

**ORDINANCE NO. 0614-23-ORD**

**AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, ADOPTING THE 2020 NATIONAL ELECTRICAL CODE AND ITS ANNEX H WITH LOCAL AMENDMENTS; AMENDING SECTIONS 4-46, 4-47 AND 4-48 OF ARTICLE III (ELECTRICAL STANDARDS) OF CHAPTER 4 (BUILDINGS AND BUILDING REGULATIONS) OF THE LEWISVILLE CITY CODE; PROVIDING FOR A REPEALER, SEVERABILITY, A PENALTY, AND AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.**

WHEREAS, the City Council of the City of Lewisville has determined that to safeguard life, health, property, and public welfare, certain amendments to Chapter 4, Article III, Electrical Standards of the Lewisville City Code are necessary.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS:**

**SECTION 1. Amending Section 4-46 (Electrical Code – Adopted) of Article III (Electrical Standards) of Chapter 4 (Buildings and Building Regulations of the Lewisville City Code.** Section 4-46 (Electrical Code – Adopted) of Article III (Electrical Standards) of Chapter 4 (Buildings and Building Regulations) of the Lewisville City Code is hereby amended to read as follows:

**“Sec. 4-46. Electrical Code – Adopted.**

The 2020 edition of the National Electrical Code of the National Fire Protection Association and its Annex H are hereby adopted as the electrical code for the City with such local amendments as set forth in this Article. A copy of this code is filed in the office of the Neighborhood & Inspection Services department.”

**SECTION 2. Amending Section 4-47 (Same – Amendments) of Article III (Electrical Standards) of Chapter 4 (Buildings and Building Regulations) of the Lewisville City Code.**

Section 4-47 (Same – Amendments) of Article III (Electrical Standards) of Chapter 4 (Buildings and Building Regulations) of the Lewisville City Code is hereby amended to read as follows:

**“Sec. 4-47. Same—Amendments.**

The City adopts the following revisions and additions to the National Electrical Code 2020 edition.

***Article 80.2; amend the definition of “Electrical Inspector” to read as follows:***

**Electrical Inspector.** An individual authorized to perform electrical inspections.

***Article 80.5; amend to read as follows:***

**80.5 Adoption.** Article 80 is hereby adopted, as amended, as the administration and enforcement chapter of the electrical code.

***Article 80.13, Item 2; amend to read as follows:***

(2) When the use of any electrical equipment or its installations is found to be an immediate danger to human life or property, the authority having jurisdiction shall be empowered to have the premises disconnected from its source of electric supply. When such equipment or installation has been so disconnected, a notice shall be placed thereon listing the causes for the disconnection, and the penalty under 80.23 for the unlawful use thereof. Written notice of such disconnection and the causes therefor shall be given in a timely manner to the owners, and, if applicable, the occupant of such building, structure, or premises. It shall be unlawful for any person to remove said notice, to reconnect the electrical equipment to its source of electric supply, or to use or permit to be used electric power in any such electrical equipment until such causes for the disconnection have been remedied to the satisfaction of the authority having jurisdiction.

***Article 80.13, Item 13; amend to read as follows:***

(13) Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the authority having jurisdiction shall be permitted to require that such work be exposed for inspection. The authority having jurisdiction shall be notified when the installation is ready for inspection.

***Article 80.15; amend to read as follows:***

**80.15 Board of Appeals.**

**(A) Creation of the Board of Appeals.** In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Electrical Inspector relative to the application and interpretation of this code, the City Council shall act as the board of appeals.

**(B) Means of Appeal.** An individual directly affected by an order, decision, or determination made by the Chief Electrical Inspector relative to the application and interpretation of this code may appeal such order, decision, or determination. An appeal must be filed in writing with the City Manager within thirty (30) days after the date of the order, decision, or determination. After receiving an appeal in accordance with this section, the City Manager shall submit the appeal to the City Council for their consideration. The City Council's decision on the appeal shall be the final decision.

*Article 80.19(C); amend to read as follows:*

**(C) Issuance of Permits.** The authority having jurisdiction shall be authorized to establish and issue permits, certificates, notices, and approvals, or orders pertaining to electrical safety hazards pursuant to 80.23, except that no permit shall be required to execute any of the classes of electrical work specified in the following:

- (1) Installation or replacement of equipment such as lamps and of electric utilization equipment approved for connection to suitable permanently installed receptacles
- (2) Replacement of flush or snap switches, fuses, lamp sockets, and receptacles, and other minor maintenance and repair work, such as replacing worn cords and tightening connections on a wiring device
- (3) The process of manufacturing, testing, servicing, or repairing electrical equipment or apparatus
- (4) Constructing, installing, altering, extending, maintaining, repairing, or replacing any electrical wiring, apparatus, or equipment of any voltage of twenty-four (24) volts or less and not capable of supplying more than 50 watts of energy.

Exemption from the permit requirements shall not be deemed to grant authorization for any work to be done in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

*Article 80.19 (E); amend to read as follows:*

**(E) Fees.** All fees under this code shall be assessed as set forth in the Lewisville City Code, Chapter 2, Section 2-201.

*Article 80.19(F); amend Item (3) to read as follows:*

- (3) When any portion of the electrical installation within the jurisdiction of an Electrical Inspector is to be hidden from view by the permanent placement of parts of the building, the person, firm, or corporation installing the equipment shall notify the Electrical Inspector, and the equipment shall not be concealed until it has been approved by the Electrical Inspector.

*Article 80.23; amend to read as follows:*

**80.23 Violations.**

**(A) Unlawful Acts.** It shall be unlawful for any person, firm, or corporation to fail to comply with the provisions of this *Code*, to fail to carry out an order made pursuant to this *Code*, or to violate any condition attached to a permit, approval, or certificate issued under this *Code*.

**(B) Notice of Violation.** The Chief Electrical Inspector or his designee is authorized to serve a notice of violation or order on the person responsible for the failure to comply with the provisions of this *Code*, the failure to carry out an order made pursuant to this *Code*, or the violation of any condition attached to a permit, approval, or certificate issued under this *Code*. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. Citations for violations of this *Code* may be issued without requiring the issuance of a notice of violation.

**(C) Prosecution of Violation.** If a notice of violation is issued and is not complied with in the time prescribed by such notice, the authority having jurisdiction or the Chief Electrical Inspector is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceedings at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

**(D) Penalties.** Any person who violates a provision of this *Code* or fails to comply with any of the requirements thereof shall be subject to penalties as prescribed by Section 1-15 of the Code of Ordinances of the City of Lewisville. Each day that a violation continues shall be deemed a separate offense.

*Article 80.25 (C); amend to read as follows:*

**(C) Notification.** The supplier of electricity is authorized to make connections and supply electricity to such installation after the Electrical Inspector has authorized connection and notified the supplier.

*Article 80.27; delete in its entirety.*

*Article 80.29; amend to read as follows:*

**80.29 Liability for Damages.** This code shall not be constructed to affect the responsibility or liability of any party owning, designing, operating, controlling, or installing any electrical equipment for damages to persons or property caused by a defect therein, nor shall the City of Lewisville or any of its employees be held as assuming any such liability by reason of the inspection, reinspection, or other examination authorized.

*Article 80.31; delete in its entirety.*

*Article 80.33; delete in its entirety.*

*Article 80.35; delete in its entirety*

*Article 100; add the following to definitions:*

**Engineering Supervision.** Supervision by a qualified State of Texas licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations.

*Article 110.2; amend 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 or a field evaluation by a Field Evaluation Body accredited by either the International Code Council International Accreditation Service AC354 or ANSI National Accreditation Board programs and approved by the 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 an NRTL or qualified third-party inspection agency or a field evaluation by a Field Evaluation Body accredited by either the ICC IAS AC354 or ANAB programs and 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 No 1: 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*.

Informational Note No. 2: Manufacturer’s self-certification of equipment may not necessarily comply with U.S. product safety standards as certified by an NRTL.

Informational Note No. 3: National Fire Protection Association (NFPA) 790 and 791 provide an example of an approved method for qualifying a third-party inspection agency.

*Article 210.9(F); amend to read as follows:*

**(F) Outdoor Outlets.** Effective January 1, 2023, all outdoor outlets for dwellings, other than those covered in 210.8(A)(3), Exception to (3), that are supplied by single-phase branch circuits rated 150 volts to ground or less, 50 amperes or less, shall have ground-fault circuit-interrupter protection for personnel.

*Exception: Ground-fault circuit-interrupter protection shall not be required on lighting outlets other than those covered in 210.8(C).*

*Article 230.71(C); add a new section to read as follows:*

**(C) More Than Six Service Disconnecting Means.** In multi-occupant buildings, individual service disconnecting means is limited to six for each occupant. The number of service disconnects at one location may exceed six.

*Article 334.10(3); amend to read as follows:*

(3) Other structures permitted to be of Types III, IV, and V construction except as prohibited in Article 334.12. 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 acceptable to the authority having jurisdiction.

*Article 334.12(A); add new section to read as follows:*

(11) Types NM, NMC, NMS cable shall not be permitted to be installed in any occupancy with metal frame stud structures.

*Article 408.4(A); amend to read as follows:*

**(A) Circuit Directory or Circuit Identification.** Every circuit and circuit modification shall be legibly identified as to its clear, evident, and specific purpose or use. The identification shall include an approved degree of detail that allows each circuit to be distinguished from all others. Spare positions that contain unused overcurrent devices or switches shall be described accordingly. The identification shall be permanently affixed and included in a circuit directory that is located on the face, inside of, or in an approved location adjacent to the panel door in the case of a

panelboard and at each switch or circuit breaker in a switchboard or switchgear. No circuit shall be described in a manner that depends on transient conditions of occupancy.

*Article 410.118; amend to read as follows:*

**410.118 Access to other boxes.** Luminaires recessed in the ceilings, floors, or walls shall not be used to access outlet, pull, or junction boxes or conduit bodies, unless the box or conduit body is an integral part of the listed luminaire.

Exception: Removable luminaires with a minimum measurement of 22 in. X 22 in. shall be permitted to be used as access to outlet, pull, junction boxes or conduit bodies.

*Article 422.31(B); amend to read as follows:*

**(B) Appliances Rated over 300 Volt-Amperes.** For permanently connected appliances rated over 300 volt-amperes, the branch-circuit switch or circuit breaker shall be permitted to serve as the disconnecting means where the switch or circuit breaker is within sight from and is readily accessible to the appliance it serves or is capable of being locked in the open position in accordance with Article 110.25 and is readily accessible to the appliance it serves.

Informational Note No. 1: For appliances employing unit switches, see 422.34.

Informational Note No. 2: The following means of access are considered readily accessible:

- (1) A permanent stair.
- (2) A pull-down stair with a minimum 300 lb. (136 kg) capacity.
- (3) An access door from an upper floor level.

*Article 500.8(A)(3); amend to read as follows:*

- (3) Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation or an owner's engineering judgment. an engineering judgment signed and sealed by a qualified licensed Professional Engineer registered in the State of Texas.

*Article 505.7 (A); amend to read as follows:*

**(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 a qualified licensed Professional Engineer registered in the State of Texas.

*Article 695.6(A)(1); amend to read as follows:*

**(1) Services and On-Site Power Production Facilities.** Service conductors and conductors supplied by on-site power production facilities shall be physically routed outside a building(s) and shall be installed as service-entrance conductors in accordance with 230.6, 230.9, and Parts III and IV of Article 230. Where supply conductors cannot be physically routed outside of buildings, the conductors shall be permitted to be routed through the building(s) where installed in accordance with 230.6(1) or (2).

*{delete exception}*

**Article 71.15(A); amend to read as follows:**

**(A) Supply Output.** Power supply to premises wiring systems fed by stand-alone or isolated microgrid power sources shall have adequate capacity to meet the calculated load in accordance with Article 220.”

**SECTION 3. Amending Section 4-48 (Same – Additions) of Article III (Electrical Standards) of Chapter 4 (Buildings and Building Regulations) of the Lewisville City Code.** Section 4-48 (Same – Additions) of Article III (Electrical Standards) of Chapter 4 (Buildings and Building Regulations) of the Lewisville City Code is hereby amended to read as follows:

**“Sec. 4-48. - Same—Additions.**

The following additions to the National Electrical Code adopted in section 4-46 are and shall become a part of the Electrical Code for the City.

- (a) Licenses:
  - (1) General. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, or maintain an electrical system or equipment who is not the holder of an unexpired, unrevoked license issued by the Texas Department of Licensing and Regulation (TDLR) in one of the following classifications:
    - a. Master electrician;
    - b. Master sign electrician;
    - c. Journeyman electrician;
    - d. Journeyman sign electrician; or
    - e. Residential wireman.

A person who is the holder of an unexpired, unrevoked, TDLR-issued electrical apprentice or electrical sign apprentice license may perform the above-listed work under supervision as required by this code and any applicable state statutes or regulations.

A person performing electrical work on the dwelling they own and in which they reside shall not be required to hold a license. All work shall comply with the provisions of this code.

- (2) The master electrician of record as listed on the permit for the work being performed shall ensure that a person with one of the license classifications listed in subsections a. or b. below, as applicable, is present on a work site during the performance of any work which must be performed by a licensed individual under this section and also visually inspects any work performed prior to inspection by the City:
- a. For work sites at single-family or two-family dwellings:
    - i. journeyman electrician;
    - ii. master electrician; or
    - iii. residential wireman.
  - b. For all other work sites:
    - i. journeyman electrician;
    - ii. journeyman sign electrician;
    - iii. master electrician; or
    - iv. master sign electrician.
  - c. It shall be unlawful for a master electrician of record to fail to comply with this section.
  - d. Upon finding a failure to comply with this section, the Chief Electrical Inspector or any Electrical Inspector may order the work to be discontinued and the person to whom a permit required under this article has been issued shall discontinue further work until proper supervision has been employed or supplied. This discontinuation of work shall be in addition to any other penalties.”

**SECTION 4. REPEALER.** Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

**SECTION 5. SEVERABILITY.** If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of

the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

**SECTION 6. PENALTY.** Any person, firm or corporation violating any provision of this Ordinance shall be punished upon conviction by a fine not to exceed \$2,000.00 for each offense, and each and every day such violation shall continue shall constitute a separate offense.

**SECTION 7. EFFECTIVE DATE.** This ordinance shall become effective January 1, 2024, upon its passage and publication as required by law.

**SECTION 8. EMERGENCY.** It being for the public welfare that this ordinance be passed creates an emergency and public necessity, and the rule requiring this ordinance be read on three separate occasions be, and the same is hereby waived, and this ordinance shall be in full force and effect from and after its passage, approval, publication, and effective date, as the law in such cases provides.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF 6 TO 0, ON THIS THE 6<sup>th</sup> DAY OF NOVEMBER, 2023.**

**APPROVED:**

  
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TJ Gilmore, MAYOR

**ATTEST:**

  
\_\_\_\_\_  
Thomas Harris III, CITY SECRETARY

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Lizbeth Plaster, CITY ATTORNEY