Single Customer Through More Than One Meter. Where power is served to a single customer through more than one meter, rates for such service shall be calculated separately for each meter according to the appropriate rate formula as provided in this section.

E. Security Lighting. The following monthly rates will be charged for security lighting provided by the City pursuant to Section 15.12.270:

For 175 watt mercury vapor	\$ 9.75 per month
For 250 watt mercury vapor	\$14.50 per month
For 400 watt mercury vapor	\$25.75 per month
For 150 watt high pressure sodium vapor	\$ 7.50 per month
For 250 watt high pressure sodium vapor	\$13.25 per month
For 400 watt high pressure sodium vapor	\$22.50 per month

F. Demand Rate.

1. All customers with an actual or estimated billing demand of twenty kw or more will be demand-metered. Existing commercial customers may elect to be demand-metered and billed under this rate schedule, provided that a customer making such election shall remain on this schedule for a minimum of one year, even though the customer's demand may prove to be less than twenty kw.

2. The following monthly rates will be charged for large power demand service:

a. Customer charge	\$34.50
b. Demand charge: All kilowatt hours of billing demand per kw	\$ 7.6797
c. Energy charge: All kilowatt hours used per KWH	0.0450
d. Monthly minimum bill: the customer charge plus demand charge	

3. Determination of Billing Demand. Billing demand determined by meter measurement shall be the maximum fifteen-minute integrated kilowatt demand used during the billing period. (Ord. 6-1999 §§1 – 3, 1999; Ord. 6-1994 §1, 1994), (Ord. 5-2004) (Ord. 12-2008) (Ord. 14-2009)

15.12.190 Reconnection charge or removal of service limiter adapter – delinquent accounts and moving fees. The charge for reconnecting service for disconnection or removal of service limiter adapter for any reason shall be Fifty and no/100 Dollars (\$50) during regular business hours of the City, and One Hundred and no/100 Dollars (\$100) at other times. Additionally, a fee of Twenty-Five and no/100 Dollars (\$25) shall be charged for moving a current electrical

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service from one location to a new location. (Ord. 9-1999 §1, 1999; Ord. 6-1994 §2, 1994). (Ord. 15-2002) (Ord. 13-2008)

15.12.200 Service discontinuance by City. The City may interrupt service without notice to any customer for

the reasons stated in Section 13.04.040 and also for any of the following additional reasons:

- A. To prevent fraud or abuse;
- B. Upon the discovery of any by-passes resulting in a consumer's use of power which is not metered;
- C. If any part of the system for which service is requested is deemed by the City Electrician to be unable, inadequate or unsuitable; or
- D. Where service, if granted, would interfere with or impair the continuity or quality of the City's service to the customer or others.

15.12.210 Service discontinuance by customer. Three calendar days notice shall be given when the customer desires to discontinue service. Any other notice will be at customer's risk.

15.12.220 City not liable. The City shall not be held liable in any event for any damage whatsoever caused by any improper apparatus or appliance, or any improper construction or placement, or use or operation of any apparatus placed upon any customer's premises, or for any injury whatsoever to any person or property when injury is not caused by the negligence of the City.

15.12.230 Standard service voltages. A. Standard service voltages are as follows:

- 1. Three-phase, four wire, 120/208 volt service;
- 2. Three wire, 120/208 volt service comprising two conductors and the neutral of the three-phase, four wire system.

B. Standard service voltage will be designated for service to new buildings located in an area in which the standard system voltages have been established. Either standard service voltage or nonstandard single- or three-phase alternating current service may be tested for service to new buildings located in areas in which the standard system voltage has not been established.

15.12.240 Nonstandard service voltages. A. Nonstandard service voltages are voltages not listed as standard and include:

- 1. Single-phase, three wire, 120/240 volt service comprising two conductors and the neutral tap of the transformer supplying the system;
- 2. Three-phase, three wire 240 volt service;
- 3. Three-phase, four wire, 277/480 volt service comprising three conductors and the neutral tap of the transformers supplying the system;
- 4. Three-phase, four wire, 277/480 volt service;

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5. High voltage service at 4160 volts, three-phase; or

6. High voltage service at 69,000 volts, three-phase.

In lieu of the City's standard three-phase, four wire, 120 and 208 volt, 60 cycle service, the City may elect to supply three-phase, three wire, 240 volt service if the standard system has not been established in a location.

B. Three-phase, 240 volt service and single-phase 120/240 volt service. In a building already being supplied with three-phase 240 volt service or with single-phase 120/240 volt service, or both, these services may be designated for additional load, or standard load. If standard service is designated for the entire load, the City may alter, at the council's option, the customer's existing equipment, installed and connected at that location for operation on its standard system, and the proportion of the cost thereof to be paid by the City and by the customer shall be determined by negotiation in each instance.

C. Three-phase 277/480 Volt Service. Three-phase, four wire 277/480 volt service will be designated by the City subject to the customer's concurrence, for supply to buildings when warranted by the magnitude or location of the load or other conditions. Where such service is supplied to a new building, no service of other characteristics will thereafter be introduced into the building. Any of these services may be designated for new installations in areas in which the standard system has not been established.

D. High Voltage or Primary Service. High voltage or primary service where available for new installations or for additional equipment in existing installations only where it is warranted by the magnitude and the location of the load or by other conditions. High voltage service will not be available for loads requiring less than 75 kva or transformer capacity.

15.12.250 Temporary service. Where the use of service will be temporary, such as for entertainment, celebrations, fair and other activity of a temporary nature, and where the facilities installed will not be used for permanent supply, the customer may be required to pay in advance to the City a sum of money, as determined by the City and endorsed upon the agreement for such service, which shall be the estimated nonrecoverable cost of service installation and removal.

15.12.260 Responsibility for installation. All electrical service to a customer at a single location may be rendered through a single meter except as hereinafter provided. The City will furnish, install, connect and maintain such meter or meters as are necessary for metering

electric energy for billing purposes. Meter sockets and all other equipment and wiring necessary for metering shall be furnished and installed by the customer. Customer shall mount instrument transformers which will be furnished by the City. The City will connect the meter side of the current transformers.

15.12.270 Security lighting. A. Security lighting for outdoor areas will be provided by the City to customers within the corporate limits of the City.

B. To the extent that line extensions are necessary to provide security lighting as provided in this section, the cost of such line extensions shall be determined on a case by case basis and paid by the customer.

C. Security lighting as provided in this section will be provided on a contract basis, the term of each customer contract being for not less than one year.

D. The customer shall make or pay for initial installation.

E. Installation shall conform to City specifications.

F. The City will replace burned out or broken lamps practicable after notification by the customer.

15.12.280 Electrical service outside City limits. A. Charges. Electrical service may, at the option of the City be provided to customers outside the limits of the City at the same connection charges as are charged for service within the City. An additional charge of seven percent of the energy charge may be included to cover distribution system line and transformer losses.

B. Construction Specifications – Costs and Meters. All necessary lines outside the City shall be built according to the same specifications as lines within the City. The lines shall be installed at no expense to the City other than making final connections and furnishing meters. Meters shall remain the property of the City.

C. Same Rules Apply. All rules, regulations and laws pertaining to service within the City limits shall apply to service outside the City limits.

15.12.290 Service availability by zoning district. Power service will be made available within the various zoning districts of the City as follows:

A. R-E, Estate Residential District. Normal service voltage will be single phase 120/240 volt service. Any variation will be at the discretion of the City Superintendent.

B. R-L, Residential Limited District. Normal service voltage will be single phase 120/240 volt service. Any variation will be at the discretion of the City Electrical Superintendent.

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C. R-G, Residential General District. Normal service voltage will be single phase 120/240 volt service. Three phase 120/208, 120/240, or 277/480 volt service will be provided by the City if the requesting party's construction project is determined by the governing body to be public service oriented and in the best interests of the City. Any other variation will be at the discretion of the City Electrical Superintendent.

D. B-G, Business General District. Single or multi-phase voltage will be provided by the City.

E. I-L, Industrial Limited District. Single or multi-phase voltage will be provided by the City.

F. I-G, Industrial General District. Single or multi-phase voltage will be provided by the City.

15.12.300 Approval required for service. The City will not supply electrical service for power until the customer's installation has been approved by the inspector.

15.12.310 Character of Service. The City will designate the character of service. The customer shall obtain the arrangement and exact characteristics of the service to be supplied before proceeding with installation of wiring or ordering electrical equipment.

15.12.320 Review of design – Revision. It is essential that design details of each installation be reviewed by the City. Based upon this information the City will specify the service voltages and arrangement, and guide the customer in the selection of his service equipment. If this is not done, the City may require revision of the service and meter installation by the customer before the service connection is made. Installation details so submitted shall be reviewed and such specifications made by the City within ninety days after their delivery to the City.

15.12.330 Consultation with City. The customer shall consult the City before starting work as to the exact location of the point of service termination, and as to whether overhead or underground service is to be installed. A developer who plans to subdivide a property for three or more home sites shall consult the City with regard to service arrangements before starting construction or grading.

15.12.340 Overhead and underground service. A. The City shall provide overhead service to any building designed for normal daily usage within the City limits where an overhead primary distribution system exists. Customers

served from an overhead primary distribution system may apply for an underground service, in which case the customer shall furnish any trenching that is necessary and the City's point of delivery shall be the pole to which the underground service is connected.

B. The City shall provide a secondary point of delivery for all customers in areas where an underground primary distribution system exists. The secondary delivery point will be determined by the City Electrical Superintendent and all trenching and future responsibility for underground service to the customer will be the responsibility of the customer.

15.12.350 Change of location of existing service facilities. A. Change requested by customer to be at customer's expense. Any change requested by a customer in location of service, provided such change is approved by the City, will be made at the expense of the customer, who shall pay in advance the City's estimated cost of such change.

B. Change of Pole Location – Underground Service. When a pole from which an underground service connection originates must be relocated, the customer is required to move the service connection to the new location at its expense.

C. Relocation of Underground Service Lateral at Request of Customer – Other Customers Affected – Order by City. If an underground service lateral is relocated on an order from the City, the person causing the change shall pay for that portion of the cable relocation which is on private property. If the service lateral is relocated at a customer's request, the customer shall pay the entire cost of the conduit and cable work both on private property and elsewhere.

15.12.360 Independent source of energy required. Any customer required by law or other authority to have a separate source of supply for emergency lighting shall use a source independent of the City electric service.

15.12.370 Right-of-way. Customers requiring an extension of the City's facilities shall execute and deliver to the City free from cost permanent easements or rights-of-way, insofar as the extension or subsequent additions thereto affect the property owned by the customer for the placing and maintaining of the extended line.

15.12.380 Temporary service. A. Customer to Furnish Pole. When temporary service is to be supplied, the customer shall provide, if required, at the point of attachment,

15.12.390 – 15.12.430

a wood pole with a minimum of four inches of diameter at the top, eight inches diameter at ground level, fifteen feet above ground, or longer if required to suit particular conditions, at customer's expense.

B. Requirements for Temporary Service. Equipment supplied by the customer shall be approved weatherproof service equipment.

15.12.390 Transformers. Where the City considers transformers and associated equipment necessary, the customer shall provide transformer pads, space and access meeting the specifications of the City Electrician all without charge.

15.12.400 Installation of metering service. A. Meter Installations. Installations of meters shall be made outdoors, and at a height of five feet six inches above the ground line to the center of the meter, where practicable, and on a wall of the building providing walkway or driveway access to the meter. Deviations shall be subject to the approval of the Inspector before equipment is installed.

B. Grouped Meter and Service Switch Identification. The meter equipment, end-line boxes and service switches shall be marked to indicate exactly the portion of the building supplied. The characters shall be permanent and legible, not less than one quarter of an inch high. In multi-tenant buildings, the designation on each meter equipment and service switch shall be the same as the permanent designation of the unit which it serves.

15.12.410 Magnetic marking tape. In addition to the requirements of customer installations heretofore provided in this chapter, all underground installations shall utilize magnetic marking tape.

15.12.420 Electrical inspection – Generating equipment. The City must be consulted before any generating equipment is connected to any circuits which are or can be supplied from the City's distribution system. All such generating equipment and transfer systems must be approved by the Inspector.

15.12.430 Carrier current equipment. Where a customer's building wiring is used for a carrier current system for communication, remote control, signaling or the like, suitable filter equipment or other provisions acceptable to the City shall be provided to keep the electricity supply free of any carrier current or high frequency component produced by the customer's equipment.

15.12.440 Power factor correction. The City shall not be required to supply power at a power factor which does not fall between ninety-five percent lagging and ninety-five percent leading.

15.12.450 Licensed electrician – Failure to apply for permit. Any licensed electrician who fails to apply for a permit as required herein shall pay a penalty equal to the basic charge; three violations shall result in forfeiture of the violator’s license by the City.

15.12.460 Failure to obtain permit – Inspection – Withholding of service – Penalty. Power will not be furnished to any electrical installation of any kind without the inspection and approval of the City Electrician as provided in this chapter; failure by anyone to obtain such inspection and approval shall result in refusal of service or discontinuance of service, whichever is applicable, until a permit is obtained, if there was none, and approval given, and a penalty equal to twice the applicable permit charge is paid.

15.12.470 Failure to correct defects. Any person who shall fail to correct any defect in electrical work promptly after being notified of such defect by the City Electrician shall be denied any further permits until the defect has been corrected.

Chapter 15.16

PLUMBING CODE

Sections:

15.16.010	Definitions.
15.16.020	Enforcement.
15.16.030	Scope.
15.16.040	International Plumbing Code – Adopted.
15.16.050	Copies available.
15.16.060	Permit – Required.
15.16.070	Prohibition on use of lead products.
15.16.080	Appeals.
15.16.090	Repairs.
15.16.100	Inspection.
15.16.110	Right-of-entry.
15.16.120	Violation – Penalty.

15.16.010 – 15.16.060

15.16.010 Definitions. The following words and phrases used in this chapter shall for the purpose of this chapter have the meanings listed below:

“Plumbing Inspector” means City Building Inspector or other designated City employee.

15.16.020 Enforcement. The administration and enforcement of this chapter shall be the duty of the City Administrator or other designated employee of the City. (Charter Ord. 1-1989 §3 (part), 1989)

15.16.030 Scope. The provisions of this chapter shall apply to and govern plumbing, including the practice, materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances in connection with any of the following: sanitary drainage, venting systems, and the public or private water supply systems, within or adjacent to any building or other structure, also the practice and materials used in installation, maintenance, extension, or alteration of the sewage system of any premises and their connection with any point of public disposal or other terminal.

15.16.040 International Plumbing Code. There is adopted by the City for the purpose of regulating all installations, repairs, and alterations of plumbing equipment and connections, that certain code known as the International Plumbing Code, recommended and published by the International Code Council, being the 2006 edition, and all future editions of said codes as may hereinafter be adopted by the State of Wyoming from time to time, and such code is hereby adopted and incorporated herein as fully as if set out verbatim herein. (Ord. 11-2005) (Ord. 12-1992 §1, 1992) (Ord. 29-2008)

15.16.050 Copies available. A sufficient number of copies, but not less than three copies, of the International Plumbing Code shall be kept on file by the Building Official for inspection by and use of the public and be marked with the words, “City of Powell, Official Copy.” (Ord. 29-2008)

15.16.060 Permit – Required. No plumbing work, unless expressly excepted in this chapter, shall be undertaken prior to the issuance of a permit therefore by the City Administrator or other designated City employee. Permit fees shall be at the same rate as building permits, as provided in Section 15.08.010. (Ord. 12 – 2005) (Charter Ord. 1-1989 §3 (part), 1989)

15.16.070 Prohibition on use of lead products. Any pipe, solder, flux, or other product which is used on the City water system or any component part thereof or any extension thereof, residential or nonresidential, public or private, shall be lead free. The term, “lead free” when used with respect to solders and flux and other products refers to such products containing not more than 0.2 percent lead and when used with respect to pipes and pipe fittings to such products containing not more than 8.0 percent lead. This section shall not apply to leaded joints necessary for the repair of cast iron pipes.

15.16.080 Appeals. The Board of Appeals established by the latest edition of the Uniform Building Code adopted by the City shall also serve as the Board of Appeals for matters arising under the Uniform Building Code and the Uniform Mechanical Code.

15.16.090 Repairs. Repairs involving only the working parts of a faucet or valve, the clearance of stoppages, repairing leaks, or replacement of defective faucets or valves may be made without a permit provided no changes are made in the piping to the fixtures.

15.16.100 Inspection. It shall be the duty of the Building Official to enforce the provisions of this chapter and to make inspections hereunder.

15.16.110 Right-of-entry. The City Administrator shall prepare, and authorized representatives shall carry sufficient identification and shall exhibit same before entering any premises for the purpose of inspecting any plumbing system at such times as may be reasonably necessary to protect the public health. (Charter Ord. 1-1989 §3 (part), 1989)

15.16.120 Violation – Penalty. Any person violating any provisions of this chapter shall be punishable by fine of not more than seven hundred fifty dollars for each such offense plus the costs of prosecution.

Chapter 15.20

SOLAR COLLECTION PERMITS

Sections:

15.20.010	Definitions.
15.20.020	Use regulations – Shading of collectors unlawful.
15.20.030	Location of solar collector.
15.20.040	Exception of pre-existing uses.
15.20.050	Variances.
15.20.060	Permits – Required.
15.20.070	Permit – Application.
15.20.080	Abandonment.
15.20.090	Permit – Notice and hearing.
15.20.100	Permit – Grounds for denial.
15.20.110	Permit – Waiver of notice.
15.20.120	Permit – Revocation.
15.20.130	Permit – Abandonment.
15.20.140	Permit – Contents.
15.20.150	Permit – Recording.
15.20.160	Recording of orders of cancellation and abandonment.
15.20.170	Burden of proof.
15.20.180	Violation – Penalty.

15.20.010 Definitions. “Solar collector,” means one of the following which is capable of collecting, storing, or transmitting at least twenty-five thousand BTUs on a clear winter solstice day:

1. A wall, clerestory or skylight window designed to transmit solar energy into a structure for heating purposes;
2. A greenhouse attached to another structure and designed to provide part of all of the heating load for the structure to which it is attached;
3. A trombe wall, drum wall or other wall or roof structural element designed to collect and transmit solar energy into a structure;
4. A photovoltaic collector designed to convert solar energy into electric energy;
5. A plate-type collector designed to use solar energy to heat air, water or other fluids for use in hot water or space heating or other applications;
6. A massive structural element designed to collect solar energy and transmit it to internal spaces for heating; or
7. Other devices or combinations of devices which rely upon sunshine as an energy source.

“Solar right” means a property right to an unobstructed line-of-sight path from a solar collector to the sun which permits radiation from the sun to impinge directly on the solar collector. The extent of the solar right shall be described by that illumination provided by the path of the sun on the winter solstice day which is put to a beneficial use or otherwise limited by these regulations.

“Winter solstice day” means the solstice on or about December 21st which marks the beginning of winter in the

northern hemisphere and is the time when the sun reaches its southernmost point.

15.20.020 Use regulations—Shading of collectors unlawful. Except as otherwise provided by this chapter, it is unlawful for the owner of any real property to erect any structure thereon or to allow any tree, shrub, or other vegetation to grow thereon in such a manner as to cast a shadow upon a solar collector located upon the property of another, if that shadow is greater than the shadow cast by a hypothetical wall ten feet in height located along the boundary lines of the property upon which the structure or vegetation is located, between the hours of nine a.m. and three p.m., M.S.T. on the winter solstice day.

15.20.030 Location of solar collector. Solar collectors shall be located upon the solar user's property so as not unreasonably or unnecessarily to restrict the use of neighboring property.

15.20.040 Exception of preexisting uses. The provisions of Section 15.20.020 shall not apply to structures or vegetation in existence upon the effective date of the ordinance codified in this section; nor shall they apply to structures or vegetation in existence prior to the time of installation of a solar energy collector system upon neighboring property.

15.20.050 Variances. Variances from the strict application of the provisions of this chapter may be granted by the Board of Adjustment upon a finding that the strict enforcement of these regulations would result in unnecessary hardship. Notice and procedure shall be the same as is followed by the Board of Variances from the zoning ordinances of the City.

15.20.060 Permits—Required. A. **Permit Required.** No solar right may be perfected unless a solar permit therefore has been granted and issued by the City.

B. **Standards.** A solar permit shall be granted for any proposed or existing solar collector which complies with the requirements of this chapter and all other applicable ordinances of the City.

C. **Vesting of Right—Requirement of Beneficial Use.** A solar right vests when the solar permit is granted and issued. The solar right pursuant to such permit shall be put to beneficial use within two years after issuance, provided that additional time not exceeding three years may be granted for good cause. The Building Inspector or other designated representative of the City shall, upon request of the permittee, provide certification upon the original

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permit, when beneficial use of such right has been made in accordance with the provisions of this chapter.

D. Existing Uses. Permits for solar collectors existing at the time of the effective date of the ordinance codified in this chapter may be applied for and granted within five years after the effective date of the ordinance codified in this chapter.

15.20.070 Permit—Application. Any person desiring to obtain a solar permit shall first make application to the Building Inspector or other authorized representative of the City on the appropriate form furnished by the City, providing all information required thereon and accompanied by a fee for the permit in the amount of fifteen dollars.

15.20.080 Abandonment. A solar right which is not applied to a beneficial use for a period of five years or more after the issuance of a permit shall be deemed abandoned and without priority.

15.20.090 Permit—Notice and hearing. Upon receiving any application for a solar permit, and prior to the issuance of any such permit, notice of such application shall be given to all adjacent property owners, by delivery in person or by certified mail. Notice delivered to any occupant over the age of fourteen years shall be deemed to be sufficient notice to all other occupants, owners, or other persons claiming any interest whatsoever in such premises or property. The notice shall state the name and address of the applicant for the solar permit, the street address of the property for which it is sought, and the legal description of the property for which it is sought, and shall state that written protests may be filed at a place therein designated for a period of ten days, the first day of which shall be the date such notice is delivered in person or deposited in the United State Mail, postage pre-paid, by certified mail as herein provided. In the event that any such protests are received, a hearing upon the application for the permit shall be conducted with notice to all protesters and to the applicant, and conducted by the City Building Official or his designated representative, following the procedures set forth in the rules of practice and procedure of the City. Either party may appeal from the decision of the Building Inspector to the Board of Adjustment.

15.20.100 Permit—Grounds for denial. An application for a permit may be denied upon any one or more of the following grounds:

A. Inadequacy of information provided in application;

- B. Misrepresentation of information furnished in or with permit;
- C. Noncompliance with any municipal ordinance or state law;
- D. Undue hardship upon adjacent property owners;
- E. Undue interference with use of adjacent properties.

15.20.110 Permit—Waiver of notice. Any applicant for a permit presenting with his application waiver and consent forms properly executed by all of the owners of record of the adjacent properties may be granted a permit without the necessity of notice or hearing. Such waiver and consents shall be prepared and obtained by the applicant.

15.20.120 Permit—Revocation. The City reserves the right to revoke any permit after it is issued, regardless of whether the holder thereof has commenced installation of a solar collector, for any of the grounds stated in Section 15.20.100.

15.20.130 Permit—Abandonment. A solar right which is not applied to a beneficial use for a period of five years or more may be declared to have been abandoned upon the application of any adjacent property owner. Notice of such application shall be given to the owner of the property or premises for which that permit was granted, and such notice shall be served in the same manner as herein provided for service of notice of an application for a permit and shall inform the holder of a permit that he may protest such demand for abandonment within a period of ten days after the service thereof, in the same manner provided for protests of applications for permits, in which event the matter shall proceed to hearing in the manner as provided for issuance of permits, and if no such protest is filed, a declaration of abandonment shall be entered by the Building Official or other authorized representative of the City without other or further notice.

15.20.140 Permits—Contents. Each solar permit issued according to this chapter shall contain a legal description of the property for which the permit is issued, as well as a legal description of each of the surrounding properties and shall further include a description of the collector surface or that portion of the collector surface for which the permit is granted. It shall further include the dimensions of the collector surface, the direction of orientation, the height above ground level, the location of the collector on the solar user's property and the date the solar permit was granted, and shall have the signature of

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the Building Official or other authorized representative of the City.

15.20.150 Permit—Recording. Each permit issued in accordance with the provisions of this chapter shall be recorded with the County Clerk by the applicant at the expense of the applicant, and the applicant shall return to the Building Official a copy of the permit containing the recording information. No solar right shall be deemed to have been perfected until the provisions of this section have been complied with in full, and the applicant shall have sole responsibility for having such permit prepared in recordable form.

15.20.160 Recording of orders of cancellation and abandonment. An order of cancellation entered by the City shall be recorded with the County Clerk by the City at the expense of the City. A declaration of abandonment shall be recorded with the County Clerk by the party applying therefor, at the expense of such party, and such party shall provide the Building Official or other authorized representative of the City a copy of such declaration of abandonment containing the recording information before any such permit shall be deemed to have been fully terminated by declaration of abandonment.

15.20.170 Burden of proof. In every instance the burden of proof with respect to any application for a permit or any application for abandonment of a permit shall be upon the party making such application. The parties so applying shall have sole responsibility for the preparation and completion of their own forms and documents and for the preparation and delivery of all notices required.

15.20.180 Violation—Penalty. Violation of the provisions of this chapter shall be a violation of the civil rights of the aggrieved parties, and not a violation of the criminal law. Accordingly, enforcement shall be by a private civil action by the aggrieved party, and the prevailing party shall be entitled to collect its court costs and reasonable attorneys fees from the other party in such action. This section shall not be deemed to preclude the City from exercising any remedies it may have by reason of the fact that such violation also constitutes a violation of any other ordinance of the City.

Chapter 15.24FLOOD DAMAGE PREVENTIONSections:

15.24.010	Definitions.
15.24.020	Applicability of chapter provisions.
15.24.030	Compliance with chapter provisions.
15.24.040	Abrogation and greater restrictions.
15.24.050	Interpretation of language.
15.24.060	Warning and disclaimer of liability.
15.24.070	Development permit requirements.
15.24.080	Administration—Chief Inspection Officer authority.
15.24.090	Chief Inspection Officer—Powers and duties.
15.24.100	Flood hazard reduction standards.
15.24.110	Anchoring.
15.24.120	Construction materials and methods.
15.24.130	Utilities.
15.24.140	Subdivision proposals.

15.24.010 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 usage and to give this chapter its most reasonable application.

“Base flood” means the flood having one-percent chance of being equalled or exceeded in any given year.

“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 located within the area of special flood hazard.

“Flood” or “flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of waters; and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

“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 attached to the required utilities. The term manufactured home does not include a recreational vehicle.

“Structure” means a walled and roofed building or manufactured home that is principally above ground.

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“Substantial improvement” means any repair, reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a historic structure, provided that the alteration will not preclude the structure’s continued designation as a historic structure. (Ord. 3-1992 § 1 (part))

15.24.020 Applicability of chapter provisions. This chapter shall apply to all areas within the jurisdiction of the City of Powell. . (Ord. 3-1992 § 1 (part))

15.24.030 Compliance with chapter provisions. No structure or land shall hereafter be constructed, located, extended or altered without full compliance with the terms of this chapter and other applicable regulations. (Ord. 3-1992 § 1 (part))

15.24.040 Abrogation and greater restrictions. This chapter is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this chapter and other ordinance, easement, covenant or deed restrictions conflicts or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 3-1992 § 1 (part))

15.24.050 Interpretation of language. In the interpretation 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 State Statute. (Ord. 3-1992 § 1 (part))

15.24.060 Warning and disclaimer of liability. This chapter shall not create liability on the part of the City, 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. (Ord. 3-1992 § 1 (part))

15.24.070 Development permit requirements. A. A development permit shall be obtained before construction or development begins within the community.

B. Application for a development permit shall be made on forms furnished by the office of the Chief Inspections Officer and may include, but not be limited to:

1. Plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question;
2. Existing or proposed structures, fill, storage of materials, drainage facilities; and
3. The location of the foregoing. (Ord. 3-1992 § 1 (part))

15.24.080 Administration—Chief Inspection Officer authority. The Chief Inspection Officer is appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions. (Ord. 3-1992 § 1 (part))

15.24.090 Chief Inspection Officer—Powers and duties. Duties of the Chief Inspection Officer shall include but not be limited to:

A. Review all development permits to determine that the permit requirements of this chapter have been satisfied, and to determine whether proposed building sites will be reasonably safe from flooding;

B. Review all development permits to determine that permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;

C. Review all development permits to determine if the proposed development adversely affects the flood-carrying capacity of the flood-prone area. For the purposes of this chapter, “adversely affects” means damage to adjacent properties because of rises in flood stage attributed to physical changes of the channel and the adjacent overbank areas.

1. If it is determined that there is no adverse effect and the development is not a building, then the permit shall be granted without further consideration.

2. If it is determined that there is an adverse effect, then technical justification (i.e., a registered professional engineer’s certification) for the proposed development shall be required.

D. If the proposed development is a building, then the provisions of this chapter shall apply. (Ord. 3-1992 § 1 (part))

15.24.100-15.24.140

15.24.100 Flood hazard reduction standards. If a proposed building site is located in a flood-prone area, all new construction and substantial improvements (including the placement of manufactured homes) shall conform to the standards set out in Section 15.24.100 through 15.24.400. (Ord. 3-1992 § 1 (part))

15.24.110 Anchoring. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure, and be capable of resisting hydrostatic and hydrodynamic loads. (Ord. 3-1992 § 1 (part))

15.24.120 Construction materials and methods. A. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

B. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage;

C. 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 and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (Ord. 3-1992 § 1 (part))

15.24.130 Utilities. A. All new and replacement water-supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

B. 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.

C. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. (Ord. 3-1992 § 1 (part))

15.24.140 Subdivision proposals. A. All subdivision proposals shall be consistent with the need to minimize flood damage.

B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage. (Ord. 3-1992 § 1 (part))

Chapter 15.28

CONTRACTOR REGISTRATION

Sections:

- 15.28.010** Registration required, exceptions, registration categories.
- 15.28.020** Application and Fee.
- 15.28.030** Term of Registration, Initial and Renewal Fees, Expired Registrations.
- 15.28.040** Insurance Required.
- 15.28.050** Notification of Place of Business.
- 15.28.060** Unlawful Use of Name of Registered Person.
- 15.28.070** Penalty for Working Without Being Registered or Having Required Insurance.

15.28.010 Registration Required, Exceptions, Registration Categories.

No person or other legal entity shall engage in the business of general contractor, limited contractor, plumbing/HVAC contractor, electrical contractor, or handyman without first having registered with the City of Powell except as herein provided for a property owner to do his work on his own property. This chapter shall not apply to those persons or other legal entities which perform odd jobs with labor costs of less than \$500.00 per job.

It shall be unlawful for any person to erect, construct, install, enlarge, alter, repair, move, improve, remove, convert, demolish, do plumbing, mechanical or electrical work in or on any building or structure regulated by the City unless registered for the particular contracting category under the provisions of this article.

An owner, excluding landlords, without being required to register pursuant to this chapter, may be granted building permits to construct, install, enlarge, alter, repair, move, improve, convert, demolish, do plumbing or mechanical work in, on or for a single or multi-family dwelling with a private garage and private accessory building all on the same premises. No owner shall be granted more than one permit in any two-year period for the construction of a single-family dwelling. Where an owner is granted such a permit, all elements shall be inspected and shall comply fully with the current building codes as herein adopted. Any sub-contractor used by the owner shall be registered.

Limited contractors, sub-contractors, finish contractors, construction/maintenance handymen, roofers, siding contractors, concrete/masonry contractors, painter, carpet, flooring, linoleum and tile layers, sign contractors, fencing, and lawn sprinkler/landscaping contractors, shall be registered the same as general contractors; however, limited contractors are not required to carry liability insurance in order to be registered with the City.

Building permits for construction projects are required to be obtained and paid for prior to work being started. The registered contractor shall obtain the permit unless the homeowner is performing his/her own work. The registrant with his or her signature shall acknowledge that they will comply with all current codes, including building, electrical, plumbing, mechanical, fire, and other construction codes, and the Powell City Code, secure building permits and call for inspections as required by the Powell City Code. Failure to call for inspections may result in revocation of the City of Powell contractor's registration. Permit checklist, if issued, must be displayed in visible area during construction. (Ord. 8-2004) (Ord. 22-2008)

15.28.020 Application and Fee.

A. General, Limited, Plumbing/HVAC, or Electrical Contractor Registration.

Any person, corporation or other legal entity desiring to do work within the City as a general contractor, limited contractor, plumbing/HVAC contractor or electrical contractor shall complete and submit five days prior to beginning any work within the City of Powell, a written application for contractor's registration, the required registration fee, proof of insurance, if required, and any other documentation required. The registration application shall be One Hundred (\$100) Dollars for general contractors, limited contractors, plumbing/HVAC contractors and electrical contractors. The registration application fee shall accompany the application. After receipt of written application for registration, City shall issue a contractor registration card upon a determination that registrants application is complete and that all required documentation, registration fees and proof of insurance, if required, have been received.

1. General Contractor's Registration shall be required of persons engaged in general construction contracting business (building, residential, commercial, construction). Construction contracting shall include the erection, construction, assembling, enlarging, structurally altering, moving, removing, demolishing and doing of plumbing or mechanical work on any project, including the supervision of such.

2. Limited Contractor's Registration shall be required of persons engaged in limited construction work of any kind including such work as sub-contracting, finish work, construction/maintenance handyman work, roofing, siding, fencing, concrete/masonry, excavators, cabinetry, glazing, door/window replacement, sheet rocker, painters, carpet, flooring, linoleum and tile layers, sign contractors, fencing, and lawn sprinkler/landscaping contractors.

3. Plumbing/HVAC Contractor Registration. Any person desiring to work within the City as a plumbing/HVAC contractor shall complete a written application for plumbing/HVAC contractor registration and submit the fee, and insurance requirements.

4. **Electrical Contractor Registration.** Any person desiring to work within the City as an electrical contractor shall complete a written application for electrical contractor registration and submit the fee, copy of the master electrician's license, and insurance requirements. Every apprentice and journeyman electrician shall work under the control and supervision of the master electrician. (Ord. 8-2004)

15.28.030 Term of Registration, Initial and Renewal Fees, Expired Registration.

All registrations required herein and issued by the City Clerk shall be for the calendar year and shall expire on December 31 of the year in which they are issued. The initial application fee shall be One Hundred Dollars (\$100). Every registrant in good standing may have their registration renewed annually upon payment of the fee of Fifty Dollars (\$50). Registration that has been expired for more than sixty (60) days is deemed delinquent and may not be renewed. A contractor found delinquent shall cease activities until such time as the delinquent registrant completes a new application and pays the application fee for a new registration pursuant to Section 15.28.020A. A new registration may then be issued. (Ord. 8-2004)

15.28.040 Insurance Required.

A. No registration shall be issued for general, plumbing/HVAC or electrical contractors until said contractor has filed with the City Clerk a certificate of liability insurance insuring the contractor, his agents, employees and representatives, or anyone under registrant's supervision for the following insurance coverage while engaged in any activity or work pursuant to contractor's registration.

B. All applicants required to carry liability insurance shall, at the time of making application, provide evidence of liability insurance in a minimum amount of One Hundred Thousand Dollars (\$100,000) property damage; One Hundred Thousand Dollars (\$100,000) bodily injury; and an aggregate of Three Hundred Thousand Dollars (\$300,000) per occurrence and shall keep insurance in full force and effect.

C. All registrants required to carry liability insurance shall require their insurer to notify the City Clerk within ten calendar days of non-payment of insurance premiums and within thirty calendar days of the effective date of a change in the licensee's insurance and/or a registrant's notification of cancellation or non-renewal of the insurance, in whole or in part. All registrants required to carry liability insurance shall be responsible for filing a current certificate of insurance with the City Clerk and the City shall not be responsible for notifying registrants of impending expiration of insurance coverage. (Ord. 8-2004)

15.28.050 Notification of Place of Business.

Every person registered under this chapter shall notify the City Clerk of the address of his place of business and the name under which such business is carried on, and shall give immediate notice to the City Clerk of any change in either. (Ord. 8-2004)

15.28.060 Unlawful Use of Name of Registered Person.

No person who has registered as a contractor shall allow his name/business to be used by another person either for the purpose of obtaining permits or for doing business or work under this registration. (Ord. 8-2004)

15.28.070 Penalty for Working Without Being Registered or Having Required Insurance.

Any person violating any provision of this chapter upon conviction thereof shall be fined no more than Seven Hundred Fifty Dollars (\$750) for each such offense. Each day during which violations occur shall be deemed a separate offense. (Ord. 8-2004)

