

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18, BUILDING AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING VARIOUS PROVISIONS OF ARTICLE IV (ELECTRICAL CODE) THEREOF, INCLUDING: SECTIONS 18-141 (SUPERVISION OF ELECTRICAL WORK); AND 18-241 (ADOPTED); PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendments set forth in this Ordinance to Chapter 18 are pursuant to investigation and analysis by the City, and are with a view of and to further the purposes and objectives set forth in Section 18-31 of the Code, including to promote the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for and in the best interests of the health, safety and welfare of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Incorporation of Recitals. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas (the "City") is hereby amended by amending certain sections and provisions of Chapter 18, Building and Building Regulations, thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, sentences, phrases and words of the said Code of Ordinances are not amended hereby.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, or any act done, or right accruing or

accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Five Hundred and No/100 Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law (including, without limitation, the City Charter and the ordinances of the City).

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this day of 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

EXHIBIT A

TO ORDINANCE NO. _____

Chapter 18, Building and Building Regulations, of the Code of Ordinances (the “Code”) of the Town of Addison, Texas is hereby amended by amending various sections of the said Code as set forth below and as follows (additions are underlined; deletions are):

Section 1. Section 18-141 of the Code is amended to read as follows;

Sec. 18-141. Supervision of electrical work.

- (a) In the actual work of installing, maintaining, altering, or repairing any electrical conductor or equipment for which a permit or voucher is required, apprentice electricians shall be directly supervised (physically on site) by a higher grade classification, as defined by the State of Texas in Title 8, Occupational Code Chapter 1305 administrated by the Texas Department of Licensing and Regulation for proper grade classification of electrical license when electrical work is being done ~~there shall be present and in direct supervision a qualified electrician of the proper classification.~~ Should it come to the notice of the building official that proper supervision and control are not being maintained, the building official may order work to be discontinued, and the person to whom the permit or voucher has been issued shall discontinue further work until proper supervision has been employed or supplied; provided, that this requirement does not prohibit the employment of apprentices or unskilled laborers assisting a person duly registered and qualified under the provisions of Article IV Chapter 18 of the Addison Code.

- (b) A homesteader ~~homeowner~~ may perform electrical work without the above mentioned supervision under the following conditions;
 - (1) A homesteader ~~homeowner~~ may personally install electrical conductors or equipment within his own home if the homesteader ~~owner~~ files with the building official approved plans and specifications, satisfies the building official as to his ability to install electrical wiring, applies and secures a permit., pays required fees, does work in accordance with Article IV of Chapter 18 of the Addison Code, and applies for inspections.

 - (2) Work performed by a homesteader ~~homeowner~~ under the provisions of this section must be done by himself on homestead premises owned and occupied by him, without compensation. A homeowner shall not employ another person to assist him in any way on the work.

Section 2. . Section 18-246 of the Code is amended in its entirety to read as follows:

Sec. 18-246. Adopted

(a) The rules and regulations of the International Fire Protection Association embodied in the National Electrical Code, ~~2014~~ 2008 edition, are hereby adopted as the rules and regulations to govern and be observed and followed in all the construction, installation, repair, alteration, operation and maintenance of electrical wiring, apparatus and fixtures in the town.

(c) The National Electrical Code, ~~2014~~ 2008 edition (a copy of which authenticated by the signature of the mayor and city secretary, and made a public record by ordinance, is on file in the city secretary's office) is hereby adopted as the National Electrical Code of the town as fully as if copied at length in this article, but with the changes therein and additions in this article.

Section 3. The Code of Ordinances is amended by deleting Sec. 18-268. Unfused service entrance conductors.

~~Section 230.70(A) (1) of the National Electrical Code is amended by adding the following:~~

~~Unfused service entrance conductors entering buildings shall be enclosed in rigid metal conduit, rigid nonmetallic conduit, intermediate metal conduit, wireways, auxiliary gutters, or as busways. Unfused service entrance conductors extending within buildings above the third floor shall be enclosed in at least two inches of concrete, except in meter rooms.~~