

ORDINANCE NO. 54-1996

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS", DIVISION 3, "ELECTRICAL CODE", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING FOR A PUBLIC HEARING; PROVIDING A SEVERABILITY CLAUSE, AND DECLARING A PENALTY.

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

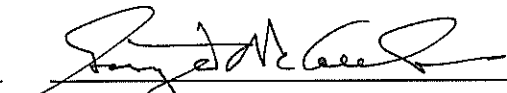
- PART 1. That Chapter 8, Article VI, Division 3, "Electrical Code", of the Abilene Municipal Code be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.
- PART 2. That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect 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 punishable by a fine of not more than Two Thousand Dollars (\$2,000). 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.

PASSED ON FIRST READING this 7TH day of NOVEMBER A.D., 1996.


PASSED ON SECOND AND FINAL READING this 21 day of NOVEMBER, 1996.

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY

  
\_\_\_\_\_  
MAYOR

APPROVED:

  
\_\_\_\_\_  
CITY ATTORNEY

# EXHIBIT "A"

This pamphlet is to be used in conjunction with the National Electrical Code, as published by the National Fire Protection Association. All electrical installations in the City shall be done in accordance with the latest edition of the National Electrical Code, as it is adopted by the City of Abilene. In the event of any conflict between the code and this pamphlet, the stricter provision shall apply. This pamphlet and the 1999 1996 National Electrical Code comprise the Electrical Code for the City of Abilene, Texas.

This code was adopted by the City Council on 11-21-96, as Ordinance No. 54-1996 of the Municipal Code.

<b>Building Inspections</b>	
555 Walnut, Room 204 .....	676-6271
<b>Electrical Inspectors</b> .....	676-6276
.....	676-6352

The following provisions are Administrative provisions extracted from the Uniform Administrative Code that have been tailored to code enforcement and are specifically geared to electrical code enforcement and are published by the International Conference of Building Officials. The amendments are specific provisions for the City of Ahlens, and together with the published Administrative Provisions comprise this portion of the electrical code.

## CONTENTS

<b>CHAPTER 1 - Title and General</b>	
SEC. 101. Title .....	2
102. Application to Existing Electrical Systems and Equipment .....	2
103. Definitions .....	3
104. Conflicting Provisions .....	3
105. Alternate Materials and Methods of Construction .....	5
106. Modifications .....	5
107. Tests .....	6
<b>CHAPTER 2 - Organization and Enforcement</b>	
SEC. 201. Powers and Duties of Building Official .....	6
202. Unsafe Electrical Systems or Equipment .....	8
203. Board of Appeals .....	9
204. Violations .....	12
<b>CHAPTER 3 - Permits and Inspections</b>	
SEC. 301. Permits .....	12
302. Application for Permit .....	14
303. Permits Issuance .....	15
304. Fees .....	16
305. Inspections .....	17
306. Connection Approval .....	18
<b>CHAPTER 4 - License Requirements</b>	
SEC. 401. (a) License Required .....	19
(b) Application for License .....	19
(c) Examination Fee .....	20
(d) Examination .....	21
(e) Rejection of Application Review .....	22
(f) License Fee .....	22
(g) Issuance Term .....	22
(h) Renewal .....	23
(i) Transferability .....	23
(j) Proof of License .....	23
(k) Bond Requirements .....	23
(l) Insurance Requirements .....	23
(m) Display of License .....	23
(n) Specific Limitations .....	24
402. Suspension of Revocation of Certificate .....	24
403. Appeals .....	24
404. Appeals .....	25

**CHAPTER 1**  
**TITLE AND GENERAL**

**Title**

**Sec. 101.** These regulations shall be known as the "Electrical Code", may be cited as such and will be referred to herein as "this code".

**Application to Existing Electrical Systems and Equipment**

**Sec. 102. (a) Additions, Alterations, or Repairs.** Additions, alterations, or repairs may be made to an electrical system and equipment to comply with all the requirements of this code, provided the addition, alteration or repair conforms to that required for a new electrical system and equipment and provided further that no hazard to life, health or safety will be created by such additions, alterations or repairs.

Minor additions, alterations and repairs to existing electrical system and equipment may be made in accordance with the law in effect at the time the original installation was made, when approved by the Electrical Inspector.

**(b) Existing Installations.** Electrical systems and equipment lawfully in existence at the time of the adoption of this code may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property has been created by such electrical system and equipment.

**(c) Changes In Building Occupancy.** Electrical systems and equipment which are a part of any building or structure undergoing a change in use or occupancy, as defined in the Building Code, shall comply with the requirements of this code which are applicable to the new use or occupancy.

**(d) Maintenance.** All electrical systems and equipment, both existing and new, and all parts thereof shall be maintained in a proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards, which are required by this code shall be maintained in conformance with this code. The owner, or designated agent, shall be responsible for the maintenance of the electrical system. To determine compliance with this subsection, the Building Official may cause any electrical system to be reinspected.

**(e) Moved Building.** Electrical systems and equipment, which are a part of buildings or structures moved into or within this jurisdiction, shall comply with the provisions of this code for new installations.  
Add the following:

**(f) Residential Rehabilitated and Condemned Buildings.** Existing buildings which have been condemned may have existing serviceable electrical systems left in

place, provided these systems were installed in accordance with the standards applicable at the time the building was built, and further provided that the following minimum provisions are met:

**(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 less than 100 amps.

**(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 outlets located in bathroom, kitchen, and laundry room areas.
- b. Other conforming wiring methods, not presently approved by the City of Abilene Electrical Code, may remain if in safe condition 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, but not less than one for each 20' of wall area (see (3) duplex receptacles per sleeping room and living areas such as dens).
- d. ~~These Code requirements shall not be necessary; are not required to be added to existing serviceable electrical systems:~~
  1. Exterior plugs for residences
  2. GFCI circuit breakers

Where there is a question regarding the safety of any installed electrical system in a building which is being rehabilitated, the Electrical Inspector may require that the owner obtain the services of a licensed Master Electrician to completely examine and test the system and report on its safety. When systems are found to be unsafe, they must be replaced in accordance with the requirements of the National Electrical Code, as adopted by the City of Abilene.

**Definitions**

**Sec. 103. General.** For the purpose of these provisions, certain terms, phrases, words and their derivatives, shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings, within the context with which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged, Copyright 1986*, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural, and the plural the singular. Words used in the masculine gender include the feminine, and the feminine the masculine.

**APPRENTICE ELECTRICIAN** - 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, on-going supervision of a Master or Journeyman Electrician.

**APPROVED**, as to materials, equipment and method of construction, refers to approval by the Building Official as the result of investigation and tests conducted by the Building Official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

**APPROVED AGENCY** is an established and recognized agency regularly engaged in conducting tests or furnishing inspections service, when the agency has been approved by the Building Official.

**BUILDING CODE** is the Uniform Building Code promulgated by the International Conference of Building Officials, as adopted by this jurisdiction.

**BUILDING OFFICIAL** is the officer charged with the administration and enforcement of this code, or a duly authorized representative, and is the authority having jurisdiction for this code.

**ELECTRICAL INSPECTOR** shall be the person providing expertise for the Building Official, in the area of electrical regulations, and be a duly authorized representative and authority having jurisdiction for this code, under the supervision of the Building Code.

**CODE ENFORCEMENT AGENCY** is the department, division, or agency of this jurisdiction charged with the function of code enforcement and shall be under the administration and operational control of the Building Official.

**ELECTRICAL CODE** is the National Electrical Code promulgated by the National Fire Protection Association, and further amendments, as adopted by this jurisdiction.

**ELECTRICAL WORK** is 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.

**FIREWALL** is the same as an area separation wall, as used in the Building Code.

**INSTALLATION** is any electrical work of any nature performed on, in, or near any premises.

**JOURNEYMAN ELECTRICIAN** is 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 examination and requirements of this code.

**LEGAL ENTITY** Legal Entity shall be an electrical business, meeting the requirements for a licensed Master Electrician.

**LISTED and LISTING** are terms referring to equipment and materials, which are shown in a list published by an approved testing agency, qualified and equipped for experimental testing productions and which listing states that the material or equipment complies with accepted national standards, which are approved or standards which have been evaluated for conformity with approved standards.

**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 who performs electrical work, and who has successfully fulfilled the examination and requirements, as set out in this code.

**MULTIPLE OCCUPANCY BUILDING** is a building having more than one tenant and may be of single or mixed use groups, as classified by the Building Code.

**OCCUPANCY** is the purpose for which a building, or part thereof, is used or intended to be used.

**SIGN ELECTRICIAN** - A person who manufactures or installs luminous gas or electric discharge signs, or other electrical signs of any type.

#### **Conflicting Provisions**

**Sec. 104.** Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

#### **Alternate Materials and Methods of Construction**

**Sec. 105.** The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the Building Official.

The Building Official may approve any alternate, provided that the proposed design is satisfactory and complies with the provisions of this code and that the

material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability and safety.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims, regarding the use of alternates. The details of an action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

#### **Modifications**

**Sec. 106.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the Building Official may grant modifications for individual cases, provided that a special individual reason makes the strict letter of this code impractical in the modification is in conformity with the intent and purpose of this code, and that such modification does not lessen health, life, and fire safety requirements. The details of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.

#### **Tests**

**Sec. 107.** Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that materials or construction do not conform to the requirements of this code, the Building Official may require tests as evidence of compliance to be made at no expense to this jurisdiction.

Test methods shall be as specified by this code or by other recognized test standards. In the absence of recognized and accepted test methods for the proposed alternate, the Building Official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for the retention of public records.

## **CHAPTER 2**

### **ORGANIZATION AND ENFORCEMENT**

#### **Powers and Duties of Building Official**

**Sec. 201. (a) General.** The Building Official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the Building Official shall have the powers of a law enforcement officer.

**(b) Deputies.** In accordance with prescribed procedures, and with the approval of the appointing authority, the Building Official may appoint electrical inspectors and other related technical officers and inspectors and other employees as shall be authorized from time to time.

The Electrical Inspector shall be a competent person of good moral character, he shall have had at least a minimum of four (4) years experience as a current 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.

The Electrical Inspector shall, when in the performance of their duties, carry a badge to be furnished by the City.

The Electrical Inspector shall not engage in the occupation of electrical wiring, nor have any financial or other interest in any electrical business doing electrical wiring, within the jurisdiction.

**(c) Right of Entry.** Whenever necessary to make an inspection to enforce the provisions of this code, or whenever the Building Official or an authorized representative has reasonable cause to believe that there exists in a building or upon a premises a condition or code violation, which makes such building or premises unsafe, dangerous or hazardous, the Building Official, or an authorized representative may enter such building or premises at all reasonable times to inspect the same, or to perform any duty imposed upon the Building Official by such codes, provided that if such building or premises be occupied, the Building Official shall first present proper credentials and request entry. If such building or premise is unoccupied, the Building Official or authorized representative, shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry be refused, the Building Official, or an authorized representative shall have recourse to every remedy provided by law to secure entry.

When the Building Official, or an authorized representative, shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner or occupant or other persons having charge, care or control of the building or premises shall not fail or neglect, after proper request is made, as herein provided, to promptly permit entry herein by the Building Official, or authorized representative, for the purpose of inspection and examination, pursuant to this code.

**(d) Stop Orders.** Whenever work is being done contrary to the provisions of this code, the Electric Inspector may order the work stopped by notice in writing served on persons engaged in doing the work to be done, and such person shall forthwith stop such work until authorized by the Electrical Inspector to proceed with the work.

**(e) Authority to Disconnect Utilities in Emergencies.** The Building Official, or authorized representative shall have the authority to disconnect electric power or energy service supplied to the building, structure, or building service equipment therein regulated by this code in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or electrical system, or equipment, of the decision to disconnect prior to taking such action, and shall notify the serving utility, owner and occupant of the building, structure or building service equipment, in writing, of the disconnection immediately thereafter.

**(f) Authority to Condemn Electrical System and Equipment.** Whenever the Electrical Inspector ascertains that an electrical system or equipment regulated in this

code has become hazardous to life, health or property, the Electrical Inspector shall order in writing that such electrical system or equipment, either be removed or restored to a safe condition, whichever is appropriate. The written notice itself shall fix a time limit for compliance with such order. Persons shall not use or maintain defective electrical system or equipment after receiving notice.

When equipment or an installation is to be disconnected, a written notice of such disconnection and causes therefor shall be given, within twenty-four (24) hours of the order to disconnect to the serving utility, the owner and occupants of the building, structure or premises.

When an electrical system or equipment is maintained in violation of this code and in violation of a notice issued pursuant to the provisions of this section, the Electrical Inspector shall institute appropriate action to prevent, restrain, correct, or abate the violation.

**(g) Connection after Order to Disconnect.** Persons shall not make connections from an energy or power supply, nor supply power to an electrical system or equipment, which has been disconnected or ordered to be disconnected, by the Electrical Inspector, or the use of which has been ordered to be discontinued by the Electrical Inspector until the Electrical Inspector authorizes the reconnection and use of the electrical system or equipment.

**(h) Liability.** The Building Official, or an authorized representative, charged with the enforcement of this code, acting in good faith and without malice in the discharge of duties, shall not hereby render the Building Official, or authorized representative, personally liable for any damage that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of duties. A suit brought against the Building Official or employee because of an act or omission performed by the Building Official in the enforcement of provisions of this code shall be defended by legal counsel provided by this jurisdiction until final termination of such proceedings.

This code shall not be construed to relieve from or lessen the responsibility of a person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the code enforcement agency be held as assuming such liability by reason of the inspections authorized by this code or approvals issued under this code.

**(i) Cooperation of Other Officials and Officers.** The Building Official may request, and shall receive so far as is required in the discharge of duties, the assistance and cooperation of other officials of this jurisdiction.

### **Unsafe Electrical Systems or Equipment**

**Sec. 202.** Electrical systems or equipment regulated by this code which are unsafe, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of electrical systems or equipment regulated by this code constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster,

damage, or abandonment is, for the purpose of this section, an unsafe use.

Unsafe electrical systems or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal, in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings or an alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official, or other employee, or Official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct, or abate the violation.

### **Board of Appeals**

**Sec. 203. (a) General.** In order to determine the suitability of alternate materials and methods of installation and to provide for reasonable interpretations of this code, there shall be and is hereby created a board of appeals to be known as the Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals, hereafter referred to as the MPE Board, established in Article V, Division 3, Section 8-391 of the Municipal Code. The Building Official, or authorized representative, shall be an ex-officio member, but shall not have a vote upon matters before the Board.

**(b) Composition.** The Mechanical, Plumbing, Electrical and Swimming Pool Board of Appeals shall be composed of seven (7) voting members, and four (4) ex officio members who shall have no voting privileges.

The seven (7) voting members shall not be employees of the City and shall include the following:

- (a) A registered architect;
- (b) A registered mechanical or electrical engineer;
- (c) A licensed master plumber;
- (d) A licensed mechanical contractor;
- (e) A licensed master electrician;
- (f) A licensed swimming pool contractor;
- (g) A bonded building contractor.

The ex officio members, whose only function shall be to render advice to the Board, shall include the following:

- (a) The Building Official;
- (b) A representative from the Planning and Zoning Department;
- (c) A representative from the Fire Department;
- (d) A representative from the Health Department.

**(c) Appointment.** The members of the Mechanical, Plumbing, Electrical, and Swimming Pool Board shall be appointed by the Mayor with the approval of the Council.

**(d) Terms.** The members of the Mechanical, Plumbing, Electrical, and Swimming Pool Board shall be appointed by the Mayor with the approval of the Council with four (4) of the members appointed for a term of two (2) years and three (3) of the members appointed for a term of three (3) years. Each member of the Board thereafter

shall be appointed for a term of two (2) years.

(e) **Alternate Members.** The Mayor, with the approval of the Council, shall also appoint an alternate member for each of the seven (7) voting members of the Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals, which alternate shall serve in the absence of the designated voting member when requested to do so by the Mayor or the City Manager. Each alternate member shall meet the requirements for appointment that apply to the voting member for whom he shall be the alternate and shall be appointed for the same term as that voting member.

(f) **Removal.** Any member of the Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals who is absent from the regular monthly meeting of the Board for three (3) consecutive meetings shall be removed from the Board.

(g) **Filling Vacancies.** Vacancies occurring in the membership of the Mechanical, Plumbing, Electrical, and Swimming Pool Board shall be filled by appointment for the remainder of the unexpired term.

(h) **Quorum.** Four (4) voting members of the Mechanical, Plumbing, Electrical, and Swimming Pool Board shall constitute a quorum, and the Board shall act by a majority vote of those present.

(i) **Officers.** A chairman shall be selected by the Mechanical, Plumbing, Electrical, and Swimming Pool Board from its membership, who shall preside over its meetings, and have the same voting rights as other members. The Board shall also select a vice chairman to preside over its meetings in the absence of the regular chairman. The Building Official shall act as Secretary of the Board.

(j) **Meetings.** The Mechanical, Plumbing, Electrical, and Swimming Pool Board shall meet at least once a month at a day and time to be determined by the Board and at the call of the Chairman. All meetings of the Board shall be open to the public.

(k) **Records.** The Mechanical, Plumbing, Electrical, and Swimming Pool Board shall keep minutes of its proceedings, showing the vote of each member upon question and if absent or failing to vote indicating such fact, and shall also keep a record of its other official actions, all of which shall be public record.

(l) **Electrical Licensing Sub-Committee.** A sub-committee shall be appointed by the Mayor with the approval of the Council to hear electrical licensing matters consistent with the Electrical Codes. The members of this sub-committee shall be in addition to and separate from the regular and alternate members of the Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals. This sub-committee shall be composed of five (5) members and shall include the following:

- (a) A licensed master electrician;
- (b) A licensed journeyman electrician;
- (c) A bonded building contractor.

10

(d) Two (2) citizens at large.

This sub-committee shall meet on a quarterly basis unless an emergency meeting should be called by the Building Official. The sub-committee shall select a chairman and shall keep minutes of its proceedings.

(m) **Responsibilities.** The Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals shall be charged with the responsibilities of hearing cases of appeal and reviewing codes and ordinances that pertain to the Mechanical Code, the Plumbing Code, the Electrical Code, and the Swimming Pool Code.

(n) **Right of Appeal.** Any person, firm, or corporation aggrieved by any interpretation of the Mechanical Code, the Plumbing Code, the Electrical Code, or the Swimming Pool Code or by any decision or ruling relating to these codes made by the Building Official or his authorized representative shall have the right to make an appeal to the Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals. Appeals shall be made in writing and received in the office of the Building Official no later than seven (7) days prior to a regular meeting of the Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals.

(o) **Hearings Before the Board.** Within a period of 30 days from the filing of the appeal, the Board shall hear the appeal, together with the testimony of all parties concerned and render a decision. In hearing such an appeal, the Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals shall not have the power to waive or set aside the requirements of any code, but shall have the power to interpret its provisions and, in case of alternate types of installation or material, shall determine whether or not such alternate type of installation or material is, in fact, equal to the standards of the applicable code considering adequacy, stability, strength, sanitation, and safety for the public health and welfare.

The appellant shall cause to be made at his own expense any tests or research required to substantiate his claims. The appellant may appear in person before the Board, or be represented by an attorney and may introduce evidence to support his claims.

(p) **Appeal from Board Decision.** Any person, firm or corporation who may be aggrieved by the decisions of the Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals shall have a right of appeal to the City Council within ten days from notice addressed to the City Secretary asking for a hearing by the Council, and the action of the City Council thereon shall be final except that due process shall not be denied and further appeal may be made to the appropriate court of competent jurisdiction.

(q) **Advisory Responsibility.** The Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals shall submit to the City Council recommendations for improvement and revision of the Mechanical Code, the Plumbing Code, the Electrical Code, and the Swimming Pool Code as it may from time to time deem necessary in light of new materials, new methods or techniques to result in better,

11



safer, or more economical installations.

### Violations

Sec. 204. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain an electrical system or equipment or cause or permit the same to be done in violation of this code.

## CHAPTER 3

### PERMITS AND INSPECTIONS

#### Permits

Sec. 301. (a) **Permits Required.** Except as specified in Subsection (b) of this section, no electrical system regulated by this code shall be installed, altered, repaired, replaced or remodeled, unless a separate electrical permit for each building or structure has first been obtained from the Building Official. All wiring in the City shall be done under the supervision of a Master Electrician, except as otherwise provided in Sec. 301 (c) 1.

(b) **Exempt Work.** An electrical permit shall not be required for the following:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this code.
2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
3. Temporary decorative lighting.
4. Repair or replacement of current-carrying parts of any switch, contractor or control device.
5. Reinstallation of attachment plug receptacles, but not the outlets therefor.
6. Repair or replacement of any overcurrent device of the required capacity, in the same location.
7. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
8. Taping joints.
9. Removal of electrical wiring.

12

10. Temporary wiring for experimental purposes in suitable experimental laboratories.

11. The wiring for temporary theater, motion picture or television stage sets.

12. Low-energy power, control and signal circuits of Classes II and III, as defined in this code.

13. A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus, or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility and placed upon easements of such company.

14. All installations for the illumination of public grounds, ways, alleys or parks, 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) have all lights installed upon poles, with no more than four lights on any one pole, and poles no closer together than fifty feet or any one tract of land. Any work for exterior lighting systems, not fitting the above description, shall be done in accordance with the Electrical Code by licensed electricians, permitted and inspected.

14. Reference 90-2 (b) (5) installations, including associated lighting, under the exclusive control of electric utilities for the purpose of communications, metering, generation, control, transformation, transmission, or distribution of electric energy. Such installations shall be located in buildings used exclusively by utilities for such purposes; outdoors on property owned or leased by the utility, on or along public highways, streets, roads, etc.; or outdoors on private property by established rights such as easements. Utility companies shall provide documentation of easements, prior to commencing work for outdoor lighting. At any time a lighting system is no longer under the control of the utility company, the system shall be modified to meet the National Electrical Code.

**EXEMPTION:** Single pole guard lights do not require written documentation to be filed with the City of Atlanta Building Inspection Department.

15. A permit shall not be required for the installation or repair of electrical wiring, apparatus, or equipment, pertaining to exterior, underground airport lighting and signs.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code, or any other law, or ordinances of this jurisdiction.

(c) Permit - Required; exceptions to licensing requirement.

13

1. Any bonafide 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 request the required inspections and obtain a certificate of approval.

Personal installation by an owner under this subsection shall be by himself, for himself, on his homestead premises.

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.~~

2. No person shall be allowed to obtain a permit unless that person or company is registered as per Section 8-161, of the Municipal Code, Article IV, Licenses and Registration.

3. Each joint venture shall file with City of Abilene Building Inspections, an affidavit that clearly identifies the legal or equitable owners of each business participating in the joint venture and identifying the job the joint venture is to perform electrical services at.

**Sec. 302. (a) Application.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describes the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Subsection (b) of this section.
5. Be signed by permittee, or authorized agent.
6. Give such other data and information as may be required by the Electrical Inspector.

**(b) EXCEPTION:** The Electrical Inspector may waive the submission of plans, calculations, etc., if the Electrical Inspector finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

**(c) Information on Plans and Specifications.** Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans for buildings more than two stories in height of other than Groups R, Division 3 and M Occupancies shall indicate how required structural and fire-resistant

integrity will be maintained where a penetration will be made for electrical and communication conduits, pipes and similar systems.

**(d) Permit by Phone with Charge Account.**

1. A deposit of not less than one hundred fifty dollars (\$150.00) shall be made with the City of Abilene by the applicant.

2. An account shall be kept for each applicant by the office of the Building Official, said records are shall be subject to the approval of the accounting and auditing department.

3. No part of such deposit shall be applied to the account of any applicant.

4. Every applicant shall be billed each month for the total balance of his account and the official written permit shall be enclosed therein.

5. All accounts shall be payable within ten (10) days after the billing date; any account not paid within ten (10) 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.

**Permits Issuance**

**Sec. 303. (a) Issuance.** The Application, plans and specifications, and other data, filed by an applicant for permit shall be reviewed by the Electrical Inspector. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the fees specified in Section 304 have been paid, the Electrical Inspector shall issue a permit therefor to the applicant.

When the Building Official issues a permit, the plans and specifications shall be endorsed in writing or stamped "REVIEWED". Such approved plans and specifications shall not be changed, modified or altered without authorizations from the Electrical Inspector, and all work regulated by this code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of an electrical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk, without assurance that the permit for the entire building, structure or building service will be granted.

**(b) Retention of Plans.** One set of approved plans, specifications and computations shall be retained by the Building Official until final approval of the work covered therein. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all time during which the work authorized thereby is in progress.

**(c) Validity of Permit.** The issuance of a permit or approval of plans and

specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

The issuance of a permit based upon plans, specifications and other data shall not prevent the Electrical Inspector from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of these codes or any other ordinances of this jurisdiction.

**(d) Expiration.** Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within one hundred eighty days (180) days. Before such work can be recommenced, a new permit shall be first obtained so to do, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

If a building has not received a final inspection within sixty (60) 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.

**(e) Suspension or Revocation.** The Electrical Inspector may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the jurisdiction.

## Fees

**Sec. 304 (a)** Permit fees shall be set by the City Council by resolution

### **(b) Investigation Fees: Work Without a Permit.**

1. **Investigation.** Whenever any work for which a permit is required by this code has been commenced, without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

2. **Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of either this code nor from any penalty prescribed by law. Further work performed by the same contractor, without permits, will result in penalty and investigation fee of ten (10) times the amount of the permit fee required by this code, if a permit were to be issued. At the end of twelve (12) months from issuance of the ten (10) times fee, a contractor with no further violations shall be determined to start without previous penalties.

### **(e) Fee Refunds.**

1. The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

2. The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

### **Inspections**

**Sec. 305. (a) General.** All electrical systems and equipment for which a permit is required by this code shall be subject to inspection by the Electrical Inspector, and the electrical system shall remain accessible and exposed for inspection purposes until approved by the Electrical Inspector.

It shall be the duty of the permit applicant to cause the electrical system to remain accessible and exposed for inspection purposes. Neither the Electrical Inspector nor the jurisdiction shall be liable for the expense entailed in the removal or replacement of any material required to permit inspection. When the installation of an electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this code shall not be connected to the energy source until authorized by the Electrical Inspector.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances of the jurisdiction shall not be valid.

**(b) Inspection Requests.** It shall be the duty of the person doing the work, authorized by a permit to notify the Electrical Inspector that such work is ready for inspection. The Electrical Inspector may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the Electrical Inspector.

It shall be the duty of the person requesting inspections required by this code to provide access to and means for inspection of such work.

(c) **Operation of Electrical Equipment.** The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment. The request for inspection of such equipment must have been filed with the Electrical Inspector not more than forty eight (48) hours after such replacement work is completed and before any portion of such electrical system is concealed by any permanent portion of the building.

(d) **Other Inspections.** In addition to the called inspections required by this code, the Electrical Inspector may make or require other inspections of any work to ascertain compliance with the provisions of this code and other laws, which are enforced by the code enforcement agency.

(e) **Reinspections.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the approved plans are not readily available to the Inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Electrical Inspector.

To obtain a reinspection, the applicant shall file an application therefore in writing, or by phone, and pay the reinspection fee in accordance with the fees adopted by the City Council.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

#### **Connection Approval**

**Sec. 306 (a) Energy Connections.** An electrical system or equipment regulated by this code for which a permit is required shall not be connected to a source of energy until approved by the Electrical Inspector.

(b) **Temporary Connections.** The Electrical Inspector may authorize the temporary connection of an electrical system or equipment to the source of energy or power for the purpose of testing equipment or for use under a temporary certificate of occupancy. Permits for temporary service shall be issued in the electrical contractor's name and utilities released in the electrical contractor's name or general contractor's license name only, and shall be limited to ninety (90) days. Additional extensions for temporary services may be renewed for single periods of thirty (30) days each for a fee of five dollars (\$5.00) for each renewal and for a maximum extension time of ninety (90) days. The owner, or legal representative of the owner, shall acknowledge

temporary service restrictions in writing on the building permit application, or must first file an Affidavit for temporary service utility release, with the office of the Electrical Inspector, prior to the electrical contractor requesting a temporary service permit and inspection.

### **CHAPTER 4**

#### **LICENSE REQUIREMENTS**

#### **LICENSE**

**Sec. 401. (a) License Required.** No person shall engage in the business of master, journeyman, sign, maintenance, or apprentice electrician unless he possesses a valid electrician's certification of qualification issued in accordance with the provisions of this section.

(b) **Applications for master and journeyman licenses** must be filed with the Secretary of The Electrical Sub-Committee. The application for license must be accompanied by payment of all fees as established by resolution, and the written verification identified in subsections (1) and (2) as follows:

##### **(1.) Master Electrician**

Applicants for master electrician licenses shall make applications to the secretary of the Electrical Sub-Committee. 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 written proof of experience, as follows:

1. Ten (10) years experience, under the supervision of a licensed master electrician, of which four (4) years must be as a licensed journeyman electrician; or,
2. Completion of five (5) years of technical training from a recognized electrical school or an electrical engineering degree from an accredited college plus three (3) years experience as a licensed Journeyman Electrician under a licensed Master Electrician; or,
3. In lieu of Technical Training or Electrical Engineering Degree as stated above, Military Equivalency may be substituted as follows:

AFSC 54250-54270

AFSC 54270-54290

70% of U.S. Air Force time, to a maximum of three (3) years;  
100% of U.S. Air Force time, to a maximum of four (4) years, plus three (3) years experience under a licensed Master Electrician as a licensed Journeyman Electrician.

4. Show written proof of passing the approved electrical exam, with a minimum score of seventy percent (70%). Refer to Sec. 401(d).

**(2.) Journeyman Electrician**

Applicants for journeyman electrician's examination and licenses shall make application to the secretary of the Electrical Sub-Committee and provide written proof as follows before being allowed to take the exam:

1. Four (4) years experience as an electrician under the supervision of a Master Electrician, or experience equivalencies as follows:
2. Applicants with prior U.S. Air Force experience may, in lieu of the above requirement, submit written proof of prior U.S. Air Force experience and shall be allowed to substitute seventy percent (70%) of their military experience in the U.S. Air Force serving in the specialized training of the AFSC-54230 (Apprentice Electrician) or 54250 (Electrician) codes, up to a maximum substitution of three (3) years' experience, and experience in the specialized training of the AFSC-54270 (Electrical Technician) or AFSC-54290 (Electrical Superintendent), shall be allowed one-hundred percent (100%) credit of their military experience. Applicants with prior experience in other branches of the United States military service shall provide written documentation of equivalent skill codes in order to receive this military equivalency credit.
3. Show written proof of passing the approved electrical exam, with a minimum score of seventy percent (70%). Refer to Sec. 401(d).

**(3.) Maintenance Electrician**

~~Applicants for maintenance electrician's licenses shall make application to the secretary of the Electrical Sub-Committee.~~

**(4.) Sign Electricians**

~~Applicants for sign electrician's certificates of qualification shall make application to the secretary of the Electrical Sub-Committee.~~

**(5.) Apprentice Electricians**

~~Applicants for apprentice electrician's license shall make application to the secretary of the Electrical Sub-Committee.~~

**(c) Application Fee.** The application shall be presented to the secretary of the Electrical Sub-Committee and shall be accompanied by the required fee as follows:

Master Electrician \$25.00 + cost for the BLOCK Exam, if applicable.  
Journeyman Electrician \$ 5.00 + cost for the BLOCK Exam, if applicable.

**(d) Examination.** The Electrical Sub-Committee is hereby empowered to adopt rules and regulations consistent with the electrical code for the examination and re-examination of applicants for licensing as master and journeyman electricians. The Committee shall fix reasonable times for the examination or re-examination of all applicants for licenses. Examinations shall be made available a minimum of three times in each calendar year. Date of examination shall be spaced at approximately equal intervals. The Committee shall furnish all necessary forms to each applicant who wishes to be licensed in accordance with the terms of the electrical code of the City of Abilene. At least one Committee member shall be present during the examination process, proctored by the City, to ensure that proper procedures are carried out.

The Committee shall prescribe the form, substance and length of the examination for licenses authorized by the Electrical Code. Subject matter of the examination may test the applicant on the following:

1. knowledge of any or all types of electrical installation authorized by law within the City of Abilene,
2. his knowledge of electricity and diagrams of any or all types of electrical installations authorized by law within the City of Abilene,
3. his knowledge and familiarity with the National Electrical Code as currently adopted by the City of Abilene,
4. his practical and working knowledge of electrical wiring and construction.

Every examination approved by the Electrical Sub-Committee for all types of electrical licenses shall be structured by the Committee so that a score of one hundred percent (100%) shall be a perfect score. Every applicant taking an examination for any type of electrical license must receive a minimum score of seventy percent (70%) to pass the examination and be eligible for licensing under the Electrical Code of the City of Abilene.

The Electrical Sub-Committee accepts the following national testing firms to prepare and grade all examinations authorized by the Electrical Code of the City of Abilene:

BLOCK Exam  
SBCCI Exam (Southern Building Code Congress International)

In every case where the Committee utilizes the services of a national testing firm, corporation or association, the test so provided shall test each applicant in accordance

with the above noted information.

**(e) Application Review.** Complete applications and fees shall be submitted by the twenty-fifth (25th) day of each month. Applications will be reviewed by the Electrical Sub-Committee at the regular scheduled monthly meeting. Applications may be rejected upon a finding of any of the following:

1. That the application contains any false or misleading statements. When an application has been rejected for containing a false or misleading statement knowingly submitted by the applicant, no new application shall be considered from such individual for a period of one (1) year.

2. That the applicant fails or refuses to provide any information requested on the application form or forms by the Electrical Sub-Committee.

3. That the applicant has had his license revoked or suspended and that the period of such suspension or revocation has not yet expired.

4. That the applicant has failed to pass a prior examination and that the period of time required by this Code between examinations has not yet expired.

5. That the applicant does not possess the qualifications required for the type of license for which he desires examination.

6. That the applicant, within the twelve (12) month period prior to application, while operating or working within the corporate limits of the City, had willfully failed to comply with provisions of this article or the Electrical Code or had failed to correct improper electrical installations.

In each case where an applicant has failed to receive a passing grade of at least seventy percent (70%) on an examination taken by said applicant, he may apply for re-examination as follows:

1. The applicant must request to take another exam, and pay all fees for such examination.

**(f) License Fees.** The successful applicant shall also pay to the secretary of the Electrical Sub-Committee the required fee as follows:

Master Electrician	\$125.00
Journeyman Electrician	25.00
Apprentice Electrician	5.00
Maintenance Electrician	15.00
Sign Electrician	15.00

**(g) Issuance: Term.** Qualified applicants who comply with the above provisions shall be issued a certificate of qualification to carry on the occupation of

electrician that they are specifically licensed for. The certificate shall expire on December thirty-first of each year.

**(h) Renewal.** The certificate of qualification may be renewed by paying to the Secretary of the Board the required fee within ten (10) days after the expiration date of the old certificate. A certificate of qualification may be renewed within a period of ninety days after expiration by paying the required fee, plus a penalty fee. A certificate of qualification may be renewed within one (1) year after the expiration date by paying the required fee plus a penalty fee. Certificates which are more than one year past the expiration date may not be renewed. To obtain a new certificate, the applicant must pay an examination fee and retake the examination for the specific electrical license. Upon successful completion of the examination, the applicant shall pay to the Secretary of the Board the required sum outlined in section (e) License Fees, and the certificate of qualification shall then be issued.

A master electrician may elect at the time of renewal to obtain an "Inactive" license. Inactive status prohibits the master electrician from doing electrical work, or engaging in the business of a master electrician. An active master's license may only be renewed upon expiration of the inactive license and payment of the appropriate fees. Fee and penalties are as follows:

	TYPE OF LICENSE	RENEWAL FEE	90-DAY PENALTY	ONE YEAR PENALTY
Master		50.00	40.00	70.00
Journeyman		10.00	10.00	20.00
Sign		5.00	5.00	10.00
Apprentice		5.00	n/a	n/a
Maintenance		10.00	n/a	n/a
Inactive Master		25.00	n/a	n/a

**(i) Transferability.** A certificate of qualification shall be issued to an individual and shall not be assignable.

**(j) Proof of License.** No person shall engage in the occupation of electrician of any type required by this code without having his current certificate of qualification in his possession.

**(k) Bond Requirements.** Any successful applicant desiring to engage in the business of an electrical contractor, shall first file with the Building Official of the city, a surety bond in the penal sum of five thousand dollars (\$5,000.00) to be approved by the City Manager, payable to the City of Ahlens, and conditioned on a faithful performance of all of the provisions and regulations of the electrical code, this chapter, and all other ordinances of the city, and the surety on such bond shall be a company authorized to transact business in the state.

**(l) Insurance Requirements.** Any successful applicant desiring to engage in the business of an electrical contractor, shall first file with the Building Official of

the City, a certificate of insurance providing for commercial general liability insurance, with a coverage amount of not less than \$300,000.00 for all claims arising in any one year.

(m) **Display of License.** Each licensed contractor doing business shall display their company name in letters, not less than two inches in height on both sides of all vehicles.

## LIMITED LICENSES

### Sec. 402. Specific Limitations

(a) **Sign Electricians:** 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.

(b) **Apprentice Electrician:** 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 8-3 of the Code of Ordinances of the City of Abilene. If the unlicensed person is working for a master electrician, the master is held responsible.

(c) **Maintenance Electricians:** Persons who are employed to maintain and repair existing electrical systems in a particular building in accordance with Exemptions stated in Sec. 301(b) may obtain a maintenance electrician's license from the City of Abilene.

## SUSPENSION OR REVOCATION OF CERTIFICATE

Sec. 403. (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 alleged violation. After investigation the Building Official or his authorized representative may suspend, forfeit or revoke the license of such person if due cause is found. The decision of the Building Official, or his authorized representative, shall be in writing and a copy of the decision shall be sent to the alleged violator. The written decision shall contain the evidence, findings and the imposition of such penalties as allowed by this code.

(c) When the suspension or revocation of a license as provided by this section results from violation of this code, the person shall be prohibited from correcting the deficiencies from which the suspension or revocation resulted. If, after the imposition of the suspension or revocation of the license of such person, the required corrections are made by an approved, qualified person, then upon presentation to the Building Official or authorized representatives that the corrections have been made, the Building Official, or his authorized representative, may 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.

## APPEALS

Sec. 404. (a) **Electrician's Certificate.** Any person dissatisfied with the denial of an electrician's certificate by the Electrical Licensing Sub-Committee may appeal to the City Council. The person desiring to appeal shall, within fifteen days of his denial of his electrician's certificate, file a written appeal with the City Secretary, and said appeal 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.

Any person dissatisfied with the denial of an electrician's certificate by the City Council may appeal to any District Court. 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.

(b) **Investigation: Stay of Order Appealed From.** Upon 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 Electrical Sub-Committee, the Building Official may so order.

(c) **Hearing by Electrical Sub-Committee.** Upon receipt of an appeal as provided in the preceding section, the Building Official shall notify the Chairman of the Electrical Sub-Committee. The appeal shall be heard no later than the next regular meeting of that Committee. 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 Committee 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.

(d) **Conduct.** The Electrical Sub-Committee 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 Committee may adopt such rules of procedures as it deems appropriate for the conduct of the hearing. The Chairman of the Committee shall administer the oaths and shall compel the attendance of witnesses for the purposes of the hearing.

(e) **Decision of Committee; Records.** A concurring vote of the majority of the members of the Electrical Sub-Committee present shall be necessary to reverse or modify rulings or orders of the authority appealed from. All decisions of the Committee shall be in writing. The Committee 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 Committee's decision, shall be filed in the office of the Building Official and shall be a public record. Notice of the Committee'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.

(f) **Appeal from Decision of Electrical Sub-Committee.** A person desiring to appeal a decision of the Electrical Sub-Committee shall follow the same appeal procedures as set forth in Sec. 404(a).

The following provisions are amendments to the 1993 1996 National Electrical Code

**TABLE OF CONTENTS**

ARTICLE 210	Branch Circuits	28
ARTICLE 220	Branch Circuit and Feeder Calculations	28
ARTICLE 230	Services	28
ARTICLE 240	Overcurrent Protection	29
ARTICLE 300	Wiring Methods	29
ARTICLE 310	Conductors for General Wiring	30
ARTICLE 333	Armored Cable	30
ARTICLE 336	Non-Metallic Sheathed Cable Types NM and NMC	30
ARTICLE 346	Rigid Metal Conduit	31
ARTICLE 348	Electrical Metallic Tubing	31
ARTICLE 370	Outlet Device, Pull and Junction Boxes Conduit Bodies and Fittings	31
ARTICLE 384	Switchboards and Panels	32
ARTICLE 410	Lighting Fixtures, Lampholders, Lamp and Receptacles	32
ARTICLE 422	Appliances	32
ARTICLE 517	Health Care Facilities	33
ARTICLE 600	Electrical Signs and Outline Lighting	33
ARTICLE 680	Swimming Pools, Fountains, and Similar Installations	33
ARTICLE 760	Fire Protective Signaling Systems	33



**ARTICLE 210 - BRANCH CIRCUITS**

**C. Required Outlets**

**210-63. Heating, Air Conditioning, and Refrigeration Equipment Outlet.**

Add a second exception as follows:

(2) Change out of roof top units, if the required outlet is existing, shall be located on the same level and within seventy-five feet and GFI protected. If not existing, refer to NEC ARTICLE 210-63.

**ARTICLE 220 - BRANCH CIRCUIT AND FEEDER CALCULATIONS**

Add a sentence as follows:

**220-3 (e).** Branch circuits and lighting circuits for residential wiring shall contain no more than six (6) outlets per circuit. Exception: Where central heat and air are existing, or are being added, this may be increased to no more than ten (10) outlets per circuit.

**220-4. Branch Circuits Required**

**(b) Small Appliance Branch Circuits - Dwelling Unit**

Add the following provision:

The small appliance circuits, as called for in the National Electrical Code, shall contain no more than four six (6) outlets per circuit; provided further, that the circuit conductor shall not be smaller than number twelve AWG. Loads shall be balanced.

**B-Feeders**

**220-11- General Lighting:**

Add the following provision:

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

**ARTICLE 230 - SERVICES**

**230-28. Service Masts as Supports.**

Add the following provision:

The riser shall be a minimum of two (2) inch rigid steel conduit or IMC.

**B-Service Entrance Conductors**

**230-40. Number of Service Entrance Conductor Sets.**  
*Exception No. 3: Delete in its entirety.*

**230-54- Connections at Service Head:**

**(f) Drip Loops:**

Add the following provision:

No minimum height is set, but there shall be a suitable distance from a drip loop reasonably clear of the roof.

**F-Service Equipment - Disconnecting Means**

**230-70- General:**

**(a) Location:**

Add the following provision:

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.

**230-80. Combined Rating of Disconnects.**

Add the following provision:

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.

**ARTICLE 240 - OVERTURRENT PROTECTION**

**B- Location**

**240-24- Location in or on Premises:**

Add the following section:

**(c) Wet areas.** Lighting panels and disconnecting switches shall not be placed in any bathroom.

**ARTICLE 300 - WIRING METHODS**

**300-6. Protection Against Corrosion.**

Add the following section:

(d) All cold vaults used for any purposes of cooling shall be wired in rigid metal or approved Schedule 80 PVC Conduit, vaporproof lighting fixtures, waterproof fittings and weatherproof devices.

**300-7. Raceways Exposed to Different Temperatures.**

Add the following section:

(e) Refer to requirements in Amendment 300-6 (d).

**ARTICLE 310 - CONDUCTORS FOR GENERAL WIRING**

**310-14. Aluminum Conductor Material.**

Delete in its entirety and add the following:

The use of aluminum wire is prohibited except for the following:

(1) Aluminum wire may be used for main services, sizes three naught (3/0) and larger.

(2) Aerial conductors, (triplen) size (6) or larger.

**Table 310-16. Ampacities of Insulated Conductors.**

Add the following footnote:

\* 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 fused or circuit breakers no larger than fifteen amperes and when used for residential dwelling use.

**ARTICLE 333 - ARMORED CABLE**

The use of armored cable is prohibited. Delete Article 333 in its entirety.

**ARTICLE 336 - NONMETALLIC-SHEATHED CABLE  
TYPES NM AND NMC**

**A. General**

**336-3. Uses permitted.**

Delete first paragraph and insert the following:

Type NM and NMC cables shall be permitted to be used in one, and two-family dwellings and multi-family dwellings (apartments), except as prohibited in Section 336-4, and specifically that all panels or sub-panels shall be in conduit.

Rewrite as follows:

(a) Type NM or NMC. Types NM and NMC cables shall not be used:

(1) in any dwelling or structure exceeding three floors above grade (2) as service entrance cable (3) as sub-feed from the main distribution panel to sub panels in apartment buildings (4) in any building or structure used for commercial or public purpose (5) any place of assembly (6) in storage battery rooms (7) in hallways (8) in any building or structure being retrofitted for a change of occupancy as defined in the Building Code (9) where exposed to corrosive fumes or vapors (10) where embedded in masonry, concrete, adobe, fill, or plaster and (11) in a shallow chase in masonry, concrete, or adobe and covered with plaster, adobe, or similar finish.

**ARTICLE 346 - RIGID METAL CONDUIT**

**A. Installation**

**346-14. Splices and Taps.**

Add the following provision:

There shall be no splices or joints made in conduit conduit fittings.

**ARTICLE 348 - ELECTRICAL METALLIC TUBING**

**348-1. Use.**

Add the following to the first paragraph:

(5) 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 a recognized testing laboratory. Electrical metallic tubing shall be used only in above ground wiring.

**ARTICLE 370 - OUTLET, DEVICE, PULL AND JUNCTION BOXES, CONDUIT BODIES AND FITTINGS**

**A. Scope and General**

**370-3. Nonmetallic Boxes.**

Add the following to the end of the first paragraph:

Non-metallic outlet boxes for use with non-metallic cable must have approved cable clamps.

**B. Installation**

**370-19. Conduit Bodies, Junction, Pull and Outlet Boxes to be Accessible:**

Add the following to the end of the first paragraph:

There shall be no splices or joints made in conduit conduit fittings:

**ARTICLE 384 - SWITCHBOARDS AND PANELBOARDS**

**B. Panelboards**

**384-16. Overcurrent Protection:**

**(f) Back Fed Devices:**

Add the following provision:

No buss bars will be back fed through circuit breakers:

**ARTICLE 410 - LIGHTING FIXTURES, LAMP HOLDERS, LAMPS AND RECEPTACLES**

**B. Fixture Locations**

**410-4. Fixtures in Specific Locations.**

**(d) Pendants.**

Add the following provision:

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

**ARTICLE 422 - APPLIANCES**

**B. Branch-Circuit Requirements**

Add the following section:

**422-4. Branch-Circuit Sizing.**

(f) Circuits serving electrical water heaters or 230-volt shall be no smaller than number 10 AWG conductors.

Add the following:

**ARTICLE 517 - HEALTH CARE FACILITIES**

(f) Communications, signaling systems, data systems, fire protective signaling systems and systems, less than 120 volts, nominal.

In health care facilities and nursing homes, with non-ambulatory patients (accommodating more than five persons) all wiring for fire alarm and nurse-call systems, shall be in conduit.

**ARTICLE 600 - ELECTRICAL SIGNS AND OUTLINE LIGHTING**

**A. General**

**600-23. Transformers and Electronic Supplies.**

(b) Secondary Fault Protection. Add the following exception:

*Exception No. 3. Transformers shall be marked with the maker's name, and transformers for electric discharge lamp signs shall be marked with the input rating in amperes or volt-amperes, the input voltage, and the open-circuit output voltage, and not required to have secondary fault protection. Ref. 1993 NEC 600-7 (b).*

**ARTICLE 680 - SWIMMING POOLS, FOUNTAINS, AND SIMILAR INSTALLATIONS**

**A. General**

**680-10. Underground Wiring Location.**

Add the following provision:

Wiring in or around swimming pools shall not exceed a voltage higher than twelve volts.

ARTICLE 760 - Fire Protective Signaling Systems

Add the following:

Refer to Article 517.

-END-

MODIFICATIONS FOR EXISTING  
RESIDENTIAL SERVICES

THE FOLLOWING CONDITIONS MUST BE MET TO MODIFY OR ADD LOAD TO AN EXISTING RESIDENTIAL SERVICE:

1. SERVICE AND FEEDER CONDUCTORS MUST BE RATED FOR AT LEAST 100 AMPS FOR SERVICES OF SIX OR MORE, TWO-WIRE BRANCH CIRCUITS OR SIZED FOR LOADS ABOVE 100 AMPS, AND UNDER NO CIRCUMSTANCE LESS THAN 60 AMPS. (230-42)
2. SERVICE MUST NOT EXCEED SIX MOVEMENTS OF THE HAND. (230-71)
3. POINT OF ATTACHMENT MUST BE TEN FEET, OR MORE, AND OPEN WIRING OR DRIP LOOPS NOT LESS THAN 8 FEET ABOVE SURROUNDING GRADE. (230-26)
4. ALL ITEMS MUST BE OF WEATHERPROOF CONSTRUCTION AND PROTECTED FROM PHYSICAL DAMAGE.
5. SERVICE MUST BE GROUNDED AT EACH PANEL OR MAIN DISCONNECT.

IF THE ABOVE ITEMS ARE NOT MET, THE FOLLOWING MUST OCCUR:

1. BRING SERVICE UP TO CURRENT N.E.C. AND CITY ORDINANCES, OR MAKE CORRECTIONS THAT WILL BRING THE SERVICE UP TO CURRENT CODES.
2. IF CORRECTIONS INCLUDE CORRECTING POINT OF ATTACHMENT, ALL CLEARANCES SHALL MEET (230-24) AND MAST SHALL BE OF NOT LESS THAN 2" HEAVY WALL GALVANIZED CONDUIT OR INTERMEDIATE METAL CONDUIT.
3. GROUNDS MAY BE ADDED TO THE EXISTING GROUNDING MEANS BY IRREVERSIBLE CONNECTIONS. IF GROUNDS OF ADEQUATE SIZE AND CONNECTED TO A VISIBLE GROUNDING ELECTRODE.

4. NEW GROUNDS SHALL BE NOT LESS THAN TWO EIGHT FOOT GROUND RODS PARALLELED WITH A SEPARATION OF AT LEAST EIGHT SIX FOOT IF NO OTHER GROUNDING MEANS IS AVAILABLE.

5. ALL NEWLY REVISED SERVICES SHALL BE NOT LESS THAN 100 AMPS CAPACITY OR SIZED FOR LOAD ABOVE 100 AMPS.

A SINGLE 120 VOL.T. 20 AMP BREAKER MAY BE ADDED TO AN EXISTING SERVICE TO ALLEVIATE AN EXISTING OVERLOADED BRANCH CIRCUIT PROVIDED THE FOLLOWING ARE MET:

1. NO MORE THAN SEVEN (7) MOVEMENTS OF THE HANDS ARE ALLOWED.

2. AN ELECTRICAL PERMIT SHALL BE OBTAINED.

3. EXISTING SPACE IS AVAILABLE IN AN EXISTING PANEL WITHOUT OVERLOADING THE SERVICE OR FEEDER CONDUCTORS.

4. ALL ITEMS ON THE SERVICE ARE OF WEATHERPROOF CONSTRUCTION AND PROTECTED FROM PHYSICAL DAMAGE.