

ORDINANCE NO. 842

AN ORDINANCE REPEALING SECTION 8.05.020, 8.05.030, & 8.05.040 OF THE WHEATLAND MUNICIPAL CODE, AND REPLACING SECTION 8.05.020, 8.05.030 & 8.05.040 BY ADOPTING AND ESTABLISHING AN EFFECTIVE DATE OF THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

BE IT ORDAINED BY THE TOWN OF WHEATLAND, WYOMING, that sections 8.05.020, 8.05.030 & 8.05.040 are hereby amended as follows:

- 8.05.020 The following international code, supplements, and amendments thereto, are hereby adopted by reference as provided by W.S § 15-1-119 (Lexis/Nexis 2017 as amended), except those portions of such code as amended, modified, added, or deleted below and the provisions thereof shall be controlling within the Town.
- (a). The International Property Maintenance Code, 2021 edition, is hereby adopted by reference as if the same were fully set forth herein:
1. 2021 International Property Maintenance Code
 - a. Section 101.1. Insert: [Town of Wheatland]
 - b. Section 103.1. Insert: [Building & Life Safety Department]
 - c. Section 107.1 Shall read as follows: "In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to conditions described in Section 111, and Section 113, the Town of Wheatland Board of Adjustment shall be the board of appeals for this code. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*. All other orders, decisions or determinations made by the *code official* shall be appealed before the Municipal Judge and the judge shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*."
 - d. Section 109.3. See WMC Section 8.05.030 for additional procedural policy.
 - e. Section 302.4. Insert [8 inches]
 - f. Section 302.8. See Section 8.05.010 "Abandoned Vehicle"
 - g. Section 304.14. Insert "From [March 15th] to [November 15th]"
 - h. Section 308. Shall be deleted in its entirety. See WMC 8.05.050 and 8.05.060
 - i. Section 602.3. Insert "From [January 1st] to [December 31st]"
 - j. Section 602.4. Insert "From [January 1st] to [December 31st]"
- 8.05.030 Notices of Violation according to IPMC 2021 Section 111.4 shall be issued at the Code Official's discretion or when a written complaint is filed by a citizen of the Town of Wheatland.
- (a). Time allowed for correction of violations shall be as follows. All times given shall be from the date the Notice of Violation was issued. Variances to the times listed below may be granted by the Code Official if extenuating circumstances are presented.
1. Unmown grass, weeds, garbage, and refuse violations shall be given 14 days to correct the violation with the right to appeal to the municipal court session noted on the Notice of Violation.
 2. Unkept buildings, fences, and rodent or insect pest violations shall be given 30 days to correct the violation with the right to appeal to

the municipal court session noted on the Notice of Violation.

3. If a building is found unfit for occupancy, the owner shall have 3 months to correct the violations or vacate the property with the right to appeal to the Board of Adjustment session noted on the Notice of Violation.
4. If an accessory building is condemned, the owner shall have 3 months to demo the building and terminate all utilities as required by the Town of Wheatland, or complete all repairs required by the Code Official with the right to appeal to the Board of Adjustment session noted on the Notice of Violation.
5. If a primary dwelling or commercial building is condemned; the owner shall have 12 months to demo the building and terminate all utilities as required by the Town of Wheatland or begin substantial repairs as required by the Code Official with the right to appeal to the Board of Adjustment session noted on the Notice of Violation.

(b). If a Defendant fails to comply with a Notice of Violation the appropriate proceeding shall be as follows.

1. If a Violation is relative to the conditions described in IPMC Section 111 or Section 113, the code official shall proceed with the required steps to correct the violation according to IPMC section 109.4, 109.5, 112, and 113.3 regarding the best interest of the Town.
2. All other violations shall be served with a Municipal Development Code Citation summoning the defendant before the Municipal Judge and every effort shall be made to gain compliance before implementing compulsory compliance.

8.05.040 (Reserved)

Passed and approved this 10th day of April 2023 on first reading.
Passed and approved this 8th day of May 2023 on second reading.
Passed and approved this 12th day of June 2023 on third and final reading.



Brandon Graves, Mayor

Attest:


Candy Wright
Candy Wright Clerk/Treasurer