

ORDINANCE NO. 7106

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-4, ARTICLE II, DIVISION 2, SECTION 4-4-38 REGARDNIG REQUESTS FOR INSPECTIONS; AMENDING CHAPTER 4-4, ARTICLE II, DIVISION 4, SECTIONS 4-4-68 TO 4-4-70 INCLUSIVE MAKING HOUSEKEEPING AMENDMENTS; REPEALING CHAPTER 4-4, ARTICLE IV, SECTION 4-4-126 (2005 NATIONAL ELECTRICAL CODE, WITH AMENDMENTS); AMENDING CHAPTER 4-4, ARTICLE IV, SECTION 4-4-126 TO ADOPT 2008 EDITION OF THE NATIONAL ELECTRICAL CODE, WITH AMENDMENTS; REPEALING CHAPTER 4-4, ARTICLE IV, SECTIONS 4-4-137 AND 4-4-138; 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 2005 edition of the National *Electrical Code* (and amendments), and to adopt the 2008 edition of same, with amendments; and,

WHEREAS, there is a need to make certain housekeeping amendments to and repeals of certain other sections regulating electrical work.

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

SECTION 1. That Chapter 4-4, Article II, Division 2, Section 4-4-38(b) be and hereby is amended to now read as follows:

Sec. 4-4-38. Inspections.

(a) [TEXT UNCHANGED]

~~(b) Time allowed after request. The Electrical Inspector shall be allowed no less than twenty-four (24) hours, exclusive of Saturdays, Sundays and holidays recognized by the City, from receipt of a request from a Master Electrician or Homeowner to make an inspection.~~

(e) (b) [TEXT UNCHANGED]

SECTION 2. That Chapter 4-4, Article II, Division 4, Sections 4-4-68 to 4-4-70, inclusive, be and hereby is amended to now read as follows:

Sec. 4-4-68. Required inspections.

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

(1) – (8) [TEXT UNCHANGED]

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

(a) [TEXT UNCHANGED]

(b) *Notification responsibility.* The ~~Master Electrician~~ Electrical Contractor or Home owner shall be responsible for notification that his Electrical Installation is ready for reinspection ~~and shall allow time as provided in section 4-4-38(b).~~ 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 ~~Code Enforcement~~ 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.

SECTION 3. That Chapter 4-4, Article IV, Section 4-4-126 (adopting the 2005 National Electrical Code, with amendments) be and hereby is repealed in its entirety.

SECTION 4. That Chapter 4-4, Article IV, Section 4-4-126 is hereby amended to read as follows:

Sec. 4-4-126. Electrical code adopted; amendments.

(a) *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, 2008 Edition, published by the National Fire Protection Association, copies of which shall be maintained by the Building Official, with the following amendments:

Section 250.120: All raceways, cables, metallic or non-metallic, or any type of wire ways shall have a minimum number (12) grounding and bonding conductor installed; or under special circumstances the Authority Having Jurisdiction (AHJ) may approve the use of a raceway as a grounding conductor as permitted by this Code.

Section 210.11 (C): (add sub-section):

(4) The following appliances shall each be installed on separate branch circuits separate from all other loads:

Heating and Air Conditioning units;

Refrigerator;

Electric Range; Oven; Cook top;

Table 310.5 Minimum Size of Conductors.

Conductor Voltage Rating (Volts)	Minimum Conductor Size (AWG)	
	Copper	Aluminum or Copper-Clad Aluminum
0-2000	<u>12</u>	<u>2</u>
2001-8000	8	<u>2</u>
8001-15,000	2	2
15,001-28,000	1	1
28,001-35,000	1/0	1/0

Section 334 Nonmetallic-Sheathed Cable: Types NM, NMC, and NMS.

Section 334.10 Uses Permitted. (amend subsections as shown):

(2) Multifamily dwellings permitted to be of Type III, IV, and V construction except as prohibited in 334.12 Nonmetallic sheathed cable shall be used only for temporary work or in R-2 (apartments only), R-3 and R-4 occupancies (and their accessory structures), none of which may exceed four (4) floors. Nonmetallic sheathed cable shall be limited to four (4) stories of habitable space not including a parking garage, or limited to three (3) stories of habitable space above a single story parking garage, but in no case shall the wiring method exceed four (4) floors. Cables shall be concealed within walls, floors, or ceilings that provide a thermal barrier of material that has at least a 15-minute finish rating as identified in listings of fire rated assemblies.

(3) *Other structures to be of Type III, IV, and V construction except as prohibited in 334.12* Nonmetallic sheathed cable shall be used only for temporary work or in single story detached structures under 2000 square feet in area served by electric service two hundred (200) amperes or less, in buildings of use groups B, or S-2 where approved by the AHJ.

Section 404.4: Switches shall not be installed within wet locations in tub or shower spaces unless installed as part of a listed tub or shower assembly. Switches shall not be located within a zone 36” horizontally or 96” vertically of the rim of any tub or threshold of the shower.

Section 406.8 (C): Receptacles shall not be installed within or directly over a bathtub or shower stall. Receptacles shall not be located within a zone 36” of the rim of any tub or threshold of the shower.

Section 406.11 Tamper- Resistant receptacles. Delete this section entirely (product not readily available).

SECTION 5. That Chapter 4-4, Article IV, Sections 4-4-136 to 4-4-138, inclusive, are each hereby repealed and notated as follows: Sec. 4-4-136 to 4-4-138. Reserved.

SECTION 6. 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.

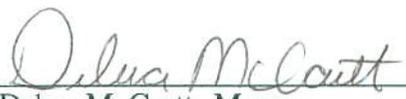
SECTION 7. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 8. Continuation. That nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding impending 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 9. 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.

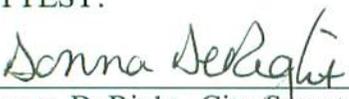
SECTION 10. Publishing and Effective Date. This ordinance shall be published according to law promptly after adoption, and become effective on June 15, 2008.

INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, on First Reading this the 13th day of May, 2008; and PASSED on Second and Final Reading the 20th day of May, 2008.



Debra McCartt, Mayor

ATTEST:



Donna DeRight, City Secretary