

Rules and Regulations

THE BOARD OF COUNTY COMMISSIONERS

County of Natrona

I certify that the attached is a true and correct copy of the rules of the Board of County Commissioners, Natrona County, Wyoming relating to The Establishment of and Rules of Practice for the Natrona County Community Development Board of Appeal in the unincorporated areas of Natrona County adopted in accordance with the Wyoming Administrative Procedures Act, §§16-3-101 to 16-3-115, W.S. 1977. These are new rules.

Prior to adoption these rules were made available for public inspection on January 19, 2003 and notices of intended adoption were mailed to all persons requesting notice of proposed rules.

The attached rules are effective immediately upon filing with the County Clerk.

Signed this 27 day of March, 2003.

  
Jon Campbell, Chairman  
Natrona County Commission



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ESTABLISHMENT OF AND RULES OF PRACTICE FOR THE NATRONA  
COUNTY DEVELOPMENT BOARD OF APPEALS

Section 1. These rules are promulgated pursuant to the Wyoming Administrative Procedures Act, W.S. 16-3-103 et seq., as amended, and W.S. 18-5-101 through 18-5-314. The purpose of these acts is to govern the hearings and adjudication requested under the Board of Appeal provisions of the Natrona County Contractors Licensing Code, Natrona County Electrical Code, the Natrona County Building Code, Natrona County Plumbing Code, Natrona County Mechanical Code, and such other codes as the Board of County Commissioners by rule may designate.

Section 2. Definitions.

- a. Board or BOCC. The Board of County Commissioners of Natrona County, Wyoming.
- b. Natrona County Development Codes- collective the Natrona County Contractors Licensing Code, Natrona County Electrical Code, the Natrona County Building Code, Natrona County Plumbing Code and the Natrona County Mechanical Code.
- c. Natrona County Development Director - The duly appointed Natrona County Development Director.
- d. Building Official- the duly appointed Natrona County Building official.

Section 3. General.

- a. The Natrona County Board of Appeals is hereby created to hear and make recommendations to the Board related to the appeals of orders, decisions or written determinations made by the building official relative to the application and interpretation of the Natrona County Development Codes.
- b. The Board of Appeals shall consist of five (5) members, represent each craft-electrical, plumbing, mechanical, contractor/builders and one member at large. The members shall be qualified by experience and training to pass upon the matters pertaining to such building construction, are not employees of the jurisdiction, and have no interest in the matter at question. The members shall be appointed by the BOCC and hold office at its pleasure.
- c. The Board of Appeals shall incorporate the Rules of Practice Governing Hearings and Contested Cases before the Natrona County Board of County Commissioners as its rules and shall render all decisions and findings in writing to the appellate with a duplicate copy to the Building Official and Natrona County Development Director. The Building Official shall act as secretary of the board.

Section 4. Limitations of Authority. The Board of Appeals shall have no authority relative to the interpretation of the administrative provisions of this code nor shall the board be empowered to waive the requirements of this code. Members of the Natrona County Board of Appeals shall be appointed by the Board and serve to hear the matter of

appeal pursuant to the particular codes. Members shall serve without pay. The appointment of any member may be terminated for non-attendance to duties or for cause.

Section 5. Procedure to File Appeal. Persons desiring to appeal a decision of the Building Official to the Natrona County Board of Appeals shall at the time of making such appeal, pay to the Natrona County Building Department a docket fee of Fifty Dollars (\$50.00). Written notice of the hearing shall be given to all parties concerned at three days prior to the hearing or by mailing the same to such parties last known address by regular mail. The Board shall from time to time adopt such additional rules and regulations, as it may deem necessary and advisable for the conduct of hearings and for carrying out the provisions hereof.

Section 6. Miscellaneous.

a. A quorum of three members shall be necessary for any meeting of the Natrona County Board of Appeals and the affirmative vote of at least two members shall be necessary to authorize any action of the board.

b. The Board of Appeals shall conduct a hearing, after giving notice to the Appellant and to the Board, and after conducting the hearing provide a written recommendation the Board regarding the Appeal.

c. The Natrona County Board of Appeals shall require that sufficient evidence or proof be submitted to substantiate any claim that may be made regarding the design, alternate materials, or alternate methods being proposed by the appellant. Unless specifically extended by the Board, the authorization for any variance shall be valid for no more than six months than the day granted.

d. The Board, at it's next regular meeting, shall approve the recommendation of the Appeals Board as submitted, approve the recommendation subject to modifications, or deny the recommendation. A written resolution shall be prepared and signed by the Board, and delivered to the parties.

Section 7. Open Meetings. All meetings shall be open to the public.