

TITLE 9
BUILDING REGULATIONS

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CHAPTER 1
BUILDING CODE

Section:

9-1-1: Adoption

9-1-1: ADOPTION:

The International Building, 2012 edition, by the International Code Council, is hereby adopted by the Town for the purpose of establishing minimum standards to safeguard life, health, property and public welfare. The Code is adopted in whole save and except such portions as are modified, deleted, added or amended by Ordinance or Resolution of the Town. The international building code and the codes incorporated by reference within the international building code are incorporated in this section as fully as if set out in length in this section, and the provisions thereof shall be controlling within the town unless specifically excepted.

Fees assessed for building permits shall be determined, from time to time by the town Council of the Town of Superior, Wyoming.

The following shall be the building permit fees:

Estimated Cost

Of Construction Fee	
\$1 - \$1,000	\$50
\$1,001 - \$50,000	\$50 plus \$1.00 per additional one thousand dollars or fraction thereof.
\$50,000 up	\$60 plus \$5.00 per additional one thousand dollars or fraction thereof.

(Ord. 903, 7-12-1977; Res 2010-13,7-8-2010; Ord. 1068, 8-24-2017)

CHAPTER 2
MOBILE HOMES ¹

Section:

- 9-2-1: Location
- 9-2-2: Permit Required
- 9-2-3: Site Sanitation; Water Supply
- 9-2-4: Site Conditions
- 9-2-5: Utilities
- 9-2-6: Mobile Home Park Standards

9-2-1: LOCATION:

Mobile homes shall be permitted only in approved mobile home parks or approved lots. (Ord. 906, 7-2-1979)

9-2-2: PERMIT REQUIRED:

Two (2) weeks prior to the town council meeting at which the applicant wishes to receive a permit for the operation of said mobile home park, the applicant shall submit plans to the council and planning and zoning commission showing the following information:

- A. Identification: The name of the mobile home park, address of owner, operator and maps.
- B. Existing Improvements: Location and size of all proposed water lines, valves, hydrants and sewer lines and fire alarm boxes; connections to existing water lines, connection to existing lines or alternate means of disposal. (Ord. 906, 7-2-1979)

9-2-3: SITE SANITATION; WATER SUPPLY:

All site sanitation and water supply facilities shall be designed to meet the minimum specifications of the state department of health, and a note to this effect, including an estimate of the costs for such facilities shall be stated on the plat and signed by a licensed engineer. No lagoon type system or other open sewer system, or septic tank shall be allowed except by specific authorization of the governing body of the city. (Ord. 906, 7-2-1979)

9-2-4: SITE CONDITIONS:

¹ See title 12, chapter 3, article E of this code for zoning regulations regarding the MH mobile home district.

- A. Health And Safety Hazards: The site of a mobile home park shall not be exposed to health and safety hazards, such as smoke, noxious odors, excessive noise, or flooding.
- B. Water Diversion: The entire ground surface of the mobile home park shall be graded and equipped in such a manner as to provide diversion of water away from buildings and mobile home stands.
- C. Exposed Ground Surfaces: For the purpose of preventing soil erosion and objectional dust, exposed ground surfaces within a mobile home park, excepting planting beds and areas preserved, shall be paved or graded. (Ord. 906, 7-2-1979)

9-2-5: UTILITIES:

- A. Utility Lines And Equipment: Utility lines and equipment shall be located and constructed in conformity with good engineering and construction practices as determined by the codes of the state of Wyoming, county of Sweetwater, and the town of Superior.
- B. Refuse: The storage, collection, and disposal of refuse in the mobile home park shall be so managed as to create no health hazards, rodent harborage, insect breeding areas, or accident hazards. All refuse shall be stored in flytight, watertight containers, which shall be used in a sufficient manner to prevent any refuse from overflowing or blowing away.
- C. Water, Sewer And Electrical Facilities: All lots within the mobile home park shall be provided with water, sewer and electrical facilities meeting standards specified by town and state regulations. Each mobile home shall be properly connected with said utilities. (Ord. 906, 7-2-1979; amd. 2005 Code)

9-2-6: MOBILE HOME PARK STANDARDS:

- A. Distance Between Mobile Homes: All mobile homes shall be parked so that there will be a minimum of twenty feet (20') between mobile homes.
- B. Obstruction To Roadways Or Walkways: No mobile home shall be parked so that any part of such mobile home will obstruct any roadway or walkway in a mobile home park.
- C. Maintenance Of Roadways, Streets And Walkways: All roadways, streets and walkways in a mobile home park shall be kept clear of snow, ice, standing water, dirt and debris. (Ord. 906, 7-2-1979)
- D. Skirting: Skirting shall be placed around each mobile home in a mobile home park. Said skirting shall be equipped with access panels to permit access to

utility connections and shall be weatherproof and durable. Such skirting must be in place within sixty (60) days after the mobile home is set on the mobile home space, or shall follow the owner's requirements for such skirting. (Ord. 906, 7-2-1979; amd. 2005 Code)

- E. Animals Running At Large: No animal shall be permitted to run at large or commit any nuisance within a mobile home park.
- F. Identification Numbers Or Letters: Each mobile home lot in the park shall be clearly defined and identified by numbers or letters.
- G. Hitch: All mobile homes shall be parked with the mobile home hitch fronting on and directly accessible to a conforming park street.
- H. Space Beneath Mobile Home: The space directly beneath each mobile home shall be kept clean and free from refuse. No flammable materials shall be stored beneath home.
- I. Porches: Porches more than thirty inches (30") above grade shall be provided with a rail. (Ord. 906, 7-2-1979)

CHAPTER 3
MOVING BUILDINGS

Section:

- 9-3-1: Permit Required
- 9-3-2: Condition Of Lot After Removal
- 9-3-3: Bond Required; Form
- 9-3-4: Permit Form; Fee
- 9-3-5: Inspection
- 9-3-6: Penalty

9-3-1: PERMIT REQUIRED:

It shall be unlawful to remove any building from its location in the town of Superior, Wyoming, without first obtaining a permit therefore at the town hall. (Ord. 67, 8-14-1962; amd. 2005 Code)

9-3-2: CONDITION OF LOT AFTER REMOVAL:

It shall be unlawful to remove any building from the town without cleaning the lot upon which said building is located, blocking the sewer line servicing said building, shutting off the water at the main line servicing said building, and covering or filling the basement, if any, upon which said building is situated, within one week after the removal of said building. (Ord. 67, 8-14-1962)

9-3-3: BOND REQUIRED; FORM:

A. Required: Before issuing said permit, the town shall require the person making application therefor to file with the town a good and sufficient bond conditioned that the applicant for said permit shall, immediately after removing said building, clean said lot, block the sewer line servicing said building, shut off the water line at the main line servicing said building, and fill in or cover the basement, if any, upon which said building is situated, all of which shall be completed within one week's time after the removal of said building. In the event of default, the town shall cause said lot to be cleaned, sewer line blocked, the water line shut off at the main line, and the basement, if any, covered or filled, and the cost thereof shall be charged to, and collected from, the permittee and his bondsman.

B. Form: The following form of bond shall be sufficient:

BOND

KNOW ALL MEN BY THESE PRESENTS:

That we Principal, and , sureties, are held and firmly bound to the town of Superior, Wyoming, in the sum of Dollars, lawful money of the United States of America, to be paid to the town of Superior, Wyoming, for which payment well and truly made, we bind ourselves, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this day of , 20 .

THE CONDITION of the above obligation is such that whereas, the town of Superior, Wyoming, has this date issued to a permit, authorizing him to remove from (Insert Lot and Block No.) the situated thereon.

NOW, THEREFORE, if the said shall, after the removal of said building, and on or before the day of , 20 , clean the lot upon which said building is located, block the sewer line servicing said building, shut off the water line at the main line servicing said building, and fill in or cover the basement, if any, upon which said building is situated, then this obligation shall be void; otherwise, the town of Superior shall perform said conditions, and the cost thereof shall be paid to said town forthwith by said principal and sureties.

	<i>Principal</i>

	<i>Surety</i>
_____	_____
<i>Witness</i>	<i>Surety</i>

(Ord. 67, 8-14-1962; amd. 2005 Code)

9-3-4: PERMIT FORM; FEE:

It shall be the duty of the town to issue a permit to any person making application to remove any building within the limits of the town upon the payment of three dollars (\$3.00) and the filing of a good and sufficient bond, as provided in section 9-3-3 of this chapter. The amount of such bond shall be a sum sufficient to perform the obligations provided for therein. The following form of permit shall be sufficient:

PERMIT

, having heretofore filed a good and sufficient bond with the town of Superior and having complied with section 9-3-4 of the town code, is hereby granted a permit to remove the (describe building) from (lot and block number).

DATED this day of , 20 .

(Signature of issuing official)

(Ord. 67, 8-14-1962; amd. 2005 Code)

9-3-5: INSPECTION:

It shall be the duty of the town inspect said lot immediately after the removal of said building if requested by the permittee, and if not requested by the permittee, at the expiration of seven (7) days after the building has been removed, and, as the case may be, either give approval that the permittee has fulfilled all the obligations of the bond herein required, or, in the event the conditions of the bond have not been fulfilled, report the same to the town council; and, upon the direction of the town council, employ someone to perform the obligations of the bond and charge the cost thereof to the permittee and his bondsman, and, in addition thereto, if directed by the town council, file a complaint against the permittee. (Ord. 67, 8-14-1962; amd. 2005 Code)

9-3-6: CERTAIN BUILDINGS MOVED INTO TOWN.

- A. No person, business, or entity shall move or place or construct any building, object, storage device, shed or structure larger than six (6) feet in length on any of the structures sides or face, or more than six (6) feet in diameter for a circular, conical, elliptical or nonlinear structure without first obtaining a Conditional Use Permit or Variance from the Town of Superior Planning and Zoning Commission.
- B. In addition to prohibiting the placement of such a building, the Planning and Zoning Commission may require painting, siding or otherwise the alteration of the appearance of the structure to promote the visual appeal of the neighborhood and/or the property values of the Town.
- C. This Ordinance is inapplicable to mobile homes, manufactured homes, modular homes and stick-built homes which are in compliance with the standards of the United States Department of Housing and Urban Development standards and otherwise comply with all other provisions of the Town of Superior Ordinances and the Laws of the State of Wyoming.
- D. A violation of this Ordinance shall be punishable as a Class A Misdemeanor pursuant to Ordinance 1-4-1 (A) (I). Every day of a continuing violation may constitute a separate offense.
- E. The Town, at the direction of the Planning and Zoning Commission or his/her designee may order a noncompliant structure be immediately removed from or by the Town. Any costs associated with said removal may be assessed against the offender, whether or not charges are filed. The Town shall be immune from any damages, disposal or destruction of property due to the removal of an obstruction.

F. Any noncompliant structures in place at the first reading of this Ordinance shall be grandfathered and exempt from this Ordinance unless said structure is moved, destroyed, rebuilt or otherwise materially altered.

9-3-7: Reserved for future use

9-3-8: Reserved for future use

9-3-9: Reserved for future use

9-3-10: PENALTY:

Anyone violating the provisions of this chapter shall be subject to penalty as provided in section 1-4-1 of this code. Such penalty shall be in addition to any other obligations under the bond provided for herein. (Ord. 67, 8-14-1962; amd. 2005 Code)

CHAPTER 4
DANGEROUS BUILDINGS ²

Section:

- 9-4-1: Ratification
- 9-4-2: Authority
- 9-4-3: Short Title
- 9-4-4: Definitions
- 9-4-5: Enforcement
- 9-4-6: Nuisance Declared

² WS § 15-1-103.

9-4, :	Prohibition
9-4-8:	Abatement
9-4-9:	Notice
9-4-10:	Hearing
9-4-11:	Appeals
9-4-12:	Emergencies
9-4-13:	Lien And Expenses
9-4-14:	Penalty

9-4-1: RATIFICATION:

The provisions of this chapter are hereby ratified and affirmed. (Ord. 919, 12-9-1981)

9-4-2: AUTHORITY:

This chapter is adopted pursuant to the authority found in Wyoming Statutes subsections 15-1-103(a)(v), (xix), (xxvi) and (xli). (Ord. 919, 12-9-1981)

9-4-3: SHORT TITLE:

This chapter shall be known, cited and referred to as the *DANGEROUS BUILDINGS ORDINANCE OF THE TOWN OF SUPERIOR*. (Ord. 919, 12-9-1981; amd. 2005 Code)

9-4-4: DEFINITIONS:

The term "dangerous buildings" as used in this chapter is hereby defined to mean and include:

- A. Any building, mobile home, shed, fence, or other manmade structure which is dangerous to the public health because of its condition, and which may cause or aid in the spread of disease, or injury to the health of the occupants of it or neighboring structures;
- B. Any building, mobile home, shed, fence, or other manmade structure, which because of faulty construction, age, lack of proper repair, dilapidated condition or any other cause, is especially liable to fire and constitutes or creates a fire hazard;
- C. Any building, mobile home, shed, fence or other manmade structure, which by reason of faulty construction or any other cause, is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure;
- D. Any building, mobile home, shed, fence, or manmade structure, which because of its condition or because of lack of doors or windows is available to

and frequented by children, malefactors or disorderly persons who are not lawful occupants of such structure. (Ord. 961, 7-13-1988)

9-4-5: ENFORCEMENT:

It shall be the responsibility of the town council or its authorized agents, namely the building inspector, the fire marshal or the health officer to administer this chapter. (Ord. 919, 12-9-1981)

9-4-6: NUISANCE DECLARED:

Any such dangerous building in the town is hereby declared to be a nuisance. (Ord. 961, 7-13-1988)

9-4-7: PROHIBITION:

It shall be unlawful to maintain or permit the existence of any dangerous building in the town, and it shall be unlawful for the owner, occupant or person in custody of any dangerous building to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition. (Ord. 919, 12-9-1981)

9-4-8: ABATEMENT:

Whenever the building inspector, the fire marshal or the health officer shall be of the opinion that any building or structure in the town is a dangerous building, he shall file a written statement to this effect with the town clerk-treasurer. The clerk-treasurer shall thereupon cause written notice to be served upon the owner thereof, and upon the occupant thereof, if any, in accordance with section 9-4-9 of this chapter. (Ord. 919, 12-9-1981; amd. 2005 Code)

9-4-9: NOTICE:

A. Written Notice; Service By Mail: The town clerk-treasurer shall cause written notice to be served upon the owner of any dangerous building, for mobile homes notice shall be served on the landowner and the owner of the mobile home, if different, provided such information is available from the public records in Sweetwater County, and upon any lawful occupant thereof, by registered or certified mail, requesting a return receipt signed by the addressee or any authorized agent of the addressee. Service of the notice shall be deemed complete upon the date of receipt of the notice, as determined by the date on the return receipt. If, for any reason, the receipt is returned without an acceptance date, it shall be deemed to have been received three (3) days after the date of mailing. (Ord. 961, 7-13-1988; amd. 2005 Code)

B. Notice Undeliverable; Publication: If the mailed notice is returned as undeliverable for any reason or if the whereabouts of the owner is unknown and the same cannot be determined by the town clerk-treasurer in the exercise of reasonable diligence, then the town clerk-treasurer shall make an affidavit to that effect. After making the affidavit the town clerk-treasurer may then serve the notice upon such persons by publishing the same at least once a week for four (4) consecutive weeks in a newspaper published in Sweetwater County, Wyoming. Service of the notice shall be deemed completed upon the date of the last publication and proof of service shall be established by securing a proof of publication or similar statement from the newspaper. Upon completion of the notice, the town may take the necessary action as set forth in the notice.

C. Posting Of Notice: Notice shall be posted on the dangerous building stating:

THIS BUILDING IS DANGEROUS AND UNFIT FOR HABITATION. THE USE OR OCCUPANCY OF THIS BUILDING IS PROHIBITED AND UNLAWFUL.

BY _____, _____, for the town of Superior, Wyoming.
(Name) (Title)

(Ord. 919, 12-9-1981; amd. 2005 Code)

D. Contents Of Notice: Regardless of whether the notice is served personally or by publication, it shall contain the following:

1. For mobile homes, the name of the landowner and the name of the owner of the mobile home, if different, provided such information is available from the public records in Sweetwater County.
2. The general location of the building, which may include a legal description.
3. The decision reached concerning the building, including the name and title of the person making the decision.
4. The reasons or causes for the decision.
5. The nature of the action requested and time in which action must be taken by the owner or the town will take such action.
6. That an appeal of the decision may be taken to the town council provided written notice is given to the town within ten (10) days after service of the notice. If an appeal is taken, the notice must contain the phone number and address of the owner or authorized agent for purposes of notification of the date, time and place for the hearing before the town council. (Ord. 961, 7-13-1988)

9-4-10: HEARING:

Any decision of the building inspector, the fire marshal or the health officer requiring the repair or demolition of any dangerous building shall be reviewed by the town council prior to actually implementing any such decision. The review required by this section shall be deemed satisfied if an owner or authorized agent appeals the decision and a hearing is held to consider that appeal. If no appeal is filed, the town council shall hold a public hearing after the expiration of the appeal period for purposes of reviewing the decision. If, after a hearing on the matter, the town council is in concurrence with the decision of the building inspector, the fire marshal or the health officer, it may order the repair or demolition of any dangerous building in accordance with the request or impose any conditions or modifications deemed necessary. (Ord. 919, 12-9-1981)

9-4-11: APPEALS:

- A. To Town Council: Any decision of the building inspector, the fire marshal or the health officer as set forth in his written statement, may be appealed to the town council by any aggrieved owner or his authorized agent. Any such appeal shall be made within ten (10) days from the date of service of notice and shall be in writing setting forth with specificity all reasons for disagreement with the decision and contain a phone number and address of the owner or authorized agent. All appeals shall stay all proceedings in furtherance of the decision until the town council, acting in their legislative capacity, has held a public hearing thereon and given reasons for their decision, unless a stay would cause imminent peril to life or property.
- B. From Town Council: All final decisions of the town council may be reviewed by a court of competent jurisdiction in the same manner as the review of any other legislative decision of a governing body. (Ord. 919, 12-9-1981)

9-4-12: EMERGENCIES:

In cases where it reasonably appears that there is immediate danger to the life or safety of any person unless a "dangerous building", as defined herein, is immediately repaired or demolished, the building official, the fire marshal or the health officer shall report such facts to the town council and the council shall cause the immediate repair or demolition of such dangerous building, the cost of such emergency repair or emergency demolition shall become a lien, and collected in the same manner as provided in section 9-4-13 of this chapter. (Ord. 919, 12-9-1981)

9-4-13: LIEN AND EXPENSES:

- A. Failure To Comply: If the owner of any building or structure fails to comply with the decision stated in the notice within the time fixed therein, the town may

proceed to cause the building, mobile home, shed, fence or other manmade structure to be altered, repaired or demolished in accordance with the notice.

- B. Sale Of Salvaged Materials: If a building, mobile home or structure is demolished in accordance with the notice, the town may sell or dispose of the salvaged materials therefrom at public auction upon ten (10) days' posted notice. The town shall keep an accurate account of the expenses incurred in carrying out the decision and shall credit thereon the proceeds of any salvage sale.
- C. Lien; Foreclosure: The full amount of all expenses, with interest thereon at the highest rate allowed by law, plus attorney fees shall constitute a lien against the real estate on which the building, mobile home, or structure is or was situated, and if the amount thereof is not paid by the landowner or other party in interest within ninety (90) days after completion of the work by the town, the lien may be foreclosed and the real estate shall be sold in any manner provided by law for the sale of real estate upon execution. The proceeds of the sale shall be paid to the town.
- D. Excess Proceeds: If the amount received as salvage or on sale exceeds the expense incurred by the town, the town shall forward the payment of the surplus to the previous owner for his use and benefit. (Ord. 961, 7-13-1988)

9-4-14: PENALTY:

- A. Violation: Any person, firm, partnership or corporation who violates this chapter may be punished by a fine of not more than one hundred dollars (\$100.00) for each offense.
- B. Separate Offense: Each day's continuance of such violation shall be deemed to be a separate offense.
- C. Additional Remedies: In addition to the remedies and fine provided for herein, any other appropriate legal action in law or equity authorized by the town council may be employed against violators of this dangerous buildings ordinance, including, but not limited to, injunctions, mandamus or abatement. (Ord. 919, 12-9-1981)