



## LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

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Planning • Building

### MEMORANDUM

**TO:** Laramie County Planning Commission

**FROM:** Justin Arnold, Planning Program Manager

**DATE:** December 5, 2023

**SUBJECT:** ADOPTION of the 2023 Edition of the National Electrical Code

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#### Executive Summary

Laramie County has been the issuing authority for building permits since the County adopted the International Building Codes in 2003. From 2003 to 2008, the County contracted with the City of Cheyenne to provide permitting and inspection services. In 2008, the County initiated its own Building Division and began issuing and managing all building permit within the unincorporated boundary of the County. The State of Wyoming, under State Statute § 35-9-121, has delegated authority to Laramie County to “enforce and interpret local or state fire, building, existing building standards or electrical safety standards which meet the requirements” of § 35-9-121.

Laramie County intends to adopt the 2023 edition of the National Electrical Code. The State of Wyoming adopted the 2020 National Electrical Code (NEC) pursuant to Wyoming State Statute 35-9-120(a) “The installation of electric equipment in or on building, mobile homes and premises shall be made subject to the applicable minimum requirements of the National Electrical Code.....” The definition of National Electrical Code (NEC) is referenced in the Electrical Board Rules and Regulations which states “NEC is the current electrical code created by the National Fire Protection Association whose purpose is the practical safeguarding of persons and property from hazards arising from the use of electricity.” Effective July 1, 2023, The Department of Fire Prevention and Electrical Safety began enforcing the 2023 NEC. Local jurisdictions will need to also adopt, enforce, and submit local ordinances to the State Fire Marshall that the 2023 NEC is adopted within six (6) months of this effective date.

Adoption of any regulation must occur under the rule making requirements of Wyoming State Statute § 16-3-103. A 45-day notice period and opportunity for public input is required prior to any adoption of rules. On October 3, 2023, Resolution #231003-31 giving public notice of Laramie County's intent to adopt the 2023 National Electrical Code was approved. On November 9, 2023, the Laramie County Planning Commission voted 3-0 to recommend approval.

#### Proposed Motion

I move to adopt the 2023 Edition of the National Electrical Code with modifications.

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**RESOLUTION NO.**

**A RESOLUTION AMENDING THE ELECTRICAL CODE REGULATIONS OF LARAMIE COUNTY BY REPLACING THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE WITH THE 2023 EDITION OF THE NATIONAL ELECTRICAL CODE WITH MODIFICATIONS.**

**WHEREAS**, Wyo. Stat. §18-5-201 to 18-5-208; §18-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the subdivision, use, location, design of land and buildings in unincorporated Laramie County; and,

**WHEREAS**, Wyo. Stat. §35-9-121 authorizes Laramie County to adopt electrical, mechanical and building codes applicable in unincorporated Laramie County; and,

**WHEREAS**, Wyo. Stat. §35-9-121(a)(ii) requires counties where local enforcement has been granted to adopt new standards within six months of the adoption by the State of Wyoming; and,

**WHEREAS**, minimum regulations governing the conditions and maintenance of all property, buildings and structures is essential to ensure that property, buildings and structures are safe, sanitary and fit for occupation and use; and,

**WHEREAS**, the Laramie County Board of Commissioners has complied with the requirements of Wyo. Stat. §16-3-103(a) by providing an opportunity for public comment and a public hearing.

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING**, as follows:

Section 1. Short Title. The amendments adopted by this resolution shall be known as the “2023 Amendments to the Electrical Code Regulations of Laramie County”.

Section 2. 2020 National Electrical Code Repealed. The 2020 Edition of the National Electrical Code and amendments thereto, which were adopted and amended as part of the “Electrical Code Regulations of Laramie County” are hereby repealed.

Section 3. 2023 Edition of the National Electrical Code Adopted. The Board of County Commissioners for Laramie County, Wyoming, for the purpose of prescribing regulations governing the design and construction of electrical systems and inspection and permitting thereof, adopts the National Electrical Code, 2023 Edition and Annex H, save and except such portions as are herein deleted, added, modified, or amended. A copy of the code has been filed in the office of the County Clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein and from the date of adoption. These provisions shall be controlling within the unincorporated areas of the County.

Section 4. Amendments, Additions, and Deletions to the 2023 National Electrical Code  
The following sections of the National Electrical Code, 2023 Edition and Annex H save and except such portions as are herein deleted, added, modified, or amended, which is adopted herein, are modified and/or added to as follows:

- A. **Section 80.13 Authority** is amended to add the following:

These provisions shall be known as the Electrical Code Regulations of Laramie County and shall be cited as such and will be referred to herein as “this code.”

The department of inspection for purposes of these Electrical Code Regulations shall be the Laramie County Planning and Development Department. The official in charge thereof shall be known as the Chief Building Official.

- B. **Section 80.15 Electrical Board Paragraphs A, B, C, D, E and F** are hereby deleted and amended to read as follows:

The Board of Appeals for purposes of these regulations shall be the Board of Appeals as established by the Laramie County Commissioners. The establishing resolution by Laramie County for the Board of Appeals shall govern the membership and procedures of the board. A final decision by the board of appeals shall be final for purposes of the Wyoming Administrative Procedures Act.

- C. **Section 80.19 (E) Fees** shall read as follows:

The schedule of fees are those fees published and adopted by the Laramie County Board of Commissioners each July 1.

- D. **Section 80.23 (B) Penalties** shall read as follows:

Any person violating any provision of this Code shall be deemed guilty of a misdemeanor. Each and every day or portion thereof, during which a violation of any provision of such Code is committed, continued or permitted, shall constitute a separate offense. Upon conviction, such person may be punished by a fine of not more than Seven Hundred Fifty Dollars (\$750.00) for each offense. (Wyo. Stat. §18-5-201 through 18-5-207).

- E. **Section 80.25 (C) Notification,**

Insert the number “15”.

- F. **Section 80.27, Inspector’s Qualifications,** is deleted in its entirety and shall read as follows:

Qualifications shall meet those as prescribed by Wyoming State Statute § 35-9-121.

G. Section 80.29, Liability for Damages, insert the words “Laramie County” in the blank.

H. **Section 80.35, Effective Date** is deleted and amended to read as follows:

The effective date is the date of the approved resolution.

I. **Chapter 10 Exceptions** is created to read as follows:

**Section 1001.** These Regulations shall not apply to any of the following:

1. Public utility owned towers and poles;
2. Mines and their appurtenant facilities, oil field operations governed by the State of Wyoming Oil and Gas Commission, petroleum refineries and liquefied petroleum gas facilities;
3. Railway shops, railway buildings (except those used for public assembly, cafeterias, dormitories, etc.), rolling stock and locomotive equipment;
4. Automotive equipment employed by a railway, gas, electric or communication utility in the exercise of its function as a public utility;

Section 5. Repealer. If any section, subsection, sentence, clause, or phrase of this resolution is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

Section 6. Effective Date. These 2023 Amendments to the Electrical Code Regulations of Laramie County shall become effective on the date this Resolution is approved.

**PRESENTED, READ, PASSED, APPROVED, AND ADOPTED** this \_\_ day of \_\_\_\_\_, 2023.

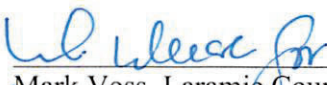
LARAMIE COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Troy Thompson, Chairman

ATTEST:

\_\_\_\_\_  
Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

  
\_\_\_\_\_  
Mark Voss, Laramie County Attorney