

**ORDINANCE NO. 223-19**

**AN ORDINANCE OF THE CITY OF COLUMBUS, TEXAS, AMENDING CHAPTER 3, BUILDING REGULATIONS, ARTICLE 3.03 ELECTRICITY, DIVISION 1, GENERALLY, DIVISION 3, ELECTRICAL INSPECTOR, DIVISION 4, PERMITS, DIVISION 5, ELECTRICIAN'S LICENSE, DIVISION 6, ELECTRICAL CODE AND STANDARDS OF THE CODE OF ORDINANCES OF THE CITY OF COLUMBUS, TEXAS; ADOPTING LOCAL AMENDMENTS TO THE NATIONAL ELECTRICAL CODE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 3, Building Regulations, Article 3.03, Electricity of the Code of Ordinances of the City of Columbus (hereinafter "City") provides certain regulations apply within the City and that the *National Electrical Code* is adopted in the City; and

**WHEREAS**, pursuant to the laws of the State of Texas, including Texas Local Government Code section 51.001, the City Council has the authority to adopt, publish, amend or repeal an ordinance that is for the good government, peace or order of the City; and

**WHEREAS**, the City Council wishes to amend certain regulations regarding electricity within the City; and

**WHEREAS**, the City Council is of the opinion and finds that local amendments to the *National Electrical Code* will promote the public health, safety, and general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City, and as well, the owners and occupants thereof, and the City generally;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Columbus, Texas that:

**I. AMENDMENTS**

Chapter 3, Building Regulations, Article 3.03, Electricity, Division 1, Generally of the Code of Ordinances of the City of Columbus, Texas is hereby amended in its entirety to read as follows:

**Division 1. Generally**

**Sec. 3.03.001 Penalty**

Any person found guilty of violating any of the provisions of this article or neglecting or refusing to comply with any order or notice of the electrical inspector made pursuant to the provisions of this article shall be fined in any sum not less than \$25.00 nor more than \$1000.00, plus costs of prosecuting each violation, and each day shall constitute a separate offense; however, if such person is convicted of an offense under this article, which offense is also a violation of the penal

laws of the state, such person shall be subject to the penalties set out in the penal laws of the state for the particular offense.

**Sec. 3.03.002 Applicability**

The provisions of this article shall be applicable to all electrical work and electrical wiring and apparatus done, performed or installed within the city only in connection with:

- (1) All new construction; and
- (2) All electrical work and wiring requiring an additional circuit or circuits in conjunction with additions or alterations to existing buildings.

**Sec. 3.03.003 Liability for damages**

This article shall not be construed to relieve from or lessen the responsibility of any person installing, operating or controlling any electrical wiring or apparatus for damage to anyone injured, nor shall the city be held or regarded as assuming any liability by reason of the inspection authorized in, or certificate or permit issued pursuant to, the provisions of this article.

**Secs. 3.03.004–3.03.060 Reserved**

Chapter 3, Building Regulations, Article 3.03, Electricity, Division 3, Electrical Inspector of the Code of Ordinances of the City of Columbus, Texas is hereby amended in its entirety to read as follows:

**Division 3. Electrical Inspector**

**Sec. 3.03.061 Generally; deputy inspectors**

(a) Offices established; appointment. The offices of chief electrical inspector and deputy inspector or inspectors are hereby created. The City Manager shall appoint a representative of the city as the Chief Electrical Inspector.

(b) Qualifications. Inspectors shall be well-versed in the rules and regulations as set out in this article and all local ordinances relating to electrical work, shall be thoroughly versed in requirements of the latest edition of the National Electrical Code and the National Fire Code, and shall maintain a library of such codes and ordinances in order to be of aid in maintaining uniformity in work requirements.

**Sec. 3.03.062 Duties**

(a) The chief electrical inspector shall be responsible for the enforcement of this article, shall make or cause to be made thorough inspections of all electrical work, and shall cause to be disconnected from any source of electrical energy any and all wiring not meeting the requirements as set out in this article.

(b) The chief electrical inspector shall cause to be issued for each job requiring any type of electrical work a permit and inspection report, shall see that the fees set out in this article are properly paid, and shall see that all persons doing electrical work within the city shall comply with the provisions of this article and all related ordinances.

**Sec. 3.03.063 Inspection of work**

(a) Upon the issuance of a permit under this article, the electrical inspector shall carefully inspect such work during and after its completion. If such electrical work or electrical wiring and apparatus is proved to be performed, furnished or installed in accordance with governing rules and requirements, the electrical inspector shall issue a certificate approving such work.

(b) There shall be two inspections on all work, both provided for by the original permit granted. One inspection shall be made when roughing-in is completed, and the second inspection shall be made upon the completion of the work. No inspection fees shall be collected for either of such two regular inspections. If additional inspections are required at the discretion of the electrical inspector because of defect or deficiency in the work or apparatus at the time inspected, on either the first or second inspection, or for any other good cause, an inspection fee on file in the city secretary's office shall be charged the permittee and paid by him to the city for each such inspection in excess of the two regular inspections provided for in this subsection.

(c) Upon the completion of the installation of electric wires and apparatus in any building for use in connection with electric light, heat or power, it shall be the duty of the person doing the work to notify the electrical inspector, who shall at once inspect the work; and, if approved by him, he shall issue a certificate of satisfactory inspection, which shall contain the date of inspection and outline of the results of such examination. No certificate shall be issued unless all electrical wiring and connected apparatus are in strict conformity with the rules and regulations set forth in this article, nor shall current be turned on for any wiring and apparatus until a certificate of satisfactory inspection is issued.

(d) The electrical inspector shall have the right, during reasonable hours, to enter any building in the discharge of his official duties or for the purpose of making any test or inspection of the electrical wiring and apparatus contained in the building, and for that purpose he shall be given prompt access to all buildings, private or public, on application to the company or individual owning or in charge or control of the building.

(e) No person shall interfere with the electrical inspector while in the performance of his duty, and each interference shall be deemed to constitute a separate offense within the intent and meaning of this article.

**Sec. 3.03.064 Concealing work without permission**

No person shall conceal or cause to be concealed any electrical wiring or apparatus mentioned in this article except with the express permission of the electrical inspector, and he is authorized and directed to require the removal of any flooring, lathing or plaster, sheetmetal or other material which may conceal any electrical wiring or apparatus contrary to provisions of this

article. On completion of the inspection of any electrical wiring or apparatus designed to be concealed and found to be in full compliance with the provisions of this article, it shall be the duty of the electrical inspector to post a notice to that effect at the main cut-out center, which shall be considered as an express permission to conceal the electrical wiring and apparatus, but no concealment shall take place until such notice has been posted by the electrical inspector.

**Secs. 3.03.065–3.03.090 Reserved**

Chapter 3, Building Regulations, Article 3.03, Electricity, Division 4, Permits of the Code of Ordinances of the City of Columbus, Texas is hereby amended in its entirety to read as follows:

**Division 4. Permits**

**Sec. 3.03.091 Required**

It shall be unlawful for any licensed electrician to commence the installation or alteration of any electrical work, wiring or apparatus for use in connection with electric light, heating or power, either outside or inside of any building, within the city without first making application in writing, in person or through a duly authorized agent, at the city office, on a form furnished by the electrical inspector or the city secretary, for a building permit (e) for such installation or alteration of electrical wiring and apparatus. Such application shall contain such description by street number, or by lot and block numbers, as may be necessary to identify the location of the work to be done. An applicant shall pay a permit fee according to the schedule which is on file in the city secretary's office. Permit fees shall be doubled if work has begun before the permit is issued.

**Sec. 3.03.092 Work by homeowner**

Wiring or rewiring in a private homestead may be performed by the homeowner provided the homeowner has first obtained an electrical permit for the work to be performed.

**Sec. 3.03.093 Failure to obtain permit**

If any person commences any work for which a building permit (e) is required before obtaining the necessary permit from the city, he shall be subject to the penalty prescribed in section 1.01.009.

**Secs. 3.03.094–3.03.120 Reserved**

Chapter 3, Building Regulations, Article 3.03, Electricity, Division 5, Electrician's License of the Code of Ordinances of the City of Columbus, Texas is hereby amended in its entirety to read as follows:

**Division 5. Electrician's License**

**Sec. 3.03.121 Classification of electricians**

(a) Electrical contractor. A person, licensed as an electrical contractor, who is in the business of performing “electrical contracting” as defined by Texas Occupations Code, section 1305.002(5).

(b) Master electrician. An individual, licensed as a master electrician, who, on behalf of an electrical contractor, performs “electrical work” as defined by Texas Occupations Code, section 1305.002(11).

(c) Journeyman electrician. An individual, licensed as a journeyman electrician, who works under the general supervision of a master electrician, on behalf of a electrical contractor, while performing “electrical work” as defined by Texas Occupations Code, section 1305.002(11).

(d) Electrical apprentice. An individual, licensed as an apprentice, who works under the on-site supervision of a master electrician, a journeyman electrician, or a residential wireman, on behalf of an electrical contractor, performing “electrical work” as defined by Texas Occupations Code, section 1305.002(11).

(e) Master sign electrician. An individual, licensed as a master sign electrician, who, on behalf of an electrical sign contractor, performs “electrical sign work,” defined as any labor or material used in manufacturing, installing, maintaining, extending, connecting or reconnecting an electrical wiring system and its appurtenances, apparatus or equipment used in connection with signs, outline lighting, awnings, signals, light emitting diodes, and the repair of existing outdoor electric discharge lighting. This also includes the installation of an electrical service integral to an isolated sign and/or outline lighting installation.

(f) Journeyman sign electrician. An individual, licensed as a journeyman sign electrician, who works under the general supervision of a master sign electrician, on behalf of an electrical sign contractor, while performing “electrical sign work” as defined in subsection (e) of this section.

(g) Residential wireman. An individual, licensed as a residential wireman, who works under the general supervision of a master electrician, on behalf of an electrical contractor, while performing electrical work that is limited to electrical installations in single-family and multifamily dwellings not exceeding four stories, as defined by Texas Occupations Code, section 1305.002(13).

(h) Maintenance electrician. An individual, licensed as a maintenance electrician, who works under the general supervision of a master electrician, on behalf of an electrical contractor, and performs “electrical maintenance work,” defined as the replacement or repair of existing electrical appurtenances, apparatus, equipment, machinery, or controls used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises. All replacements or repairs must be of the same rating and type as the existing installation. No improvements may be made that are necessary to comply with applicable codes under Texas Occupations Code, chapter 1305. Electrical maintenance work does not include the replacement of any raceways, conductors, disconnecting means, or service feeder components. It also does not include the installation of any new electrical appurtenances, apparatus, equipment, machinery, or controls beyond the scope of any existing electrical

installation. The term does not include work exempted by Texas Occupations Code, section 1305.003.

**Sec. 3.03.122 License required**

No corporation, partnership, association or individual shall engage in the business of installing, altering or changing of any electric wiring or apparatus within any building in the city who does not hold a valid and unexpired electrical contractor's license. Further, no individual shall engage in the business of installing, altering or changing of any electric wiring or apparatus within a building in the city who does not hold a valid and unexpired master electrician's license, a valid and unexpired journeyman electrician's license, a valid and unexpired electrical apprentice license, a valid and unexpired master sign electrician's license, a valid and unexpired journeyman sign electrician's license, a valid and unexpired residential wireman's license, or a valid and unexpired maintenance electrician's license; such persons shall only engage in electrical work in the city when employed by and actually working under the supervision and control of one holding a valid and unexpired master electrician's license.

**Secs. 3.03.123–3.03.150 Reserved**

Chapter 3, Building Regulations, Article 3.03, Electricity, Division 6, Electrical Code and Standards of the Code of Ordinances of the City of Columbus, Texas is hereby amended in its entirety to read as follows:

**Division 6. Electrical Code and Standards**

**Sec. 3.03.151 Definitions**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Electrical wiring and apparatus.* Includes all material, devices, machinery, appliances or conductors used in connection with the supplying of electrical energy for lights, heat or power or the transmission of electrical signals.

**Sec. 3.03.152 Electrical code adopted**

(a) The *National Electrical Code*, 2017 edition, as approved by the National Fire Protection Association, and amendments or future additions of rules, regulations and requirements for the installation of electrical wiring and apparatus, shall be adopted as a standard for the installation of all electrical wiring, apparatus and fixtures, and is made a part of this article as fully as though copied in full in this section.

(b) All electrical installation and construction, all material and all apparatus used in connection with electrical work, and the operation of all electrical apparatus shall be in conformity with the rules, regulations and requirements of the *National Electrical Code* and section 3.03.153.

### **Sec. 3.03.153 Miscellaneous specifications**

The following miscellaneous specifications shall apply in governing electrical work in the city whether or not specifically covered in the National Electrical Code and whether or not in conflict with any provision of such code:

- (1) All wiring in buildings other than private residences and multifamily dwellings shall be enclosed in approved electrical conduit. Wiring performed on all commercial and public buildings shall be done by a state-licensed electrician.
- (2) The meter installation standards, with latest revisions and additions, of the American Electric Power Company are adopted as a standard for the installation of meters and metering devices, auxiliaries and appurtenances, and is made part of this article as fully and to the same extent as though copied in full. However, on all new construction and rewiring, a disconnect means shall be provided at the meter location outside of the building; in addition, seven-metered and over apartment complexes and commercial buildings shall have a main disconnect in front of the meters.
- (3) All lighting fixtures, ceiling or wall mounted, shall be controlled by wall switches and be of the U.L. approved type.
- (4) Air conditioners and electric heating units must be equipped with a disconnect switch or disconnect cord positioned within sight of the air conditioning or heating unit, both indoors and outdoors.
- (5) All conduit in concrete or underground must be of rigid type.
- (6) Nonmetallic sheathed cable may not be used for exterior installation below seven feet unless enclosed in an approved raceway.
- (7) Conductors containing aluminum will not be allowed in service entrances, feeders or subfeeders to panels. Aluminum conductors are not allowed in or on any structure except when triplex or similar conductors are attached with an approved hanger.
- (8) All underground primary service lines located on real property owned by the city, or located on rights-of-way owned by the city, must be protected by two-inch-thick red concrete or schedule 80 PVC conduit, and in all such cases [must be marked with] a red warning ribbon as required by an electrical engineer or the city. Secondary service lines and service entrances must be marked with red warning ribbon twenty-four inches (24") above the line or conduit.

### **Sec. 3.03.154 Article Control**

The requirements of this article shall control should they conflict with the *National Electrical Code* as adopted by the City.

## II. REPEALER

All provisions of the ordinances of the City of Columbus in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Columbus, not in conflict with the provisions of this Ordinance, shall remain in full force and effect. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

## III. SEVERABILITY

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

## IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 9<sup>th</sup> DAY OF December, 2019.



Hon. Lori An Gobert, Mayor  
City of Columbus, Texas

ATTEST:



Bana Schneider, City Secretary