

ORDINANCE 2017-05

AN ORDINANCE OF THE CITY OF MEADOWS PLACE, TEXAS, REPEALING SUBSECTION 150.02(D) OF SECTION 150.02 OF CHAPTER 150 OF THE CODE OF ORDINANCES AND SUBSTITUTING A NEW SUBSECTION 150.02(D) OF SECTION 150.02 OF CHAPTER 150 OF THE CODE OF ORDINANCES; ADOPTING WITH AMENDMENTS THE 2014 NATIONAL ELECTRICAL CODE; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council of the City of Meadows Place, Texas, (“City”) desires to adopt regulations for the health, safety, and general welfare of the City; and

WHEREAS, to achieve that end, the City Council has adopted the 2011 National Electrical Code; and

WHEREAS, a 2014 version of the National Electrical Code has been published; and

WHEREAS, the City Council finds that adopting the 2014 National Electrical Code will promote the health, safety, and general welfare of the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEADOWS PLACE, TEXAS:

Section 1. That the facts found in the preamble of this Ordinance are true and correct and incorporated herein for all purposes.

Section 2. That Subsection 150.02(D) of Section 150.02 of Chapter 150 of the Code of Ordinances of the City of Meadows Place, Texas, is repealed and a new Subsection 150.02(D) of Section 150.02 of Chapter 150 of the Code of Ordinances of the City of Meadows Place, Texas, is added to provide as follows:

“(D) 2014 National Electrical Code Adopted.

- (1) The city adopts the 2014 National Electrical Code (“Code”), published by the National Fire Protection Association, with the exception of such sections and subsections hereinafter deleted, modified, or amended.
- (2) A copy of the 2014 National Electrical Code shall be maintained by the city either in hard copy or electronic format. If any part of this Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, health ordinance, or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of health and safety shall control.

- (3) Amendments. The 2014 National Electrical Code shall be amended as follows:
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(a) Any reference to the authority having jurisdiction in the *Code* shall mean the City of Meadows Place, Texas.

(b) The City hereby adopts Informative Annex H with amendments as follows:

1. The first sentence of Subsection 80.13(2) is amended as follows: When the use of any electrical equipment or its installations is found to be dangerous to human life or property, the city shall be empowered to have the premises disconnected from its source of electric supply.

2. Subsection 80.13(5) is amended by adding a new sentence to the end of the Subsection to read as follows: The city may apply for an inspection warrant to gain entry onto a premise if entry is denied.

3. The second sentence of Subsection 80.13(13) is amended as follows: The city shall be notified when the installation is ready for inspection and shall conduct the inspection within a reasonable time.

4. Section 80.15 is deleted.

5. Subsection 80.17(A) is deleted and a new subsection 80.17(A) is added to read as follows: The city shall keep records as mandated by state law.

6. Subsection 80.17(B) is deleted.

7. Subsection 80.19(D) is deleted.

8. Subsection 80.19(F)(1) is deleted and a new Subsection 80.19(F)(1) is added to read as follows: Upon completion of any electrical work that has been installed under a permit, it shall be the duty of the person, firm, or corporation making the installation to notify the city's Electrical Inspector, who shall inspect the work within a reasonable time.

9. Subsection 80.19(F)(3) is deleted and a new Subsection 80.19(F)(3) is added to read as follows: When any portion of the electrical installation within the jurisdiction of an Electrical Inspector is to be hidden from view by the permanent placement of parts of the building, the person, firm, or corporation installing the equipment shall notify the Electrical Inspector, and such equipment shall not be concealed until it has

been approved by the Electrical Inspector, provided that on large installations, where the concealment of equipment proceeds continuously, the person, firm, or corporation installing the equipment shall give the Electrical Inspector due notice in advance, and inspections shall be made periodically during the progress of the work.

10. The first sentence of Subsection 80.19(F)(4) is amended to read as follows: At regular intervals, the city's Electrical Inspector shall visit all buildings and premises where work may be done under a permit and shall inspect all electrical equipment installed under such permit since the date of the previous inspection.

11. The first sentence of Subsection 80.19(G)(2) is amended to read as follows: Any attempt to defraud or otherwise intentionally or knowingly design, install, service, maintain, operate, sell, represent for sale, falsify records, reports, or applications or other related activity in violation of the requirements prescribed by the *Code* shall be a violation of this *Code*.

12. Subsection 80.19(G)(3) is deleted and a new Subsection 80.19(G)(3) is added to read as follows: Revocation shall be effective upon permittee receiving Notice of revocation. Permittee is deemed to have received Notice if Notice is posted at the premises or upon the land of the premises where a suspected violation occurs; or if Notice is sent by certified mail with return receipt requested, then permittee is deemed to have received Notice three (3) days after the Notice was deposited in the mail; or if permittee is personally served with Notice.

13. Subsection 80.19(H)(2) is deleted and a new Subsection 80.19(H)(2) is added to read as follows: Applications for permits shall be made to the city on forms provided by the city and shall include all information as set forth on such application as required by the city.

14. Subsection 80.23(A)(1) is deleted and a new Subsection 80.23(A)(1) is added to provide as follows: Whenever the city determines that there is a violation or violations of this Code, a written notice of violation may be issued requesting correction of such violation within a specified time period. The city is not required to issue a notice of violation prior to issuing a citation or summons to the city's municipal court or taking any other action deemed necessary by the city.

15. Subsection 80.25(A) is deleted and a new Subsection 80.25(A) is added to read as follows: Except as allowed by this Section, it shall be unlawful for any persons, firm, or corporation to make connection to supply of electricity or to supply electricity to any electrical equipment

installation for which a permit is required yet not obtained or that has been disconnected or ordered disconnected.

16. Subsection 80.25(B) is amended by deleting the last sentence of the Subsection.

17. Subsections 80.25(C) and (D) are deleted.

18. Subsection 80.25(E) is deleted and a new Subsection 80.25(E) is added to read as follows: Where a connection is made to an installation that has not been inspected, as outlined in the preceding paragraphs of this Section, the supplier of electricity shall notify the city. The city may allow the premise to correct any nonconforming issues or it may order disconnection of electrical service.

19. Section 80.27 is deleted and a new Section 80.27 is added to read as follows: Electrical inspectors shall be a Master Electrician with a minimum of ten (10) years' experience working for a political subdivision of the state or have been licensed as a Master Electrician by the Texas Department of Licensing and Regulation for ten (10) years.

20. Section 80.29 is deleted and a new Section 80.29 is added to read as follows: Article 80 shall not be construed to affect the responsibility or liability of any party owning, designing, operating, controlling, or installing any electrical equipment for damages to persons or property caused by a defect therein, nor shall the city or its employees, contractors, officials, or officers be held as assuming any such liability by reason of the inspection, reinspection, or other examination authorized

(c) Regardless of any provision in the *Code* to the contrary, the *Code* is amended as follows:

1. It shall be unlawful for any person to perform electrical work within the city which is regulated by the *Code* unless the person is a licensed Master Electrician by the State or a person is performing electrical work under the direct supervision and control of a licensed Master Electrician. It shall be unlawful to employ or permit a person to perform electrical work within the city which is regulated by the *Code* if such person performing electrical work does not hold a Master Electrician license from the State.

2. All services for 1 and 2 family dwellings shall be a minimum of 125 ampere capacity and shall have a minimum of two spare breaker slots.

3. In residential installations, not more than eight (8) current-consuming receptacles per circuit shall be installed. Conductors for general wiring shall be No. 12 AWG or larger.

4. Nonmetallic sheathed cable shall not be installed in any non-residential building, premises, structure, or improvement.

5. All wiring shall be ninety-eight percent (98%) pure copper only, except aluminum wiring may be used in commercial and industrial services and subfeeders only 4/0 and larger including the neutral and shall be terminated with approved equipment and materials, and shall not be used in any other installation. Aluminum wiring may be used for temporary services. All other wiring shall be copper. Triplex or quadruplex aluminum cable No. 6 or larger may be used as aerials in free air and must be terminated at approved weather heads, with approved connectors designed for use with copper and aluminum wires.

6. Wiring in residential dwellings shall be no smaller than No. 12 AWG.

7. Any non-residential building, premises, structure, or improvement shall contain full-size/non-tandem (wide style) branch circuit breakers only.

8. Above grade installations shall be limited to GRC, IMC, EMT and Schedule 80 PVC types of raceway materials. All underground services shall be a minimum of Schedule 40 conduit.

9. Subsection 230.70(A)(1) of the *Code* is deleted and a new Subsection 230.70(A)(1) is added to provide as follows:

Readily Accessible Location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. Service disconnecting means shall be located so that the height to the center of the operating handle shall be not less than four (4) or more than six (6) feet in height above the finished grade, except when installed in freestanding or building type switchgear built to National Electrical Manufacturers Association specifications.

10. Subsection 320.12 is amended by adding a new (6) to provide as follows:

- (6) Exposed wiring method unless the AC cable is not readily accessible and does not present a danger.
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11. A new Subsection 334.25 is added to the *Code* to provide as follows:

Stairs. Nonmetallic-sheathed cable shall not be used or installed in stairs unless protected by a one (1) hour fire wall.

12. Subsection 680.21(A)(1) is deleted and a new Subsection 680.21(A)(1) is added to provide as follows:

General. The branch circuits for pool-associated motors shall be installed in rigid polyvinyl chloride conduit and shall be either Schedule 40 or 80. This method shall contain an insulated copper equipment grounding conductor sized in accordance with Subsection 250.122 of the *Code* but not smaller than 12 AWG.

13. Subsection 720.11 is deleted and a new Subsection 720.11 is added to provide as follows:

Mechanical Execution of Work. Circuits operating at less than 50 volts shall be installed in a neat and workmanlike manner. Cables shall be supported by the building structure in such a manner that the cable will not be damaged by normal building use. No installation shall present a danger or allow physical tampering.

14. The utility provider shall not require the placement of meters on the front or street side of a building or premise unless the property owner consents to such placement and the city approves such placement.

15. Twenty (20) ampere receptacles with no other outlet(s) on the circuit being served shall be installed in bathrooms. Bathroom lighting above a shower or tub shall be protected with a ground-fault circuit interrupter.

16. A licensed journeyman shall be present and shall supervise all electrical work performed by an apprentice when such electrical work is regulated by the *Code*.

17. Permits:

- (a) Any person or entity performing electrical work in the city which is regulated by the *Code* or any other

building code or ordinance of the city, shall first file a copy of their Master Electrician License with the city and then apply for a permit and pay a fee as set forth by city council in a schedule of fees before commencement of any such electrical work.

- (b) Permit applications and any site plan submissions to the city, other than for single-family residential dwellings, shall contain a signed agreement between the developer or property owner and the authorized utility provider which such agreement shall provide for the payment of any franchise fees by the developer or property owner, provisions that the utility provider place all utility lines away from public street rights-of-ways and in locations which do not visually obstruct any persons operating a motor vehicle on a public or private street.
- (c) Permit applications shall show proof of a one line diagram, load analysis, panel schedule, and the basic design for each installation. Such proof shall be submitted by a master electrician licensed by the city or an electrical engineer.”

Section 3. *Penalty.* Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00). If such rule, ordinance, or police regulation governs fire safety, zoning, or public health and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed two thousand dollars (\$2,000.00). If such rule, ordinance, or police regulation governs the dumping of refuse, the fine or penalty shall not exceed four thousand dollars (\$4,000.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

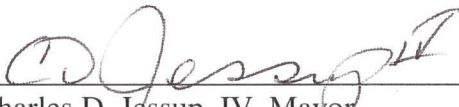
Section 4. *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Meadows Place, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. *Repeal.* All ordinances or parts thereof in conflict with this Ordinance are

repealed to the extent of such conflict.

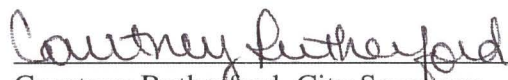
Section 6. *Effective date.* This Ordinance shall become effective when published as required by law.

PASSED, APPROVED, and ADOPTED this the 28th day of February, 2017.



Charles D. Jessup, IV, Mayor

ATTEST:



Courtney Ruthertford, City Secretary

