

TOWN ORDINANCE 1308

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1230, 1147, AND 1024; SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 856; SECTION 3 OF TOWN OF JACKSON ORDINANCE NO. 764; AND SECTION 15.17.010 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING THE ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION, WITH CERTAIN AMENDMENTS INCLUDED; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED, THAT:

SECTION I.

Section 1 of Town of Jackson Ordinance Nos. 1230, 1147, and 1024; Section 2 of Town of Jackson Ordinance No. 856; Section 3 of Town of Jackson Ordinance 764; and Section 15.17.010 of the Municipal Code of the Town of Jackson are hereby amended and reenacted to read as follows:

15.17.010 International Residential Code--Adoption by reference.

- A. All detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress built or located within the Town from and after January 1, 2022 shall be constructed in accordance with the requirements of the International Residential Code, 2021 Edition, as published by the International Code Council, specifically **including appendix AF**. Said Code is incorporated herein by reference as if the same were fully herein set out except as follows:
1. **Section R102.7 Existing Structures.** The first sentence shall read "The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public."
 2. **Section R104.11.0.1.** Amend by adding. "**Section R104.11.0.1 Structural Insulated Panel Roof Assemblies.** All roofs utilizing Structural Insulated Panels (SIP) will be required to include a cold roof ventilation design approved by the Building Official."
 3. **Section 108.2.** A second sentence shall be added to **Section 108.2 Schedule of permit fees** that reads: "For all buildings; structures; electrical, gas, mechanical, and plumbing systems; and alterations to the foregoing requiring a permit, a fee in an amount established by resolution for each permit shall be paid at the time of application."
 4. **Section 108.5 Refunds** shall read, "If no work has begun pursuant to an issued building permit and the permittee requests a refund in writing from the Town Manager, or their designee, on or before the 270th day since the issuance of the building permit, the permittee shall be refunded 80% of the building permit fee. After passage of the 270th day since the issuance, no refund shall be issued. There shall be no refund of the plan review fee under any circumstance."
 5. **Section R113.4 Violation Penalties** shall be revised to read, "Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties 1.12.010 of the Town of Jackson Municipal Code".
 6. **R301.1 Design.** Add the following: Residential structures, regardless of occupancy, 5,000 square feet or larger shall be protected by an approved automatic fire sprinkler system, installed in accordance with further requirements of the IRC and/or NFPA 13, 13D or 13R, whichever applies, based on type of occupancy and use of the structure.
 - a. **EXCEPTIONS:**
 - I. Agricultural buildings. Where uses other than residential occur within an agricultural building and comprise not more than 10% of the floor area of such building, an automatic fire extinguishing system may be omitted unless otherwise required by other provisions as adopted by Town of Jackson.
 - II. Additions to existing residences built after October 1, 1991 may use the 2-hour fire barrier provision to separate the fire areas to 5000 sq. ft., or less, on each side of the fire barrier and shall not be required to provide sprinkler protection provided that all of the following provisions are met:
 1. The door or doors separating the areas shall be 90-minute rated, self-closing and provided with hold-open devices actuated to release on detection of smoke by detectors located on each side of the door or by the loss of power.
 2. Ducts that penetrate fire barrier shall have fire damper that is fire-resistance-rated to 90 minutes.
 - b. Buildings permitted before October 1st, 1991, with additions permitted for construction on or after that date, totaling 5000 square feet or larger, shall be required to be protected by an

approved sprinkler system throughout or may have the additions only, protected by an approved sprinkler system, provided they are separated from the exiting construction by a two hour fire barrier approved by the Building Official.

- c. For the purpose of this section, square footage calculations shall be measured from the exterior surface of framing members encompassing the perimeter of the Fire Area, from the interior surface of exterior concrete or masonry walls that are 50 % or more below grade, and for log construction to the exterior surface of foundations or supporting elements.

7. **Table R301.2(1)** shall read as follows:

Ground snow load	93 psf
Wind Speed	115 mph
Seismic Design Category	D
Weathering	Severe
Frost Line Depth	34 inches
Termite	None to Slight
Winter Design Temperature	30 degrees f
Ice Shield Underlayment Required	Yes
Flood Hazards	1989
Air Freezing Index	2531
Mean Annual Temp	38 degrees

- 8. The first sentence in **Section 301.1.3 Engineered design** shall be revised to read, "All residential structures shall be designed by a civil or structural engineer licensed in the State of Wyoming.
- 9. **Section R302.6 Shall be revised to read: Dwelling/garage Separation required:** "The garage shall be separated from the residence and its attic area by not less than 5/8 inch Type X gypsum board applied to the garage side. The structure supporting the separation shall also be protected by not less than 5/8 inch Type X gypsum board.
- 10. **Section R302.7 Under stair protection** shall be revised to read, "Enclosed accessible space under stairs shall have the underside of the stair surface, all walls enclosing the under-stairs space, and any soffits protected on the enclosed side of the stairway constructed with 5/8-inch type X gypsum board."
- 11. Delete **Section R302.13** in its entirety.
- 12. Delete **Section R309.5 Fire Sprinklers** in its entirety.
- 13. **Section R310.1 Emergency Escape and Rescue Openings.** Delete **Exception 2** in its entirety.
- 14. Delete **Section R313 Automatic Fire Sprinkler Systems** in its entirety.
- 15. **Section R403.1.4.1 Frost Protection.**
 - a. Item 1 to read "Extended below frost line, which is 34."
 - b. Delete item number 2 in its entirety.
 - c. Change exception 1 to read "Freestanding accessory structures with an area of 600 square feet or less, an eave height of 10 feet or less, and do not have any plumbing, shall not be required to be frost protected."
- 16. **Section R403.3.** Shall be replaced with a sentence reading "Frost protected shallow foundations are prohibited."
- 17. **Section N1101.1.1 Special Conditions.**
 - a. All pools and spas shall be equipped with evaporation control covers.
 - b. All exterior landscape lighting shall be solar powered.
 - c. The first 5 feet of piping to storage water heaters shall be insulated.
 - d. Interior lighting fixtures shall be limited to 25% maximum use of incandescent lighting.
 - e. Finished garages and accessory structures shall meet the minimum insulation requirements for Table N1101.1.1.
- 18. Amend **Section N1102.1 Item 2. Insulation and fenestration criteria** by adding the following:
 - "In place of ICC400, homes with exterior log walls shall meet the following requirements.
 - a. Logs in exterior walls shall have a minimum dimension of 8 inches and shall have all spiral cracks greater than ¼ inch sealed in an approved manner.
 - b. Roof insulation shall be a minimum R-60.
 - c. The reduction of R-values listed in N1102.2.1 and N1102.2.2 shall not apply.
 - d. The primary heating source shall have a minimum AFUE rating of 90.
 - e. Fenestration shall not exceed 30% of the gross conditioned wall area above grade. To determine allowable wall area of walk out (daylight) basements, the wall must have a minimum of 6 feet of exposure from finished grade. The 30% limit can be exceeded only if the designer can demonstrate that the UA total of the proposed design is less than the UA total of the same structure with 30% fenestration total

and code minimum insulation and fenestration values using the ResCheck or other approved software programs.”

19. Delete **Sections N1102.4.1.2, M1105.3.2.2, and M1106.7.2.2** in their entirety.
20. **Section M1503.4**
 - a. This exception shall not apply to any new construction.
 - b. This exception can only be used for remodels and only if the kitchen fan installation would require existing finishes to be removed.
21. **Section M1701.1.1 Buildings of unusually tight construction.** Add the first sentence to read as follows: “In all structures containing habitable space or unusually tight construction, combustion air shall be obtained from outside the thermal envelope.”
22. Delete from the first sentence of M1801.1 the following: “except appliances listed and labeled for unvented use.”
23. **Section G2406.2 (303.3) Prohibited Locations.** Delete Exceptions 3 and 4 in their entirety.
24. **Section G2414.5** shall be revised to read as follows: “Copper and brass tubing shall not be used for installations of gas piping systems.”
25. Amend **Section G2432.1 (602.1)** by adding the following: “Decorative appliances installed in residential occupancies shall be listed and labeled to allow for installation of glass doors and be listed and labeled to operate with the doors in the closed position.”
Exception: An approved Flue Sentinel may be installed with an electrical interlock in conjunction with the decorative appliance only if the doors are not installed on the fireplace.
26. **Section G2433.1 (603.1) Log lighters.** General. Amend by adding the following sentence: “All gas fired log lighters shall be provided with a listed pilot safety device installed in accordance with the manufacturer’s installation specifications.”
27. **Section G2445.4 (621.2) Prohibited Use** shall be amended to read as follows: “Unvented room heaters shall not be installed in dwelling units, normally occupied spaces, any area meeting the definition of unusually tight construction, and shall also comply with Section G2406.2.”
28. **Section G2445.7.** A second sentence shall be added to read: “Unvented log heaters shall not be installed in habitable rooms or spaces or any space meeting the requirements of unusually tight construction.”
29. **Section P2603.5** The last sentence shall be revised to read “Water service pipe shall be installed not less than 72 inches deep.”
30. **Section P2603.5.1** shall be revised to read: “Building sewers shall be a minimum of 48 inches below grade or shall be protected from freezing in an approved manner by the administrative authority.”
31. **Section P3103.1.1** shall be revised to read “Open vent pipes that extend through a roof shall be terminated at least 16 inches above the roof or 6 inches above the anticipated snow accumulation level, whichever is greater.”
32. Delete **Sections E34 thru E40** in their entirety.

(Ord. ____ § 1, 2021; Ord. 1230 § 1, 2019; Ord. 1147 § 1, 2016; Ord.1024 § 1, 2013; Ord. 856 § 2, 2007; Ord. 764 § 3, 2004.)

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This ordinance shall become effective on January 1, 2022.

PASSED 1ST READING THE ____ DAY OF _____, 2021
PASSED 2ND READING THE ____ DAY OF _____, 2021.
PASSED AND APPROVED THE ____ DAY OF _____, 2021.

TOWN OF JACKSON

BY: _____
Hailey Morton Levinson, Mayor

ATTEST:

BY: _____

_____, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
)ss
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. _____ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the _____ day of _____ 2021.

I further certify that the foregoing Ordinance was duly recorded on page _____ of Book _____ of Ordinances of the Town of Jackson, Wyoming.

_____, Town Clerk