



Certification Page Regular and Emergency Rules

Revised September 2016

Emergency Rules (After completing all of Sections 1 through 3, proceed to Section 5 below)

Regular Rules

1. General Information

a. Agency/Board Name Fire Prevention & Electrical Safety		
b. Agency/Board Address 320 W. 25th Street, 3rd Floor	c. City Cheyenne	d. Zip Code 82002
e. Name of Agency Liaison Stephanie Wagoner		f. Agency Liaison Telephone Number 307-777-6385
g. Agency Liaison Email Address stephanie.wagoner@wyo.gov		h. Adoption Date 4/24/18
i. Program Council on Fire Prevention & Electrical Safety		

2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. **Yes.** Please provide the Enrolled Act Numbers and Years Enacted:

3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.
(Please use the Additional Rule Information form for more than 10 chapters and attach it to this certification)

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
1	General Provisions	
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
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3. State Government Notice of Intended Rulemaking

a. Date on which the Proposed Rule Packet (consisting of the Notice of Intent as per W.S. 16-3-103(a), Statement of Principal Reasons, strike and underscore format and a clean copy of each chapter of rules were: **3/5/18**

- approved as to form by the **Registrar of Rules**; and
- provided to the **Legislative Service Office** and **Attorney General**:

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. No. Yes. N/A

b. A public hearing was held on the proposed rules. No. Yes. Please complete the boxes below.

Date:	Time:	City:	Location:

c. If applicable, describe the **emergency** which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

5. Final Filing of Rules

a. Date on which the Certification Page with original signatures and final rules were sent to the **Attorney General's Office for the Governor's signature**:

b. Date on which final rules were approved as to form by the **Secretary of State** and sent to the Legislative Service Office:

c. The Statement of Reasons is attached to this certification.

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual	<i>Stephanie Wagoner</i>
Printed Name of Signatory	Stephanie Wagoner
Signatory Title	Human Resource Manager - Board Designee
Date of Signature	4/24/18

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

MATTHEW H. MEAD
GOVERNOR



J. MICHAEL REED
STATE FIRE MARSHAL

THE STATE OF WYOMING

Department of Fire Prevention and Electrical Safety

Statement of Reasons For the Council on Fire Prevention and Electrical Safety

In accordance with the mandatory requirements of Wyoming Statute 35-9-106(a), the Council on Fire Prevention and Electrical Safety is obligated to establish minimum fire standards. The Council had previously adopted the standards set forth by the 2015 editions of the International Building Code, International Existing Building Code, International Fire Code, International Mechanical Code, and International Fuel Gas Code. The Council on December 4, 2017, voted to adopt and incorporate by reference the latest updated 2018 editions of these safety codes and therefore make changes to Chapter 1. Additional changes are proposed to clarify language and comply with Secretary of State's Rules on Rules formatting and rule promulgation process.

The Council has determined that incorporation of the full text in these rules would be cumbersome and inefficient given their length and nature. This incorporation by reference does not include any later amendments or editions of the incorporated codes. These codes are maintained and available for public inspection and copying at the offices of the Wyoming Department of Fire Prevention and Electrical Safety at the Capitol Hill Building, 320 W. 25th Street, 3rd Floor, Cheyenne, Wyoming 82002.

MATTHEW H. MEAD
GOVERNOR



J. MICHAEL REED
STATE FIRE MARSHAL

THE STATE OF WYOMING

**Department of Fire Prevention
and Electrical Safety**

SUMMARY OF COMMENTS AND RESPONSES

**FOR THE COUNCIL ON FIRE PREVENTION AND ELECTRICAL
SAFETY**

2017 PROPOSED NEW PERMANENT RULES

MEMO TO: To Whom It May Concern

FROM: Stephanie Wagoner – Human Resource Manager

RE: Summary of Comments for Council on Fire Prevention & Electrical Safety Proposed Rules

DATE: April 25, 2018

During the rule making process for the Council on Fire Prevention & Electrical Safety, “No Comments Were Received “.

Chapter 1 General Provisions

Section 1. Authority. These rules are adopted pursuant to Wyoming Statutes 35-9-106(a) and 16-3-101 through -104.

Section 2. Codes and Standards.

(a) In accordance with W.S. 35-9-106(a) & (d) and 16-3-103(h), the following international codes are incorporated by reference in these rules. The Council on Fire Prevention and Electrical Safety in Buildings (Council) has determined that incorporation of the full text in these rules would be cumbersome and inefficient given their length and nature. This incorporation by reference does not include any later amendments or editions of the incorporated codes. These codes are maintained and available for public inspection and copying at the offices of the Wyoming Department of Fire Prevention and Electrical Safety (Department) at the Capitol Hill Building, 320 W. 25th Street, 3rd Floor, Cheyenne, Wyoming 82002:

(i) The International Building Code, 2018 Edition, promulgated by the International Code Council.

(ii) The International Existing Building Code, 2018 Edition, promulgated by the International Code Council.

(iii) The International Fire Code, 2018 Edition, promulgated by the International Code Council, including,

(A). Appendix D, Appendix E, Appendix F and Appendix G.

(iv) The International Mechanical Code, 2018 Edition, promulgated by the International Code Council.

(v) The International Fuel Gas Code, 2018 Edition, promulgated by the International Code Council.

(vi) Provisions of the International Residential Code, the International Property Management Code, as said codes are referenced in the International Building Code, the International Fire Code, the International Mechanical Code, and the International Fuel Gas Code but only to the extent that the referenced provisions apply to fire and life safety issues.

(vii) Provisions of the National Electrical Code, the International Plumbing Code, and the International Energy Conservation Code referenced in the International Building Code, the International Fire Code, the International Mechanical Code, and the International Fuel Gas Code are specifically not adopted herein.

(b) The minimum standards for accessibility by the physically handicapped in public buildings built by any public administrative body are established in W.S. 16-6-501 and 16-6-502.

(c) When the terms building official, fire chief, or enforcing authority are encountered in the codes, they shall mean the State Fire Marshal or his authorized representative.

(d) Where the term fire department is encountered in the codes, it means the Wyoming Department of Fire Prevention and Electrical Safety.

(e) Definitions found in W.S. 35-9-102 and in the International Codes incorporated herein shall apply throughout these rules.

(f) In cases of clearly demonstrated hardship or practical difficulty, the Council may grant exceptions from the standards adopted in these rules. An exception may be granted when the Council has determined that an equivalent standard of safety is achieved by alternate means.

Section 3. Appeals from Decisions.

(a) For the purpose of these rules and regulations, the term “variance” shall mean a waiver of the strict letter of the codes as established by W.S. 35-9-106(c) as to construction methods and materials which require substantial compliance without sacrificing the spirit and intent of codes.

(b) If any person does not agree to comply with the decisions of the Department after notification of same by the Department, the person shall submit to the Department a written request for an appeal hearing before the Council. It shall be the right of the aggrieved person to appeal the decision of the Department to the Council through the provisions of Chapter VI of these rules and regulations.

**~~COUNCIL ON FIRE PREVENTION
& ELECTRICAL SAFETY~~**
RULES
~~CHAPTER I GENERAL PROVISIONS~~
Chapter 1
General Provisions

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