

ORDINANCE NO. 006-008

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18, ARTICLE IV, OF THE CODE OF ORDINANCES OF THE TOWN OF ADDISON, TEXAS, TO PROVIDE MINIMUM STANDARDS TO SAFEGUARD LIFE OR LIMB, PROPERTY, AND PUBLIC WELFARE BY REGULATING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES. PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

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

SECTION 1. That the Code of Ordinances of the Town of Addison be amended by rewriting Chapter 18, Article IV in its entirety to read as follows:

DIVISION I. GENERALLY

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, 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 the 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 of chapter 18 of the Addison Code.

(b) A homeowner may perform electrical work without the above mentioned supervision under the following conditions:

(1) A homeowner may personally install electrical conductors or equipment within his own home if the owner files with the building official approved plans and specifications, satisfies the building official as to his ability to install electrical wiring, applies for 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 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.

Sec. 18-142 - 18-160. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 18-161. Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of all buildings and structures within the city and certain equipment specifically regulated herein, the ICC Electrical Code-Administrative Provisions, 2003 Edition (a copy of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, is on file in the city secretary's office), is hereby adopted as the building code of the city as fully as if copied at length in this article, but with the changes therein and additions thereto to provided in this article.

Sec. 18-162. Deletions, amendments and additions generally.

The ICC Electrical Code-Administrative Provisions, as adopted in this article, is hereby modified by the deletions, amendments and additions provided herein.

Sec. 14-163. General Definitions.

The ICC Electrical Code is amended by adding the following definitions to Section 202:

Electrical Construction means work and material used in installing, maintaining, or extending a system of electrical wiring, and all appurtenances, apparatus, or equipment used in that connection, inside or outside of, or attached to any building, structure, lot, or premises.

Electrical contractor means a person engaged in the business of installing or altering, by contract, electrical equipment. The term includes a person who subcontracts to do the work, but does not include bona fide employees employed by a contractor to do or supervise work.

Electrician means a person engaged in the trade or business of electrical construction and who is qualified under the provisions of article IV of chapter 18 of the Addison Code.

Elevator contractor means a person engaged in the business of servicing, maintaining, installing, or altering the electrical equipment used to operate, limit, or control electrically operated elevators. The term includes a person who subcontracts to do the work, but does not include bona fide employees employed by a contractor to do or supervise work.

Journeyman electrician means an individual who possesses the necessary qualifications, training, and technical knowledge to install, maintain, and extend electrical equipment and who is capable of doing this work in accordance with plans and specifications furnished him and in accordance with applicable laws and ordinances governing the work.

Maintenance electrician means an individual who possesses the necessary qualifications, training, and technical knowledge to repair, operate, and replace electrical equipment in a specific building or premises.

Master electrician means an individual who possesses the necessary qualifications, training, and technical knowledge to plan, layout, and supervise the installation, maintenance, and extension of electrical equipment.

Specialist electrician means an individual who possesses the necessary qualifications to construct, repair, install, or maintain specific electrical equipment under the specific classification of electrical work for which the specialist is qualified.

Fire rated means those types of construction defined as Type I, A & B, and II A in the International Building Code.

Sec. 14-164. Fee's.

The ICC Electrical Code is amended by changing subsection 404.2 to read as follows:

404.2 Schedule of permit fees. There shall be no fee charged for combined permits. The fee for each permit shall be as set forth in section 18-2 and section 18-3 of the Code of Ordinances of the Town of Addison, Texas.

Sec. 14-165. Board of appeals.

The ICC Electrical Code is amended by changing section 1102 to read as follows:

Section 1102
Membership

1102.1 General.

There is hereby created a board of appeals consisting of three members and two alternates appointed by the city council. The building official shall keep a record of the determinations made by the board of appeals. The powers of the board of appeals shall be as follows:

(1) To hear appeals from decisions of the building official;

(2) To hear requests for the use of a material or method of construction not prescribed by article IV of chapter 18 of the Addison Code and to authorize the use when, in the board of appeal's judgment, the material or method of construction is at least equivalent to that prescribed;

(3) To make amendments to article IV of chapter 18 of the Addison Code; and

(4) To hear complaints from the building official arising against any person, firm, or corporation

licensed by the town to perform electrical work and shall have the power, after hearing, to revoke or suspend such license for the following reasons:

a. Chronic violation of article IV of chapter 18 of the Addison Code;

b. Misrepresentation of material facts in obtaining such license or renewal thereof;

c. Chronic failure to secure permits, inspections, or approvals as required by article IV of chapter 18 of the Addison Code; or

d. Use of such license to obtain a permit for another person, firm, or corporation.

Sec. 18-167 - Sec. 18-205 Reserved.

DIVISION 3. ELECTRICIANS*

Subdivision I. In General

Secs. 18-206 - 18-220. Reserved.

Subdivision II. License

Sec. 18-221. Required.

(a) No person shall engage in the business of electrical construction or make any repairs, alterations, additions, or changes to an existing system of electrical wiring or equipment unless that person is licensed as a qualified electrician in one of the following classifications:

- (1) Electrical contractor.
- (2) Lighting maintenance contractor.
- (3) Elevator contractor.
- (4) Master electrician.
- (5) Journeyman electrician.
- (6) Maintenance electrician.

(7) Specialist electrician.

(8) Building maintenance operator.

(b) A person licensed in one of these classifications shall be permitted to perform the work of that classification as defined in this article IV of chapter 18 of the Addison Code.

Sec. 18-222. Registration procedure; examination and license fee; requirements.

(a) In order to be licensed in one of the classifications of electricians an applicant must either be licensed by the State of Texas, examined by the Southern Building Code Congress International, or produce proof of licensing in another city as outlined in this section.

(b) For master electricians, journeyman electricians, maintenance electricians, or specialist electricians wishing to be licensed in the Town, applications for a license must be made to the building official on the form provided for that purpose and the fee shown in this section must be paid. Electricians licensed by the State of Texas are exempt from the registration and fee. The examination to be given shall be that administered by the Southern Building Code Congress International. Upon satisfactory completion of the examination a license will be awarded.

(c) Applicants for a license as a master electrician shall:

(1) Have been licensed for one year as a journeyman electrician either in the Town or in another city as outlined in subsection (e) of this section;

(2) File with the application affidavits from past or present employers showing no less than five years' experience in the installation, alteration, and maintenance of electrical equipment (one-half of the time spent in attendance at an electrical technical school or college shall be considered toward satisfaction of this requirement); or

(3) Show evidence of being a professional engineer.

(d) Applicants for a license as a journeyman electrician

shall:

(1) Have been licensed with the Town, or with another city as outlined in subsection (e) of this section, as an electrician in any classification for four years; or

(2) File with the application affidavits from past or present employers showing not less than four years' experience in the installation, alteration, and maintenance of electrical equipment (one-half of the time spent in attendance at an electrical technical school or college shall be considered toward satisfaction of this requirement).

(e) An electrician holding a currently valid license with Southern Building Code Congress International, or any other city which administers an examination at least equal to that required by the Town and reciprocates with the Town, may apply for and receive a similar license upon payment of the appropriate registration fee. To receive such a reciprocal license the electrician must complete the license application form provided by the town and must accompany it with such proof of having a license elsewhere as may be required by the building official.

(f) The fee to be paid for both the initial electrical license and renewals is as follows, and is to be paid in addition to any examination fee:

- (1) Electrical contractor \$50.00
- (2) Lighting maintenance contractor \$50.00
- (3) Elevator contractor \$50.00
- (4) Building maintenance operator \$50.00
- (5) Master electrician \$10.00
- (6) Journeyman electrician \$10.00
- (7) Maintenance electrician \$10.00
- (8) Specialist electrician \$10.00

(g) A person shall not lend, rent, or transfer his

license to any other person. Every holder of a license as a master, journeyman, maintenance, or specialist electrician shall carry his registration card or license on his person at all times while doing electrical work and shall produce and exhibit it when requested by the building official.

(h) A license shall expire at midnight one year from the date of its issuance and must be renewed annually upon application to the town and payment of the licensing fee shown above. Should any license lapse for more than six months, the holder shall be considered as a new applicant and must either be re-examined or prove the existence of a license with a reciprocal city.

Sec. 18-223. Requirements for master electricians.

The following restrictions apply to the holders of a master electrician license:

(a) A master electrician who qualifies an electrical contracting business assumes responsibility for the business' complying with the provisions of article IV of chapter 18 of the Addison Code in its entirety, including payment for indebtedness to the town for permit fees.

(b) Whenever a master electrician leaves or is discharged from the employ of a person who is required by article IV of chapter 18 of the Addison Code to employ a master electrician, a notice in writing shall be given immediately by both the employer and the master electrician to the building official, and the permit privileges of the employer shall, without further order or action, be suspended until the employment and qualifying of another master electrician.

(c) A master electrician shall not qualify more than one electrical contracting business at any one time.

(d) A master electrician shall not knowingly permit his name to be used or himself to be held out as the master electrician who qualifies a specific electrical contracting business unless he:

(1) Is an owner or full-time employee of the business;

(2) Actively supervises the daily operation of the

business;

(3) Is not engaged in or employed by any other business at the same time that the electrical contracting business is performing electrical work with in the town; and

(4) Is authorized to order employees of the business to correct defects, errors, and deficiencies in electrical work installed or performed by the business.

Sec. 18-224. Requirements for journeyman electricians.

A journeyman electrician's license shall entitle the holder to engage himself in the employ of any person registered under another classification under the provisions of article IV of chapter 18 of the Addison Code.

Sec. 18-225. Requirements for maintenance electricians.

A maintenance electrician's license shall entitle the holder to engage himself in the employ of any person holding an electrical building maintenance operator's license under the provisions of article IV of chapter 18 of the Addison Code.

Sec. 18-226. Requirements for specialist electricians.

(a) A specialist electrician's license shall entitle the holder to engage himself in the employ of any person holding a license to do the work for which the specialist has been qualified. A person may apply to be a specialist electrician in one of the following classes:

- (1) Specialist elevator electrician; or
- (2) Specialist residential electrician; or
- (3) Specialist sign electrician.

(b) Each applicant not holding a master or journeyman electrician's license shall be required to answer a reasonable number of questions in writing, to show that he has sufficient knowledge and training to perform the work for the class of electrical specialist applied for.

Sec. 18-227. Requirements for building maintenance operators.

(a) The building maintenance operator's license shall entitle the holder to maintain, repair, relocate, or replace any electrical conductors or equipment on a single specific building, structure, or premises owned or controlled by the person and used exclusively by him to conduct his business but shall not permit the installation, enlargement, or addition of electrical conductors or equipment.

(b) The person engaged in building maintenance work on a given premises shall have a maintenance electrician, journeyman electrician, or master electrician in continuous employment on the premises, who shall have active supervision over the electrical maintenances work on the premises to which the building maintenance operator's license of registration is issued.

(c) At regular intervals the building official shall visit all premises where work will be done under an annual building maintenance operator's license and shall inspect all electrical equipment installed under such a permit since the date of his last inspection and shall, if requested, issue a certificate of approval for the work found to be in conformity with the provisions of article IV of chapter 18 of the Addison Code.

(d) The holder of a building maintenance operator's license shall keep a log describing any and all relocated electrical work. The log shall give the date, the description of the work, including quantities involved, the location on the premises, the name of the maintenance electrician performing the work and the name of the person ordering the work done. This log shall be made available at all times to the building official.

(e) Any person violating any of the provisions dealing with a building maintenance operator's license shall be subject to the penalties provided by article IV of chapter 18 of the Addison Code, and in addition, privileges conveyed by license may be revoked by the building official. Notice of revocation shall be in writing to the person holding the license.

Sec. 18-228. Requirements for electrical contractor.

An electrical contractor shall not engage in an electrical contracting business within the town unless the business is qualified by a master electrician who:

- (a) Is an owner or full-time employee of the business;
- (b) Actively supervises the daily operation of the business;
- (c) Is not engaged in or employed by any other business at the same time that the electrical contracting business is performing electrical work within the town; and
- (d) Is authorized to order employees of the business to correct defects, errors, and deficiencies in electrical work installed or performed by the business.

Sec. 18-229. Requirements for lighting maintenance contractors.

A lighting maintenance contractor's license shall entitle the holder to engage in the business of repair and maintenance of lighting fixtures only, and a person engaged in the lighting maintenance contracting business shall have active supervision over and be responsible for lighting maintenance work conducted by the contractor. The building official shall be notified in writing in the event the journeyman electrician is replaced by another journeyman electrician.

Sec. 18-230. Requirements for elevator contractors.

An elevator contractor's license shall entitle the holder to engage in the business of, and to secure permits for, the installation, repairs, and alteration of any electrical wiring and equipment connected with the installation of electrical elevators. The actual work of installation shall be under the direct supervision of a qualified master, journeyman or specialist elevator electrician.

Sec. 18-231 - 18-245. Reserved.

DIVISION 4. TECHNICAL STANDARDS

Subdivision I. In General

Sec. 18-246. Adopted.

- (a) The rules and regulations of the International Fire

Protection Association embodied in the National Electrical Code, 2005 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.

(b) The National Electrical Code, 2005 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 thereto provided in this article.

Secs. 18-247 - 18-265. Reserved.

Subdivision II. Deletions, Amendments and Additions

Sec. 18-266. Deletions, amendments, and additions.

The National Electrical Code as adopted in section 18-246 is hereby amended by the deletions, amendments, and additions provided in this division.

Sec. 18-267. Aluminum wiring.

Section 110.5 of the National Electrical Code is amended by adding the following:

Aluminum conductors shall be number 8 or larger and shall not be use on branch circuits.

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 conductors extending within buildings above the third floor shall be enclosed in at least two inches of concrete, except in meter rooms.

Sec. 18-269. Maximum Number of Disconnects

Section 230.71 of the National Electrical Code is amended

by adding an exception as follows:

Exception: Multi-occupant Buildings. Individual service disconnecting means is limited to six for each occupant. The number of individual disconnects at one location may exceed six.

Sec. 18-270. Overcurrent devices in closets.

Section 240.24(D) of the National Electrical Code is amended by adding the following:

Overcurrent devices shall be permitted in clothes closets if the working clearances required in section 110.26 are maintained.

Sec. 18-271. Securing and Supporting

Section 300.11 (A) of the National Electrical Code is amended by adding an exception as follows:

Exception: Ceiling grid support wires may be used for structural support when the associated wiring is located in that area, not more than two raceways or cables supported per wire, with a maximum nominal metric designation 16 (trade size ½ ").

SECTION 2. All other ordinances and parts of ordinances in conflict with this ordinance shall be, and the same is hereby repealed, but the repeal of such ordinances or parts of ordinances shall not affect any right, property or claim which was or is vested in the Town of Addison, Texas, 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 effect 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.

SECTION 3. In the event that any section, paragraph, subdivision, clause, phrase, or provision of this ordinance or the National Electrical Code, 2005 Edition, or revisions thereof, adopted herein shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance or of the National Electrical Code, 2005 Edition, or revisions thereof as a whole or any part of provision other than the part so decided to be

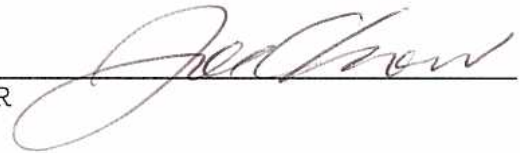
invalid or unconstitutional.

SECTION 4. Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed five hundred dollars (\$500.00) and each and every day that the prohibited condition remains shall constitute a separate offense.

SECTION 5. That this ordinance shall become effective from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, this the 28th day of February, 2006.

MAYOR



ATTEST:

CITY SECRETARY



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