

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 8, "Construction Regulations," of the Abilene Municipal Code be amended as set out in Exhibits "A" and "B," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper as provided by Section 19 of the Charter of the City of Abilene, Texas.

PASSED ON FIRST READING this 1 day of November,
A.D. 19 84.

PASSED ON SECOND AND FINAL READING this 15 day of
November, A.D. 19 84.

ATTEST:

Patricia Patton
CITY SECRETARY

David Stubbeman
MAYOR

APPROVED:

Gary Sanders
CITY ATTORNEY

EXHIBIT A

ORDINANCE NO. 112-1984

PART 1: Amend Chapter 8 by deleting all references to an electrical code and adding a new section 8-496 as follows:

DELETE these sections:

- Art. I - §8-1
- Art. II - §8-51 through 8-60
- Art. III - §8-101 through 8-112
- Art. IV - §8-171 through 8-310
- Art. V - §8-391 through 8-417
- Art. VI - §8-496

ADD:

Sec. 8-496. Uniform code adopted.

The 1984 edition of the National Electrical code, as published by the National Fire Protection Association, together with an electrical code pamphlet supplementing and amending that code, are hereby adopted as the minimum standard for the installation of all electrical wiring, devices and equipment in the city. The electrical code pamphlet which along with the National code constitute the complete Abilene electrical code, shall be an appendix to this code on file in the building official and city secretary's offices.

PART 2: A copy of the electrical code pamphlet is attached hereto as Exhibit B and hereby adopted.

Ex. B
Ord. No. 112-1984

8

ELECTRICAL



CODE

PAMPHLET

11- -84

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This Electrical code pamphlet along with the 1984 National Electrical code as published by the National Fire Protection Association (as ^{supplemented or} amended by this pamphlet) constitute the Electrical code of the City of Abilene, Texas.

The adoption of these standards is codified in Chapter 8 "Construction Regulations" art. VI Div. 3 "Electrical code" of the Code of Abilene as adopted by Ordinance III-1984
077 Nov. 15, 1984 .1

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Article I. In General.

- § 11-1. Definitions.
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- § 11-3. Electrical work to comply with certain standards.
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- § 11-6. Same—Miscellaneous.
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- § 11-16. Noncomplying, unsafe, etc., work to be stopped.
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- § 11-18. Same—Not to engage in business, etc.
- § 11-19. Board of electrical examiners—Established.
- § 11-20. Same—Composition.
- § 11-21. Same—Appointment, terms and compensation of members.
- § 11-22. Same—Removal of members.
- § 11-23. Same—Meetings and officers.
- § 11-24. Same—Powers and duties.

1. For state law as to authority of city to regulate buildings, see Rev. Civil Stats., art. 1175(25).

As to creation of electrical maintenance department, see § 2-1 of this Code. As to buildings, see ch. 7. As to fire prevention, see ch. 12. As to housing, see ch. 16. As to requirement that electrical plans and work be approved for buildings at Lake Fort Phantom Hill, see § 20-13. As to plumbing, see ch. 21. As to sewers, see ch. 24. As to requirement of additional permit for electric sign, see § 25-14. As to construction standards of electric signs, see § 25-17. As to streets and sidewalks, see ch. 26. As to requirement that transmission lines conform to National Electrical Safety Code, see § 26-34. As to electrical standards for trailer parks, see § 30-22.

Building Inspection 676-6272
(second floor, City Hall,
555 Walnut, Abilene)

Electrical Inspectors 676-6276

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Electrician
ABILENE CITY CODE

§§ 11-25, 11-26. Repealed.
§ 11-27. Disposition of fees.

Article III. Electricians' Certificates.

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§ 11-28. Improper use of master electricians' certificates; penalty; re-issuance of revoked certificates.
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Division 2. Master Electricians.

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§ 11-35. Issuance; term.
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§ 11-38. To be kept in possession while working.

Division 3. Journeyman Electricians.

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§ 11-53. Work only to be performed in specified buildings.

Division 5. Sign Electricians.

§ 11-54. Required; additional requirements.
§ 11-55. Application.
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§ 11-57. Fee.
§ 11-58. Issuance; term.

~~§ 11-59~~

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~~§ 11-61~~

§ 11-59. Renewal.
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§ 11-61. To be in possession while working.

Division 6. Control Electricians.

§ 11-62. Required.
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Division 7. Apprentice Electricians.

§ 11-71. Required.
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§ 11-73. Fee; term; renewal.
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Article IV. Permits and Inspections.

§ 11-76. Permit—Required; exceptions; requirement of ownership of legal entity.
§ 11-77. Same—Application.
§ 11-78. Same—Same—By telephone.
§ 11-79. Same—Issuance.
§ 11-80. Same—Term valid.
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§ 11-83. Computation of fee for baseboard heating.
§ 11-84. Notice of readiness for inspection.
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§ 11-86. Appeals—Generally.
§ 11-86.1. Same—Electrician's certificate.
§ 11-87. Same—Investigation; stay of order appealed from.
§ 11-88. Same—Hearing by board of electrical examiners.
§ 11-89. Same—Same—Conduct.
§ 11-90. Same—Decision of board; records.
§ 11-91. Same—Appeal from decision of board.

Article I. In General.

Sec. 11-1. Definitions.

For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this section:

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~~Supp. 1-33, 12-74~~

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Control electrician. One who engages in or works at the installation, maintenance or repair of electrical controls of not over forty-eight volts, A.C. or D.C.

Electrician's apprentice. Any person other than a master electrician or journeyman electrician who, as his principal occupation, is engaged in learning and assisting in the installation of electrical work under the personal, constant supervision of a master electrician or journeyman electrician.

Electrical work. Any work related to or involving the furnishing of labor, equipment, appliances or materials or the performance of any operation in connection with electrical installations. It includes, but is not limited to the following:

(1) Power and lighting systems, secondary services, distribution panels, lighting panels, conduits, junction boxes, pull boxes, outlets, feeders, sub-feeders, wiring devices, service fittings, lighting fixtures, lamps, etc.

(2) All power and control wiring and any other electrical installations incidental to any equipment furnished by any other contractors, owners or their agents.

Installation. Any electrical work of any nature performed on, in or near any premises.

Journeyman electrician. Any person other than a master electrician who engages in or works at the actual installation, alteration, repair and renovation of electrical work and who has successfully fulfilled the examinations and requirements of this chapter.

Legal entity. Legal entity shall be synonymous with "person" as such word is defined in section 1-2.

Maintenance electrician. One who is employed by a person to maintain and repair electrical installation in a particular building and who does not otherwise engage himself as either a master or journeyman electrician.

Master electrician. An electrician having a regular place of

business who, by himself or through a person in his employ, performs electrical work, and who has successfully fulfilled the examination and requirements as set out in this chapter. (~~Code 1957, § 27-1; Ord. No. 238, § 1; Ord. No. 733, pt. 1.~~)
Code 1962

Sec. ~~1~~-2. Applicability of chapter.

The provisions of this chapter shall not apply under the following circumstances:

(a) Fire and police signal installations, installed and maintained by the city electrician.

(b) Electric light, heat and power companies, and telephone and telegraph companies, operating under a state charter and state laws, or a franchise from the city, in the operation, installation, maintenance, removal, repair or replacement of equipment and facilities, of any kind or character, which are necessary to, or a part of, their producing, operating, distributing or transmitting system.

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(c) Manufacturers of electrical equipment carrying on reasonable electrical experiments with materials and products within the confines of their own premises; provided, that the electrical inspector may, when he deems it necessary for the general welfare, inspect such premises and all installations therein, and that the electrical inspector may require the manufacturer to make whatever changes he believes necessary for the protection of public life and property.

(d) All installations for the illumination of public grounds, ways, alleys or parks. Those installations for the illumination of other exterior areas which also (1) are owned and maintained by an electric light, heat and power company operating under a franchise from the city; (2) have been installed by, or for, such company; (3) are placed upon easements of such company; (4) do not have any portion of such installation installed underground; and (5) have all lights installed upon poles, with no more than four lights on any one pole, and poles no closer together than fifty feet on any one tract of land.

(e) Any bona fide homeowner personally installing electrical conductors or equipment within his own home; provided, that the owner shall file with the electrical inspector approved plans and specifications, shall satisfy the electrical inspector as to his ability to install electrical wiring, shall apply for and secure a permit, shall pay the required fees, shall do work in accordance with this chapter and shall apply for an inspection, and receive a certificate of approval.

Personal installation by an owner under this subsection shall be by himself, for himself, on his homestead premises, without compensation and no person shall be employed to assist him in any way on such work.

No homeowner shall be issued a permit under the provisions of this subsection more frequently than once each two (2) calendar years, except for additions or repairs.

(f) Guard lights installed on private property in residential zones by the power company."

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Sec. 2-2. Electrical work to comply with certain standards.

All electrical installation in the City shall be done in accordance with the 1984 edition of the National Electrical Code, published by the National Fire Protection Association together with standards of the National Electrical Manufacturers Association and the American National Standards Institute. Each new revision of the National Electrical Code shall be recommended to the City Council for adoption as soon as it becomes available. *In the event of any conflict between the code and this pamphlet, the latter provision will apply.*

Sec. 2-4. Additional standards—Wiring methods.

In addition to the requirements of the preceding section, all wiring shall be as follows:

- (a) Any new building being built and any old building being remodeled that is to be used for any type of commercial purposes shall have all wiring in or on the building enclosed in rigid metal conduit, electrical metallic tubing or approved PVC conduit.
- (b) Any structure containing three or more living units shall be wired in rigid metal conduit, electrical metallic tubing or approved PVC conduit.
- (c) All cold vaults used for any purposes of cooling shall be wired in rigid metal or approved PVC conduit, vaporproof lighting fixtures, waterproof fittings and weatherproof devices.
- (d) Armored cable wiring, open wiring on insulators, and concealed knob and tube wiring methods shall not be used.
- (e) All outside wiring using surface mounted fixtures, fittings and devices shall be of an approved watertight wiring method.

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Sec. 4.1: Minimum Wiring Standards for Residential Rehabilitation.

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(f) No grounding conductor run separately shall be smaller than number fourteen AWG.

(g) All low voltage commercial wiring shall be run in conduits and shall be done by the appropriate license holder.

(h) All wiring in or under a concrete slab or permanent paving shall be rigid steel conduit and/or rigid, heavy wall PVC conduit as approved by the National Electrical Code and tested by the Underwriters Laboratories for such usage. Electrical metallic tubing shall be used only in the above ground wiring.

(i) Conductors for branch or feeder circuits shall not be smaller than number twelve AWG except that the last two openings on a branch circuit, and switch legs for single lights may be run in number fourteen wire; provided that such circuits are protected by fuses or circuit breakers no larger than fifteen amperes.

(j) Service masts shall be made up of a minimum size of two inch trade size rigid steel electrical conduit; provided further, that underground services shall have a disconnecting switch on the pole at the outer end of the service if the service extends twenty feet or more underground and is rated at four hundred amperes or smaller.

(k) Wiring in or around swimming pools shall not be of a voltage higher than twelve volts.

(l) Number fourteen AWG wire shall be the minimum size of conductors used for control circuits of one hundred ten volts or greater.

(m) The use of aluminum wire is prohibited in the City of Abilene except for the following:

1. Aluminum wire may be used for main services, sizes three naught (3/0) and larger.
2. Aerial conductors, (triplex), size (6) or larger. (Ord. No. 580, pt. 1; Ord. No. 733, pts. 3 to 10.)

(a) The following standards shall apply to repairs and rehabilitaiton of 'owner occupied' residences:

(1) Services

a. all exterior service equipment shall be of weather-proof materials, fittings and devices.

b. latest approved service mast heights and points of attachment to structures shall be maintained.

c. services shall be of a capacity large enough to carry anticipated load. No service conductor shall be smaller than #4AWG.

(2) Circuits

a. existing two conductor non-metallic sheathed cable, if in safe condition, shall be allowed to remain with the addition of a single grounding conductor run separately to all required grounding points.

b. other conforming wiring methods, not presently approved by the City of Abilene Electrical Code, may remain if in safe condi-

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tion and not disturbed in any manner other than reconnection to an electrical panel, provided also, that these systems were legal at the time of original installation.

c. receptacles shall be sufficient in numbers to serve the desired space in a practical manner.

d. these Code requirements shall not be necessary:

- 1. exterior plugs for residences;
- 2. plugs for residences,
- 3. GFCI circuit breakers.

(3) Permits shall be required in accordance with applicable sections of this Code.

(b) For all residences moved into, or relocated within the City, total compliance with the NEC and this Code shall be required. The same requirements apply to residences being rehabilitated for sale or for use as rental property." (Ord. No. 1055 Pt. 4 4-27-78)

Sec. 11-5. Same—Circuits.

(a) The small appliance circuits as called for in the National Electrical Code shall contain no more than four outlets per circuit; provided further, that the circuit conductors shall not be smaller than number twelve AWG.

(b) Circuits in a commercial building shall be as outlined in Article 220, National Electrical Code.

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(c) Lighting circuits for residential wiring shall contain no more than six outlets per circuit.

(d) Washing machines, central heating units and bathroom wall and ceiling heating units shall each be on a separate circuit. Evaporative air conditioners may be placed on heater circuits.

(e) All secondary underground wiring in conduit or cable shall be buried eighteen inches deep, measured from finish grade. All primary wiring shall be thirty-six inches deep.

(f) Requirements for receptacles in bedrooms or other rooms for patient care in nursing and rest homes shall be one receptacle for each bed and one general purpose receptacle conveniently located for other purposes.

(g) Nonmetallic outlet boxes for use with nonmetallic cable must have cable clamps. Staples may not be used with nonmetallic cable wiring.

(h) The electrical inspector shall determine the suitability of materials and shall approve or disapprove their usage. When disapproved, the electrical contractor or responsible party must furnish proof of the Underwriters Laboratories approval.

(i) Minimum standards for residential hot house wiring shall be:

(1) The type of conductors shall be UF, sunlight resistant.

(2) Light fixtures shall be switched by wall switches with no pull chain switches allowed.

(3) All other wiring shall be by applicable sections of the National Electrical Code.

(j) Service mast requirements shall be:

(1) The riser shall be minimum of two inch rigid steel conduit.

(2) The maximum height above the roof shall be three feet.

(3) No minimum height is set, but there shall be a suitable distance to form a drip loop reasonably clear of the roof.

(k) Circuits servicing electrical water heaters on 230 volt shall be no smaller than #10 AWG conductors." (Ord No 733 P. 11 and No 1055 P. 6 4-27-78)

Sec. 49-6. Same—Miscellaneous.

(a) Lighting panels and disconnecting switches shall not be placed in any bathroom or in any closet within a building, and if installed in a storage closet in a garage or car port or other open stud walls, all wiring shall be guarded to a height of eight feet, or as high as necessary for mechanical protection. All open wiring on flat surfaced walls are to be protected in the same manner.

(b) Pull chain switches shall not be installed over sinks or lavatories regardless of the wiring method used.

(c) There shall be no concealed seal fittings or grounding connections and there shall be no splices or joints made in conduit fittings.

(d) If a range or dryer circuit is installed and there is an existing appliance circuit, the existing circuit shall be made to conform to this chapter before an inspection will be made.

(e) All major appliances, either fixed, stationary or portable shall be installed with an attachment plug and receptacle for disconnecting purposes or disconnect switch if the ampere rating exceeds the rating of the new receptacle. All disconnecting means shall be accessible.

(f) Any move, change or alteration of service equipment shall be made to conform to the electrical ordinance if possible to do so without altering the structure of the building.

(g) Service conductors from the meter to the service switch or panel shall be of the same carrying capacity as the buss bars in the switch or panel being used. Also, no buss bars will be back-fed through circuit breakers.

(h) Metering equipment and service entrances will be located on the building at the most reasonable point of attachment in line with the utility company's distribution facilities and in accordance with the National Electrical Code. These installations will be located on the rear of the

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building if electrical service is available there. They shall be securely anchored and be of good quality workmanship. If there is sufficient cause for the service not to be so located, the electrical inspector may allow a variance from this requirement."

(i) Scuttle holes shall be located and all recessed panels, fixtures or heater cans and other outlet boxes shall be in place for the rough inspection unless otherwise excepted by the inspection authority.

(j) All buildings moved into the city from outside the city limits shall be inspected and if not properly wired, they shall be rewired to conform to the provisions of this chapter. There shall be an inspection fee of twenty-five dollars charged for such an inspection in addition to the regular permit fees. If any building in the jurisdiction of the electrical inspection division is moved from one location to another it shall also be required to conform to this chapter.

(k) If the wiring of a building is covered in any manner before the rough inspection is made, the wiring shall be uncovered or tests shall be made to ensure the proper functioning of the circuits. There shall be an inspection fee of twenty-five dollars charged for this service.

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(l) All plans for commercial and industrial construction, educational and institutional facilities, and for apartment buildings shall show the following as minimum requirements:

- (1) Floor plan locating all electrical outlets, lighting fixtures and panel locations;
- (2) Lighting fixture schedule showing type, location and wattage;
- (3) Single line riser diagram showing conduit and wire size, beginning at the service entrance and continuing through main and distribution panels. Fuse or breaker size shall be shown;
- (4) A notation shall be placed on the riser diagram showing the planned total electrical load in amperage to be provided for.

Plans which are not certified by a professional engineer shall be signed by a licensed master electrician.

(m) All panels and switches shall be properly labeled and indexed for circuit and equipment control identification.

(n) Standards for the wiring of gasoline pumps and dispensers on new construction or remodeling are to be:

- (1) The cavity beneath the pump shall be approximately one inch smaller than the inside diameter of the base of the pump.
- (2) The conduit shall extend up far enough in height so that the end of the conduit shall be even with the top of the pump island.

(o) All wiring in enlargement of space or additions to buildings shall consist of entirely new circuits.

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(p) The use of nonmetallic sheathed cable for the wiring in concrete or any other type of tile walls in residential construction is not permitted unless enclosed in approved conduit.

(q) All electric space heating equipment will be Underwriters Laboratory approved and wired according to article 424 of the National Electrical Code. All wiring for such appliances will be left open for the electrical inspection.

(r) All wiring for commercial cooking equipment shall conform to Article 422 of the National Electrical Code with certain restrictions. Vent hoods over cooking equipment are interpreted as being plenum chambers and the restrictions are:

- (1) All boxes are to be approved cast metal with threaded hubs.
- (2) All conductors are of asbestos insulation or equivalent.
- (3) Raceways shall be rigid metal conduit.
- (4) All devices are to be faced outside the hood.
- (5) All the lighting fixtures are to be of the vapor proof type. (Ord. No. 733, pts. 12 to 19.)

Sec. 11-7. Deviations from chapter.

No person shall be allowed to change or deviate from the provisions of this chapter without the approval of the electrical board.

Sec. 11-8. Wiring to be under supervision of master electrician.

All wiring in the city shall be done under the supervision of a master electrician except as otherwise provided.

Sec. 11-9. Employees not to be hired unless licensed.

An electrical contractor shall not accept a man for employment unless the man is the holder of a valid city electrical license or certificate of qualification.

Sec. 11-10. Connections between service and control.

No master, journeyman or maintenance electrician shall make any connection between the point of service and the work to be served until the electrical inspector has inspected and approved the work. (Code 1957, § 27-10; Ord. No. 733, pt. 21.)

Article II. Administration and Enforcement.

Sec. 11-11. Electrical inspector—Appointment; term; assistants; administrative status.²

The electrical inspector shall be appointed by the building official with the approval of the city manager. His appointment shall continue during good behavior and satisfactory service. Assistant inspectors may be appointed by the building official whenever occasion demands. The electrical inspector is a part of the building inspection ~~division of the planning and community development department.~~ ^{DEPARTMENT} (Code 1957 § 27-3)

Sec. 11-12. Same—Qualifications.

The electrical inspector shall be a competent person of good moral character; he shall have had at least four years' experience as a journeyman electrician; he shall have adequate knowledge of current and approved methods and practices relating to electrical installations; and he shall have passed the examination for journeyman electricians. (Code 1957, § 27-3.)

Sec. 11-13. Same—Powers and duties.

The electrical inspector shall have the following powers and duties:

- (a) The inspection and testing of electrical installations and systems in all buildings and structures when he has reason to believe the same are unsafe, improper or do not comply with applicable ordinances.

² As to administration generally, see ch. 2 of this Code.

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(b) The inspection of all installations, alterations and repair of electrical work as set out in this chapter.

(c) The right to enter any building or premises at all reasonable hours for the purpose of making any tests or inspections of the electrical wiring and appliances therein contained as may be necessary for the performances of his duties.

(d) To keep or cause to be kept a record of permits and inspections required under this chapter, a record and preservation of all other instruments required under this chapter and a record of all condemnations of electrical installations. (Code 1957, § 27-3; Ord. No. 238, § 2.)

Sec. ~~11-14~~. Same—Badge to be worn. *Carried*

The electrical inspector and his assistants shall, when in the performance of their duties, wear a badge to be furnished by the city. (Code 1957, § 27-3.) *Carry*

Sec. ~~11-15~~. Notice of defective, etc., installations; discontinuance of electric supply to defective, etc., installations.

Upon determining that unsafe, improper or unlawful installations or work exist, the electrical inspector shall notify the owner of such premises or his agent and the electrician performing the work on such premises, in writing, specifying the exact deficiency existing, the time allowed for commencement of such corrective action and the time allowed for completion of such corrective action. Action correcting the specified deficiency must be begun within five days from the date of notice of deficiency and such deficiency must be wholly corrected within a reasonable time. A reasonable time shall be considered as fifteen days from date of the deficiency notice unless the electrical inspector prescribes a longer or shorter period.

If the deficiency is not corrected within the prescribed period, no further inspections by the electrical inspector shall be conducted on the premises where the deficiency exists and

the electrical inspector shall order the electricity supply to such premises to be discontinued. (Ord. No. 238, § 3.)

Sec. ~~11-16~~. Noncomplying, unsafe, etc., work to be stopped.

The electrical inspector shall stop the installation, alteration or repair of any electrical work whenever in the inspector's opinion the work is being done in a reckless, careless or unsafe manner which violates the provisions of this chapter. He shall stop the use of materials, maintenance or operations which violate the provisions of this chapter. (Code 1957, § 27-3.)

Sec. ~~11-17~~. Notice of stoppage of work.

Upon determining that particular work should stop, the electrical inspector shall post a notice to that effect on the premises and thereafter no person shall proceed with the installation until the inspector has cancelled the stop work notice. (Code 1957, § 27-3.)

Sec. ~~11-18~~. Same—Not to engage in business, etc.

The electrical inspector shall not engage in the occupation of electrical wiring, nor have any financial or other interest in any electrical shop doing electrical wiring within the jurisdiction of the electrical inspection division.

Sec. ~~11-19~~. Board of electrical examiners—Established.

There is established a board of electrical examiners for the city. (Code 1957, § 27-4.)

Sec. ~~11-20~~. Same—Composition.

The board of electrical examiners shall consist of the following five members: A master electrician, a journeyman electrician, a licensed architect, a building contractor and a licensed engineer. (Code 1957, § 27-4.)

3. As to administration generally, see ch. 2 of this Code.

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Sec. 21. Same-Appointment, terms and compensation of members

Members of the board of electrical examiners shall be appointed by the Mayor with the approval of the City Council for the term of two years, so that three appointments shall end on odd numbered years and two appointments shall end on even numbered years. Provided, however, that if any member of the board shall become unable to act for any reason, resign the position, or shall be removed for any cause as herein provided, then the Mayor with the approval of the City Council shall appoint a successor or successors to fill the unexpired term & until their respected successors shall be duly appointed. (Code 1957, §27-4; Ord.No.733, pt.23.) All members of the Board shall serve without compensation.

Sec. 22. Same-Removal of members.

The City Council may remove a member of the Board of Electrical Examiners for cause. (Code 1957, §27-4.)

Sec. ~~23~~-23. Same—Meetings and officers.

The board of electrical examiners shall meet as soon after appointment as possible and select a chairman. The board shall meet at least once each month. Three members of the board present at any meeting shall constitute a quorum for the transaction of any business or the carrying out of any duties; but any action taken at any meeting shall require the affirmative vote of at least three members. The chairman of any meeting of the board shall vote.

The electrical inspector shall serve as secretary of the board of electrical examiners but shall not at any time have any voice or vote in any findings or actions of the board. (Code 1957, §§ 27-4, 27-5.)

Sec. ~~24~~-24. Same—Powers and duties.

The board of electrical examiners shall have the following powers and duties:

(a) The adoption of rules and regulations for the examination and re-examination of applicants for electricians' certificates.

(b) Submission to the city council of written recommendations and suggestions for the improvement, enforcement and administration of this chapter.

(c) The issuance of appropriate certificates and licenses to successful applicants therefor.

(d) To hear all appeals from rulings or actions of the building inspector or his authorized representatives by persons aggrieved thereby who shall have followed the procedure for such an appeal as provided herein. (Code 1957, § 27-5; Ord. No. 238, § 4.)

~~Sec. 25~~-25. Repealed by Ordinance No. 733, pt. 24.

~~Sec. 26~~-26. Repealed by Ordinance No. 733, pt. 24.

Sec. 11-27. Disposition of fees.

All fees received by the board of electrical examiners under this article shall be turned over to the public works department at least once a month. (Code 1957, § 27-8.)

Article III. Electricians' Certificates.

DIVISION 1. GENERALLY.

Sec. ~~28~~-28. Improper use of master electricians' certificates; penalty; reissuance of revoked certificates.

(a) No person shall allow the use of his master electrician's certificate, directly or indirectly, by any other person for the purpose of obtaining a permit to do electrical installations. In addition to the penalty provided for violations of this Code, any person violating this section shall forfeit his certificate of qualification and it shall hereafter be void for the remainder of the term of such certificate.

(b) To obtain a master electrician's certificate of qualification after being found guilty of violating this section, whether such conviction was for a first offense or some subsequent offense, the applicant must complete the requirements of ar-

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DIVISION 2. MASTER ELECTRICIANS.

ticle III, division 2, pertaining to master electricians and file a one thousand dollar bond with the building official which shall be forfeited if the person, thereafter, shall violate this section. The bond shall be returned to the applicant if he does not renew a certificate or if he does not violate this section within three years from the date that his license was revoked by the building official. A person who violates this section for the second time shall not be permitted to apply for or receive a certificate of qualification as a master electrician for a period of two years from the date of revocation of such person's license by the building official or authorized representative. A person who violates this section for a third time and for any subsequent violation shall not be permitted to apply for or receive a certificate of qualification as a master electrician for a period of four years from the date of the last revocation of such person's license by the building inspector or his authorized representative. (Ord. No. 238, § 5.)

Sec. 11-28.1. Recognition of license or certificate of registration of electricians from other cities.

Master electricians, control electricians, sign electricians, journeyman electricians, journeyman sign electricians and maintenance electricians holding a currently valid license or certificate of registration in another city may apply for and receive a similar license or certificate of registration in this city without an examination, providing the following conditions are met:

(a) He shall submit evidence satisfactory to the majority of the board of electrical examiners that his license or certificate of registration was issued under conditions not less restrictive than required by this chapter and that an electrician holding a license issued by this city would be permitted to apply for and receive a similar license or certificate of registration in such other city under reciprocal conditions.

(b) He shall pay the license fee, as required and comply with all other requirements as set forth in this chapter. (Ord. No. 458, § 1.)

Sec. 11-29. Required.

No person shall engage in the business of master electrician unless he possesses a valid master electrician's certificate of qualification issued in accordance with the provisions of this division.

Sec. 11-30. Application.

"Applicants for Master Electrician Licenses shall make application therefore to the secretary of the Board of Electrical Examiners. Each applicant shall be required to furnish three (3) letters of recommendation specifically stating his qualifications in a recognized electrical field. In addition, he shall provide proof of experience as follows:

- (a) ten (10) year's experience under the supervision of a licensed master electrician; or
- (b) completion of five (5) years or technical training from a recognized electrical school, plus three (3) year's experience under a licensed master electrician; or
- (c) if applicant has not completed five (5) years of technical schooling, he shall be allowed one and one-half (1½) years of practical training for each one (1) year of accredited schooling."

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Sec. 11-31. Application fee.

The application shall be presented to the secretary of the board and shall be accompanied by a fee of twenty-five dollars. (Ord. No. 603, pt. 1.)

Sec. 11-32. Examination.

The applicant shall submit himself to an examination prepared by the board of electrical examiners. The examination shall consist of questions concerning electrical installations and other topics related to the occupation of master electrician.

The examination must be taken within thirty (30) days from the date of application, or the applicant must reapply to the electrical board for examination. Seventy (70) points shall be the minimum passing grade. Failure to pass the examination shall have the following waiting periods:

- (1) Ninety (90) days with a grade of sixty-nine (69) to fifty (50).-
- (2) One hundred eighty (180) days with a grade of forty-nine (49) to thirty (30).
- (3) Two hundred seventy (270) days with a grade of twenty-nine (29) to zero (0).

There shall be a reexamination fee of twelve dollars and fifty cents (\$12.50) for each reexamination. (Ord. No. 733, Pt. 25)

Sec. 11-33. Bond prerequisite to issuance.

If the applicant is successful in the examination, he shall obtain a bond from an approved surety company in the amount of one thousand dollars, payable to the city and conditioned upon the applicant's strict compliance with this chapter.

Sec. 11-34. Fee.

The successful applicant shall also pay to the secretary of the board one hundred twenty-five dollars. (Ord. No. 603, pt. 2.)

Sec. 11-35. Issuance; term.

Qualified applicants who comply with the above provisions shall be issued a certificate of qualification to carry on the occupation of master electrician. The certificate shall expire on December thirty-first of each year.

Sec. 11-36. Renewal.

The certificate of qualification may be renewed by paying to the secretary of the board the sum of fifty dollars within ten days after the expiration date of the old certificate. If a certificate of qualification is not renewed, it shall thereafter be void. (Ord. No. 603, pt. 3.)

Sec. 11-37. Transferability.

A certificate of qualification shall be issued to an individual and shall not be assignable.

Sec. 11-38. To be kept in possession while working.

No person shall engage in the occupation of master electrician without having his current certificate of qualification in his possession.

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DIVISION 3. JOURNEYMAN ELECTRICIANS.

Sec. ~~11-39~~. Required.

No person shall engage in the occupation of a journeyman electrician without having been issued a license as provided in this division. (Code 1957, § 27-7.)

Sec. ~~11-40~~. Application.

Applicants for journeyman electricians' licenses shall make application therefor to the secretary of the board of electrical examiners. Applicants must present written proof of four years experience as an electrician before being allowed to take the journeyman electrician's examination. (Code 1957, § 27-7; Ord. No. 733, pt. 26.)

Sec. ~~11-41~~. Examination.

The applicant for a journeyman electrician's license shall submit to an examination prepared by the board of electrical examiners. The examination shall consist of questions concerning electrical installations and other topics related to the occupation of a journeyman electrician, and a fee of five dollars shall be paid to the secretary of the board. Waiting periods for failure to pass the journeyman's examination are to be the same as for the master's examination. There shall be a re-examination fee of two dollars and fifty cents for the first re-examination and five dollars for each succeeding reexamination. (Code 1957, § 27-7; Ord. No. 603, § 4; Ord. No. 733, pt. 27.)

Sec. ~~11-42~~. Fee.

The successful applicant for a journeyman electrician's license shall pay to the secretary of the board of electrical examiners the sum of twenty-five dollars. (Code 1957, § 27-7; Ord. No. 603, pt. 5.)

Sec. ~~11-43~~. Issuance; term.

Qualified applicants who comply with the provisions of this division shall be issued a certificate of qualification to carry on the occupation of a journeyman electrician. The certificate shall expire on the thirty-first day of December of each year. (Code 1957, § 27-7.)

Sec. ~~11-44~~. Renewal.

Journeyman electricians' licenses may be renewed by paying to the secretary of the board of electrical examiners the sum of ten dollars within ten days after the expiration date of the old license. If a license is not renewed, it shall thereafter be void. (Code 1957, § 27-7; Ord. No. 603, pt. 6.)

Sec. ~~11-45~~. Transferability.

A journeyman electrician's license shall be issued to an individual and shall not be assignable. (Code 1957, § 27-7.)

Sec. ~~11-46~~. To be in possession while working.

A licensed journeyman electrician shall keep his license in his possession when working as a journeyman electrician. (Code 1957, § 27-7.)

DIVISION 4. MAINTENANCE ELECTRICIANS.

Sec. ~~11-47~~. Required.

No person shall engage in the occupation of maintenance electrician without having been issued a maintenance electrician's license as provided in this division. (Code 1957, § 27-8.)

Sec. ~~11-48~~. Application; application fee.

Applicants for maintenance electricians' licenses shall make application therefor to the secretary of the board of electrical examiners. The application shall be accompanied by a fee of fifteen dollars. (Code 1957, § 27-8; Ord. No. 603, pt. 7.)

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Sec. 11-49. Issuance; conditions.

Upon receipt of a proper application form under this division, the secretary of the board of electrical examiners shall issue to the applicant a maintenance electrician's license authorizing the licensee to maintain and repair electrical installations in a particular building and stating therein that it does not authorize the licensee to engage in the occupation of either master electrician, journeyman electrician, or sign electrician. (Code 1957, § 27-8.)

Sec. 11-50. Renewal.

Maintenance electricians' licenses shall be renewed by paying to the secretary of the board of electrical examiners the sum of ten dollars within ten days after the expiration date of the maintenance electrician's license. (Code 1957, § 27-8; Ord. No. 603, pt. 8.)

Sec. 11-51. Transferability; term.

Maintenance electricians' licenses shall be issued to an individual and shall not be assignable. All maintenance electricians' licenses shall expire on the thirty-first day of December of each year. (Code 1957, § 27-8.)

Sec. 11-52. To be in possession while working.

Licensed maintenance electricians shall retain their maintenance electrician's license in their possession when working. (Code 1957, § 27-8.)

Sec. 11-53. Work only to be performed in specified buildings.

A licensed maintenance electrician shall perform maintenance electrician's duties only in the building indicated on the face of his license. (Code 1957, § 27-8.)

DIVISION 5. SIGN ELECTRICIANS.

Sec. 11-54. Required; additional requirements.

No person shall manufacture or install luminous gas or electric discharge signs or other electrical signs of any type unless he or one member of his firm holds a certificate of qualification from the building inspection division. Necessary wiring shall be installed by a master electrician or under his supervision. A permit shall be secured for each electrical sign and all outline lighting installations for erection in the city. (Code 1957, c 27-9; Ord. No. 820, § 1.)

Sec. 11-55. Application.

Applicants for sign electricians' certificates of qualification shall make application therefor to the secretary of the board of electrical examiners. (Code 1957, § 27-9; Ord. No. 820, § 1.)

Sec. 11-56. Examination.

The applicant for a sign electrician's license shall submit himself to an examination prepared by the board of electrical examiners. The examination shall consist of questions concerning the installation, alteration, maintaining and repair of electrical signs. (Code 1957, § 27-9; Ord. No. 820, § 1.)

Sec. 11-57. Fee.

A successful applicant for a sign electrician's license shall pay to the secretary of the board of electrical examiners the sum of fifteen dollars. (Code 1957, § 27-9; Ord. No. 820, § 1.)

Sec. 11-58. Issuance; term.

Qualified applicants for sign electricians' certificates who comply with the provisions of this division shall be issued a license to carry on the occupation of a sign electrician. The

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certificate shall expire on the thirty-first day of December of each year. (Code 1957, § 27-9; Ord. No. 820, § 1.)

Sec. 11-59. Renewal.

A sign electrician's certificate may be renewed by paying to the board of electrical examiners the sum of five dollars within ten days after the expiration date of the old license. If a license is not renewed, it shall thereafter be void. (Code 1957, § 27-9; Ord. No. 820, § 1.)

Sec. 11-60. Transferability.

A sign electrician's license shall be issued to an individual and shall not be assignable. (Code 1957, § 27-9; Ord. No. 820, § 1.)

Sec. 11-61. To be in possession while working.

Every sign electrician shall keep his certificate in his possession when working as a sign electrician. (Code 1957, § 27-9; Ord. No. 820, § 1.)

DIVISION 6. CONTROL ELECTRICIANS.

Sec. 11-62. Required.

No person shall engage in the occupation of control electrician without having been issued a current certificate of qualification as provided in this division. (Code 1957, § 27-10.)

Sec. 11-63. Application.

Applicants for control electricians' certificate shall make application therefor to the secretary of the board of electrical examiners. (Code 1957, § 27-10.)

Sec. 11-64. Examination.

The applicant for a control electrician's certificate shall submit himself to an examination prepared by the board of electrical examiners. The examination shall consist of questions concerning the installation, alteration, maintaining and repair of electrical controls of not over forty-eight volts, A.C. or D.C. (Code 1957, § 27-10.)

Sec. 11-65. Fee.

A successful applicant for a control electrician's certificate shall pay to the secretary of the board of electrical examiners the sum of ten dollars. (Code 1957, § 27-10.)

Sec. 11-66. Issuance; term.

Qualified applicants for control electricians' certificates who comply with the provisions of this division shall be issued a certificate to carry on the occupation of a control electrician. The certificate shall expire on the thirty-first day of December each year. (Code 1957, § 27-10.)

Sec. 11-67. Conditions.

A control electrician's certificate shall not permit the holder to perform or supervise the performance of any primary wiring or to make any connections from a control panel to any electrical service. (Code 1957, § 27-10.)

Sec. 11-68. Renewal.

A control electrician's certificate may be renewed by paying to the board of electrical examiners the sum of one dollar within ten days after the expiration date of the old certificate. If a certificate is not renewed, it shall thereafter be void. (Code 1957, § 27-10.)

Sec. 11-69. Transferability.

A control electrician's certificate shall be issued to an individual and shall not be assignable. (Code 1957, § 27-10.)

Sec. 11-70. To be in possession while working.

Every control electrician shall keep his certificate in his possession when working as a control electrician. (Code 1957, § 27-10.)

DIVISION 7. APPRENTICE ELECTRICIANS.

Sec. 11-71. Required.

No person shall engage in the business of apprentice electrician without having been issued a current license as provided in this division. (Code 1957, § 27-11.)

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Sec. ~~11~~-72. Application.

Applicants for apprentice electricians' licenses shall make application therefor to the secretary of the board of electrical examiners. (Code 1957, § 27-11.)

Sec. ~~11~~-73. Fee; term; renewal.

The applicant for an apprentice electrician's license shall pay to the board of electrical examiners the sum of five dollars upon receipt of his license. The license shall expire on the thirty-first day of December of each year. Licenses may be renewed by paying to the board the sum of five dollars within ten days after the expiration date of the old license. If a license is not renewed, it shall thereafter be void.

Apprentice electricians must not work by themselves, but only under the supervision of a licensed master or journeyman electrician. Any unlicensed person found doing any electrical work will be subject to such penalties as provided by section 10-1 of the Code of Ordinances of the City of Abilene. If the unlicensed person is working for a master electrician, the master is held equally responsible. (Code 1957, § 27-11; Ord. No. 603, pt. 9; Ord. No. 733, pt. 28.)

Sec. ~~11~~-74. Transferability.

An apprentice electrician's license shall be issued to an individual and shall not be assignable. (Code 1957, § 27-11.)

Sec. ~~11~~-75. To be in possession while working.

Every licensed apprentice electrician shall keep his license in his possession at all times when working as an apprentice electrician. (Code 1957, § 27-11.)

Article IV. Permits and Inspections.

Sec. ~~11~~-76. Permit — Required; exceptions; requirement of ownership of legal entity.

(a) No person shall begin any electrical installation or begin any work of installing, erecting or altering material,

wiring fixtures or any other apparatus to be used for the generation, transmission or utilization of electricity for light, heat or power in or on any building or premises in the city without first securing a permit therefor from the office of the electrical inspector; provided, that no permit shall be required for minor work such as repairing receptacles and switches, changing lamp sockets and ballasts and fuses. This section shall not apply to maintenance and repairs on the premises of a person regularly employing a maintenance electrician for that purpose.

(b) Any person, not a home owner, eligible under section 11-77 to make application for the permit required by this article, must furnish the electrical inspector with evidence that such person is the owner, either in whole or in part, of the legal entity which is to do the work under the requested permit. If the legal entity is not required by the statutes of this state to be created by a written agreement or other legal instrument, then this requirement of ownership will be deemed satisfied upon presentation to the electrical inspector by the party so applying for the permit of an affidavit sworn to by such requesting party stating all the persons who are the legal or equitable owners of the legal entity which shall do the work under the requested permit. Equitable ownership herein shall not include a person holding a mortgage, deed of trust or other type of lien against the particular business.

If the creation of the legal entity is required by the statutes of this state to be evidenced by written instruments, then the ownership requirement will be satisfied upon presentation to the electrical inspector of one set of certified copies of the instruments creating the legal entity. The foregoing certified copies shall be accompanied by a list of owners of such legal entity as reflected by the books of same, which list shall be certified by the proper officer of the legal entity.

(c) A person who has previously satisfied the evidence of ownership requirements as provided for in subsection (b) herein, shall not be required to furnish the required evidence of ownership upon a subsequent request for a permit; pro-

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vided, that such person makes a sworn affidavit on a form to be furnished by the electrical inspector that no change of ownership of the legal entity has occurred since the issuance of the permit. If a change of ownership, either complete or partial, of such legal entity has occurred, the requirements of subsection (b) hereof must be satisfied before a permit can be issued.

(d) In the event the ownership of the legal entity receiving the permit changes subsequent to the issuance of the permit by the electrical inspector but prior to completion of the work to be done under the permit, the old owner and the new owner must give written notice of such change of ownership of the legal entity to the electrical inspector within seven days from the effective date of the change of ownership. The written notice must be accompanied by a certified copy of the instrument evidencing the sale and by instruments establishing that the owner or one of the owners of the legal entity as it exists subsequent to the sale holds a master electrician's certificate of qualification issued by the city. If there is no written instrument evidencing the sale or change of ownership, then the electrical inspector must be furnished with an affidavit sworn to by the new and old owners stating that the ownership of such legal entity has changed; that the persons named in the instrument are the new and old owners of such legal entity and that at least one of the owners after the change of ownership holds a valid master electrician's certificate of qualification from the city. Until the affidavit or required instruments are received by the electrical inspector, the person in whose name the permit was issued shall remain liable for any violation of this chapter. (Code 1957, § 27-12; Ord. No. 238, § 6; Ord. No. 733, pts. 29, 30.)

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Sec. 11-77. Same—Application.

Home owners and holders of certificates of qualification shall make application for a permit required by this article to the electrical inspector. (Code 1957, § 27-12.)

Sec. 11-78. Same—Same—By telephone.

Nothing in this article shall prohibit the electrical inspector from accepting applications for permits under this article by telephone upon the compliance of the applicant therefor with the following requirements:

- (a) A deposit of not less than one hundred fifty dollars shall be made with the electrical inspector by the applicant.
- (b) An account shall be kept for each applicant by the electrical inspector in an accounts receivable book, which book shall be subject to the approval of the accounting and auditing department.
- (c) No part of such deposit shall be applied to the account of any applicant.
- (d) Every applicant shall be billed once each month for the total balance of his account and the official written permit shall be enclosed therein.
- (e) All accounts shall be payable within ten days after the billing date; any account not paid within ten days shall not be eligible for further issuance of permits pursuant to this section, and the applicant's deposit shall be forfeited to the city.

~~(f) DELETED.~~ (Code, 1957) § 27-13 ord 1124
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Sec. 11-79. Same—Issuance.

After payment of the required inspection fees, the electrical inspector or his representative shall issue the applicant a permit under this article for the proposed work. (Code 1957, § 27-12.)

Sec. 11-80. Same—Term valid.

If a building has not received a final inspection within sixty days after completion of the building, the permit shall expire, and may be renewed only after a fee amounting to the sum of

the original permit fee has been paid; provided, however, the permit may be extended a reasonable length of time without charge if application for extension has been made to the office of the electrical inspector before the expiration of permit.

Sec. 11-81. Same—Temporary service.

Permits for temporary service shall be issued in the electrical contractor's name only, and shall be limited to ninety days. Temporary services may be renewed for single periods of thirty days each for a fee of five dollars for each renewal.

After the electrical work has been completed by the electrical contractor and final inspection given, the temporary service may be taken out of the contractor's name, and the general contractor or the owner may take out a temporary permit in his name in exactly the same conditions as described above. (Ord. No. 733, pt. 32.)

Sec. 11-82. Same—Inspection fees.

(a) Generally. The following inspection fees shall be paid by the applicant to the city accounting office upon application for a permit:

- (1) Service (Move, change, alter, temporary) each.....\$2.00
- (2) Electrical openings (each)..... .20
- (3) Electrical fixtures (each)..... .20
- (4) Electric range (each)..... 1.50
- (5) Electric water heater (each)..... 1.50
- (6) Electric dryer (each)..... 1.50
- (7) Electric garbage disposer (each)..... .75
- (8) Electric dishwasher (each)..... .75
- (9) Unit heater (each)..... .75
- (10) Washing machine (each)..... .75
- (11) Door bells, buzzers or chimes (each)..... .50
- (12) Exhaust or ventilating fans (each)..... .50
- (13) Elevators, dumbwaiters, escalators (each).... 3.50
- (14) Gasoline pump (each)..... 2.00

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- (15) Electric welders (each)..... 2.00
- (16) Motors--Fractional to 3 H.P. (each)..... 1.25
- (17) Motors--3 H.P. to 5 H.P. (each)..... 3.00
- (18) Motors--Above 5 H.P. (each)..... 4.00
- (19) Incandescent signs (each)..... 3.00
- (20) Neon signs (each)..... 3.00
- (21) Motion picture machines (each)..... 4.00
- (22) Yard light (each)..... 2.00
- (23) Reinspection (each)..... ~~5.00~~
10.00
- (24) Generators: Inspection fees for electric generators including switchboards and incitors of ten kilowatts or less shall be (each)..... 4.50
- (25) A minimum fee of seven dollars and fifty will be charged..... 7.50
- (26) Kilowatt rates (transformers, electric heating, etc.)--per kilowatt or kilowatt-amp... .50
- (27) Buss duct (per amp)..... .05
- (28) Plug mold, etc.--each two (2) feet of plug shall be counted as one (1) opening for permit fee computation.

(b) Festoon lighting.

- (1) First circuit..... 1.00
- (2) Additional circuits (each)..... .50

Such circuits shall not be smaller than size twelve A.W.G. conductors and shall be supported by the necessary sizes of messenger cable for spans of thirty feet or more. Circuit breakers or fuses shall not be larger than fifteen amperes maximum and there shall be no more than fifteen sockets or outlets per circuit. Installations not applicable to this rule shall be sparproved by the electrical inspector. (Ord. No. 603, pts. 10, 11; Ord. No. 733, pts. 33, 34; Ord. 9-1981, 2-12-81).

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Sec. 11-83. Computation of fee for baseboard heating.

Each strip or series of strips of baseboard heating tied or bonded together shall be counted as one opening on the permit and each such single or bonded strip shall be a single circuit of no smaller than number twelve AWG wire. If the load requires larger conductors, they will be sized accordingly. All such heaters are required to be grounded.

Sec. 11-84. Notice of readiness for inspection.

Permit holders and others whose installations are ready for inspection shall allow the office of the electrical inspector twenty-four (24) hours, Sundays and holidays excluded before proceeding with the installation.

Sec. 11-85. Suspension or revocation of certificate.

(a) Any person holding any license or certificate of qualification under this chapter who violates any provision herein shall be subject to having his license or certificate of qualification suspended or revoked by the building official or his authorized representative in the manner hereinafter provided.

(b) Upon receiving notice or evidence that a person licensed under this chapter has violated some provision of this chapter, the building official or his authorized representative shall investigate such violation. After investigating such alleged violation, the building official or his authorized representative shall make a decision as to what action is to be taken against the alleged violator. Such decision may be to take no action, suspend, forfeit or revoke the license of such person. The decision of the building official or his authorized representative shall be written and a copy of the decision shall be sent to the alleged violator. The decision shall contain the evidence, findings and the imposition of such penalties as allowed by this chapter.

(c) When the suspension or revocation of a license as provided by this section results from violation of sections

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or prohibit such person from correcting the deficiencies from which the suspension or revocation resulted. If the required corrections are made after the imposition of the suspension or revocation of the license of such person, then upon presentation to the building official or authorized representatives that the corrections have been made, the building official or his authorized representative shall withdraw the order suspending or revoking the license of such person.

(d) A suspension of a license shall not be for a period exceeding eleven calendar months. Where the suspension period termination date is in the calendar year following the calendar year in which the suspension became effective, then at such time that the suspension ends, such person may renew his license as if the suspension had not occurred. (Ord. No. 238, § 7.)

Sec. 11-86. Appeals—Generally.

Any person dissatisfied with any ruling, order or decision of the building official or authorized representative or other officer in the enforcement of this chapter may appeal to the board of electrical examiners. The person desiring to so appeal shall file in the office of the building official within fifteen days of any ruling, order or decision appealed from, a written appeal which shall include a brief statement of the reasons therefor and a detailed statement of facts supporting the appeal. Upon the expiration of the fifteen day period, without a written appeal being filed with the building official as herein provided, the order, ruling or decision by the building official or authorized representative or any other officer in the enforcement of this chapter shall become final. (Ord. No. 238, § 7; Ord. No. 733, pts. 35, 36.)

Sec. 11-86.1. Same—Electrician's certificate.

(a) Any person dissatisfied with the denial of an electrician's certificate by the board of electrical examiners may appeal to the city council. The person desiring to so appeal

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shall file with the city secretary within fifteen days of his denial of his electrician's certificate a written appeal which shall include a brief statement of the reasons therefor and a detailed statement of facts supporting the appeal. Upon the expiration of the fifteen day period without a written appeal being filed with the city secretary as herein provided, the denial shall become final.

(b) Any person dissatisfied with the denial of an electrician's certificate by the city council may appeal to any district court which shall determine whether or not the decision of the city council was supported by substantial evidence. This appeal shall not stay the effect of the decision appealed from unless the court from which the appeal is taken shall so order. Upon expiration of the fifteen day period without an appeal having been perfected as herein provided, the ruling of the city council shall become final. (Ord. No. 733, pt. 37.)

Sec. 1187. Same—Investigation; stay of order appealed from.

Upon the filing of an appeal pursuant to the provisions of the preceding section, the building official, if he has not already done so, shall personally investigate the facts upon which the order or ruling appealed from is based. If, in his opinion based upon such personal investigation, the facts warrant a stay of the effect of the order or ruling appealed from, pending a determination of the appeal by the board of electrical examiners, the building official may so order. (Ord. No. 238, § 7.)

Sec. 1188. Same—Hearing by board of electrical examiners.

Upon receipt of an appeal as provided in the preceding section, the building official shall notify the chairman of the board of electrical examiners. The appeal shall be heard no later than the next regular meeting of that board. Upon the filing of this appeal, the appellant shall be notified as to the time and place of the next regular meeting. Prior to the hearing, the building official shall furnish each member of the

board with a copy of the written appeal; with a copy of the order or ruling appealed from; with a copy of the section of this order involved in the appeal and any other facts pertinent to the appeal. (Ord. No. 238, § 7.)

Sec. 1189. Same—Same—Conduct.

The board of electrical examiners shall try the appeal "de novo" and such hearings shall be public. The appellant or his representatives and the building official/representatives shall be granted the opportunity to be heard. Any other person whose interest may be affected may be granted the opportunity to be heard. Such evidence as is pertinent may be introduced by either party. The board may adopt such rules of procedures as it deems appropriate for the conduct of the hearing. The chairman of the board shall administer the oaths and shall compel the attendance of witnesses for the purposes of the hearing. (Ord. No. 238, § 7.)

Sec. 1190. Same—Decision of board; records.

A concurring vote of the majority of the members of the board of electrical examiners present shall be necessary to reverse or modify rulings or orders of the authority appealed from. All decisions of the board shall be in writing. The board shall keep clear and detailed minutes of all proceedings, including its decisions and the reasons therefor and the vote of each member participating therein. Such record, immediately following the board's decision shall be filed in the office of the building official and shall be a public record. Notice of the board's decision shall be properly furnished to the appellant, his representatives or to any other person who has filed a written entry of appearance and to the building official. (Ord. No. 238, § 7.)

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~~§ 91~~ ~~APPEALS~~
Sec. 91 Same—Appeal from decision of board.

A person desiring to appeal a decision of the board of electrical examiners shall, within fifteen days, appeal to any district court of the county, which court shall determine constitutional issues, questions of law and whether or not the decision of the board of electrical examiners was supported by substantial evidence. This appeal shall not stay the effect of the decision appealed from unless the court from which the appeal is taken shall so order. Upon the expiration of the fifteen-day period without an appeal having been perfected as herein provided, the ruling of the board of electrical examiners shall become final and nonappealable. (Ord. No. 238, § 7.)

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