

TITLE 15
BUILDING AND CONSTRUCTION

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- 15.01 Building Requirements and Permits
- 15.12 Awnings and Signs
- 15.16 Solar Energy
- 15.20 Abatement of Dangerous Buildings
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Chapter 15.01

BUILDING CODE

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- 15.01.020 Methods of Construction
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15.01.010 Purpose. The purpose of this chapter is to provide, minimum standards to safeguard property and public welfare relative to the design, materials, location and maintenance of buildings and structures within the town of Hanna.

15.01.020 Methods of Construction. The provisions of this chapter are not intended to prevent the use of any particular material, except as specifically prohibited herein nor to

prescribe or prohibit any particular method of construction. It is the obligation of the owner or the owner's designated agent to determine and incorporate the appropriate design, method of construction, and material that is appropriate in terms of its suitability, strength, effectiveness, fire resistance, durability, safety and sanitation, and in keeping with the general aesthetics of the neighborhood.

15.01.021 Fencing Materials. The fencing materials which shall be allowed or prohibited in the Town of Hanna:

A. New wood, chain link, concrete, stone, brick, block or other masonry material and wrought iron shall be acceptable wall or fence materials.

B. In no case shall chicken wire, hog fencing, barbed wire or other types of livestock fence be permitted as fencing material along the sides or front edges of any front yard or along lines facing any street or alley.

C. In no case shall barbed wire be used for fencing, and the tops of walls or fences shall not be adorned with pointed or sharp protrusions of any kind, except in industrial zones where fences not less than five feet high may be provided with three strands of barbed wire at the top.

15.01.030 Permit Required. It is unlawful for any person, whether an owner, tenant or person in possession, contractor, builder or other person performing the work whether an individual, corporation, partnership, association or other entity, to perform or cause to be performed any of the following kinds of work or activities without first obtaining a separate permit for each separate building or structure:

A. Erect, construct, alter, enlarge, repair, improve, or convert any building or structure, if such work or activities result in a change of the outward structural appearance of the building;

B. Set up or erect a mobile home;

C. Erect a new fence;

D. Erect a detached accessory building used as a tool or storage shed or playhouse if the square footage exceeds one hundred fifty square feet;

E. Construct a new trailer lot or trailer court;

F. Move, remove, dismantle or demolish any building, mobile home or structure if the square footage exceeds one hundred fifty square feet.

15.01.040 Building Permit Applications. The applicant shall file an application for a building permit on a form furnished by the Town for that purpose. The application shall be made in the Town Office by the owner, tenant or person in possession or by the person to perform the work or activities for which the permit is required.

15.01.050 Building Permit Requirements. All applications for building permits shall contain the information required by 17.60.020.

15.01.060 Exemptions. A permit is not required for the following work or activities:

- A. Erection or construction of a detached accessory building used as a tool or storage shed, or playhouse, provided the square footage does not exceed one hundred fifty square feet;
- B. Concrete walks and driveways;
- C. Painting, paper and other similar finish work whether inside or outside the structure or building; or
- D. Rebuilding an existing fence.

15.01.070 Additional Requirements to Remove any Building, Mobile Home or Permanent Structure from the Town of Hanna if the Square Footage Exceeds One Hundred Fifty Square Feet. In addition to requirements set forth in this chapter, when any building, mobile home or permanent structure, whose square footage exceeds one hundred fifty square feet, is to be removed from the Town of Hanna, the following requirements must be met:

A. **Disconnection of Utilities.** It shall be the responsibility of the owner of the premises to have all utility services including, but not limited to, water, sewer, gas, electricity and cable television properly disconnected and stubbed on the property in a manner sufficient to protect from endangering the population, especially children and animals, and to permit future location and identification of the utility services. Proof of disconnection shall be submitted to and verified by the Code Enforcement Officer.

B. **Posting of Security.** In order to receive a permit to move, remove, dismantle or demolish any building or structure, or to move any mobile home from the town, the person seeking the permit shall deposit with the city Treasurer cash or a performance bond or surety bond from a company authorized to do business in the state of Wyoming, in the amount of \$500.00. The bond shall be held by the Treasurer, without interest, to insure the reclamation of the site from which the building, structure or mobile home is moved, removed, dismantled or demolished to an aesthetically pleasing and safe condition. Upon reclamation of the site within the time limits set forth in Section 15.01.070 D and approval of the code Enforcement Officer, the bond shall be released to the party posting it.

C. **Backfilling or Capping of all Basements and Foundations.** After disconnection of all utilities, the owner of the premises shall backfill or cap, or shall cause to be backfilled or capped, with a flat or pitched roof of acceptable waterproof material in keeping with the aesthetics of the neighborhood, all basements and foundations left after the building, mobile home or permanent structure, bringing the property to grade, "Acceptable waterproof material" means FHA (Federal Home Administration) approved material.

15.01.080 Schedule of Fees. The fees to be paid to the Town of Hanna shall be as follows:

- A. Erect, construct, alter, repair, improve, convert or enlarge any building or structure valued from one (\$1.00) to two thousand (\$2,000.00) if such work or activities result in a change of the outward structural appearance of the building. The fee will be **\$20.00**.
- B. Any construction or alteration, improvement, conversion, or enlargement of any building valued at two thousand and one dollars (\$2,001.00) and up in a residential, commercial or industrial zoned area. The fee will be **1% of Evaluation**.
- C. Set up or erect a mobile home without permanent foundation. The fee will be **\$20.00**.
- D. Set up of a manufactured home or a mobile home on a permanent foundation. The fee will be **1% of Evaluation of Foundation**.
- E. Erect a new fence. The fee will be **\$20.00**.
- F. Dismantle or demolish any building or structure if the square footage exceeds one hundred fifty (150) square feet. The fee will be **\$25.00**.
- G. Construct new trailer lot or trailer court. The fee will be **\$100.00**.
- H. Move any permanent building or structure within the Town if the square footage exceeds one hundred fifty (150) square feet. The fee will be **\$20.00**.

15.01.090 Performing Work at Variance with Permit. It is unlawful for any work or activities for which a building permit is required to be performed in any manner which varies from the permit issued.

15.01.100 Building Permits-Application Fee.

- A. Every application for a building permit shall contain the following information:
 - 1. Type of building to be constructed;
 - 2. Number of rooms in plan for such building;
 - 3. Type of materials to be used in such construction;
 - 4. Approximate total cost of building;
 - 5. Location, street and house number.
- B. Every application for a building permit or permit for moving a building shall be filed with the Town of Hanna Clerk's Office together with such additional information as may be required by the Town Clerk's Office and shall be accompanied by the appropriate fee. The amount of said fee shall be determined in accordance with the fee schedule for the Uniform Building code except that no fee for a building permit shall be less than twenty-three dollars and fifty cents. **\$20.00**
- C. Every application for a permit to move a building shall state the type and size of the building to move and the streets to be traversed, as well as the date and time that such moving shall occur.

Chapter 15.12

AWNINGS AND SIGNS

Sections:

- 15.12.010 Erection Restrictions
- 15.12.020 Permit for Existing Signs-Required
- 15.12.030 Permit for Existing Signs-Application
- 15.12.040 Violation-Penalty

15.12.010 Erection Restrictions. No person, firm, company, corporation or association shall permit, erect or cause to be erected any awnings, canopies, marquees, advertising signs or similar installation that extends into, over or across any primary, secondary, urban or other classes of federal aid highways within the town of Hanna. All awnings, canopies, marquees, and advertising signs shall not be less than two feet behind the curb line with a minimum clearance of ten feet from the sidewalk to the bottom of the sign. All supports, braces, guy-wires or similar supporting devices shall not be in or on any established highway right-of-way.

15.12.020 Permit for Existing Signs-Required. All awnings, canopies, marquee, advertising signs or similar installations which are in place prior to the date of the ordinance codified in this chapter, which are supported entirely from outside the highway right-of-way, may be permitted to remain under a revocable permit from the town of Hanna in accordance with the limitations and restrictions contained therein, but subject, however, to complete compliance with this chapter in the event extensive repair or maintenance of such awnings, canopies, marquee and advertising signs is instituted by the owner.

15.12.030 Permit for Existing Signs-Application. Application for such permits must be made within ninety days after the passage of the ordinance codified in this chapter and failure to do so will cause any violation to be subject to the fines and penalties set forth in Section 15.12.040.

15.12.040 Violation-Penalty. A violation of any provision of this chapter shall be deemed a misdemeanor.

Chapter 15.16

SOLAR ENERGY

Sections:

- 15.16.010 Title
- 15.16.020 Authorization
- 15.16.030 Purpose

15.16.040	Definitions
15.16.050	Use Regulations-Shading of Collectors Unlawful
15.16.060	Prior Non Continuing Uses
15.16.070	Variances
15.16.080	Permit-Required
15.16.090	Permit-Application
15.16.100	Permit-Recording-Contents
15.16.110	Permit-Model Application
15.16.120	Enforcement

15.16.010 Title. These regulations shall be known and may be cited as the “solar zoning ordinance” of the Town of Hanna.

15.16.020 Authorization. Authorization for these regulations is contained in 34-101 through 34-22-106 W.S.

15.16.030 Purpose. The purpose of these regulations is to protect the health, safety, and general welfare of the community by encouraging the use of solar energy systems. The overall objective of these regulations is to provide adequate protection from interference by structures, trees or topography. It is the intent of these regulations to provide a means of protection for the use of solar collectors without causing undue hardships on the rights of adjacent property owners and to establish solar collectors as a permitted use in all zoning or land use districts.

15.16.040 Definitions. For the purposes of this chapter, the words set out in this section shall have the following meanings:

A. “Solar Collector” is one of the following which is capable of collecting, storing or transmitting at least twenty-five thousand Btu’s on a clear winter solstice day:

1. A wall, clerestory or skylight window designed to transmit solar energy into a structure for heating purposes;
2. A greenhouse attached to another structure and designed to provide a part or all of the heating load for the structure to which, it is attached;
3. A trombe wall, drum wall or other wall or roof structural element designed to collect and transmit solar energy into a structure;
4. A photo voltaic collector designed to convert solar energy into electric energy;

5. A plate-type collector designed to use solar energy to heat air, water or other fluids for use in hot water or space heating or other applications;

6. A massive structural element designed to collect solar energy and transmit it to internal spaces for heating; or

7. Other devices or combination of devices which rely upon sunshine as an energy source.

B. "Solar Right" means a property right to an unobstructed line-of-sight path from a solar collector to the sun which permits radiation from the sun to impinge directly on the solar collector. The extent of the solar right shall be as described by that illumination provided by the path of the sun on the winter solstice day which is put to a beneficial use or otherwise limited by these regulations.

C. "Winter Solstice Day" is the solstice on or about December 21st, which marks the beginning of winter in the northern hemisphere and is the time when the sun reaches its southernmost point.

15.16.050 Use Regulations-Shading of Collectors Unlawful.

A. Except as otherwise provided by this chapter, it is unlawful for any person to erect a building or other structure, or to allow a tree, shrub, or other vegetation to cast a shadow upon a solar collector which is greater than the shadow cast by a hypothetical ten foot high wall located along the property lines, between the hours of nine a.m. and three p.m., mountain standard time, on the winter solstice day.

B. Solar collectors shall be located on the solar user's property so as not to unreasonably or unnecessarily restrict the uses of neighboring property.

15.16.060 Prior Non-Continuing Uses. Structures or vegetation which existed prior to the time of installation of the solar energy collection system or the effective date of the ordinance codified in this chapter shall not be subject to the requirements of Section 15.16.050.

15.16.070 Variances. Any person desiring to erect any structure, or increase the height of any structure, or permit the growth of any tree or other vegetation, or otherwise use his or her property, not in conformance with these regulations, may apply for a variance from the board of adjustments. A variance shall not be approved by the board unless it finds the literal enforcement or application of these regulations would result in unnecessary hardship.

15.16.080 Permit=Required.

A. A solar permit shall be granted before a solar right may be established.

B. A solar permit shall be granted for any proposed or existing solar collector which complies with the requirements of these regulations.

C. The solar right vests on the date the solar permit is granted. The solar collector shall be put to beneficial use within two years, except additional time may be granted for good

cause. The building inspector or other designated administrative official shall certify the right and its beneficial use within two years of its vesting.

D. Existing solar collector users shall apply for permits within five years after the passage date of the ordinance codified in this chapter.

E. A solar right which is not applied to a beneficial use for a period of five years or more shall be deemed abandoned and without priority.

15.16.090 Permit-Application

A. Any person who desires to obtain a solar right shall first make application to the building inspector or other designated administrative official for a solar access permit.

B. The application for a permit along with the required fee, shall be filed on a form furnished for that purpose. Information adequate to determine compliance with these regulations shall accompany the application.

C. The building inspector or other designated administrative official after review of the application shall grant a solar access permit for any proposed or existing solar collector which complies with these regulations.

15.16.100 Permit-Recording-Contents. A copy of the solar permit shall be recorded with the County Clerk by the person receiving the solar permit. The solar permit shall include a description of the collector surface, or that portion of the collector surface to which the permit is granted. The description shall include the dimensions of the collector surface, the direction of orientation, the height above ground level, the location of the collector on the solar user's property and the date the solar permit was granted.

15.16.110 Permit-Model Application. A model application or permit for solar access shall be as follows:

15.16.120 Enforcement.

A. The building inspector or other designated administrative official shall enforce the regulations and bring to the attention of the Town Attorney any violations or lack of compliance.

B. Penalties for violations of these regulations shall be in accordance with appropriate legal remedies and shall be a misdemeanor.

Chapter 15.20

ABATEMENT OF DANGEROUS BUILDINGS

Sections:

15.20.010 Adoption of the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition.

15.20.010 Adoption of the Uniform Code for the Abatement of Dangerous Buildings.

The Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, together with such revisions and amendments as are now made, as published by the International Conference of Building Officials, be and the same is adopted and enacted, except all references to the Uniform Building Code are specifically deleted and the standard of construction shall be that set forth in Section 15.01.020 of the Hanna Municipal Code. The code, revisions and amendments, as in current use, shall at all times be retained in the office of the Town Clerk.

Chapter 15.24

SMALL WIND ENERGY SYSTEM

Sections:

- 15.24.010 Title
- 15.24.020 Authorization
- 15.24.030 Purpose
- 15.24.040 Permitted and Prohibited Small Wind Energy Systems
- 15.24.050 Restrictions

15.24.010 Title.

These Regulations shall be known and may be cited as the “Wind Energy Ordinance” of the Town of Hanna.

15.24.020 Authorization.

Authorization for these regulations is found in Wyoming Statutes 15-1-601 through 15-1-610. Pursuant to Wyoming Statute 18-5-501(a)(ii), these regulations shall apply only to small wind energy systems rated by the manufacturer to generate less than one-half (0.5) megawatt of electricity.

15.24.030 Purpose.

This Chapter is intended to promote the use of small wind energy systems that are compatible with urban and suburban locations while providing appropriate safeguards designed to protect property and the public as well as minimize adverse visual and environmental impacts. This Chapter recognizes that only certain types of wind energy systems are suitable for urban and suburban areas.

15.24.040 Permitted and Prohibited Small Wind Energy Systems.

A. The only type of small wind energy system appropriate and permitted for use within the Town of Hanna is the Vertical Axis Wind Turbine (VAWT), using vertical wind turbine technology.

B. The construction or use of any other type of small wind energy systems, including a Horizontal Axis Wind Turbine (HAWT), is prohibited within the Town of Hanna.

15.24.050 Restrictions.

A. Vertical Axis Wind Turbines (VAWT) shall be a permitted use in all zoning districts, subject to the following restrictions.

B. Quantity:

1. A maximum of one VAWT is permitted per residential district lot.
2. Multiple VAWT's are permitted on any non-residential district lot.

C. height:

No VAWT, whether attached to a building or mounted on a freestanding tower, may exceed thirty-five (35) feet in height, measured to the highest point on the VAWT in accordance with Hanna Municipal Ordinance 17.08.170.

D. Setbacks:

1. A VAWT attached to a building shall be set back a distance equal to or greater than the applicable zoning district requires for a minimum building setback, provided however that in no case shall the setback be less than five (5) feet.

2. A VAWT mounted on a freestanding tower shall be set back a distance equal to or greater than is total height from:

a. All property lines, unless written permission is granted from the affected landowner,

b. Any public road or right of way, unless written permission is granted by the governmental entity with jurisdiction over the road or right of way; and

c. Any overhead utility lines, unless written permission is granted by the affected utility.

3. The proceeding subsections notwithstanding in no case shall the setback for a VAWT mounted on a freestanding tower be less than five (5) feet.

4. No part of the VAWT installation, including any guy wire anchors, may be closer than five (5) feet from any property boundary.

E. Code Compliance:

A VAWT structure, including any freestanding tower, shall comply with all applicable construction and electrical codes.

F. Decibel Levels:

Decibel levels for the VAWT shall not exceed sixty (60) decibels (dBa) as measured at the closest neighboring inhabited dwelling, except during short-term events such as utility outages or severe windstorms.

G. Lighting:

A VAWT shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration (FAA). This provision shall not bar the temporary use of an artificial light to inspect the wind energy system and associated equipment.

H. Signs:

All signs that are visible from any public road or right of way, other than the manufacturer's and/or installer's identification, appropriate warning signs, or owner identification, shall be prohibited on all small wind energy structures, including any freestanding tower.

I. Other requirements:

1. The VAWT structure shall comply with all applicable Federal Aviation Administration (FAA) standards as well as any and all Wyoming Aeronautics regulations.

2. All electrical wires associated with the VAWT shall be located underground, with the following exceptions: (1) wires necessary to connect the wind generator to the tower wiring, (2) the tower wiring to the disconnect junction box, and (3) the grounding wires.

3. All ground-mounted electrical and control equipment for the VAWT shall be labeled or secured to prevent unauthorized access.

4. A VAWT tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of eight (8) feet above the ground.