

ORDINANCE NO. 2012-497

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS PROVIDING FOR THE REPEAL OF CHAPTER 4, ARTICLE V, SECTIONS 4-81 OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR HILL AND ORDINANCE 2012-486, TEXAS AND ADOPTING THE 2011 NATIONAL ELECTRICAL CODE IN PLACE THEREOF; PROVIDING FOR A SAVING CLAUSE; PROVIDING FOR PENALTIES; PROVIDING FOR THE SEVERANCE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; AND PROVIDING FOR IMMEDIATE EFFECT AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Cedar Hill, Texas is a home rule city within the State of Texas; and

WHEREAS, the City of Cedar Hill, Texas desires to provide for the safety, health and public welfare of the citizens of the City of Cedar Hill, Texas, by the regulation of standards for building construction and the inspection thereof; and

WHEREAS, the City further desires to promote and maintain current and beneficial health and safety standards in the City of Cedar Hill, Texas; and

WHEREAS, this Ordinance shall not be retroactive to existing buildings at the time of the adoption hereof but shall apply only to new construction and changes to the use, occupancy or modifications of existing buildings.

WHEREAS, the City Council of the City of Cedar Hill, Texas, does find and determine that it is in the best interest of the health, safety, and general welfare of the citizens of the City of Cedar Hill, Texas, to adopt the 2011 National Electrical Code, with certain modifications and additions as are herein prescribed, within the corporate limits of the City of Cedar Hill, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILL, TEXAS, THAT:

SECTION 1. REPEAL OF ARTICLE V, SECTION 4-81

The City Council of the City of Cedar Hill, Texas hereby repeals Chapter 4, Article V, Section 4-81 of the Code of Ordinances of the City of Cedar Hill, Texas and Ordinance 2012-486 and adopts this ordinance in its place which shall hereafter read as follows:

SECTION 2. ADOPTION OF THE 2011 NATIONAL ELECTRIC CODE

The 2011 National Electrical Code is hereby adopted and incorporated in its entirety as though fully set out at length herein, save and except such portions as are herein after deleted, modified or amended and the provisions of such code shall be controlling in the installation, alteration or repair of electric installations and the inspection thereof; within the corporate limits of the City of Cedar Hill, Texas.

2011 National Electrical Code Additional requirements and amendments.

(1) Article 100, Part 1 is amended to read as follows:

Intersystem Bonding Termination. A device that provides a means for connecting bonding conductors for communication systems and other systems such as metallic gas piping systems to the grounding electrode system.

(2) Article 110.2 is amended to read as follows:

110.2 Approval. The conductors and equipment required or permitted by this Code shall be acceptable only if approved. Approval of equipment may be evident by listing and labeling of equipment by a Nationally Recognized Testing Lab (NRTL) with a certification mark of that laboratory or a qualified third party inspection agency approved by the Authority Having Jurisdiction (AHJ).

Exception: Unlisted equipment that is relocated to another location within a jurisdiction or is field modified is subject to the approval by the AHJ. This approval may be by a field evaluation by a NRTL or qualified third party inspection agency approved by the AHJ.

Manufacturer's self-certification of any equipment shall not be used as a basis for approval by the AHJ.

Informational Note: See 90.7, Examination of Equipment for Safety, and 110.3, Examination, Identification, Installation, and Use of Equipment. See definitions of Approved, Identified, Labeled, and Listed.

(3) Article 230.71(A) is amended to read as follows.

230.71(A) General. The service disconnection means for each service permitted by 230.2, or for each set of service-entrance conductors permitted by 230.40, Exception No 1, 3, 4, or 5, shall consist of not more than six switches and breakers, or a combination of not more than switches and sets of circuit breakers, mounted in a single enclosures, or in or on a switchboard. There shall be not more than six sets of disconnects per service grouped in any one location.

For the purpose of this section, disconnection means installed as part of listed equipment and used solely for the following shall not be considered a service disconnecting means:

- (1) Power monitoring equipment
- (2) Surge-protective device(s)
- (3) Control circuit of the ground-fault protection system
- (4) Power-operable service disconnection means

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

(4) Article 300.11(A) is amended to read as follows:

300.11(A) Secured in Place. Raceways, cable assemblies, boxes, cabinets, and fittings shall be securely fastened in place. Support wires that do not provide secure support shall not be permitted as the sole support. Support wires and associated fittings that provide secure support and that are installed in addition to the ceiling grid support wires shall be permitted as the sole support. Where independent supports wires are used, they shall be secured at both ends. Cables and raceways shall not be supported by ceiling grids.

Exception: Ceiling grid support wires may be used for structural supports 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").

(5) Article 310.15(B)(7) is amended to read as follows:

310.15(B)(7) 120/240-Volt, 3-Wire, Single-Phase Dwelling Services and Feeders. For individual dwelling units of one-family, two-family, and multifamily dwellings, conductors, as listed in Table 310.15(B)(7), shall be permitted as 120/240-volt, 3-wire, single-phase service-entrance conductors, service-lateral conductors, and feeder conductors that serve as the main power feeder to each dwelling unit and are installed in raceway or cable with or without an equipment grounding conductor. For application of this section, the main power feeder shall be the feeder between the main disconnect and the panelboard that supplies, either by branch circuits or by feeders, or both, all loads that are part or associated with the dwelling unit. The feeder conductors to a dwelling unit shall not be required to have an allowable ampacity rating greater than their service-entrance conductors. The grounded conductor shall be permitted to be smaller than the ungrounded conductors, provided the requirements of 215.2, 220.61, and 230.42 are met. This Article shall not be used in conjunction with 220.82.

(6) Article 310.106(B) is amended to read as follows:

310.106(B) Conductor material. No aluminum conductors shall be installed in any structure which is designated by the International Building Code as Group R Occupancy. Aluminum alloy conductors shall be made of an AA-8000 Series electrical grade aluminum alloy conductor material. The conductor shall be a minimum size of #1 wire gauge or larger. Aluminum alloy conductors may be used for service entrance conductors only in R-1 and R-2 occupancies.

(7) Article 500.8 (A)(3) is amended to read as follows:

500.8 Equipment. Articles 500 through 504 require equipment construction and installation standards that ensure safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to installation and maintenance.

Informational Note No. 2: Since there is no consistent relationship between explosion properties and ignition temperature, the two are independent requirements.

Informational Note No. 3: Low ambient conditions require special consideration. Explosion proof or dust-ignition proof equipment may not be suitable for use at temperatures lower than -25°C (-13° F) unless they are identified for low-temperature service. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified as Class 1 Division 1 at normal ambient temperature.

(A) Suitability. Suitability of identified equipment shall be determined by one of the following:

- (1) Equipment listing or labeling
- (2) Evidence of equipment evaluation from a qualified testing laboratory or inspection agency concerned with product evaluation
- (3) Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation or an engineering judgment signed and sealed by a qualified Licensed Professional Engineer.

Informational Note: Additional documentation for equipment may include certificates demonstration compliance with applicable equipment standards, indication special conditions of use, and other pertinent information. Guidelines for certificates may be found in ANSI/ISA 12.00.02, Certificate Standard for AEx Equipment for Hazardous (Classified) Locations.

(8) Article 505.7 (A) is amended to read as follows:

505.7 Special Precaution. Article 505 requires equipment construction and installation that ensures safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to the installation and maintenance of electrical equipment in hazardous (classified) locations.

Informational Note No. 2: Low ambient conditions require special consideration. Electrical equipment depending on the protection techniques described by 505.8(A) may not be suitable for use at temperatures lower than -20°C (-4°F) unless they are identified for use at lower temperatures. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified Class 1, Zones 0, 1, or 2 at normal ambient temperature.

(A) Implementation of Zone Classification System. Classification of areas, engineering and design, selection of equipment and wiring methods, installation, and inspection shall be performed by qualified Licensed Professional Engineer.

(9) Article 680.25(A) is amended to read as follows:

680.25 Feeders. These provisions shall apply to any feeder on the supply side of panelboards supplying branch circuits for pool equipment covered in Part II of this article and on the load side of the service equipment or the source of a separately derived system.

(A) Wiring Methods.

- (1) **Feeders.** Feeders shall be installed in rigid metal conduit or intermediate metal conduit. The following wiring methods shall be permitted if not subject to physical damage:
 - (1) Liquidtight flexible nonmetallic conduit
 - (2) Rigid polyvinyl chloride conduit
 - (3) Reinforced thermosetting resin conduit
 - (4) Electrical metallic tubing where installed on or within a building
 - (5) Electrical nonmetallic tubing where installed within a building
 - (6) Type MC cable where installed within a building and if not subject to corrosive environment
 - (7) Nonmetallic-sheathed cable
 - (8) Type SE cable

Exception: An existing feeder between an existing remote panel board and service equipment shall be permitted to run in flexible metal conduit or an approved cable assembly that includes an equipment grounding conductor within its outer sheath. The equipment grounding conductor shall comply with 250.24(A) (5).

Section 3. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Cedar Hill, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

Section 4. ENFORCEMENT OF PENALTY

Any person, firm partnership, association or corporation who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof in the Municipal Court of the City of Cedar Hill, Texas such violation shall be liable for a **fine in an amount not to exceed Five Hundred Dollars (\$500)**, and each and every instance of the violation of this Ordinance constitutes a separate offense and shall be punishable by separate fines for each offense.

Section 5. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 6. INCORPORATION INTO CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances, City of Cedar Hill, Texas, as an addition, amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 7. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of health, safety and welfare of the citizens of the City of Cedar Hill, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

Section 8. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, ADOPTED AND APPROVED by the City Council of Cedar Hill, Texas on this the _____ day of _____, 2012.

Rob Franke, Mayor

ATTEST:

Lyn Hill, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane Jr., City Attorney