

Ordinances Governing  
**THE ELECTRICAL CODE**  
in the  
CITY OF ARLINGTON  
TEXAS

Amended by Ordinance No. 18-019  
(April 10, 2018)

(Chapter Designator: ELECTRICAL)

**ORDINANCE HISTORY**

| <b><u>Number</u></b> | <b><u>Date of Adoption</u></b> | <b><u>Comments</u></b>   |
|----------------------|--------------------------------|--|
| 88-37                | 12/23/88                       |  |
| 89-43                | 04/18/89                       |  |
| 91-96                | 10/01/91                       | Amend <b>Article I, <u>Administration</u></b> , to adopt the 1990 National Electrical Code with certain deletions, amendments and addenda; amend <b>Section 4.10, <u>Permit Issued Only To Registrant</u></b> , to allow an exception to sign permits issued only to registrants; amend <b>Section 7.08, <u>Authorization of Connections</u></b> , and <b>Section 7.09, <u>Inspection On Change of Occupancy</u></b> , relative to authorization of connections and reconnections of electrical service. |
| 92-38                | 04/07/92                       | Amend <b>Section 4.09, <u>Business Registration, Subsection (B)</u></b> , relative to contractor's public liability insurance.   |
| 92-58                | 07/09/92                       | Amend <b>Section 3.03, <u>Rules and Procedures</u></b> , removing power of the Electrical Board to appoint its chairperson.  |
| 94-54                | 03/15/94                       | Amend <b>Article V, <u>Examination</u></b> , by the repeal of the existing article and the adoption of a new <b>Article V</b> , which provides for a metroplex area electrical testing program.  |
| 94-124               | 09/06/94                       | Amend <b>Section 1.04, <u>Existing Equipment</u></b> , at <b>Subsection 1.04(A)</b> , relative to existing electrical equipment; Amend <b>Section 1.07, <u>National Electrical Code</u></b> , relative to the adoption of the 1993 NEC; Amend <b>Section 6.02, <u>Application for Permit</u></b> , at <b>Subsection 6.02(A)</b> , relative to application for permit.  |
| 97-06                | 01/07/97                       | Amend <b>Section 1.07, <u>National Electrical Code</u></b> , relative to the adoption of the 1996 edition of the National Electrical Code, effective 1/31/97.  |

## ORDINANCE HISTORY

| <u>Number</u> | <u>Date of Adoption</u> | <u>Comments</u>  |
|---------------|-------------------------|--|
| 00-089        | 08/08/00                | Amend <b>Article I</b> , <u>Administration</u> , <b>Section 1.07</b> , <u>National Electrical Code</u> , relative to the adoption of the 1999 edition of the National Electrical Code.   |
| 04-043        | 05/11/04                | Amend <b>Article III</b> , <u>Electrical Board</u> , <b>Section 3.01</b> , <u>Organization of Board; Term</u> , and <b>Section 3.04</b> , <u>Quorum</u> , relative to the appointment of Board Members.  |
| 04-074        | 08/10/04                | Amend <b>Article I</b> , <u>Administration</u> , <b>Section 1.07</b> , <u>National Electrical Code</u> , relative to adoption of the 2002 National Electrical Code; Amend <b>Article II</b> , <u>Office of Electrical Inspection</u> , <b>Section 2.03</b> , <u>Duties</u> , relative to the addition of registrations; <b>Section 2.05</b> , <u>Authority</u> , <b>Subsection (B)</b> , relative to disconnection of equipment; <b>Section 2.05</b> , by the addition of <b>Subsection (D)</b> , relative to disconnection of service; Amend <b>Article III</b> , <u>Electrical Board</u> , <b>Section 3.01</b> , <u>Organization of Board; Term</u> ; <b>Section 3.04</b> , <u>Quorum</u> , relative to the composition of the board; Amend <b>Article IV</b> , <u>License and Registrations</u> , relative to City registration and State licensing; Delete <b>Article V</b> , <u>Examination</u> , and renumber remaining articles; Amend <b>Article VI</b> , <u>Permits and Fees</u> , <b>Section 6.02</b> , <u>Application for Permit</u> , <b>Subsection 6.02(C)</b> , relative to changing the reference to Article VII due to renumbering; Amend <b>Article VII</b> , <u>Inspections and Notices</u> , <b>Section 7.08</b> , <u>Authorization of Connections</u> , relative to electrical connections; Amend <b>Article VIII</b> , <u>Electricity Supply Agency</u> , <b>Section 8.05</b> , <u>Metering Equipment Height</u> , relative to meter socket height; <b>Section 8.06</b> , <u>Circuits Dedicated to an Individual Metering Device</u> , relative to circuit connections. |
| 04-089        | 09/21/04                | Amend <b>Article V</b> , <u>Permits and Fees</u> , <b>Section 5.03</b> , <u>Fees</u> , <b>Subsection (B)</b> , and <b>Subsection (D)</b> , relative to the establishment and calculation of fees.  |

**ORDINANCE HISTORY**

| <b><u>Number</u></b> | <b><u>Date of Adoption</u></b> | <b><u>Comments</u></b>  |
|----------------------|--------------------------------|---|
| 05-061               | 07/26/05                       | Amend <b>Article VI</b> , <u>Inspections and Notices</u> , <b>Section 6.01</b> , <u>Inspection of Installations</u> , by the addition of an exception relative to a third party provider.   |
| 09-033               | 06/23/09                       | Amend <b>Article III</b> , <u>Electrical Board</u> , by the addition of <b>Section 3.08</b> , <u>Model Code Adoption or Amendment</u> , related to procedures for adopting or amending a model code.  |
| 10-010               | 01/12/10                       | Amend <b>Article V</b> , <u>Permits and Fees</u> , <b>Section 5.02</b> , <u>Application for Permit</u> , <b>Subsection (B)</b> , relative to a requirement that final plans or other documents that will be archived must be submitted in electronic format; amend <b>Article IX</b> , <u>Violations and Penalties</u> , <b>Section 9.01</b> , <u>General</u> , by the amendment of the title and section relative to updated penalty provisions. |
| 12-022               | 04/24/12                       | Amend <b>Article I</b> , <u>Administration</u> , <b>Section 1.02</b> , <u>Purpose</u> ; <b>Section 1.06</b> , <u>Prima Facie Evidence of Safe Conditions</u> ; and <b>Section 1.07</b> , <u>National Electrical Code</u> ; amend <b>Article IV</b> , <u>License and Registrations</u> ; relative to adoption of the National Electrical Code, 2008 Edition.   |
| 15-036               | 08/25/15                       | Delete <b>Article VIII</b> , <u>Miscellaneous</u> , relative to electrical fences.  |
| 18-019               | 04/10/18                       | Amend <b>Article I</b> , <u>General Provisions</u> , relative to adopting the 2017 Edition of the National Electrical Code; adopting local amendments and associated appendices.  |

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**ARTICLE I**  
**ADMINISTRATION**

**Section 1.01 Title**

This ordinance shall be known as the “Arlington Electrical Code,” may be cited as such and will be referred to herein as “this Code.”

**Section 1.02 Purpose**

The purpose of this Code is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, inspection, performance and maintenance of electrical equipment used for light, heat, power, radio, television, signaling and for other purposes.

**Section 1.03 Scope**

- A. General: The provisions of this Code apply to all installations of, and work done on, electrical conductors, fittings, devices, motors, appliances and fixtures, hereafter referred to as “electrical equipment”, in or on public and private buildings and premises.
- B. Compliance: On all installations of electrical equipment hereafter made, and on all existing installations which are altered, all work must be done in a manner that conforms to the requirements for sufficient and safe electrical systems as provided in this Code.
- C. Public Utilities: The provisions of this Code do not apply to installations used by electricity supply, electric railway or communication agencies in the generation, transmission, or distribution of electricity or for the operation of street railways, signals or the transmission of intelligence when located within or on public thoroughfares, buildings or premises used exclusively by an agency operating under a franchise agreement with the City and under the jurisdiction of the Director of Utilities.

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### 1.03

- D. Radio and Television Stations: The provisions of this Code shall apply to all electrical equipment used for power supply to radio and television transmitting equipment, but they shall not apply to other electrical equipment used for radio and television transmissions.

#### **Section 1.04 Existing Equipment**

- A. Lawfully Installed: Electrical equipment lawfully installed prior to the effective date of this Code may be continued in its existing use with maintenance and repair continued if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health or property, except where specifically required by the Code of the City of Arlington, Texas.
- B. Maintained: Electrical equipment, both existing and new, shall be maintained in a safe condition. The owner or his designated agent shall be responsible for the maintenance of electrical equipment.

#### **Section 1.05 Other Laws and Ordinances**

The provisions of this Code shall not waive or set aside any provisions of the City or laws of the State of Texas. To the extent of a conflict between the existing ordinances of the City and this Code, this Code prevails.

#### **Section 1.06 Prima Facie Evidence of Safe Conditions**

Conformity of electrical equipment and installations with provisions of this Code, the (NEC) National Electrical Code, and/or a (NRTL) Nationally Recognized Testing Laboratory shall be prima facie evidence that such equipment and installations are in safe condition.

#### **Section 1.07 National Electrical Code**

- A. Adoption: The National Electrical Code, 2017 Edition, as published by the National Fire Protection Association, referred to herein as “NEC”, a copy of which is filed in the office of the City Secretary of the City of Arlington, Texas, is hereby adopted and designated as the Electrical Code of the City of Arlington, the

same as though such Code were copied at length herein, subject, however, to the deletions, amendments and addenda provided in Section 1.07(B) hereof.

B. Additions, Amendments and Deletions: The National Electrical Code, as adopted in Section 1.07(A) hereof, is hereby modified by the following deletions, amendments and addendums. These additions, amendments and deletions shall have precedence in any case where they are in conflict with the National Electrical Code adopted in Section 1.07(A) above.

1. The amendment of Article 100, entitled **DEFINITIONS**, by adding 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.

2. The amendment of Article 110.2, entitled **Approval**, 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 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.

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.

3. The amendment of Article 210.12 (A), entitled **Dwelling Units**, by the addition of Exception 2 to read as follows:

Exception No. 2: Arc-Fault Circuit-Interrupter type circuit breakers shall not be required when ALL of the following conditions are met:

- (1) The existing panelboard and/or circuit breaker supplying outlets otherwise required to be protected by arc-fault circuit interrupters is being replaced,
  - (2) The branch circuit feeding outlets required to be protected by arc-fault circuit interrupters is not being repaired, replaced, extended, or otherwise altered in any way, and
    - a. The dwelling unit was constructed prior to January 1, 2002; or,
    - b. A family room, dining room, living room, parlor, library, den, sunroom, recreation room, closet, hallway, or similar area was constructed prior to the date of adoption of the 2008 NEC.
4. The amendment of Table 210.24, entitled **Summary of Branch-Circuit Requirements**, to read as follows:

**Table 210.24 Summary of Branch-Circuit Requirements**

| <b>Circuit Rating</b>                   | <b>15A</b>    | <b>20A</b>    | <b>30A</b>    | <b>40A</b>    | <b>50A</b>     |
|---|---------------|---------------|---------------|---------------|----------------|
| Conductors<br>(min. size)               |               |               |               |               |                |
| Circuit wires <sup>1</sup>              | 12            | 12            | 10            | 8             | 6              |
| Taps                                    | 12            | 12            | 12            | 12            | 12             |
| Fixture wires<br>& cords – see<br>240.5 |               |               |               |               |                |
| <b>Overcurrent Protection</b>           | <b>15 A</b>   | <b>20 A</b>   | <b>30 A</b>   | <b>40 A</b>   | <b>50A</b>     |
| Outlet devices:                         |               |               |               |               |                |
| Lampholders Permitted                   | Any type      | Any type      | Heavy Duty    | Heavy Duty    | Heavy Duty     |
| Receptacle Rating <sup>2</sup>          | 15 max. A     | 15 or 20 A    | 30 A          | 40 or 50 A    | 50A            |
| <b>Maximum Load</b>                     | <b>15 A</b>   | <b>20 A</b>   | <b>30 A</b>   | <b>40 A</b>   | <b>50A</b>     |
| Permissible Load                        | See 210.23(A) | See 210.23(A) | See 210.23(B) | See 210.23(C) | See 210.23 (C) |

<sup>1</sup> These gauges are for copper conductors

<sup>2</sup> For receptacle rating of cord-connected electric-discharge luminaires, see 410.30(C)

5. The amendment of Article 230.70(A)(1), entitled **Readily Accessible Location**, to read as follows:

The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. Three-phase services to non-residential occupancies shall have the disconnecting means located on the exterior of the building or structure when the metering equipment is located on the exterior of the building or structure.

6. The amendment of Article 230.71(A), entitled **General**, to add an Exception to read 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.

7. The amendment of Article 250.64, entitled **Grounding Electrode Conductor Installation**, to read as follows:

**250.64 Grounding Electrode Conductor Installation.** Grounding electrode conductors at the service, at each building or structure where supplied by a feeder(s) or branch circuit(s), or at a separately derived system shall be installed as specified in 250.64(A) through (G).

8. The amendment of Article 250.64, entitled **Grounding Electrode Conductor Installation**, by the addition of subsection (G) to read as follows:

(G) **Single Point Grounding Electrode.** Multiple Occupancy buildings, other than Group R as defined in the building code, shall have an aluminum or copper busbar not less than 6mm X 50mm X 600mm (1/4 in. X 2 in. X 24 in.) installed in a lockable cabinet located at each service location. All available grounding electrodes as described in 250.52(A)(1) through (A)(7) shall be connected to this busbar. In no case shall the grounding electrode conductors serving this busbar be smaller than 3/0 AWG copper wire.

Exception #1 Where the electrode is a rod, pipe, or plate electrode, that portion of the bonding jumper that is the sole connection to the busbar shall not be smaller than 6 AWG copper wire.

Exception #2 Where the electrode is a concrete-encased electrode, that portion of the bonding jumper that is the sole connection to the busbar shall not be smaller than 4 AWG copper wire.

9. The amendment of Article 250.68(B), entitled **Effective Grounding Path**, by the addition of a second paragraph to read as follows:

The connection of the grounding electrode conductor or bonding jumper to a grounding electrode shall be made in a manner that will ensure a permanent and effective grounding path. Where necessary to ensure the grounding path for a metal piping system used as a grounding electrode, bonding shall be provided around insulated joints and around any

equipment likely to be disconnected for repairs or replacement. Bonding jumpers shall be of sufficient length to permit removal of such equipment while retaining the integrity of the grounding path. An effective grounding path connection to building steel shall be made by exothermic welding (cad welding); or listed pressure connectors or listed lugs with bolted connection through drilled and thread tapped mounting hole(s) at an accessible point on a common structural building steel member.

10. The amendment of Table 310.106(A), entitled **Minimum Size of Conductors**, to read as follows:

**Table 310.106(A) Minimum Size of Conductors<sup>1</sup>**

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

<sup>1</sup> Exception: An equipment grounding conductor within a listed cable assembly.

11. The amendment of Article 334.10(3) to read as follows:

(3) Other structures permitted to be of Types III, IV, and V construction except as prohibited in 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.

FPN No. 1: Types of building construction and occupancy classifications are defined in accordance with the Construction Chapter.

FPN No. 2: See Annex E for determination of building types [NFPA 220, Table 3-1]. Cross Reference all building types as indicated in Table E.3 with the Construction Chapter.

FPN No. 3: Listings of acceptable finish ratings are provided in the Construction Chapter.

12. The amendment of Article 334.12(A), entitled **Types NM, NMC, AND MNS**, by the addition of Item (11) 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.

13. The amendment of Article 500.8 (A) (3) to read as follows:

**500.8 Equipment.**

Articles 500 through 504 require equipment construction and installation 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 I, 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; or,
- (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 in the State of Texas.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information.

14. The amendment of Article 505.7 (A), entitled **Implementation of Zone Classification System**, 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 in the State of Texas.

(Amend Ord 18-019, 4/10/18)

**ARTICLE II**

**OFFICE OF ELECTRICAL INSPECTION**

**Section 2.01 Office of Electrical Inspection Created**

There is hereby established within the Department of Inspections of the City an Office of Electrical Inspection, which shall be under the supervision of the Building Official.

**Section 2.02 Electrical Inspectors - Appointment**

The Building Official may appoint electrical inspectors and may designate a Chief Electrical Inspector with such powers of supervision and control over the Office of Electrical Inspection as he may prescribe. Where the term Building Official is used herein, it shall mean either the Building Official or his duly authorized representative, including the Chief Electrical Inspector.

**Section 2.03 Duties**

It shall be the duty of the Building Official to enforce the provisions of this Code, either individually or acting by and through his duly authorized representatives. He shall be responsible for making inspections, issuing licenses, registrations and permits, administering examinations, and performing all the other functions of the Office of Electrical Inspection, as prescribed in this Code or by administrative order. He shall keep complete records of all permits issued, inspections made, and other official work performed in accordance with the provisions of this Code. He shall also keep on file in the Office of Electrical Inspection a list of acceptable testing laboratories, which shall be accessible for public reference during regular office hours. (Amend Ord 04-074, 8/10/04)

**Section 2.04 Restrictions on Business Interests**

It shall be unlawful for any person, while holding the office of Building Official or Electrical Inspector, to engage either directly or indirectly in the business of the sale, design, installation or maintenance of electrical

equipment or have a financial interest of any nature in any concern engaged in such business in the City of Arlington.

**Section 2.05 Authority**

A. Inspections: Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises a violation of this Code, the Building Official or his representative may enter such building at all reasonable times to inspect the same or to perform any duty imposed by this Code; provided that, if such building or premises be occupied, he shall first present proper credentials and demand entry; and, if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused or if the owner or other person having charge or control of the building is not located, the Building Official shall have recourse to every remedy provided by law to secure entry.

B. Disconnection of Equipment:

1. When any electrical equipment is found by the Building Official to be dangerous to persons or property, the person, firm, or corporation responsible for the electrical equipment shall be notified and shall remove the power source from affected equipment and make any changes or repairs which are required to put such equipment in safe condition and, if such work is not completed within fifteen (15) days or any longer period than may be specified in said notice, the Building Official shall have the authority to disconnect, or order the electricity supply agency to disconnect, all electric service to said electrical equipment and/or the premises in or upon which the same is located.

2. In case of emergency, where necessary for safety to persons or property, or where electrical equipment may interfere with the work of the Fire Department, the Building Official shall have the authority to disconnect immediately and without notice to anyone, or to cause the immediate disconnection of, any electrical equipment.

3. Upon revocation or suspension of a Certificate of Occupancy pursuant to Article IV of the Construction Chapter, the Building Official may order the electrical supply agency to disconnect all electric service to the premises affected by the revoked or suspended Certificate of Occupancy. (Amend Ord 04-074, 8/10/04)
- C. Stop Orders: Whenever any work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work, or an appeal perfected pursuant to Section 3.05 of this Code has resulted in a waiver of the condition causing the stop order or a finding that there is no cause for a stop order. Failure to stop such work, in addition to penalties and remedies elsewhere set forth, shall void any appeal
- D. Disconnection of Electric Service: The following authority is granted in addition to any other authority or provisions in the ordinances of the City of Arlington. Upon revocation or suspension of a Certificate of Occupancy in accordance with the Construction Chapter of the Code of Ordinances of the City of Arlington, the Building Official shall have the authority to disconnect, or order the electricity supply agency to disconnect, all electric service to any premises affected by the revoked or suspended Certificate of Occupancy. (Amend Ord 04-074, 8/10/04)

**ARTICLE III**

**ELECTRICAL BOARD**

**Section 3.01 Organization of Board; Term**

An Electrical Board is hereby created, consisting of nine (9) citizens of the City, to include an Electrical Engineer, an Electrical Contractor, a licensed Master Electrician, a licensed Journeyman, a Building Contractor, a representative of the public utility company selling electrical power to the public in the City, and other active members of electrical trade associations. The Mayor and each City Council member shall nominate a member with confirmation by majority vote of the City Council in accordance with the City of Arlington Boards and Commissions Policy Statement. Members shall be appointed for terms of two (2) years and shall serve at the will and pleasure of the City Council. A final conviction of any Board member of a violation of any provision of this Code shall be grounds for immediate removal from office. (Amend Ord 04-074, 8/10/04)

**Section 3.02 Records of the Board**

The Building Official shall be Secretary of the Board and shall keep a record of all examinations held, all applicants examined and the results thereof, together with such other records as the Board may direct. The records of the name of each applicant and the number, date and result of each examination taken by each applicant shall be kept permanently; otherwise, no records or examinations need to be kept for a period greater than two (2) calendar years.

**Section 3.03 Rules and Procedures**

The Electrical Board shall have the power to make and promulgate its own rules and procedures governing its meetings and proceedings, subject to the provisions of this Code. (Amend Ord 92-58, 7/9/92)

**Section 3.04    Quorum**

Five (5) members of the Board present at any meeting shall constitute a quorum for the transaction of any business or the carrying out of any duties. Any action taken at any meeting shall require the affirmative vote of at least four (4) members. The Chairman of any meeting of the Board shall have the power to vote on all appeals. (Amend Ord 04-074, 8/10/04)

**Section 3.05    Appeals; Time Limit**

- A. Whenever the Building Official shall reject or refuse to approve a license, the mode or manner of work proposed or materials to be used in the installation or alteration of an electrical system, or when it is claimed that the provisions of this Code do not apply or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of this Code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure or his duly authorized agent may appeal from the decision of the Building Official to the Board. Notice of appeal shall be made in writing and filed within thirty (30) days after the decision is rendered by the Building Official. An administrative fee which shall be set from time to time by resolution of the City Council shall accompany such notice of appeal, which shall be made on a form provided by the Building Official.
- B. For a condition which, in the opinion of the Building Official, is unsafe or dangerous, the Building Official may limit the time for such appeal to a shorter period.
- C. Initiating work, or progressing with that portion of work which is the particular issue on appeal, or progressing with work which would conceal the matter on appeal, shall void such appeal.

**Section 3.06 Board Decisions; Variations and Modifications**

- A. The Board, when appealed to, shall conduct a hearing, and after such hearing may vary the application of any provisions of this Code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this Code or the public interest, or when, in its opinion, the interpretation of the Building Official should be modified or reversed.
- B. A decision of the Board to vary the application of any provision of this Code or to modify an order of the Building Official shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefor.

**Section 3.07 Board Decisions; Procedure**

- A. Every decision of the Board shall be final, subject, however, to such remedy as any aggrieved party might have, at law or in equity. The decision shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Building Official and shall be open to the public for inspection. A true and correct copy of the decision shall be sent by mail or otherwise delivered to the appellant, and a copy shall be publicly posted in the office of the Building Official for two (2) weeks after the filing thereof.
- B. The Board shall, in every case, reach a decision without unreasonable or unnecessary delay, making specific effort to reach a decision not later than thirty (30) days (excluding Saturdays, Sundays and holidays) from the date the appeal is registered with the Secretary of the Board.
- C. If a decision of the Board reverses or modifies a refusal, order or disallowance of the Building Official, or varies the application of any provision of this Code, the Building Official shall immediately take action in accordance with such decision.
- D. Any person, firm or corporation aggrieved by any decision of the Board may present to a court of record a

petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Unless such petition (appeal) shall be presented to the court within ten (10) days of the decision of the Board, the decision of the Board shall become final.

**Section 3.08 Model Code Adoption or Amendment**

- A. In this section, "national model code" means a publication that is developed, promulgated, and periodically updated at a national level by organizations consisting of industry and government fire and building safety officials through a legislative or consensus process and that is intended for consideration by units of government as local law. National model codes include the International Residential Code, the National Electrical Code, and the International Building Code.
- B. The Board is established as an advisory board for the purpose of obtaining public comment on the proposed adoption of or amendment to a national model code, and providing a recommendation to City Council. On or before the 10th day before the date the Board conducts a public hearing to consider the adoption of or amendment to a national model code, the City shall publish notice of the proposed action and the date of the public hearing conspicuously on the City's Internet website.
- C. Except as provided by Subsection (D), adoption of an ordinance or national model code provision that is intended to govern the construction, renovation, use, or maintenance of buildings and building systems in the City shall have a delayed effective date that will delay implementing and enforcing the ordinance or code provision for at least 30 days after final adoption of the ordinance, to permit persons affected to comply with the ordinance or code provision.
- D. If a delay in implementing or enforcing the ordinance or code provision would cause imminent harm to the health or safety of the public, the City may enforce the ordinance or code provision immediately on the effective date of the ordinance or code provision.  
(Amend Ord 09-033, 6/23/09)

## ARTICLE IV

### LICENSE AND REGISTRATIONS

#### **Section 4.01 License and Registration Required**

- A. It shall be unlawful for any person, firm or corporation to engage in any business or perform any work in connection with constructing, installing, maintaining, extending, repairing or replacing any electrical wiring, apparatus or equipment in excess of twenty-four (24) volts without being registered and licensed in accordance with the provisions of this Chapter.
- B. Every person engaged in the construction, installation, maintenance, extension, repairing or replacement of electrical wiring, apparatus or equipment that performs work prescribed by a person, firm or corporation registered under the provisions of this Article must have on their person proof of an electrical license, electrical apprentice or electrical sign apprentice license issued by the Texas Department of Licensing and Regulation.
- C. It shall be unlawful for a person, firm or corporation registered with the City of Arlington to engage in any phase of the electrical business or perform any work in the electrical trade other than such business or work authorized by the registration, the class of license or the permit held by that person, provided, however, that an apprentice electrician or apprentice sign electrician may perform electrical work prescribed for him when issued an Electrical Apprentice License by the Texas Department of Licensing and Regulation enabling said holder to do such work, and then only when in the presence of and being supervised by an electrician with the proper electrical license issued by the Texas Department of Licensing and Regulation.

#### **Section 4.02 Electrical Contractor and Electrical Sign Contractor Business Registrations**

- A. City of Arlington Electrical Contractor Business Registration: A City of Arlington Electrical Contractor Business Registration shall entitle the holder to contract for and engage in the business of electrical wiring of any nature and to employ and supervise electrical apprentices and licensed electricians of the proper classifications.

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- B. City of Arlington Electrical Sign Contractor Business Registration: An Electrical Sign Contractor Business Registration shall only entitle the holder to contract for and engage in the business of designing, manufacturing, installing, connecting, reconnecting, or servicing an electric sign, cold cathode, neon gas tubing, or outline gas tubing, or altering electric sign wiring or conductors either inside or outside of a building and to employ and supervise licensed electricians of the proper classifications and electrical sign apprentices.

### **Section 4.03 Business Registration**

- A. Schedule of Fees: The annual fees and renewals thereof for business registrations described in this Chapter shall be as set from time to time by resolution of the City Council.
- B. Payment of Fees: Business registration fees shall be payable in advance, and renewals thereof shall be payable on or before the expiration date of the business registration to be renewed.

### **Section 4.04 Business Registrations**

- A. Transfer of Business Registration Prohibited:
1. No Business Registration in effect, issued or renewed under the terms of this Code shall ever be transferred to or used by any other person other than the person to whom the same is or shall be issued.
  2. It shall be unlawful for any holder of a registered business to allow their business registration to be used by any other person not listed as a company agent, a firm or corporation, directly or indirectly, for the purpose of obtaining a permit or for performing work under the business holder's registration.
- B. Employment of Unlicensed Workers: It shall be unlawful for a Registered Electrical Contractor or a Registered Electrical Sign Contractor to employ any person to do or perform any work governed by this Ordinance for which a license is required unless such person holds a license authorizing the person to perform such work.
- C. Display of License: Each holder of an electrical license under this Ordinance shall carry their electrical license on or about their person at all times while

- performing electrical work and shall produce and present such license immediately upon request of the Building Official or any inspector.
- D. Address and Telephone Number: Each holder of a Business Registration of any grade shall furnish the Office of Building Inspections with a written notice of the permanent address of each holder of the qualifying Master Electrician's License and of the qualifying Master Sign Electrician's License under their employment and shall furnish the Office of Building Inspections with a written notice of the address and telephone number of their regularly established place of business.
- E. Vehicle Markings: Any street vehicle operated by a Registered Electrical Contractor or Registered Electrical Sign Contractor or an employee or subcontractor of such business and used in the business of performing work under this Code shall bear markings showing the business name of the firm or corporation for which work is being performed by the Registrant and the Electrical Contractor or Electrical Sign Contractor license number issued by the State of Texas. The information required to be displayed must be:
1. printed in letters and numbers that are at least two (2) inches high and contrast in a color that contrasts with the color of the background, and
  2. permanently attached in conspicuous places on both sides of the vehicle.

**Section 4.05 Special Provisions for Maintenance Electricians**

- A. "Electrical Maintenance Work" shall mean 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. 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, § 1305.003.
- B. Nothing in this section shall be construed to limit the right of an electrician licensed by the State of Texas from performing electric maintenance work or to

limit the right to perform such electrical maintenance work under the supervision, direction and control of a Master Electrician or Master Sign Electrician.

**Section 4.06 Exception From License Requirement**

Homeowner: A homeowner may personally install electrical branch circuits (no service feeders or equipment) within his or her legal residence, providing that he or she passes a homeowner's electrical examination administered by the Building Inspections Department. The electrical work permitted by the homeowner is limited to a maximum of three new alternating current branch circuits or circuit extensions not in excess of 30 amperes. All new electrical installations must conform to the provisions of the National Electrical Code and the City of Arlington Electrical Chapter as adopted.

**Exception:** Service equipment may be changed only by homeowners with a Residential Wireman, Journeyman or Master Electrician's License issued by the Texas Department of Licensing and Regulation and only when approved by the Building Official.

**Section 4.07 Business Registration**

- A. **Registration Required:** Except as specifically exempted within this Article, it shall be unlawful for any person, firm or corporation to perform or cause to be performed any work described in this Code as requiring a permit, unless such person, firm or corporation is the holder of a valid registration with the City to perform such work. Such person, firm or corporation shall be herein termed Registrant. In extending the rights and privileges of such registration, the City makes no statement of the technical competency of those so registered and no manner of license is proffered.
- B. **Information to be Provided:** An applicant for registration under this Section shall provide to the Building Official the following information:
1. The complete name, complete mailing address and telephone number of the firm or corporation.
  2. The name and private mailing address of a principal of the firm or corporation who is a person authorized to bind the firm or corporation in legal agreements.

3. The name and license identification of the Master of Record as registered with the Texas Department of Licensing and Regulation, as provided for in Section 4.01 of this Code, through whom the person, firm or corporation is to be represented in all activities before the Building Official (except registration for a person, firm or corporation specifically exempted from license requirements).
  4. The original Texas Department of Licensing and Regulation issued Electrical Contractors or Electrical Sign Contractors Registration Certificate.
  5. Other pertinent information deemed necessary in writing by the Building Official.
- C. Every Registrant shall make contact with the Office of the Building Official to ensure the accurate revision of registration information, including change of licensed individual or address or telephone number, within ten (10) days from when previous information supplied in his application is made invalid for any reason.
- D. Every Registrant doing electrical work in the City of Arlington shall carry General Liability Insurance in not less than the following amounts:
- \$300,000 per occurrence (combined for property damage and bodily injury) with a \$600,000 aggregate (total for property damage and bodily injury coverage)
  - \$300,000 aggregate for products and completed operations.
- The Registrant shall make the City of Arlington an additional insured for any work in or on any City rights-of-way or City property of any kind. Every registrant shall present proof of insurance at the time of registration and all subsequent renewals. Notice of policy cancellations or failure to renew coverage or maintain the City as additional insured shall be cause for revocation of registration, denial of inspections or cancellation of permits.
- E. Transfer of Registration Prohibited: No Registrant under this Section shall allow his or her registration, by name or other identification, to be transferred or assigned to, or in any manner directly or indirectly used by any person, firm or corporation other than the one to whom issued by the Building Official, for any purpose.

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- F. Exemption for Homeowner: For a homeowner registration, there shall not be any registration fee for alteration or repair work to be performed on a residential structure when the person performing the alteration or repair work is the owner of the structure, and has his legal residence there and is not assisted by any other person for remuneration. The homeowner shall be automatically termed a Registrant for the purposes of such a project. Notwithstanding such relief from registration, all requirements for permits for the work shall remain in force.
- G. Business Registration Fee: For a Business Registration, pursuant to this section, a fee shall be paid in addition to the other provisions provided herein. The fee for initially establishing registration data along with an annual renewal fee for continuing the validity of registration data shall be set from time to time by resolution of the City Council.
- H. Expiration and Renewal of Business Registration: Registration shall expire annually and shall be routinely reactivated by payment of a renewal fee if application information remains accurate. A registration may be renewed as herein provided at any time from sixty (60) days preceding the date of expiration through ninety (90) days following the date of expiration. A registration not renewed for ninety (90) days beyond the date of expiration shall require resubmittal of registration information and payment of fee as for initial registration.

#### **Section 4.08 Permit Issued Only to Registrant**

A permit to perform, or cause to be performed, any work regulated by this Code shall only be issued to a Registrant as provided for in Section 4.09, and only after the requirements defined in this Article have been accomplished. For work requiring licensing under this Article, no permit shall be issued unless Registrant designates the appropriate Licensee who will be responsible to the Building Official for the prosecution and supervision of the work to be performed; only such designated Licensee may require inspections. Prior to issuance of the permit, the Building Official may review the proposed project with other departments of the City to ensure that no conflict with other City regulations is created or perpetuated by issuance of the permit. An adverse determination in this review may be grounds for denial of the permit.

**Exception:** A sign permit issued to a registered sign company employing a master electrician or master sign electrician shall be permitted to connect an approved electrical sign, listed and labeled by a recognized testing laboratory. A sign permit does not include any wiring on the primary side of a transformer.

**Section 4.09 Responsibilities of Licensee and Registrant**

- A. Operations: The holder of a Master Electrician's License, or a Master Sign Electrician's License shall be responsible for the performance of permitted work in compliance with this Code.
- B. Administration: Registrants shall be responsible for the employment of licensed personnel to perform the permitted work and for the payment of fees as required by this Code.

**Section 4.10 Business Registration Suspension and Revocation**

- A. Business Registration Suspended: The Electrical Board shall have the authority to suspend any Business Registration issued under this Code for any of the following acts by the Registrant:
  - 1. Forfeiting an appeal of a Stop Order under Section 2.05(C) by continued work, whether of registrant or of one under his supervision, after the issuance of a Stop Order.
  - 2. Forfeiting an appeal from the Board under Section 3.05 by initiating work in violation of the Board's decision or prior to the Board's decision.
  - 3. Causing or permitting the unauthorized or prohibited use of a valid Business Registration by others not permitted the rights and privileges of a registered business to be applied to one not duly registered.
  - 4. Convictions of two (2) violations of any of the provisions of this Code committed within a period of twelve (12) consecutive months (except that remedy of the violation within twenty [20] days of notice of violation shall cause the waiver of such conviction for the purpose of this subsection).

Such revocation of a Business Registration shall be for a time not to exceed six (6) months. After expiration of such period of time as the Board shall have designated, and after payment of any outstanding fines and routine renewal fee if it has become due in the interim, the suspended Business Registration shall again become valid and effective.

- B. Business Registration Revoked: The Electrical Board shall have the authority to revoke a Business Registration issued under this Code for any of the following

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acts by the Registrant, or any individuals or agents performing work for the registered company:

1. Conviction of a violation constituting the practice of a fraud or deceit in securing (a) a Master Electrician License or Master Sign Electrician license, or (b) a permit.
2. Convictions of three (3) violations of this Code committed within a period of twelve (12) consecutive months, subject to waiver provision in Section 4.05(A)(4).
3. Accumulation of two (2) decisions of the Board for suspension of a Business Registration.
4. Accumulation of two (2) forfeitures of appeals, as set forth in Section 4.05(A)(1) and (2), within a period of twelve (12) consecutive months.

Such revocation of a Business Registration by the Board shall be full and final cancellation of same, made effective on the date of the Board's decision. Any Registered Business so judged by the Board shall not again be issued a Business Registration in the City.

- C. Suspension or Revocation Hearing: In considering charges under this Section regarding suspension or revocation of a Business Registration, the Board shall proceed upon sworn information furnished it by an official of the City or by any person. Such information shall be in writing and shall be duly verified by the person familiar with the allegations made. The Board shall make an order setting the matter for hearing at a specified time and place, and the Secretary of the Board, with the advice of the City Attorney, shall cause a copy of the Board's order and of the pertinent information, to be served upon the registrant in person or by registered mail at least fifteen (15) days before the date set for the hearing. The Registrant may appear in person or by counsel at the time and place named in the order and present his defense to the Board. The City Attorney shall provide counsel for the Board. If the registrant fails or refuses to appear, the Board may proceed to hear and determine the charge in his absence. If he pleads guilty, or if upon a hearing of the charge the Board finds any of the charges to be true, it may enter an order suspending or revoking the Business Registration. Failure to properly perfect an appeal in a court of competent jurisdiction within ten (10) days of receipt of the Board's decision shall render final the Board's decision. Suspension or revocation resulting from a decision of the Board shall preclude the Business Registrant from securing a permit for work controlled by that Business

Registration in the City, or from becoming so registered under alternate identification as long as the suspension or revocation is in effect.

- D. Any Business Registration which expires and is not renewed within one (1) year of the expiration thereof shall thereafter be renewed only upon compliance with the application provisions of the Code as if the Business thereof had never been registered.

(Amend Ord 12-022, 4/24/12)

ARTICLE V

PERMITS AND FEES

**Section 5.01 Permit Required; Exceptions**

- A. No electrical equipment shall be installed, nor shall any alteration or addition be made to existing equipment in or on any building, structure, or premises in the City of Arlington, whether such be publicly or privately owned, unless a permit shall first be obtained from the Office of Electrical Inspection authorizing such installation, alteration or addition. No permit shall be required for constructing, installing, altering, extending, maintaining, repairing, or replacing any electrical wiring, apparatus, or equipment of any voltage of twenty-four (24) volts or less.
- B. Exemption from the permit requirements of this Code 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.
- C. The provisions of this Article shall not apply to equipment owned and used by an electricity supply company or communications agency in the generation, transmission or distribution of electricity or for the operation of signals or the transmission of intelligence.
- D. A separate permit shall be required for each separate building, store space or apartment, whether such unit is metered separately or conjunctively, and a service permit shall be taken on all such units whether supplied from a central metering station or directly from an electricity supply agency, except that in trailer courts, the individual trailer disconnect switches shall not be deemed services; fees for such service permits shall be as prescribed in this Article.

**Section 5.02 Application for Permit**

- A. Applications In Writing: Except as provided in subsection (B) hereof, application for such permits, with a description of the work to be done, shall be made to the Office of Electrical Inspection by the electrician

- properly licensed to perform the work. When required by the Building Official for enforcement of any provisions of this Code, two sets of plans and specifications shall be submitted. The Building Official may require plans and specifications to be prepared and designed by an engineer licensed by the State of Texas to practice as such, and his professional seal affixed to the documents.
- B. Plans and Specifications - Requirements: Plans and specifications shall be drawn to scale upon substantial paper and shall be of sufficient clarity to indicate the nature and extent of the work proposed, and show in detail that it will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the street address of the work and the name and address of the owner and person who prepared them. Plans shall include a plot plan showing the location of the proposed building and of every existing building on the property. In lieu of detailed specifications, the Building Official may approve references on the plans to a specific section or part of this Code or other ordinances or laws. Final plans or other documents that will be archived must be submitted in an electronic format specified by the Director of Community Development and Planning ("CDP Director") as a condition to issuance of any type of permit, approval, or other action related to the final plans or documents. The City may provide an electronic conversion service for a fee in the amount set forth by City Council resolution. The CDP Director shall provide a schedule indicating which documents must be provided electronically, at which point during the approval process, and other information as necessary to implement an electronic archiving program. (Amend Ord 10-010, 1/12/10)
- C. Payment of Fees Prior to Final Inspection: Payment of all permit and inspection fees required in this Code shall be made prior to the final inspection required in Article VI hereof.
- D. Telephone Requests, Building Official May Regulate Filing, Fee Collection, Enforcement: The Building Official may make and issue in writing such regulations in connection with the filing of applications for permit by telephone as he may deem necessary for the

collection of fees and the proper enforcement of this Code.

- E. Validity of Permit: The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or of any other ordinance of this jurisdiction. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid.
- F. Building Official's Powers and Duties Regarding Issued Permits: The issuance of a permit based upon plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this Code or of any other ordinances of this jurisdiction.

**Section 5.03    Fees**

- A. Starting Work Without Obtaining Permit: In any case where a Registrant allows the commencing of work requiring any permit and said registrant does not first make application for such permits as may be necessary, the fees therefor shall be doubled.
- B. Fee Payment: The permit fee for installation of electrical equipment in all buildings and the permit fee for alterations of electrical equipment in any building shall be submitted prior to permit issue. The fees shall be set from time to time by resolution of the City Council. (Amend Ord 04-089, 9/21/04)
- C. Reinspections: A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete, or when corrections called for are not made or for failure to provide access on the date for which inspection is requested.
- D. Standards for Fee Administration

The following standards shall apply in calculating permit fees under this Chapter:

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1. Calculations for area (square footage) shall be on a gross basis, measured from the exterior face of exterior walls;
2. The Administrative Authority may approve a mixed calculation method when differing occupancy descriptions are applied to various areas within a single structure;
3. For any installation not clearly defined herein, the Administrative Authority shall designate the applicable method of calculation;
4. Final permit fee calculations shall be carried to the nearest whole dollar. Fractions greater than forty-nine one hundredths (0.49) shall be extended upward;
5. There shall be no full refund of any permit fee except when:
  - a. The permit has been issued, and no part of the work has commenced; or
  - b. The permit has been issued through error on the part of the City of Arlington, and it is found that the work applied for cannot be allowed.

No full refund shall be made of any fee paid unless a written request is submitted by the original permittee no later than sixty (60) days after the date of the fee payment;

6. Refund of a fee submitted for any administrative action under this Chapter of the Code of the City of Arlington, other than an electric permit, shall be made in accordance with Section 4.12 of the "Construction" Chapter of said Code;
7. When the replacement of a contractor occurs during a project for which a permit has been issued pursuant to this Electrical Code, the Administrative Authority may prorate the amount of the permit fee for the new contractor based on said Administrative Authority's determination of the percentage of work remaining; and

8. When it is determined after a permit has been issued that the scope of work is to be significantly changed, the Administrative Authority may authorize and require that appropriate adjustments be made to the permit fee. Any increase in the permit fee shall be paid prior to performing any part of such increased scope of work. Any decrease in the permit fee which is based on previously approved work which will not be performed shall be refunded in the amount of fifty percent (50%) of the fee related to the work not to be performed, as determined by the Administrative Authority. No refund shall be made, unless a written request is submitted by the original permittee not later than sixty (60) days following approval of the permittee's change in scope of work.

This subsection is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. In instances where reinspection fees have been assessed, no additional inspection of the work shall be performed until the required fees have been paid. The fees shall be set from time to time by resolution of the City Council. (Amend Ord 04-089, 9/21/04)

**ARTICLE VI**

**INSPECTIONS AND NOTICES**

**Section 6.01 Inspection of Installations**

Upon completion of any installation of electrical equipment for which a permit has been obtained, it shall be the duty of the licensed electrician making the installation to notify the Office of Electrical Inspection of said completion. The Building Official shall endeavor to inspect the installation within forty-eight (48) hours after such notification, exclusive of Saturdays, Sundays and holidays, or as soon thereafter as practicable.

**EXCEPTION:** The owner of a property may choose to contract with a Third Party Provider that is properly registered with the City for inspections. Inspections performed by Third Party Organizations are subject to the terms of the program as authorized by resolution of the City Council of the City of Arlington. A Third Party Provider shall not be authorized to grant a Certificate of Occupancy. (Amend Ord 05-061, 7/26/05)

**Section 6.02 Notice of Conformance**

The issuance of a notice of conformance shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or of any other ordinance of this jurisdiction. No notice of conformance presuming to give authority to violate or cancel the provisions of this Code shall be valid.

The issuance of a notice of conformance shall not prevent the Building Official from thereafter requiring the correction of errors in said installations or from preventing building operations being carried on thereunder when in violation of this Code or of any other ordinance of this jurisdiction.

**Section 6.03 Certificate of Approval for Temporary Installation**

When a certificate of approval is issued authorizing the connection and use of a temporary installation, such certificate shall be issued to expire at a time to be stated therein and shall be revocable by the Building Official for good cause. No occupancy of any structure may occur, however,

prior to the issuance of a notice of conformance for the premises or the equipment upon said premises.

**Section 6.04     Inspection of Concealed Equipment**

When any electrical equipment is to be hidden from view in its permanent placement, the licensed electrician installing the equipment shall notify the Office of Electrical Inspection, and such equipment shall not be concealed until it has been inspected and approved by the Building Official or until forty-eight (48) hours, exclusive of Saturdays, Sundays, and holidays, shall have elapsed from the time of such notification, provided that on large installations where the concealment of equipment proceeds continuously, the licensed electrician installing the electrical equipment shall give the Building Official due notice, and inspection shall be made periodically during the progress of the work.

**Section 6.05     Notice of Non-Conformance**

If, upon inspection, the installation is not found to be fully in conformity with the provisions of this Code, the Building Official shall issue a notice of nonconformance and the licensed electrician making the installation shall be notified of the defects which have been found to exist. All defective work shall be corrected and brought into conformity with the provisions of this Code before any further electrical work is permitted within or on the building or premises and before the licensed electrician making the installation shall be issued any other permits to perform any other electrical work.

**Section 6.06     Disapproved or Condemned Equipment**

It shall be unlawful for any person, firm or corporation to conceal or place in operation any electrical equipment which has been disapproved or condemned by the Building Official unless and until the same has been so repaired or altered that it complies with all provisions of this Code and has thereafter been approved by said Building Official.

**Section 6.07     Uncovering Concealed Equipment**

The Building Official shall have the authority to require any person, firm or corporation to uncover any wiring or

electrical equipment which has been concealed without the knowledge or approval of the Building Official.

**Section 6.08 Authorization of Connections**

It shall be unlawful for any person, firm or corporation to make connection from a supply of electricity or to supply electricity to any electrical equipment for which a permit is required or which has been ordered to be disconnected by the Building Official, or which has been disconnected for any reason whatsoever, until such connection has been authorized by the Building Official. In the event that electricity to a private residence has been disconnected by reason of tampering, a fire or other disaster on the premises, the electrical service shall not be reconnected until the electrical installations on the premises have been corrected, and approved by the Building Official.

**Section 6.09 Inspection on Change of Occupancy**

The electricity supply agency shall disconnect the electrical service to any building and/or premises (except private residences and duplex apartments) each time such building or premises changes occupancies, and it shall not again supply electricity to such buildings or premises until authorized to do so by the Building Official. The owner and/or the new occupant of such building or premises shall make application to the Building Inspections Department for authorization to reconnect electrical service.

**Section 6.10 Serving and Posting of Notices**

When an order or notice is issued pursuant to the provisions of this Code to any person who, after a reasonable search, cannot be found, such order or notice may be served by posting it in a conspicuous place upon the premises occupied by such person or upon the premises where the defects are alleged to exist. Inspectors are hereby authorized to attach to electrical cabinets and equipment an official notice of seal to prevent use of electricity, and it shall be unlawful for any person to remove such seal or to break, change, destroy, tear, mutilate, cover or otherwise deface or injure such official notice of seal posted by an Inspector. (Amend Ord 04-074, 8/10/04)

**ARTICLE VII**

**ELECTRICITY SUPPLY AGENCY**

**Section 7.01 Connection or Disconnection of Meters**

Any electricity supply agency, operating under a franchise granted by the City, shall have the right to install and connect, or disconnect and remove, its meters and protective devices without a permit, but it shall not connect any electrical equipment to a source of supply without first having been authorized to do so by the Building Official.

**Section 7.02 Required Services**

Any electricity supply agency, operating under a franchise granted by the City, shall supply all three-wire single-phase services with three-wire single-phase service drops to premises whereon electricity furnished by such agency is used, and shall when practicable furnish the type and size of service needed and requested, except that it shall not be required to furnish three-phase service unless such service is available in the vicinity, and unless there is a power demand of at least seven (7) horsepower, at least five (5) horsepower of which is three-phase.

**Section 7.03 Inaccessible Meters**

Where meters originally installed in accessible places satisfactory to the electricity supply agency are rendered inaccessible thereafter by virtue of alterations or new construction at the premises, such meters shall be reinstalled in accordance with the provisions of this Code not at the expense of the agency or the City.

**Section 7.04 Conductor at Service Head**

Not less than three feet (3') in length of each conductor shall extend from the outer end of service head.

**Section 7.05 Metering Equipment Height**

All meter sockets shall be installed at a height not less than four (4) feet nor more than six (6') feet from the center of the meter base to the finished-grade elevation immediately below the meter base.

**Section 7.06 Circuits Dedicated to an Individual Metering Device**

It shall be unlawful to connect or to cause, suffer, or allow any circuit(s) to remain connected, from a specific dwelling tenant to a supply-agency metering device not dedicated to those circuits. (Amend Ord 04-074, 8/10/04)

**ARTICLE VIII**

**[Reserved for future use.]**

(Amend Ord 15-036, 8/25/15)

**ARTICLE IX**

**VIOLATIONS AND PENALTIES**

**Section 9.01 General, Violations, and Penalties**

- A. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any electrical systems or equipment or cause or permit the same to be done in violation of this code.
- B. A person who violates any provision of this Chapter by performing an act prohibited or by failing to perform an act required is guilty of a misdemeanor; each day the violation continues shall be a separate offense.
1. If the definition of an offense under this Chapter does not prescribe a culpable mental state, then a culpable mental state is not required. Such offense shall be punishable by a fine not to exceed Five Hundred Dollars and No Cents (\$500.00). Although not required, if a culpable mental state is in fact alleged in the charge of the offense and the offense governs fire safety, zoning, or public health and sanitation, including dumping of refuse, such offense shall be punishable by a fine not to exceed Two Thousand Dollars and No Cents (\$2,000.00).
  2. If the definition of an offense under this Chapter prescribes a culpable mental state and the offense governs fire safety, zoning, or public health and sanitation, including dumping of refuse, then a culpable mental state is required and the offense shall be punishable by a fine not to exceed Two Thousand Dollars and No Cents (\$2,000.00).
- C. The issuing or granting of a permit or approval of plans and specifications by the City shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or any other ordinance of the City. No permit presuming to give authority to violate or cancel the provisions of this Code, or any other ordinance of the City, shall be valid, except insofar as the work or use which is authorized is lawful.

ELECTRICAL

9.01

- D. The issuing or granting of a permit or approval of plans by the City shall not prevent the Building Official from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this Code or of any other ordinance of the City, or from revoking any certificate of approval when issued in error.

(Amend Ord 10-010, 1/12/10)

ORDINANCE NO. 97-06

AN ORDINANCE AMENDING THE "**ELECTRICAL**" CHAPTER OF THE CODE OF THE CITY OF ARLINGTON, TEXAS, 1987, THROUGH THE AMENDMENT OF **ARTICLE I**, ENTITLED ADMINISTRATION, BY THE AMENDMENT OF **SECTION 1.07**, NATIONAL ELECTRICAL CODE, RELATIVE TO THE ADOPTION OF THE 1996 EDITION OF THE NATIONAL ELECTRICAL CODE; PROVIDING FOR A FINE UP TO **\$1,000** FOR EACH OFFENSE IN VIOLATION OF THE ORDINANCE; PROVIDING THIS ORDINANCE BE CUMULATIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR PUBLICATION AND BECOMING EFFECTIVE JANUARY 31, 1997

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "**Electrical**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of Article I, Administration, by the amendment of **Section 1.07**, National Electrical Code, so that hereafter said section shall be and read as follows:

**Section 1.07**     **National Electrical Code**

- A.     Adoption: The National Electrical Code, 1996 Edition, as published by the National Fire Protection Association, referred to herein as "NEC", a copy of which is filed in the office of the City Secretary of the City of Arlington, Texas, is hereby adopted and designated as the Electrical Code of the City of Arlington, the same as though such Code were copied at length herein, subject, however, to the deletions, amendments and addenda provided in Section 1.07(B) hereof.
- B.     Additions, Amendments and Deletions: The National Electrical Code, as adopted in Section 1.07(A) hereof, is hereby modified by the following deletions, amendments and addendums. These additions, amendments and deletions shall have precedence in any case where they

are in conflict with the National Electrical Code adopted in Section 1.07(A) above.

1. Section 230-2(a) is amended by the addition of the following exception:

*Exception No. 8: In supplying electrical service to multifamily dwellings, two or more laterals or overhead service drops shall be permitted to a building when all of the following conditions are met:*

- a. *The building height is limited to three stories.*
  - b. *The building has six or more individual gang meters and all meters are grouped at the same location.*
  - c. *Each lateral or overhead service drop originates from the same point of service.*
2. Section 230-71(a) is amended by the addition of another Exception, so that the Exceptions read as follows:

*Exception No. 1: 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.*

*Exception No. 2: For the purpose of this section, disconnecting means used solely for the control circuit of the ground fault protection system, installed as part of the listed equipment, shall not be considered a service disconnecting means.*

3. Section 250-81, Exception No. 2, is amended to read as follows:

*Exception No. 2: In industrial and commercial buildings where conditions of maintenance and supervision ensure that only qualified persons will service the installation and the entire length of the interior metal water pipe that is being used for the conductor is exposed.*

*Where a metal underground water pipe, as described in item (a), is not present, a method of grounding*

as specified in (b) through (d) below shall be used.

(FPN): See Section 547-8 for special grounding and bonding requirements for agriculture buildings.

4. Section 300-11 in the National Electrical Code - 1996 Edition is deleted and replaced with Section 300-11 from the National Electrical Code - 1993 Edition, to read as follows:

**300-11. Securing and Supporting.**

**(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.

Branch-circuit wiring associated with equipment that is located within, supported by, or secured to a fire-rated floor or roof/ceiling assembly shall not be secured to the ceiling support wires.

Branch-circuit wiring associated with equipment that is located within, supported by, or secured to a non-fire-rated floor or roof/ceiling assembly shall be permitted to be supported by the ceiling support wires.

*Exception: As permitted elsewhere in this Code.*

5. Section 310-16 through 310-19 - Allowable Ampacity Tables, Note 3, is amended to read as follows:

**3. 120/240 Volts, 3-Wire, Single-Phase Dwelling Services and Feeders.** For dwelling units, conductors, as listed below, shall be permitted to be utilized as 120/240-volt, 3-wire, single-phase service-entrance conductors, service lateral conductors, and feeder conductors that supply the total load to a dwelling unit and installed in raceway or cable with or without an equipment grounding conductor. The grounded conductor shall be permitted to be not more than two AWG sizes smaller than the ungrounded conductors for application of this note, provided the

requirements of Sections 215-2, 220-22, and 230-42 are met. This Note to Tables 310-16 through 310-19 shall not be used in conjunction with Section 220-30.

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Conductor Types and Sizes

RH-RHH-RHW-THHW-THW-THWN-THHN-XHHW-USE

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| Copper    | Aluminum or<br>Copper-Clad AL | Rating in Amps |
|-----------|-------------------------------|----------------|
| AWG       | AWG                           |                |
| 4         | 2                             | 100            |
| 3         | 1                             | 110            |
| 2         | 1/0                           | 125            |
| 1         | 2/0                           | 150            |
| 1/0       | 3/0                           | 175            |
| 2/0       | 4/0                           | 200            |
| 3/0       | 250 kcmil                     | 225            |
| 4/0       | 300 kcmil                     | 250            |
| 250 kcmil | 350 kcmil                     | 300            |
| 350 kcmil | 500 kcmil                     | 350            |
| 400 kcmil | 600 kcmil                     | 400            |

6. Section 336-5(a)(1), is amended by the addition of another Exception so that the Exceptions read as follows:

*Exception No. 1: An additional level shall be permitted where the renovation of attic, vehicle parking, or storage space creates a habitable floor level in an existing one-family dwelling.*

*Exception No. 2: An additional level shall be permitted in dwellings where the entire structure is protected throughout by an approved automatic sprinkler system.*

7. Section 336-5(a) is amended by the addition of subsection (10) to read as follows:

(10) In non-residential metal frame structures.

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance

shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed **One Thousand and No/100 Dollars (\$1,000)** for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this

ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

8.

This ordinance shall become effective on January 31, 1997.

PRESENTED AND GIVEN FIRST READING on the 17th day of December, **1996**, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 7th day of January, **1997**, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of **Arlington, Texas**.

\_\_\_\_\_  
RICHARD E. GREENE, Mayor

ATTEST:

\_\_\_\_\_  
CINDY KEMP, City Secretary

APPROVED AS TO FORM:  
JAY DOEGEY, City Attorney

BY \_\_\_\_\_

ORDINANCE NO. 00-089

AN ORDINANCE AMENDING THE "**ELECTRICAL**" CHAPTER OF THE CODE OF THE CITY OF ARLINGTON, TEXAS, 1987, THROUGH THE AMENDMENT OF **ARTICLE I**, ENTITLED ADMINISTRATION, BY THE AMENDMENT OF **SECTION 1.07**, NATIONAL ELECTRICAL CODE, RELATIVE TO THE ADOPTION OF THE 1999 EDITION OF THE NATIONAL ELECTRICAL CODE; PROVIDING FOR A FINE UP TO **\$1,000** FOR EACH OFFENSE IN VIOLATION OF THE ORDINANCE; PROVIDING THIS ORDINANCE BE CUMULATIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR PUBLICATION AND BECOMING EFFECTIVE TEN DAYS AFTER FIRST PUBLICATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "**Electrical**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of Article I, Administration, by the amendment of **Section 1.07**, National Electrical Code, so that hereafter said section shall be and read as follows:

**Section 1.07**    **National Electrical Code**

- A. Adoption: The National Electrical Code, 1999 Edition, as published by the National Fire Protection Association, referred to herein as "NEC", a copy of which is filed in the office of the City Secretary of the City of Arlington, Texas, is hereby adopted and designated as the Electrical Code of the City of Arlington, the same as though such Code were copied at length herein, subject, however, to the deletions, amendments and addenda provided in Section 1.07(B) hereof.
- B. Additions, Amendments and Deletions: The National Electrical Code, as adopted in Section 1.07(A) hereof, is hereby modified by the following deletions, amendments and addendums. These additions, amendments and deletions shall have precedence in any case where they are in conflict with the National Electrical Code adopted in Section 1.07(A) above.

1. Section 230-2(a) is amended by the addition of the following:

- (6) In supplying electrical service to multifamily dwellings, two or more laterals or overhead service drops shall be permitted to a building when both of the following conditions are met:

- a. The building has six or more individual gang meters and all meters are grouped at the same location.
- b. Each lateral or overhead service drop originates from the same point of service.

2. Section 230-71(a) is amended by the addition of the following Exception:

*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.*

3. Section 250-50 is amended by the insertion of the following paragraph after the Exception:

Where a metal underground water pipe, as described in item (a), is not present, a method of grounding as specified in (b) through (d) below shall be used.

4. Section 250-104(b) is amended to read as follows:

**\*(b) Metal Gas Piping.** Each interior portion of a metal gas piping system upstream from the equipment shutoff valve shall be electrically continuous and bonded to the grounding electrode system. The bonding jumper shall be sized in accordance with Table 250-122 using the rating of the circuit that may energize the gas piping.

In the event Corrugated Stainless Steel Tubing (CSST) is used, it shall be grounded at the manifold.

5. Section 300-11(a) is amended to read as follows:

**(a)** The ceiling grid system of a suspended ceiling shall be allowed to support AC and MC cables, as well as ½" and ¾" conduits.

6. Section 300-11(a)(1) is amended by the deletion of the Exception.
7. Section 310-15(b)(6) is amended to read as follows:

**(6) 120/240-Volt, 3-Wire, Single-Phase Dwelling Services and Feeders.** For dwelling units, conductors, as listed in Table 310-15(b)(6) 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 a 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(s) between the main disconnect and the lighting and appliance branch-circuit panelboard(s), and the feeder conductors to a dwelling unit shall not be required to be larger than their service-entrance conductors. The grounded conductor shall be permitted to be smaller, than the ungrounded conductors, provided the requirements of Sections 215-2, 220-22, and 230-42 are met. Article 310-15(b)(6) shall not be used in conjunction with Articles 220-30 or 220-32.

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Conductor Types and Sizes  
RH-RHH-RHW-THHW-THW-THWN-THHN-XHHW-USE

---

| Copper    | Aluminum or<br>Copper-Clad AL | Rating in Amps |
|-----------|-------------------------------|----------------|
| AWG       | AWG                           |                |
| 4         | 2                             | 100            |
| 3         | 1                             | 110            |
| 2         | 1/0                           | 125            |
| 1         | 2/0                           | 150            |
| 1/0       | 3/0                           | 175            |
| 2/0       | 4/0                           | 200            |
| 3/0       | 250 kcmil                     | 225            |
| 4/0       | 300 kcmil                     | 250            |
| 250 kcmil | 350 kcmil                     | 300            |
| 350 kcmil | 500 kcmil                     | 350            |
| 400 kcmil | 600 kcmil                     | 400            |

8. Section 336-5(a) is amended by the insertion of the following Exception before Section 336-5(a)(2):

*Exception: An additional level shall be permitted in multifamily dwellings where the entire structure is protected throughout by an approved automatic sprinkler system.*

9. Section 336-5(a) is amended by the addition of subsection (10) to read as follows:

(10) In non-residential metal frame structures.

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed **One Thousand and No/100 Dollars (\$1,000)** for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any

damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

8.

This ordinance shall become effective ten (10) days after first publication as described above.

PRESENTED AND GIVEN FIRST READING on the 1st day of August, **2000**, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 8th day of August, **2000**, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of **Arlington, Texas**.

ORDINANCE NO. 04-043

AN ORDINANCE AMENDING THE “**ELECTRICAL**” CHAPTER OF THE CODE OF THE CITY OF ARLINGTON, TEXAS, 1987, THROUGH THE AMENDMENT OF **ARTICLE III**, ENTITLED ELECTRICAL BOARD, AT **SECTION 3.01, ORGANIZATION OF BOARD; TERM**; AT **SECTION 3.04, QUORUM**, RELATIVE TO THE APPOINTMENT OF BOARD MEMBERS; PROVIDING FOR A FINE OF UP TO \$1,000 FOR EACH VIOLATION OF THIS ORDINANCE; PROVIDING THIS ORDINANCE BE CUMULATIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR PUBLICATION AND BECOMING EFFECTIVE TEN DAYS AFTER FIRST PUBLICATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the “**Electrical**” Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of Article III, Electrical Board, by the amendment of **Section 3.01, Organization of Board; Term**, so that said section shall be and read as follows:

**Section 3.01 Organization of Board; Term**

An Electrical Board is hereby created, consisting of nine (9) citizens of the City, to include a licensed Master Electrician, a Building Contractor and a representative of the public utility company selling electrical power to the public in the City. The Mayor and each City Council member shall nominate a member with confirmation by majority vote of the City Council in accordance with the City of Arlington Boards and Commissions Policy Statement. Members shall be appointed for terms of two (2) years and shall serve at the will and pleasure of the City Council. A final conviction of any Board member of a violation of any provision of this Code shall be grounds for immediate removal from office.

Further, Article III is hereby amended by the amendment of **Section 3.04, Quorum**, so that said section shall be and read as follows:

**Section 3.04 Quorum**

Five (5) members of the Board present at any meeting shall constitute a quorum for the transaction of any business or the carrying out of any duties. Any action taken at

any meeting shall require the affirmative vote of a majority of the members present. The Chairman of any meeting of the Board shall have the power to vote on all appeals.

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed One Thousand and No/100 Dollars (\$1000) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be

published in pamphlet form and shall be admissible in such form in any court, as provided by law.

8.

This ordinance shall become effective ten (10) days after first publication as described above.

PRESENTED AND GIVEN FIRST READING on the **27th** day of **April, 2004**, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the **11th** day of **May, 2004**, by a vote of **8** ayes and **1** nays at a regular meeting of the City Council of the City of **Arlington, Texas**.

ORDINANCE NO. 04-074

AN ORDINANCE AMENDING THE "**ELECTRICAL**" CHAPTER OF THE CODE OF THE CITY OF ARLINGTON, TEXAS, 1987, THROUGH THE AMENDMENT OF **ARTICLE I**, ADMINISTRATION, **SECTION 1.07**, NATIONAL ELECTRICAL CODE, RELATIVE TO ADOPTION OF THE 2002 NATIONAL ELECTRICAL CODE; THROUGH THE AMENDMENT OF **ARTICLE II**, OFFICE OF ELECTRICAL INSPECTION, **SECTION 2.03**, DUTIES, RELATIVE TO THE ADDITION OF REGISTRATIONS; **SECTION 2.05**, AUTHORITY, SUBSECTION (B), RELATIVE TO DISCONNECTION OF EQUIPMENT; **SECTION 2.05**, BY THE ADDITION OF SUBSECTION (D), RELATIVE TO DISCONNECTION OF SERVICE; THROUGH THE AMENDMENT OF **ARTICLE III**, ENTITLED ELECTRICAL BOARD, **SECTION 3.01**, ORGANIZATION OF BOARD; TERM; **SECTION 3.04**, QUORUM, RELATIVE TO THE COMPOSITION OF THE BOARD; THROUGH THE AMENDMENT OF **ARTICLE IV**, LICENSE AND REGISTRATIONS, RELATIVE TO CITY REGISTRATION AND STATE LICENSING; THROUGH THE **DELETION** OF **ARTICLE V**, EXAMINATION, AND THE RENUMBERING OF THE REMAINING ARTICLES; THROUGH THE AMENDMENT OF **ARTICLE VI**, PERMITS AND FEES, **SUBSECTION 6.02(C)**, RELATIVE TO CHANGING THE REFERENCE TO ARTICLE VII DUE TO RENUMBERING; THROUGH THE AMENDMENT OF **ARTICLE VII**, INSPECTIONS AND NOTICES, **SECTION 7.08**, AUTHORIZATION OF CONNECTIONS, RELATIVE TO ELECTRICAL CONNECTIONS; THROUGH THE AMENDMENT OF **ARTICLE VIII**, ELECTRICITY SUPPLY AGENCY, **SECTION 8.05**, METERING EQUIPMENT HEIGHT, RELATIVE TO METER SOCKET HEIGHT; **SECTION 8.06**, CIRCUITS DEDICATED TO AN INDIVIDUAL METERING DEVICE, RELATIVE TO CIRCUIT CONNECTIONS; PROVIDING FOR A FINE UP TO **\$1,000** FOR EACH OFFENSE IN VIOLATION OF THE ORDINANCE; PROVIDING THIS ORDINANCE BE CUMULATIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS;

PROVIDING FOR PUBLICATION AND BECOMING  
EFFECTIVE SEPTEMBER 1, 2004

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON,  
TEXAS:

1.

That the "**Electrical**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of Article I, Administration, by the amendment of **Section 1.07, National Electrical Code**, so that hereafter said section shall be and read as follows:

**Section 1.07    National Electrical Code**

- A. Adoption: The National Electrical Code, 2002 Edition, as published by the National Fire Protection Association, referred to herein as "NEC", a copy of which is filed in the office of the City Secretary of the City of Arlington, Texas, is hereby adopted and designated as the Electrical Code of the City of Arlington, the same as though such Code were copied at length herein, subject, however, to the deletions, amendments and addenda provided in Section 1.07(B) hereof.
- B. Additions, Amendments and Deletions: The National Electrical Code, as adopted in Section 1.07(A) hereof, is hereby modified by the following deletions, amendments and addendums. These additions, amendments and deletions shall have precedence in any case where they are in conflict with the National Electrical Code adopted in Section 1.07(A) above.
1. Section 230.2(A) is amended by the addition of the following:
    - (6) In supplying electrical service to multifamily dwellings, two or more laterals or overhead service drops shall be permitted to a building when both of the following conditions are met:
      - a. The building has six or more individual gang meters and all meters are grouped at the same location.
      - b. Each lateral or overhead service drop originates from the same point of service.
  2. Section 230.71(A) is amended by the addition of the following Exception:

*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.*

3. Section 250.50 is amended by the insertion of the following paragraph:

Where a metal underground water pipe, as described in Section 250.52 (A)(1), is not present, and no other grounding electrodes are available; a method of grounding as specified below shall be used.

- (a) A concrete-encased electrode encased by at least 2 inches of concrete within and near the bottom of a concrete foundation or footing in direct contact with earth and supplemented by one ground rod or;
- (b) Two ground rods as specified in Section 250.56 shall be permitted to be installed at least six feet apart when the concrete foundation is existing (pre-construction) or does not have  $\frac{1}{2}$  inch or larger rebar installed in the concrete foundation or footing.

4. Section 250.68(B) is amended by the insertion of the following paragraph:

The connection of the grounding electrode conductor to structural building steel shall be made in a manner that will ensure a permanent and effective grounding path. Acceptable means for an effective grounding path connection to building steel shall be by means of exothermic welding; or pressure connectors or lugs with a bolted connection through drilled and thread tapped mounting hole(s) in the steel structure.

5. Section 250.104(B) is amended to read as follows:

**\* (B) Other Metal Piping** Where installed in or attached to a building or structure, metal piping system(s), including gas piping, shall be bonded to the service equipment enclosure; or the grounded conductor at the service; or to the grounding electrode system. The bonding jumper shall be sized in accordance with Table 250.122 using the rating of the circuit that may energize the gas piping.

In the event Corrugated Stainless Steel Tubing (CSST) is used, it shall be grounded at the manifold.

6. Section 300.11(A) is amended to read as follows:
  - (a) The ceiling grid system of a suspended ceiling shall be allowed to support flexible metal conduit or MC cables of only associated lighting systems. The use of independent support wires that are distinguished by color and secured to the building structure and to the ceiling grid system main support structure are permitted to support other conduit systems up to  $\frac{3}{4}$  inch.
7. Section 300.11(A)(1) & (2) is amended by the deletion of the Exception for each.
8. Section 310.15(b)(6) is amended to read as follows:

**(6) 120/240-Volt, 3-Wire, Single-Phase Dwelling Services and Feeders.** For dwelling units, conductors, as listed in Table 310.15(b)(6) 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 a 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(s) between the main disconnect and the lighting and appliance branch-circuit panelboard(s). The feeder conductors to a dwelling unit shall not be required to be larger than their service-entrance conductors. The grounded conductor shall be permitted to be smaller, than the ungrounded conductors, provided the requirements of Sections 215.2, 220.22, and 230.42 are met. Article 310.15(b)(6) shall not be used in conjunction with Articles 220.30, 220.32, or 220.33.

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Conductor Types and Sizes  
RHH, RHW, RHW-2, THHN, THHW, THW, THW-2, THWN, THWN-2,  
XHHW, XHHW-2, SE, USE

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| Copper    | Aluminum or<br>Copper-Clad AL | Rating in Amps |
|-----------|-------------------------------|----------------|
| AWG       | AWG                           |                |
| 4         | 2                             | 100            |
| 3         | 1                             | 110            |
| 2         | 1/0                           | 125            |
| 1         | 2/0                           | 150            |
| 1/0       | 3/0                           | 175            |
| 2/0       | 4/0                           | 200            |
| 3/0       | 250 kcmil                     | 225            |
| 4/0       | 300 kcmil                     | 250            |
| 250 kcmil | 350 kcmil                     | 300            |
| 350 kcmil | 500 kcmil                     | 350            |
| 400 kcmil | 600 kcmil                     | 400            |

9. Section 320.12 is amended as follows:

AC cable is not permitted in any building structure. MC cable will be allowed in any building structure as permitted by NEC.

10. Section 334.12 is amended by the insertion of the following Exception before Section 334.12(2):

*Nonmetallic-sheathed cable is not permitted for dwellings and other structures over three floors.*

*Exception: An additional floor level shall be permitted in multi-family dwellings where the entire structure is protected throughout by an approved automatic sprinkler system.*

11. Section 334.12 is amended by the addition of subsection (11) to read as follows:

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

12. Section 338.10 is amended by the following:

Type SE or USE cable shall not be permitted for use as service entrance conductors for apartments, or similar multifamily structures.

Further, Article II, Office of Electrical Inspection, **Section 2.03**, Duties, is hereby amended so that hereafter said subsection shall be and read as follows:

**Section 2.03**    **Duties**

It shall be the duty of the Building Official to enforce the provisions of this Code, either individually or acting by and through his duly authorized representatives. He shall be responsible for making inspections, issuing licenses, registrations and permits, administering examinations, and performing all the other functions of the Office of Electrical Inspection, as prescribed in this Code or by administrative order. He shall keep complete records of all permits issued, inspections made, and other official work performed in accordance with the provisions of this Code. He shall also keep on file in the Office of Electrical Inspection a list of acceptable testing laboratories, which shall be accessible for public reference during regular office hours.

Further, Article II, **Section 2.05**, Subsection (B), is hereby amended so that hereafter said subsection shall be and read as follows:

B.    Disconnection of Equipment:

1.    When any electrical equipment is found by the Building Official to be dangerous to persons or property, the person, firm, or corporation responsible for the electrical equipment shall be notified and shall remove the power source from affected equipment and make any changes or repairs which are required to put such equipment in safe condition and, if such work is not completed within fifteen (15) days or any longer period than may be specified in said notice, the Building Official shall have the authority to disconnect, or order the electricity supply agency to disconnect, all electric service to said electrical equipment and/or the premises in or upon which the same is located.

2. In case of emergency, where necessary for safety to persons or property, or where electrical equipment may interfere with the work of the Fire Department, the Building Official shall have the authority to disconnect immediately and without notice to anyone, or to cause the immediate disconnection of, any electrical equipment.
3. Upon revocation or suspension of a Certificate of Occupancy pursuant to Article IV of the Construction Chapter, the Building Official may order the electrical supply agency to disconnect all electric service to the premises affected by the revoked or suspended Certificate of Occupancy.

Further, Article II, **Section 2.05**, is hereby amended by the **addition** of Subsection (D) to read as follows:

- D. Disconnection of Electric Service: The following authority is granted in addition to any other authority or provisions in the ordinances of the City of Arlington. Upon revocation or suspension of a Certificate of Occupancy in accordance with the Construction Chapter of the Code of Ordinances of the City of Arlington, the Building Official shall have the authority to disconnect, or order the electricity supply agency to disconnect, all electric service to any premises affected by the revoked or suspended Certificate of Occupancy.

Further, Article III, Electrical Board, is hereby amended by the amendment of **Section 3.01, Organization of Board; Term**, so that said section shall be and read as follows:

**Section 3.01 Organization of Board; Term**

An Electrical Board is hereby created, consisting of nine (9) citizens of the City, to include an Electrical Engineer, an Electrical Contractor, a licensed Master Electrician, a licensed Journeyman, a Building Contractor, a representative of the public utility company selling electrical power to the public in the City, and other active members of electrical trade associations. The Mayor and each City Council member shall nominate a member with confirmation by majority vote of the City Council in accordance with the City of Arlington Boards and Commissions

Policy Statement. Members shall be appointed for terms of two (2) years and shall serve at the will and pleasure of the City Council. A final conviction of any Board member of a violation of any provision of this Code shall be grounds for immediate removal from office.

Further, Article III is hereby amended by the amendment of **Section 3.04, Quorum**, so that said section shall be and read as follows:

**Section 3.04 Quorum**

Five (5) members of the Board present at any meeting shall constitute a quorum for the transaction of any business or the carrying out of any duties. Any action taken at any meeting shall require the affirmative vote of at least four (4) members. The Chairman of any meeting of the Board shall have the power to vote on all appeals.

Further, **Article IV, License and Registrations**, is hereby amended so that hereafter said article shall be and read as follows:

**ARTICLE IV**

**LICENSE AND REGISTRATION**

**Section 4.01 License and Registration Required**

- A. It shall be unlawful for any person, firm or corporation to engage in any business or perform any work in connection with constructing, installing, maintaining, extending, repairing or replacing any electrical wiring, apparatus or equipment in excess of twenty-four (24) volts without being registered and licensed in accordance with the provisions of this Chapter.
- B. Each Electrical Apprentice, Electrician, Journeyman Electrician, and Master Electrician that performs work prescribed by a person, firm or corporation registered under the provisions of this Article must have on their person proof of a license.
- C. Each Electrical Apprentice, Electrician, Journeyman Electrician, and Master Electrician that performs work prescribed by a person, firm or corporation registered

under the provisions of this Article must have on their person proof of a valid license issued by the State of Texas which permits the holder thereof to do such work, unless the person is the holder of a valid City of Arlington license or a valid reciprocal license issued by the City of Arlington under Section 4.13 of this Chapter.

- D. It shall be unlawful for a person, firm or corporation registered with the City of Arlington to engage in any phase of the electrical business or perform any work in the electrical trade other than such business or work authorized by the registration, the class of license or the permit held by that person, provided, however, that a helper or an apprentice electrician may perform work prescribed for him by a holder of a State license enabling said holder to do such work, and then only while he is in the presence of and being supervised by the holder of a State license.

**Section 4.02 Master Electrician and Master Sign Electrician Business Registrations**

- A. City Master Electrician's Business Registration: A City Master Electrician's Business Registration shall entitle the holder to contract for and engage in the business of electrical wiring of any nature and to employ and supervise other licensed electricians of the proper classifications.
- B. City Master Sign Electrician's Business Registration: A City Master Sign Electrician's Business Registration shall only entitle the holder to contract for and engage in the business of manufacturing and installing luminous gas or electric discharge outline lighting and to employ and supervise other electricians of the proper classifications.

**Section 4.03 Business Registration and Individual City License Fees**

- A. Schedule of Fees: The annual fees and renewals thereof for the licenses and registrations described in this Chapter shall be as set from time to time by resolution of the City Council.
- B. Payment of Fees: Such license and registration fees shall be payable in advance, and renewals thereof

shall be payable on or before the expiration date of the license or registration to be renewed.

- C. Renewal of Licenses: Renewal of a license or registration not exceeding thirty (30) days beyond the date of expiration may be made by payment of the renewal fee for that license or registration. License or registration renewal beyond that time, but less than one (1) year after the expiration date, shall be renewed only by payment of the Initial Fee for that license or registration.

**Section 4.04 Expiration of Individual City License and Reactivation**

An Individual City License issued under the terms of this Code shall expire annually and shall be routinely reactivated by payment of the renewal fee for that license if application information remains accurate. A license not renewed for one (1) year or longer after the date of expiration may only be renewed upon compliance with the application provisions of this Code, as if the holder thereof had never been licensed, and payment of the Initial Fee.

**Section 4.05 Individual City License Suspension and Revocation**

- A. Individual City License Suspended: The Electrical Board shall have the authority to suspend any Individual City License issued under this Code for any of the following acts by the Licensee:
1. Forfeiting an appeal of a Stop Order under Section 2.05(C) by continued work, whether of Licensee or of one under his supervision, after the issuance of a Stop Order.
  2. Forfeiting an appeal from the Board under Section 3.05 by initiating work in violation of the Board's decision or prior to the Board's decision.
  3. Causing or permitting the unauthorized or prohibited use of a valid Individual City License by Licensee or another, such as to allow the rights and privileges of licensing to be applied to one not duly licensed.

4. Convictions of two (2) violations of any of the provisions of this Code committed within a period of twelve (12) consecutive months (except that remedy of the violation within twenty [20] days of notice of violation shall cause the waiver of such conviction for the purpose of this subsection).

Such revocation of an Individual City License shall be for a time not to exceed six (6) months. After expiration of such period of time as the Board shall have designated, and after payment of any outstanding fines and routine renewal fee if it has become due in the interim, the suspended Individual City License shall again become valid and effective.

B. Individual City License Revoked: The Electrical Board shall have the authority to revoke any Individual City License issued under this Code for any of the following acts by the Licensee:

1. Conviction of a violation constituting the practice of a fraud or deceit in securing (a) an Individual City License for Licensee or another, or (b) a permit.
2. Convictions of three (3) violations of this Code committed within a period of twelve (12) consecutive months, subject to waiver provision in Section 4.05(A)(4).
3. Accumulation of two (2) decisions of the Board for suspension of an Individual City License.
4. Accumulation of two (2) forfeitures of appeals, as set forth in Section 4.05(A)(1) and (2), within a period of twelve (12) consecutive months.

Such revocation of an Individual City License by the Board shall be full and final cancellation of same, made effective on the date of the Board's decision. Any Licensee so judged by the Board shall not again be issued that grade of Individual City License in the City.

C. Suspension or Revocation Hearing: In considering charges under this Section regarding suspension or revocation of an Individual City license, the Board

shall proceed upon sworn information furnished it by an official of the City or by any person. Such information shall be in writing and shall be duly verified by the person familiar with the allegations made. The Board shall make an order setting the matter for hearing at a specified time and place, and the Secretary of the Board, with the advice of the City Attorney, shall cause a copy of the Board's order and of the pertinent information, to be served upon the Licensee in person or by registered mail at least fifteen (15) days before the date set for the hearing. The Licensee may appear in person or by counsel at the time and place named in the order and present his defense to the Board. The City Attorney shall provide counsel for the Board. If the Licensee fails or refuses to appear, the Board may proceed to hear and determine the charge in his absence. If he pleads guilty, or if upon a hearing of the charge the Board finds any of the charges to be true, it may enter an order suspending or revoking the Individual City License. Failure to properly perfect an appeal in a court of competent jurisdiction within ten (10) days of receipt of the Board's decision shall render final the Board's decision. Suspension or revocation resulting from a decision of the Board shall preclude the Licensee from securing a permit for work controlled by that Individual City License in the City, or from becoming so licensed under alternate identification as long as the suspension or revocation is in effect.

- D. Any Individual City License which expires and is not renewed within one (1) year of the expiration thereof shall thereafter be renewed only upon compliance with the application provisions of the Code as if the holder thereof had never been licensed.

**Section 4.06     Business Registrations and License General Requirements**

A.     Transfer of License Prohibited:

- 1. No license in effect, issued or renewed under the terms of this Code shall ever be transferred to or used by any other person other than the person to whom the same is or shall be issued.
- 2. It shall be unlawful for any holder of a license of any grade to allow his name or license to be

used by any other person, firm or corporation, directly or indirectly, for the purpose of obtaining a permit or for performing work under his license.

3. Notwithstanding the provisions of Section 4.05 hereof, upon final conviction of any license holder for any violation of this Subsection, the license of such person shall be automatically suspended for a period of six (6) months.
- B. Employment of Unlicensed Workers: It shall be unlawful for a Master Electrical Business Registrant or a Master Sign Electrical Business Registrant to employ any person to do or perform any work governed by this Ordinance for which a license is required unless such person holds a license authorizing the person to perform such work.
  - C. Display of License: Each holder of a license under this Ordinance shall carry his license on or about his person at all times while performing electrical work and shall produce and present such license immediately upon request of the Building Official or any electrical inspector.
  - D. Address and Telephone Number: Each holder of a Business Registration of any grade shall furnish the Office of Building Inspections with a written notice of the permanent address of each holder of the qualifying Master Electrician's License and of the qualifying Master Sign Electrician's License under their employment and shall furnish the Office of Building Inspections with a written notice of the address and telephone number of their regularly established place of business.
  - E. Vehicle Markings: A street vehicle operated by a Master Electrical Business or Master Sign Electrical Business or an employee of such business and used in the business of performing work under this Code shall bear markings showing the business name of the firm or corporation for which work is being performed by the Registrant and the number of the license issued by the State of Texas. The information required to be displayed must be:
    1. printed in letters and numbers that are at least two (2) inches high and contrast in a color that contrasts with the color of the background, and

2. permanently attached in conspicuous places on both sides of the vehicle.

**Section 4.07 Special Provisions for Maintenance Electricians**

- A. "Electrical Maintenance Work" shall mean 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. 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, § 1305.003.
- B. Nothing in this section shall be construed to limit the right of a Master Electrician or Master Sign Electrician to perform electric maintenance work or to limit the right of Journeyman Electricians to perform such electrical maintenance work under the supervision, direction and control of a Master Electrician or Master Sign Electrician.

**Section 4.08 Exception From License Requirement**

Homeowner: A homeowner may personally install electrical branch circuits (no service feeders or equipment) within his or her legal residence, providing that he or she passes an examination administered by the Building Inspections Department. The electrical work permitted by homeowner is limited to a maximum of three new electrical branch circuits or circuit extensions. All new electrical installations must conform to the provisions of the National Electrical Code and the City of Arlington Electrical Chapter.

**Exception:** Service equipment may be changed by homeowners with a State issued Journeyman or Master Electrician's License only when approved by the Building Official.

**Section 4.09 Business Registration**

- A. Registration Required: Except as specifically exempted within this Article, it shall be unlawful for any person, firm or corporation to perform or cause to be performed any work described in this Code as requiring a permit, unless such person, firm or corporation is the holder of a valid registration with the City to perform such work. Such person, firm or corporation shall be herein termed Registrant. In extending the rights and privileges of such registration, the City makes no statement of the technical competency of those so registered and no manner of license is proffered.
- B. Information to be Provided: An applicant for registration under this Section shall provide to the Building Official the following information:
1. The complete name, complete mailing address and telephone number of the firm or corporation.
  2. The name and private mailing address of a principal of the firm or corporation who is a person authorized to bind the firm or corporation in legal agreements.
  3. The name and license identification of the licensed individual, as provided for in Section 4.01 of this Code, through whom the person, firm or corporation is to be represented in all activities before the Building Official (except registration for a person, firm or corporation specifically exempted from license requirements).
  4. Other pertinent information deemed necessary in writing by the Building Official.
- C. Every Registrant shall make contact with the Office of the Building Official to ensure the accurate revision of registration information, including change of licensed individual or address or telephone number, within ten (10) days from when previous information

supplied in his application is made invalid for any reason.

- D. Every Registrant doing electrical work in the City of Arlington shall carry General Liability Insurance in not less than the following amounts:

\$300,000 per occurrence (combined for property damage and bodily injury) with a \$600,000 aggregate (total for property damage and bodily injury coverage)

\$300,000 aggregate for products and completed operations.

The Registrant shall make the City of Arlington an additional insured for any work in or on any City rights-of-way or City property of any kind. Every registrant shall present proof of insurance at the time of registration and all subsequent renewals. Notice of policy cancellations or failure to renew coverage or maintain the City as additional insured shall be cause for revocation of registration, denial of inspections or cancellation of permits.

- E. Transfer of Registration Prohibited: No Registrant under this Section shall allow his or her registration, by name or other identification, to be transferred or assigned to, or in any manner directly or indirectly used by any person, firm or corporation other than the one to whom issued by the Building Official, for any purpose.

- F. Exemption for Homeowner: No such registration requirements shall pertain for alteration or repair work to be performed on a residential structure when the person performing the alteration or repair work is the owner of the structure, and has his legal residence there and is not assisted by any other person for remuneration. The homeowner shall be automatically termed a Registrant for the purposes of such a project. Notwithstanding such relief from registration, all requirements for permits for the work shall remain in force.

- G. Business Registration Fee: For a Business Registration, pursuant to this section, a fee shall be paid in addition to the other provisions provided herein. The fee for initially establishing registration data along with an annual renewal fee for continuing the validity

of registration data shall be set from time to time by resolution of the City Council.

- H. Expiration and Renewal of Business Registration: Registration shall expire annually and shall be routinely reactivated by payment of a renewal fee if application information remains accurate. A registration may be renewed as herein provided at any time from sixty (60) days preceding the date of expiration through ninety (90) days following the date of expiration. A registration not renewed for ninety (90) days beyond the date of expiration shall require resubmittal of registration information and payment of fee as for initial registration.

**Section 4.10 Permit Issued Only to Registrant**

A permit to perform, or cause to be performed, any work regulated by this Code shall only be issued to a Registrant as provided for in Section 4.09, and only after the requirements defined in this Article have been accomplished. For work requiring licensing under this Article, no permit shall be issued unless Registrant designates the appropriate Licensee who will be responsible to the Building Official for the prosecution and supervision of the work to be performed; only such designated Licensee may require inspections. Prior to issuance of the permit, the Building Official may review the proposed project with other departments of the City to ensure that no conflict with other City regulations is created or perpetuated by issuance of the permit. An adverse determination in this review may be grounds for denial of the permit.

**Exception:** A sign permit granted to a registered sign company employing a master electrician or master sign electrician shall substitute for a separate electrical permit. A sign permit does not include any wiring on the primary side of a transformer. The installation of UL labeled signs shall not require a sign company to employ a master sign electrician if the sign is energized by a master electrician having appropriate permits.

**Section 4.11 Responsibilities of Licensee and Registrant**

- A. Operations: The holder of a Reciprocal License, a Master Electrician's License, or a Master Sign Electrician's License shall be responsible for the

performance of permitted work in compliance with this Code.

- B. Administration: Registrants shall be responsible for the employment of licensed personnel to perform the permitted work and for the payment of fees as required by this Code.

#### **Section 4.12 Registration Suspension and Revocation**

The provisions contained in Section 4.05 for suspension or revocation of individual license shall apply as well to business registration. For purposes of this section, reference within Section 4.05 to "license" shall necessarily denote "registration", and reference to "Licensee" shall necessarily denote "Registrant".

#### **Section 4.13 Reciprocal License**

- A. Prior to September 1, 2004, an applicant holding a currently valid City of Arlington license or a valid license issued by another city may apply for and receive a similar license in the City of Arlington provided the following conditions are complied with:
1. The applicant shall submit evidence satisfactory to the Chief Electrical Inspector that:
    - a. His or her license was issued under testing and experience criteria not less restrictive than required by the City of Arlington Electrical Code for such license; and
    - b. The city which issued the license shall reciprocate by issuing similar licenses to Arlington licensees under similar conditions.
  2. The applicant shall pay the fee required and comply with all other requirements of the City of Arlington Electrical Code.
- B. A City of Arlington license or a reciprocal license issued under this Section shall expire two (2) years from the date it is issued and shall not be renewed. No City of Arlington license or reciprocal license shall be valid after September 1, 2006.

Further, **Article V, Examination**, is hereby **deleted** and the remaining articles are renumbered.

Further, Article VI, Permits and Fees, **Subsection 6.02(C)**, is hereby amended so that hereafter said section shall be and read as follows:

- C. Payment of Fees Prior to Final Inspection: Payment of all permit and inspection fees required in this Code shall be made prior to the final inspection required in Article VI hereof.

Further, Article VII, Inspections and Notices, **Section 7.08, Authorization of Connections**, is hereby amended so that hereafter said section shall be and read as follows:

**Section 7.08 Authorization of Connections**

It shall be unlawful for any person, firm or corporation to make connection from a supply of electricity or to supply electricity to any electrical equipment for which a permit is required or which has been ordered to be disconnected by the Building Official, or which has been disconnected for any reason whatsoever, until such connection has been authorized by the Building Official. In the event that electricity to a private residence has been disconnected by reason of tampering, a fire or other disaster on the premises, the electrical service shall not be reconnected until the electrical installations on the premises have been corrected, and approved by the Building Official.

Further, Article VIII, Electricity Supply Agency, **Section 8.05, Metering Equipment Height**, is hereby amended so that hereafter said section shall be and read as follows:

**Section 8.05 Metering Equipment Height**

All meter sockets shall be installed at a height not less than four (4) feet nor more than six (6') feet from the center of the meter base to the finished-grade elevation immediately below the meter base.

Further, Article VIII, **Section 8.06, Circuits Dedicated to an Individual Metering Device**, is hereby amended so that hereafter said section shall be and read as follows:

**Section 8.06     Circuits Dedicated to an Individual Metering Device**

It shall be unlawful to connect or to cause, suffer, or allow any circuit(s) to remain connected, from a specific dwelling tenant to a supply-agency metering device not dedicated to those circuits.

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed **One Thousand and No/100 Dollars (\$1,000)** for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

8.

This ordinance shall become effective on September 1, 2004.

PRESENTED AND GIVEN FIRST READING on the **27th** day of **July, 2004**, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the **10th** day of **August, 2004**, by a vote of **9** ayes and **0** nays at a regular meeting of the City Council of the City of Arlington, Texas.

ORDINANCE NO. 04-089

AN ORDINANCE AMENDING THE "**ELECTRICAL**" CHAPTER OF THE CODE OF THE CITY OF ARLINGTON, TEXAS, 1987, THROUGH THE AMENDMENT OF **ARTICLE V**, ENTITLED PERMITS AND FEES, BY THE AMENDMENT OF **SECTION 5.03**, FEES, **SUBSECTION (B)**, AND **SUBSECTION (D)**, RELATIVE TO THE ESTABLISHMENT AND CALCULATION OF FEES; PROVIDING FOR A FINE UP TO **\$2,000** FOR EACH OFFENSE IN VIOLATION OF THE ORDINANCE; PROVIDING THIS ORDINANCE BE CUMULATIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR PUBLICATION AND BECOMING EFFECTIVE TEN DAYS AFTER FIRST PUBLICATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "**Electrical**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of Article V, Permits and Fees, by the amendment of **Section 5.03**, Fees, Subsection (B), so that hereafter said subsection shall be and read as follows:

B. Fee Payment: The permit fee for installation of electrical equipment in all buildings and the permit fee for alterations of electrical equipment in any building shall be submitted prior to permit issue. The fees shall be set from time to time by resolution of the City Council.

Further, Article V, **Section 5.03**, Subsection (D), is hereby amended so that hereafter said subsection shall be and read as follows:

D. Standards for Fee Administration

The following standards shall apply in calculating permit fees under this Chapter:

1. Calculations for area (square footage) shall be on a gross basis, measured from the exterior face of exterior walls;

2. The Administrative Authority may approve a mixed calculation method when differing occupancy descriptions are applied to various areas within a single structure;
3. For any installation not clearly defined herein, the Administrative Authority shall designate the applicable method of calculation;
4. Final permit fee calculations shall be carried to the nearest whole dollar. Fractions greater than forty-nine one hundredths (0.49) shall be extended upward;
5. There shall be no full refund of any permit fee except when:
  - a. The permit has been issued, and no part of the work has commenced; or
  - b. The permit has been issued through error on the part of the City of Arlington, and it is found that the work applied for cannot be allowed.

No full refund shall be made of any fee paid unless a written request is submitted by the original permittee no later than sixty (60) days after the date of the fee payment;

6. Refund of a fee submitted for any administrative action under this Chapter of the Code of the City of Arlington, other than an electric permit, shall be made in accordance with Section 4.12 of the "Construction" Chapter of said Code;
7. When the replacement of a contractor occurs during a project for which a permit has been issued pursuant to this Electrical Code, the Administrative Authority may prorate the amount of the permit fee for the new contractor based on said Administrative Authority's determination of the percentage of work remaining; and
8. When it is determined after a permit has been issued that the scope of work is to be significantly changed, the Administrative Authority may authorize and require that appropriate adjustments be made to the permit fee. Any increase in the permit fee shall be paid prior to performing any part of such increased scope of work. Any decrease in the permit fee which is based on previously approved work which will not be performed shall be refunded in the amount of fifty percent (50%) of the fee related to the work not to be performed, as determined by the Administrative Authority. No refund shall be made, unless a written request is submitted

by the original permittee not later than sixty (60) days following approval of the permittee's change in scope of work.

This subsection is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. In instances where reinspection fees have been assessed, no additional inspection of the work shall be performed until the required fees have been paid. The fees shall be set from time to time by resolution of the City Council.

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed **Two Thousand and No/100 Dollars (\$2,000)** for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

8.

This ordinance shall become effective ten (10) days after first publication as described above.

**PRESENTED AND GIVEN FIRST READING on the 14th day of September, 2004, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 21st day of September, 2004, by a vote of 7 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.**

ORDINANCE NO. 05-061

AN ORDINANCE AMENDING THE "**ELECTRICAL**" CHAPTER OF THE CODE OF THE CITY OF ARLINGTON, TEXAS, 1987, THROUGH THE AMENDMENT OF **ARTICLE VI**, ENTITLED INSPECTIONS AND NOTICES, BY THE AMENDMENT OF **SECTION 6.01, INSPECTION OF INSTALLATIONS**, BY THE ADDITION OF AN EXCEPTION RELATIVE TO A THIRD PARTY PROVIDER; PROVIDING FOR A FINE UP TO \$1,000 FOR EACH OFFENSE IN VIOLATION OF THE ORDINANCE; PROVIDING THIS ORDINANCE BE CUMULATIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR PUBLICATION AND BECOMING EFFECTIVE TEN DAYS AFTER FIRST PUBLICATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "**Electrical**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of Article VI, Inspections and Notices, by the amendment of **Section 6.01, Inspection of Installations**, by the addition of the following Exception:

**EXCEPTION:** The owner of a property may choose to contract with a Third Party Provider that is properly registered with the City for inspections. Inspections performed by Third Party Organizations are subject to the terms of the program as authorized by resolution of the City Council of the City of Arlington. A Third Party Provider shall not be authorized to grant a Certificate of Occupancy.

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed **One Thousand and No/100 Dollars (\$1,000)** for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be

inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

8.

This ordinance shall become effective ten (10) days after first publication as described above.

**PRESENTED AND GIVEN FIRST READING** on the **5th** day of **July, 2005**, at a regular meeting of the City Council of the City of Arlington, Texas; and **GIVEN SECOND READING**, passed and approved on the **26th** day of **July, 2005**, by a vote of **9** ayes and **0** nays at a regular meeting of the City Council of the City of **Arlington, Texas**.

**Ordinance No. 09-033**

**An ordinance amending the "Electrical" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article III, Electrical Board, by the addition of Section 3.08, Model Code Adoption or Amendment, related to procedures for adopting or amending a model code; providing this ordinance be cumulative, providing for severability, governmental immunity, injunctions, publication and an effective date**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "**Electrical**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of Article III, Electrical Board, by the addition of **Section 3.08, Model Code Adoption or Amendment**, so that hereafter said section shall read as follows:

**Section 3.08 Model Code Adoption or Amendment**

- A. In this section, "national model code" means a publication that is developed, promulgated, and periodically updated at a national level by organizations consisting of industry and government fire and building safety officials through a legislative or consensus process and that is intended for consideration by units of government as local law. National model codes include the International Residential Code, the National Electrical Code, and the International Building Code.
- B. The Board is established as an advisory board for the purpose of obtaining public comment on the proposed adoption of or amendment to a national model code, and providing a recommendation to City Council. On or before the 10th day before the date the Board conducts a public hearing to consider the adoption of or amendment to a national model code, the City shall publish notice of the proposed action and the date of the public hearing conspicuously on the City's Internet website.
- C. Except as provided by Subsection (D), adoption of an ordinance or national model code provision that is intended to govern the construction, renovation, use, or maintenance of buildings and building systems in the City shall have a delayed effective date that will delay implementing and enforcing the ordinance or code provision for at least 30 days after final adoption of the ordinance, to permit persons affected to comply with the ordinance or code provision.

- D. If a delay in implementing or enforcing the ordinance or code provision would cause imminent harm to the health or safety of the public, the City may enforce the ordinance or code provision immediately on the effective date of the ordinance or code provision.

2.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

3.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

4.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

5.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

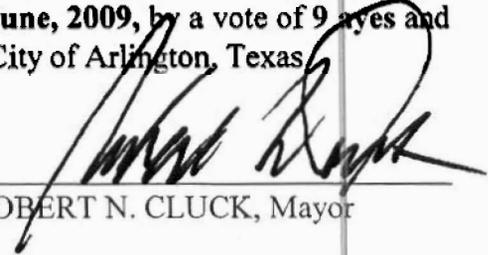
6.

The caption of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

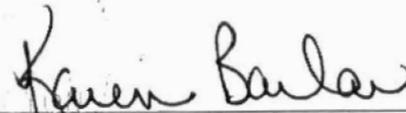
(2)

This ordinance shall become effective upon second publication.

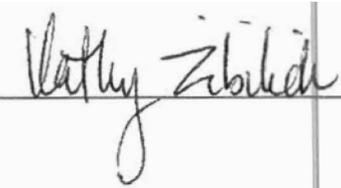
PRESENTED AND GIVEN FIRST READING on the **9th** day of **June, 2009**, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the **23rd** day of **June, 2009**, by a vote of **9** ayes and **0** nays at a regular meeting of the City Council of the City of Arlington, Texas

  
ROBERT N. CLUCK, Mayor

ATTEST:

  
KAREN BARLAR, City Secretary

APPROVED AS TO FORM:  
JAY DOEGEY, City Attorney

BY 

**Ordinance No. 10-010**

**An ordinance amending the "Electrical Code" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article V, Permits and Fees, Section 5.02, Application for Permit, by the amendment of Subsection (B), relative to a requirement that final plans or other documents that will be archived must be submitted in electronic format; and by the amendment of Article IX, Violations and Penalties, Section 9.01, General, by the amendment of the title and section relative to updated penalty provisions; providing for a fine of up to \$2,000 for each offense in violation of the ordinance; providing this ordinance be cumulative, providing for severability, governmental immunity, injunctions, publication and an effective date**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "**Electrical Code**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of Article V, Permits and Fees, **Section 5.02, Application for Permit**, by the amendment of **Subsection (B)**, so that hereafter said subsection shall read as follows:

- B. Plans and Specifications - Requirements: Plans and specifications shall be drawn to scale upon substantial paper and shall be of sufficient clarity to indicate the nature and extent of the work proposed, and show in detail that it will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the street address of the work and the name and address of the owner and person who prepared them. Plans shall include a plot plan showing the location of the proposed building and of every existing building on the property. In lieu of detailed specifications, the Building Official may approve references on the plans to a specific section or part of this Code or other ordinances or laws. Final plans or other documents that will be archived must be submitted in an electronic format specified by the Director of Community Development and Planning ("CDP Director") as a condition to issuance of any type of permit, approval, or other action related to the final plans or documents. The City may provide an electronic conversion service for a fee in the amount set forth by City Council resolution. The CDP Director shall provide a schedule indicating which documents must be provided electronically, at which point during the approval process, and other information as necessary to implement an electronic archiving program.

Further, Article **IX**, Violations and Penalties, is hereby amended by the amendment of **Section 9.01, General**, by the amendment of the **title and section** so that hereafter said section shall be and read as follows:

**Section 9.01 General, Violations, and Penalties**

- A. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any electrical systems or equipment or cause or permit the same to be done in violation of this code.
  
- B. A person who violates any provision of this Chapter by performing an act prohibited or by failing to perform an act required is guilty of a misdemeanor; each day the violation continues shall be a separate offense.
  - 1. If the definition of an offense under this Chapter does not prescribe a culpable mental state, then a culpable mental state is not required. Such offense shall be punishable by a fine not to exceed Five Hundred Dollars and No Cents (\$500.00). Although not required, if a culpable mental state is in fact alleged in the charge of the offense and the offense governs fire safety, zoning, or public health and sanitation, including dumping of refuse, such offense shall be punishable by a fine not to exceed Two Thousand Dollars and No Cents (\$2,000.00).
  - 2. If the definition of an offense under this Chapter prescribes a culpable mental state and the offense governs fire safety, zoning, or public health and sanitation, including dumping of refuse, then a culpable mental state is required and the offense shall be punishable by a fine not to exceed Two Thousand Dollars and No Cents (\$2,000.00).
  
- C. The issuing or granting of a permit or approval of plans and specifications by the City shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or any other ordinance of the City. No permit presuming to give authority to violate or cancel the provisions of this Code, or any other ordinance of the City, shall be valid, except insofar as the work or use which is authorized is lawful.
  
- D. The issuing or granting of a permit or approval of plans by the City shall not prevent the Building Official from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this Code or of any other ordinance of the City, or from revoking any certificate of approval when issued in error.

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand Dollars and No Cents (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington; and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

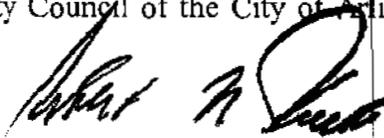
Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, Texas, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

This ordinance shall become effective upon second publication.

PRESENTED AND GIVEN FIRST READING on the 15th day of December, 2009, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 12th day of January, 2010, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.

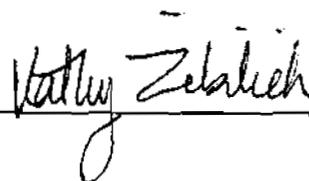


ROBERT N. CLUCK, Mayor



APPROVED AS TO FORM:  
JAY DOEGEY, City Attorney

BY



**Ordinance No. 12-022**

An ordinance amending the "Electrical" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, Administration, by the amendment of Section 1.02, Purpose; Section 1.06, Prima Facie Evidence of Safe Conditions; and Section 1.07, National Electrical Code; through the amendment of Article IV, License and Registrations; relative to adoption of the National Electrical Code, 2008 Edition; providing for a fine of up to \$2,000 for each offense in violation of the ordinance; providing this ordinance be cumulative, providing for severability, governmental immunity, injunctions, publication and becoming effective on May 24, 2012

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "**Electrical**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of **Article I, Administration**, by the amendment of **Section 1.02, Purpose**, so that hereafter said section shall read as follows:

**Section 1.02 Purpose**

The purpose of this Code is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, inspection, performance and maintenance of electrical equipment used for light, heat, power, radio, television, signaling and for other purposes.

Further, **Article I, Section 1.06, Prima Facie Evidence of Safe Conditions**, is hereby amended so that said section shall be and read as follows:

**Section 1.06 Prima Facie Evidence of Safe Conditions**

Conformity of electrical equipment and installations with provisions of this Code, the (NEC) National Electrical Code, and/or a (NRTL) Nationally Recognized Testing Laboratory shall be prima facie evidence that such equipment and installations are in safe condition.

Further, **Article I, Section 1.07, National Electrical Code**, is hereby amended so that said section shall be and read as follows:

**Section 1.07 National Electrical Code**

A. **Adoption:** The National Electrical Code, 2008 Edition, as published by the National Fire Protection Association, referred to herein as "NEC", a copy of which is filed in the office of the City Secretary of the City of Arlington, Texas, is hereby adopted and designated as the Electrical Code of the City of Arlington, the same as though such Code were copied at length herein, subject, however, to the deletions, amendments and addenda provided in Section 1.07(B) hereof.

B. **Additions, Amendments and Deletions:** The National Electrical Code, as adopted in Section 1.07(A) hereof, is hereby modified by the following deletions, amendments and addendums. These additions, amendments and deletions shall have precedence in any case where they are in conflict with the National Electrical Code adopted in Section 1.07(A) above.

1. The amendment of Section 210.8 entitled Ground-Fault Circuit-Interruption for Personnel., to read as follows:

**210.8 Ground-Fault Circuit-Interruption for Personnel.** Ground-fault circuit-interruption for personnel shall be provided as required in 210.8(A) through (C). The ground-fault circuit interrupter shall be installed in a readily accessible location.

2. The amendment of Section 210.12 (B) entitled Dwelling Units., by the addition of exception #3 to read as follows:

Exception No. 3: Arc-Fault Circuit-Interrupter type circuit breakers shall not be required when ALL of the following conditions are met:

(1) The existing panelboard and/or circuit breaker supplying outlets otherwise required to be protected by arc-fault circuit interrupters is being replaced,

(2) The branch circuit feeding outlets required to be protected by arc-fault circuit interrupters is not being repaired, replaced, extended, or otherwise altered in any way, and

a. The dwelling unit was constructed prior to January 1, 2002; or,

b. A family room, dining room, living room, parlor, library, den, sunroom, recreation room, closet, hallway, or similar

area was constructed prior to the date of adoption of the 2008 NEC.

3. The amendment of Table 210.24 entitled Summary of Branch-Circuit Requirements, to read as follows:

Table 210.24 Summary of Branch-Circuit Requirements

| <b>Circuit Rating</b>             | <b>15A</b>    | <b>20A</b>    | <b>30A</b>    | <b>40A</b>    | <b>50A</b>     |
|-----------------------------------|---------------|---------------|---------------|---------------|----------------|
| Conductors (min. size)            |               |               |               |               |                |
| Circuit wires <sup>1</sup>        | 12            | 12            | 10            | 8             | 6              |
| Taps                              | 12            | 12            | 12            | 12            | 12             |
| Fixture wires & cords – see 240.5 |               |               |               |               |                |
| <b>Overcurrent Protection</b>     | <b>15 A</b>   | <b>20 A</b>   | <b>30 A</b>   | <b>40 A</b>   | <b>50A</b>     |
| Outlet devices:                   |               |               |               |               |                |
| Lampholders Permitted             | Any type      | Any type      | Heavy Duty    | Heavy Duty    | Heavy Duty     |
| Receptacle Rating <sup>2</sup>    | 15 max. A     | 15 or 20 A    | 30 A          | 40 or 50 A    | 50A            |
| <b>Maximum Load</b>               | <b>15 A</b>   | <b>20 A</b>   | <b>30 A</b>   | <b>40 A</b>   | <b>50A</b>     |
| Permissible Load                  | See 210.23(A) | See 210.23(A) | See 210.23(B) | See 210.23(C) | See 210.23 (C) |

<sup>1</sup>These gauges are for copper conductors

<sup>2</sup>For receptacle rating of cord-connected electric-discharge luminaires, see 410.30(C)

4. The amendment of Section 230.70(A)(1) entitled Readily Accessible Location., to read as follows:

(1) Readily Accessible Location. The service disconnecting means shall be installed and physically located at a readily accessible location outside of a building or structure.

Exception: In one- and two-family dwellings and townhouses the service disconnecting means shall be installed at a readily accessible location either outside or inside of the building. When located inside the building, the service disconnecting means shall be located so that the developed length of service conductors between the meter socket and the

disconnecting means does not exceed five (5) feet (1.52 m) in developed length.

5. The amendment of Section 250.50 entitled Grounding Electrode System., to read as follows:

**250.50 Grounding Electrode System.** All grounding electrodes as described in 250.52(A)(1) through (A)(7) that are present at each building or structure served shall be bonded together to form the grounding electrode system. Where none of these grounding electrodes exist, one or more of the grounding electrodes specified in 250.52(A)(4) through (A)(8) shall be installed and used. Where a metal underground water pipe, as described in Section 250.52(A)(1), is not present, and no other grounding electrodes are available, one of the methods of grounding as specified below shall be used.

- (a) A concrete-encased electrode encased by at least 2 inches of concrete within and near the bottom of a concrete foundation or footing in direct contact with earth and supplemented by one ground rod; or,
- (b) Two ground rods as specified in Section 250.56 shall be permitted to be installed at least six feet apart when the concrete foundation is existing (pre-construction) or does not have ½ inch or larger rebar installed in the concrete foundation or footing.

*Exception: Concrete-encased electrodes of existing buildings or structures shall not be required to be part of the grounding electrode system where the steel reinforcing bars or rods are not accessible for use without disturbing the concrete.*

6. The amendment of Section 250.68(B) entitled Effective Grounding Path., by the addition of a second paragraph to read as follows:

The connection of the grounding electrode conductor or bonding jumper to a grounding electrode shall be made in a manner that will ensure a permanent and effective grounding path. Where necessary to ensure the grounding path for a metal piping system used as a grounding electrode, bonding shall be provided around insulated joints and around any equipment likely to be disconnected for repairs or replacement. Bonding jumpers shall be of sufficient length to permit removal of such equipment while retaining the integrity of the grounding path. An effective grounding path connection to building steel shall be made by exothermic welding (cad welding); or listed pressure connectors or listed lugs with a bolted connection through drilled and thread tapped mounting hole(s) at an accessible point on a common structural building steel member.

7. The amendment of Section 250.64 entitled Grounding Electrode Conductor Installation., to read as follows:

**250.64 Grounding Electrode Conductor Installation.** Grounding electrode conductors at the service, at each building or structure where supplied by a feeder(s) or branch circuit(s), or at a separately derived system shall be installed as specified in 250.64(A) through (G).

8. The amendment of Section 250.64 entitled Grounding Electrode Conductor Installation., by the addition of subsection (G) to read as follows:

**(G) Single Point Grounding Electrode.** Multiple Occupancy buildings, other than Group R as defined in the building code, shall have an aluminum or copper busbar not less than 6mm X 50mm X 600mm (1/4 in. X 2 in. X 24 in.) installed in a lockable cabinet located at each service location. All available grounding electrodes as described in 250.52(A)(1) through (A)(7) shall be connected to this busbar. In no case shall the grounding electrode conductors serving this busbar be smaller than 3/0 AWG copper wire.

*Exception #1 Where the electrode is a rod, pipe, or plate electrode, that portion of the bonding jumper that is the sole connection to the busbar shall not be smaller than 6 AWG copper wire.*

*Exception #2 Where the electrode is a concrete-encased electrode, that portion of the bonding jumper that is the sole connection to the busbar shall not be smaller than 4 AWG copper wire.*

9. The amendment of Section 300.11(A) entitled Secured in Place., by the addition of the exception to read as follows:

Exception: Ceiling grid support wire may be used for structural supports when the associated wiring is located in that area and not more than two raceways or cables supported per wire with a maximum nominal metric designation 16 (trade size 1/2".)

10. The amendment of Section 300.11(A)(1) entitled Fire Rated Assemblies and Section 300.11(A)(2) entitled Non-Fire Rated Assemblies., by the deletion of the Exception for each.

11. The amendment of Table 310.5 entitled Minimum size of conductors., to read as follows:

Table 310.5 Minimum Size of Conductors<sup>1</sup>

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

<sup>1</sup>Exception: An equipment grounding conductor within a listed cable assembly

12. The amendment of Section 310.15(B)(6) entitled 120/240-volt, 3-Wire, Single-Phase Dwelling Services and Feeders., by adding a last sentence to read as follows:

This Section shall not be used in conjunction with Section 220.82 Optional Dwelling Unit Feeder and service Load Calculation.

13. The addition of Section 320.3 entitled Listed., to read as follows:

**320.3 Listed.** Type AC Cable shall be listed.

14. The amendment of Section 320.10 entitled Uses Permitted., to read as follows:

**320.10 Uses Permitted.** Type AC cable shall be permitted for concealed work in dry locations only as follows:

- (1) For branch circuits in patient care areas when listed and labeled for the use.

FPN: The “Uses Permitted” is an all-inclusive list.

15. The amendment of Section 320.12 entitled Uses Not Permitted., to read as follows:

**320.12 Uses Not Permitted**

- (1) Where subject to physical damage.
- (2) In damp or wet locations.
- (3) In air voids of masonry block or tile walls.
- (4) Where exposed to corrosive fumes or vapors.
- (5) Embedded in plaster finish on brick or other masonry.
- (6) In exposed work.

16. The amendment of Section 334.10(3) to read as follows:

(3) Other structures permitted to be of Types III, IV, and V construction except as prohibited in 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

FPN No. 1: Types of building construction and occupancy classifications are defined in accordance with the Construction Chapter.

FPN No. 2: See Annex E for determination of building types [NFPA 220, Table 3-1]. Cross Reference all building types as indicated in Table E.3 with the Construction Chapter.

FPN No. 3: Listings of acceptable finish ratings are provided in the Construction Chapter.

17. The amendment of Section 334.12(A), entitled Types NM, NMC, AND MNS., by the addition of item number (2), the renumbering of the remaining item numbers, and the addition of item numbers (12), (13), and (14), to read as follows.

**(A) Types NM, NMC, and NMS.** Types NM, NMC, and NMS cables shall not be permitted as follows:

(1) In any dwelling or structure not specifically permitted in 334.10(1), (2), and (3)

*Exception: Type NM, NMC, and NMS cable shall be permitted in Type I and II construction when installed within raceways permitted to be installed in Type I and II construction.*

(2) In dwellings and other structures exceeding three floors

*Exception: An additional floor level shall be permitted in multi-family dwellings where the entire structure is protected throughout by an approved sprinkler system.*

(3) Exposed in dropped or suspended ceilings in other than one- and two-family and multifamily dwellings

(4) As service-entrance cable

- (5) In commercial garages having hazardous (classified) locations as defined in 511.3
- (6) In theaters and similar locations, except where permitted in 518.4(B).
- (7) In motion picture studios
- (8) In storage battery rooms
- (9) In hoistways or on elevators or escalators
- (10) Embedded in poured cement, concrete, or aggregate
- (11) In hazardous (classified) locations, except where permitted by the following:
  - a. 501.10(B)(3)
  - b. 502.10(B)(3)
  - c. 504.20
- (12) Types NM, NMC, NMS cable shall not be permitted to be installed in any occupancy with metal frame stud structures
- (13) For circuits exceeding 150 volts to ground
- (14) For dwelling unit feeders in multifamily dwellings
- 18. The addition of item #4 to Section 338.12(A) entitled Service-Entrance Cable., to read as follows:
  - (4) Type SE cable shall not be permitted for use as service entrance or feeder conductors for multifamily dwellings.
- 19. The addition of item #4 to Section 338.12(B) entitled Underground Service-Entrance Cable., to read as follows:
  - (4) Type USE cable shall not be permitted for use as service entrance or feeder conductors for multifamily dwellings.
- 20. The amendment of Section 362.12 item (6) to read as follows:
  - (6) Where the voltage is over 24 volts
- 21. The amendment of Section 500.8(A)(3) to read as follows:

(3) Evidence acceptable to the authority having jurisdiction such as an engineering judgment signed and sealed by a qualified Registered Professional Engineer.

22. The amendment of Section 505.7(A) entitled Implementation of Zone Classification System., 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 Registered Professional Engineer.

23. The amendment of Section 680.25(A) entitled Wiring Methods., to read as follows:

(A) Wiring Methods. Feeders shall be installed in rigid metal conduit, intermediate metal conduit, liquidtight flexible nonmetallic conduit, rigid polyvinyl chloride conduit, or reinforced thermosetting resin conduit. Electrical metallic tubing shall be permitted where installed on or within a building, and electrical nonmetallic tubing shall be permitted where installed within a building, or nonmetallic sheathed cable or type SE cable shall be permitted where installed within or on the building served. Aluminum conduits shall not be permitted in the pool area where subject to corrosion.

*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)*

Further, **Article IV, License and Registration**, is hereby amended so that said Article shall be and read as follows:

## ARTICLE IV

### LICENSE AND REGISTRATIONS

#### Section 4.01 License and Registration Required

- A. It shall be unlawful for any person, firm or corporation to engage in any business or perform any work in connection with constructing, installing, maintaining, extending, repairing or replacing any electrical wiring, apparatus or equipment in

excess of twenty-four (24) volts without being registered and licensed in accordance with the provisions of this Chapter.

- B. Every person engaged in the construction, installation, maintenance, extension, repairing or replacement of electrical wiring, apparatus or equipment that performs work prescribed by a person, firm or corporation registered under the provisions of this Article must have on their person proof of an electrical license, electrical apprentice or electrical sign apprentice license issued by the Texas Department of Licensing and Regulation.
- C. It shall be unlawful for a person, firm or corporation registered with the City of Arlington to engage in any phase of the electrical business or perform any work in the electrical trade other than such business or work authorized by the registration, the class of license or the permit held by that person, provided, however, that an apprentice electrician or apprentice sign electrician may perform electrical work prescribed for him when issued an Electrical Apprentice License by the Texas Department of Licensing and Regulation enabling said holder to do such work, and then only when in the presence of and being supervised by an electrician with the proper electrical license issued by the Texas Department of Licensing and Regulation.

#### **Section 4.02 Electrical Contractor and Electrical Sign Contractor Business Registrations**

- A. City of Arlington Electrical Contractor Business Registration: A City of Arlington Electrical Contractor Business Registration shall entitle the holder to contract for and engage in the business of electrical wiring of any nature and to employ and supervise electrical apprentices and licensed electricians of the proper classifications.
- B. City of Arlington Electrical Sign Contractor Business Registration: An Electrical Sign Contractor Business Registration shall only entitle the holder to contract for and engage in the business of designing, manufacturing, installing, connecting, reconnecting, or servicing an electric sign, cold cathode, neon gas tubing, or outline gas tubing, or altering electric sign wiring or conductors either inside or outside of a building and to employ and supervise licensed electricians of the proper classifications and electrical sign apprentices.

#### **Section 4.03 Business Registration**

- A. Schedule of Fees: The annual fees and renewals thereof for business registrations described in this Chapter shall be as set from time to time by resolution of the City Council.

- B. Payment of Fees: Business registration fees shall be payable in advance, and renewals thereof shall be payable on or before the expiration date of the business registration to be renewed.

#### **Section 4.04 Business Registrations**

- A. Transfer of Business Registration Prohibited:
1. No Business Registration in effect, issued or renewed under the terms of this Code shall ever be transferred to or used by any other person other than the person to whom the same is or shall be issued.
  2. It shall be unlawful for any holder of a registered business to allow their business registration to be used by any other person not listed as a company agent, a firm or corporation, directly or indirectly, for the purpose of obtaining a permit or for performing work under the business holder's registration.
- B. Employment of Unlicensed Workers: It shall be unlawful for a Registered Electrical Contractor or a Registered Electrical Sign Contractor to employ any person to do or perform any work governed by this Ordinance for which a license is required unless such person holds a license authorizing the person to perform such work.
- C. Display of License: Each holder of an electrical license under this Ordinance shall carry their electrical license on or about their person at all times while performing electrical work and shall produce and present such license immediately upon request of the Building Official or any inspector.
- D. Address and Telephone Number: Each holder of a Business Registration of any grade shall furnish the Office of Building Inspections with a written notice of the permanent address of each holder of the qualifying Master Electrician's License and of the qualifying Master Sign Electrician's License under their employment and shall furnish the Office of Building Inspections with a written notice of the address and telephone number of their regularly established place of business.
- E. Vehicle Markings: Any street vehicle operated by a Registered Electrical Contractor or Registered Electrical Sign Contractor or an employee or subcontractor of such business and used in the business of performing work under this Code shall bear markings showing the business name of the firm or corporation for which work is being performed by the Registrant and the Electrical Contractor or Electrical Sign Contractor license number issued by the State of Texas. The information required to be displayed must be:

1. printed in letters and numbers that are at least two (2) inches high and contrast in a color that contrasts with the color of the background, and
2. permanently attached in conspicuous places on both sides of the vehicle.

#### **Section 4.05 Special Provisions for Maintenance Electricians**

- A. "Electrical Maintenance Work" shall mean 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. 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, § 1305.003.
- B. Nothing in this section shall be construed to limit the right of an electrician licensed by the State of Texas from performing electric maintenance work or to limit the right to perform such electrical maintenance work under the supervision, direction and control of a Master Electrician or Master Sign Electrician.

#### **Section 4.06 Exception From License Requirement**

**Homeowner:** A homeowner may personally install electrical branch circuits (no service feeders or equipment) within his or her legal residence, providing that he or she passes a homeowner's electrical examination administered by the Building Inspections Department. The electrical work permitted by the homeowner is limited to a maximum of three new alternating current branch circuits or circuit extensions not in excess of 30 amperes. All new electrical installations must conform to the provisions of the National Electrical Code and the City of Arlington Electrical Chapter as adopted.

**Exception:** Service equipment may be changed only by homeowners with a Residential Wireman, Journeyman or Master Electrician's License issued by the Texas Department of Licensing and Regulation and only when approved by the Building Official.

#### **Section 4.07 Business Registration**

- A. Registration Required: Except as specifically exempted within this Article, it shall be unlawful for any person, firm or corporation to perform or cause to be

performed any work described in this Code as requiring a permit, unless such person, firm or corporation is the holder of a valid registration with the City to perform such work. Such person, firm or corporation shall be herein termed Registrant. In extending the rights and privileges of such registration, the City makes no statement of the technical competency of those so registered and no manner of license is proffered.

B. Information to be Provided: An applicant for registration under this Section shall provide to the Building Official the following information:

1. The complete name, complete mailing address and telephone number of the firm or corporation.
2. The name and private mailing address of a principal of the firm or corporation who is a person authorized to bind the firm or corporation in legal agreements.
3. The name and license identification of the Master of Record as registered with the Texas Department of Licensing and Regulation, as provided for in Section 4.01 of this Code, through whom the person, firm or corporation is to be represented in all activities before the Building Official (except registration for a person, firm or corporation specifically exempted from license requirements).
4. The original Texas Department of Licensing and Regulation issued Electrical Contractors or Electrical Sign Contractors Registration Certificate.
5. Other pertinent information deemed necessary in writing by the Building Official.

C. Every Registrant shall make contact with the Office of the Building Official to ensure the accurate revision of registration information, including change of licensed individual or address or telephone number, within ten (10) days from when previous information supplied in his application is made invalid for any reason.

D. Every Registrant doing electrical work in the City of Arlington shall carry General Liability Insurance in not less than the following amounts:

\$300,000 per occurrence (combined for property damage and bodily injury) with a \$600,000 aggregate (total for property damage and bodily injury coverage)  
\$300,000 aggregate for products and completed operations.

The Registrant shall make the City of Arlington an additional insured for any work in or on any City rights-of-way or City property of any kind. Every registrant shall present proof of insurance at the time of registration and all subsequent renewals. Notice of policy cancellations or failure to renew coverage or maintain the City as additional insured shall be cause for revocation of registration, denial of inspections or cancellation of permits.

- E. Transfer of Registration Prohibited: No Registrant under this Section shall allow his or her registration, by name or other identification, to be transferred or assigned to, or in any manner directly or indirectly used by any person, firm or corporation other than the one to whom issued by the Building Official, for any purpose.
- F. Exemption for Homeowner: For a homeowner registration, there shall not be any registration fee for alteration or repair work to be performed on a residential structure when the person performing the alteration or repair work is the owner of the structure, and has his legal residence there and is not assisted by any other person for remuneration. The homeowner shall be automatically termed a Registrant for the purposes of such a project. Notwithstanding such relief from registration, all requirements for permits for the work shall remain in force.
- G. Business Registration Fee: For a Business Registration, pursuant to this section, a fee shall be paid in addition to the other provisions provided herein. The fee for initially establishing registration data along with an annual renewal fee for continuing the validity of registration data shall be set from time to time by resolution of the City Council.
- H. Expiration and Renewal of Business Registration: Registration shall expire annually and shall be routinely reactivated by payment of a renewal fee if application information remains accurate. A registration may be renewed as herein provided at any time from sixty (60) days preceding the date of expiration through ninety (90) days following the date of expiration. A registration not renewed for ninety (90) days beyond the date of expiration shall require resubmittal of registration information and payment of fee as for initial registration.

#### **Section 4.08 Permit Issued Only to Registrant**

A permit to perform, or cause to be performed, any work regulated by this Code shall only be issued to a Registrant as provided for in Section 4.09, and only after the requirements defined in this Article have been accomplished. For work requiring licensing under this Article, no permit shall be issued unless Registrant designates the appropriate Licensee who will be responsible to the Building Official for the prosecution and supervision of the work to be performed; only such designated Licensee may require inspections. Prior to issuance of the permit, the Building Official may review the

proposed project with other departments of the City to ensure that no conflict with other City regulations is created or perpetuated by issuance of the permit. An adverse determination in this review may be grounds for denial of the permit.

**Exception:** A sign permit issued to a registered sign company employing a master electrician or master sign electrician shall be permitted to connect an approved electrical sign, listed and labeled by a recognized testing laboratory. A sign permit does not include any wiring on the primary side of a transformer.

#### **Section 4.09 Responsibilities of Licensee and Registrant**

- A. Operations: The holder of a Master Electrician's License, or a Master Sign Electrician's License shall be responsible for the performance of permitted work in compliance with this Code.
- B. Administration: Registrants shall be responsible for the employment of licensed personnel to perform the permitted work and for the payment of fees as required by this Code.

#### **Section 4.10 Business Registration Suspension and Revocation**

- A. Business Registration Suspended: The Electrical Board shall have the authority to suspend any Business Registration issued under this Code for any of the following acts by the Registrant:
  - 1. Forfeiting an appeal of a Stop Order under Section 2.05(C) by continued work, whether of registrant or of one under his supervision, after the issuance of a Stop Order.
  - 2. Forfeiting an appeal from the Board under Section 3.05 by initiating work in violation of the Board's decision or prior to the Board's decision.
  - 3. Causing or permitting the unauthorized or prohibited use of a valid Business Registration by others not permitted the rights and privileges of a registered business to be applied to one not duly registered.
  - 4. Convictions of two (2) violations of any of the provisions of this Code committed within a period of twelve (12) consecutive months (except that remedy of the violation within twenty [20] days of notice of violation shall cause the waiver of such conviction for the purpose of this subsection).

Such revocation of a Business Registration shall be for a time not to exceed six (6) months. After expiration of such period of time as the Board shall have designated, and after payment of any outstanding fines and routine renewal fee if

it has become due in the interim, the suspended Business Registration shall again become valid and effective.

**B. Business Registration Revoked:** The Electrical Board shall have the authority to revoke a Business Registration issued under this Code for any of the following acts by the Registrant, or any individuals or agents performing work for the registered company:

1. Conviction of a violation constituting the practice of a fraud or deceit in securing (a) a Master Electrician License or Master Sign Electrician license, or (b) a permit.
2. Convictions of three (3) violations of this Code committed within a period of twelve (12) consecutive months, subject to waiver provision in Section 4.05(A)(4).
3. Accumulation of two (2) decisions of the Board for suspension of a Business Registration.
4. Accumulation of two (2) forfeitures of appeals, as set forth in Section 4.05(A)(1) and (2), within a period of twelve (12) consecutive months.

Such revocation of a Business Registration by the Board shall be full and final cancellation of same, made effective on the date of the Board's decision. Any Registered Business so judged by the Board shall not again be issued a Business Registration in the City.

**C. Suspension or Revocation Hearing:** In considering charges under this Section regarding suspension or revocation of a Business Registration, the Board shall proceed upon sworn information furnished it by an official of the City or by any person. Such information shall be in writing and shall be duly verified by the person familiar with the allegations made. The Board shall make an order setting the matter for hearing at a specified time and place, and the Secretary of the Board, with the advice of the City Attorney, shall cause a copy of the Board's order and of the pertinent information, to be served upon the registrant in person or by registered mail at least fifteen (15) days before the date set for the hearing. The Registrant may appear in person or by counsel at the time and place named in the order and present his defense to the Board. The City Attorney shall provide counsel for the Board. If the registrant fails or refuses to appear, the Board may proceed to hear and determine the charge in his absence. If he pleads guilty, or if upon a hearing of the charge the Board finds any of the charges to be true, it may enter an order suspending or revoking the Business Registration. Failure to properly perfect an appeal in a court of competent jurisdiction within ten (10) days of receipt of the Board's decision shall render final the Board's decision. Suspension or revocation resulting from a decision of the Board shall preclude the Business Registrant from securing a permit for work controlled by that Business

Registration in the City, or from becoming so registered under alternate identification as long as the suspension or revocation is in effect.

- D. Any Business Registration which expires and is not renewed within one (1) year of the expiration thereof shall thereafter be renewed only upon compliance with the application provisions of the Code as if the Business thereof had never been registered.

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand and No/100 Dollars (\$2,000) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

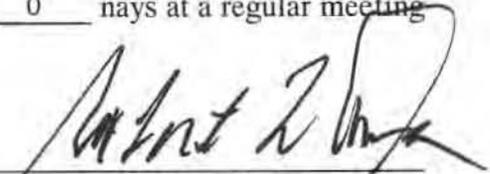
7.

The caption of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

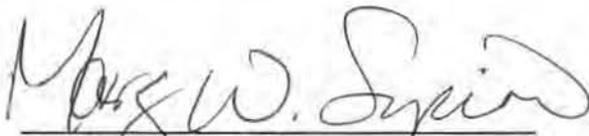
8.

This ordinance shall become effective May 24, 2012, which is 30 days after the final adoption of the ordinance at the second reading on April 24, 2012.

PRESENTED AND GIVEN FIRST READING on the 3rd day of April, 2012, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 24th day of April, 2012, by a vote of 7 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.

  
ROBERT N. CLUCK, Mayor

ATTEST:

  
MARY W. SUPINO, City Secretary

APPROVED AS TO FORM:  
JAY DOEGEY, City Attorney

BY 

Ordinance No. 15-036

**An ordinance amending the "Electrical" Chapter of the Code of the City of Arlington, Texas, 1987, through the deletion of Article VIII, Miscellaneous, relative to electrical fences; providing this ordinance be cumulative, providing for severability, governmental immunity, injunctions, publication and becoming effective ten days after first publication**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "**Electrical**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the **deletion** of **Article VIII, Miscellaneous**.

2.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

3.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

4.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

5.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

6.

The caption of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

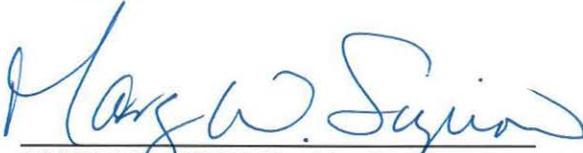
7.

This ordinance shall become effective ten (10) days after first publication as described above.

PRESENTED AND GIVEN FIRST READING on the 4<sup>th</sup> day of August, 2015, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 25<sup>th</sup> day of August, 2015, by a vote of 7 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.

  
W. JEFF WILLIAMS, Mayor

ATTEST:

  
MARY W. SUPINO, City Secretary

APPROVED AS TO FORM:  
TERIS SOLIS, City Attorney

BY 

**Ordinance No. 18-019**

**An ordinance amending the “Electrical” Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, General Provisions, relative to adopting the 2017 Edition of the National Electrical Code; adopting local amendments and associated appendices; providing for a fine of up to \$2,000.00 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date**

WHEREAS, after receipt of public comment in accordance with Section 214.217 of the Texas Local Government Code, and upon the advice and recommendation of the Electrical Board of Appeals, the City Council finds that it is in the public interest to adopt the 2017 Edition of the National Electrical Code for the preservation of public safety and the general welfare of its citizens; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the “Electrical” Chapter of the Code of the City of Arlington, Texas, 1987, as amended, Article I, Administration, Sections 1.01 through 1.07, are hereby repealed and replaced in their entirety and shall hereafter read as follows:

**ARTICLE I****ADMINISTRATION****Section 1.01 Title**

This ordinance shall be known as the “Arlington Electrical Code,” may be cited as such and will be referred to herein as “this Code.”

**Section 1.02 Purpose**

The purpose of this Code is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, inspection, performance and maintenance of electrical equipment used for light, heat, power, radio, television, signaling and for other purposes.

### **Section 1.03 Scope**

- A. **General**: The provisions of this Code apply to all installations of, and work done on, electrical conductors, fittings, devices, motors, appliances and fixtures, hereafter referred to as “electrical equipment”, in or on public and private buildings and premises.
- B. **Compliance**: On all installations of electrical equipment hereafter made, and on all existing installations which are altered, all work must be done in a manner that conforms to the requirements for sufficient and safe electrical systems as provided in this Code.
- C. **Public Utilities**: The provisions of this Code do not apply to installations used by electricity supply, electric railway or communication agencies in the generation, transmission, or distribution of electricity or for the operation of street railways, signals or the transmission of intelligence when located within or on public thoroughfares, buildings or premises used exclusively by an agency operating under a franchise agreement with the City and under the jurisdiction of the Director of Utilities.
- D. **Radio and Television Stations**: The provisions of this Code shall apply to all electrical equipment used for power supply to radio and television transmitting equipment, but they shall not apply to other electrical equipment used for radio and television transmissions.

### **Section 1.04 Existing Equipment**

- A. **Lawfully Installed**: Electrical equipment lawfully installed prior to the effective date of this Code may be continued in its existing use with maintenance and repair continued if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health or property, except where specifically required by the Code of the City of Arlington, Texas.
- B. **Maintained**: Electrical equipment, both existing and new, shall be maintained in a safe condition. The owner or his designated agent shall be responsible for the maintenance of electrical equipment.

### **Section 1.05 Other Laws and Ordinances**

The provisions of this Code shall not waive or set aside any provisions of the City or laws of the State of Texas. To the extent of a conflict between the existing ordinances of the City and this Code, this Code prevails.

## **Section 1.06 Prima Facie Evidence of Safe Conditions**

Conformity of electrical equipment and installations with provisions of this Code, the (NEC) National Electrical Code, and/or a (NRTL) Nationally Recognized Testing Laboratory shall be prima facie evidence that such equipment and installations are in safe condition.

## **Section 1.07 National Electrical Code**

A. **Adoption:** The National Electrical Code, 2017 Edition, as published by the National Fire Protection Association, referred to herein as “NEC”, a copy of which is filed in the office of the City Secretary of the City of Arlington, Texas, is hereby adopted and designated as the Electrical Code of the City of Arlington, the same as though such Code were copied at length herein, subject, however, to the deletions, amendments and addenda provided in Section 1.07(B) hereof.

B. **Additions, Amendments and Deletions:** The National Electrical Code, as adopted in Section 1.07(A) hereof, is hereby modified by the following deletions, amendments and addendums. These additions, amendments and deletions shall have precedence in any case where they are in conflict with the National Electrical Code adopted in Section 1.07(A) above.

1. The amendment of Article 100, entitled **DEFINITIONS**, by adding 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.

2. The amendment of Article 110.2, entitled **Approval**, 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 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.

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.

3. The amendment of Article 210.12 (A), entitled **Dwelling Units**, by the addition of Exception 2 to read as follows:

Exception No. 2: Arc-Fault Circuit-Interrupter type circuit breakers shall not be required when ALL of the following conditions are met:

- (1) The existing panelboard and/or circuit breaker supplying outlets otherwise required to be protected by arc-fault circuit interrupters is being replaced,
- (2) The branch circuit feeding outlets required to be protected by arc-fault circuit interrupters is not being repaired, replaced, extended, or otherwise altered in any way, and
  - a. The dwelling unit was constructed prior to January 1, 2002; or,
  - b. A family room, dining room, living room, parlor, library, den, sunroom, recreation room, closet, hallway, or similar area was constructed prior to the date of adoption of the 2008 NEC.

4. The amendment of Table 210.24, entitled **Summary of Branch-Circuit Requirements**, to read as follows:

**Table 210.24 Summary of Branch-Circuit Requirements**

| <b>Circuit Rating</b>                   | <b>15A</b>    | <b>20A</b>    | <b>30A</b>    | <b>40A</b>    | <b>50A</b>     |
|---|---------------|---------------|---------------|---------------|----------------|
| Conductors<br>(min. size)               |               |               |               |               |                |
| Circuit wires <sup>1</sup>              | 12            | 12            | 10            | 8             | 6              |
| Taps                                    | 12            | 12            | 12            | 12            | 12             |
| Fixture wires<br>& cords – see<br>240.5 |               |               |               |               |                |
| <b>Overcurrent Protection</b>           | <b>15 A</b>   | <b>20 A</b>   | <b>30 A</b>   | <b>40 A</b>   | <b>50A</b>     |
| Outlet devices:                         |               |               |               |               |                |
| Lampholders Permitted                   | Any type      | Any type      | Heavy Duty    | Heavy Duty    | Heavy Duty     |
| Receptacle Rating <sup>2</sup>          | 15 max. A     | 15 or 20 A    | 30 A          | 40 or 50 A    | 50A            |
| <b>Maximum Load</b>                     | <b>15 A</b>   | <b>20 A</b>   | <b>30 A</b>   | <b>40 A</b>   | <b>50A</b>     |
| Permissible Load                        | See 210.23(A) | See 210.23(A) | See 210.23(B) | See 210.23(C) | See 210.23 (C) |

<sup>1</sup> These gauges are for copper conductors

<sup>2</sup> For receptacle rating of cord-connected electric-discharge luminaires, see 410.30(C)

5. The amendment of Article 230.70(A)(1), entitled **Readily Accessible Location**, to read as follows:

The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. Three-phase services to non-residential occupancies shall have the disconnecting means located on the exterior of the building or structure when the metering equipment is located on the exterior of the building or structure.

6. The amendment of Article 230.71(A), entitled **General**, to add an Exception to read 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.

7. The amendment of Article 250.64, entitled **Grounding Electrode Conductor Installation**, to read as follows:

**250.64 Grounding Electrode Conductor Installation.** Grounding electrode conductors at the service, at each building or structure where supplied by a feeder(s) or branch circuit(s), or at a separately derived system shall be installed as specified in 250.64(A) through (G).

8. The amendment of Article 250.64, entitled **Grounding Electrode Conductor Installation**, by the addition of subsection (G) to read as follows:

**(G) Single Point Grounding Electrode.** Multiple Occupancy buildings, other than Group R as defined in the building code, shall have an aluminum or copper busbar not less than 6mm X 50mm X 600mm (1/4 in. X 2 in. X 24 in.) installed in a lockable cabinet located at each service location. All available grounding electrodes as described in 250.52(A)(1) through (A)(7) shall be connected to this busbar. In no case shall the grounding electrode conductors serving this busbar be smaller than 3/0 AWG copper wire.

Exception #1 Where the electrode is a rod, pipe, or plate electrode, that portion of the bonding jumper that is the sole connection to the busbar shall not be smaller than 6 AWG copper wire.

Exception #2 Where the electrode is a concrete-encased electrode, that portion of the bonding jumper that is the sole connection to the busbar shall not be smaller than 4 AWG copper wire.

9. The amendment of Article 250.68(B), entitled **Effective Grounding Path**, by the addition of a second paragraph to read as follows:

The connection of the grounding electrode conductor or bonding jumper to a grounding electrode shall be made in a manner that will ensure a permanent and effective grounding path. Where necessary to ensure the grounding path for a metal piping system used as a grounding electrode, bonding shall be provided around insulated joints and around any equipment likely to be disconnected for repairs or replacement. Bonding jumpers shall be of sufficient length to permit removal of such equipment while retaining the integrity of the grounding path. An effective grounding path connection to building steel shall be made by exothermic welding (cad welding); or listed pressure connectors or listed lugs with bolted connection through drilled and thread tapped mounting hole(s) at an accessible point on a common structural building steel member.

10. The amendment of Table 310.106(A), entitled **Minimum Size of Conductors**, to read as follows:

**Table 310.106(A) Minimum Size of Conductors<sup>1</sup>**

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

<sup>1</sup> Exception: An equipment grounding conductor within a listed cable assembly.

11. The amendment of Article 334.10(3) to read as follows:

(3) Other structures permitted to be of Types III, IV, and V construction except as prohibited in 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.

FPN No. 1: Types of building construction and occupancy classifications are defined in accordance with the Construction Chapter.

FPN No. 2: See Annex E for determination of building types [NFPA 220, Table 3-1]. Cross Reference all building types as indicated in Table E.3 with the Construction Chapter.

FPN No. 3: Listings of acceptable finish ratings are provided in the Construction Chapter.

12. The amendment of Article 334.12(A), entitled **Types NM, NMC, AND MNS**, by the addition of Item (11) 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.

13. The amendment of Article 500.8 (A) (3) to read as follows:

**500.8 Equipment.**

Articles 500 through 504 require equipment construction and installation 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 I, 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; or,
- (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 in the State of Texas.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information.

14. The amendment of Article 505.7 (A), entitled **Implementation of Zone Classification System**, 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 in the State of Texas.

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand Dollars and No Cents (\$2,000.00)

for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington; and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

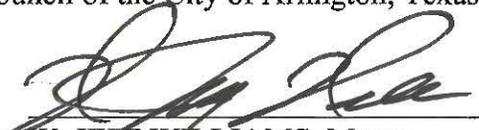
7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, Texas, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

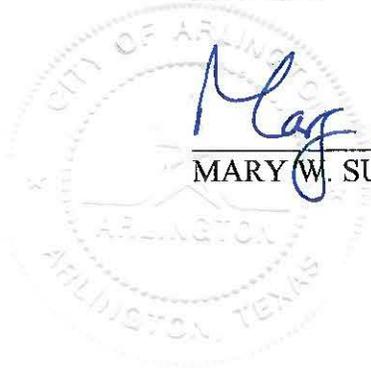
8.

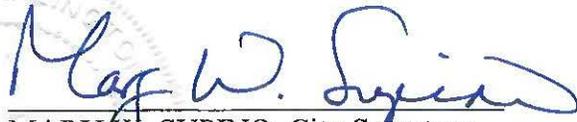
This ordinance shall become effective thirty days after adoption.

PRESENTED AND GIVEN FIRST READING on the 20th day of March, 2018, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 10th day of April, 2018, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.

  
W. JEFF WILLIAMS, Mayor

ATTEST:



  
MARY W. SUPINO, City Secretary

APPROVED AS TO FORM:  
TERIS SOLIS, City Attorney

BY 

