

Sponsor: Denison
First Reading: waved
Second Reading: 05/11/2020

ORDINANCE 51-20

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL BUILDING CODE AS THE BUILDING CODE OF THE TOWN OF WYOMING

WHEREAS, the Town Council of the Town of Wyoming is authorized pursuant to section 18.20 of the Town Charter to “forbid any building except for which a building permit therefor has been obtained,” which regulation applies to “new buildings, or rebuildings or additions to or alterations of existing structures of any kind;” and

WHEREAS, the Town Council desires to adopt the 2015 edition of the *International Building Code*, which regulates and governs 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 structures in the Town; and provides for the issuance of permits and collection of fees therefor.

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. That certain document on file in the Town Hall of the Town of Wyoming being marked and designated as the *International Building Code*, 2015 edition, including all Appendix Chapters, as published by the International Code Council, be and hereby is adopted as the Building 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 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 Building Code on file in the office of the Town 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, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised as follows:

Section 101.1 – Insert: Town of Wyoming

Section 1612.3 – Insert: Town of Wyoming

Section 1612.3 – Amend this section by making insertions as shown by underline and deletions as shown by strikethrough as follows:

1612.3 Establishment of flood hazard areas. To establish *flood hazard areas*, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for the Town of Wyoming as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Section 3. To the extent any conflict exists between the provisions of the 2015 International Building Code and the provisions of the Town of Wyoming Ordinance 27-14 (Flood Damage Reduction Ordinance) and Ordinance 50-20 (Building Inspection Ordinance), including any amendments, alterations, or corresponding provisions of law, any such conflict shall be resolved in favor of the Town ordinances referenced herein.

Section 4. 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 Building 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 Building Code as the building code of the Town of Wyoming. This ordinance specifies that any conflicts between the International Building Code and certain Town of Wyoming ordinances regarding flood damage regulations and building inspections shall be resolved in favor of the Town of Wyoming ordinances.

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 May 11, 2020.

Attest: *Tracy Johnson*
Council Secretary

So certifies:
Steve Bille
Mayor

This shall certify that a copy of this Ordinance was posted at the Town Hall on May 19, 2020.

5/19/2020
Date

So Certifies:
Audrey Lunde