

ORDINANCE NO. _____

ENTITLED: "AN ORDINANCE AMENDING VARIOUS SECTIONS WITHIN CHAPTER 8.12, INTERNATIONAL FIRE CODE ADOPTED, OF TITLE 8, HEALTH AND SAFETY, OF THE MUNICIPAL CODE OF THE CITY OF CHEYENNE, WYOMING, UPDATING THE EDITION OF THE INTERNATIONAL FIRE CODE ADOPTED BY THE CITY AND FURTHER AMENDING AS SPECIFIED."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That Chapter 8.12, International Fire Code Adopted, is amended as follows:

8.12.010 - Purpose—Authority—General provisions.

The purpose of this chapter is to adopt the International Fire Code, ~~2021~~2024 Edition, as an enforceable regulation governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises.

8.12.020 - International Fire Code—Adopted.

A document, being marked and designated as provided in this section and of which one copy is on file in the office of the city clerk and open for inspection of the public, is adopted and made a part hereof as if fully set out in this chapter:

International Fire Code, ~~2021~~2024 Edition, as published by the International Code Council, Inc., including Appendices A through N.

8.12.030 - Amendments.

The International Fire Code adopted in Section 8.12.020 above is amended as follows:

A. Section 101.1. insert: The City of Cheyenne; for [NAME OF JURISDICTION].

~~B. Section 102.1 is amended by adding subsection [4] as follows:~~

~~4. In making a determination whether a particular structure, facility or condition constitutes a distinct hazard, the fire code official shall follow the guidelines and procedures specified for Section 102.1.4 which appear in the official commentary to the 2021 Edition of the International Fire Code.~~

~~C. B.~~ Section 103.1 insert: Cheyenne Fire Rescue; for [NAME OF JURISDICTION] DEPARTMENT].

~~D. C.~~ Section ~~112.4~~113.4 insert: misdemeanor, for [SPECIFY OFFENSE]; insert seven hundred fifty dollars (\$750.00) and costs, for [AMOUNT]; and insert period not to exceed one hundred eighty (180) days, for [NUMBER OF DAYS].

~~E. D.~~ Section 606.2 is amended by the addition of one exception to read as follows:

~~5. Exception:~~ Commercial facilities that utilize residential stovetops need not provide a Type I or Type II hood, subject to all of the following:

~~a.~~ The occupancy is not subject to Section 904.15 and does not meet the definition of a "food service establishment" as provided in Section 202 defining the term "Commercial Cooking Appliances";

~~a. b.~~ The equipment is used for warming or limited cooking only, no frying is permitted and a permanent sign is posted stating "Warming only - No Cooking Creating Grease Laden Vapors Permitted";

~~b. c.~~ A 2A-10BC fire extinguisher is placed in the kitchen; and

~~e. d.~~ Approval of the exception is provided, in writing, by the ~~city~~ fire code official.

E. Section 1205.2.1.1 is amended to read as follows:

Pathways to ridge. Not fewer than two 36-inch-wide (914 mm) pathways on separate roof planes, from the lowest roof edge to ridge, shall be provided on all buildings. Not fewer than one pathway shall be provided on the street or driveway side of the roof. For each roof plane with a photovoltaic array, not fewer than one 36-inch-wide (914 mm) pathway from lowest roof edge to ridge shall be provided on the same roof plane as the photovoltaic array, on an adjacent roof plane or straddling the same and adjacent roof planes. If a required roof-edge-to-ridge pathway cannot be laddered allowing clear and unobstructed access to such pathway, additional clear roof space shall be provided adjacent to and abutting the roof-edge-to-ridge pathway providing a minimum 36-inch-wide by 36-inch-deep step-off area that then provides clear access to the required roof-edge-to-ridge pathway.

Applicability. The pathways to ridge requirements specified in this section shall not apply to: 1) Solar systems in existence or permitted for installation before March 1, 2025; 2) To the removal and reinstallation of solar panels for the purpose of repair; or 3) To the replacement of existing solar panels or for the repair or replacement of the existing roof covering. Notwithstanding, if the existing structure or solar system is damaged requiring the design and installation of a new solar system, the new solar system shall meet the pathways to ridge requirements.

F. Section 5504.3.1.1.3 is amended to read as follows:

Location. ~~Stationary containers shall be located in accordance with Section 3203.6. Containers of~~ No above-ground tank or container storing cryogenic fluids shall ~~not~~ be located within ~~any~~ diked ~~areas~~ ~~area~~ containing other hazardous materials. The storage of flammable cryogenic fluids in ~~stationary containers outside of buildings is prohibited in all areas other than heavy industrial (HI) zone areas, only with the approval of, and under conditions established by the fire code official. any above-ground tank or container shall be governed in accordance with Section 8.24.020 of the city code.~~

G. Section 5608.10, ~~disposal~~, is ~~deleted and re-created~~ amended to read as follows

Disposal. Any shells found during the inspection required in Section 5608.9 shall not be handled until at least fifteen (15) minutes have elapsed from the time the shells were fired. The disposal instructions of the manufacturer as provided by the fireworks supplier shall be followed in disposing of the fireworks in accordance with Section 5604.10.

H. Section 5704.2.9.6.1 is amended to read as follows:

Locations where above-ground tanks and containers are prohibited. The storage of Class I ~~and or~~ Class II liquids in ~~stationary containers outside of buildings~~ ~~any above-ground tank or container~~ shall be ~~as specified in city code~~ governed in accordance with Section 8.24.020 of the city code.

I. Section 5706.2.4.4 is amended to read as follows:

Locations where above-ground tanks and containers are prohibited. The storage of Class I ~~and or~~ Class II liquids in ~~stationary containers~~ ~~any above-ground tank or container~~ shall be ~~as specified in city code~~ governed in accordance with Section 8.24.020.

J. Section 5806.2 is amended to read as follows:

Locations where above-ground tanks are prohibited. The storage of flammable cryogenic fluids in ~~stationary containers outside of buildings~~ any above-ground tank or container shall be ~~as specified in city code~~ governed in accordance with Section 8.24.020 of the city code.

K. Section 6104.1 is amended to read as follows:

General. The storage and handling of LP-gas, and the installation, and maintenance of related equipment, shall comply with NFPA 58 and as provided in this chapter, only with the approval of, and under conditions established by, the ~~Fire Code Official.~~ fire code official.

L. Section 6104.2 is amended to read as follows:

~~Locations Where Above-Ground Tanks are Prohibited.~~ Maximum capacity within established limits. The storage of ~~liquefied~~ liquified petroleum gas ~~exceeding in residential areas shall be limited to~~ a water capacity of 125 gallons. ~~is restricted in residential areas.~~

Section 2. Sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable. If any section, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or otherwise unlawful, such declaration shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases.

Section 3. This ordinance shall be in full force and effect upon approval and publication.

FIRST READING: _____

SECOND READING: _____

THIRD AND FINAL READING: _____

PATRICK COLLINS, MAYOR

(SEAL)

ATTEST:

KYLIE SODEN, CITY CLERK

Published: _____
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