

# City of Cody City Council

## AGENDA

Tuesday, May 21, 2019 – 7:00 p.m. (Pre-Meeting to begin at 6:45 p.m.)  
Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

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Meeting Called to Order  
Pledge of Allegiance  
Moment of Silence  
Roll Call  
Mayor's Recognitions and Announcements

Proclamation – Building Safety Month

### 1. Consent Calendar

All items under the consent calendar will be acted upon in one motion unless a Councilmember or member of the public requests that an individual item be taken up under Conduct of Business.

- a. Approval of Minutes: Regular Minutes from May 7, 2019.
- b. Approve Vouchers and payroll in the amount of \$1,789,565.19.
- c. Approve Vouchers in the amount of \$3,090.00, noting invoices associated with the specific purpose one cent tax.
- d. Authorize the Finance Officer to process checks for pass through grant reimbursements outside of the normal approval process when grant funds are received prior to Council meetings.
- e. Authorize the Mayor to enter into and sign an equipment lease contract with Wyoming Sport and Fitness LLC for a two-year term relating to equipment owned by the City.
- f. Accept the Wyoming Veterans Memorial Park Foundation donation of a “War Dog Memorial and Memorial Donor Bricks”
- g. Approve and authorize the Mayor to sign the Acknowledgment of Conflict of Interest and Consent to Representation Document.
- h. Approve and authorize the Mayor to sign the Cody Police Department Temporary Law Enforcement Assistance Memorandum of Understanding.

2. Public Comments: The City Council welcomes input from the public. In order for everyone to be heard, please limit your comments to five (5) minutes per person. The Guidelines for the Conduct of City Council Meetings do not allow action to be taken on public comments.

### 3. Public Hearing

### 4. Conduct of Business

- a. Consider approving the preliminary plat for the Nelson minor subdivision - a two lot infill subdivision.

Staff Reference: Todd Stowell, City Planner

- b. Consider approving the preliminary plat of the Beacon Hill Minor Subdivision, a 3-lot subdivision.  
Staff Reference: Todd Stowell, City Planner
  
- c. RESOLUTION 2019-06  
A Resolution adopting the Electrical Distribution Standards Manual Policy.  
Staff Reference: Phillip Bowman, Public Works Director or Bert Pond, Electrical Engineer
  
- d. ORDINANCE 2019-03 – FIRST READING  
AN ORDINANCE AMENDING TITLE 9, CHAPTER 3 OF THE CITY OF CODY CODE.  
Staff Reference: Todd Stowell, City Planner
  
- e. ORDINANCE 2019-04 – FIRST READING  
AN ORDINANCE AMENDING TITLE 9, CHAPTER 1 OF THE CITY OF CODY CODE.  
Staff Reference: Todd Stowell, City Planner

- 5. Tabled Items
- 6. Matters from Staff Members
- 7. Matters from Council Members
- 8. Adjournment

<p><b>Upcoming Meetings:</b> <b>June 4, 2019 - Tuesday – Regular Council Meeting 7:00 p.m.</b> <b>June 11, 2019 – Tuesday – Work Session – 5:00 p.m.</b></p>
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## *Proclamation*

**Building Safety Month — May, 2019**

Whereas, our **City of Cody, Wyoming** is committed to recognizing that our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster, and;

*Whereas, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;*

*Whereas, these guardians are dedicated members of the International Code Council, a U.S. based organization, that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, play, and;*

*Whereas, our nation benefits economically and technologically from using the International Codes® that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the world;*

*Whereas, these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; which, according to a FEMA-commissioned study by the National Institute of Building Sciences, provide \$11 in future mitigation benefits for every dollar invested, and;*

*Whereas, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, efficient and livable buildings that are essential to America's prosperity, and;*

*Whereas, "No Code. No Confidence." the theme for Building Safety Month 2019, encourages all Americans to raise awareness of the importance of safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2019 encourages appropriate steps everyone can take to ensure the safety of our built environment, and recognizes that the implementation of safety codes by local and state agencies has saved lives and protected homes and businesses, and,*

*Whereas, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.*

**NOW, THEREFORE, I, Matt Hall, Mayor of the City of Cody, Wyoming, do hereby proclaim the month of May 2019 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.**

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Signature: Matt Hall

**City of Cody**  
**Council Proceedings**  
**Tuesday, May 7, 2019**

At 6:36 p.m. Council Member Rasmussen made a motion seconded by Council Member Greer to enter into an Executive Session pursuant to W.S. 16-4-405(a)(ix) to consider or receive information classified as confidential by law. At 6:50 p.m. Council Member Rasmussen seconded by Council Member Baily to exit the Executive Session. No action was taken.

A pre-meeting was held at 6:50 p.m. to discuss the agenda for the Regular Meeting. No action was taken.

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, May 7, 2019 at 7:00 p.m.

Present: Mayor Matt Hall, Council Members, Justin Baily, Landon Greer, Glenn Nielson and Heidi Rasmussen, City Attorney Scott Kolpitcke, City Administrator Barry Cook and Administrative Services Officer, Cindy Baker

Absent: Council Member Diane Ballard.

Mayor Hall called the meeting to order at 7:00 p.m.

Proclamation – National Kids to Parks Day  
Proclamation – 50<sup>th</sup> Anniversary of Municipal Clerks Week  
Proclamation - National Police Week  
Proclamation – War Dog Memorial

Council Member Greer made a motion seconded by Council Member Rasmussen to approve the Consent Calendar including the approval of Minutes: Regular Minutes from April 16, 2019 and Minutes from Special Work Session from April 23, 2019; approve Vouchers and payroll in the amount of \$747,057.26; approve Vouchers in the amount of \$37,200.00 noting invoices associated with the specific purpose one cent tax; approve the extension of Quote 2015-05 Fuel, extending the current fuel contract with Bailey Enterprises Inc. for a period of one year beginning July 1, 2019; authorize the Mayor to enter into and sign an agreement between the City of Cody and Red Canyon River Trips, for an encroachment license and lease agreement for public right-of-way located on Beck Avenue, between 12<sup>th</sup> Street and the first approach west of 12<sup>th</sup> Street for the term of May 1 through September 30; authorize the Mayor to sign the Agreement for Transfer of Entitlements – Airport Improvement Program; approve Open Container request for the Morgan Car Show Street Closure on May 30<sup>th</sup> and consider approving a malt beverage permit and open container permit for City Park in conjunction with the Buffalo Bill Cody Races on September 21<sup>st</sup>. (both events were approved at the April 16<sup>th</sup> meeting but did not include the noted request); approve a 10% Military Discount rate for memberships to the Paul Stock Aquatic and Recreation Center; and authorize the Mayor to enter into and sign the Instrument of Release as it relates to the request from Yellowstone Regional Airport to release approximately 2.47 acres of land at the Yellowstone Regional Airport. Vote was unanimous.

Council Member Greer made a motion seconded by Council Member Nielson to approve a partial street closure of 12<sup>th</sup> Street (Alley north to Rumsey Avenue) for the Grand opening of By Western Hands on Saturday, June 8, 2019 from 1 p.m. to 9:00 p.m. (with event running from 2:00 p.m. to 8:00 p.m.). Also authorize an open container permit for said event. Vote was unanimous.

Council Member Rasmussen made a motion seconded by Council Member Fritz to approve a request from the “Wild Bunch Gun Fighters” (WBGF) to hold western re-enactment gunfighter shows June 3<sup>rd</sup> 2019 through September 23, 2019 on 12<sup>th</sup> Street between Sheridan Ave and the first alley south of Sheridan Ave. Approval conditional upon the receipt of the signed “Conditions for Discharging Weapons in the City of Cody for the WBGF Summer 2019 Re-enactment Shows document, noting liability insurance has been received. Contingent upon providing exclusion, if any, noted in the liability insurance policy. Vote was unanimous.

Council Member Rasmussen made a motion seconded by Council Member Baily to authorize the Mayor to enter into and sign a Loan Agreement with the Harry Jackson Museum as it relates to a loan of a sculpture to the City for public display. Vote was unanimous

Council Member Rasmussen made a motion seconded by Council Member Nielson to authorize the Mayor to sign a Donation Agreement and the City of Cody accept the donation of "Free Notes Harmony" outdoor instrument collection to be located in the City Park on Sheridan Ave. Vote was unanimous.

Council Member Greer made a motion seconded by Council Member Fritz to approve the preliminary and final plat for a 2-lot minor subdivision of 2418 G Avenue, subject to condition. Vote was unanimous.

Council Member Greer made a motion seconded by Council Member Fritz to approve the final plat of the Cougar West Subdivision, with associated variances and conditions of approval and grant a variance to allow water rights to a third party. Vote was unanimous.

Council Member Fritz made a motion seconded by Council Member Rasmussen to award Bid 2019-04 19<sup>th</sup> Street Overlay Project to Wild West Construction in the estimated amount of \$11,825 and authorize the City Administrator to sign the Notice of Award, Project Agreement and all associated contract documents contingent upon review by City Attorney. Council Member Greer recused himself from the vote. Vote was unanimous from remaining Council Members.

Council Member Rasmussen made a motion seconded by Council Member Baily to award Bid 2019-05 Sunshine Avenue Paving Project to Quality Asphalt Paving in the estimated amount of \$6,458 and authorize the City Administrator to sign the Notice of Award, Project Agreement and all associated contract documents contingent upon review by City Attorney. Council Member Greer recused himself from the vote. Vote was unanimous from remaining Council Members.

There being no further action Mayor Hall adjourned the meeting at 8:02 p.m.

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Matt Hall, Mayor

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Cindy Baker, Administrative Services Officer

Report Criteria:

Invoice Detail.Input date = 05/14/2019

Invoice.Batch = {NOT LIKE} "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
<b>AMERICAN FAMILY LIFE ASSUR (550)</b>				
	253444	AFLAC PREMIUM	05/06/2019	2,393.52
Total :				2,393.52
Total AMERICAN FAMILY LIFE ASSUR (550):				2,393.52
<b>BAILEY ENTERPRISES INCORPORATED (130546)</b>				
	043019	Fuel	05/07/2019	172.78
	043019	Fuel	05/07/2019	1,355.51
	043019	Fuel	05/07/2019	180.88
	043019	Fuel	05/07/2019	60.29
	043019	Fuel	05/07/2019	2,502.11
	043019	Fuel	05/07/2019	180.88
	043019	Fuel	05/07/2019	90.44
	043019	Fuel	05/07/2019	51.61
	043019	Fuel	05/07/2019	473.65
	043019	Fuel	05/07/2019	316.95
	043019	Fuel	05/07/2019	166.05
	043019	Fuel	05/07/2019	13.89
	043019	Fuel	05/07/2019	108.06
	043019	Fuel	05/07/2019	126.21
	043019	Fuel	05/07/2019	274.53
	043019	Fuel	05/07/2019	26.75
	043019	Fuel	05/07/2019	1,619.33
	043019	Fuel	05/07/2019	110.85
	043019	Fuel	05/07/2019	1,797.04
	043019	Fuel	05/07/2019	568.81
	043019	Fuel	05/07/2019	12.17
	043019	Fuel	05/07/2019	12.17
	043019	Fuel	05/07/2019	106.51
	043019	Fuel	05/07/2019	25.54
	043019	Fuel	05/07/2019	34.56
	043019	Fuel	05/07/2019	23.98
	043019	Fuel	05/07/2019	3,818.89
	043019	Fuel	05/07/2019	1,221.28
	043019	Fuel	05/07/2019	481.77
	043019	Fuel	05/07/2019	140.88
	043019	Fuel	05/07/2019	41.08
	043019	Fuel	05/07/2019	23.98
	043019	Fuel	05/07/2019	478.89
	043019	Fuel	05/07/2019	346.11
	043019	Fuel	05/07/2019	23.98
	043019	Fuel	05/07/2019	810.07
	043019	Fuel	05/07/2019	138.66
	043019	Fuel	05/07/2019	544.21
	043019	Fuel	05/07/2019	49.06
	043019	Fuel	05/07/2019	1,367.74
Total :				19,898.15
Total BAILEY ENTERPRISES INCORPORATED (130546):				19,898.15

Secondary Name	Invoice	Description	Invoice Date	Total Cost
<b>BLUE CROSS BLUE SHIELD OF WYOMING (1360)</b>				
	190503093382	INSURANCE PREMIUM - MAY 2019	05/03/2019	138,299.91
	190503093382	INSURANCE PREMIUM - MAY 2019	05/03/2019	3,834.18
Total :				142,134.09
Total BLUE CROSS BLUE SHIELD OF WYOMING (1360):				142,134.09
<b>BOWMAN, PHILLIP (131649)</b>				
	042919	TRAVEL & TRAINING REIMBURSEMENT	04/29/2019	167.36
	042919	TRAVEL & TRAINING REIMBURSEMENT	04/29/2019	54.78
	042919	TRAVEL & TRAINING REIMBURSEMENT	04/29/2019	54.78
Total :				276.92
Total BOWMAN, PHILLIP (131649):				276.92
<b>BOWMAN, ZACHERY E (131507)</b>				
PRECISION LAWN CARE AND SNOW	1802	SNOW REMOVAL HANDICAPS - SHERIDAN	03/01/2019	960.00
Total :				960.00
Total BOWMAN, ZACHERY E (131507):				960.00
<b>C &amp; C WELDING, INC (1690)</b>				
	22954	COVER FOR BALER	04/12/2019	184.30
	23010	COVER FOR BALER	04/26/2019	291.80
Total :				476.10
Total C & C WELDING, INC (1690):				476.10
<b>CANNELLA, MICHAEL (131842)</b>				
	20.0650.36	REFUND UTILITY DEPOSIT	04/30/2019	153.59
Total :				153.59
Total CANNELLA, MICHAEL (131842):				153.59
<b>CARQUEST AUTO PARTS (10200)</b>				
	2874-IC-373400	credit battery core H04	04/15/2019	54.00-
	2874-IC-373610	credit air filter C07	04/17/2019	38.85-
	2874-ID-372527	filters B44	04/01/2019	10.92
	2874-ID-372529	filters I06	04/01/2019	13.12
	2874-ID-372622	filters B36	04/02/2019	2.66
	2874-ID-372622	filters I10	04/02/2019	13.12
	2874-ID-372624	filter I10	04/02/2019	7.70
	2874-ID-372658	filters G08	04/03/2019	25.16
	2874-ID-372734	filter B37	04/04/2019	2.66
	2874-ID-372765	hose C06	04/04/2019	5.16
	2874-ID-372801	filter B13	04/05/2019	2.66
	2874-ID-372801	filter B07	04/05/2019	2.66
	2874-ID-372801	filter A103	04/05/2019	2.76
	2874-ID-372801	filter B09	04/05/2019	2.87
	2874-ID-372814	wipers A103	04/05/2019	8.70
	2874-ID-372834	filter I04	04/05/2019	4.55
	2874-ID-372955	filter B43	04/08/2019	3.04
	2874-ID-372970	filters B09	04/08/2019	12.55

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	2874-ID-373082	sensor B06	04/09/2019	31.01
	2874-ID-373398	battery H04	04/15/2019	233.54
	2874-ID-373444	brake cleaner A02	04/15/2019	2.49
	2874-ID-373445	brake cleaner A02	04/15/2019	7.47
	2874-ID-373584	filters I07	04/17/2019	13.65
	2874-ID-373598	filters C07	04/17/2019	58.62
	2874-ID-373605	filter C07	04/17/2019	61.60
	2874-ID-373852	mud flap B13	04/22/2019	18.42
	2874-ID-373879	wipers D13	04/22/2019	9.37
	2874-ID-373895	filter SC009	04/22/2019	2.76
	2874-ID-374034	filter C02	04/24/2019	19.77
	2874-ID-374387	filters B25	04/30/2019	15.69
Total :				501.83
Total CARQUEST AUTO PARTS (10200):				501.83
<b>CENTURY LINK (10091)</b>				
	50119	UTILITIES - CENTURY LINK	05/01/2019	38.61
Total :				38.61
Total CENTURY LINK (10091):				38.61
<b>CHEYENNE, LIGHT, FUEL &amp; POWER COMPANY (130509)</b>				
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	418.87
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	419.03
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	423.48
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	327.87
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	1,464.89
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	1,362.35
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	181.03
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	39.50
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	454.01
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	150.20
BLACK HILLS ENERGY	050619	UTILITIES - BLACK HILLS ENERGY	05/06/2019	102.54
Total :				5,343.77
Total CHEYENNE, LIGHT, FUEL & POWER COMPANY (130509):				5,343.77
<b>CITY OF CODY (2260)</b>				
	15802	MATERIALS FRO PRIMARY METER INSTALLATION	05/01/2019	1,690.42
Total :				1,690.42
Total CITY OF CODY (2260):				1,690.42
<b>CLARK, RONALD W (131046)</b>				
TOWN TAXI	052119	TIPSY TAXI VOUCHERS	05/21/2019	336.00
Total :				336.00
Total CLARK, RONALD W (131046):				336.00
<b>CODY MIDDLE SCHOOL (123406)</b>				
	050319	ALUMINUM CAN CONTEST	05/03/2019	12.25

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				12.25
Total CODY MIDDLE SCHOOL (123406):				12.25
<b>COPENHAVER KATH KITCHEN KOLPITCKE LLC (3140)</b>				
	43019	Legal Services	05/03/2019	3,357.25
	43019	Legal Services	05/03/2019	345.40
	43019	Legal Services	05/03/2019	801.32
	43019	Legal Services	05/03/2019	801.32
	43019	Legal Services	05/03/2019	801.32
	43019	Legal Services	05/03/2019	801.31
Total :				6,907.92
Total COPENHAVER KATH KITCHEN KOLPITCKE LLC (3140):				6,907.92
<b>EASTSIDE ELEMENTARY SCHOOL (123410)</b>				
	050319	ALUMINUM CAN CONTEST	05/03/2019	7.50
Total :				7.50
Total EASTSIDE ELEMENTARY SCHOOL (123410):				7.50
<b>ENGINEERING ASSOCIATES (4140)</b>				
	3904036	PROJECT NO 14111.04 WWTF PHASE 2	04/26/2019	2,225.29
	3904036	PROJECT NO 14111.04 WWTF PHASE 2	04/26/2019	679.95
	3904036	PROJECT #14111.01 - WWTF PRETREATMENT BUILDING - CONSTRUCTION PHASE	04/26/2019	185.44
Total :				3,090.68
Total ENGINEERING ASSOCIATES (4140):				3,090.68
<b>ENNIS PAINT, INC (4145)</b>				
	368293	PAINT AND BEADS	03/31/2019	21,857.50
Total :				21,857.50
Total ENNIS PAINT, INC (4145):				21,857.50
<b>FEDEX (131852)</b>				
	6-532-86391	PLANS TO DEQ	04/25/2019	21.39
Total :				21.39
Total FEDEX (131852):				21.39
<b>FIRE DISTRICT #2 (131409)</b>				
	050119	FIRE DISTRICT PASS THROUGH FEE	05/01/2019	305.00
Total :				305.00
Total FIRE DISTRICT #2 (131409):				305.00
<b>FLOYD, BRYAN (130204)</b>				
	3.1890.41	REFUND DEPOSIT	05/08/2019	324.74

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				324.74
Total FLOYD, BRYAN (130204):				324.74
<b>FORWARD CODY WYOMING, INC (127450)</b>				
	042919	GUNWERKS MANUFACTURING FACILITY-DESIGN PHASE	04/29/2019	257,764.00
Total :				257,764.00
Total FORWARD CODY WYOMING, INC (127450):				257,764.00
<b>FREDERICK, LAUREL (131382)</b>				
	050219	RESTITUTION FROM DEBRA HODSON MC-1706-037	05/02/2019	50.00
Total :				50.00
Total FREDERICK, LAUREL (131382):				50.00
<b>GERLOFF, TYREL (131843)</b>				
	5.1282.15	REFUND UTILITY DEPOSIT	04/29/2019	266.85
Total :				266.85
Total GERLOFF, TYREL (131843):				266.85
<b>HARRELSON, SYLVIA (131841)</b>				
	4.0740.19	REFUND UTILITY DEPOSIT	04/30/2019	72.92
Total :				72.92
Total HARRELSON, SYLVIA (131841):				72.92
<b>HARRIS TRUCKING AND CONSTRUCTION CO. (4780)</b>				
	132255	ASPHALT	04/30/2019	970.24
Total :				970.24
Total HARRIS TRUCKING AND CONSTRUCTION CO. (4780):				970.24
<b>HARRISON, TIMOTHY BRUCE (131713)</b>				
BLUE ASPEN ENTERPRISES LLC	100025	REPAIR WATER HEATER & HEATER AT CHAMBER	02/11/2019	138.09
BLUE ASPEN ENTERPRISES LLC	100029	POOL AIR HANDLER REPAIR	04/25/2019	975.00
BLUE ASPEN ENTERPRISES LLC	100029	STEAM ROOM REPAIRS	04/25/2019	75.00
BLUE ASPEN ENTERPRISES LLC	100031	REPAIRS TO STEAM ROOM & REC CENTER AIR HANDLER	05/03/2019	1,097.50
Total :				2,285.59
Total HARRISON, TIMOTHY BRUCE (131713):				2,285.59
<b>HATHAWAY, CHERYL (131844)</b>				
	10.0050.19	REFUND UTILITY DEPOSIT	05/02/2019	102.62
Total :				102.62
Total HATHAWAY, CHERYL (131844):				102.62

Secondary Name	Invoice	Description	Invoice Date	Total Cost
<b>HEBRLEE, TRENT STEVEN (131832)</b>				
HOTLINE ELECTRICAL SALES & SERV	28148	Meter F2S 1ph 240v C320 W Demand	01/08/2019	1,592.36
HOTLINE ELECTRICAL SALES & SERV	28148	F14/15/16S 3ph 4w c200 120-480v	01/08/2019	1,592.36
HOTLINE ELECTRICAL SALES & SERV	28148	Meter F2S 1ph 240v meter C200	01/08/2019	1,819.44
HOTLINE ELECTRICAL SALES & SERV	28148	Meter F5S 3ph 3w c20 240v dmd	01/08/2019	1,155.03
HOTLINE ELECTRICAL SALES & SERV	28148	F6/9/36S 3ph 4w c20 120-480v dmd	01/08/2019	5,573.26
HOTLINE ELECTRICAL SALES & SERV	28246	METER SEALS	05/01/2019	108.00
Total :				11,840.45
Total HEBRLEE, TRENT STEVEN (131832):				11,840.45
<b>HELLYER, TIMOTHY (131845)</b>				
	2.0930.37	REFUND UTILITY DEPOSIT	05/02/2019	223.34
Total :				223.34
Total HELLYER, TIMOTHY (131845):				223.34
<b>HELM, DAWN (131850)</b>				
	13.0980.27	REFUND UTITLIY DEPOSIT	05/06/2019	48.81
Total :				48.81
Total HELM, DAWN (131850):				48.81
<b>HOLEMAN, DEVIN (131687)</b>				
	050219	RESTITUTION FROM ANDREA THURSTON MC-1807-063	05/02/2019	100.00
Total :				100.00
Total HOLEMAN, DEVIN (131687):				100.00
<b>HOTSY EQUIPMENT OF WYOMING, INC (131010)</b>				
	3193	REPLACE FLOAT VALVE & TEST	05/01/2019	139.00
Total :				139.00
Total HOTSY EQUIPMENT OF WYOMING, INC (131010):				139.00
<b>J &amp; S CORPORATION (1160)</b>				
BIG HORN GLASS	38544	REPLACE BROKEN RAQUETBALL DOORS	04/16/2019	2,962.32
Total :				2,962.32
Total J & S CORPORATION (1160):				2,962.32
<b>JACKSON, ROBERT (131829)</b>				
	8.1440.18	REFUND CREDIT BALANCE	05/06/2019	79.91
Total :				79.91
Total JACKSON, ROBERT (131829):				79.91
<b>KITCHEN, SCOTT (129803)</b>				
	43019	REIMBURSEMENT FOR MILEAGE	04/30/2019	42.98

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				42.98
Total KITCHEN, SCOTT (129803):				42.98
<b>LEATHAM FAMILY LLC (131226)</b>				
SYMBOLARTS LLC	0328770-IN	CPD PATCHES	04/18/2019	1,441.75
Total :				1,441.75
Total LEATHAM FAMILY LLC (131226):				1,441.75
<b>LEISURE IN MONTANA INC (131545)</b>				
	SAL8148-1	POOL SUPPLIES	04/23/2019	1,611.87
Total :				1,611.87
Total LEISURE IN MONTANA INC (131545):				1,611.87
<b>LINCOLN AQUATICS (125750)</b>				
	D8637699	POOL VACUUM REPAIR	05/01/2019	63.69
Total :				63.69
Total LINCOLN AQUATICS (125750):				63.69
<b>LIVINGSTON ELEMENTARY SCHOOL (123409)</b>				
	050319	ALUMINUM CAN CONTEST	05/03/2019	28.75
Total :				28.75
Total LIVINGSTON ELEMENTARY SCHOOL (123409):				28.75
<b>MCCLAIN, WILLIAM (131851)</b>				
OR MCCLAIN, TAMMY	20.0435.13	REFUND UTILITY DEPOSIT	05/03/2019	33.33
Total :				33.33
Total MCCLAIN, WILLIAM (131851):				33.33
<b>MEETEETSE SCHOOL (123413)</b>				
	050319	ALUMINUM CAN CONTEST	05/03/2019	7.25
Total :				7.25
Total MEETEETSE SCHOOL (123413):				7.25
<b>MERIDETH, KRISTEN (131847)</b>				
OR JOY JONATHAN	17.8048.17	REFUND UTILITY DEPOSIT	05/01/2019	120.83
Total :				120.83
Total MERIDETH, KRISTEN (131847):				120.83
<b>MIDWEST ENTERPRISES (6650)</b>				
MIDWEST FENCE	FNC-0419-0005	REFUND OVERPAYMENT ON PERMIT	05/07/2019	15.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				15.00
Total MIDWEST ENTERPRISES (6650):				15.00
<b>MILES, BRAD (131848)</b>				
	14.5587.12	REFUND CREDIT BALANCE	05/01/2019	131.60
Total :				131.60
Total MILES, BRAD (131848):				131.60
<b>MOTOROLA SOLUTIONS, INC. (6840)</b>				
	16010939	PORTABLE RADIOS	08/29/2018	15,759.00
Total :				15,759.00
Total MOTOROLA SOLUTIONS, INC. (6840):				15,759.00
<b>NADING, DEAN (131854)</b>				
	13.2850.11	REFUND CREDIT BALANCE	05/13/2019	67.99
Total :				67.99
Total NADING, DEAN (131854):				67.99
<b>NCPERS GROUP LIFE INS (125412)</b>				
C/O MEMBER BENEFITS	5619	PREMIUM	05/06/2019	448.00
Total :				448.00
Total NCPERS GROUP LIFE INS (125412):				448.00
<b>NORCO, INC. (128948)</b>				
	26385161	CYLINDER RENT	04/30/2019	23.52
Total :				23.52
Total NORCO, INC. (128948):				23.52
<b>ONE-CALL OF WYOMING (127665)</b>				
	51898	ONE - CALL FEES	05/06/2019	61.31
	51898	ONE - CALL FEES	05/06/2019	61.31
	51898	ONE - CALL FEES	05/06/2019	61.31
	51898	ONE - CALL FEES	05/06/2019	61.32
Total :				245.25
Total ONE-CALL OF WYOMING (127665):				245.25
<b>PARK COUNTY (7670)</b>				
	4231	LEC CONTRACT - DISPATCH	05/01/2019	197.01
	4231	LEC CONTRACT - DISPATCH	05/01/2019	3,349.39
	4231	LEC CONTRACT - DISPATCH	05/01/2019	591.07
	4231	LEC CONTRACT - DISPATCH	05/01/2019	15,564.82
	4231	LEC CONTRACT - CAPITOL EQUIPMENT	05/01/2019	4,500.00
	4231	LEC CONTRACT - MAINTENANCE	05/01/2019	2,298.67
	4231	LEC CONTRACT - CONSOLE	05/01/2019	38.47

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	4231	LEC CONTRACT - CONSOLE	05/01/2019	653.93
	4231	LEC CONTRACT - CONSOLE	05/01/2019	115.40
	4231	LEC CONTRACT - CONSOLE	05/01/2019	3,038.83
	4231	LEC CONTRACT - UTILITIES	05/01/2019	1,138.60
Total :				31,486.19
Total PARK COUNTY (7670):				31,486.19
<b>PARK COUNTY ANIMAL SHELTER (5120)</b>				
	50119	ANIMAL SERVICE CONTRACT - MAY 2019	05/01/2019	3,750.00
Total :				3,750.00
Total PARK COUNTY ANIMAL SHELTER (5120):				3,750.00
<b>PARK COUNTY LANDFILL (129053)</b>				
	043019	LANDFILL CHARGES - APRIL 2019	04/30/2019	67,674.58
Total :				67,674.58
Total PARK COUNTY LANDFILL (129053):				67,674.58
<b>PARK COUNTY SHERIFF (7740)</b>				
	043019	INCARCERATION - APRIL 2019	04/30/2019	30.00
Total :				30.00
Total PARK COUNTY SHERIFF (7740):				30.00
<b>PAVEMENT MAINTENANCE INC (7825)</b>				
	19-68	CRACK SEAL AT SHOP	04/22/2019	2,750.00
Total :				2,750.00
Total PAVEMENT MAINTENANCE INC (7825):				2,750.00
<b>POWELL LOCK LLC (131325)</b>				
	3654	LOCKS AND KEYS	04/26/2019	175.00
	3654	LOCKS AND KEYS	04/26/2019	301.00
Total :				476.00
Total POWELL LOCK LLC (131325):				476.00
<b>PROVIDENT LIFE &amp; ACCIDENT INS (128033)</b>				
	5619	PREMIUMS	05/06/2019	109.20
Total :				109.20
Total PROVIDENT LIFE & ACCIDENT INS (128033):				109.20
<b>QUALITY ASPHALT PAVING, INC (125010)</b>				
	1915	PAVING	04/25/2019	1,586.25
Total :				1,586.25

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total QUALITY ASPHALT PAVING, INC (125010):				1,586.25
<b>RINGLER, DORIS (131846)</b>				
	15.5090.44	REFUND UTILITY DEPOSIT	05/01/2019	66.58
Total :				66.58
Total RINGLER, DORIS (131846):				66.58
<b>RIVERS OAKS COMMUNICATIONS CORP (131184)</b>				
	043019	TCT FRANCHISE AGREEMENT	04/30/2019	2,880.00
Total :				2,880.00
Total RIVERS OAKS COMMUNICATIONS CORP (131184):				2,880.00
<b>SABER PEST CONTROLL LLC (131183)</b>				
	E114	PEST CONTROL - ELECTRIC	05/01/2019	80.00
	P126	PEST CONTROL - PUBLIC WORKS SHOP	05/01/2019	50.00
	P126	PEST CONTROL - PUBLIC WORKS SHOP	05/01/2019	25.00
	P126	PEST CONTROL - PUBLIC WORKS SHOP	05/01/2019	25.00
	R125	PEST CONTROL - RECYCLING/SANITATION	05/01/2019	60.00
	W125	PEST CONTROL - WASTEWATER DEPT	05/01/2019	50.00
Total :				290.00
Total SABER PEST CONTROLL LLC (131183):				290.00
<b>SHOSHONE MUNICIPAL PIPELINE (9130)</b>				
	050119	SMP WATER PURCHASE - APRIL 2019	05/01/2019	116,244.96
Total :				116,244.96
Total SHOSHONE MUNICIPAL PIPELINE (9130):				116,244.96
<b>STATE OF COLORADO (131853)</b>				
COLORADO BUREAU OF INVESTIGATI	T190900012	CRIME LAB OUTSOURCING	04/09/2019	330.00
Total :				330.00
Total STATE OF COLORADO (131853):				330.00
<b>SUNSET ELEMENTARY SCHOOL (123408)</b>				
	050319	ALUMINUM CAN CONTEST	05/03/2019	47.00
Total :				47.00
Total SUNSET ELEMENTARY SCHOOL (123408):				47.00
<b>SYSTEMS GRAPHICS INC (129162)</b>				
ADVANCED INFO SYSTEMS	14746	OUTSOURCE BILLS	04/29/2019	31.96
ADVANCED INFO SYSTEMS	14746	OUTSOURCE BILLS	04/29/2019	91.90
ADVANCED INFO SYSTEMS	14746	OUTSOURCE BILLS	04/29/2019	83.91
ADVANCED INFO SYSTEMS	14746	OUTSOURCE BILLS	04/29/2019	83.91
ADVANCED INFO SYSTEMS	14746	OUTSOURCE BILLS	04/29/2019	107.87
ADVANCED INFO SYSTEMS	14756	OUTSOURCE BILLS	05/07/2019	17.80
ADVANCED INFO SYSTEMS	14756	OUTSOURCE BILLS	05/07/2019	51.18
ADVANCED INFO SYSTEMS	14756	OUTSOURCE BILLS	05/07/2019	46.73

Secondary Name	Invoice	Description	Invoice Date	Total Cost
ADVANCED INFO SYSTEMS	14756	OUTSOURCE BILLS	05/07/2019	46.73
ADVANCED INFO SYSTEMS	14756	OUTSOURCE BILLS	05/07/2019	60.06
Total :				622.05
Total SYSTEMS GRAPHICS INC (129162):				622.05
<b>THE OFFICE SHOP INC (7440)</b>				
	109810	COPIER CONTRACT - SHOP	04/29/2018	17.28
	109810	COPIER CONTRACT - SHOP	04/29/2018	17.28
	109810	COPIER CONTRACT - SHOP	04/29/2018	17.28
	109810	COPIER CONTRACT - SHOP	04/29/2018	17.28
	109810	COPIER CONTRACT - SHOP	04/29/2018	17.28
Total :				86.40
Total THE OFFICE SHOP INC (7440):				86.40
<b>U S BANK PURCHASE CARD (129981)</b>				
	050619	Disputed charge	05/06/2019	9.99
	050619	Disputed charge credit	05/06/2019	9.99-
	050619	Disputed charge credit	05/06/2019	9.99-
	050619	Accidental purchase - Wrong card	05/06/2019	42.99
	050619	advertising - minutes, bids, ordinances, auction	05/06/2019	18.30
	050619	Keyboard tray, USB port	05/06/2019	27.93
	050619	Toner cartridges - finance	05/06/2019	1,190.96
	050619	Wireless keyboard	05/06/2019	20.56
	050619	Index tab dividers	05/06/2019	10.08
	050619	Index tab dividers	05/06/2019	17.97
	050619	Return credit -keyboard tray	05/06/2019	15.95-
	050619	Stapler, lead refills	05/06/2019	17.35
	050619	8-tab dividers	05/06/2019	20.65
	050619	Employee Recognition	05/06/2019	107.10
	050619	tonners & batteries	05/06/2019	207.28
	050619	3-ring binders	05/06/2019	27.99
	050619	Utilities - Verizon	05/06/2019	25.04
	050619	batteries - rechargeable	05/06/2019	16.38
	050619	advertising - minutes	05/06/2019	1,761.50
	050619	Fuel - Meeting Expense	05/06/2019	14.92
	050619	meeting expenses - chamber lunch	05/06/2019	13.41
	050619	advertising - council meeting	05/06/2019	170.00
	050619	Dues - Rotary	05/06/2019	131.00
	050619	Utilities - Verizon	05/06/2019	37.55
	050619	Breakroom Supplies - Coffee	05/06/2019	309.00
	050619	Lease - Postage Machine	05/06/2019	724.62
Total General Government:				4,886.64
	050619	advertising - minutes, bids, ordinances	05/06/2019	32.03
	050619	advertising - position openings	05/06/2019	157.60
	050619	advertising positions openings - summer seasonal and solid waste	05/06/2019	48.00
	050619	Utilities - TCT	05/06/2019	86.39
	050619	Cleaning supplies	05/06/2019	42.35
	050619	Cleaning supplies	05/06/2019	34.42
	050619	Cleaning supplies	05/06/2019	9.99
	050619	Cleaning supplies	05/06/2019	25.99
	050619	Cleaning supplies	05/06/2019	17.57
	050619	Cleaning	05/06/2019	29.99

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	050619	Graphite Lube Spray - lock assist	05/06/2019	15.98
	050619	Shop supplies	05/06/2019	7.49
	050619	Gator tire	05/06/2019	17.14
	050619	advertising - arbor day & recreational programs	05/06/2019	513.00
	050619	Utilities - Verizon	05/06/2019	103.34
	050619	Arbor Day trees	05/06/2019	1,545.00
	050619	Flower seeds	05/06/2019	87.51
	050619	Water valve	05/06/2019	8.99
	050619	Water valve, pipe thread cmpd, thread seal tape	05/06/2019	7.78
	050619	Valve toilet antisiphon	05/06/2019	9.99
	050619	Valve toilet antisiphon	05/06/2019	9.99
	050619	Pipe to repair Mentock restroom	05/06/2019	24.98
	050619	Leak valve kit	05/06/2019	14.99
	050619	Valve and faucet	05/06/2019	20.47
	050619	Irrigation repair	05/06/2019	7.99
	050619	Irrigation repair	05/06/2019	10.78
	050619	Repair Clamp, Pipe size 3 Dorse Miller Park irrigation	05/06/2019	239.53
	050619	Pipe, primer, Teflon tape to rpair irrigation Holm View	05/06/2019	41.14
	050619	Brass nipple - Holm View Irrigation Repair	05/06/2019	15.14
	050619	Coupler, PVC pipe Holm View Repair/Stock	05/06/2019	11.98
	050619	LEC Repair	05/06/2019	73.26
	050619	Stock	05/06/2019	59.85
	050619	Mutt Mitts	05/06/2019	906.86
	050619	Sawzall Blades	05/06/2019	18.99
	050619	Replacement garbage cans	05/06/2019	56.97
	050619	Puddle sponge - Ballfield supplies	05/06/2019	135.13
	050619	Soccer field paint	05/06/2019	7.99
	050619	Soccer field paint	05/06/2019	7.99
	050619	Soccer field paint	05/06/2019	7.99
	050619	Scrappers - Snow removal	05/06/2019	230.42
	050619	toilet repair at City Hall	05/06/2019	5.95
	050619	air purifier filter	05/06/2019	68.98
	050619	AlSCO - Rug Service	05/06/2019	136.29
	050619	Security Contract	05/06/2019	103.50
	050619	Utilities - TCT	05/06/2019	1,076.63
	050619	Utilities - Verizon	05/06/2019	89.93
	050619	Evacuation and fire training at Rec Center	05/06/2019	41.95
	050619	shirts for maintenance crew	05/06/2019	118.96
	050619	flexable cap for steps at Auditorium	05/06/2019	11.98
	050619	swamp cooler filters for Aud. and Club Room	05/06/2019	310.18
	050619	filter for swamp cooler at Aud.	05/06/2019	4.99
	050619	AlSCO - Rug Service	05/06/2019	264.18
	050619	Utilities - TCT	05/06/2019	56.45
	050619	Janitorial supplies	05/06/2019	35.52
	050619	batteries	05/06/2019	12.33
	050619	bolts and nuts for steam table	05/06/2019	1.58
	050619	Repair table at Auditorium	05/06/2019	.53
	050619	Electrical work at Chamber of Commerce and in Aquatics	05/06/2019	204.00
				7,246.92
Total Parks & Facilities:				
	050619	advertising - minutes, bids, ordinances	05/06/2019	9.15
	050619	awards	05/06/2019	97.95
	050619	Awards banquet - table cloth rental	05/06/2019	279.00
	050619	Awards Banquet Food	05/06/2019	26.94
	050619	C18 Food for Awards Banquet	05/06/2019	88.41
	050619	C18 Food for Awards Banquet	05/06/2019	64.61
	050619	C18 Food for Dept Awards Banquet	05/06/2019	62.46

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	050619	To Fix charge of Tax	05/06/2019	64.61-
	050619	Food for Awards Banquet	05/06/2019	29.73
	050619	chargers	05/06/2019	15.07
	050619	external hard drives	05/06/2019	243.31
	050619	Utilities - TCT	05/06/2019	66.45
	050619	A14 pedal	05/06/2019	85.72
	050619	Under cover strobe light A19	05/06/2019	64.00
	050619	A19 repair	05/06/2019	66.25
	050619	Safety Services - Fire ext.	05/06/2019	305.00
	050619	Utilities - Verizon	05/06/2019	115.11
	050619	Coffee, cups, cutlery	05/06/2019	157.72
	050619	keys	05/06/2019	14.93
	050619	Ink pad	05/06/2019	5.85
	050619	Utilities - Verizon	05/06/2019	44.87
	050619	Utilities - Verizon	05/06/2019	44.87
	050619	Uniform Name Plates - Morris & English	05/06/2019	25.90
	050619	Leather Gloves	05/06/2019	12.99
	050619	Hotel for C25 & C06 to drive back new patrol cars from Salt Lake	05/06/2019	119.00
	050619	Fuel to bring new patrol car back from Salt Lake	05/06/2019	41.37
	050619	Fuel to drive new patrol car back from Salt Lake	05/06/2019	45.71
	050619	Gas from Salt Lake City - Pick up new patrol car	05/06/2019	37.33
	050619	Hotel to bring new patrol car back from Salt Lake	05/06/2019	119.00
	050619	Meal - bring back new patrol car from Salt Lake	05/06/2019	33.19
	050619	Meal - bring new patrol vehicle back from Salt Lake	05/06/2019	39.34
	050619	Training - Meal	05/06/2019	15.02
	050619	Gas to bring new patrol car back from Salt Lake	05/06/2019	50.50
	050619	Gas to drive new patrol vehicle back from Salt Lake	05/06/2019	50.62
	050619	Travel Training & Ed - Hotel	05/06/2019	93.39
	050619	Travel Training & Ed - Meal	05/06/2019	19.86
	050619	Travel Training & Ed - Meal	05/06/2019	17.61
	050619	C12 Patrol Car Wash	05/06/2019	9.00
	050619	C08 Patrol Car Wash	05/06/2019	9.00
	050619	C05 Patrol Car Wash	05/06/2019	9.00
	050619	C06 Patrol car wash	05/06/2019	9.00
	050619	C21 Patrol Car Wash	05/06/2019	9.00
	050619	Car Wash patrol	05/06/2019	6.78
	050619	C24 Patrol Car Wash	05/06/2019	6.61
	050619	C07 Patrol Car Wash	05/06/2019	9.00
	050619	Fee to use visa at court house for notary	05/06/2019	1.50
	050619	Notary	05/06/2019	18.00
	050619	Utilities - Verizon	05/06/2019	533.96
	050619	Weapon mount tactical flashlight	05/06/2019	118.99
	050619	Medical & Laboratory supplies	05/06/2019	228.47
	050619	Postage - return uniforms	05/06/2019	20.52
	050619	Tourniquet & Belt	05/06/2019	68.23
	050619	Holsters & magazine pouches	05/06/2019	172.12
	050619	Badge	05/06/2019	12.95
	050619	Vest Carrier	05/06/2019	88.39
	050619	Uniform & Clothing - Alterations	05/06/2019	95.00
	050619	Uniform & Clothing - sewing	05/06/2019	82.00
	050619	uniform & clothing - Traverse	05/06/2019	374.94
	050619	Uniform & Clothing - Traverse	05/06/2019	207.10
	050619	Uniform Name Plate	05/06/2019	12.95
	050619	Uniforms & Clothing - sewing	05/06/2019	65.00
	050619	Uniform boots	05/06/2019	88.39
	050619	Tactical Stryke Flex Pants	05/06/2019	63.74
	050619	C18 Tune up & tubes	05/06/2019	118.00
	050619	bike	05/06/2019	834.84

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	050619	National Assoc Property & Evidence Membership	05/06/2019	50.00
	050619	Utilities - Verizon	05/06/2019	150.20
	050619	Drug Test Kits	05/06/2019	410.99
	050619	Postage Evidence Shipping	05/06/2019	21.69
	050619	Postage Evidence Shipping	05/06/2019	10.53
	050619	Postage Evidence Shipping	05/06/2019	10.53
	050619	Postage Evidence Shipping	05/06/2019	10.53
	050619	Postage Evidence Shipping	05/06/2019	21.06
	050619	Postage Evidence Shipping	05/06/2019	10.53
	050619	Boots	05/06/2019	85.77
	050619	Utilities - Verizon	05/06/2019	29.29
	050619	Womens Tactical Twill Pants	05/06/2019	65.18
Total Police:				6,692.40
	050619	advertising - minutes, bids, ordinances, auction	05/06/2019	4.58
	050619	Building Department Car Wash	05/06/2019	13.00
	050619	Car Wash for Sean Collier - Building Inspection	05/06/2019	13.00
	050619	Motel room for conference	05/06/2019	299.46
	050619	Utilities - Verizon	05/06/2019	37.55
	050619	Coffee	05/06/2019	309.00
	050619	Utilities - Verizon	05/06/2019	40.01
	050619	WCBO Spring Conference	05/06/2019	198.85
	050619	Utilities - Verizon	05/06/2019	157.38
	050619	Building Inspection Fuel	05/06/2019	14.00
	050619	Gorilla Glue, Nuts & Bolts	05/06/2019	6.99
	050619	advertising - minutes, bids, ordinances, auction	05/06/2019	22.88
	050619	Utilities - TCT	05/06/2019	94.42
	050619	hand cleaner	05/06/2019	19.99
	050619	J39 hose	05/06/2019	173.19
	050619	Shipping for parts received	05/06/2019	3.46
	050619	F04 control Flasher	05/06/2019	102.67
	050619	Backhoe pins	05/06/2019	36.12
	050619	G09 bucket teeth	05/06/2019	99.95
	050619	Credit, Put tax on bill	05/06/2019	18.55-
	050619	Shop supplies	05/06/2019	18.55
	050619	Cutting Wheels	05/06/2019	17.84
	050619	Bolts and fastners	05/06/2019	10.81
	050619	Angle Iron	05/06/2019	58.60
	050619	Shop supplies	05/06/2019	24.24
	050619	gloves	05/06/2019	35.98
	050619	Barrel pads	05/06/2019	71.48
	050619	Credit return barrel pads	05/06/2019	33.97-
	050619	Safety cabinet	05/06/2019	1,075.00
	050619	Hotel Salt Lake	05/06/2019	133.00
	050619	Meal Salt lake trip	05/06/2019	14.23
	050619	Fuel Salt Lake	05/06/2019	18.48
	050619	Walter Safety Congress	05/06/2019	93.00
	050619	Hotel Salt Lake	05/06/2019	119.00
	050619	Meal Salt lake trip	05/06/2019	73.41
	050619	Fuel Salt Lake trip	05/06/2019	51.69
	050619	Fuel Salt lake trip	05/06/2019	37.05
	050619	Meal Casper trip	05/06/2019	54.74
	050619	Room T2 school	05/06/2019	93.00
	050619	Fuel Casper trip	05/06/2019	36.36
	050619	Couplers for streets	05/06/2019	520.00
	050619	advertising - bids	05/06/2019	245.25
	050619	Cut and Break Saw rental	05/06/2019	135.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	050619	Utilities - Verizon	05/06/2019	152.68
	050619	Propane	05/06/2019	51.77
	050619	Ball valve	05/06/2019	9.49
	050619	Ball valve	05/06/2019	18.37
	050619	Batteries	05/06/2019	18.99
	050619	Fuses	05/06/2019	25.98
	050619	Orange glo flg	05/06/2019	1.97
	050619	Pvc adapter	05/06/2019	1.48
	050619	Pvc Couplers	05/06/2019	3.38
	050619	Pvc pipe and couplers	05/06/2019	88.73
	050619	Valve box	05/06/2019	5.99
	050619	Safety boots	05/06/2019	180.00
Total Public Works:				5,089.52
	050619	advertising - minutes, bids, ordinances	05/06/2019	4.58
	050619	advertising - position openings	05/06/2019	75.00
	050619	advertising positions openings - summer seasonal and solid waste	05/06/2019	48.00
	050619	cable wall cord cover and mounting tape	05/06/2019	44.75
	050619	Rec center - repairs concessions table legs	05/06/2019	4.99
	050619	Shower Head	05/06/2019	11.98
	050619	flush valve for toilet	05/06/2019	59.48
	050619	AlSCO - Rug Service	05/06/2019	67.15
	050619	Security Contract	05/06/2019	55.50
	050619	Utilities - TCT	05/06/2019	265.67
	050619	tape mount for air freshner	05/06/2019	5.79
	050619	Sanitizers and cleaners	05/06/2019	770.68
	050619	custodial supplies, screens for drains in lockers	05/06/2019	7.49
	050619	batteries	05/06/2019	12.33
	050619	Engraving safety plate for racquetball	05/06/2019	30.00
	050619	Bicycle & Pedestrian Transportation Seminar	05/06/2019	55.00
	050619	Utilities - Verizon	05/06/2019	100.14
	050619	batteries for keypad at front desk	05/06/2019	15.98
	050619	accordion folder for office invoices	05/06/2019	4.97
	050619	advertising - recreational and aquatic programs	05/06/2019	364.06
	050619	ASAP supplies	05/06/2019	54.99
	050619	ASAP supplies	05/06/2019	36.79
	050619	ASAP supplies	05/06/2019	19.62
	050619	advertising - recreational and aquatic programs	05/06/2019	67.30
	050619	spotify	05/06/2019	9.99
	050619	advertising - arbor day & recreational programs	05/06/2019	72.77
	050619	advertising - recreational and aquatic programs	05/06/2019	12.18
	050619	batteries for treadmill	05/06/2019	47.98
	050619	nuts bolts, lube and threadlocker for fitness equipment	05/06/2019	13.97
	050619	repairs to fitness equipment	05/06/2019	36.14
	050619	repairs to fitness equipment	05/06/2019	22.40
	050619	repairs to fitness equipment	05/06/2019	153.79
	050619	advertising - arbor day & recreational programs	05/06/2019	374.46
	050619	advertising - recreational and aquatic programs	05/06/2019	18.27
	050619	rec center guest passes	05/06/2019	456.00
	050619	nuts for bumper pool table	05/06/2019	1.35
	050619	advertising - minutes, bids, ordinances, auction	05/06/2019	9.15
	050619	advertising - position openings	05/06/2019	75.00
	050619	advertising positions openings - summer seasonal and solid waste	05/06/2019	48.00
	050619	chiller for pool not cooling the deck	05/06/2019	104.50
	050619	Electrical work at Chamber of Commerce and in Aquatics	05/06/2019	82.50
	050619	AlSCO - Rug Service	05/06/2019	67.14

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	050619	Security Contract	05/06/2019	55.50
	050619	Utilities - TCT	05/06/2019	228.47
	050619	Sanitizers and cleaners	05/06/2019	205.72
	050619	custodial supplies, screens for drains in lockers	05/06/2019	7.50
	050619	Midwest Regional Conference Training	05/06/2019	45.00
	050619	Midwest Regional Conference Training	05/06/2019	12.68
	050619	Midwest Regional Conference Training	05/06/2019	24.09
	050619	Midwest Regional Conference Training	05/06/2019	46.00
	050619	Midwest Regional conference Training	05/06/2019	440.42
	050619	advertising -recreational and aquatic programs	05/06/2019	376.24
	050619	032-Part for Raffle tumbler lock replacement for extravaganza	05/06/2019	6.99
	050619	Comm CPR	05/06/2019	60.00
	050619	Community CPR	05/06/2019	30.00
	050619	Eggstravaganza	05/06/2019	160.34
	050619	Eggstravaganza	05/06/2019	15.43
	050619	Swim Lessons Candy	05/06/2019	9.49
	050619	for chemical monitor service	05/06/2019	44.00
	050619	CO2	05/06/2019	705.30
	050619	033- Parts for guard chair	05/06/2019	1.20
	050619	advertising - recreational and aquatic programs	05/06/2019	12.18
	050619	advertising - recreational and aquatic programs	05/06/2019	12.18
	050619	Utilities - TCT	05/06/2019	37.19
	050619	advertising - arbor day & recreational programs	05/06/2019	72.77
	050619	advertising - recreational and aquatic programs	05/06/2019	6.09
	050619	Adult athletic champions plate	05/06/2019	168.00
	050619	pickle ball tournament	05/06/2019	71.91
	050619	Pickle Balls	05/06/2019	179.94
				6,822.46
Total Recreation Center:				
	050619	advertising - minutes, bids, ordinances, auction	05/06/2019	109.83
	050619	advertising positions openings	05/06/2019	147.00
	050619	Utilities - TCT	05/06/2019	86.15
	050619	C02 spring	05/06/2019	67.16
	050619	C07 lift bar	05/06/2019	1,347.32
	050619	G06 Plate assy	05/06/2019	19.88
	050619	DEF	05/06/2019	142.45
	050619	belt for C06	05/06/2019	40.69
	050619	Utilities - Verizon	05/06/2019	12.39
	050619	advertising - position openings	05/06/2019	116.90
	050619	Utilities - Verizon	05/06/2019	30.04
	050619	Glass cleaner	05/06/2019	25.87
	050619	propane	05/06/2019	2.17
	050619	batteries and washer fluid	05/06/2019	66.18
	050619	nuts and bolts	05/06/2019	60.27
	050619	boot scrubber	05/06/2019	39.99
	050619	nuts and bolts	05/06/2019	53.98
	050619	Utilities - Verizon	05/06/2019	7.51
	050619	propane	05/06/2019	34.41
	050619	propane	05/06/2019	41.23
	050619	propane	05/06/2019	26.97
	050619	Stinger timbers	05/06/2019	214.50
	050619	nuts and bolts	05/06/2019	1.50
	050619	Garden Hoe	05/06/2019	11.99
	050619	Utilities - TCT	05/06/2019	94.42
	050619	Utilities - Verizon	05/06/2019	32.40
	050619	1""-2"" rock for drainage	05/06/2019	93.60
	050619	ball valves and curb lids	05/06/2019	104.80

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	050619	brass couplers	05/06/2019	201.88
	050619	brass fittings	05/06/2019	66.75
	050619	Brass Order	05/06/2019	146.72
	050619	""L"" fitting	05/06/2019	12.91
	050619	curb riser pipe	05/06/2019	393.46
	050619	curb riser pipe	05/06/2019	262.80
	050619	Utilities - Verizon	05/06/2019	37.56
	050619	conduit for meter pits	05/06/2019	46.83
	050619	Marking paint	05/06/2019	105.12
	050619	water sample shipping	05/06/2019	59.33
	050619	Tool Set	05/06/2019	99.99
	050619	curb keys	05/06/2019	76.00
	050619	raw water parts	05/06/2019	15.80
	050619	ball valves and curb lids	05/06/2019	1,137.00
	050619	Brass Order	05/06/2019	592.50
	050619	brass order raw water mashie	05/06/2019	890.71
	050619	Mashie RW line	05/06/2019	936.45
	050619	plastic valve boxes	05/06/2019	144.08
	050619	pvc caps	05/06/2019	8.05
	050619	Raw water parts for mashie	05/06/2019	49.92
	050619	Mashie RW parts and trailer rental	05/06/2019	162.88
	050619	Raw water parts - mashie	05/06/2019	7.93
	050619	advertising - auction	05/06/2019	210.80
	050619	mini ex rental	05/06/2019	459.00
	050619	Mashie RW parts and trailer rental	05/06/2019	60.00
	050619	Mini ex rental Mashie	05/06/2019	183.20
	050619	mini ex rental mashie	05/06/2019	150.75
	050619	Utilities - Verizon	05/06/2019	12.52
	050619	plumber cloth	05/06/2019	6.99
	050619	batteries	05/06/2019	13.99
	050619	yard tarps for excavation	05/06/2019	19.92
	050619	Marking paint	05/06/2019	336.24
	050619	pipe cutter	05/06/2019	16.99
	050619	Utilities - TCT	05/06/2019	97.28
	050619	D10 Sensor	05/06/2019	621.53
	050619	Pressure Sensor	05/06/2019	141.10
	050619	Utilities - Verizon	05/06/2019	32.77
	050619	motel room for WARWS conference	05/06/2019	261.60
	050619	Conifer Lane Manhole Alarm Service	05/06/2019	26.00
	050619	Utilities - Verizon	05/06/2019	37.56
	050619	fuses	05/06/2019	18.04
	050619	PVC bib	05/06/2019	29.99
	050619	tension clip and batteries	05/06/2019	12.98
	050619	safety glasses	05/06/2019	15.98
	050619	Utilities - Verizon	05/06/2019	37.56
	050619	lab supplies - water	05/06/2019	75.20
	050619	Utilities - TCT	05/06/2019	88.00
	050619	Cleaning supplies	05/06/2019	33.90
	050619	E05 sensor	05/06/2019	128.89
	050619	Fuel purchase - WMPA Board Travel - Lusk	05/06/2019	25.87
	050619	Fuel purchase - WMPA Board Travel to Lusk	05/06/2019	15.64
	050619	Wash Explorer	05/06/2019	7.65
	050619	Wash Explorer	05/06/2019	4.99
	050619	Wash Explorer	05/06/2019	13.00
	050619	Locating Paint	05/06/2019	176.34
	050619	Locating Paint	05/06/2019	105.84
	050619	Utilities - Verizon	05/06/2019	182.35
	050619	Coffee, Cutlery	05/06/2019	59.11

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	050619	Batteries	05/06/2019	43.00
	050619	FR Shirts for Line Crew	05/06/2019	2,827.55
	050619	Country Estates Phase 1 and stock material purchase	05/06/2019	378.57
	050619	Utilities - Verizon	05/06/2019	182.35
	050619	Country Estates Phase 1 gravel	05/06/2019	56.00
	050619	Country Estates project - driveway stone	05/06/2019	128.00
	050619	Conduit for Country Estates Phase 1 Project	05/06/2019	1,505.00
	050619	Country Estates Phase 1 and stock material purchase	05/06/2019	887.01
Total Utilities:				18,213.32
Total U S BANK PURCHASE CARD (129981):				48,951.26
<b>UNUM LIFE INSURANCE - LIFE (127935)</b>				
	5619	PREMIUM	05/06/2019	1,722.59
Total :				1,722.59
Total UNUM LIFE INSURANCE - LIFE (127935):				1,722.59
<b>VALLEY SCHOOL (123412)</b>				
	050319	ALUMINUM CAN CONTEST	05/03/2019	56.00
Total :				56.00
Total VALLEY SCHOOL (123412):				56.00
<b>VAN AUKEN, TRUTH (131597)</b>				
	050819	PERSONAL TRAINER	05/08/2019	84.00
Total :				84.00
Total VAN AUKEN, TRUTH (131597):				84.00
<b>WAPITI SCHOOL (123428)</b>				
	050319	ALUMINUM CAN CONTEST	05/03/2019	9.00
Total :				9.00
Total WAPITI SCHOOL (123428):				9.00
<b>WESTERN UNITED ELECTRIC SUPPLY (10605)</b>				
	4133562	INFRASTRUCTURE SYSTEM MAINTENANCE	05/02/2019	257.55
Total :				257.55
Total WESTERN UNITED ELECTRIC SUPPLY (10605):				257.55
<b>WORKMAN, RODNEY E (130577)</b>				
WORKMAN WASH & BLAST	041919	CLEAN & SEAL CITY PARK RESTROOM	04/19/2019	432.00
Total :				432.00
Total WORKMAN, RODNEY E (130577):				432.00
<b>WYOMING DEPARTMENT OF TRANSPORTATION (130279)</b>				
WYDOT FINANCIAL SERVICES	108846	COUGAR AVE PROJECT-RECON (SCOPING) REPORT	05/02/2019	20.06

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				20.06
Total WYOMING DEPARTMENT OF TRANSPORTATION (130279):				20.06
<b>WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670)</b>				
WORKERS COMPENSATION DIV	5619	contributions	05/06/2019	14,915.63
WORKERS COMPENSATION DIV	5619	Volunteers PD	05/06/2019	20.14
WORKERS COMPENSATION DIV	5619	Volunteers Rec	05/06/2019	80.57
Total :				15,016.34
Total WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670):				15,016.34
<b>WYOMING DEPT OF AGRICULTURE (123502)</b>				
	041519	SPA LICENSE RENEWAL	04/15/2019	50.00
	041519A	MAIN POOL LICENSE RENEWAL	04/15/2019	50.00
	041519B	THERAPY POOL LICENSE RENEWAL	04/15/2019	50.00
	041519C	LEISURE POOL LICENSE RENEWAL	04/15/2019	50.00
	041519D	LICENSE RENEWAL - CONCESSIONS	04/15/2019	50.00
Total :				250.00
Total WYOMING DEPT OF AGRICULTURE (123502):				250.00
<b>WYOMING MUNICIPAL POWER AGENCY (10920)</b>				
	052519	POWER PURCHASE - MAY 2019	05/01/2019	626,547.72
	052519	POWER PURCHASE - MAY 2019	05/01/2019	32,976.20
Total :				659,523.92
Total WYOMING MUNICIPAL POWER AGENCY (10920):				659,523.92
<b>WYOMING RETIREMENT SYSTEM (10950)</b>				
	173319	CONTRIBUTIONS -	05/07/2019	16,761.09
	173320	CONTRIBUTIONS -	05/07/2019	35,174.25
	173321	CONTRIBUTIONS -	05/07/2019	22,946.63
Total :				74,881.97
Total WYOMING RETIREMENT SYSTEM (10950):				74,881.97
<b>YELLOWSTONE REGIONAL AIRPORT (11150)</b>				
	50119	AIRPORT FUNDING - MAY 2019	05/01/2019	14,530.42
Total :				14,530.42
Total YELLOWSTONE REGIONAL AIRPORT (11150):				14,530.42
<b>YOUNG, JEREMY (131537)</b>				
	050219	RESTITUTION FROM CRYSTAL SNYDER MC-1809-025	05/02/2019	30.47
Total :				30.47
Total YOUNG, JEREMY (131537):				30.47
Grand Totals:				1,547,871.63

GL Period	Amount
05/19	1,547,871.63
<b>Grand Totals:</b>	<b>1,547,871.63</b>

Vendor number hash: 8969175  
 Vendor number hash - split: 67435558  
 Total number of invoices: 118  
 Total number of transactions: 595

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	1,547,871.63	.00	1,547,871.63
<b>Grand Totals:</b>	<b>1,547,871.63</b>	<b>.00</b>	<b>1,547,871.63</b>
		Payroll 05/15/2019	241,693.56
			<u>1,789,565.19</u>

Report Criteria:

Invoice.Detail.Input date = 05/14/2019  
 Invoice.Batch = {NOT LIKE} "1"

Report Criteria:

Invoice Detail.Input date = 05/14/2019  
 Invoice.Batch = "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
<b>ENGINEERING ASSOCIATES (4140)</b>				
	3904036A	PROJECT NO 14111.04 WWTF PHASE 2	04/26/2019	3,090.68
Total :				3,090.68
Total ENGINEERING ASSOCIATES (4140):				3,090.68
Grand Totals:				3,090.68

Report GL Period Summary

GL Period	Amount
05/19	3,090.68
Grand Totals:	3,090.68

Vendor number hash: 4140  
 Vendor number hash - split: 4140  
 Total number of invoices: 1  
 Total number of transactions: 1

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	3,090.68	.00	3,090.68
Grand Totals:	3,090.68	.00	3,090.68

## **AGENDA ITEM SUMMARY REPORT**

### **Pass Through Grant Reimbursements**

#### **ACTION TO BE TAKEN:**

Authorize the Finance Officer to process checks for pass through grant reimbursements outside of the normal approval process when grant funds are received prior to Council meetings.

#### **SUMMARY OF INFORMATION:**

Forward Cody is currently managing two pass-through grants sponsored by the City of Cody. Forward Cody pays the expenses to the vendors then submits a draw down request to Wyoming Business Council for reimbursement under the grant. Once funds are received by the City from Wyoming Business Council the City reimburses Forward Cody for the expenses paid.

The timing of when payments are received from Wyoming Business Council and when a check can be approved for Forward Cody results in Forward Cody waiting an additional one to two weeks to be paid after the City receives the grant funds.

By approving this request for the Finance Officer to issue checks to Forward Cody as soon as the funds are received from Wyoming Business Council, the City will be able to reimburse Forward Cody in a timelier manner, thereby relieving the amount of float time for Forward Cody. The voucher to Forward Cody would still appear on the voucher list for Council approval in the same manner that payroll liability payments which must be made prior to scheduled Council meeting are processed.

#### **FISCAL IMPACT**

None

#### **ATTACHMENTS**

None

**AGENDA ITEM NO. \_\_\_\_\_**

MEETING DATE: MAY 21, 2019  
DEPARTMENT: P&R DEPARTMENT  
PREPARED BY: RICK MANCHESTER,  
DIRECTOR  
PRESENTED BY: RICK MANCHESTER

## Gymnastics Equipment Lease Renewal

### ACTION TO BE TAKEN:

Request that City Council authorizes the Mayor to sign an equipment lease contract with Wyoming Sport and Fitness LLC. The lease will be for a 2-year renewal. The equipment will be owned by the City and rent shall be \$100 per year.

### SUMMARY OF INFORMATION:

The Shoshone Recreation District purchased gymnastics equipment and gave it to the city for a new gymnastics program. We have since canceled the program and the equipment has been in storage since 2014. Wyoming Sport and Fitness is a new private gymnastics provider (open to the public.) They have requested either lease or purchase the equipment. The equipment is in storage at Draw Street.

Staff recommendation is to lease the equipment instead of selling it. Then if the gym closes the equipment would remain in the City's ownership. I have discussed the lease idea to the Shoshone Rec District Board and they were supportive of the idea.

### FISCAL IMPACT

City will collect \$100 per year

### ALTERNATIVES

1. Approve the lease agreement
2. Sell the equipment
3. Keep the equipment in storage for a future program

### ATTACHMENTS

1. Lease agreement
2. Pictures of equipment

### AGENDA & SUMMARY REPORT TO:

Wyoming Sport and Fitness

**AGENDA ITEM NO. \_\_\_\_\_**

DONATION AGREEMENT

The Wyoming Veterans Memorial Park Foundation [hereinafter "Foundation"] has purchased a "War Dog Memorial & Memorial Donor Bricks" in the Wyoming Veterans Memorial Park in Cody WY.

This Memorial has been created to recognize and honor all military War Dogs and their handlers, or Service Dogs and their partners who have served our country and to provide a venue where they can be individually and permanently memorialized. This Memorial is being donated to the City of Cody [hereinafter "City"].

The City Council has approved this installation and hereby accepts this donation. The declared value of this donation is \$\_\_\_\_\_.

It is the understanding of the Foundation and the City that by accepting this gift the City assumes all responsibility for its care, maintenance and repair.

Acknowledged this \_\_\_\_\_, day of \_\_\_\_\_, 2019 by:

\_\_\_\_\_  
Chairperson, Foundation Board

\_\_\_\_\_  
Mayor, City of Cody

**ACKNOWLEDGMENT OF  
CONFLICT OF INTEREST  
AND CONSENT  
TO REPRESENTATION**

THE UNDERSIGNED PARTIES, City of Cody, Wyoming, a municipal corporation (hereinafter CODY), and City of Powell, Wyoming, a municipal corporation (hereinafter POWELL), hereby acknowledge the disclosure of a conflict of interest as described herein, and consent to representation by the same firm.

The parties understand and acknowledge that the law firm of Copenhaver, Kath, Kitchen & Kolpitzke, LLC (hereinafter the LAW FIRM) represents and provides legal counsel to both CODY and POWELL, and both parties use the LAW FIRM, as legal counsel. CODY and POWELL intend to enter into an agreement entitled "Temporary Law Enforcement Assistance Memorandum of Understanding." (AGREEMENT). The parties understand and acknowledge that the LAW FIRM has a conflict of interest, which prevents it from representing the parties in an adverse transaction. Despite the conflict, the parties waive the conflict of interest, and consent to the LAW FIRM reviewing the AGREEMENT based on terms the parties have negotiated. The parties acknowledge that the law firm prepared the same AGREEMENT in the past for law enforcement mutual aid arrangements, and that the AGREEMENT is intended to describe the terms and conditions under which POWELL will provide temporary law enforcement assistance to CODY during specific events in June and July, 2019.

As part of this waiver of conflict of interest, the parties acknowledge the following:

a. It would a conflict of interest for the LAW FIRM to represent both parties in this transaction, absent an acknowledgment and written waiver of that conflict of interest.

b. The parties may use separate, independent legal counsel if they so choose at any time.

c. The parties understand that ordinarily, the attorney-client privilege protects the confidentiality of communications between an attorney and the client. By consenting to the LAW FIRM representing both parties in this transaction, the parties understand that the attorney-client privilege will NOT protect their communications with the LAW FIRM, and that information disclosed to the LAW FIRM will be shared with the other party. If a party finds it necessary to divulge information they think is confidential, that party should seek independent counsel.

d. The parties understand that the LAW FIRM'S role as advocate for each party in this transaction, and the LAW FIRM may be less able to offer independent legal advice to each party, and each party will assume responsibility for negotiating the terms and conditions described in this AGREEMENT.

e. The parties hereby acknowledge the conflict of interest and waive it. The parties agree and consent to the LAW FIRM preparing the AGREEMENT the parties have discussed.

f. The parties understand and acknowledge that in the event any dispute arises between the parties with respect to the agreement, that both parties will have to seek independent counsel, and the LAW FIRM will not be able to represent either party in this transaction.

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The undersigned have reviewed the foregoing **ACKNOWLEDGMENT AND WAIVER OF CONFLICT OF INTEREST**, and agree to its terms.

CITY OF CODY, WYOMING:

By: \_\_\_\_\_  
MATT HALL, MAYOR

Date: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Cynthia D. Baker, Clerk

CITY OF POWELL, WYOMING

BY: \_\_\_\_\_  
JOHN WETZEL, MAYOR

Date: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Tiffany Brando

**Cody Police Department**  
**Temporary Law Enforcement Assistance**  
**Memorandum of Understanding**  
**(Wyoming)**

This Memorandum of Understanding (MOU) is entered into this \_\_\_\_ day of \_\_\_\_\_, 2019, between the City of Cody, Wyoming (Cody) and the City Of Powell, Wyoming (hereinafter "Assisting Agency").

RECITALS

WHEREAS, CODY is a municipal corporation in Wyoming, which operates a police department and employs certified peace officers within the municipal corporate limits of Cody, Wyoming; and

WHEREAS, CODY anticipates it will need assistance from other law enforcement agencies for events planned for June and / or July 2019; and

WHEREAS, the ASSISTING AGENCY is willing and able to provide such assistance in the form of assigned peace officers to assist CODY; and

WHEREAS, W.S. 7-2-106(b) authorizes and requires law enforcement agencies in Wyoming to enter into a Memorandum of Understanding (MOU) for the purpose of providing assistance for limited events,

NOW, THEREFORE, in consideration of the mutual covenants, representations and promises described below, and subject to the conditions and limitations described herein, the parties agree as follows:

1. The Assisting Agency will provide certified peace officers in separate vehicles provided by the Assisting Agency for the following date/s (shall not exceed thirty days): June 27, 2019 through July 4, 2019.
2. The officers who will assist the CODY Police Department on the above dates will be designated by the Powell Chief of Police and their information will be provided to the Cody Chief of Police prior to the event.

3. The geographical boundaries of the area covered by this assignment shall be the corporate limits of the City of Cody, Wyoming. This provision shall not be construed in any way to limit or prevent any officer, including but not limited to assigned peace officers from the Assisting Agency, from providing mutual aid and responding to requests for aid pursuant to W.S. 7-2-106(a).
4. CODY will reimburse the Assisting Agency for expenses including actual expenses for fuel, incurred by the assigned peace officers from the Assisting Agency who will assist the Cody Police Department pursuant to this MOU. In addition, CODY will reimburse the Assisting Agency for all wages, including overtime, paid to assigned peace officers while those officers are providing assistance pursuant to this MOU. CODY's reimbursement obligation as described in this paragraph shall begin when the assigned peace officer arrives in Cody, Wyoming, at their determined assignment and shall end when the assigned officer is relieved by Incident Command personnel.

If equipment belonging to the Assisting Agency is damaged while in use by one of the assigned peace officers pursuant to this MOU, the Assisting Agency shall be responsible for paying for the cost of such damaged equipment.

5. While working on an assignment pursuant to this MOU, each peace officer from an assisting agency shall be subject to the direction and control of the City of Cody's Chief of Police, or his designee, and shall have full peace officer authority within the City of Cody. The parties acknowledge that the assigned peace officers may respond to a request for mutual aid outside of the City of Cody from another law enforcement agency pursuant to W.S. 7-2-106(a).
6. Pursuant to W.S. 7-2-106(c), any peace officer acting under this MOU shall be deemed to be acting within the scope of his duties for purposes of the Wyoming Governmental Claims Act and the state self-insurance program, W.S. 1-41-101 through 1-41-111, or the local government self-insurance program, W.S. 1-42-101 through 1-42-207. All privileges and immunities from liability, and all pension, disability, workers' compensation and other benefits which normally apply to peace officers while in the performance of their duties in their own jurisdiction shall also apply to them when acting pursuant to this

MOU. For Workers' Compensation coverage, peace officers assigned pursuant to this MOU shall be deemed joint employees of the Assisting Agency and the City of Cody, who shall be joint employers, pursuant to W.S. Section 7-2-106(c). As joint employers, the Assisting Agency and the City of Cody shall be immune from suit to the extent provided by the Wyoming Workers' Compensation Act (W.S. 27-14-101 et seq).

7. Except as provided in this MOU, neither the Assisting Agency or the City of Cody agrees to insure, defend, or indemnify the other. By entering into this MOU, no party to this MOU waives its governmental immunity, or the defenses and limitations provided in the Wyoming Constitution and the Wyoming Governmental Claims Act, and other applicable laws, and each party reserves all immunities, defenses and limitations provided under the Wyoming Constitution and the laws of the State of Wyoming.
8. The parties do not intend to create in any other individual or entity the status of a third party beneficiary, and this MOU shall not be construed so as to create such status. The rights, duties and obligations contained in this MOU shall operate only between the parties to this MOU, and shall inure solely to the benefit of the parties to this MOU. The provisions of this MOU are intended only to assist the parties in determining and performing their obligations under this MOU. The parties to this MOU intend and expressly agree that only parties signatory to this MOU shall have any legal or equitable right to seek to enforce this MOU, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this MOU, or to bring an action for the breach of this MOU.

**THE REST OF THIS PAGE**

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CITY OF CODY, WYOMING:

\_\_\_\_\_ DATE: \_\_\_\_\_

MATT HALL,  
MAYOR OF THE CITY OF CODY, WYOMING

Attest: \_\_\_\_\_

Cynthia D. Baker,  
Administrative Services Officer

\_\_\_\_\_ DATE: \_\_\_\_\_

CHUCK BAKER  
CHIEF OF POLICE, CODY WYOMING

CITY OF POWELL, WYOMING:

\_\_\_\_\_ DATE: \_\_\_\_\_

JOHN WETZEL  
MAYOR OF THE CITY OF POWELL, WYOMING

\_\_\_\_\_ DATE \_\_\_\_\_

CHIEF OF POLICE, POWELL, WYOMING

\_\_\_\_\_ DATE \_\_\_\_\_

MEETING DATE:	MAY 14, 2019
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## **AGENDA ITEM SUMMARY REPORT**

### **The Preliminary Plat of the Nelson Minor Subdivision**

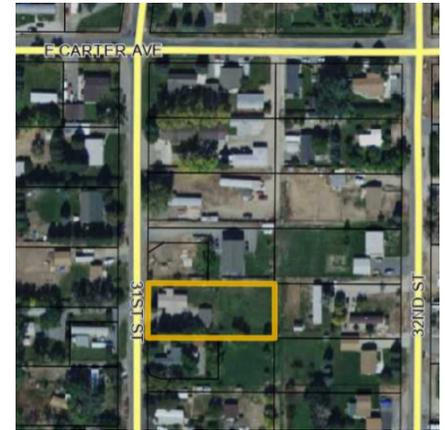
#### **ACTIONS TO BE TAKEN**

Approve the preliminary plat of the Nelson Minor Subdivision, a 2-lot infill subdivision.

#### **SUMMARY**

Darby and Chase Nelson as owners of 1620 31<sup>st</sup> Street, have submitted a preliminary plat application for a 2-lot subdivision of the property. The preliminary plat application is submitted pursuant to the infill subdivision option of City of Cody Code 11-8.

The property is 0.64 acres in size and located in the R-2 Manufactured Home zoning district. Proposed Lot 1 contains an existing house. Lot 2 is vacant and could be developed with a single-family home or duplex. An existing garage on the proposed lot line will be demolished in order to accommodate the subdivision.



A detailed analysis is found in the attached report to the Planning and Zoning Board. The Board adopted the staff recommendation without change. The conditions of approval primarily relate to providing plans or improvements as outlined by the infill subdivision ordinance.

#### **RECOMMENDATION:**

The Planning and Zoning Board has recommended that the City Council approve the preliminary plat for the division of 1620 31<sup>st</sup> Street, subject to submittal of the final plat and construction drawings with the following additions/clarifications:

1. Include a note that the subdivision improvements were based on the property containing no more than three dwelling units—one on Lot 1 and two on Lot 2. Additional dwelling units would require additional subdivision improvements.
2. The overhead power line serving Lot 1 must have at least 15 feet of clearance from ground level as it crosses the access drive. If the required clearance does not exist, the line must be raised to provide the clearance, or a new service line run underground.
3. The physical connection of the subdivision access drive to the public street shall consist of a paved entrance/exit extending from the curb cut (face of curb, or edge of roadway pavement if no curb exists), to a point at least twenty five feet (25') from the public street, measured along the direction of travel. Asphalt thickness shall be at least three inches (3"), compacted depth.
4. Include the improvement district language for 31<sup>st</sup> Street in the Owner's dedication on the final plat.

**AGENDA ITEM NO. \_\_\_\_\_**

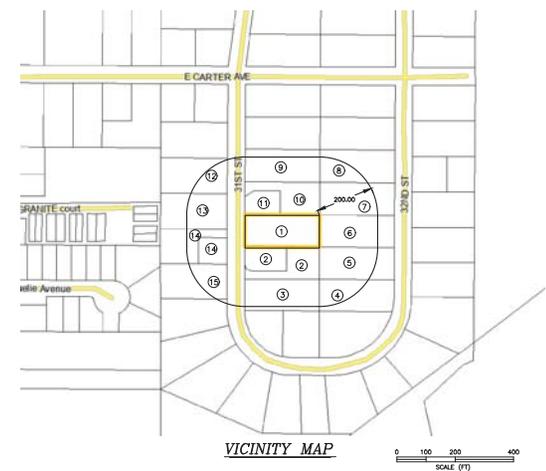
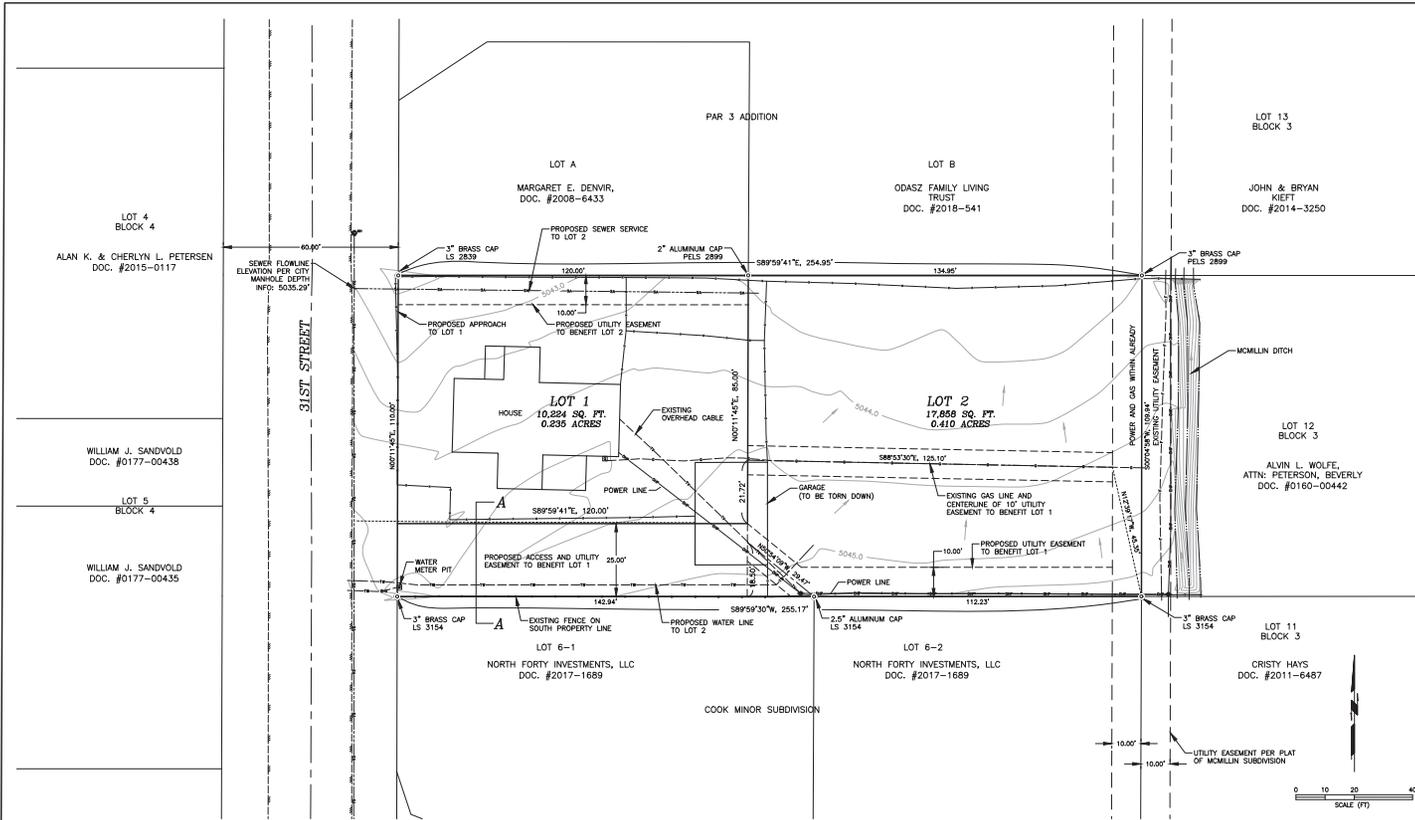
5. Provide a maintenance agreement or covenants to set forth the maintenance responsibilities for the private access drive tract/easement, including maintenance of the access drive, fence, and stormwater facility. See 11-8-5(C).
6. Provide approval of the Cody Canal and McMillin Ditch Company for the irrigation plan for Lot 2 and the transfer of water rights from Lot 1. Provide the agreements for the transfer as noted above in the staff report.
7. The existing garage is to be removed and Lot 1 provided with at least two improved on-site parking spaces prior to the final plat being recorded.
8. Applicable utility fees will need to be paid before the final plat is recorded (water tap fee and sewer plant investment fee).
9. Include the following construction details on the plans either by drawing or note.
  - a. The paved entrance, as noted in #3 above;
  - b. Requirements of 11-8-4(B)3.h (sewer cleanouts);
  - c. Requirements of 11-8-4(B)3.i (tracer wire);
  - d. Requirements of 11-8-4(B)3.j (markers at end of service lines);
  - e. Add size and depth of rock to the swale detail, and the fabric liner;
  - f. Post address for Lot 2 (1624 31<sup>st</sup> Street) at entrance; and,
  - g. Show the required 6-foot solid fence along the south side of the access easement, except the first 15 feet off of 31<sup>st</sup> Street.
10. The final plat application must be submitted within one year and otherwise comply with provisions of the subdivision ordinance.

**ATTACHMENTS:**

Preliminary Plat

Planning & Zoning Board Staff Report

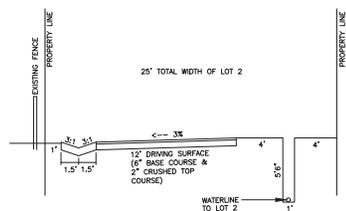
**AGENDA ITEM NO. \_\_\_\_\_**



- LANDOWNER KEY**
- ① DARBY & CHASE NELSON, 83 ROAD 220W, CODY, WY 82414
  - ② NORTH FORTY INVESTMENTS, LLC 1 NORTH FORTY TRAIL, POWELL, WY 82435
  - ③ KEITH & TAMARA HAWKINS, 486 DIAMOND BASIN ROAD, CODY, WY 82414
  - ④ JAMES & KATHY ALEXANDER, 1713 32ND STREET, CODY, WY 82414
  - ⑤ CRISTY HAYS, 1701 32ND STREET, CODY, WY 82414
  - ⑥ ALVIN WOLFE, ATTN: BEVERLY PETERSON, 7543 LOMA VISTA ROAD, VENTURA, CA 93003
  - ⑦ JOHN & BRYAN KIEFT, 1613 32ND STREET, CODY, WY 82414
  - ⑧ JUDSON & CAROLINE SEWER, 1601 32ND STREET, CODY, WY 82414
  - ⑨ JUNE SIZEMORE, ATTN: TERRY SIZEMORE, 1408 31ST STREET, CODY, WY 82414
  - ⑩ ODASZ FAMILY LIVING TRUST, 135 RIO VISTA AVENUE, CODY, WY 82414
  - ⑪ MARGARET DENVR, 530 36TH STREET, CODY, WY 82414
  - ⑫ PETERSON LAKE HILL RANCH, LP, POB 558, PRESTON, ID 83263
  - ⑬ ALAN & CHERLYN PETERSON, PO BOX 2907, CODY, WY 82414
  - ⑭ WILLIAM SANDVOLD, POB 11, CODY, WY 82414
  - ⑮ RANDY & KAY RAILE, 17 CLEAR VIEW ROAD, CODY, WY 82414

**LEGEND**

○	FOUND MONUMENT
—○—	OVERHEAD ELECTRICAL LINE
- - - -	BURIED NATURAL GAS OR LP GAS LINE
- · - · -	BURIED TREATED WATER LINE
- · - · -	BURIED SANITARY SEWER LINE
○	MANHOLE LID, UTILITY AND STRUCTURE TYPES VARY.
⊞	WATER METER
⊞	GAS METER
—	EDGE OF ASPHALT SURFACES
(N 89° 47' E)	RECORD DATA SHOWN IN PARENTHESES
I	UTILITY PIPE LINE VALVES
●	UTILITY POLE
- - - -	PROPOSED SUBDIVISION BOUNDARIES
- · - · -	PROPOSED EASEMENT



**CROSS SECTION A-A**

**NOTES**

1. 0.23 ACRES OF WATER RIGHTS UNDER THE CODY CANAL THROUGH THE MCMILLIN DITCH ARE PROPOSED TO BE DETACHED FROM LOT 1 SO THAT NO WATER RIGHTS UNDER THE MCMILLIN DITCH WILL REMAIN ON LOT 1.

**CERTIFICATE OF SURVEYOR**

I, LYLE J. CASCIATO, OF ENGINEERING ASSOCIATES, HEREBY CERTIFY THAT THIS MAP WAS PREPARED USING DOCUMENTS ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK, AND FROM NOTES TAKEN DURING ACTUAL SURVEYS PERFORMED UNDER MY DIRECTION BETWEEN MARCH 19 AND 28, 2019; AND, THAT TO MY KNOWLEDGE, THIS MAP SHOWS THE SITUATION ON THE GROUND AT THE TIME OF ITS PREPARATION.



**— PRELIMINARY PLAT —  
NELSON MINOR SUBDIVISION**

BEING A FURTHER SUBDIVISION  
OF  
LOT 5, BLOCK 3, MCMILLIN SUBDIVISION,  
CITY OF CODY, PARK COUNTY, WYOMING

LANDOWNERS: NELSON, DARBY LYN & CHASE P.2206  
1620 31ST STREET  
CODY, WY 82414

PREPARED BY: ENGINEERING ASSOCIATES & SURVEYORS



JOB NO. 19000.13 MARCH 28, 2019  
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SHEET 1 OF 1

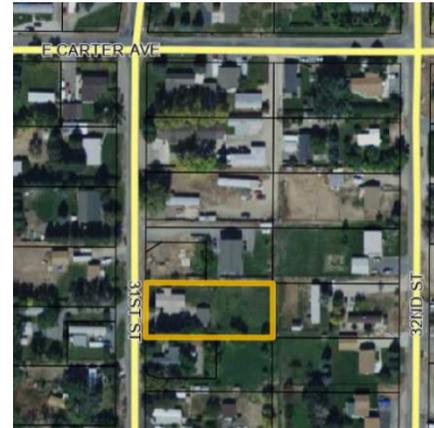
**CITY OF CODY  
PLANNING, ZONING AND ADJUSTMENT BOARD  
STAFF REPORT**

<b>MEETING DATE:</b>	MAY 14, 2019	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	
<b>SUBJECT:</b>	NELSON MINOR SUBDIVISION PRELIMINARY PLAT. SUB 2019-04	RECOMMENDATION TO COUNCIL:	X
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT OVERVIEW**

Darby and Chase Nelson as owners of 1620 31<sup>st</sup> Street, have submitted a preliminary plat application for a 2-lot subdivision of the property. The preliminary plat application is submitted pursuant to the infill subdivision option of City of Cody Code 11-8.

The property is 0.64 acres in size and located in the R-2 Manufactured Home zoning district. Proposed Lot 1 contains an existing house. Lot 2 is vacant and could be developed with a single-family home or duplex. An existing garage on the proposed lot line will be demolished in order to accommodate the subdivision.



**SUBDIVISION REGULATIONS**

The infill subdivision option was adopted in January of 2018 as a template for situations such as this, where lots in existing developments have underutilized areas that can be developed with additional housing.



The infill standards are as follows, with staff comments provided.

**11-8-2: APPLICABILITY:**

- A. The property is 1.2 acres (52,272 square feet) or less in size (net lot area);  
*Comment: Met. Property is 0.64 acres.*

B. The property is at least sixteen thousand (16,000) square feet in size (net lot area) if located in an R-1, R-2, or R-2MH Zoning District; ten thousand (10,000) square feet (net) if zoned R-3; and, seven thousand two hundred (7,200) square feet (net) if zoned R-4. *Comment: Met.*

C. The property is located in a residential zoning district and does not contain any non-conforming commercial or industrial uses. *Comment: Met.*

D. The property has frontage on and access directly to/from a paved public street; *Comment: Met. 31<sup>st</sup> Street is a paved city street.*

E. The property will contain no more than five (5) lots, and no more than five (5) dwelling units (primary and accessory);  
*Comment: Met. Based on lot sizes, the property would be limited to no more than four dwelling units—two units on each lot. To minimize the level of improvements, the applicant is voluntarily limiting the number of dwelling units to three at this time—one dwelling on Lot 1 and two on Lot 2.*

F. The access route to any lot in the proposed subdivision is not more than three hundred fifty feet (350') in length, measured from the public street right-of-way to the middle of the turnaround;  
*Comment: Met. Access route will be 120 feet in length.*

G. All lots will be served with public sewer, public water, and City electric power;  
*Comment: As proposed. Lot 2 can access power from the existing pole at the southeast corner of the property. The overhead line serving Lot 1 must have at least 15 feet of clearance from ground level as it crosses the access drive. If the required clearance does not exist, the line must be raised to provide the clearance, or a new service line run underground.*

*It is also noted that if Lot 2 is developed with a duplex, or even a single-family home with an unusually high electrical demand, that the transformer will need to be upsized. The existing transformer can accommodate a standard single-family home on Lot 2. If application for a building permit on Lot 2 indicates upsizing of the transformer is needed, it will be addressed at that time and the cost will be the responsibility of the party developing Lot 2.*

H. No sewer or water lines will be shared between lots - individual sewer and water service lines must be run to each lot.  
*Comment: Individual lines are shown.*

#### 11-8-4: RESIDENTIAL INFILL SUBDIVISION DESIGN STANDARDS:

The following design standards shall apply to residential infill subdivisions. All applicable required improvements are the responsibility of the subdivider and shall be installed prior to issuance of a building permit for a dwelling within the subdivision, or within two (2) years of final plat approval, whichever occurs first. If the subdivision is to be phased, it must be disclosed with the subdivision application, and improvements may be phased accordingly. The layout of all subdivision improvements shall be shown on the preliminary plat application drawings.

A. Access and Frontage Requirements: The following access standards have been developed in coordination with the Fire Marshal, and pursuant to the Fire Marshal's authority, when the following standards are met, they supersede any conflicting and more restrictive standards of Appendix D of the International Fire Code.

1. Lot Frontage: All lots shall be provided with frontage on a public street or private access easement, in accordance with the table in section 10-6-2 of this Code. Provided, when a turnaround is not required, the lot at the end of the private access easement (the lot furthest from the public street) need only have frontage on the access easement of the width required by subsection A3 of this section... *Comment: Met.*

2. Entrance Requirement: The physical connection of the subdivision access drive to the public street shall consist of a paved entrance/exit extending from the curb cut (face of curb, or edge of roadway pavement if no curb exists), to a point at least twenty five feet (25') from the public street, measured along the direction of travel. Asphalt thickness shall be at least three inches (3"), compacted depth.  
*Comment: The paved entrance is not depicted on the application, but is planned. It can be listed as a condition of approval.*

3. Minimum Dimensions: Minimum dimensions of the access easement and the composition of the access drive shall be in accordance with the following table. Base course is one and one-fourth inch (1 1/4") minus with fines. Top course is five-eighths inch (5/8") minus with fines.  
*Comment: The cross-section A-A drawing on the preliminary plat reflects the minimum applicable width of 12 feet for the access drive, and applicable gravel standards. No turnaround is required.*

4. Access Drive: The cross-section design of the access drive shall be in accordance with the following diagram; provided the reviewing official may consider modifications to the layout...  
*Comment: Met. The proposed cross-section reflects the cross-section in the ordinance.*

5. Approach to Public Street: In areas that have curb and gutter along the property frontage, the approach to the public street shall be constructed to the City's alley standard, with curb, gutter, and ADA-compliant sidewalk.  
*Comment: Not applicable—no curb and gutter on 31<sup>st</sup> Street.*

6. Access Drive Connection: If the access drive connects to a major collector or arterial, the City Engineer may require any existing approach to be removed and all access to occur from the common access drive.

*Comment: Not applicable. Access for both lots will be from the existing approach.*

7. Property Frontage: If the property frontage has curb and gutter, but no sidewalk, the subdivider shall install sidewalk to City standards across the property frontage. If no curb and gutter exist along the property frontage, the property owner shall agree on behalf of the owners of the lots to participate proportionally in any future City project to improve the adjacent street to City standards, which agreement shall be noted on the plat and any document transferring ownership of the lots in the subdivision.

*Comment: 31<sup>st</sup> Street has no curb and gutter. Improvement district language will need to be noted on the final plat.*

8. Turnarounds: A turnaround and associated easement shall be provided at the end of the access drive if any of the following conditions will exist. The distances are measured from the edge of the public right-of-way.

*Comment: Not applicable, provided no more than three dwelling units are located on the property.*

9. Turnaround Construction Options:

10: Turnouts:

*Comment: Neither are required in this situation.*

B. Utility Requirements:

*(Only applicable requirements that are not already clearly depicted on the preliminary plat are noted.)*

3.h. Cleanouts are required in the sewer service lines at intervals not to exceed one hundred feet (100') (equal intervals recommended), and at any change in direction greater than forty-five degrees (45°). Any cleanout in a driving surface must be protected with a minimum five inch (5") thick concrete collar, measuring at least twelve inches (12") beyond the outside of the pipe.

*Comment: Add to utility plan.*

3.i. All utility services are to be provided with either APWA uniform color-coded detectable (metallic) warning tape, or a combination of non-detectable (non-metallic) warning tape and color-coded tracer wire. The warning tape is to be installed one foot (1') directly above the utility service pipe/conduit. If separate tracer wire is used, it is to be copper or copper clad steel, rated for direct bury, measure 12 AWG or larger (smaller number), and be taped to the side of the pipe/conduit.

*Comment: Add to utility plan.*

3.j. The ends of all utility stubs into the lots shall be marked with solid lumber (2 x 4 or larger) or PVC pipe, that is painted the corresponding APWA color for that utility (e.g., green for sewer, blue for domestic water).

*Comment: Add to utility plan.*

C. Stormwater/Drainage Requirements:

*(Only applicable requirements that are not already clearly depicted on the preliminary plat are noted.)*

1. The area of the access easement shall be graded to manage stormwater within the subdivision, so that no net increase of runoff or creation of a concentrated discharge point occurs. The use of swales and/or infiltration trenches are recommended methods. The stormwater infiltration area is also intended to serve as snow storage area.

Minimum dimensions of infiltration trenches and swales, which extend the full length of the access drive are listed in the table below; provided, if the native soil has a high clay content (e.g., bentonite) or other low-permeability structure (e.g., hardpan), the applicant will need to coordinate stormwater management design options with an engineer.

Rock used in the infiltration trenches or to line the swale must be clean and of a single size so as to provide proper void capacity for the stormwater. A single size in the range of one and one-half inches (1½") to three inches (3") (non-crushed) is recommended.

Coffer dams must be installed along the swales/trenches as needed to prevent lateral flow of stormwater down the swale/trench - the swales/trenches must function as infiltration features, not water conveyance features. If infiltration trenches are used, they must be constructed per the design in the City's Stormwater Policy Manual.

*Comment: The cross section of the access drive reflects the storm water requirements, but lacks details as to rock size and depth and the need for a fabric liner under the rock.*

D. Signage Requirements: The following signs are to be installed by the subdivider. The size and mounting methods shall comply with the MUTCD Manual and/or appendix D of the International Fire Code.

1. Address numbers for the dwelling units on the rear lot(s) shall be posted at the intersection of the private access drive with the public road, in accordance with the standards of the Building Code (e.g., minimum 4-inch letter height, on contrasting background).

*Comment: Add to plans.*

2. Install "No Parking/Fire Lane" sign(s) along the access drive, located and spaced as approved by the Fire Marshal.

*Comment: No sign is needed, provided the full width of the access easement remains gravel, as it is currently.*

E. Fencing Requirements: Where the access drive is located adjacent to a neighboring residentially-zoned property, a minimum six foot (6') tall, solid fence shall be installed between the access drive and the neighboring property, except within fifteen feet (15') from the public street right-of-way. This requirement may be waived or reduced (e.g., partial fence, shorter fence, non-solid fence) by the reviewing official when the neighboring property owner requests such modification or waiver in writing.

*Comment: The applicant plans to install the 6-foot solid fence, which needs to be added to the drawing.*

#### 11-8-5: OTHER REQUIREMENTS:

A. The number and location of all dwelling units, whether primary dwellings or accessory dwelling units, must be identified in the subdivision process and noted on the plat.

*Comment: The applicant has identified Lot 1 as being limited to one dwelling unit. Lot 2 would have no more than two dwelling units. A note will be needed on the final plat.*

B. Either the lot, or the turnaround serving it, must be within six hundred feet (600') of a functional fire hydrant, measured as the fire hose would lay. If a new fire hydrant is required, engineering and installation is the responsibility of the subdivider and shall be coordinated with Public Works.

*Comment: Met.*

C. Maintenance agreements or covenants must be established to set forth the maintenance responsibilities for the private access drive tract/easement, including maintenance of the access drive, fence, and stormwater facility. The agreement must include establishment of a bank account and schedule of payment by the lot owners. The payment levels must be based on anticipated costs for regular recommended maintenance and repair activities, such as snow removal, regrading, weed control, signage, etc. The maintenance agreement/covenant must be recorded with the plat. The initial minimum payment and schedule shall be determined with the final plat process.

*Comment: The maintenance agreement will need to be submitted for review with the final plat.*

D. Enforcement of "No Parking" (e.g., towing) shall be by the homeowners, and authority for such included in the maintenance agreement or covenants for the subdivision.

*Comment: Include in agreement submitted with final plat.*

E. All lots shall utilize a cluster mailbox stand, as specified by the local Post Office, which mailbox and associated concrete pad shall be installed to USPS specifications by the subdivider.

*Comment: The applicant will need to contact the Post Office for their preference. If a cluster mailbox is needed, it will need to be shown on the plans submitted with the final plat.*

- F. Garbage collection will occur on or next to the public street near the intersection with the access drive. The applicant will need to coordinate whether a dumpster or roll-outs are to be utilized...

*Comment: The lots can utilize existing dumpsters on 31<sup>st</sup> Street.*

- G. Gates or other features that would obstruct vehicle or pedestrian use of the access drive are prohibited. *Comment: None proposed.*

- H. If the subdivision improvements are not installed prior to recording the final plat, the final plat shall include a note that states that no building permit shall be issued for a dwelling until all required subdivision improvements are completed.

*Comment: Noted.*

Irrigation: The property currently has surface water rights. The applicant proposes to utilize those rights through the McMillin Ditch for Lot 2, but transfer the rights off of Lot 1. The subdivision ordinance allows either option. Technically, the language in the ordinance requires any transfer to be to the City, but the City Council is currently allowing those water rights to be transferred to a third party. With the final plat, the applicant will need to submit documentation that approvals from the Cody Canal and the McMillin Ditch Company have been obtained, that an agreement is in place with the purchaser for the transfer, and that the purchaser has entered into a contract with a surveyor or engineer to complete the transfer process with the State Engineer's Office.

Setbacks and Lot Dimensions: The existing house will meet applicable setbacks from the new lot line (minimum 5-foot side setback from easement). The garage on the proposed lot line will be removed prior to final plat approval. The lots meet applicable standards for lot size, width, and length-to-width ratio.

Parking: With the removal of the garage and the establishment of the access easement, the applicant will need to identify two parking spaces for the house on Lot 1 that are not within the access easement. If the area of the parking spaces is not already gravel or paved, it must be surfaced with gravel or better prior to the final plat being recorded.

**RECOMMENDATION:**

Recommend that City Council approve the preliminary plat for the division of 1620 31<sup>st</sup> Street, subject to submittal of the final plat and construction drawings with the following additions/clarifications:

1. Include a note that the subdivision improvements were based on the property containing no more than three dwelling units—one on Lot 1 and two on Lot 2. Additional dwelling units would require additional subdivision improvements.
2. The overhead power line serving Lot 1 must have at least 15 feet of clearance from ground level as it crosses the access drive. If the required clearance does not exist, the line must be raised to provide the clearance, or a new service line run underground.
3. The physical connection of the subdivision access drive to the public street shall consist of a paved entrance/exit extending from the curb cut (face of curb, or edge of roadway pavement if no curb exists), to a point at least twenty five feet (25') from the public street, measured along the direction of travel. Asphalt thickness shall be at least three inches (3"), compacted depth.
4. Include the improvement district language for 31<sup>st</sup> Street in the Owner's dedication on the final plat.
5. Provide a maintenance agreement or covenants to set forth the maintenance responsibilities for the private access drive tract/easement, including maintenance of the access drive, fence, and stormwater facility. See 11-8-5(C).
6. Provide approval of the Cody Canal and McMillin Ditch Company for the irrigation plan for Lot 2 and the transfer of water rights from Lot 1. Provide the agreements for the transfer as noted above in the staff report.
7. The existing garage is to be removed and Lot 1 provided with at least two improved on-site parking spaces prior to the final plat being recorded.
8. Applicable utility fees will need to be paid before the final plat is recorded (water tap fee and sewer plant investment fee).
9. Include the following construction details on the plans either by drawing or note.
  - a. The paved entrance, as noted in #3 above;
  - b. Requirements of 11-8-4(B)3.h (sewer cleanouts);
  - c. Requirements of 11-8-4(B)3.i (tracer wire);
  - d. Requirements of 11-8-4(B)3.j (markers at end of service lines);
  - e. Add size and depth of rock to the swale detail, and the fabric liner;
  - f. Post address for Lot 2 (1624 31<sup>st</sup> Street) at entrance; and,
  - g. Show the required 6-foot solid fence along the south side of the access easement, except the first 15 feet off of 31<sup>st</sup> Street.
10. The final plat application must be submitted within one year and otherwise comply with provisions of the subdivision ordinance.

**ATTACHMENTS:**

Nelson Minor Subdivision Preliminary Plat

MEETING DATE:	MAY 14, 2019
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## **AGENDA ITEM SUMMARY REPORT**

### **The Preliminary Plat of the Beacon Hill Minor Subdivision**

#### **ACTIONS TO BE TAKEN**

Approve the preliminary plat of the Beacon Hill Minor Subdivision, a 3-lot subdivision.

#### **SUMMARY**

The Park County School District No. 6 has submitted a 3-lot subdivision for their 36-acre property northwest of the East Sheridan Avenue and Beacon Hill Road intersection. Lot 1 contains the existing FFA barn and is anticipated to contain a new bus storage facility for the School District. Lots 2 and 3 are currently vacant and are planned to be sold.

A detailed analysis is found in the attached report to the Planning and Zoning Board. The Board adopted the staff recommendation without change. The property is located in three different zoning districts—R-2 (yellow), D-2 (red) and D-3 (gray), as shown on the map below. It is noted that the commercial zones (D-2 and D-3) also allow all forms of residential development. As Lots 2 and 3 are planned to be sold off, it is simply unknown how they may eventually be developed. With Lot 2 being over 12 acres in size and Lot 3 over 13 acres, they both have the potential for substantial development. Improvements for this subdivision are being planned and required based on a relatively moderate level of development on Lots 2 and 3. Depending on the level of actual future development there may be additional infrastructure improvements needed, such as looping the water main, and more substantial street improvements. However, to avoid both “overdesigning” and “overbuilding” the infrastructure, it is proposed that the street improvements not be required to be designed at this time, but delayed until development is proposed on Lots 2 and/or 3. The looping of the water main would also be delayed and only required if modeling of the water system shows a need or substantial benefit for the proposed developments.

#### **RECOMMENDATION:**

That the City Council approve the Beacon Hill Minor Subdivision preliminary plat and the following variances, subject to the conditions listed. The intent to vacate the unused electrical easement should also be noted at this time (formal action to occur with final plat).



**AGENDA ITEM NO. \_\_\_\_\_**

Subdivision Variances:

1. Variance to delay submittal of street plans and street construction until the time of future subdivision, or development of any lot utilizing the accesses (37<sup>th</sup> Street or access easement). The variance would be noted on the final plat, along with an agreement to provide complete street improvements at the level determined by City council for the project proposed, prior to or in conjunction with issuance of a building permit. The street improvements shall be based on the local access street standard, unless determined otherwise by the City Council.
2. No alleys are required.

Conditions:

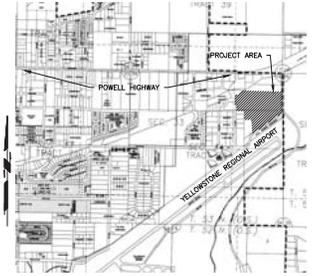
1. Provide an updated preliminary plat with the following changes:
  - a. Note 3 references a "Parcel 2", but Parcel 2 is not identified—address as needed.
  - b. The right-of-way linework in the legend is not discernable for other linework—address as needed.
  - c. Show survey markers being set at the corners of the proposed property lines.
  - d. Identify the easement for the sewer mainline as a "City sewer easement", rather than a general utility easement.
  - e. The easement dimensions and descriptions for the east-west water line and accompanying utilities will need some modification, but it depends on utility placement—coordinate with Public Works.
  - f. Show the electrical line extending to the SMP Pump Station service, south of East Sheridan Avenue.
  - g. Indicate the 100' by 100' drainage easement is for the benefit of Lots 2 and 3.
  - h. Add a radius to accommodate a minimum 200-foot radius in the access road (NE corner of Lot 1).
  - i. Shift the access easement and property line to provide more separation from the Beacon Hill intersection, as negotiated with Public Works, but no less than 450 feet.
  - j. Include language regarding the variance on timing of street design and construction.
  - k. Modify the water main route as noted in the staff report (east-west alignment).
  - l. Verify plan for gas line (Lots 1 and 2 use new line in East Sheridan?)
2. Provide an irrigation distribution plan and irrigation easements as required by Cody Canal Irrigation District. Piping of the existing ditch/canal along Beacon Hill Road is the developer's responsibility and shall be to Cody Canal Irrigation District standards—coordinate costs and installation responsibilities with Cody Canal.
3. A maintenance agreement shall be established for maintenance of the storm water facility. Submit the proposed agreement with the final plat.
4. Provide dust control during subdivision development as needed to prevent dust impacts to neighboring properties.
5. Provide an agreement/note on the final plat regarding the requirement to install a street from the 37<sup>th</sup> Street and Cherokee Road intersection to East Sheridan Avenue, and for the lots to dedicate the street right-of-way to the City, at no cost to the City, upon request of the City.
6. Include the improvement district language on the final plat for Lots 1 and 2.
7. The final plat application and construction documents shall otherwise comply with the City subdivision ordinance.

**ATTACHMENTS:**

Preliminary Plat, Report to Planning and Zoning Board (Available: Deeds and easement documents.)

**AGENDA ITEM NO. \_\_\_\_\_**

Township 53 North  
Range 101 West



**CITY PLANNER APPROVAL**

THIS BEACON HILL MINOR SUBDIVISION WAS APPROVED BY THE CITY PLANNER OF CODY, WYOMING ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
CITY PLANNER

**CLERK AND RECORDER ACCEPTANCE**

THIS BEACON HILL MINOR SUBDIVISION WAS ACCEPTED IN THE OFFICE OF THE CLERK AND RECORDER, PARK COUNTY, WYOMING, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

FILED FOR RECORDING IN BOOK OR PLAT CABINET \_\_\_\_\_ AT PAGE \_\_\_\_\_ AND RECORDED AS COMPUTER RECORD DOCUMENT NUMBER \_\_\_\_\_.

**CERTIFICATE OF SURVEYOR**

I, LYLE J. CASCIATO, OF ENGINEERING ASSOCIATES, HEREBY CERTIFY THAT THIS MAP WAS PREPARED USING DOCUMENTS ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER, AND FROM NOTES TAKEN DURING ACTUAL SURVEYS PERFORMED UNDER MY DIRECTION BETWEEN SEPTEMBER 13, 2013 AND \_\_\_\_\_, 2019, AND, THAT TO MY KNOWLEDGE, THIS MAP SHOWS THE SITUATION ON THE GROUND AT THE TIME OF ITS PREPARATION.

LYLE J. CASCIATO, PLS 12800  
04/16/19

**CERTIFICATE OF OWNER**

STATE OF WYOMING }  
COUNTY OF PARK } SS.  
KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE OWNERS AND PROPRIETORS OF THE LANDS SHOWN HEREON, CONSISTING OF THREE PARCELS OF RECORD, THAT WE HAVE CAUSED SAID LANDS TO BE SURVEYED, THAT THIS SUBDIVISION OF SAID LANDS IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS; THAT LOT 15A IS SUBJECT TO ALL COVENANTS, TERMS AND CONDITIONS OF LOT 15 OF THE HOLM HANGER SUBDIVISION, THAT LOTS 1, 2, AND 3 ARE SUBJECT TO ALL COVENANTS, TERMS AND CONDITIONS OF LOT 15 OF THE HOLM HANGER SUBDIVISION; THAT WE HEREBY DEDICATE EASEMENTS LABELED HEREON TO THE USES SO NOTED; THAT SAID LANDS ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OR RESERVATIONS ON RECORD, ANY RIGHTS BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE OF WYOMING ARE HEREBY RELEASED AND WAIVED.

OWNER - PARK COUNTY SCHOOL DISTRICT NO.6 BY: \_\_\_\_\_ BOARD CHAIR

STATE OF WYOMING } SS.  
COUNTY OF PARK }  
THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY \_\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_, WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

**LEGEND**

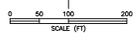
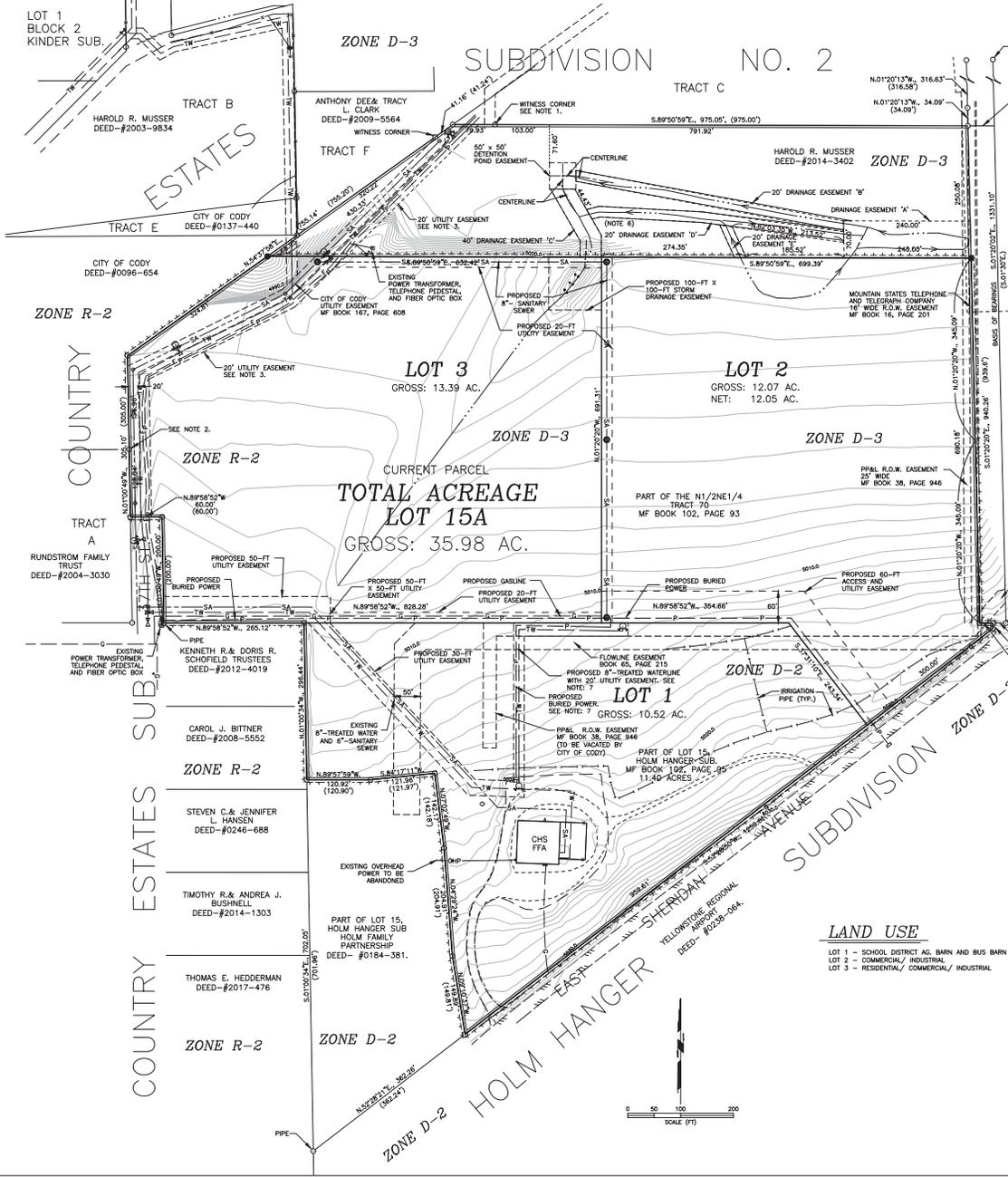
- FOUND 2" DIA. ALUMINUM CAP ON 5/8" DIA. STEEL BAR 0.17' NORTH OF LINE.
- SET 2" DIA. ALUMINUM CAP ON 5/8" DIA. STEEL BAR
- BEACON HILL MINOR SUBDIVISION BOUNDARY
- RIGHT-OF-WAY
- EASEMENT OWNED BY THIS PLAT
- EXISTING EASEMENT
- EXISTING SURVEY DIMENSIONS
- WEARDED DIMENSIONS, THIS SURVEY
- PROPOSED BURIED GAS
- TW --- PROPOSED TREATED WATER
- SA --- PROPOSED SANITARY SEWER
- DISTING BURIED GAS
- DISTING BURIED POWER
- TW --- DISTING TREATED WATER
- SA --- DISTING SANITARY SEWER
- DISTING IRRIGATION PIPE
- DISTING FIRE HYDRANT
- D=H --- EXISTING TREATED WATER SERVICE
- P --- EXISTING POWER TRANSFORMER
- T --- EXISTING FIBER OPTIC BOX
- T --- EXISTING TELEPHONE PEDESTAL
- PROPOSED SERVICE
- EXISTING WHEELWELL

**NOTE**

1. FOUND 2" DIAMETER ALUMINUM CAP ON 5/8" DIA. STEEL BAR 0.17' NORTH OF LINE.
2. FOUND 2" DIAMETER ALUMINUM CAP ON 5/8" DIA. STEEL BAR 0.11' EAST OF LINE.
3. 20.00 FOOT WIDE UTILITY EASEMENT FOR BENEFIT OF PARCELS 2, LYING EASTERLY OF AND ADJOINING THAT CITY OF CODY UTILITY EASEMENT RECORDED IN MF BOOK 167, AT PAGE 608 ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK.
4. BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM UNDER WEST CENTRAL ZONE.
5. TOTAL GROSS SUBDIVISION ACREAGE = 38.39 ACRES, TOTAL NET SUBDIVISION ACREAGE EXCLUDING STATE, COUNTY AND PUBLIC RIGHTS-OF-WAY = 25.89 ACRES.
6. WATERSHED FRINGS ELEMENTS SHOWN TO DEMONSTRATE EROSION CONTROL PLAN ADJUSTMENT.
7. FINAL TREATED WATER EXTENSION LOCATION WILL BE DETERMINED IN CONJUNCTION WITH NEW BUS BARN AND PLUMB. BURIED POWER WILL BE PLACED WITH TREATED WATERLINE EXTENSION.
8. NO FLOOD AREAS OR WETLANDS OBSERVED ONSITE.

**LAND USE**

- LOT 1 - SCHOOL, DISTRICT AG. BARN AND BUS BARN
- LOT 2 - COMMERCIAL/INDUSTRIAL
- LOT 3 - RESIDENTIAL/COMMERCIAL/INDUSTRIAL



DRAFT - 05/11/19

**BEACON HILL MINOR SUBDIVISION**

LOCATED IN  
LOT 15A, HOLM HANGER SUBDIVISION, CITY OF CODY,  
RESURVEY T.53N., R.101W., 6TH P.M.,  
PARK COUNTY, WYOMING

PREPARED FOR: PARK COUNTY SCHOOL DISTRICT NO. 6  
CODY, WYOMING 82414

PREPARED BY: ENGINEERING ASSOCIATES  
CONSULTING ENGINEERS & SURVEYORS  
902 13TH STREET  
CODY, WYOMING 82414



P:\2019\1901101  
F.B. NO. 561

**CITY OF CODY  
PLANNING, ZONING AND ADJUSTMENT BOARD  
STAFF REPORT**

<b>MEETING DATE:</b>	MAY 14, 2019	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	
<b>SUBJECT:</b>	PRELIMINARY PLAT OF BEACON HILL MINOR SUBDIVISION— A 3-LOT SUBDIVISION. SUB 2018-04	RECOMMENDATION TO COUNCIL:	X
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT OVERVIEW**

The Park County School District No. 6 has submitted a 3-lot subdivision for their 36-acre property northwest of the East Sheridan Avenue and Beacon Hill Road intersection. Lot 1 contains the existing FFA barn and is anticipated to contain a new bus storage facility for the School District. Lots 2 and 3 are currently vacant and are planned to be sold.

The property is located in three different zoning districts—R-2 (yellow), D-2 (red) and D-3 (gray), as shown on the map below. It is noted that the commercial zones (D-2 and D-3) also allow all forms of residential development. As Lots 2 and 3 are planned to be sold off, it is simply unknown how they may eventually be developed. With Lot 2 being over 12 acres in size and Lot 3 over 13 acres, they both have the potential for substantial development. Improvements for this subdivision are being planned and required based on a relatively moderate level of development on Lots 2 and 3. Depending on the level of actual future development there may be additional infrastructure improvements needed, such as looping the water main, and more substantial street improvements. However, to avoid both “overdesigning” and “overbuilding” the infrastructure, it is proposed that the street improvements not be required to be designed at this time, but delayed until development is proposed on Lots 2 and/or 3. The looping of the water main would also be delayed and only required



if modeling of the water system shows a need or substantial benefit for the proposed developments.

### **SUBDIVISION REGULATIONS**

The subdivision ordinance requirements are as follows. Staff comments follow each requirement. When a variance from the standard is involved, it is noted.

#### **11-4-2: STREETS, ALLEYS AND EASEMENTS:**

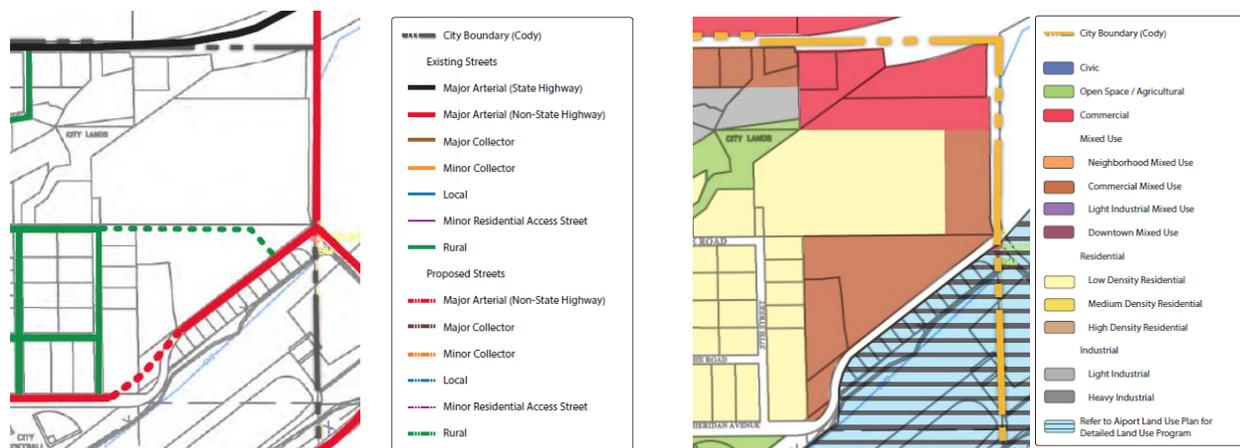
*A. Alignment: All proposed streets, alleys and easements shall align horizontally and vertically with existing streets, alleys and easements adjacent to or lying near the subdivision.*

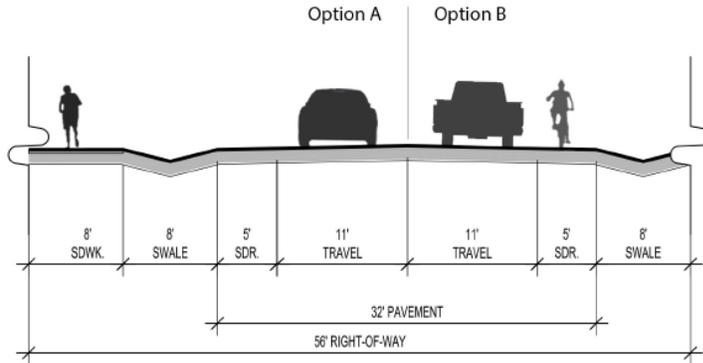
Comment: The subdivision has two street segments—the extension of 37<sup>th</sup> Street to Lot 3, and the 60-foot wide access easement across the south of Lot 2. The 37<sup>th</sup> Street extension would need to align with the rest of 37<sup>th</sup> Street.

*B. Conform to Master Street Plan: All streets shall conform to the city master street plan for size and approximate alignment.*

Comment: The master street plan does show a conceptual rural road connecting 37<sup>th</sup> Street and East Sheridan Avenue. The alignment need not exactly follow the plan, and the road profile may need to be more substantial, as the rural road section corresponds with the “low density residential” future land use contemplated by the master plan.

The proposed subdivision maintains the ability to provide the street connection identified in the master plan, with the access easement across Lot 2, which can be extended to 37<sup>th</sup> Street upon development of Lot 3. Due to uncertainty of how future development on the lots will occur, it is not requested that the proposed access easement on Lot 2 be dedicated as public right-of-way at this time. However, it should be required that an agreement be included on the final plat that the access easement (or agreed upon replacement) be dedicated as public right-of-way, at no cost to the City, upon future request of the City. The requirement to continue the road across Lot 3 should also be noted on the final plat.





*Rural*

It is also noted that East Sheridan Avenue and Beacon Hill Road have substandard width of right-of-way for their street classifications as major arterials, as identified in the master street plan. East Sheridan Avenue has 60 feet of existing right-of-way and Beacon Hill appears to have 50 to 90 feet. Rather than request additional right-of-way dedication, Public Works believes that only a 10-foot utility easement should be needed along East Sheridan Avenue, and along Beacon Hill Road a utility and drainage easement to match the west line of the PP&L easement. The easements are requested in lieu of the right-of-way dedication.

*C. Jogs Prohibited: Street jogs shall be prohibited unless, because of very unusual conditions, the commission and council determine that the offset is justified.*

Comment: There are no internal street jogs.

*D. Topography: Streets shall have a logical relationship to the topography.*

Comment: The street design adequately considers the topography of the site.

*E. Intersections: Intersections shall be at or near right angles whenever possible.*

Comment: Met.

*F. Local Streets: Local streets will be designed to discourage through traffic.*

Comment: The internal street layout has not been fully determined.

*G. Cul-De-Sacs: Cul-de-sacs shall be permitted, providing they are no longer than five hundred feet (500'), including the area at the end of said cul-de-sac; and further providing, that the property line to property line diameter of the cul-de-sac be at least one hundred feet (100'). Design specifications for curb, gutter, sidewalk and distance from property line to sidewalk shall be in accordance with the typical section of a "residential street", as defined by the master street plan. Surface drainage shall be towards the intersecting streets whenever possible, but may be out of the cul-de-sac through a drainage easement as a last alternative.*

Comment: If the access road runs from 37<sup>th</sup> to East Sheridan as contemplated by the master plan, there will not be any cul-de-sacs or permanent dead-end streets with this subdivision.

*H. Dead End Streets, Alleys: Dead end streets and alleys (with the exception of cul-de-sacs) shall be prohibited, unless they are designed to connect with future streets or alleys on adjacent lands that have not been platted. If a dead end street or alley is allowed, for the above reasons, a temporary turnaround shall be constructed for public use until the street or alley is extended.*

Comment: The note requiring extension of the road across Lot 3 would avoid a dead-end street situation. A temporary turnaround area can be noted on the final plat.

*I. Half Streets: Half streets will be prohibited...*

Comment: Not applicable.

*J. Reverse Curves: Reverse curves on arterial and collector streets ...*

Comment: Not applicable.

*K. Widths and Grades: Street, alley and easement/right of way widths and grades shall be as follows:*

	<i>Minimum Right Of Way Width</i>	<i>Minimum Grade</i>	<i>Maximum Grade</i>
<i>Residential street</i>	<i>60 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>

Comment: The proposal would provide a 60-foot wide access easement or right-of-way. The existing topography would allow a road to be constructed within the easement to the grades noted.

*L. Vertical Curve Length: The minimum length of vertical curves shall be as follows...*

Comment: Not applicable at this time—a design level detail.

*M. Visibility: Clear visibility, measured along the centerline of the street shall be as follows...*

Comment: Met at the proposed connection to East Sheridan Avenue.

*N. Curvature Radius: The minimum radius of curvature on the centerline of a street shall be as follows...Residential Street: 200 feet.*

Comment: A radius will need to be added to the interior of the bend in the access easement to accommodate the radius noted.

*O. Streets with Interior Angles less than 70 degrees: ...*

Comment: Not applicable.

*P. Alleys: Alleys shall be required in all subdivisions with the minimum width being twenty feet (20'), unless extreme conditions preclude the feasibility of alleys... Alleys shall be constructed with a minimum of six inches (6") of crushed aggregate base course for the finished surface. The specification for the gradation of the crushed aggregate base course may be obtained from the city engineer.*

Comment: A variance to the alley requirement is requested for the 3-lot subdivision. Creation of smaller lots may necessitate an alley, but the large lots and utility layout do not necessitate an alley for any purpose at this time.

*Q. Curb, Gutter, Sidewalk, Paved Streets: Curb, gutter, sidewalk and paved streets shall be required in all proposed subdivisions unless waived in accordance with criteria set out in subsection 11-5-2B of this title by the planning, zoning and adjustment board, and the city council. All waivers of curb, gutter and sidewalks shall require acknowledgment by the developer on the final plat that future improvement districts for the development of curb, gutter and sidewalks shall be supported by future owners of the lots and be so noted on the final plat. The developer shall be responsible for demonstrating to the city that the grades and location of the proposed improvements shall be compatible with all future development in the area.*

Comment: The improvement district language would be applicable to Lots 1 and 2 for their frontage on East Sheridan Avenue and Beacon Hill Road.

*R. Street Cross Section: The minimum typical street cross section for each type of street shall be as shown on the master street plan. Details of the city standards for typical paving, curb, gutter, sidewalk, alley aprons and valley gutter sections may be obtained from the city engineer.*

Comment: See discussion on page 1 of this report. The design and construction of the interior roadway is proposed to be delayed until development of Lots 2 and/or 3, as needed.

*S. Valley Gutters: The use of valley gutters in areas where storm sewer facilities exist or are proposed will be discouraged.*

Comment: Not applicable.

*T. Drainage: The area to be subdivided shall be designed to provide proper and sufficient drainage. Runoff and storm sewer systems shall be designed to adequately drain the subdivision and adjacent area that will drain into the subdivision. All stormwater systems shall be designed to achieve zero increase in runoff and shall be in compliance with the city stormwater management policy, as amended. They shall be designed and constructed to allow runoff and stormwater to flow by gravity from the subdivision to an adequate outlet. When an existing storm sewer trunk line is available, the proposed system shall be designed to connect to it. When an existing storm sewer*

*trunk line is not available, a drainage plan must be developed that is acceptable to the city.*

Comment: The future road will need to incorporate storm water control in its design. The property currently has drainage facilities for its current condition. A 100' by 100' storm drainage easement for the benefit of Lots 2 and 3 is shown in the northeast corner of Lot 3. That area contains an infiltration swale and structures. Additional analysis will be required upon further subdivision or development of the properties. A note to that effect will be needed on the final plat.

The maintenance of the drainage basin in the easement should be identified through a maintenance agreement. An agreement will need to be submitted with the final plat.

*U. Lot Requirements: All lots within a proposed subdivision will meet the following requirements:*

*1. Lots shall be sized to meet the requirements of the appropriate zoning.*

Comment: All lots meet minimum size requirements.

*2. Every lot shall abut upon or have access to an approved street or an approved cul-de-sac.*

Comment: Lot 3 has frontage on 37<sup>th</sup> Street, but that segment is not improved, and therefore not "approved". The developer of Lot 3 is responsible to construct the street; however, as first noted, the size and design of the streets serving Lot 3 are dependent upon the level of development eventually planned for the property. Therefore, the design and construction are proposed to be delayed until the Lot is proposed for development.

*3. Side lot lines shall be at approximate right angles to the street line on which the lot faces.*

Comment: Met.

*4. Strip lots established with the intent of restricting access to streets or alleys will be prohibited.*

Comment: Met.

*V. Blocks: Blocks shall be at least three hundred feet (300') long, normally, not to exceed six hundred sixty feet (660') long. All blocks shall normally be of sufficient width to allow for two (2) tiers of lots of approximately equal width and an alley.*

Comment: This standard works for residential development, but not always for commercial/light-industrial areas. Each lot itself exceeds 660 feet in each direction, so it is proposed that block length not be addressed unless further division occurs.

**Section 11-5-1, DEVELOPMENT AND IMPROVEMENT** also includes standards for construction. Most of those items are simply verified in the construction plans and/or as part of the final plat review. Those that warrant discussion are noted below.

*C. Curbs, Gutters and Sidewalks: Curbs, gutters and sidewalks shall be constructed along both sides of any proposed streets...*

Comment: The determination of appropriate street design is proposed to be delayed until development of the lots, or further subdivision, whichever occurs first.

*D. Street Design, Construction: Streets shall be designed and constructed according to accepted engineering practices and construction standards with the minimum cross section being the city standard.*

Comment: As with "C", the determination of appropriate street design is proposed to be delayed until development of the lots, or further subdivision, whichever occurs first.

*E. Street Name Signs: Street name signs shall be installed at all intersections.*

Comment: The sign would be included with the road construction.

*F. Sanitary Sewer: Sanitary sewer shall be constructed according to city approved specifications and city construction standards, and shall connect to the city system. It shall also be approved by all appropriate state and/or federal agencies. Each lot within the proposed subdivision shall be connected to a minimum eight inch (8") diameter sewer main by a minimum four inch (4") diameter sewer service line. The service lines shall be extended from the sewer main to the property line according to city standards. The use of individual septic systems will not be permitted when a sanitary sewer main is available. If, in the city's opinion, a larger sewer main is necessary to allow for future development of adjacent areas, an agreement may be entered into between the developer and the city whereby the city may help finance the oversized main. It will be the developer's responsibility to ensure that the piping system for the proposed subdivision is connected to the city system.*

Comment: The subdivision includes a proposed sewer main to serve all three lots (runs along north side of Lot 3 and west side of Lot 2. The plans for such will need to be submitted with the final plat application.

*G. Storm Sewer: Storm sewer shall be constructed according to city approved specifications, separate from the sanitary sewer. When reasonably possible the storm sewer shall be connected to the existing storm sewer system.*

Comment: The City does not have a storm sewer system in the area. Storm water retention would be reviewed with any commercial site plan application or street construction.

*H. Water Mains: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six inch (6") diameter main by the use of a minimum three-fourths inch (3/4") copper service line. The service lines shall be extended from the main to the property line according to city standards. These mains will be connected to the city system. All water mains will be designed in accordance with the city plan, state and federal regulations, and designed to provide adequate flow and pressure under all conditions, including major fire conditions. If, in the city's opinion, larger mains are necessary to allow for the future development of adjacent*

*areas, an agreement may be entered into between the developer and the city whereby the city may help finance the oversized main. It will be the developer's responsibility to ensure that the water piping system for the proposed subdivision is connected to the city system. The development of private or community wells for potable water will not be allowed within the corporate limits of the city.*

Comment: The FFA building on Lot 1 is currently served by a private 8-inch water main that extends from 37<sup>th</sup> Street. The main was engineered and was permitted by DEQ, but remains a private line. The proposal is to connect to the end of that line and extend the main to the common south corner of Lots 2 and 3. Public Works proposes a slightly different plan—that the water main extend straight east-west along the south end of Lot 3. Public Works would be willing to take over ownership and maintenance of that line, while the portion of the pipeline on Lot 1 would remain private. Plans for the water line improvements will need to be submitted with the final plat application.

*I. Fire Hydrants: Fire hydrants shall be installed at intervals not to exceed five hundred feet (500') between hydrants and provided with standard hose connections as specified by the fire department.*

Comment: The water plans will need to include hydrants per the standard.

*J. Open Drains, Irrigation Ditches: All open drains and irrigation ditches shall be buried or, if possible, eliminated.*

Comment: There appears to be an open irrigation ditch along Beacon Hill Road. The applicant will need to contact the irrigation district (Cody canal) to determine if they are agreeable to have it piped. The last staff heard, the district was actively working to pipe their system and to facilitate that, they will install the pipe if the property owner purchases it. Provide a plan with the final plat application.

*K. Utilities: All utilities (electrical service, natural gas, telephone, cable TV, etc.) shall be installed underground, whenever possible, in the streets, alleys or utility easements shown on the final plat. All buried utilities will be placed before the finished surface is placed on the streets or alleys. Written agreements between the subdivider and each utility company, copies of which will be presented to the city with the construction specifications, shall be drawn up stating who will install the utilities and how the costs for their installation shall be covered... It will be the developer's responsibility to ensure that all utilities necessary or reasonably expected are placed within the proposed subdivision.*

Comment: All utilities are proposed to be underground. It is noted that the plan for natural gas service may be changed to have Lots 1 and 2 use the new line installed along East Sheridan Avenue—we have a call into Black Hills Energy to see if this is an option. Letters from the utility providers are required with the final plat application.

*L. Other Improvements: Any other improvements, such as bridges, culverts, etc., not specifically mentioned herein but found necessary by the city due to conditions found on the site shall be constructed.*

Comment: No additional improvements have been identified.

*M. Street Lighting: Street lighting shall be installed according to the standards and requirements established by the city electrical commissioner, the cost of which will be borne by the subdivider.*

Comment: To be included in the street plans, at time of development or further subdivision.

*N. Public Use Areas...*

Comment: Not applicable to minor subdivisions.

### **OTHER:**

1. Irrigation Water: The property appears to have surface water rights (irrigation) in the Cody Canal system. The subdivision ordinance requires the developer to either install an irrigation system to utilize those water rights, or transfer the water rights to the City. The plan at this time is to develop an irrigation system to utilize the water rights. The irrigation plan, authorized by the irrigation district, will need to be submitted with the final plat. Irrigation easement will need to be provided as specified by the irrigation district, for any existing or proposed canals/ditches that encumber the property.

2. Easement Vacation: The preliminary plat requests the vacation (elimination) of an existing 25-foot wide electrical easement (MF Book 38, Page 946), which was originally granted to Pacific Power & Light, but was transferred to the City of Cody when the City annexed and took over power supply responsibility for that area. There are not active electrical lines in the easement, so the electrical division is agreeable to the vacation.

3. Access location: The access to Lot 3 from East Sheridan Avenue is being provided primarily for Lot 3, but will be available to all three lots. Based on the potential for development, it will likely end up needing to be a full street. Engineering best practices for access management indicate that the intersection of this street with East Sheridan Avenue should be about 600 feet from any other intersection (i.e. Beacon Hill Road intersection). As such, the easement and property line should be shifted further away from Beacon Hill Road. It is not probable that the full 600 feet can be provided due to the planned location of the bus storage building, but it does need to be more than the 300 feet originally planned. The applicant indicates some flexibility does exist.

4. Minor Edits: The following minor edits to the preliminary plat are needed.

- Note 3 references a "Parcel 2", but Parcel 2 is not identified.
- The right-of-way linework in the legend is not discernable for other linework—mostly because the subdivision boundary has multiple lines. It is staff preference that the subdivision boundary be a single bold line and the line weight of everything outside the subdivision be light enough to clearly differentiate.

- c. Show survey markers being set at the corners of the proposed property lines.
- d. Identify the easement for the sewer line as a "City sewer easement", rather than a general utility easement.
- e. The easement dimensions and descriptions for the east-west water line and accompanying utilities will need some modification, but it depends on utility placement—coordinate with Public Works.
- f. Show the electrical line extending to the SMP Pump Station service, south of East Sheridan Avenue.
- g. Indicate the 100' by 100' drainage easement is for the benefit of Lots 2 and 3.

**VARIANCES:**

Variations are to be reviewed under the following standard of 11-5-2(B):

*If during the approval process of a proposed subdivision it can be shown that strict compliance with the requirements of this title will result in extraordinary hardship to the subdivider due to unusual topography or other similar land conditions, or where the subdivider can show that variances will make a greater contribution to the intent and purpose of this title, the commission and council may, upon written request and proper justification, grant a variance to this title so that substantial justice may be done and the public interest secured; provided, that any such variance will not have the effect of nullifying the intent and purpose of this title.*

The primary variance would be to delay submittal of street plans until the time of future subdivision, or development of any lot utilizing the accesses (37<sup>th</sup> Street or access easement). The variance would be noted on the final plat, along with an agreement to provide street improvements at the level determined by City council for the project proposed, prior to or in conjunction with issuance of a building permit. The street improvements shall be based on the local access street standard, unless determined otherwise by the City Council.

Variations would also be granted for the alley requirement.

Staff would recommend that the Board find that the variations noted be found to "*make a greater contribution to the intent and purpose of this title*" than if those improvements were required at this time.

**POTENTIAL MOTION:**

Recommend that the City Council approve the Beacon Hill Minor Subdivision preliminary plat and the following variations, subject to the conditions listed. The intent to vacate the unused electrical easement should also be noted at this time (formal action to occur with final plat).

**Subdivision Variations:**

1. Variance to delay submittal of street plans and street construction until the time of future subdivision, or development of any lot utilizing the accesses (37<sup>th</sup> Street or access easement). The variance would be noted on the final plat, along with an agreement to provide complete street improvements at the level determined by City council for the project proposed, prior to or in conjunction with issuance of a building permit. The street improvements shall be based on the local access street standard, unless determined otherwise by the City Council.
2. No alleys are required.

Conditions:

1. Provide an updated preliminary plat with the following changes:
  - a. Note 3 references a "Parcel 2", but Parcel 2 is not identified—address as needed.
  - b. The right-of-way linework in the legend is not discernable for other linework—address as needed.
  - c. Show survey markers being set at the corners of the proposed property lines.
  - d. Identify the easement for the sewer mainline as a "City sewer easement", rather than a general utility easement.
  - e. The easement dimensions and descriptions for the east-west water line and accompanying utilities will need some modification, but it depends on utility placement—coordinate with Public Works.
  - f. Show the electrical line extending to the SMP Pump Station service, south of East Sheridan Avenue.
  - g. Indicate the 100' by 100' drainage easement is for the benefit of Lots 2 and 3.
  - h. Add a radius to accommodate a minimum 200-foot radius in the access road (NE corner of Lot 1).
  - i. Shift the access easement and property line to provide more separation from the Beacon Hill intersection, as negotiated with Public Works, but no less than 450 feet.
  - j. Include language regarding the variance on timing of street design and construction.
  - k. Modify the water main route as noted in the staff report (east-west alignment).
  - l. Verify plan for gas line (Lots 1 and 2 use new line in East Sheridan?)
2. Provide an irrigation distribution plan and irrigation easements as required by Cody Canal Irrigation District. Piping of the existing ditch/canal along Beacon Hill Road is the developer's responsibility and shall be to Cody Canal Irrigation District standards—coordinate costs and installation responsibilities with Cody Canal.
3. A maintenance agreement shall be established for maintenance of the storm water facility. Submit the proposed agreement with the final plat.
4. Provide dust control during subdivision development as needed to prevent dust impacts to neighboring properties.
5. Provide an agreement/note on the final plat regarding the requirement to install a street from the 37<sup>th</sup> Street and Cherokee Road intersection to East Sheridan Avenue,

and for the lots to dedicate the street right-of-way to the City, at no cost to the City, upon request of the City.

6. Include the improvement district language on the final plat for Lots 1 and 2.
7. The final plat application and construction documents shall otherwise comply with the City subdivision ordinance.

**ATTACHMENTS:**

Preliminary Plat

(Available but not attached: Deeds and easement documents.)

**RESOLUTION 2019-06**

**A RESOLUTION ADOPTING THE 2019 Electrical Distribution Standards Policy**

WITNESSETH:

WHEREAS, the City of Cody is a supplier of power and energy to its citizens; and

WHEREAS, as part of its obligation to the citizens of Cody, and to insure that electrical services installed within the City limits meet accepted safety standards and are constructed in such a manner as to minimize conflicts with other utilities and maximize reliability of service, furthermore to insure that the policy remains up to date, the City of Cody has amended the 2018 Electrical Distribution Standards Manual.

WHEREAS, the City of Cody desires to provide to electrical contractors and developers operating within the City of Cody a common set of requirements for the installation of electrical facilities, and that such requirements reflect the name used in the City ordinances.

THEREFORE, BE IT RESOLVED BY THE CITY OF CODY that the 2019 Electrical Distribution Standards Policy is adopted by the City of Cody.

PASSED, APPROVED AND ADOPTED THE 21<sup>st</sup> day of May, 2019

\_\_\_\_\_  
Matt Hall, Mayor

Attest:

\_\_\_\_\_  
Cynthia Baker, Administrative Services Officer



**2019**

**City of Cody  
Electrical  
Division**



**ELECTRICAL DISTRIBUTION  
STANDARDS MANUAL**

ADOPTED BY CITY COUNCIL \_\_\_\_\_ JANUARY 16, 2018 \_\_\_\_\_

**Index**

<b>Description</b>	<b>Page</b>
<b>Section I – General Information</b>	<b>3</b>
1.01 – Purpose	3
1.02 – Codes and Ordinances	3
1.03 – Changes or Conflicts in Requirements	3
1.04 - Application for Service	3
1.05 - Types of Service Furnished	4
1.06 – Approval for Service	5
1.07 – Permanent Service Connection	5
1.08 – Seals	5
<b>Section II – Services</b>	<b>5</b>
2.01 – General	5
2.02 – Definition of Point of Attachment	5
2.03 - Maintenance & Repair Responsibilities	6
2.04 – Point of Delivery	6
2.05 – Sealing of Cabinets and Gutters	7
2.06 – Power Quality Interference	7
2.07 – Service Repair After-Hours	7
<b>Section III – Temporary Construction Service Requirements</b>	<b>8</b>
3.01 – General	8
3.02 – Requirements – Overhead	8
3.03 – Requirements – Underground	8
3.04 – Meter Socket Requirements for Temp.	8
<b>Section IV – Residential Meter Installations</b>	<b>9</b>
4.01 – Residential Meter Socket location – overhead	9-12
4.02 – Residential Meter Socket location – underground	13
4.03 – Multi-Family Meter Installation location	13-14
<b>Section V – Conduit &amp; Cable Requirements/Placement</b>	<b>15</b>
5.01 – Secondary Voltage (service lateral) Conduit	15
5.02 – Distribution Voltage Conduit	15
<b>Section VI – Non – Residential Services</b>	<b>16</b>
6.01 – Service Point Location for Meter and Equipment	16
6.02 – General Descriptions	16
6.03 – Direct Connect Services	16-17
6.04 – Instrument Rated Services	18-22
<b>Section VII – Clearances at Meter Locations</b>	<b>23</b>
7.01 – General	23
7.02 – Meter Clearance Dimensions	23
7.03 – Residential Meters	23
7.04 – Multi-Family Meters	23
7.05 – Non-Residential Meters	23
7.06 – Access	23
7.07 - NESC Clearances	24-25
<b>Section VIII – Developer Fees and Responsibilities</b>	<b>26</b>
8.01 – Subdivision Development Fees and Responsibilities	26
8.02 – Underground Service Connection Fees	27
8.03 – Overhead Service Connection Fees	27
<b>Section IX – Placement of City Facilities within a Subdivision</b>	<b>28</b>
9.01 – Transformer Box Pads, Pedestals etc.	29
9.02 – Minimum Clearances for Pad Mounted Eqpt	30
9.03 – Joint Trenching Details	31-32

**Index (cont'd)**

<b>9.04 – Secondary Pedestal Photo &amp; Template</b>	<b>33</b>
<b>9.05 – 1 Phase Sectionalizing Cabinet Photo &amp; Template</b>	<b>34</b>
<b>9.06 – 3 Phase Sectionalizing Cabinet Photo &amp; Template</b>	<b>35</b>
<b>9.07 – Padmount Transformer Pad Photo &amp; Template</b>	<b>36</b>
<b>9.08 – Overhead Communications Pole Assignment</b>	<b>37</b>
<b>Section X – Electrical Permits and Customer Fees</b>	<b>38</b>
<b>Section XI – Service Disconnect and Reconnect Fees</b>	<b>39</b>
<b>11.01 – Service Shutoff Fee</b>	<b>39</b>
<b>11.02 – Service Disconnect Fee</b>	<b>39</b>
<b>11.03 – Service Reconnect Fee</b>	<b>39</b>
<b>Section XII – Net Metering Policy</b>	<b>39</b>
<b>12.01 – General Information</b>	<b>39</b>
<b>12.02 – Metering Requirements</b>	<b>39</b>
<b>12.03 – Net-Metering Energy Reconciliation</b>	<b>39</b>
<b>Section XIII – Security Lighting Policy</b>	<b>40</b>
<b>13.01 – Security Lighting Policy Cancellation</b>	<b>40</b>
<b>13.02 - Sunset Clause</b>	<b>40</b>
<b>13.03 – Roadway Lighting on Private Roads</b>	<b>40</b>

**Section I  
General Information**

**1.01 Purpose**

This booklet is to aid in providing electric service for new or remodeled structures as well as subdivisions and other major projects. While this book should answer most questions, you may contact Cody’s Electrical Division for further assistance. The appropriate phone numbers and contacts are:

- City of Cody Electrical Engineer – 527-7511
- City of Cody Electrical Superintendent – 587-6803
- City of Cody Building & Electrical Inspector – 527-7511

The word “Utility” as used in this booklet shall mean the City of Cody Electrical Division. The word “Customer” shall mean the resident, building owner, contractor or developer requiring electrical service.

**1.02 Codes and Ordinances**

The construction of new or remodeled electrical installations must conform to applicable provisions of the National Electrical Code, the National Electrical Safety Code, the State of Wyoming Electrical Safety Division regulations and the City of Cody ordinances and codes.

**1.03 Changes or Conflicts in Requirements and Guidelines**

The governmental codes and ordinances in Section 1.02 are the basis for some information in this booklet. It is the intent of these guidelines and requirements to follow all applicable codes, ordinances and regulations. If a conflict arises, the appropriate code, ordinance or regulation will supersede the interpretation offered in this booklet. These requirements are subject to change if the governing codes, ordinances or regulations change. The Utility does not assume the responsibility for keeping this booklet current. In case of doubt on the applicability of any item, one should consult the Utility.

When this booklet uses the phrase “consult utility,” it shall mean for every installation, not a single contact.

**1.04 Application for Service**

The Customer must provide the Utility with accurate load information and the requested service date as early as possible. Requests for service to commercial and industrial Customers normally require 60 days planning by the Utility to serve the load. Installations requiring transformers or

other equipment not in stock may require six months lead time or more. Consult the Utility for service dates for your installation.

For commercial, industrial or residential subdivisions, mobile home parks, and apartment complexes, the requests for service shall include a City Council approved plat. Such plans should show preferred service and meter locations and a single line diagram of the electrical layout. The request must show all load information, including lighting, receptacle, water heating, cooking, electric heat, air conditioning, and motor load. The Customer must provide sufficient information on equipment operations to establish the kilowatt demand of the load.

The Utility has a staff available for advice on Distribution Standards and problems related to electric energy use for new, existing and reconstructed installations. The Customer and the Contractor are liable for any damage to Utility equipment or personal injury unless they give adequate notice to the Utility and receive approval from the Utility for the change or addition.

When conditions arise during construction that requires changes in service arrangements, the Customer must consult with the Utility to negotiate satisfactory alternative arrangements. Communication with the Utility will afford you this service.

**1.05 Types of Service Furnished**

Electric service available is 60-hertz, alternating current, single or three phase. Nominal secondary voltages available by overhead or underground distribution lines in the service area are as follows:

- Single-phase, 120/240-volt, 3-wire, grounded
- Three-phase, 208Y/120-volt, 4-wire, grounded wye
- Three-phase, 480Y/277-volt, 4-wire, grounded wye

Under certain conditions, the Utility will provide single phase, 120/208-volt, 3-wire grounded service, single-phase, 240/480-volt, 3-wire, grounded service, or three-phase, 240/120-volt, 4-wire, grounded delta service. Again under certain conditions, the Utility will supply primary delivery at the distribution voltage standard for the requested service location. All service provided by the Utility is subject to the terms and conditions specified in later sections of this manual.

**1.06 Approval for Service**

City of Cody ordinances require a Customer to obtain a permit before the Utility provides service. In addition, State of Wyoming Statutes require that the electrical inspection authority (in this case the City of Cody Building Inspector) approve the installation before it is energized.

**1.07 Permanent Service Connection**

Only authorized Utility employees shall make the permanent connection or disconnection of the Utility's electric service to a building or structure.

**1.08 Seals**

The purpose of seals placed by the Utility on meters and associated service equipment is to prevent injury or tampering.

Under normal circumstances, only the Utility can remove seals. If an emergency requires seal removal before notification, the person responsible must notify the Utility as soon as possible. The Utility can then inspect the installation and replace the seal.

**Section II  
Services**

**2.01 General**

The location of the service entrance on the Customer's premises is an important consideration to both the Customer and the Utility. The installer shall locate the service entrance to make the meter and service easily accessible from the Utility distribution lines (refer to the figures on pages 8 & 12). The service entrance shall be convenient for the installation, operation and maintenance of Utility meters and equipment. **The Customer shall consult the Utility for designation of the point of attachment for overhead service drops, underground service laterals, preferred meter and service locations, required current transformers, and terminal cabinet enclosures.** The Customer shall contact the Utility if variations from these designated locations are desired.

**2.02 Definition of Point of Attachment**

For commercial services, the point of attachment is where the service lateral to the commercial meter attaches to a City owned transformer or secondary pedestal. For overhead residential or commercial services, the point of attachment is at the weatherhead. For residential underground services, the point of attachment will be at the meter so long as the service laterals are installed in conduit. The City will not maintain or repair direct-buried service laterals and in this case even though the point of attachment is at the meter. If the customer upgrades the service lateral to install it in conduit, the City will take over maintenance and repair of the service lateral.

The Customer will provide and install all service equipment, including service laterals (conduits & conductors), compression lugs for attachment to transformers, switches, service entrance conductors, raceways, enclosures, and meter sockets, and will further provide right-of-way and

space for the installation and maintenance of the Utility facilities. Customer provided service laterals must be installed to City specifications.

### **2.03 Maintenance & Repair Responsibility**

The point of attachment for service laterals will be the point at which Utility installed equipment and Customer installed equipment connect. For commercial services, that normal point of attachment is where the service lateral conductors connect to the Utility transformer or pedestal. The City does not maintain or repair commercial service laterals, either direct buried or in conduit. For new residential services, the customer provides the service lateral in conduit from the point of attachment as defined above to the meter. The City will take ownership of the new residential service lateral from the point of attachment to the meter and will repair that service lateral in the event of an outage. The City will not repair or maintain direct-buried service laterals for residential services unless the customer upgrades the service lateral and installs the new service lateral in conduit from the point of attachment to the meter. The City will provide temporary service to a residence with direct-buried laterals in the event of an outage but only until the customer can get the direct-buried service lateral repaired or replaced. The customer-provided conductors that run into a transformer (residential or commercial) shall be cut three feet above the transformer secondary bushings to provide sufficient length for replacing transformers.

Normally, service to a building will be through one set of main service conductors of the same voltage classification. The Utility may tap these main service conductors where more than one meter installation is necessary in a building of multiple occupancies. For either residential or commercial services, an outside disconnect must be provided for emergency situations.

Where two or more meters are grouped, each meter position must be clearly and permanently marked by means of a metal or hard plastic engraved type label. Such marking will indicate the particular location or address that it supplies. Service will not be established until the marking is completed.

Un-metered service wires and metered load wires will not be run in the same conduit, raceway or wire gutter.

For overhead service masts, the minimum conduit size shall be 2" GRC conduit with an appropriate weather head.

### **2.04 Point of Delivery**

The point of delivery shall be the point of attachment as defined in section 2.02 above. The exact location of said point of delivery shall be at the Utility's discretion. The Utility shall separately meter and bill any additional service to the same Customer at other points of delivery at a different voltage or phase classification.

**2.05 Sealing of Cabinets and Gutters**

All cabinets and gutters containing un-metered conductors, other than mainline switches required by applicable electrical codes, must be arranged for sealing with the Utility's seal. Removable conduit fittings may be installed between the service outlet and the meter when approved by the Utility. These fittings must be visible from the meter location or from an exterior ground position and must be arranged for sealing.

**2.06 Power Quality Interference**

If it is determined that a Customer's equipment is causing interference, excessive harmonics or other power quality issues with the Utility's system, it is the Customer's responsibility to diagnose and correct the problem. If the problem is not corrected in a timely manner, the Utility reserves the right to disconnect service to the Customer until the power quality issue is corrected by the Customer.

**2.07 Service Repair Responsibilities After-Hours**

For residential services, the City shall be responsible for the repair of the service drop or lateral in case of an outage so long as it is installed in conduit. The City will provide temporary service for residential customers with direct-buried service laterals **for no longer than 30 days.** For Commercial services, the Customer shall be responsible for the repair.

For multi-family complexes, the City shall be responsible for the repair of the secondary conductors from the Utility equipment to the meter bank installation. Any repairs needed beyond the meter are the building owner or resident's responsibility.

**Section III  
Temporary Construction Distribution Standards**

**3.01 General**

Upon request, and with application, the City of Cody will supply temporary service at a location adjacent to the City’s facilities. Application for service and appropriate fees shall be paid at City Hall before said service will be given. An electrical permit is also required before hook up will be done.

Always locate temporary services for construction work to protect the meter from accidental damage, and, when practical, in a location usable throughout the entire construction period. If several homes will be built from one temporary service that temporary service should be given the address of the last home to be built. If a temporary service must be moved, a new application is needed.

**3.02 Requirements – Overhead:**

- To ensure strength, the pole or post must be at least butt treated and free from any visible defects.
- The pole or timber shall be no less than 20 feet long planted 5 feet in the ground. More ground clearance may be required if service will cross traffic areas.
- The ground rod shall be visible when inspection is made.
- Guying may be required – consult City Engineer
- Meter to be no more than 6’ from ground line with a main disconnect.

**3.03 Requirements – Underground**

- Post must be long enough to be firmly planted in the ground.
- Locate close to an existing pad mounted transformer or secondary pedestal with enough cable tails to extend inside said facilities.
- Ground rod shall be visible when inspection is made.
- Meter to be no more than 6’ from ground line with a main disconnect.

**3.04 Meter Socket Requirements for Temporary Construction Services**

<b>Temporary Construction Service</b>	<b>Meter Socket Type</b>
Single phase, 120/240 V 200amps or less	4-Jaw
Single phase, 120/208 V 200 amps or less	5-Jaw
All other temporary services	Consult the City of Cody

## Section IV Residential Meter Installations

### 4.01 Residential Meter Socket location – overhead installation

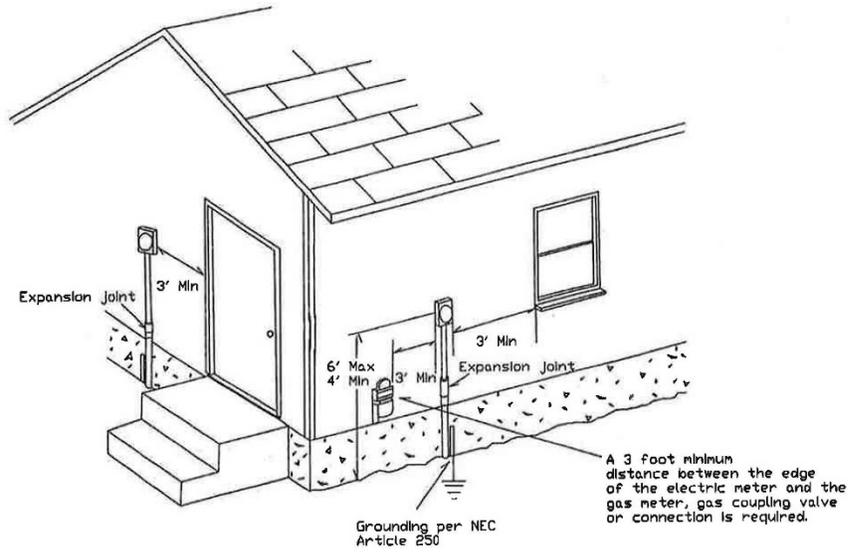
The City of Cody will determine the exact location of meters that do not meet the criteria established in this manual. If the Customer is unsure whether the meter location is acceptable, the City of Cody should be contacted. **It is highly recommended that the City be consulted prior to establishing the final meter socket location.** The location of the service entrance on the Customer's premises is an important consideration. Distance and accessibility to the City's existing facilities is an important factor to consider as well as ready access to the meter for meter maintenance and replacement. **Consult the City to determine the point of attachment for overhead service drops.** In all cases, the minimum service mast riser conduit size shall be 2" GRC conduit.

Install residential meter outdoors at a location acceptable to the City of Cody. Meters must not be installed within three feet of windows. It is recommended that the location avoids exterior walls that are likely to be fenced in. Never install the meter over window wells, steps in stairways, or in other unsafe or inconvenient locations. Keep shrubs and landscaping from obstructing access to the meter.

The figure on the next page shows where a residential meter socket should be located. Clearances shall meet appropriate codes.

In general, overhead residential services shall meet the following requirements:

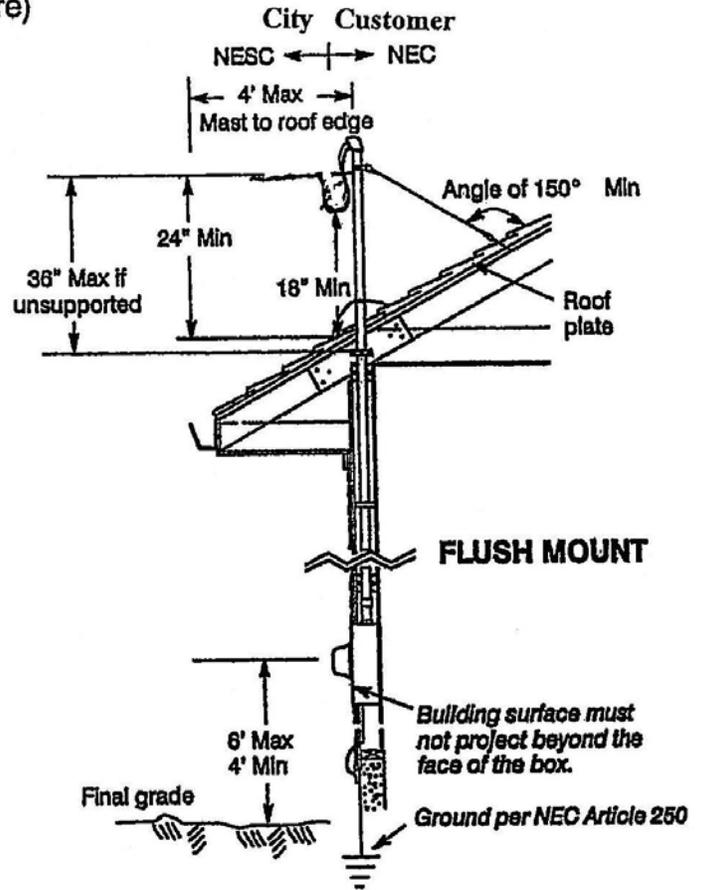
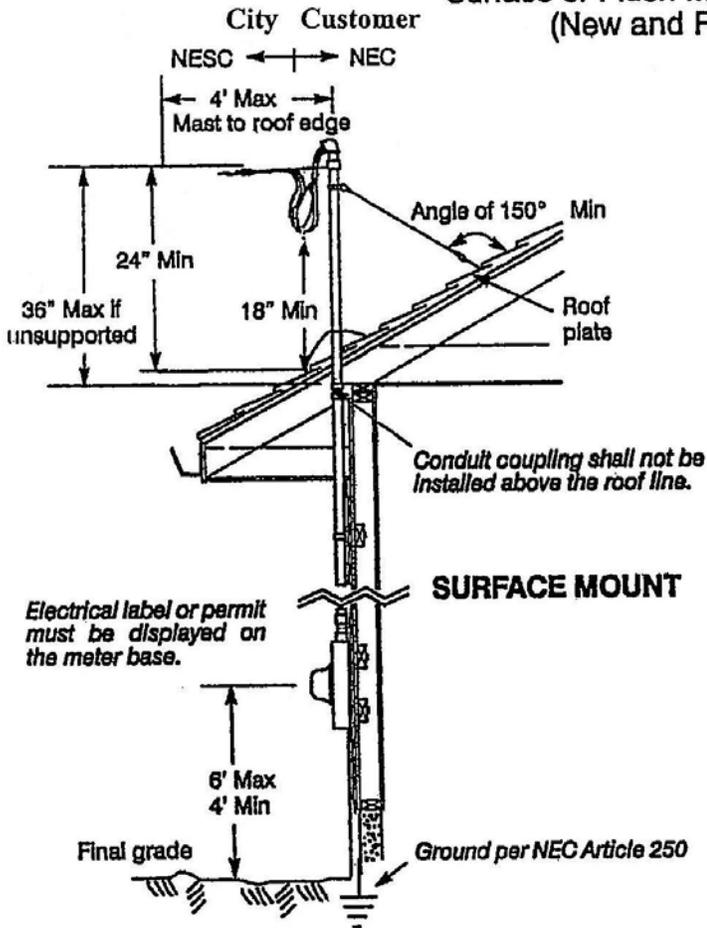
- Service mast must be a minimum of 2" GRC conduit with an appropriate weather head.
- An outside disconnect means must be provided.
- The City must be consulted before determining the final meter socket location to insure that it is accessible from the nearest point of attachment to the City's electrical system.
- The meter socket must be located between 4' and 6' of finished grade.
- The meter socket must be located a minimum of 3' from a window (including egress windows) unless prior authorization is received from the City Electrical Engineer.



Residential Meter Socket Location  
Underground Installation

Single Family Overhead Service Detail

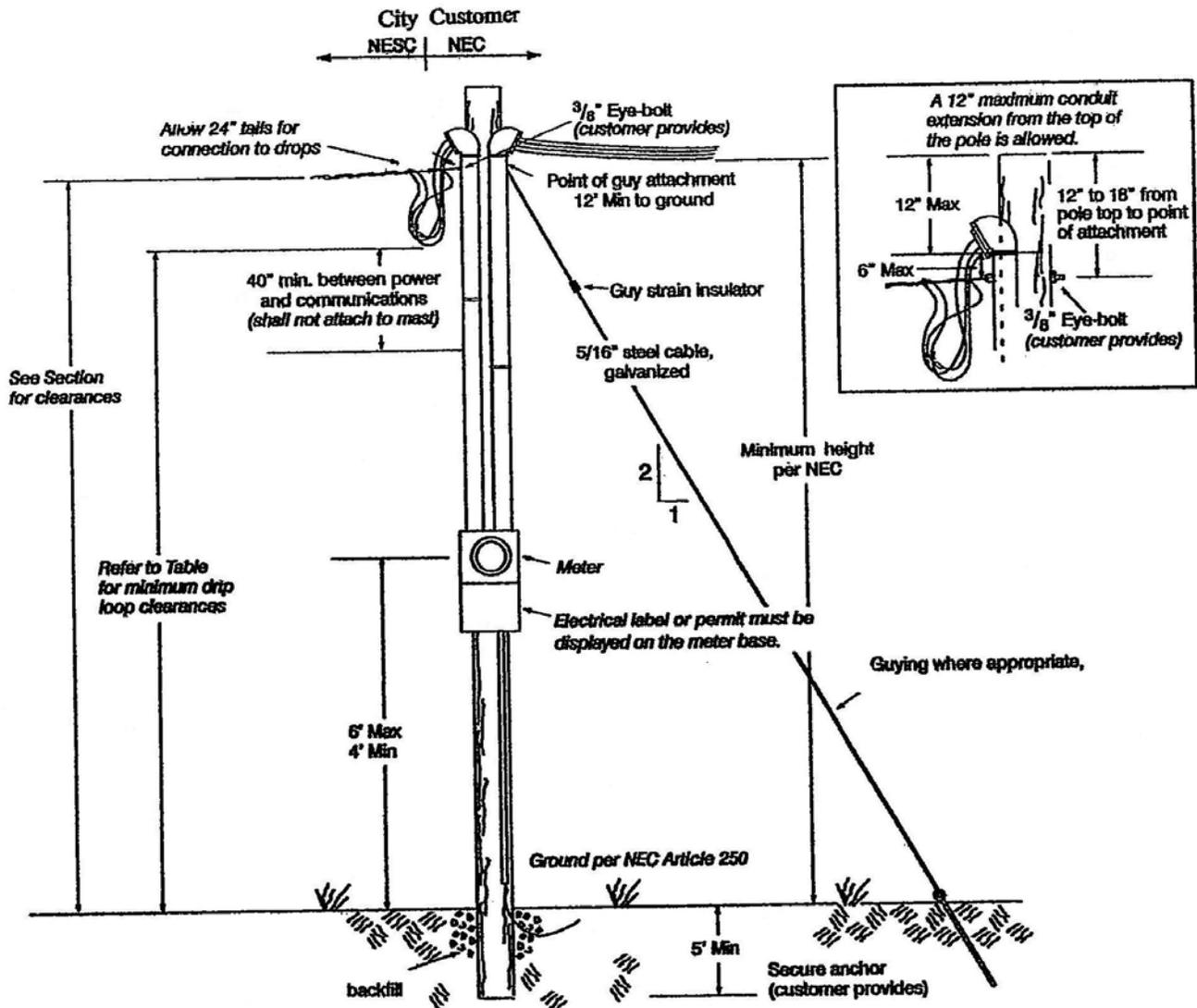
Surface or Flush Mount Metering  
(New and Rewire)



NOTE:

1. Allow 24" conductor leads for connection to service drops
2. Appropriate guying required for long services or taller masts
3. The service mast must be minimum 2" GRC conduit with an appropriate weatherhead. This must be provided and installed by the Customer.

Single Family Overhead Service Detail – Pole attachment



NOTE:

1. Allow 24" conductor leads for connection to service drops
2. Appropriate guying required for long services - Contact City for requirements
3. The service mast shall be a minimum of 2" GRC conduit with an appropriate weatherhead. This shall be provided and installed by the Customer.

#### **4.02 Residential Meter Socket location – underground installation**

The City of Cody will determine the exact location of meters that do not meet the criteria established in this manual. If the Customer is unsure whether the meter location is acceptable, the City of Cody should be contacted.

The location of the service entrance on the Customer's premises is an important consideration. Distance and accessibility to the City's existing facilities is an important factor to consider. Consult the City to determine the point of attachment for underground service laterals. The City of Cody has both front lot line facilities and alley facilities so contacting the City is important prior to installation. In an underground subdivision, the source of power for each lot has been predetermined in the initial layout. Any changes required could mean additional costs to the Customer.

Install residential meter outdoors at a location acceptable to the City of Cody. Avoid installations near windows or exterior walls that are likely to be fenced in. Never install the meter over window wells, steps in stairways, or in other unsafe or inconvenient locations. Keep shrubs and landscaping from obstructing access to the meter.

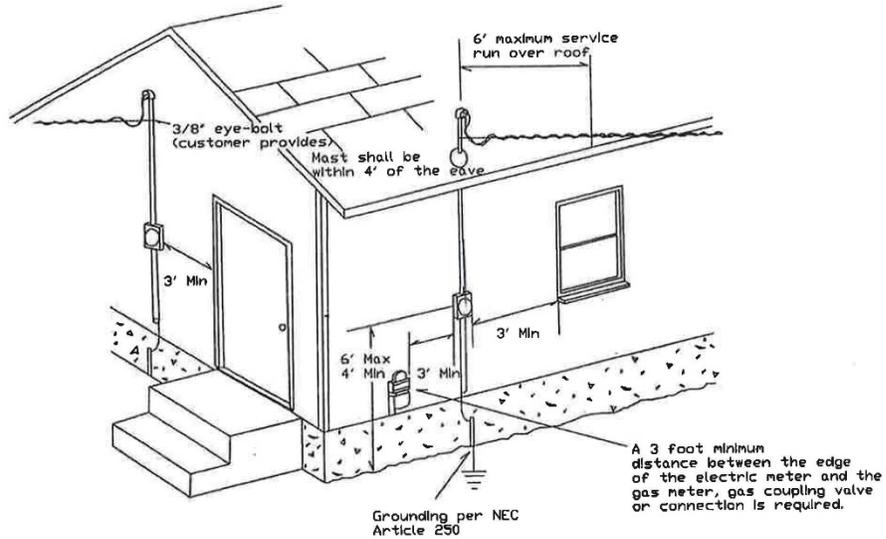
The figure on the next page shows where a residential meter socket should be located. Clearances shall meet appropriate codes.

In general, residential underground service equipment must meet the following criteria.

- The City electrical engineer shall be contacted before determining the final meter socket location to insure it is accessible from the nearest point of attachment to the City's electrical system.
- The conduit riser to the meter socket shall be provided with an expansion joint to allow for trench settling. This also applies to commercial services.
- Refer to Section V for conduit sizes and depths.
- The meter socket shall be located a minimum of 3 feet from a window (including basement egress windows).

#### **4.03 Multi-Family Meter Installations**

- Single Owner Multi-Family Units – Meters may be banked on the building at one location so long as the individual units are not separately owned by the residents of the complex.
- For multi-family complexes where the living units are individually owned such as for townhouses or condominiums, the meters shall be located away from the building on a meter bank pedestal. Individual service conductors shall be run to each unit from this meter bank pedestal.



Residential Meter Socket Location  
Overhead Installation

**Section V  
Conduit & Cable Requirements / Placement**

**5.01 Secondary Voltage (service lateral) Conduit:**

- Minimum two foot trench depth required
- 100 amp service – 2” conduit with 36” radius sweeps and expansion joint with minimum of 1/0 URD Triplex Cable
- 200 amp service – 3” conduit with 36” radius sweeps and expansion joint with minimum of 4/0 URD Triplex Cable
- 200 + amp service – 3” conduit with 36” radius sweeps and expansion joint and conductor size of 250 MCM or greater
- Placement of meter base to be approved by City of Cody Electrical Division
- Placement of conduit for a pole riser shall be on the pole quarter to avoid conflict with any communication cables that may be on pole. If riser is in a traffic path it will require the first joint to be GRC. See drawing below
- All conduit shall be grey, electrical grade, schedule 40. When Customer furnishes the conduit, they will also furnish all straps and weatherhead for the riser.

**5.02 Distribution Voltage Conduit:**

- Minimum four foot trench depth required.
- All conduits shall be electrical grade schedule 40 PVC.
- All conduit sweeps shall be minimum 36” radius.
- Customer provided conduit shall meet City specifications.

## Section VI

### Non-Residential Services (Commercial, Industrial)

This section describes the City of Cody's requirements for non-residential services. This section covers single-phase and three-phase services for direct-connect and instrument rated sockets for meters. **Customer is responsible for any single phase protection on three phase installations.** All non-residential Customers are responsible for coordinating Distribution Standards with the City prior to material purchase and installation.

Any exceptions to the metering requirements shall be approved in writing by the City of Cody prior to installation.

#### 6.01 Service Point Location for Meter and Equipment

The service point refers to the location where the City's circuit connects to the Customer's system. Meters and metering equipment shall be located outdoors. All services, either residential or commercial shall be readily accessible and have an outside disconnecting means **rated for the size of the service.**

Meters shall not be installed on a drive-through service entrance side of a building. **If equipment is installed in a traffic area, it will be the Customer's responsibility to provide barrier posts for the protection of electrical equipment.**

#### 6.02 General Descriptions

**Direct Connect Services** (120 to 480 volts):

- Single-phase services of 400 amps (320 amps continuous).
- Three-phase services of 200 amps (160 amps continuous).

**Instrument Rated Services** (120 to 480 volts):

- Single-phase services over 400 amps (320 amps continuous).
- Three-phase services over 200 amps (160 amps continuous).

**Switchboard type meter cabinets may be required in high amperage situations where multi-conductors are required.** If more than 12 secondary service conductors are required from the transformer to the meter equipment, a secondary connection cabinet shall be required.

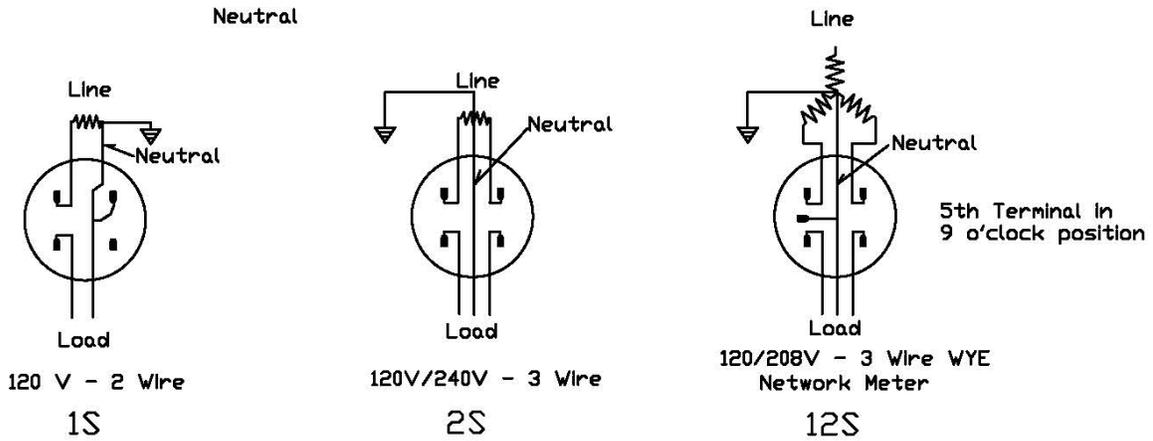
#### 6.03 Direct Connect Services

The City of Cody requires a direct-connect meter socket (with manual by-pass) when the ampacity of a single-phase service entrance is 400 amps (320 amps continuous) or less, or when the ampacity of a three-phase service is 200 amps (160 amps continuous) or less.

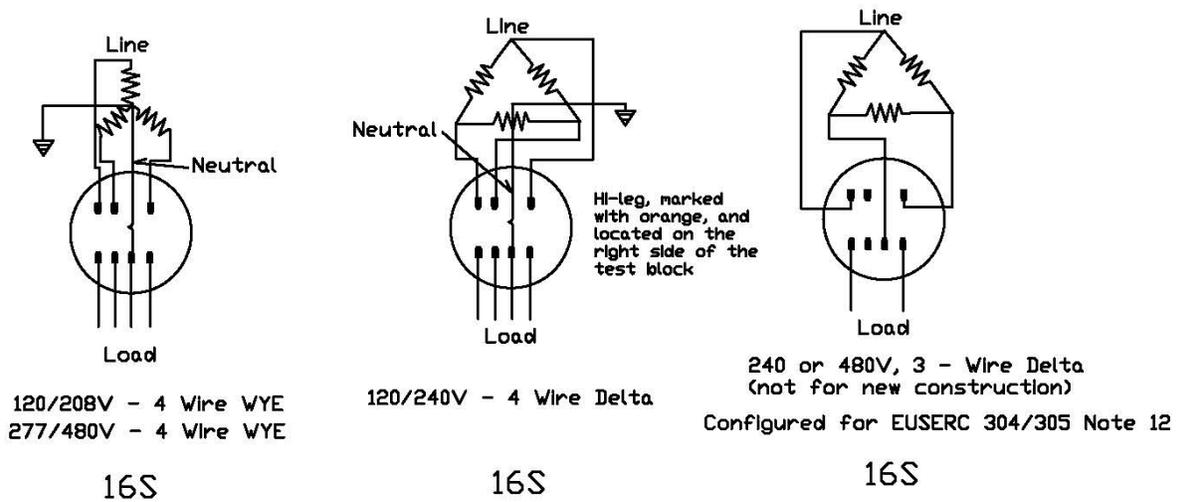
Meter sockets shall be furnished, installed, and wired by the Customer/electrician.

Meter Socket Connection Diagrams  
(Direct Connect)

Single Phase Connection  
Front View



Three Phase Connection  
Front View



**6.04 Instrument rated services**

The City of Cody requires a Customer supplied and installed wall mounted CT cabinet with sufficient space on the unhinged side for the remote metering socket (see drawing for required size and installation instructions). Switchboard type meter cabinets may be required for higher amperage, multi-cabled services.

**Current Transformer Mounting Base Requirements  
For Installation in a Current Transformer Cabinet**

- The mounting base for CT's shall meet the ratings for the available fault current (50,000 A minimum)
- For 4-wire delta services, the high (voltage) leg conductor must be identified by orange tape, and located on the right hand side of the CT mounting base.
- The mounting base shall accept bar-type current transformers only.

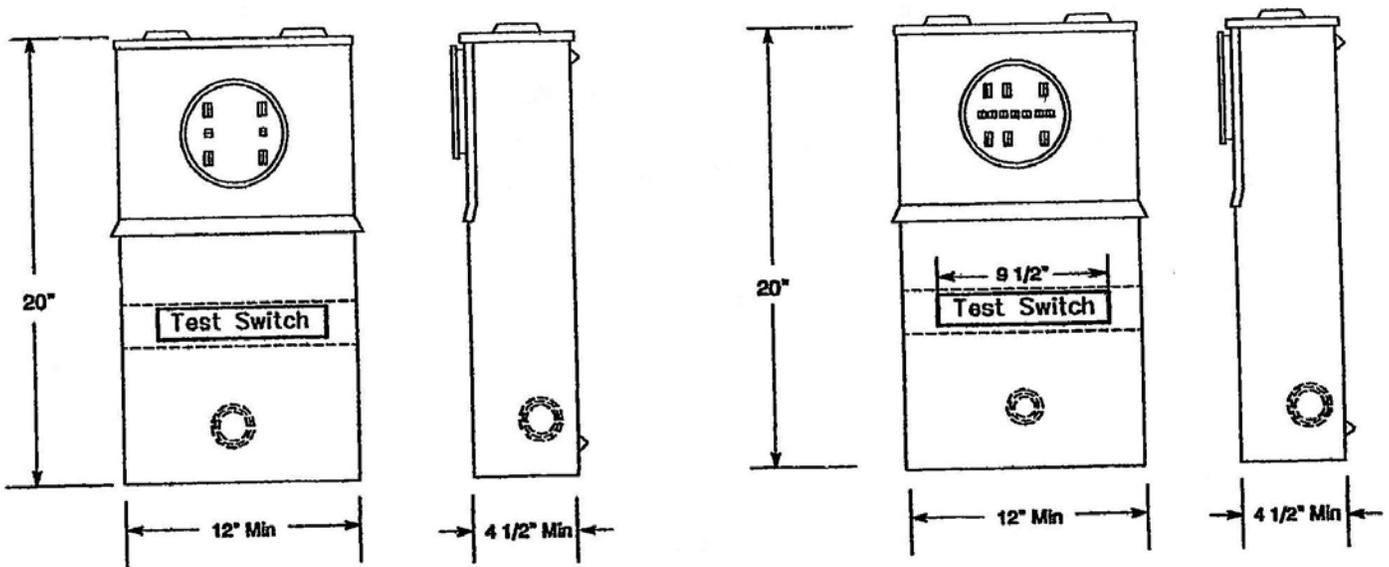
**Cable Terminations:**

- Line and load-side terminations on CT landing pads require two bolts per connector. Line Side and Load Side Conductors shall be clearly labeled by the customer or contractor.
- The Customer shall provide and install all connectors to attach the line and load side conductors to the current transformer mounting base. The Customer shall provide and color code all conductors for these connections. For attachment of the service lateral conductors to the City distribution transformer, the Customer shall provide the connectors and the City will install and attach the service laterals to the City transformer. If the number of conductors supplying the Customer's service equipment from the transformer exceeds 12 individual cables, the Customer shall provide a secondary connection cabinet generally referred to as a "Scott Box". The City will make the connection between the secondary connection cabinet and the transformer and the Customer will make the connection between the secondary connection cabinet and the building service equipment.
- On overhead services, the Customer shall furnish all lugs and connect conductors to the line and load terminals of the current transformer mounting base. The Customer is responsible for bringing the service entrance conductor to the connection of the utility service drop. No alteration of the transformer mounting base is allowed.

**Current Transformer Meter Socket – Pre-Wired  
Requirements and Types  
1 Phase/3 Phase  
Customer Provided**

**Single Phase – 6 Jaw**

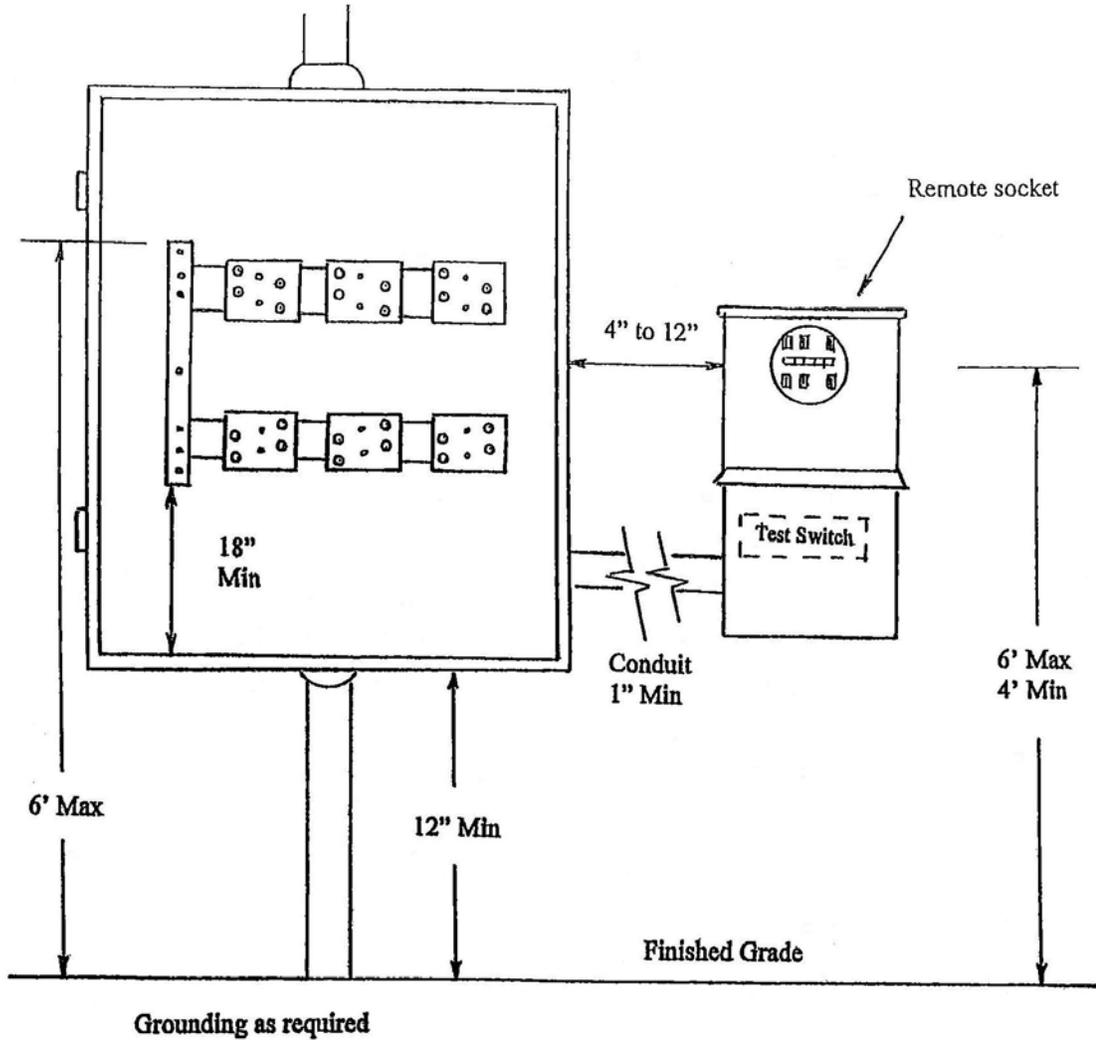
**Three Phase – 13 Jaw**



Type of Service	Socket Type
120/240 volt, single-phase, 3 wire	6 jaw
120/208 volt, three-phase, 4 wire	13 jaw
277/480 volt, three-phase, 4 wire	13 jaw
240/120 volt, three-phase, 4 wire	13 jaw

Note: Milbank 3 Phase Socket #UC7461-YL-TGE-DES, ringless with two-piece cover, test switch pre-wired. Single Phase Socket #UC7637-YL-TGE-DES.

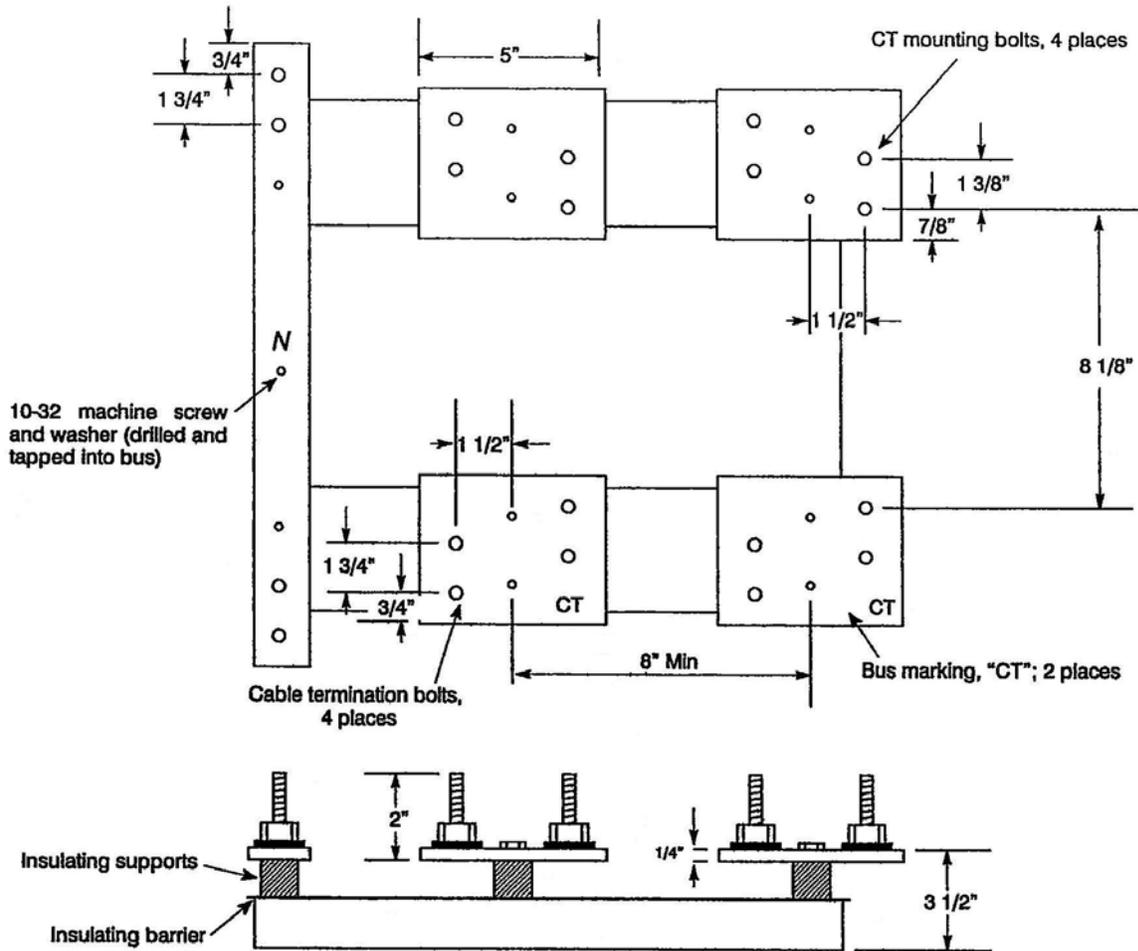
**CT Cabinet Installation for Instrument Metering (OH or UG)  
Three Phase Shown**



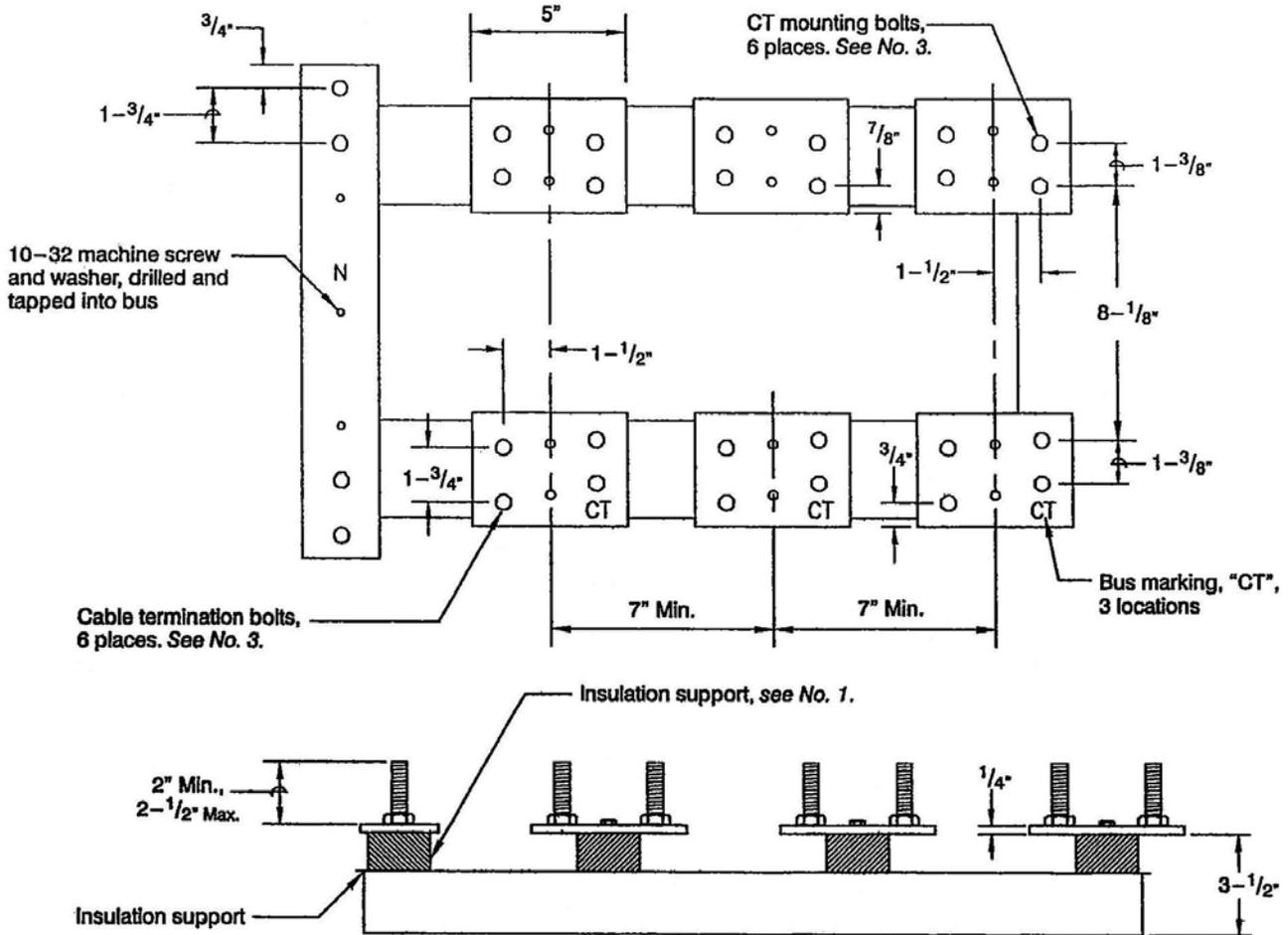
**Note:**

- Customer furnished CT cabinet, CT mounting bracket, & remote meter socket.
- Hinged door to open away from remote meter.
- 36"x 48" Min with 48"x 48" required at times (City option)

**Transformer Mounting Base**  
For installation in a Current Transformer Enclosure  
(Single-Phase, Three-Wire, 800-amp Max)  
EUSERC 328A, 328B SHOWN



**Transformer Mounting Base**  
**For installation in a Current Transformer Enclosure**  
 (Three-Phase, Four-Wire, 800-amp Max.)  
 EUSERC 328A, 328B SHOWN



**Additional Requirements**

- Meter sockets shall not be located above or below CT enclosures.
- The top of the CT mounting bracket shall not be more than 6 feet above floor level. The cover shall have factory-installed hinges for side opening, with sealing provisions and shall hold the cover in the open position at 90 degrees or more.
- The City of Cody Electrical Dept. shall be consulted as to placement of line/load conduits.

## Section VII

### Clearances at Meter Locations

#### 7.01 General:

The Customer shall provide suitable space and provisions for mounting a meter base at a location approved by the City of Cody. Both the Customer and the City share an interest in providing a location of the utmost convenience to both parties for, reading, testing, repairing, disconnecting, and replacing meters. Egress and regress with a minimum violation of privacy is desirable.

#### 7.02 Meter Clearance Dimensions:

The minimum unobstructed working space required in front of a single meter is 78" high, 36" wide, and 36" deep. The minimum working space required with use of current transformers is 78" high, 70" wide, and 48" deep. Meters installed in a cabinet require a minimum space of 48" deep to open the cabinet door. For further detail see NEC 110.26 A. Dimensions do not refer to meters housed in approved switchboards or enclosures.

Locate all meters at least 36" horizontally from a gas meter.

The center of any meter socket shall be set no more than 6' above the **finished** grade in front of the meter. **Finished grade shall be established prior to setting of meter. For gang mounted meter installations see the City Engineer.** The City retains the right to refuse connection to meters that do not meet this criteria.

#### 7.03 Residential Meters:

Install meters outdoors at a location acceptable to the City of Cody. Avoid locations behind fences or bushes. Avoid locations near gas meters, over stairwells, or over window wells. Install meter 36" from windows or doors (including egress windows).

#### 7.04 Multi-Family Unit Meters:

For single owner multi-family complexes, the meters for individual units shall be banked and may be located on an exterior wall of the complex. For multi-family complexes where the units are owned individually by the residents, the meters shall be banked at a remote location (not on the building) in a meter bank pedestal. Separate service lines to the individual units shall originate at this meter bank pedestal.

#### 7.05 Non-residential Meters:

Locate meters outdoors. Any alternative must have prior approval of the City Engineer and allow for access during working hours. Any gated or fenced area must have allowances for a City of Cody lock. Avoid any unsafe locations and a clear zone around meter is required.

#### 7.06 Access:

If a Customer makes a meter inaccessible (in the opinion of the City) the Customer shall, at their expense, either modify the area to provide a safe, unobstructed access to the meter, or move the meter socket to a location acceptable to the City of Cody.

**7.07 NESC Clearances for Service Drops and Drop Loops:**

750 Volts and Below (Distances in feet)

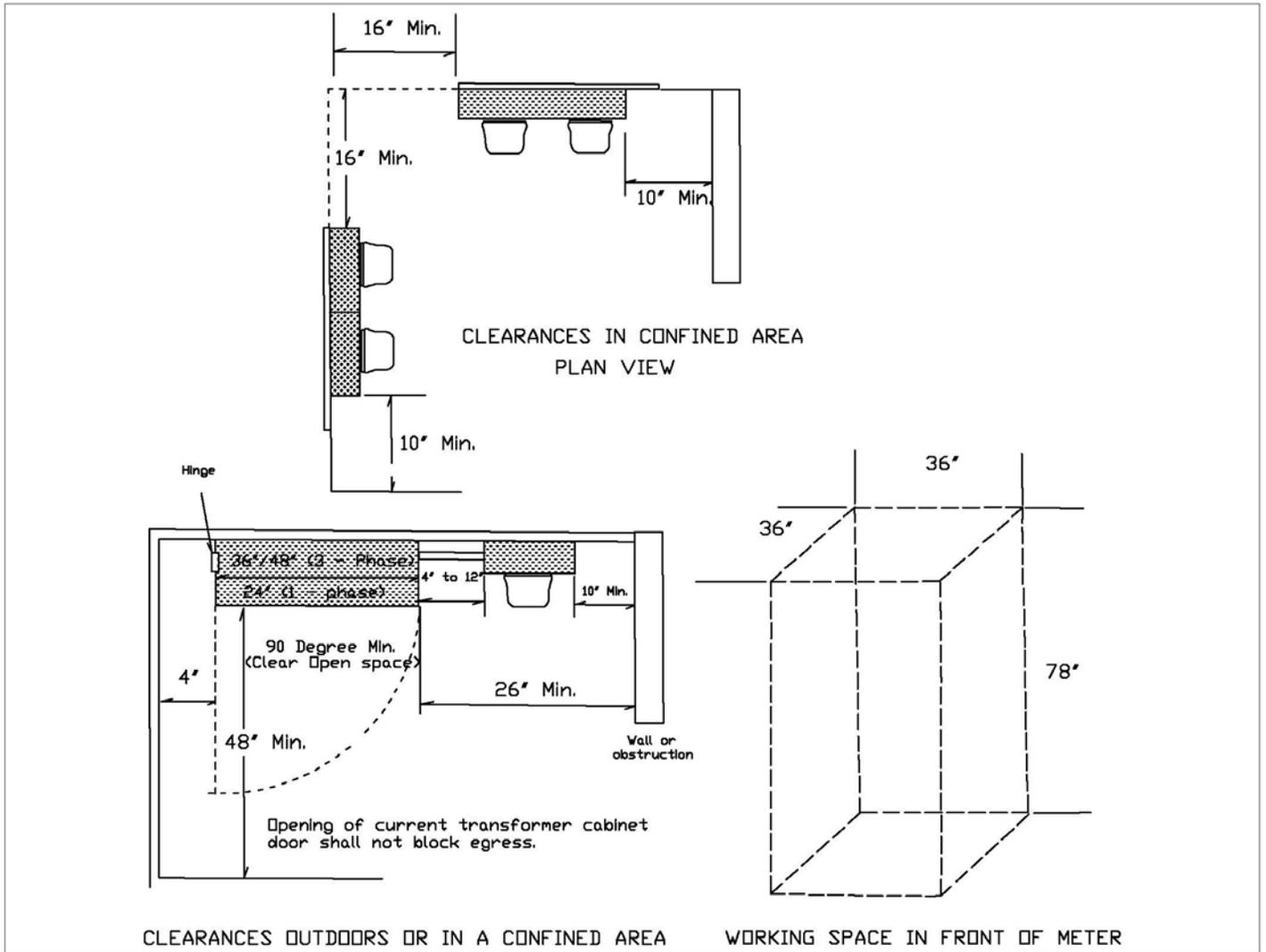
The Customer shall provide a point of attachment which allows NESC minimum clearances to be met in all conditions. A two foot addition to certain NESC values is required by the City to ensure minimum clearances in extreme conditions. These required heights are noted as “clearances required at time of construction” in the table below and are marked with asterisks. Extra long services or other special cases may require clearance additions greater than two feet.

<u>NESC Minimum Clearance</u>	<u>Clearance at Time of Construction</u>
<b>Service drop clearance (NESC Table 232-1)</b>	
16'	Over roads, streets, and other areas subject to truck traffic ..... 18'*
16'	Over or along alleys, parking lots and nonresidential driveways ..... 18'*
16'	Over land traveled by vehicles ..... 18'*
<b>Clearances over residential driveways (NESC Table 232-1)</b>	
16'	If height of building or installation will permit ..... 18'*
	If height of building or installation will not permit and is not subject to truck traffic
12'	- For service drops 120/240 & 208Y/120 volt ..... 14'*
10'	- For drip loops of service drops 120/240 & 208Y/120 volts ..... 12'*
<b>Clearances over spaces and ways subject to pedestrian/restricted vehicle traffic only (see note b. on page 21, NESC Table 232-1)</b>	
12'	If height of building or installation will permit ..... 14'*
	If height of building or installation will not permit, drip clearances may be reduced:
10.5'	- For 480Y/277V (see Note 8-b of NESC Table 232-1) ..... 10.5'
10'	- For 120/240 & 208Y/120 volt (see Note 8-d of NESC Table 232-1) ..... 10'
<b>Clearances from buildings for service drops not attached to the building (NESC Table 234-1)</b>	
Vertical clearances over or under balconies and roofs:	
- Accessible to pedestrians, if cabled with	
11'	a grounded bare neutral ..... 13'*
- Accessible to pedestrians, if open wire or cabled with	
11.5'	an insulated neutral ..... 13.5'*
- Not accessible to pedestrians, if cabled with	
3.5'	a grounded bare neutral ..... 5.5'*
- Not accessible to pedestrians, if open wire or cabled with	
10.5'	an insulated neutral ..... 12.5'*
Horizontal clearances to walls, projections, windows, balconies and areas accessible to pedestrians	
5'	- If cabled with grounded bare neutral ..... 5'
<b>Clearances for service drops attached to a building or other installation (over or along installation to which they are attached; service cable with an effectively grounded bare neutral, NESC 230.C)</b>	
From the highest point of roofs, decks or balconies over which they pass:	
8'	- If readily accessible (see NESC 234.C.3.d.1) ..... 10'*
3'	- If not readily accessible (see NESC 234.C.3.d.1 exception 1) ..... 5'*
- Above a not-readily-accessible roof and terminating at a (through-the-roof) service conduit or approved support, the service and its drip loops set no less than 18 inches above the roof. No more than 6 feet of the service cable passes over the roof	
1.5'	or within 4 feet if the roof edge (see NESC 234.C.3.d.2) ..... 1.5'
- In any direction from windows designed to open (does not apply to service cable above the top level of a window, see NESC 234.C.3.d.2) ..... 3'	
3'	- In any direction from doors, porches, fire escapes etc (see NESC 234.C.3.d.2) ..... 3'

\* Two additional feet have been included above the NESC minimums; see the introductory paragraph above.

### Clearances around Meter Installations

These are minimum clearances required around meter installations for safe maintenance and access. A clear path for egress and regress is also required.



## **Section VIII**

### **Developer Fees and Responsibilities**

#### **8.01 Subdivision Development Fees and Responsibilities**

The City of Cody requires all new subdivisions and/or commercial developments to be constructed utilizing underground electrical distribution systems unless reasons exist making the use of underground power lines unreasonable. If a development project requires the extension of the City's primary electrical power lines to reach the development property, the full cost of that extension shall be borne by the developer requiring the extension. The electric distribution lines installed within the boundaries of the project shall be installed as follows:

- **System Design Procedures** – The City of Cody's Electrical Services Division shall be provided a copy of the preliminary plat for the subdivision or development so that the City's electrical engineer can design the distribution system needed to supply the project. The developer shall incorporate the City's electrical system design into the final plat of the development.
- **Developer Fees** – The City shall provide an estimate of the total project material cost to the developer based on the final plat. The developer shall submit **100%** of this amount to the City, prior to final approval of the project. Prices on this estimate shall reflect material and equipment costs at the time the estimate is prepared. Any subsequent material cost increases shall be reflected in the final as-built invoice.
- **Developer Responsibilities** – The developer shall provide and install all conduits (grey, electrical grade, schedule 40) for the project, including excavation, padding and backfill of utility trenches. When installing conduit sweeps into City provided ground sleeves for transformers, sectionalizing vaults, secondary pedestals etc., the contractor/developer shall not cut off the sweeps so that City pulling equipment can make a proper seal at the end of the sweep. If the contractor/developer chooses to cut off the sweep, a pull tape must be installed in any conduit run that terminates in a sweep that has been cut off. The labor and equipment charges for this installation shall be born entirely by the developer. The developer's contractor shall (at developer's expense) install all City supplied transformer ground sleeves, vault ground sleeves, secondary pedestals, ground rods and streetlight bases during the conduit installation phase of the project. Conduit provided by the developer shall meet City specifications as to type and size. These specifications are outlined in Section 5, page 13 of this Electric Distribution Standards Manual.
- **City Responsibilities** – Without charge to the developer, the City shall install all primary and secondary power cable, all transformers, cabinets and streetlight poles and luminaires. The City will order and supply all electrical material and equipment other than conduit.
- **Project Completion** – Upon completion of the project, the City's electrical engineer shall produce an invoice using as-built figures giving the actual cost of the project. If the as-built price is higher than the original estimate, the difference shall be billed to the developer. If the as-built price is lower than the original estimate, the City shall refund the difference to the developer.

### 8.02 Underground Service Connection Fees

- **For All Service Sizes:** The Customer shall provide and install all conduit and cable from the City's transformer or service pedestal to the Customer's service equipment. This will include the cost of the service riser and weather head and in the case of large commercial services the provision and installation of a secondary connection cabinet between the City's transformer and building service equipment. The Customer is responsible for all cable and connectors to attach secondary cabling to the City transformer.
- **To re-establish a service to a lot that previously had a service:** The Customer shall be responsible for the entire cost of that service. Contact the Electrical Services Department.
- **For service upgrades:** If the customer moves the electrical meter equipment to the structure from a position in the alley or on the property line, the customer shall pay the full cost of relocating the service. It is recommended that the old service conductors be replaced from the prior point of connection to the utility to the new meter location on the structure. If the Customer installs new service conductors in conduit per this recommendation, the City will maintain and repair the new service lateral. If the Customer re-uses the old service lateral conductors, the City will not maintain the old service lateral.

### 8.03 Overhead Service Connection Fees

- **For All Service Sizes:** For all services, the City will install the service drop cable and bill the Customer for the material and installation costs.
- **To re-establish a service to a lot that previously had a service:** The Customer shall be responsible for the entire cost of that service. Contact Electrical Services Department.

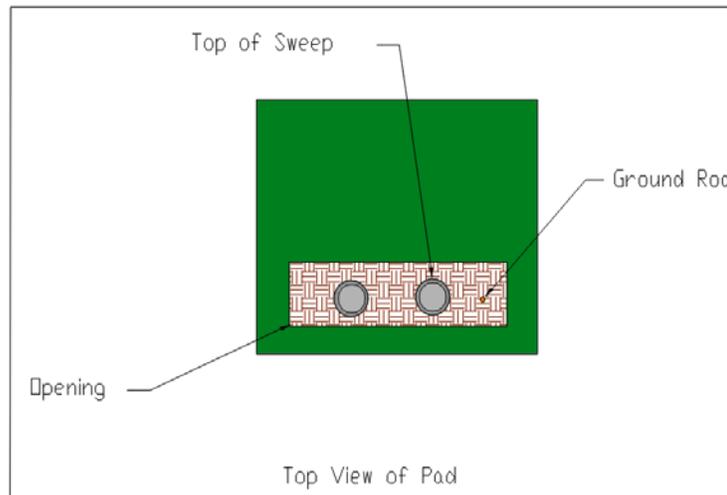
## Section IX

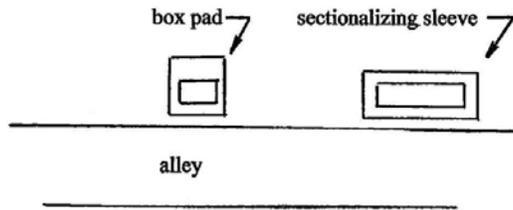
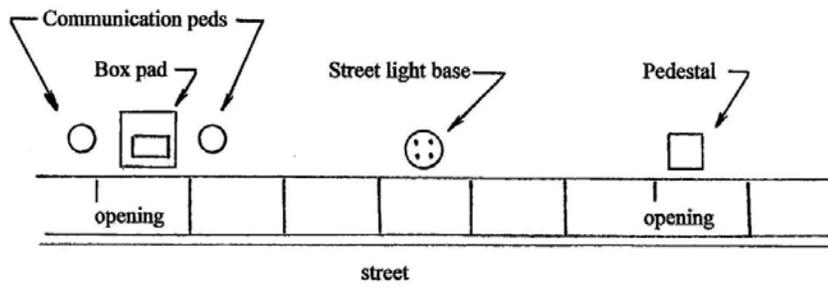
### Placement of City Facilities within a Subdivision

#### 9.01 Transformer Box Pads, Pedestals, Sectionalizing Cabinet Sleeves, Streetlight Bases

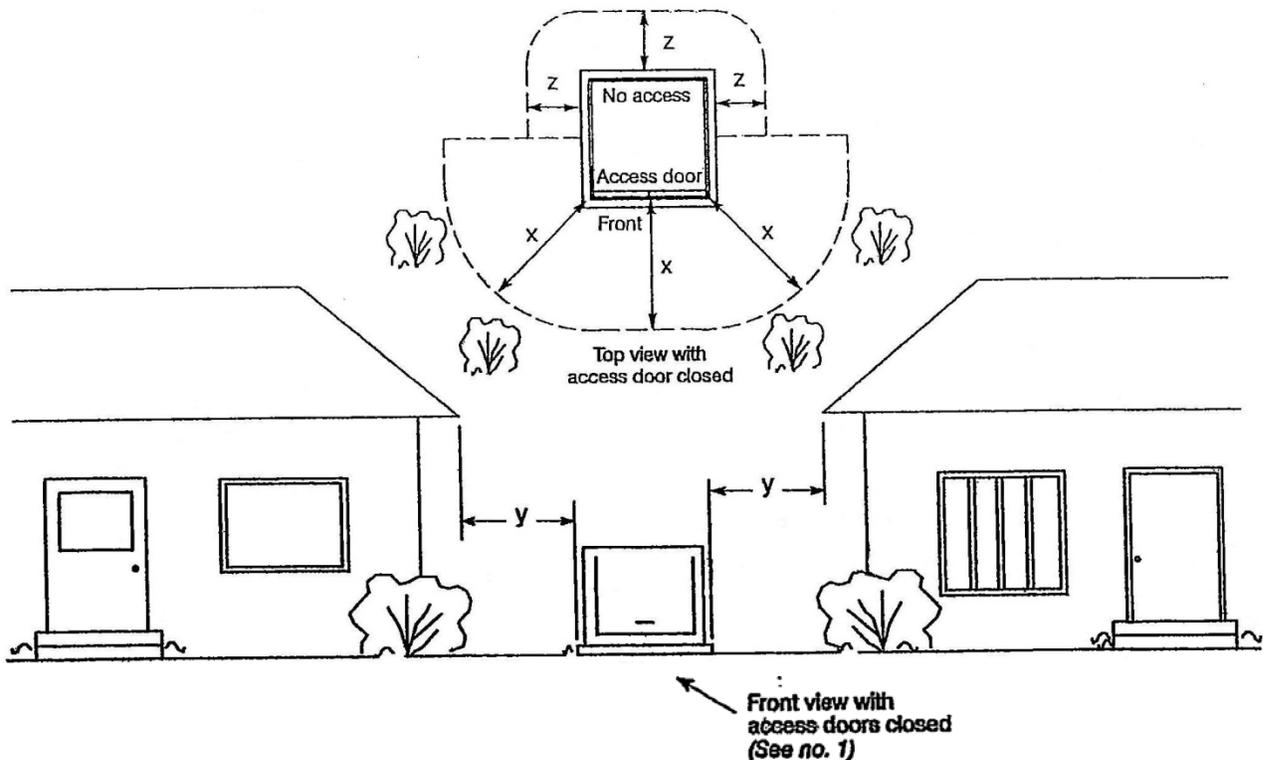
- Placement to be as specified by Engineering Drawings
- Opening of each unit to face sidewalk, roadway or alley traffic lane
- Ground rods shall be placed into the ground so that the end of the ground rod protrudes 9"-12" above the ground for ground wire attachments. All ground rods shall be 10' in length. If driving the ground rod to this effect cannot be done due to soil conditions, the ground rod can be bent so that the end of the ground rod protrudes above the ground for equipment grounding connection purposes.
- Per International Fire Code 507.5.5, "a three foot clear space shall be maintained around the circumference of fire hydrants ....."
- Communications Pedestals are to be placed 2 feet away on either side of the City's electrical equipment
- Streetlight bases are to be placed behind the sidewalk with the bolt pattern placed in line with the street roadway. The top of the streetlight base must be at final grade or level with the sidewalk.
- Conduits shall be cut off so only 6"- 8" inches of the conduit is above the ground surface inside of a secondary pedestal. All secondary pedestal to secondary pedestal conduit runs must have pulling tape installed by the contractor. **Primary conduit sweeps (for high voltage cables) are not to be cut off inside transformer box pads or sectionalizing cabinet ground sleeves.**
- All sweeps installed in any type of basement/ground sleeve must be directly below the cable opening in the basement/ground sleeve.

#### EXAMPLE:





**9.02 Minimum Clearances for Pad Mounted Equipment**



**MINIMUM DISTANCE REQUIRED FROM PAD**

$x = 10$  ft. clear area in front of, any equipment access door or opening to allow the use of hot sticks (See dimensions in drawing above, and in requirement 1 below.)

$y = 8$  ft. from any structure or roof overhang consisting of combustible material. See dimensions in the drawing above.

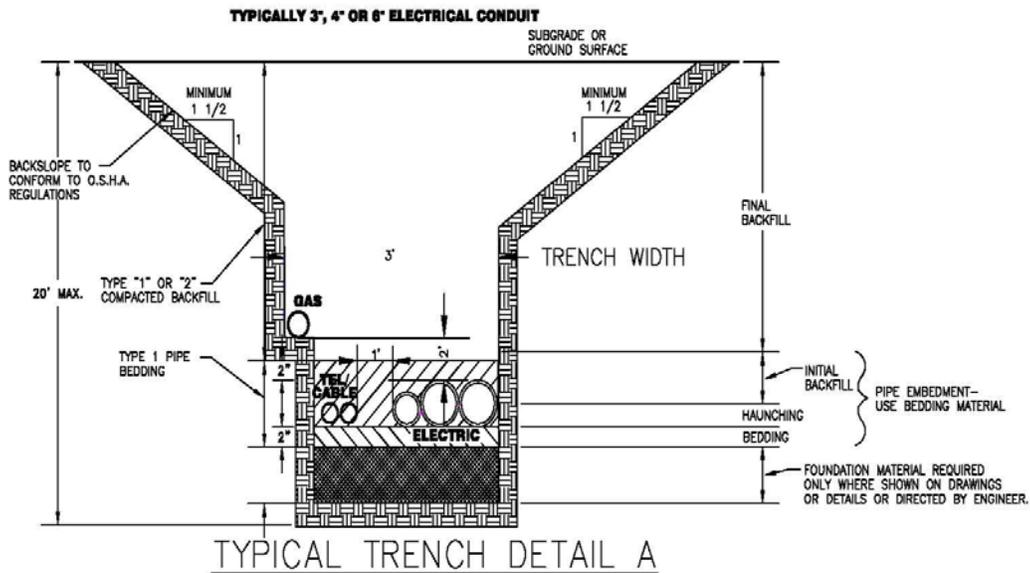
$Z = 3$  ft. clear area on non-access sides of the equipment to allow work space. See dimensions in the drawing above.

**Requirements:**

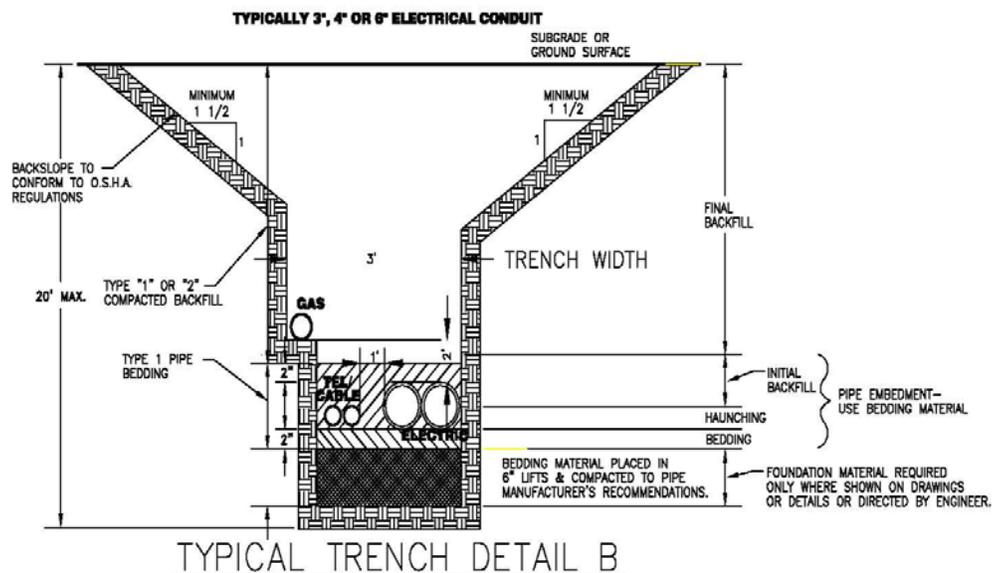
1. Locate pad-mounted equipment with access doors away from building walls or other barriers to allow safe working practices. If the equipment access side must face a wall, allow 10 feet for working clearance. No vegetation or trip hazards in this work space are permitted.
2. **The City reserves the right to remove any vegetation that does not meet the above clearances and will not reimburse the Customer for any removed vegetation.**
3. The location of driveways or parking areas shall be placed to provide a minimum 4' clearance from electrical equipment.

9.03 – Joint Trenching Details

- Trench Detail A – Three electric utility primary conduits, gas pipe and multiple communications conduits in same trench.
- Trench Detail B – Two electric utility primary conduits, gas pipe and two communications conduits in same trench.



IF SUPPORT OR SHIELD SYSTEM IS NOT USED,  
 MAXIMUM ALLOWABLE SLOPE FOR ALL TRENCHES  
 LESS THAN 20 FT. DEEP WILL BE 1 1/2H : 1V.  
 COMPLY w/ALL APPLICABLE SAFETY REQUIREMENTS



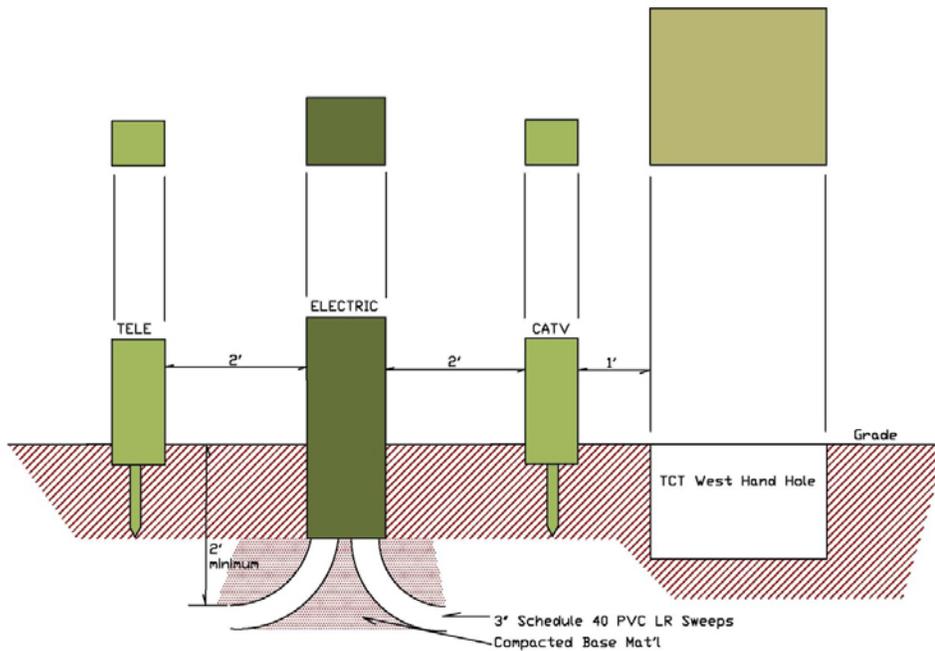
IF SUPPORT OR SHIELD SYSTEM IS NOT USED,  
 MAXIMUM ALLOWABLE SLOPE FOR ALL TRENCHES  
 LESS THAN 20 FT. DEEP WILL BE 1 1/2H : 1V.  
 COMPLY w/ALL APPLICABLE SAFETY REQUIREMENTS



9.04 Secondary Pedestal Photograph (typical) and Installation Template

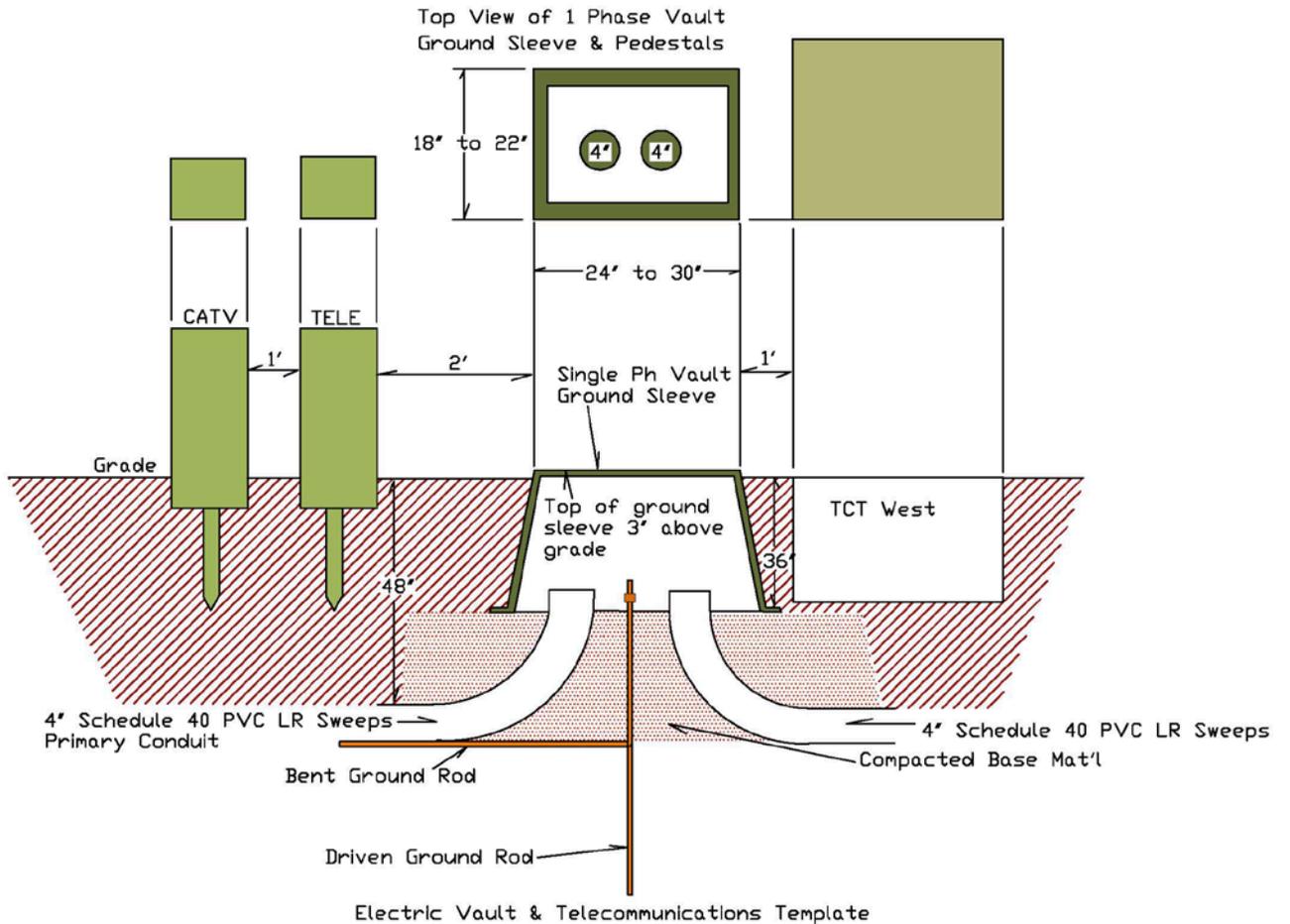


Top View of Pedestals



Secondary Pedestal & Telecommunications Template

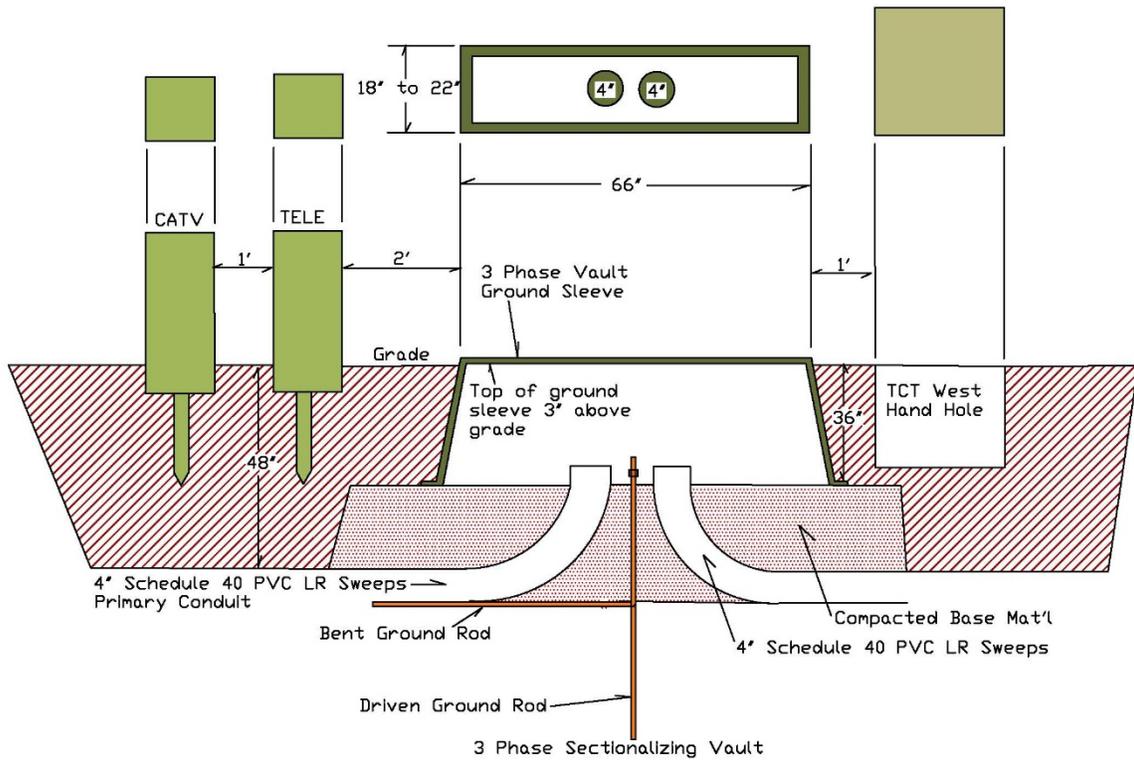
9.05 Single Phase Sectionalizing Cabinet Ground Sleeve Photo (typical) and Installation Template



9.06 Three-Phase Sectionalizing Cabinet Ground Sleeve Photograph (typical) and Installation Template



Top View of 3 Phase Vault Ground Sleeve & Pedestals





**9.08 Overhead Communications Location Assignments on Utility Poles** – Whenever possible, the attachment of overhead communications facilities on utility poles for current communications utilities operating in the City of Cody shall follow the following order:

- 1) Charter Communications – Attachment Point 40” below the lowest power attachment.
- 2) TCT West Communications – Attachment Point 12” to 14” below Charter attachment.
- 3) CenturyLink Communications – Attachment Point 12” to 14” below TCT West attachment.

**Section X  
ELECTRICAL PERMITS**

ELECTRICAL PERMITS WILL BE ISSUED TO ELECTRICAL CONNTRACTORS HOLDING A CURRENT CITY OF CODY LICENSE. OWNERS OF SINGLE FAMILY DWELLINGS MAY BE ISSUED PERMIT. ALL PERMITS REQUIRE INSPECTIONS BASED ON THE CURRENT EDITION OF THE NATIONAL ELECTRICAL CODE.

**SERVICE UPGRADES**

- THRU 200 AMP \$25.00
- OVER 200 AMP \$50.00

**NEW SINGLE & TWO FAMILY DWELLINGS**

- INCLUDES PERMANENT SERVICE, ROUGH-IN, AND FINAL INSPECTIONS. \$50.00

**DWELLING ADDITIONS**

- WITH NEW SERVICE UPGRADE \$50.00
- NOT REQUIRING NEW SERVICE \$25.00
- SMALL JOBS (rewire, add circuits, repairs etc.) \$25.00

**REINSPECTIONS:**

- REQUIRING REMOVAL OF RED TAGS \$25.00

**COMMERCIAL WIRING PERMITS**

INCLUDES PERMANENT SERVICE, ROUGH-IN AND FINAL INSPECTIONS.

FEES SHALL BE COMPUTED ON THE DOLLAR VALUE OF THE ELECTRICAL INSTALLATION, INCLUDING FIXTURES AND INSTALLATION COSTS THEREOF, AS FOLLOWS:

- MINIMUM PERMIT \$ 25.00
- \$1,001-\$5,000 \$ 50.00
- \$5,001-\$25,000 \$100.00
- \$25,001-\$50,000 \$150.00
- \$50,001-\$100,000 \$250.00
- \$100,001 and over \$250.00 FOR THE FIRST \$100,000 PLUS \$1.00 FOR EACH \$1,000 OVER

**REINSPECTIONS:**

- REQUIRING REMOVAL OF RED TAGS \$ 50.00

**Note:** Contact the City of Cody Building Department to verify permit fees. This manual is updated annually and may not reflect the latest changes in permit fees.

**Section XI  
Disconnect and Reconnect Fees**

11.01 - Service Shutoff Fee - the charge for shutting off service for non-pay customers will be \$70.00 per incident.

11.02 - Disconnect Fee - if disconnect of service is requested by the customer or customer representative, the charge will be \$35.00. This will typically be applied whenever a disconnect is requested either for service upgrade purposes or seasonal disconnection of service.

11.03 - Reconnect Fee - if a customer or customer representative request reconnection of a service that was previously disconnected per 11.02 above, the charge for the reconnect will be \$35.00.

**Section XII  
NET METERING POLICY**

**12.01 - General Information**

The City of Cody Electric Division allows net metering installations for renewable energy sources with a maximum capacity of 25 kW. Any request for larger installations will have to be cleared through the Wyoming Municipal Power Agency as well as the City Council. Cody is a member of WMPA and as such, is bound to an all-requirements power contract with WMPA. Larger installations must negotiate an agreement with WMPA for installation on the City Electrical Distribution System. If a larger system is being contemplated by a Customer, contact information for WMPA can be obtained from the Administrative Services Department at Cody City Hall.

**12.02 - Metering Requirements**

1. The City of Cody will supply a dual reading meter to allow measurement of both City supplied electrical service and Customer supplied excess electrical energy that is fed back onto the City's distribution system. The Customer will be billed for the cost of the meter by the City.
2. **The Customer shall provide an automatic disconnect device that will prevent backflow of power onto the City's electrical grid in the event that City service to the meter is interrupted.** This device should provide a visible open point to verify that the renewable energy source or Customer generation equipment is not back-feeding power onto the City grid. If the automatic disconnect device does not provide a visible open, a manual disconnect device must be installed that will provide the visible open.

**12.03 - Net Metering Energy Reconciliation**

1. Both registers on the dual reading meter will be read each month. The energy generated by the Customer shall be deducted from the energy supplied to the Customer by the City and the Customer will be billed or credited with the difference at the retail rate.

## Section XIII

### SECURITY LIGHTING POLICY

**13.01 Security Lighting Policy Cancellation** - As of January 1, 2018, the City of Cody no longer provides unmetered or metered security lighting service.

**13.02 Sunset Clause** - Security Light Installations in service at the time of this cancellation will be maintained until the customer requests removal of the light, the security light or pole fails or until there is a change of ownership of the property that is provided with security light service.

**13.03. Roadway Lighting on Private Roads** - City provided roadway lighting on private roads currently charged under the former security lighting policy will no longer be provided or maintained. Since there exist areas within the City limits where this service is provided, these existing lights fall under the **Sunset Clause above (12.02)**.

MEETING DATE:	MAY 21, 2019
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## AGENDA ITEM SUMMARY REPORT

### ORDINANCE 2019-03 AMENDING TITLE 9, CHAPTER 3, CONTRACTOR LICENSING

#### **ACTION:**

Consider Ordinance 2018-03 to modify the City's contractor licensing regulations.

#### **BACKGROUND:**

The City Contractor Board and Community Development staff have worked on an update to the City's contractor licensing regulations. Most of the proposed edits were staff initiated based on past experiences or guidance from City Council. The Contractor Board as a whole understands the need for the update and is supportive of the changes (more of a negotiated consensus than full agreement).

Guiding principles used in the update included:

1. Better customize the licensing process to the level of specialty needed. This allows the requirements pertaining to experience and testing to be better tailored to the type of license requested. For example, the new categories for "residential structures only" do not require the same level of experience as those for commercial buildings. Also, the Contractor Board would now have authority to grant a conditional or limited license to those that may not qualify for a full license. In other words, if the person does not have the knowledge and experience for all types of work authorized by a certain license, they can still be authorized to perform the type of work that they are qualified to perform.
2. Reduce the amount of experience required where appropriate, with even greater reduction if the person has passed a test for that trade. The reduced experience for those that have passed a test emphasizes education of the applicable codes (studying for the test), but does not preclude those that have gained knowledge "on the job". Several specialty contractor categories have had the amount of required experience significantly reduced (most reduced from 3 years to 2 years for commercial licenses and from 3 years to 6 months for residential licenses).
3. Create an exemption to the licensing requirements for owners of residential houses that do not live there, so that they can pull building permits to do work that they know how to perform. It is believed that many landlords do work without getting required building permits. Historically, this ordinance has prevented them from obtaining permits for most work—instead requiring them to use a licensed contractor. Staff believes it is more important that we allow them to get a building permit so that an inspector can verify their work is completed in a proper manner. It is noted that the exemption would not allow them to perform electrical, plumbing, or HVAC work if they do not know what they are doing.

**AGENDA ITEM NO. \_\_\_\_\_**

4. To avoid misunderstanding and abuses of exemptions, clarify language pertaining to the homeowner exemption for construction of a new dwelling, and for owner general contracting/project management. Add a required time period to reside in a dwelling constructed under the homeowner exemption.
5. Find ways to shorten and simplify the application process. The building official would now be authorized to issue licenses directly, without Board review, in cases where the applicant clearly meets the licensing requirements and has been previously licensed (e.g. national companies coming into town for a single project). The ordinance language allows the Board to determine many of the details for the application forms, which will allow them to update the forms based on the goals of simplification and quick processing.

The proposed ordinance is attached. There is also a “track changes” version of the proposed changes provided to show the extent of the changes, yet it is hard to follow every change as some portions were deleted and others just moved and you cannot tell which from just looking at the “track changes” version. To see the ordinance currently in place you can go to: [cityofcody-wy.gov](http://cityofcody-wy.gov), select “Government”, then “Municipal Code”, and go to Title 9, Chapter 3.

**FISCAL IMPACT**

No direct impact to the city budget is expected.

**ALTERNATIVES**

Approve, deny, or amend proposed Ordinance 2019-03.

**RECOMMENDATION**

The document was reviewed by the Contractors Board and they are agreeable to the changes. It is recommended that Ordinance 2019-03 be adopted as presented.

**ATTACHMENTS:**

Ordinance 2019-03

“Track changes” version of changes

**AGENDA ITEM NO. \_\_\_\_\_**

**ORDINANCE 2019-03**

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 3  
OF THE CITY OF CODY CODE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY,  
PARK COUNTY, WYOMING:**

Title 9, Chapter 3 of the City of Cody Code shall be amended to read as found in Exhibit A, attached hereto.

This Ordinance shall become effective at the final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_

PASSED, ADOPTED AND APPROVED  
ON THIRD AND FINAL READING: \_\_\_\_\_

\_\_\_\_\_  
Matt Hall, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia Baker, Administrative Services Director

## EXHIBIT A, Ordinance 2019-03

### Chapter 3

#### CONTRACTOR LICENSING

9-3-1: CONTRACTOR LICENSE REQUIRED; EXCEPTIONS; LICENSING CATEGORIES:

9-3-2: APPLICATION AND REVIEW PROCESS:

9-3-3: TERM OF LICENSE; RENEWAL REQUIRED:

9-3-4: GROUNDS AND PROCEDURE FOR SUSPENSION OR REVOCATION OF LICENSE; EFFECTS THEREOF:

9-3-5: INSURANCE REQUIRED:

9-3-6: INACTIVE STATUS:

9-3-1: CONTRACTOR LICENSE REQUIRED; EXCEPTIONS; LICENSING CATEGORIES:

#### A. Contractor License Required.

It shall be unlawful for any person to participate in any form of “construction contracting” within the City unless that person is either:

- i. Licensed in the particular contracting category under the provisions of this chapter for the work being performed;
- ii. Performing construction contracting solely for work that is entirely exempt from all building, plumbing, HVAC, and electrical permits; or,
- iii. Exempt from contractor licensing as otherwise provided in this chapter for homeowners, owners of residential properties regulated by the International Residential Code, and non-compensated volunteer laborers while overseen by someone otherwise authorized to perform construction contracting pursuant to this chapter.

"Construction contracting" as used herein shall include the: demolishing; erecting; constructing; assembling; enlarging; altering; moving; removing; repairing; improving; converting; and performing work on electrical, plumbing or HVAC systems; of or on any building, structure or device in a manner regulated by the adopted building, plumbing, mechanical, or electrical codes. Activities specifically excluded from construction contacting include, but are not limited to: carpeting, decorating, installing flooring, painting, tiling, and wallpapering.

Furthermore, it shall be illegal to solicit construction contracting work or claim to be licensed or otherwise authorized to perform construction contracting work within the City without holding a contractor’s license pursuant to this chapter for the applicable category of work that is advertised.

#### B. Licensing Exemptions.

The following exemptions to the above contractor licensing requirement are provided. These exemptions do not absolve a person from obtaining necessary permits and inspections, or from completing the work in accordance with adopted codes. Persons claiming such an exemption shall submit documentation for such to the Building Official and complete any applicable affidavits as noted herein.

- i. Owner-Occupied Property Owner Exemption:

## EXHIBIT A, Ordinance 2019-03

A property owner who is not a licensed contractor may be issued permits to perform work that would otherwise require them to hold a contractor's license, if one of the following scenarios applies, and they otherwise meet the requirements herein:

- a. The structure, building, or device falls within the jurisdiction of the International Residential Code and the work will be performed by the property owner on the property where they currently reside.
- b. The structure, building, or device falls within the jurisdiction of the International Residential Code, the work will be performed by the property owner, and the property owner intends to reside on the property once the work is completed.

The language indicating work is to be performed by the property owner does not preclude the property owner from hiring licensed contractors/subcontractors, or from having immediate family members of the property owner and non-compensated volunteers participate in the permitted work while overseen by the property owner or a contractor licensed for the work being performed.

The property owner, whether their ownership of the property is individual, joint, or part of a group (e.g. partnership or corporation), may be issued permits for the construction of no more than two new dwelling units in any five-year period. The property owner requesting a permit for construction of a new dwelling unit shall sign a sworn affidavit indicating their intent to reside on the property for at least one year after the certificate of occupancy is issued. If a person fails to meet the one-year minimum occupancy requirement, they shall not be entitled to further utilize this exemption to construct a dwelling unit.

For work on existing dwellings subject to the International Residential Code, there shall be no limit on the number of building, plumbing, mechanical or electrical permits a property owner may receive to perform work on their own property where they reside.

### ii. Residential Property Owner Exemption:

A property owner that does not reside on their property, but who either has owned the property for the past two years, or who intends to maintain ownership of the property for at least two years after purchase, may be issued permits to perform work on an existing dwelling or an accessory structure without possessing a contractor's license, subject to the limitations specified herein. This exemption does not authorize creation of a new dwelling unit.

The dwelling or structure must fall within the jurisdiction of the International Residential Code. A permit shall be issued to the property owner for any type of work on the existing dwelling except: electrical work; plumbing work; and heating, ventilation, and A/C (HVAC) work. Provided, if the property owner can demonstrate relevant experience and knowledge to safely perform work in any of those areas, the building official may issue a permit to the property owner for the work, or part thereof, for which the property owner has relevant experience and knowledge. In no case shall the building official issue a permit pursuant to

## EXHIBIT A, Ordinance 2019-03

this exemption for installation of an electrical service or startup of a new HVAC system, unless the property owner has a contractor's license for such.

A property owner that has not maintained ownership of the property for at least two years shall sign a sworn affidavit indicating their intent to maintain ownership of the property for the balance of the required two-year period. If a person fails to comply with the two-year minimum ownership requirement, they shall not be entitled to further utilize this exemption.

### iii. Property Owner Construction Management Exemption:

A property owner may perform the construction management aspect of overseeing construction activities on their commercial or residential property, subject to the conditions and limitations of this section, and be issued the building permit for such project. In such cases, a general contractor is not required. Where a property owner is issued a building permit as a construction manager, it does not authorize them to perform any construction work requiring a contractor's license. All construction and demolition work on the project shall be performed by licensed contractors/subcontractors.

### iv. City Inspector Exemption: Construction work for the City may be performed by the City building inspectors when they hold an International Code Council (ICC) certificate or Wyoming contractor license for the type of work performed.

## C. CONTRACTOR LICENSING CATEGORIES

Licenses for construction contracting are categorized and defined as follows. A license authorizes the company or person(s) holding the license to perform work within the trades(s) identified for that license, to the extent specified herein. Provided, each contractor is responsible to ensure that they do not accept or perform work that is clearly beyond their level of proficiency and skill—doing so is grounds for suspension and revocation of their license, as may be determined by the contractor's board.

### i. General Contractor: This category authorizes the construction of all components of commercial and residential structures, except those components requiring an electrical license, plumbing license, or mechanical/HVAC license. A general contractor is also authorized to manage all work on the permitted project.

Persons requesting a general contractor license after adoption of this section shall show that they have passed the International Code Council (ICC) National Standard Exam for Class "A" Commercial or Class "B" Commercial and Residential contracting (or equivalent), and have at least 60 months of experience as a general contractor, journeyman carpenter, architect, engineer or similar work that demonstrates the skills and proficiency needed to act in the capacity of a general contractor.

### ii. General Contractor—IRC: This category authorizes the construction of all components of a residential structure that is subject to the International Residential Code (e.g. single-family dwellings, duplexes, and townhouses), except those components requiring an electrical license, plumbing license, or mechanical/HVAC license. An IRC general contractor is also authorized to manage all work on the permitted project.

## EXHIBIT A, Ordinance 2019-03

Persons requesting a “general contractor-IRC” license shall show that they have passed the ICC Class “C” Residential Contractor Exam (or equivalent) and have at least 24 months of experience that demonstrate the knowledge, skills and proficiency needed to perform work of this nature.

- iii. Master Electrical Contractor: This category authorizes electricians licensed by the State of Wyoming as Master Electricians to perform electrical work regulated by the National Electric Code within the City of Cody. Their employees that perform electrical work must also be registered with the State of Wyoming. Persons requesting to be licensed by the City as an electrical contractor must provide a copy of their current Wyoming master electrician license and electrical contractor’s license (card) issued by the State of Wyoming.
- iv. Master Plumbing Contractor: This category authorizes plumbing work (including fuel gas) within all types of buildings and structures.

Persons requesting a master plumbing contractor license shall show that they have passed the ICC “Master Plumber with Fuel Gas” exam (or equivalent) and have at least 48 months of experience that demonstrate the knowledge, skills and proficiency needed to perform work of this nature.

- v. Plumbing Contractor—IRC: This category authorizes all plumbing work within buildings and structures regulated by the International Residential Code (IRC).

Persons requesting a “plumbing contractor-IRC” license shall show that they have passed the ICC “F26 National Standard Residential Plumber” exam (or equivalent) and have at least 12 months of experience that demonstrates the knowledge, skills and proficiency needed to perform work of this nature; or, have at least 36 months of experience that demonstrate the knowledge, skills and proficiency necessary to perform work of this nature.

- vi. Master Mechanical/HVAC Contractor: This category authorizes mechanical/HVAC work within all types of buildings and structures.

Persons requesting a master mechanical/HVAC contractor license shall show that they have passed the ICC “Master Mechanical” exam (or equivalent) and have at least 24 months of experience that demonstrate the skills and proficiency needed to perform work of this nature; or, have at least 48 months of experience that demonstrate the knowledge, skills and proficiency necessary to perform work of this nature.

- vii. Mechanical/HVAC Contractor—IRC: This category authorizes all mechanical/HVAC work within buildings and structures regulated by the International Residential Code (IRC).

Persons requesting a “mechanical/HVAC contractor-IRC” license shall show that they have passed the ICC “F32 National Standard Residential Mechanical” exam (or equivalent) and have at least 12 months of experience that demonstrates the skills and proficiency needed to

## EXHIBIT A, Ordinance 2019-03

perform work of this nature; or, have at least 36 months of experience that demonstrate the skills and proficiency necessary to perform work of this nature.

- viii. Specialty Contractor: This category authorizes the person to work in one or more of the following trades, on any type of building or structure. Work only in those trades for which the person applies and meets the minimum experience therefore is authorized. The minimum experience need not be provided if the person has passed an ICC or equivalent professional exam for the trade and otherwise demonstrates the applicable knowledge, skills and proficiency to the Contractor's Board.

<u>Trade:</u>	<u>Minimum Experience:</u>
Asbestos Abatement	24 months
Commercial Fire Suppression Systems	36 months
Commercial Railings	24 months
Conveyor Systems	36 months
Demolition	24 months
Drywall	24 months
Elevator Installation	48 months
Fencing	6 months
Framing	48 months
Ground stabilization/mud jacking	24 months
Insulation	24 months
Masonry	48 months
Refrigeration	24 months
Roofing	24 months
Sheet metal installation	24 months
Siding	24 months
Sign/Awning Installation	24 months
Steel fabrication/erection	48 months
Structural Concrete	48 months
Stucco/Plaster	12 months
Underground Utilities (sewer, water, conduit)	12 months
Windows/Glass glazing	12 months

- ix. Specialty Contractor—IRC: This category authorizes the person to work in any of the following specialty contractor activities when the work is conducted on a building or structure subject to the IRC. The minimum experience need not be provided if the person has passed an ICC or State of Wyoming exam for the trade, or if the Building Official or Contractor's Board is otherwise satisfied that the person has the knowledge and training necessary to perform the work in a competent manner.

<u>Trade:</u>	<u>Minimum Experience:</u>
Fire Suppression Systems	6 months
Demolition	6 months
Drywall	6 months
Fencing	3 months

## EXHIBIT A, Ordinance 2019-03

Framing	12 months
Insulation	6 months
Masonry	6 months
Roofing	6 months
Sheet metal installation	6 months
Siding	6 months
Structural Concrete	6 months
Stucco/Plaster	6 months
Windows/Glass glazing	6 months

### 9-3-2: APPLICATION AND REVIEW PROCESS:

A. Any person desiring a contractor's license to perform work within the City of Cody shall complete an application therefore, and provide evidence of relevant experience, skills, and proficiency. The format and content of the application form shall be specified by the Contractor's Board. All contractor license applications shall be accompanied by an application fee, as specified in a fee schedule adopted by resolution of the governing body. The application fee is non-refundable.

B. All applicants for a contractor's license shall submit an application to the Community Development Department and be interviewed by the building official for a determination as to their qualifications and level of proficiency for the license requested, as set forth in the application. Those applicants that have previously been licensed for the type of license requested (whether in Cody or another jurisdiction), clearly meet the minimum qualifications of this chapter, and clearly demonstrate the proficiency required, shall be issued a contractor's license. The building official is authorized to issue the license on behalf of the contractor's board in such instances, provided the applicant is not currently in violation of the City's contractor licensing provisions (e.g. has not performed construction contracting within the City without a license and/or required permit).

When an applicant either does not have previous licensing for the type of license requested, has performed construction contracting in the City without a license, or when in the judgement of the building official the application would be better considered by the contractor's board for whatever reason, the application shall be presented to the Contractor's board for review. Applicants should be present at the Board meeting to provide information when their application is considered.

Upon reviewing a contractor's license application, the contractor's board has authority to approve it, deny it, approve a lesser license (e.g. IRC level instead of Master), or issue a conditional/limited license. Applicants that meet the qualifications shall be issued the license(s) requested, except the Board may delay issuance of a license as a penalty for an applicant performing construction contracting work within the City without a license. Such delay shall be based on the severity of the violation, but in no case shall exceed 90 calendar days. This penalty shall be in addition to other penalties the City may pursue through the court.

## EXHIBIT A, Ordinance 2019-03

The option of issuing a conditional/limited license is available to the Board when they have concerns with the applicant's level of skills and/or knowledge, as related to the type and/or level of license requested. A conditional/limited license may be tailored by the Board in any manner they deem necessary to address their concerns. Examples include precluding work of a certain type, issuing the license for a specific project only, and requiring reevaluation after a specified time period.

Applications for persons that do not meet minimum qualifications to be issued a license or conditional/limited license shall be denied. Any person whose application is denied must wait a minimum of forty-five days before they can reapply. Reapplication shall be accompanied by an additional application fee.

Appeals from any action of the Board must be made within 10 days of their decision and shall be submitted in written form to the governing body.

### 9-3-3: TERM OF LICENSE RENEWAL REQUIRED:

All contractor licenses issued by the City are annual licenses and shall expire at the end of the calendar year in which they are issued.

Licensed contractors desiring to perform construction contracting in the new year shall submit an application for renewal of their license by December 15<sup>th</sup> of the current year. Licensed contractors that submit a completed renewal application, provide evidence of current insurance, pay the specified renewal fee, and are in good standing with the City, shall be issued a proper contractor's license for the new year. "Good standing" shall mean the contractor has maintained compliance with the standards of this chapter and timely obtained all required permits throughout the past year. The building official is authorized to issue the new annual license on behalf of the contractor's board in such cases. If the contractor is not in good standing, the renewal application must be reviewed by the Contractor's Board.

Contractors that apply for renewal after the December 15<sup>th</sup> deadline, but before January 15<sup>th</sup> of the new year shall have their renewal considered upon payment of an additional \$30 late fee. Renewal applications for contractor licenses shall not be accepted after the January 15<sup>th</sup> deadline (or the following Monday if January 15<sup>th</sup> falls on a weekend). Contractors licensed in the prior year that do not submit a renewal application by the January 15<sup>th</sup> deadline shall not be relicensed except upon submittal and review of a new application to perform construction contracting.

Annual renewal pursuant to this section shall not require a contractor to pass an examination listed for their category of license if they were not previously required by the City to do so, nor does it require reexamination based on a new set of adopted building codes.

### 9-3-4: GROUNDS AND PROCEDURE FOR SUSPENSION OR REVOCATION OF LICENSE; EFFECTS THEREOF:

## EXHIBIT A, Ordinance 2019-03

A. Grounds: The contractor's board may suspend, revoke, limit, or reclassify any license issued under the provisions of this chapter when the licensee or an employee of the licensee commits one or more of the following acts or omissions:

1. Improperly obtaining a license and/or a building permit through nondisclosure, misstatement or misrepresentation of a material fact;
2. Performing a form of construction contracting work for which they are not licensed;
3. Accepting and performing work clearly beyond their level of proficiency and skill, which work does not meet code requirements;
4. Failure to comply with any of the requirements of this chapter;
5. Combining or conspiring with any unlicensed person to evade the provisions of this chapter by permitting one's license to be used by such person;
6. Acting as agent, partner, associate or in any other capacity with any unlicensed person, to evade the provisions of this chapter; and,
7. Violating any provisions of the city ordinances pertaining to construction activities, including but not limited to failure to obtain required permits in a timely manner.

B. Procedure: When the building official believes that a contractor's license should be suspended, revoked, limited, or reclassified based on a violation one or more of the items listed in 9-3-4(A), the building official shall notify the licensee that the building official will recommend to the contractor's board that the licensee's license be suspended, revoked, limited or reclassified. The building official shall give written notice either in person or by certified mail to the licensee of the facts and circumstances giving rise to the recommendation, including reference to the applicable sections of this code which the licensee has violated. The notice shall state the requirement that the licensee shall have ten (10) days to request a hearing before the contractor's board, and that if the licensee fails to request such a hearing, the board shall act on the building official's recommendation at its next meeting. The notice shall state the place, date and time of the meeting where the board will hear the building official's recommendation.

1. Upon receipt of notice, the licensee may request a hearing before the board. Such request shall be in writing to the board within ten (10) days of receipt of notice. Failure by the licensee to request the hearing shall be deemed a waiver of any right to a hearing on the matter and the order of suspension or revocation shall become final.
2. At such hearing, the licensee shall be given an opportunity to show compliance with all lawful requirements for the retention of the license. The licensee shall be given the opportunity to present testimony, oral and/or written, and shall have the right of cross examination. All testimony shall be under oath. The board shall have the power to administer oaths, issue subpoenas and compel the attendance of witnesses. The decision of the board shall be based upon the evidence produced at the hearing and made a part of the record thereof. The hearing shall be conducted in compliance with the procedures promulgated in accordance with the Wyoming administrative procedures act.

C. Effects:

1. A person whose license has been revoked or suspended shall not be entitled to file a new application by the establishment of a new legal entity, or otherwise, during the length of such revocation or suspension.

## EXHIBIT A, Ordinance 2019-03

2. In addition to the revocation or suspension of any license as provided in this chapter, any person who violates any provisions of this chapter, or any rule or regulation promulgated hereunder, is guilty of a misdemeanor, the penalty for which is prescribed under Title 1, Chapter 4 of this code.

### 9-3-5: INSURANCE REQUIRED:

All contractors licensed pursuant to this chapter shall maintain liability insurance of the type and amount specified below for themselves and any employees, agents, and representatives.

1. Bodily injury liability insurance: Insurance coverage with limits not less than one million dollars (\$1,000,000.00) for bodily injury or death sustained by one person and one million dollars (\$1,000,000.00) for each occurrence; and,
2. Property damage liability insurance: Coverage with limits not less than one million dollars (\$1,000,000.00) for each occurrence.

The contractor shall provide to the building official a copy of their insurance certificate at the time of their initial application and as each new insurance certificate is issued, as necessary to show required coverage at all times that they have an active permit. No permit shall be issued to a contractor without proof of the required insurance being on file with the building official.

### 9-3-6: INACTIVE STATUS:

A. A licensed contractor may elect to designate his or her license as "inactive" by submitting a written statement to the building official. The following conditions shall apply to every contractor who is designated as "inactive":

1. Inactive licensees shall pay the appropriate annual renewal fees required for licensed contractors.
2. Inactive licensees shall not be required to comply with the insurance requirements that otherwise apply to licensed contractors under this Chapter.
3. Inactive licensees shall not perform work that must be performed by a licensed contractor under this Code, and may not receive any permits to perform work under this Code, except as may be permitted under the listed property owner exemptions of 9-3-1(B).
4. Inactive licensees shall not be eligible to serve any additional term on the Contractor's Board—however, they may complete their term if currently serving on the Board.
5. If an inactive licensee wishes to change status of his license to active so that he may perform work and receive permits to do work, he or she shall provide evidence of the required liability insurance to the building official, and deliver a written statement to the building official stating that he or she wishes to change his license to active. Upon receiving such information, the building official shall designate the licensee as active.

Chapter 3

CONTRACTOR'S LICENSING

9-3-1: CONTRACTOR LICENSE REQUIRED; EXCEPTIONS; LICENSING CATEGORIES;

9-3-2: APPLICATION; APPLICATION FEE; AND REVIEW PROCESS APPLICATION FOR REEXAMINATION;

9-3-3: TERM OF LICENSE; INITIAL AND RENEWAL REQUIRED FEES; EXPIRED LICENSE NOT TO BE RENEWED;

9-3-4: GROUND AND PROCEDURE FOR SUSPENSION OR REVOCATION OF LICENSE; EFFECTS THEREOF;

9-3-5: INSURANCE REQUIRED;

~~9-3-6: PERSONS EXCLUDED FROM REQUIREMENTS OF CHAPTER;~~

~~9-3-67: INACTIVE STATUS;~~

9-3-1: CONTRACTOR LICENSE REQUIRED; EXCEPTIONS; LICENSING CATEGORIES:

A. Contractor License Required.

It shall be unlawful for any person to participate in any form of "construction contracting" erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, do electrical, plumbing or mechanical work in or on any building or structure within the City unless that person is either:

i. Licensed in the particular contracting category under the provisions of this chapter for the work being performed;

ii. Performing construction contracting solely for work that is entirely exempt from all building, plumbing, HVAC, and electrical permits; or,

iii. Exempt from contractor licensing except as otherwise provided in this chapter for homeowners, owners of residential properties regulated by the International Residential Code, and non-compensated volunteer laborers while overseen by someone otherwise authorized to perform construction contracting pursuant to this chapter.

"Construction contracting" as used herein shall include the: demolishing; erecting; constructing; assembling; enlarging; altering; moving; removing; repairing; improving; converting; and performing work on electrical, plumbing or HVAC systems; of or on any building, structure or device in a manner regulated by the adopted building, plumbing, mechanical, or electrical codes. Activities specifically excluded from construction contracting include, but are not limited to: carpeting, decorating, installing flooring, painting, tiling, and wallpapering.

Furthermore, it shall be illegal to solicit construction contracting work or claim to be licensed or otherwise authorized to perform construction contracting work within the City without holding a contractor's license pursuant to this chapter for the applicable category of work that is advertised.

B. Licensing Exemptions.

The following exemptions to the above contractor licensing requirement are provided. These exemptions do not absolve a person from obtaining necessary permits and inspections, or from

completing the work in accordance with adopted codes. Persons claiming such an exemption shall submit documentation for such to the Building Official and complete any applicable affidavits as noted herein.

i. Owner-Occupied Property Owner Exemption

A property owner who is not a licensed contractor may be issued permits to perform work that would otherwise require them to hold a contractor's license, if one of the following scenarios applies, and they otherwise meet the requirements herein:

a. The structure, building, or device falls within the jurisdiction of the International Residential Code and the work will be performed by the property owner on the property where they currently reside.

b. The structure, building, or device falls within the jurisdiction of the International Residential Code, the work will be performed by the property owner, and the property owner intends to reside on the property once the work is completed.

~~construct, enlarge, alter, repair, move, improve, remove, convert, demolish, do electrical, plumbing or mechanical work in, on or for a single family dwelling provided that such work is to be performed by the property owner who resides on the property or intends to reside on the property.~~

The language indicating work is to be performed by the property owner does not preclude the property owner from hiring licensed contractors/subcontractors, or from having immediate family members of the property owner and non-compensated volunteers participate in the permitted work while overseen by the property owner or a contractor licensed for the work being performed.

The property owner, whether their ownership of the property is individual, joint, or part of a group (e.g. partnership or corporation), may be issued permits for the construction of no more than two new dwelling units in any five-year period. The property owner requesting a permit for construction of a new dwelling unit shall sign a sworn affidavit indicating their intent to reside on the property for at least one year after the certificate of occupancy is issued. If a person fails to meet the one-year minimum occupancy requirement, they shall not be entitled to further utilize this exemption to construct a dwelling unit.

For work on existing dwellings subject to the International Residential Code, there shall be no limit on the number of building, plumbing, mechanical or electrical permits a property owner may receive to perform work on their own property where they reside.

~~A person permitted to work on a single family dwelling pursuant to this section may also work on a garage (whether attached or detached) and other private accessory buildings on the same lot as the residence.~~

ii. Residential Property Owner Exemption

A property owner that does not reside on their property, but who either has owned the property for the past two years, or who intends to maintain ownership of the property for at least two years after purchase, may be issued permits to perform work on an existing dwelling or an accessory structure without possessing a contractor's license, subject to the limitations specified herein. This exemption does not authorize creation of a new dwelling unit.

The dwelling or structure must fall within the jurisdiction of the International Residential Code. A permit shall be issued to the property owner for any type of work on the existing dwelling except: electrical work; plumbing work; and heating, ventilation, and A/C (HVAC) work. Provided, if the property owner can demonstrate relevant experience and knowledge to safely perform work in any of those areas, the building official may issue a permit to the property owner for the work, or part thereof, for which the property owner has relevant experience and knowledge. In no case shall the building official issue a permit pursuant to this exemption for installation of an electrical service or startup of a new HVAC system, unless the property owner has a contractor's license for such.

A property owner that has not maintained ownership of the property for at least two years shall sign a sworn affidavit indicating their intent to maintain ownership of the property for the balance of the required two-year period. If a person fails to comply with the two-year minimum ownership requirement, they shall not be entitled to further utilize this exemption.

### iii. Property Owner Construction Management Exemption

A property owner may perform the construction management aspect of overseeing construction activities on their commercial or residential property, act as their own general contractor for commercial property or residential property in which they do not reside subject to the conditions and limitations of this section, and be issued the building permit for such project. In such cases, a general contractor is not required. Where a property owner is issued a building permit as a construction manager, it does not authorize them to perform any construction work requiring a contractor's license. is acting in this capacity, aAll construction and demolition work on the project shall be performed by licensed contractors/subcontractors, and the property owner shall not perform any of the work, except as otherwise allowed by this section. All work shall be inspected by the building official, and shall comply with the current codes then in effect. A property owner may complete minor alterations, repairs, improvements, such as minor trim work, carpeting, painting, flooring, window coverings and other cosmetic work. Unlicensed property owners shall not perform work which involves structural components, electrical, plumbing, mechanical work, roofing, or any other work which is required by this Code to be performed by a person with a Class A, B or C contractor's license.

~~No owner shall be granted more than two (2) permits in any five (5) years for the construction of a new single family dwelling. Where an owner is granted such a permit, all elements shall be inspected and comply fully with the current codes as herein adopted. For work on existing single family dwellings, there shall be no limit on the number of permits a property owner may receive to perform repairs, remodeling, alterations and improvements on their own property where they reside. Proof of residency or proof of intent to reside on a property where the building has not yet been completed shall be provided by signing a sworn statement contained within the building permit application, verifying that the person submitting the application~~

~~intends to use the property where work is being performed as their full-time residence.~~

~~Decorators, painters, carpet, flooring and tile layers, wallpaperers, drapers, sign painters and those involved in nonstructural maintenance work are specifically excluded from the provisions of this section.~~

~~iv. City Inspector Exemption: Construction work for the City may be performed by the City building inspectors when they hold an International Code Council (ICC) certificate or Wyoming contractor license for the type of work performed.~~

### C. CONTRACTOR LICENSING CATEGORIES

Licenses for construction contracting are categorized and defined as follows. A license authorizes the company or person(s) holding the license to perform work within the trades(s) identified for that license, to the extent specified herein. Provided, each contractor is responsible to ensure that they do not accept or perform work that is clearly beyond their level of proficiency and skill—doing so is grounds for suspension and revocation of their license, as may be determined by the contractor’s board.

i. General Contractor: This category authorizes the construction of all components of commercial and residential structures, except those components requiring an electrical license, plumbing license, or mechanical/HVAC license. A general contractor is also authorized to manage all work on the permitted project.

Persons requesting a general contractor license after adoption of this section shall show that they have passed the International Code Council (ICC) National Standard Exam (or equivalent) for Class “A” Commercial or Class “B” Commercial and Residential contracting, and have at least 60 months of experience as a general contractor, journeyman carpenter, architect, engineer or similar work that demonstrates the skills and proficiency needed to act in the capacity of a general contractor.

ii. General Contractor—IRC: This category authorizes the construction of all components of a residential structure that is subject to the International Residential Code (e.g. single-family dwellings, duplexes, and townhouses), except those components requiring an electrical license, plumbing license, or mechanical/HVAC license. An IRC general contractor is also authorized to manage all work on the permitted project.

Persons requesting a “general contractor-IRC” license after adoption of this section shall show that they have passed the ICC Class “C” Residential Contractor Exam (or equivalent) and have at least 24 months of experience that demonstrate the knowledge, skills and proficiency needed to perform work of this nature.

Class A:

Category 1: General building contractor "A" or "B" contractor's license, as defined by the Wyoming Trades Certification Program sponsored by the Wyoming Association of Municipalities (WAM) or the national standard exams as given by the International Code Council (ICC), shall be required of persons engaged in the commercial construction contracting business. The general building contractor "A" or "B" contractor's license shall license persons to

~~perform construction contracting for either commercial or residential construction.~~

~~Category 2: Residential contractor "C" contractor's license, as defined by the Wyoming Trades Certification Program sponsored by the Wyoming Association of Municipalities (WAM) or the national standard exams as given by the International Code Council (ICC), shall be required of persons engaged in the residential construction contracting business. The residential contractor "C" contractor's license shall limit persons to perform construction contracting to residential construction.~~

iii. Master Electrical Contractor: This category authorizes electricians licensed by the State of Wyoming as Master Electricians to perform electrical work regulated by the National Electric Code within the City of Cody. Their employees that perform electrical work must also be registered with the State of Wyoming. Persons requesting to be licensed by the City as an electrical contractor must provide a copy of their current Wyoming master electrician license and electrical contractor's license (card) issued by the State of Wyoming.

iv. Master Plumbing Contractor: This category authorizes plumbing work (including fuel gas) within all types of buildings and structures.

Persons requesting a master plumbing contractor license shall show that they have passed the ICC "Master Plumber with Fuel Gas" exam (or equivalent) and have at least 48 months of experience that demonstrate the knowledge, skills and proficiency needed to perform work of this nature.

v. Plumbing Contractor—IRC: This category authorizes all plumbing work within buildings and structures regulated by the International Residential Code (IRC).

Persons requesting a "plumbing contractor-IRC" license shall show that they have passed the ICC "F26 National Standard Residential Plumber" exam (or equivalent) and have at least 12 months of experience that demonstrates the knowledge, skills and proficiency needed to perform work of this nature; or, have at least 36 months of experience that demonstrate the knowledge skills and proficiency necessary to perform work of this nature.

vi. Master Mechanical/HVAC Contractor: This category authorizes mechanical/HVAC work within all types of buildings and structures.

Persons requesting a master mechanical/HVAC contractor license shall show that they have passed the ICC "Master Mechanical" exam (or equivalent) and have at least 24 months of experience that demonstrate the skills and proficiency needed to perform work of this nature; or, have at least 48 months of experience that demonstrate the skills and proficiency necessary to perform work of this nature.

vii. Mechanical/HVAC Contractor—IRC: This category authorizes all mechanical/HVAC work within buildings and structures regulated by the International Residential Code (IRC).

Persons requesting a "mechanical/HVAC contractor-IRC" license shall show that they have passed the ICC "F32 National Standard Residential Mechanical" exam (or equivalent) and have

at least 12 months of experience that demonstrates the skills and proficiency needed to perform work of this nature; or, have at least 36 months of experience that demonstrate the skills and proficiency necessary to perform work of this nature.

~~Class B: A class B contractor's license shall be required of persons engaged in construction contracting work of electrical, plumbing, HVAC, fire suppression/sprinkler system installation, low voltage electric installation/telecommunications, refrigeration and elevator installation. Permits shall be obtained from the city for work regulated by the international codes adopted in this title.~~

viii. Specialty Contractor: This category authorizes the person to work in one or more of the following trades, on any type of building or structure. Work only in those trades for which the person applies and meets the minimum experience therefore is authorized. The minimum experience need not be provided if the person has passed an ICC or equivalent professional exam for the trade and otherwise demonstrates the applicable knowledge, skills and proficiency to the Contractor's Board.

<u>Trade:</u>	<u>Minimum Experience:</u>
<u>Asbestos Abatement</u>	<u>24 months</u>
<u>Commercial Fire Suppression Systems</u>	<u>36 months</u>
<u>Commercial Railings</u>	<u>24 months</u>
<u>Conveyor Systems</u>	<u>36 months</u>
<u>Demolition</u>	<u>24 months</u>
<u>Drywall</u>	<u>24 months</u>
<u>Elevator Installation</u>	<u>48 months</u>
<u>Fencing</u>	<u>6 months</u>
<u>Framing</u>	<u>48 months</u>
<u>Ground stabilization/mud jacking</u>	<u>24 months</u>
<u>Insulation</u>	<u>24 months</u>
<u>Masonry</u>	<u>48 months</u>
<u>Refrigeration</u>	<u>24 months</u>
<u>Roofing</u>	<u>24 months</u>
<u>Sheet metal installation</u>	<u>24 months</u>
<u>Siding</u>	<u>24 months</u>
<u>Sign/Awning Installation</u>	<u>24 months</u>
<u>Steel fabrication/erection</u>	<u>48 months</u>
<u>Structural Concrete</u>	<u>48 months</u>
<u>Stucco/Plaster</u>	<u>12 months</u>
<u>Underground Utilities (sewer, water, conduit)</u>	<u>12 months</u>
<u>Windows/Glass glazing</u>	<u>12 months</u>

ix. Specialty Contractor—IRC: This category authorizes the person to work in any of the following specialty contractor activities when the work is conducted on a building or structure subject to the IRC. The minimum experience need not be provided if the person has passed an ICC or State of Wyoming exam for the trade, or if the Building Official or Contractor's Board is

otherwise satisfied that the person has the knowledge and training necessary to perform the work in a competent manner.

<u>Trade:</u>	<u>Minimum Experience:</u>
<u>Fire Suppression Systems</u>	<u>6 months</u>
<u>Demolition</u>	<u>6 months</u>
<u>Drywall</u>	<u>6 months</u>
<u>Fencing</u>	<u>3 months</u>
<u>Framing</u>	<u>12 months</u>
<u>Insulation</u>	<u>6 months</u>
<u>Masonry</u>	<u>6 months</u>
<u>Roofing</u>	<u>6 months</u>
<u>Sheet metal installation</u>	<u>6 months</u>
<u>Siding</u>	<u>6 months</u>
<u>Structural Concrete</u>	<u>6 months</u>
<u>Stucco/Plaster</u>	<u>6 months</u>
<u>Windows/Glass glazing</u>	<u>6 months</u>

~~Class C: A class C contractor's license shall be required of all other persons engaged in the contracting business. These include framers, fencing installers, demolition, drywall, stucco/plaster, acoustical t-bar, insulation, masonry, concrete, landscaping/sprinkler systems, glass/glazing, stove installation, steel fabrication and erection, water conditioning, siding, roofing, rebar installers, commercial railing fabricators/installers, sheet metal fabricators, conveyor system installers, asbestos abatement, ground stabilization/mud jacking, sign/awning installers.~~

~~"Construction contracting" as used herein shall include the erection, construction, assembling, enlarging, structurally altering, moving, removing, demolishing and doing electrical, plumbing or mechanical work in or on any building or structure regulated by the city. (Ord. 2014-13, 9-2-2014)~~

**9-3-2: APPLICATION; APPLICATION FEE; AND REVIEW PROCESS APPLICATION FOR REEXAMINATION:**

A. Any person desiring a contractor's license to perform work within the City of Cody shall complete an application therefore, and provide evidence of relevant experience, skills, and proficiency. The format and content of the application form shall be specified by the Contractor's Board. All contractor license applications shall be accompanied by an application fee, as specified in a fee schedule adopted by resolution of the governing body. The application fee is non-refundable.

~~Class A Licensee: Any person desiring to be licensed as a class A licensee, category 1 or category 2, shall fully complete the city of Cody contractor's license application form, provide proof of experience as required in said application form, show proof of passing the general contracting (building construction) examination of the Wyoming trades certification program as~~

~~sponsored by the Wyoming Association Of Municipalities and make written application to the contractors' examination board. The application fee shall be as established by the building official and approved by the governing body. Such fee shall accompany the application and is nonrefundable.~~

~~Class B Licensee: Any person desiring to be licensed as a class B licensee shall complete the city of Cody contractor's license application form, provide proof of experience as required in said application form, show proof of passing the examination of the Wyoming trades certification program as sponsored by the Wyoming Association Of Municipalities, for the trade for which licensure is sought, and make written application to the contractors' examination board. The application fee shall be as established by the building official and approved by the governing body. Such fee shall accompany the application and is nonrefundable.~~

~~Class C Licensee: Any person desiring to be licensed as a class C licensee shall complete the city of Cody contractor's license application form, provide proof of experience as required in said application form in the area of applicable work and make written application to the contractors' examination board. The application fee shall be as established by the building official and approved by the governing body. Such fee shall accompany the application and is nonrefundable.~~

B. All class A, class B and class C license applicants for a contractor's license shall submit an application to the Community Development Department and be interviewed in person by the building official for a determination as to their qualifications and level of proficiency for the license requested, as set forth in the application. Those applicants that have previously been licensed for the type of license requested (whether in Cody or another jurisdiction), clearly meet the minimum qualifications of this chapter, and clearly demonstrate the proficiency required, shall be issued a contractor's license. The building official is authorized to issue the license on behalf of the contractor's board in such instances, provided the applicant is not currently in violation of the City's contractor licensing provisions (e.g. has not performed construction contracting within the City without a license and/or required permit).

When an applicant either does not have previous licensing for the type of license requested, has performed construction contracting in the City without a license, or when in the judgement of the building official the application would be better considered by the contractor's board for whatever reason, the application shall be presented to the Contractor's board for review. Applicants should be present at the Board meeting to provide information when their application is considered.

Upon reviewing a contractor's license application, the contractor's board has authority to approve it, deny it, approve a lesser license (e.g. IRC level instead of Master), or issue a conditional/limited license. Applicants that meet the qualifications shall be issued the license(s) requested, except the Board may delay issuance of a license as a penalty for an applicant performing construction contracting work within the City without a license. Such delay shall be based on the severity of the violation, but in no case shall exceed 90 calendar days. This penalty shall be in addition to other penalties the City may pursue through the court. or may, with advance permission of the building official, be interviewed by telephone. Any such person shall

~~present to the building official proof of their qualifications, and may be required to appear before the board.~~

The option of issuing a conditional/limited license is available to the Board when they have concerns with the applicant's level of skills and/or knowledge, as related to the type and/or level of license requested. A conditional/limited license may be tailored by the Board in any manner they deem necessary to address their concerns. Examples include precluding work of a certain type, issuing the license for a specific project only, and requiring reevaluation after a specified time period.

Applications for persons that do not meet minimum qualifications to be issued a license or conditional/limited license shall be denied. Any person whose application is denied must wait a minimum of forty-five days before they can reapply. Reapplication shall be accompanied by an additional application fee. ~~fails to pass the prerequisite qualification may make reapplication after expiration of a thirty (30) day period and upon payment of additional application fee.~~

~~If a class A, class B or class C license is needed for work to begin prior to the next contractors' board meeting, the building official may issue a conditional license if he/she determines that all requirements for licensing appear to be met. The board will review the application at the next regularly scheduled meeting. A conditional license shall expire on the date of the next regularly scheduled meeting of the contractors' board and the granting of a conditional license shall not be construed as an assurance, promise or guarantee that the contractors' board will approve the application.~~

Appeals from any action of the ~~b~~Board must be made within 10 days of their decision and shall be submitted in written form to the governing body. ~~(Ord. 2014-13, 9-2-2014)~~

### 9-3-3: TERM OF LICENSE; ~~INITIAL AND~~ RENEWAL REQUIRED FEES; EXPIRED LICENSE NOT TO BE RENEWED:

All contractor licenses required herein and issued by the ~~e~~City are annual licenses and shall expire at the end of the calendar year on December 31 of the year in which they are issued.

Licensed contractors desiring to perform construction contracting in the new year shall submit an application for renewal of their license by December 15<sup>th</sup> of the current year. Licensed contractors that submit a completed renewal application, provide evidence of current insurance, pay the specified renewal fee, and are in good standing with the City, shall be issued a proper contractor's license for the new year. "Good standing" shall mean the contractor has maintained compliance with the standards of this chapter and timely obtained all required permits throughout the past year. The building official is authorized to issue the new annual license on behalf of the contractor's board in such cases. If the contractor is not in good standing, the renewal application must be reviewed by the Contractor's Board.

~~All fees for licenses shall be established by resolution approved by the governing body. Every licensee in good standing may be renewed upon payment of a renewal fee. Electrical contractors additionally require yearly license renewal by the state of Wyoming. The state license shall be provided at the time of the city of Cody renewal.~~

~~Contractors that apply for renewal after the December 15<sup>th</sup> deadline, but before January 15<sup>th</sup> of the new year shall have their renewal considered upon payment of an additional \$30 late fee. Renewal applications for contractor licenses shall not be accepted after the January 15<sup>th</sup> deadline (or the following Monday if January 15<sup>th</sup> falls on a weekend). Contractors licensed in the prior year that do not submit a renewal application by the January 15<sup>th</sup> deadline shall not be relicensed except upon submittal and review of a new application to perform construction contracting. Licenses which have been expired for more than thirty (30) days shall not be renewed. In such instances, the licensee may make application to the board, pay the application fee, and upon approval of the board, may be issued a new license upon payment of the required fee. The board may, at its sole discretion, require the licensee to submit to examination before granting its approval for a new license to be issued. (Ord. 2011-22, 12-6-2011)~~

~~Annual renewal pursuant to this section shall not require a contractor to pass an examination listed for their category of license if they were not previously required by the City to do so, nor does it require reexamination based on a new set of adopted building codes.~~

#### 9-3-4: GROUNDS AND PROCEDURE FOR SUSPENSION OR REVOCATION OF LICENSE; EFFECTS THEREOF:

A. Grounds: The contractor's ~~examination~~ board may suspend, ~~or~~ revoke, limit, or reclassify any license issued under the provisions of this chapter when the licensee or an employee of the licensee commits one or more of the following acts or omissions:

1. ~~Improperly Obtaining the~~ license and/or a building permit through nondisclosure, misstatement or misrepresentation of a material fact;
2. Performing a form of construction contracting work for which they are not licensed;
3. Accepting and performing work clearly beyond their level of proficiency and skill, which work does not meet code requirements;
4. Failure to comply with any of the requirements of this chapter;
35. ~~Knowingly c~~ombining or conspiring with any unlicensed person to evade the provisions of this chapter by permitting one's license to be used by such person;
46. ~~Knowingly a~~cting as agent, partner, associate or in any other capacity, with any unlicensed person, to evade the provisions of this chapter; and,
57. ~~Knowingly and/or wilfully v~~iolating any provisions of ~~all~~the city ordinances pertaining to construction activities, including but not limited to failure to obtain required permits in a timely manner.

B. Procedure: When the building official believes that a ~~licensee's-contractor's~~ license should be suspended, ~~or~~ revoked, limited, or reclassified based on a violation one or more of the items listed in 9-3-4(A)of this code, the building official shall notify the licensee that the building official will recommend to the contractor's ~~examination~~ board that the licensee's license be suspended ~~or~~, revoked, limited or reclassified. The building official shall give written notice

either in person or by certified mail to the licensee of the facts and circumstances giving rise to the recommendation, including reference to the applicable sections of this code which the licensee has violated. The notice shall state the requirement that the licensee shall have ten (10) days to request a hearing before the contractor's ~~examination~~ board, and that if the licensee fails to request such a hearing, the board shall act on the building official's recommendation at its next meeting. The notice shall state the place, date and time of the meeting where the board will hear the building official's recommendation.

1. Upon receipt of notice, the licensee may request a hearing before the board. Such request shall be in writing to the board within ten (10) days of receipt of notice. Failure by the licensee to request the hearing shall be deemed a waiver of any right to a hearing on the matter and the order of suspension or revocation shall become final.;

2. At such hearing, the licensee shall be given an opportunity to show compliance with all lawful requirements for the retention of the license. The licensee shall be given the opportunity to present testimony, oral and/or written, and shall have the right of cross examination. All testimony shall be under oath. The board shall have the power to administer oaths, issue subpoenas and compel the attendance of witnesses. The decision of the board shall be based upon the evidence produced at the hearing and made a part of the record thereof. The hearing shall be conducted in compliance with the procedures promulgated in accordance with the Wyoming administrative procedures act.

#### C. Effects:

1. A person whose license has been revoked or suspended shall not be entitled to file a new application by the establishment of a new legal entity, or otherwise, during the length of such revocation or suspension.

2. In addition to the revocation or suspension of any license as provided in this chapter, any person who violates any provisions of this chapter, or any rule or regulation promulgated hereunder, is guilty of a misdemeanor, the penalty for which is prescribed under [title 1, chapter 4](#) of this code. (~~Ord. 2011-22, 12-6-2011~~)

#### 9-3-5: INSURANCE REQUIRED:

~~A. No license shall be issued or renewed for a class A contractor, a class B contractor or a class C contractor until the contractor has filed with the administrative services director proof of liability insurance insuring the contractor, his/her agents, employees and representatives, or anyone under licensee's supervision for the following insurance coverage while engaged in any activity or work pursuant to a contractor's license:~~

All contractors licensed pursuant to this chapter shall maintain liability insurance of the type and amount specified below for themselves and any employees, agents, and representatives.

1. Bodily injury liability insurance: Insurance coverage with limits not less than one million dollars (\$1,000,000.00) for bodily injury or death sustained by one person and one million dollars (\$1,000,000.00) for each occurrence.; and,

2. Property damage liability insurance: Coverage with limits not less than one million dollars (\$1,000,000.00) for each occurrence.

The contractor shall provide to the building official a copy of their insurance certificate at the time of their initial application and as each new insurance certificate is issued, as necessary to show required coverage at all times that they have an active permit. No permit shall be issued to a contractor without proof of the required insurance being on file with the building official.

~~B. Licensees under this chapter shall notify the Administrative Services Director within ten (10) working days of the effective date of a change in the licensee's insurance and within ten (10) working days of a licensee's notification of cancellation or nonrenewal of the insurance, in whole or part. Licensees under this chapter shall keep current proof of insurance on file with the Administrative Services Director and the City shall not notify any such licensees of impending expiration of insurance coverage. (Ord. 2011-22, 12-6-2011)~~

#### ~~9-3-6: PERSONS EXCLUDED FROM REQUIREMENTS OF CHAPTER:~~

~~Any person who is under contract and bond to the City for any Municipal work shall be excluded from the requirements of obtaining a license and furnishing the bond required by this chapter. (Ord. 2011-22, 12-6-2011)~~

#### 9-3-76: INACTIVE STATUS:

A. A ~~Category A, B, or C~~ licensed contractor may elect to designate his or her license as "inactive" by submitting a written statement to the building official. The following conditions shall apply to every contractor who is designated as "inactive":

1. Inactive licensees shall pay the appropriate annual renewal fees required for licensed contractors.
2. Inactive licensees shall not be required to comply with the insurance requirements that otherwise apply to licensed contractors under this ~~Chapter~~ode.
3. Inactive licensees shall not perform work that must be performed by a licensed contractor under this Code, and may not receive any permits to perform work under this Code, except as may be permitted under the listed property owner exemptions of 9-3-1(B).~~for work on the licensee's own residence.~~
4. Inactive licensees shall not be eligible to serve any additional term on the Contractor's' ~~Examination Board—however, they may complete their term if currently serving on the Board.~~
5. If an inactive licensee wishes to change status of his license to active so that he may perform work and receive permits to do work, he or she shall ~~first obtain liability insurance as required by this Code, and must~~ provide satisfactory evidence of the required liability ~~such~~ insurance to the building official, and deliver a written statement to the building official stating that he or she wishes to change his license to active. Upon receiving such ~~information written statement, and satisfactory evidence that the licensee has obtained insurance that complies with the Code,~~ the building official shall designate the licensee as active. ~~(Ord. 2017-05, 3-7-2017)~~

MEETING DATE:	MAY 21, 2019
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## **AGENDA ITEM SUMMARY REPORT**

### **ORDINANCE 2019-04 AMENDING TITLE 9, CHAPTER 1**

#### **ACTION:**

Consider Ordinance 2018-04 to modify the name, composition, and duties of the Contractor Board.

#### **BACKGROUND:**

In conjunction with several edits to the contractor's licensing ordinance proposed for Title 9, Chapter 3, this ordinance would modify the name, composition, and identified duties of the Contractor Board as set forth in Title 9, Chapter 1. The changes are intended to more accurately coordinate the two chapters. It would also result in all processing of licenses to occur within the community development department, where currently the license document is issued by the administrative services division. A "track changes" version of the proposed changes is provided.

#### **FISCAL IMPACT**

No direct impact to the city budget is expected.

#### **ALTERNATIVES**

Approve, deny, or amend proposed Ordinance 2019-04.

#### **RECOMMENDATION**

The document was reviewed by the Contractor Board, which did not have any concerns with the changes in this ordinance. It is recommended that Ordinance 2019-04 be adopted as presented.

#### **ATTACHMENTS:**

Ordinance 2019-04

"Track changes" version of changes

**AGENDA ITEM NO. \_\_\_\_\_**

## **ORDINANCE 2019-04**

### **AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, SECTIONS 2 AND 3 OF THE CITY OF CODY CODE.**

#### **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, PARK COUNTY, WYOMING:**

Title 9, Chapter 3, Sections 2 and 3 of the City of Cody Code shall be amended to read as follows:

#### **9-1-2: CONTRACTOR LICENSING BOARD ESTABLISHED:**

A. There is hereby established a Contractor Licensing Board, also to act as the Board of Appeals as referenced in the adopted building codes, and referred to herein as "the Board".

B. The Board shall consist of ten (10) members. One (1) member shall be an at-large member who is either a resident of the City or who owns a contracting business physically located within the City; one (1) member shall be an architect, structural engineer or civil engineer; one (1) member shall be a licensed mechanical/HVAC contractor; one (1) member shall be a City Council member; two (2) members shall be licensed general contractors; two (2) members shall be licensed plumbing contractors; and, two (2) members shall be licensed electrical contractors.

C. Each member of the Board must be:

1. An individual who is a licensed contractor within the specialty he or she is designated to represent on the Board; or
2. A certified journeyman electrician, certified journeyman plumber or certified journeyman HVAC installer who is not individually licensed, but is employed by a licensed contractor that is licensed within the specialty the employee is designated to represent on the Board. If a member of the Board who is not individually licensed, and is serving as an employee of a licensed contractor, resigns, terminates, severs or otherwise loses his or her employment with such licensed contractor, then he or she may continue to serve as a member of the Board until the end of his or her term. If the Board member, at the end of his or her term, is not individually licensed in the specialty he or she is designated to represent, or is not employed by a licensed contractor, then he or she cannot serve as a member of the Board, and the Mayor and Governing Body shall appoint a new member who is licensed to fill the vacancy as described below.

D. The members of the Board shall each be appointed by the Mayor with the approval of the Governing Body, for a three (3) year term. Terms of members shall begin on January 1 and shall be staggered, with no more than four (4) members reaching the end of their term at the end of each calendar year. Subsequent appointments shall be for three (3) years each unless to fill an unexpired term. Members appointed to fill

vacancies shall serve until the end of the term which they were appointed to fulfill, and may be reappointed for successive three (3) year terms. At the discretion of the Governing Body, members may be appointed for more than one (1) term.

E. The Board shall meet at such intervals as necessary for the proper performance of its duties, but in any case, shall meet not less than twice each year.

**9-1-3: AUTHORITY TO ESTABLISH ADMINISTRATIVE PROCEDURES AND POLICIES:**

The Building Official and Contractors Board are authorized and directed to establish administrative procedures and policies for the application, review, examination and licensing of building contractors, as necessary to implement Title 9, Chapter 3. Each person who submits the required application materials and meets the established qualifications therefor shall be issued an appropriate annual license. The Community Development Department shall keep an official record of all licenses issued.

This Ordinance shall become effective at the final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_

PASSED, ADOPTED AND APPROVED  
ON THIRD AND FINAL READING: \_\_\_\_\_

\_\_\_\_\_  
Matt Hall, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia Baker, Administrative Services Director

Chapter 1  
IN GENERAL

**9-1-1: BUILDING OFFICIAL GENERALLY:**

**~~9-1-2: BUILDING CONTRACTORS' EXAMINATION LICENSING BOARD;  
ESTABLISHED; COMPOSITION; MEETINGS; APPOINTMENT AND TERMS OF  
OFFICE:~~**

**~~9-1-3: AUTHORITY TO ESTABLISH ADMINISTRATIVE CERTAIN STANDARDS  
AND PROCEDURES AND POLICIES, ETC.:~~**

9-1-1: BUILDING OFFICIAL GENERALLY:

There is hereby created the Office of Building Safety and the official in charge thereof shall be known as the Building Official. The Building Official shall be an employee of the City, to be hired by the City Administrator. The Building Official is hereby authorized and empowered to enforce all ordinances relating to the construction, equipment, management, conditions and zoning of all property within the City. (Ord. 2011-22, 12-6-2011)

~~9-1-2: BUILDING CONTRACTORS' EXAMINATION LICENSING BOARD;  
ESTABLISHED; COMPOSITION; MEETINGS; APPOINTMENT AND TERMS OF OFFICE:~~

A. There is hereby established a Contractors' Examination Licensing Board, also to act as the Board of Appeals as referenced in the adopted building codes, and referred to herein as "the Board".

B. The Board shall consist of ten (10) members. One (1) member shall be an at-large member who is either a resident of the City or who owns a contracting business physically located within the City; one (1) member shall be an architect, structural engineer or civil engineer; one (1) member shall be a licensed mechanical/HVAC contractor; one (1) member shall be a City Council member; two (2) members shall be licensed building-general contractors; two (2) members shall be licensed plumbing contractors; and, two (2) members shall be licensed electrical contractors.

C. Each member of the Board must be:

1. An individual who is a licensed contractor within the specialty he or she is designated to represent on the Board; or
2. A certified journeyman electrician, certified journeyman plumber or certified journeyman HVAC installer who is not individually licensed, but is employed by a licensed contractor that is licensed within the specialty the employee is designated to represent on the Board. If a member of the Board who is not individually licensed, and is serving as an employee of a licensed contractor, resigns, terminates, severs or otherwise loses his or her employment with such licensed contractor, then he or she may continue to serve as a member of the Board until the end of his or her term. If the Board member, at the end of his or her term, is not individually licensed in the specialty he or she is designated to represent, or is not employed by a licensed contractor,

then he or she cannot serve as a member of the Board, and the Mayor and Governing Body shall appoint a new member who is licensed to fill the vacancy as described below.

D. The members of the Board shall each be appointed by the Mayor with the approval of the Governing Body, for a three (3) year term. Terms of members shall begin on January 1 and shall be staggered, with no more than four (4) members reaching the end of their term at the end of each calendar year. Subsequent appointments shall be for three (3) years each unless to fill an unexpired term. Members appointed to fill vacancies shall serve until the end of the term which they were appointed to fulfill, and may be reappointed for successive three (3) year terms. At the discretion of the Governing Body, members may be appointed for more than one (1) term.

E. The Board shall meet at such intervals as necessary for the proper performance of its duties, but in any case, shall meet not less than twice each year. (Ord. 2017-04, 3-7-2017)

9-1-3: AUTHORITY TO ESTABLISH ~~ADMINISTRATIVE CERTAIN STANDARDS AND PROCEDURES AND POLICIES, ETC.:~~

The Building Official and Contractors Board ~~are authorized and directed to~~ shall establish ~~standards and administrative~~ procedures and policies for the application, review, qualifications, examination and licensing of building contractors, as necessary to implement Title 9, Chapter 3, ~~and shall advise the Administrative Services Director to issue an appropriate license to e~~Each person who submits the required application materials and meets the established qualifications therefor shall be issued an appropriate annual license. The Community Development Department and shall keep an official record of all licenses issued. ~~its transactions. (Ord. 2011-22, 12-6-2011)~~