

ORDINANCE NO. 7356

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-4, TO DELETE OBSOLETE ARTICLES AND DIVISIONS IN, AND REORGANIZING, SAID CHAPTER; AND TO ADOPT THE 2011 EDITION OF THE *NATIONAL ELECTRICAL CODE*, WITH CERTAIN AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, upon the recommendation of the Construction Advisory and Appeals Board, the City Commission now finds that it is in the best interests of the public health, safety, and welfare to repeal the 2008 edition of the *National Electrical Code* (and amendments), and to adopt the 2011 edition of same, with amendments; and,

WHEREAS, there is a need to make certain housekeeping amendments to repeal and reorganize various articles and divisions of Chapter 4-4 to make it easier to understand and administer, and to locate desired information;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. That Chapter 4-4, Article I, all Divisions and Sections are now amended, deleted, and reorganized to now read as follows:

**ARTICLE I—IN GENERAL**

**Sec. 4-4-1. - Short title.**

[TEXT UNCHANGED]

**Sec. 4-4-2. - Definitions.**

[TEXT UNCHANGED]

**Sec. 4-4-3. - Violations.**

[TEXT UNCHANGED]

**Sec. 4-4-4. - Scope.**

[TEXT UNCHANGED]

**Sec. 4-4-5. - Administration.**

[TEXT UNCHANGED]

**Sec. 4-4-6. - Certain installations exempt.**

(a) ~~—Signal work. The provisions of this chapter shall not apply to the fire, police and traffic signal installations, or other similar installations installed and maintained by the City.~~

(b) (a) Franchises. The provisions of this chapter shall not apply to the Electric Company, telephone and telegraph companies, or other companies operating under

franchise with the City in the installation, maintenance, removal or repair of wires or other equipment used in connection with their business or plants.

~~(c) — *Manufacture of electrical equipment.* Nothing in this chapter shall be construed to prohibit manufacturers of electrical apparatus or equipment from carrying on reasonable electrical experiments with materials and products within the confines of their own Premises or from doing work on Electrical Installations therein; except that, the Electrical Inspector may require the manufacturer to make changes he believes necessary for the protection of public health, welfare and property.~~

~~(d) (b) *Street lighting.* The provisions of this chapter shall not apply to installations in connection with the illuminating of public Streets, Alleys or parkways by the City, the Texas Department of Highways and Public Transportation or the Electric Company.~~

**Secs. 4-4-7—4-4-20. - Reserved.**

SECTION 2. That Chapter 4-4, Article II, all Divisions and Sections are now amended, deleted, and reorganized to now read as follows:

## **ARTICLE II. ADMINISTRATION AND ENFORCEMENT**

### **DIVISION 1. GENERALLY**

~~Secs. 4-4-21—4-4-30. - Reserved.~~

**Sec. 4-4-21. - Liability for damages.**

The Building Official, Electrical Inspector or their authorized representatives charged with the enforcement of this chapter, acting in good faith and without malice in the discharge of their duties, shall not thereby render themselves personally liable for any damage that may accrue to persons or property as a result of any act or omission in the discharge of their duties.

~~Secs. 4-4-22 —4-4-30. - Reserved.~~

### **DIVISION 2. — ELECTRICAL INSPECTOR AND ASSISTANTS**

~~Sec. 4-4-31. — Office created.~~

~~There is hereby created the office of the Electrical Inspector of the City within which may be Assistant Electrical Inspectors. The Assistant Electrical Inspectors shall receive their assignments from the Electrical Inspector and shall perform their duties under the direction and supervision of the Electrical Inspector.~~

~~Secs. 4-4-32, 4-4-33. - Reserved.~~

~~Sec. 4-4-34. — Right of entry.~~

~~(a) — Whenever necessary to make an inspection to enforce any of the provisions of this chapter or whenever the Building Official, the Electrical Inspector or their authorized representative has reasonable cause to believe that a condition or Electrical Code violation exists which makes such Building or Premises unsafe, dangerous or hazardous, the Building Official, Electrical Inspector or their authorized representative may enter such Building or Premises at all reasonable times to inspect same or to perform any duty imposed upon the Electrical Inspector by this chapter. If such Building or Premises is occupied, there shall first be presented proper credentials and entry requested.~~

~~(b) — If such Building or Premises is unoccupied, there shall be a reasonable effort to locate the owner or other person having charge or control of the Building or Premises and request entry.~~

~~(c) — If entry is refused, the Building Official, Electrical Inspector or their authorized representative shall have recourse to any remedy provided by law to secure entry.~~

~~(d) — When the Building Official, Electrical Inspector or their authorized representative shall have obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any Building or Premises shall fail or neglect, after proper request is made as provided in this section, to promptly permit entry therein for the purpose of the inspection and examination pursuant to this chapter.~~

**Sec. 4-4-35. — Identification badge.**

~~When on duty, the Electrical Inspector and Assistant Electrical Inspectors shall wear a badge furnished by the City to indicate their identity.~~

**Sec. 4-4-36 — Liability for damages.**

~~The Building Official, Electrical Inspector or their authorized representatives charged with the enforcement of this chapter, acting in good faith and without malice in the discharge of their duties, shall not thereby render themselves personally liable for any damage that may accrue to persons or property as a result of any act or omission in the discharge of their duties.~~

**Sec. 4-4-37. — Reserved.**

**Sec. 4-4-38. — Inspections.**

~~(a) — *Required.* All Electrical Installations shall require the approval of the Electrical Inspector.~~

~~(b) — *Existing installations.* The Electrical Inspector may make inspections of existing Electrical installations when he reasonably believes they are unsafe or improper or constitute a hazard to life or property.~~

**Sec. 4-4-39. — Tags indicating approval or disapproval.**

~~(a) — *Attaching to installations.* Upon inspection of an Electrical Installation, the Electrical Inspector shall attach a card or tag to the installation indicating approval or disapproval of the installation.~~

~~(b) — *Removing or damaging tags.* It shall be a violation of this chapter to remove, deface, damage or mutilate a tag attached to an installation pursuant to subsection (a) above.~~

**Sec. 4-4-40. — Unsafe, improper or unlawful installations; notice, default.**

~~(a) — *Notice of improper installations.* The Electrical Inspector shall, upon determining that unsafe, improper or unlawful Electrical Installations exist, immediately notify the owner of the Premises, his agent or the electrician performing work on the Premises. The notice shall be in writing, specifying the deficiency, and shall allow the parties a reasonable time, as determined by the Electrical Inspector, to correct the deficiency.~~

~~(b) — *Failure to correct; discontinuance of electrical supply.* If corrective action is not begun immediately or the deficiency is not corrected within the prescribed time, the Electrical Inspector, if he believes public welfare is endangered, shall, in writing, order the electrical supply to the Premises discontinued.~~

**Sec. 4-4-41. — Stop work order.**

~~(a) — *Reckless, careless, unsafe manner of work.* The Electrical Inspector shall stop the installation, alteration, operations or repair of any electrical work on or in any Premises~~

when, in the Inspector's opinion, the work is being done in a reckless, careless, unsafe or unlawful manner.

~~(b) — Posting notice on Premises. Upon determining that particular work should stop, the Electrical Inspector shall post a notice to that effect on the Premises and notify the electrical permit holder, owner or tenant of the violation. Thereafter, no person shall proceed with an Electrical Installation until the Electrical Inspector has canceled the stop-work notice.~~

~~(c) — Removing or damaging notice. It shall be a violation of this chapter to remove, deface, damage or conceal a stop-work notice without authorization from the Electrical Inspector.~~

~~Secs. 4-4-42 — 4-4-50. Reserved.~~

### **DIVISION 3. — RESERVED**

~~Secs. 4-4-51 — 4-4-60. Reserved.~~

## **DIVISION 4 2. - PERMITS AND INSPECTIONS**

### **Sec. 4-4-61. — Applicability.**

~~It shall be unlawful for any person to make any Electrical Installation or to make any alteration, repair or addition to an existing Electrical installation without a permit issued to either an Electrical Contractor or to a Homeowner in accordance with Chapter 4-1. Failure to obtain a required permit shall result in immediate stoppage of work.~~

### **Sec. 4-4-62. — Permits required.**

~~(a) — Electrical Installations. No person shall begin work on any Electrical Installation within the corporate limits of the City without first having secured an electrical permit for the installation from the Code Enforcement Department.~~

~~(b) — Issuance. An electrical permit shall be issued to either an Electrical Contractor or to a Homeowner in accordance with Chapter 4-1.~~

~~(c) — Submission of plans. Two (2) sets of electrical plans and specifications shall be submitted to the Code Enforcement Department before a permit is issued. The plans must indicate:~~

- ~~(1) — All present connected device locations;~~
- ~~(2) — All circuitry to panels;~~
- ~~(3) — Schematic wiring.~~

~~The size of all panels and of the service entrance must be shown on the plans. The Electrical Inspector may require the calculations for the plans prior to the issuance of an electrical permit. The plans shall be sealed or certified as follows:~~

~~(1) — All commercial building plans shall bear the seal of a registered professional engineer when required by the Texas Engineering Practice Act. When plans are not required to be sealed by the Texas Engineering Practice Act, the plans shall be prepared under the supervision of a Master Electrician and bear his signature and license number.~~

~~(2) — Residences shall be certified by the Homeowner, a Master Electrician or a registered professional engineer.~~

~~Alterations to an existing Building shall have two (2) sets of plans submitted to the Electrical Inspector when in the opinion of the Electrical Inspector the work is sufficient in scope to require electrical plans.~~

~~Secs. 4-4-63 — 4-4-65. Reserved.~~

~~Secs. 4-4-66, 4-4-67. Reserved.~~

**Sec. 4-4-68. Required inspections.**

~~The Electrical Contractor or Homeowner shall be responsible for notification to the Department of Building Safety when the following Electrical Installations are ready for required inspections:~~

~~(1) — *Slab rough in inspection.* An Electrical Installation shall be considered ready for slab rough in inspection at such time that all raceways and outlet boxes are installed and prior to pouring of concrete and concealment.~~

~~(2) — *Rough in inspection.* An Electrical Installation shall be considered ready for rough in inspection at such time that all raceways, panel board cabinets, service equipment, outlet boxes, junction boxes, conductors and conductor splices are installed and before concealment.~~

~~(3) — *Minor extension exception.* For minor extensions and additions, which in the previously expressed judgment of the Electrical Inspector adequate inspection is possible after completion of the work, a rough in inspection may not be required.~~

~~(4) — *Final inspection.* An Electrical Inspection shall be considered ready for final inspection upon completion of all Electrical Installation work and prior to a certification of compliance being issued.~~

~~(5) — *Certification required.* A certification of compliance shall be obtained from the Electrical Inspector on every Electrical Installation before the Electrical Installation is tied to the power supply of an existing installation or to the Electric Company service lines.~~

~~(6) — *Additional inspections.* The Electrical Inspector may, when necessary to ensure compliance with this chapter, require additional inspections to the slab rough in, rough in and final inspections.~~

~~(7) — *Special inspections.* When in the opinion of the Building Official and the Electrical Inspector any proposed Electrical Installation involves unusual hazard or methods of installation, the Building Official may allow the electrical contractor responsible for the work to employ a special inspector who is competent in the particular type of Electrical Installation requiring a special inspection. The special inspector shall observe the work assigned to be certain it conforms to approved design drawings and specifications. All inspection reports shall be furnished to the Building Official, including a final signed report stating whether the work requiring special inspection was in conformance with the approved plans and specifications and applicable workmanship provisions of this chapter.~~

~~(8) — *Presence of representative of contractor.* The Electrical Inspector on any inspection may require the presence of a person representing the Electrical Contractor to whom the permit was issued or the Homeowner to accompany him on inspection.~~

**Sec. 4-4-69. 4-4-31 - Additional inspections, reinspections.**

(a) *Fees.* If additional inspections, ~~in addition to the slab rough in, rough in and final inspection as provided for in section 4-4-69~~ or re-inspections are required, the fee for each additional inspection or re-inspection shall be in accordance with Chapter 4-1.

(b) *Notification responsibility.* The Electrical Contractor or Homeowner shall be responsible for notification that his Electrical Installation is ready for reinspection. The

Electrical Inspector shall not reinspect an Electrical Installation until the required reinspection fee has been paid.

~~Sec. 4-4-70. — Inspection prior to concealing wiring.~~

~~Where there is wiring to be concealed, installations shall be inspected before concealment. The person installing such wiring shall notify the Department of Building Safety, and the work shall not be covered or concealed until the Electrical Inspector has approved the installation. Any person covering or concealing wiring before the installation is inspected shall be deemed guilty of a violation of this chapter and shall be subject to the penalties provided for in section 4-4-3.~~

~~Sec. 4-4-71. 4-4-32 - Unauthorized service connections.~~

No person, except authorized employees of the Electric Company or electrical contractor, shall make connections in any manner or for any purpose which connect an Electrical Installation to the electrical utility lines of the Electric Company. The service connection for any Electrical Installation shall be made only by the Electric Company or electrical contractor after it has received a certificate of compliance for the specific Electrical Installation from the Electrical Inspector.

~~Sec. 4-4-72. — Identification of Master, Journeyman, and Apprentice Electricians: Supervision of Apprentices.~~

~~(a) — Identification: Each Master, Journeyman, and Apprentice Electrician must be currently licensed by the State in their respective category, and carry proof of their license while performing electrical installations.~~

~~(b) — Supervision of Apprentices: An Apprentice Electrician shall not perform any portion of an Electrical Installation unless under the direct and constant supervision of either a Master or a Journeyman Electrician. No more than three (3) Apprentice Electricians shall be under the constant supervision of a Journeyman Electrician on any individual job site.~~

~~Sees. 4-4-73 — 4-4-85. 4-4-33 — 4-4-45. Reserved.~~

SECTION 3. That Chapter 4-4, Article III, is hereby amended to read as follows:

**ARTICLE III. - RESERVED**

**ELECTRICAL INSTALLATION REGULATIONS**

~~Sees. 4-4-86 — 4-4-125. Reserved.~~

**Sec. 4-4-46. Electrical Code adopted; amendments.**

Code adopted. For all buildings, structures, and electrical installations under the jurisdiction of the City of Amarillo, there is hereby adopted the NFPA 70, National Electrical Code, 2011 Edition, published by the National Fire Protection Association, copies of which shall be maintained by the Building Official, with the following amendments:

follows:

The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

(1) A copper, aluminum, or copper-clad aluminum conductor. This conductor shall be solid or stranded; insulated, covered, or bare; and in the form of a wire or a busbar of any shape.

(2) – (8) Subsections are deleted.

(9) The copper sheath of mineral-insulated, metal-sheathed cable.

(10) Type MC cable that provides an effective ground-fault current path in accordance with one or more of the following:

a. It contains an insulated or uninsulated equipment grounding conductor in compliance with 250.118(1).

b. The combined metallic sheath and uninsulated equipment grounding/bonding conductor of interlocked metal tape-type MC cable that is listed and identified as an equipment grounding conductor.

c. The combined metallic sheath and equipment grounding conductors of the smooth or corrugated tube-type MC cable that is listed and identified as an equipment grounding conductor.

(11) Cable trays as permitted in 392.10 and 392.60.

(12) Cablebus framework as permitted in 370.3.

(13) – (14) Subsections are deleted.

Informational Note: For effective ground-fault current path, see 250.2 Definition

**Table 310.106(A) Minimum Size of Conductors**

<u>Minimum Conductor Size (AWG)</u>		
<u>Conductor Voltage Rating (Volts)</u>	<u>Copper</u>	<u>Aluminum or Copper-Clad Aluminum</u>
<u>0-2000</u>	<u>14</u>	<u>6</u>
<u>2001- 5000</u>	<u>8</u>	<u>4</u>
<u>5001-8000</u>	<u>6</u>	<u>2</u>
<u>8001-15,000</u>	<u>2</u>	<u>2</u>
<u>15,001-28,000</u>	<u>1</u>	<u>1</u>
<u>28,001-35,000</u>	<u>1/0</u>	<u>1/0</u>

**Sec. 4-4-47. Service entrances.**

(a) General. Service entrances shall comply with the NEC, applicable rules of the Electric Company, and this section.

(b) Enclosed metering. Should the addition or alteration of any building enclose the metering installation such that it will no longer be in an accessible outside location, the metering installation shall be relocated to a point outside the addition or alteration, maintaining strict conformance to the provisions of this chapter.

(c) Existing inside metering locations. Metering installations which are located inside a building shall be moved to an outside location at such time that changes, alterations or additions are made to the service entrance of the Electrical Installation. Metering installations moved outside shall conform to the provisions of this chapter.

**Sec. 4-4-48. Encroachment on public way.**

Neither feeder circuits nor branch circuits on any private Electrical Installation shall extend into, cross over or under any Street, Alley or public way which has been dedicated for public use. An Electrical Installation which is confined within a Building or Structure where a license and hold harmless agreement has been approved by the City and projects into, crosses over or under a dedicated Street, Alley or public way will not be affected by this regulation.

**Sec. 4-4-49. Electric signs and outline lighting.**

(a) New installation. All Electric Signs and outline lighting shall be installed in compliance with all other applicable chapters of the Municipal Code and the provisions of this chapter.

(b) Existing installation. The Electrical Inspector, when he reasonably believes that any Electric Sign or outline lighting constitutes a hazard impairing safety of life or property, shall require that the Sign or outline lighting installation be revised to meet the minimum standards established by this chapter and shall specify the time allowed for such revisions. If the required revisions are not completed within the time allotted, the Electrical Inspector shall order the Electric Sign or outline lighting disconnected from the power supply and the installation removed. Failure to comply with such a disconnect or removal order shall constitute a violation of this chapter.

**Sec. 4-4-50- Mobile homes and travel trailers.**

Service entrance equipment for Manufactured Homes and Recreational Vehicles shall be considered as permanent Electrical Installations and shall meet the full requirements of this chapter.

**Sec. 4-4-51 - Electrical fences.**

(a) Generally. All electrical fence installations shall require a permit prior to installation in accordance with this Code. The materials and equipment used shall conform to the requirements of this Code. All equipment and materials used for an electrical fence shall be part of a manufactured, UL listed, electrical fence assembly. The installation and use shall comply with the manufacturer's listings and instructions.

(b) Size and power output. Electric fences shall be designed and sized appropriately for the use as follows. Their power output shall not be designed or altered to inflict long term damage to, maim, or kill humans:

(1) Domestic use. Electric fences surrounding all or a portion of a property whose primary use is residential shall be sized for the area encompassed by the fence, and only for containment of small domestic animals, both in accordance with the manufacturer's recommendations. Such fences shall have only one (1) horizontal strand of charged wire.

(2) Agricultural use. Electric fences surrounding all or a portion of a property whose primary use is agricultural, shall be sized for the area encompassed by the fence, and for the size of the animals contained, both in accordance with the manufacturer's recommendations.

(3) Commercial, industrial, and institutional uses. An electric fence designed for security purposes around all or a portion of a property whose primary use is commercial, governmental, industrial, or institutional shall be designed by a licensed engineer and installed in accordance with that design. Portions of such signs adjacent to a public way, or abutting other developed property, shall be adequately marked with signs to warn the public of the potential hazard.

SECTION 4. That Chapter 4-4, Article IV, be and hereby is repealed in its entirety.

SECTION 5. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be

unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 6. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 7. Continuation. That nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance.

SECTION 8. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

SECTION 9. Publishing and Effective Date. This ordinance shall be published according to law promptly after adoption, and become effective on October 1, 2012.

INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, on First Reading this the 28 day of August, 2012; and PASSED on Second and Final Reading the 4 day of September, 2012.

  
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Paul Harpole, Mayor

ATTEST:

  
for Donna DeRight, City Secretary