

RESOLUTION # _____

**RESOLUTION GIVING PUBLIC NOTICE OF LARAMIE COUNTY'S INTENT TO
ADOPT THE 2020 EDITION OF THE NATIONAL ELECTRIC CODE WITH
MODIFICATIONS**

WHEREAS, Wyoming State Statutes § 16-3-103; §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 use of land through zoning in unincorporated Laramie County; and

WHEREAS, WYO. STAT. ANN. § 35-9-121, requires for counties that have been granted local enforcement authority, that failure to adopt within six months following the adoption of new standards by the State Fire Marshall, will result in reversion of local enforcement authority to the State Fire Marshall's Office; and

WHEREAS, Laramie County desires to continue to retain local control of enforcement in the issuance of building permits within unincorporated Laramie County; and

WHEREAS, WYO. STAT. ANN. § 16-3-103, requires 45 days public notice and a reasonable opportunity for public comment before Laramie County may adopt, amend, or repeal rules and regulations;

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, that notice is hereby given to the public that Laramie County intends to adopt the 2020 Edition of the National Electric Code with Modifications, and that copies of the proposed Code and Modifications may be reviewed at the Laramie County Clerk's Office, 309 West 20th Street, Room 1513, Cheyenne, Wyoming and/or the Planning and Development Office, 3966 Archer Parkway, Cheyenne, Wyoming; that all interested persons may submit written comments to the Laramie County Clerk, 309 West 20th Street, P.O. Box 608, Cheyenne, Wyoming 82003, no later than 12:00 p.m. on November 20, 2020; that there shall be a regularly scheduled Laramie County Planning Commissioner's meeting on November 12, 2020 at 3:30 p.m. and a regularly scheduled Laramie County Commissioner's meeting on December 1, 2020 at 3:30 p.m. Both meetings will be held in the Laramie County Commissioners meeting room on the third floor of the Historic County Courthouse, 310 West 19th Street, Cheyenne, Wyoming; and that this notice shall be published once in the Wyoming Tribune-Eagle as soon as practicably possible.

PRESENTED, READ AND ADOPTED this 6th day of October, 2020.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Gunnar Malm, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

Mark T. Voss, Laramie County Attorney



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Antony Pomerleau, Chief Building Official

DATE: October 6, 2020

SUBJECT: Rule Making Notice of Intent to Adopt the 2020 National Electrical Code.

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 2020 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, 2020, The Department of Fire Prevention and Electrical Safety began enforcing the 2020 NEC. Local jurisdictions will need to also adopt, enforce, and submit local ordinances to the State Fire Marshall that the 2020 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. As such, staff recommends that the Laramie County Board of Commissioners approve the resolution to provide notice of intent to adopt the 2020 National Electrical Code.

Proposed Motion

I move to approve the resolution to provide the notice of intent, as required under Wyoming State Statute § 16-3-103, to adopt the 2020 National Electrical Code with modifications, and set a public hearing date of December 1, 2020 to consider amendments and adoption of said code.