



Certification Page
Regular and Emergency Rules
Revised August 2023

☐ **Emergency Rules** (Complete Sections 1-3 and 5-6)

☒ **Regular Rules**

1. General Information

a. Agency/Board Name*		
Fire Prevention & Electrical Safety, Dept		
b. Agency/Board Address	c. City	d. Zip Code
320 West 25th Street 3rd Fl	Cheyenne	82002
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
Byron Mathews	307-777-7905	
g. Agency Liaison Email Address	h. Adoption Date	
byron.mathews@wyo.gov	04/23/2024	
i. Program		
Council on Fire Prevention, Electrical Safety		
Amended Program Name (if applicable):		

* ☐ By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

2. Legislative Enactment For purposes of this Section 2, "new" only applies to regular (non-emergency) 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 non-emergency or regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

☒ No. ☐ Yes. If the rules are new, please provide the Legislative Chapter Number and Year Enacted:	Chapter:	Year:
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3. Rule Type and Information For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title* and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number: 1	Chapter Name: General Provisions	☐ New ☒ Amended ☐ Repealed
	Amended Chapter Name (if applicable):	
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
	Amended Chapter Name (if applicable):	
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
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	Amended Chapter Name (if applicable):	
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
	Amended Chapter Name (if applicable):	

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:

5. Checklist

a. ☒ For regular rules, the Statement of Principal Reasons is attached to this Certification and, in compliance with Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule

b. ☐ For emergency rules, the Memorandum to the Governor documenting the emergency, which requires promulgation of these rules without providing notice or an opportunity for a public hearing, is attached to this Certification.

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct. By electronically submitting the emergency or regular rules into the Wyoming Administrative Rules System, the undersigned acknowledges that the Registrar of Rules will review the rules as to form and, if approved, the electronic filing system will electronically notify the Governor's Office, Attorney General's Office, and Legislative Service Office of the approval and electronically provide them with a copy of the complete rule packet on the date approved by the Registrar of Rules. The complete rules packet includes this signed certification page; the Statement of Principal Reasons or, if emergency rules, the Memorandum to the Governor documenting the emergency; and a strike and underscore copy and clean copy of each chapter of rules.

Signature of Authorized Individual

Daniel C. Johnson

Printed Name of Signatory

Daniel C. Johnson

Signatory Title

Chairman of Council on Fire Prevention

Date of Signature

4/23/2024

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

Mark Gordon
GOVERNOR



Byron Mathews
STATE FIRE MARSHAL

THE STATE OF WYOMING

Department of Fire Prevention and Electrical Safety

Statement of Reasons

In accordance with the mandatory requirements of Wyo. Stat. Ann. § 35-8-106(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 2021 editions of the International Building Code, International Fire Code, International Mechanical Code, International Existing Building Code, and the International Fuel Gas Code as published by the International Code Council (ICC). During a meeting of the Fire Council held on February 6, 2024, the Fire Councils voted to adopt and incorporate by reference the latest 2024 editions of these safety codes and therefore make changes to Chapter 1.

This adoption ensures the construction and safety standards are current and relevant in an ever-changing technological and industrial environment. This adoption also ensures that Wyoming has safe buildings that protect and improve the public health, safety and welfare of Wyoming citizens and visitors. These new codes will also provide stability of the economics of our State by reducing the disastrous effects of a large life and fire loss in our communities.

Our agency looks forward to supporting the Fire Council in its efforts to change the existing rules and adopting the most modern building and fire codes while reducing the loss of life and property in Wyoming.

The Council has determined that incorporation of the full text of 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. The Wyoming Administrative Procedure Act requires these rules to state where the incorporated matter is available on the internet. Wyo. Stat. Ann. § 16-3-103(h)(iv). However, the codes are not publically available online. The 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.

Sincerely,

A handwritten signature in blue ink, appearing to read "Byron Mathews".

Byron Mathews
Director

Wyoming Department of Fire Prevention and Electrical Safety

Mark Gordon
GOVERNOR



Byron Mathews
STATE FIRE MARSHAL

THE STATE OF WYOMING

Department of Fire Prevention and Electrical Safety

The rules governing The Council on Fire Prevention were posted for public comment and at the closing of the public comment period two comments were received.

The first comment was listed as unknown without any further information.

The second comment was from Sara Slagle, the summary of the comments were in relation to the rules and processes for the plan review process. Ms. Slagle also shared the frustration with the communication process during the phases of the project. These comments were not directly related to the Council's action as it relates to the code adoption, the process and procedures for plan review are addressed in Agency rules. Those processes are being evaluated and should be further improved later in 2024.

A blue ink signature of Byron Mathews, written in a cursive style.

Byron Mathews
Director of Fire Prevention and Electrical Safety
Wyoming State Fire Marshal

Mark Gordon
GOVERNOR



Byron Mathews
STATE FIRE MARSHAL

THE STATE OF WYOMING

Department of Fire Prevention and Electrical Safety

Sarah Slagle
Broadway Bakery
DBA Canyon Cakes LLC
Thermopolis, Wyoming 82443

Council on Fire Prevention Response to Public Comment received.

Ms. Slagle,

The Council on Fire Prevention received your comments during the open comment period for the adoption of their Rules. The Council appreciates you taking time to provide feedback about the plan review and construction process from your project. Those comments have been shared with the Agency in an effort to ensure that the process and procedures where possible can be improved, those are part of the Agency Rules. The Department of Fire Prevention and Electrical Safety is working on that project and the anticipated update will be in the last quarter of 2024. After consideration of the comments, the Council did vote to approve the rules without changes or amendments.

Thanks for your comments and we wish you the best with your project.

A blue ink signature of Byron Mathews, written in a cursive style.

Byron Mathews
Director of Fire Prevention and Electrical Safety
Wyoming State Fire Marshal

CAPITOL HILL BUILDING · 320 W. 25TH STREET - 3RD FLOOR · CHEYENNE, WYOMING 82002

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<http://wsfm.wyo.gov>

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) The Council on Fire Prevention and Electrical Safety in Buildings has determined that incorporation of the full text of these rules would be cumbersome and inefficient given their length and nature. These incorporations by reference do not include any later amendments or editions of the incorporated codes. The council hereby incorporates by reference the following:

(i) The International Building Code, 2024 Edition, published by the International Code Council.

(ii) The International Existing Building Code, 2024 Edition, published by the International Code Council.

(iii) The International Fire Code, 2024 Edition, published by the International Code Council, including, Appendix D, Appendix E, Appendix F and Appendix G.

(iv) The International Mechanical Code, 2024 Edition, published by the International Code Council.

(v) The International Fuel Gas Code, 2024 Edition, published by the International Code Council.

(vi) Provisions of the International Residential Code, the International Property Management Code, the International Plumbing Code, and the International Energy Conservations Code, as they are referenced in chapters 1 – 10 of the International Building Code, the International Fire Code, the International Mechanical Code, and the International Fuel Gas Code.

(b) For the rules incorporated by reference in subsection (a) of this section:

(i) The Council has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (a) of this section

(iii) 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.

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