

**MECHANICAL, PLUMBING, ELECTRICAL, AND SWIMMING POOL
BOARD OF APPEALS
MINUTES**

February 14, 2006

Public notice having been posted, a public hearing of the MPE Board was held at 4:00 p.m., Tuesday, February 14, 2006, in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

MPE BOARD MEMBERS PRESENT: Anthony McColum, Chairman
Phil Miller
Gene Isenburg
Jay Wyatt
Ron Smith
Craig Manawes
William McRae

STAFF PRESENT: David Sartor
Glen Bailey
David Riley
Dwayne Williams

1. The meeting was called to order by Anthony McColum, Chairman.
2. The next item to come before the Board was the approval of the January 10, 2006 minutes. A motion was made by Ron Smith, and seconded by Phil Miller, to approve the minutes as written. Said motion unanimously passed.
3. The next matter to come before the Board was consideration, with possible action, regarding the request of Vernon Ferguson, representative for Broadview Baptist Church, to use a Type II Hood, in lieu of a Type I Hood, at their facility located at 2500 S. 27th St., Abilene, Texas. David Sartor, Building Official, addressed the Board members and advised them that the request here was to use a Type II Hood in lieu of a Type I Hood at this proposed project. He said he understands a residential stove will be used to warm precooked food, and they are asking permission to install a Type II Hood over this residential range. After discussion, Ron Smith made a motion to grant this request. This motion was seconded by Craig Manawes, and passed with Jay Wyatt abstaining, as he is the electrical contractor on this project.
4. The next item to come before the Board was consideration, with possible action, to recommend adoption of the *2005 National Electrical Code*, with attached amendments, to the City Council. David Sartor addressed the Board advising them that an ad hoc committee was set up to review the *2005 National Electrical Code*, and recommend amendments. He said this committee consisted of electrical contractors, residential and commercial builders, design professionals and suppliers, so they had sufficient representation to review the Code and make recommendations for the amendments. Mr. Sartor said there were a number of changes from the 2002 edition, and the majority of the changes were either revisions of existing sections and realignment and/or clarifications of the Code. He then pointed out a few significant changes that deal with GFCI protection, one being that vending machines will

now be required to have GFCI protection. Also any outdoor receptacle on commercial buildings which might be accessible to the public is required to have GFCI protection. Mr. Sartor went on to inform the Board of a few other changes in the 2002 NEC, and also stated that they deleted some of the local amendments from the amendment booklet because these items are now covered in the 2005 NEC.

Mr. Sartor went on to inform the Board that references to obtaining new electrical licenses from the City of Abilene were deleted from the amendment booklet. The reason for this being that the State of Texas is now issuing electrical licensing for electricians, with the same requirements as the City had, and most of the electricians have chosen to obtain their license through the state, as the state license allows them to work in any city in Texas, and not just Abilene. He said the requirements for renewing an existing Abilene license have been kept in place, so anyone desiring to renew his/her Abilene electrical license is able to do so. After this Code passes no new City of Abilene licenses will be issued, only renewals. There was a lengthy discussion among the Board members regarding other electricians coming into Abilene to do work, and Jay Wyatt, one of the Board members representing electricians, said that he thought the State electrical license was a good thing, because it also allowed Abilene electricians to go to surrounding towns to do work. He said many of the electricians he has talked to feel the same way. A lengthy discussion was had about the issuance of electrical license. Alice Adams, a staff member, asked if the City was still going to issue new Abilene electrical apprentice licenses, because the Abilene amendment booklet indicates Abilene will not be issuing any new Abilene licenses at all. Mr. Sartor said the deletion of the apprentice license requirement was an over-sight, because he felt it was the committee's intention for the City of Abilene to continue issuing new electrical apprentice licenses. There was some discussion regarding how to go about changing the amendment code booklet to reflect that the City would still be issuing apprentice licenses. Mr. Sartor said this should be reflected under **401. (a) License Required**. A lengthy discussion was had regarding how and where in the amendment booklet the stipulations regarding issuance of Abilene apprentice licenses should be inserted, and whether this matter should go back to the original ad hoc committee, or if this committee could recommend the change and forward it on to the City Council. Megan Santee, legal representative, informed the Board that either way would be acceptable. More discussion was had about the amendment to the booklet, allowing the issuance of apprentice licenses by the City of Abilene. Jay Wyatt suggested the wording be "The City of Abilene shall issue electrical apprentice licenses for a fee of \$10.00". Ms. Santee suggested that this should be added under **401** as **(b) Apprentice License**., and instead of saying "shall issue" change to "may issue". Craig Manawes suggested reference to the issuance of apprentice licenses should be made as an exception to 401(a). After more discussion, Ron Smith stated that he felt this item should be taken back to the ad hoc committee and resubmitted to this Board.

Craig Manawes had some question about **Article 334.12 Uses Not Permitted**, stating that he felt the term "commercial structure" should be defined somewhere in the booklet. He said he believes in this section, instead of using "commercial structure", the occupancy classification should be used. David Riley, electrical inspector for the City, said the purpose for adding **11, 12** and **13** under **334.12** was to help small businesses that are 5,000 square foot or less, and

solid wood frame construction, to be wired in romax, instead of having to be wired in a conduit system. Jay Wyatt suggested that **13.** under **334.12** should be reworded for clarification to reflect the intent for which it was proposed. More discussion was had among the Board and staff, and it was decided this amendment should also go back to the ad hoc committee to see if some of the wording can be changed for better understanding.

Jay Wyatt had a question about Appendix B being deleted from the amendment booklet. David Riley informed the Board the reason for this deletion was that everything provided for in Appendix B are now covered in the 2005 NEC. More discussion was had regarding changes in the 2005 NEC Amendment Booklet. David Riley explained the reason for the changes in the booklet.

Since there was no more discussion regarding this matter, Ron Smith made a motion to send this item back to the ad hoc committee to make the changes as discussed previously. The motion was seconded by Jay Wyatt and unanimously passed.

Upon motion made and seconded, the meeting adjourned.

Anthony McColum, Chairman

Alice Adams, Acting Secretary