

Sponsor: Frankie Dale Rife  
First Reading: January 9, 2017  
Second Reading: April 3, 2017

ORDINANCE 35-17

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE AS THE PROPERTY MAINTENANCE CODE OF THE TOWN OF WYOMING AND REPEALING ORDINANCE #1-15 OF THE TOWN OF WYOMING

WHEREAS, the Town of Wyoming adopted Ordinance #1-15 of the Town of Wyoming on October 5, 2015 whereby the Town adopted those regulations outlined in the 2012 International Property Maintenance Code; and

WHEREAS, the Town of Wyoming desires to repeal Ordinance #1-15 and adopt the 2015 version of the International Property Maintenance Code, subject to certain exceptions outlined herein.

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Wyoming, a majority thereof concurring in Council duly met, as follows:

Section 1. Ordinance #1-15 of The Town of Wyoming, adopted October 5, 2015, is hereby repealed in its entirety.

Section 2. That certain document on file in the Town Hall of the Town of Wyoming being marked and designated as the *International Property Maintenance Code*, 2015 edition, as published by the International Code Council, be and hereby is adopted as the Property Maintenance Code of the Town of Wyoming for regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Town of Wyoming are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes prescribed in Section 3 of this ordinance.

Section 3. The following sections are hereby revised as follows:

Section 101.1. Insert: Town of Wyoming

Section 103.5. Insert:

Building Permits: \$35.00 for the first thousand dollars of cost of improvements and \$4.00 for each thousand thereafter.

Certificate of Occupancy: \$50.00

Extension of Permit: permit extensions are not permitted

Section 112.4. Insert: Any person who shall continue any work 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 be liable to a fine of not less than \$500.00 dollars or more than \$999.00 dollars. Each day the violation continues shall be considered a new violation subject to a new fine.

Section 302.4. Insert: Eight (8) inches

Section 304.14. Insert: March 15 – November 15

Section 602.3. Insert: September 15 – July 15

Section 602.4. Insert: September 15 – July 15

Section 4. To the extent any conflict exists between the provisions of the Property Maintenance Code and the provisions of the Town of Wyoming Ordinance 5-11, “An Ordinance Governing Dangerous Buildings and Structures,” Ordinance 12-11, “An Ordinance Regulating Overgrown Grass and Weeds in the Town of Wyoming,” or Ordinance 17-07, “An Ordinance Establishing a Procedure for the Determination and Abatement of Public Nuisances Within the Town of Wyoming, and Providing Penalties for Violations Thereof,” including any amendments, alterations, or corresponding provisions of law, any such conflict shall be resolved in favor of the Town ordinances referenced herein.

Section 5. If any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Wyoming hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. Nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 7. The Town Clerk shall certify to the adoption of this ordinance, and cause the same to be published as required by law, and this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

SYNOPSIS

This ordinance adopts the 2015 International Property Maintenance Code as the property maintenance code of the Town of Wyoming. This ordinance specifies that any conflicts between the Property Maintenance Code and certain Town of Wyoming ordinances regarding dangerous buildings, overgrown grass and weeds, and abatement of public nuisances shall be resolved in favor of the Town of Wyoming ordinances.

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This shall certify that this is a true and correct copy of the Ordinance duly adopted by the Town Council of the Town of Wyoming at a duly-noticed and convened meeting at which a quorum was present on 4-3-, 2017.

Attest: *Laura Comen*  
Council Secretary

So certifies:  
*Frankie Dale Giff*  
Mayor