



City of Rowlett

Official Copy

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

Ordinance: ORD-014-21

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF ROWLETT, BY AMENDING ARTICLE III (“ELECTRICAL CODE”) OF CHAPTER 78 (“BUILDINGS AND BUILDING REGULATIONS”) TO AMEND SECTION 78-141 AND SECTION 78-142 PROVIDING FOR THE ADOPTION OF THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE AND PROVIDING FOR AMENDMENTS TO THE CODE ADOPTED HEREBY; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett, Texas, finds and determines that the Council has previously adopted the provisions of the 2014 edition of the National Electrical Code to serve as the electrical code applicable in the City, as well as certain amendments to the code; and

WHEREAS, the adoption of the more recent edition will provide greater uniformity in the enforcement of and compliance with the code, will provide more effective safety and structural integrity for habitable structures and related equipment and systems, and will protect and preserve the City’s ISO rating; and

WHEREAS, the City Council of the City of Rowlett, Texas, finds and determines that the adoption of the 2020 edition of the National Electrical Code provided for herein is in the best interest of the public health, safety and welfare of the citizens of the City.

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

SECTION 1: That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending section 78-141 of Article III (“Electrical Code”) of Chapter 78 (“Buildings and Building Regulations”) to replace section 78-141 in its entirety, such that section 78-141 shall henceforth read in its entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...

ARTICLE III. ELECTRICAL CODE

Sec. 78-141. Adopted.

There is hereby adopted, the 2020 edition of the National Electrical Code, as the electrical code for the city for the purpose of regulating and governing the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance, of electrical conductors, equipment, and raceways; signaling and communications conductors, equipment, and raceways; and optical fiber cables and raceways, subject to the exceptions and amendments provided in Sec 78-142, and the same are incorporated by reference herein

as if fully copied. One copy of the code, together with the exceptions and amendments thereto, shall be kept at all times in the office of the city secretary and building official. This code shall serve as the electrical provisions of the International Residential Code, as adopted elsewhere.”

SECTION 2: That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending section 78-142 of Article III (“Electrical Code”) of Chapter 78 (“Buildings and Building Regulations”) to replace section 78-142 in its entirety, such that section 78-142 shall henceforth read in its entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

. . .

ARTICLE III. ELECTRICAL CODE

. . .

Sec. 78-142. Amendments to the National Electrical Code

The Electrical Code adopted in this article shall be subject to the following exceptions and amendments:

a. Article 100 of the 2020 edition of the National Electrical Code is hereby amended by adding the following definition:

Engineering Supervision. Supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations. ■

b. Article 110.2 of the 2020 edition of the National Electrical Code is hereby amended to read as follows:

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

c. Article 300.5 (A), Minimum Cover Requirements, of the 2020 edition of the National Electrical Code is hereby amended to read as follows:

A. **Minimum Cover Requirements.** Direct-buried cable, conduit, or other raceways shall be installed to meet the minimum cover requirements of Table 300.5.

Exception. Any conductor, regardless of voltage, including Telephone lines and Cable TV lines, installed within a City Right-of-Way must have a minimum cover of twenty-four (24) inches.

d. Article 505.7 (A) of the 2020 edition of the National Electrical Code is hereby amended 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.

e. All electrical construction and all materials and appliances used in connection with the installation, maintenance and operation of electrical wiring, apparatus or equipment for the utilization of electrical energy for light, heat or power, inside the city limits, shall conform to the rules and regulations of the National Electrical Code, as adopted and amended in this article, and the meter installation specifications of the electrical utility provider as the latter two exist and as they may be revised from time to time.

f. **Conflicts.** In the event of a conflict between this article and other codes, adopted or referenced, the preference will proceed in the following order:

1. City electrical ordinances;
2. National Electrical Code;
3. Specifications for electrical service and meter installations by electric utility providers.

g. **State License required.**

1. No person shall perform electrical work in the city unless properly licensed by the state of Texas. This section shall not apply to a person to whom a homeowner's permit has been issued.
 2. Any person who knowingly employs or allows an unlicensed contractor or electrician to perform work or install electrical
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conductors/equipment or apparatus shall be guilty of violation of this chapter and subject to the penalties set forth.

3. All persons performing electrical work shall have a current and valid Texas license to perform electrical work on his/her person at all times while performing electrical work.

4. All persons performing electrical work shall comply with all Texas Department of Licensing and Regulation electrical licensing requirements.

h. City Registration Required.

1. No person shall perform electrical work unless the company is properly registered as an electrical contractor with the City of Rowlett. To obtain registration the company shall register with the city and pay the fee provided in the city's adopted fee schedule for the purpose of evidencing compliance with the licensure requirements of the state. The chief building official shall promulgate a registration form that as a minimum requires the submittal and disclosure of the following information:

a. Name, physical address, email address and telephone number(s) of the license holder;

b. Business name, physical address, email address and telephone number of the main office;

c. State-issued Master Electrical and Electrical Contractor license number, along with a photocopy of such license;

d. Photocopy of State-issued identification card (driver license)

2. Each registrant in the city shall notify the city of any change in status in the person's license within three (3) business days of any change in information concerning the license, such as a change in business name or address, and shall notify the city within two (2) business days in the event of a suspension or revocation by the state of the license registered with the city. Failure to so notify shall be a violation of this Code.

i. Expiration of Registration.

All registrations under this article shall expire at midnight on the date of the expiration of the associated State Master Electrical and State Electrical Contractor License.

j. New Installation and Relocation of Electrical Meters. When new electrical meters are installed or existing electrical meters are to be relocated, the disconnection, connection, or reconnection of service entrance conductors to the meter shall be made only by authorized employees of the electrical utility provider.

k. Connection of Electrical Power. A person commits an offense if he makes connection to a supply of electricity, or supplies electricity to any electrical equipment for which a permit is required or that has been disconnected, unless approval has been issued by the building official authorizing the connection and use of the equipment. The electrical service provider shall not connect an electrical

meter without a release from the City of Rowlett authorizing the connection of the electrical meter.

I. **Permits and inspections required.**

1. No electrical wiring/equipment shall be installed, including the installation of signs, or electrical work done within or on any building, structure or premises, public or private, nor shall any alterations or additions be made to any such existing equipment or electrical system without the issuance of a building permit for such work by the City of Rowlett.

2. Exception No. 1: **Minor Repairs.** Minor repair work such as repairing or replacing flush and snap switches, receptacles and lamp sockets, or minor repairs on permanently connected electrical equipment, apparatus, appliances, lighting fixtures, etc.

3. Exception No. 2: **Maintenance.** The installation, maintenance, or alteration of wiring apparatus, devices, appliances or equipment for telegraph, telephone, signal service or central station protective service used in conveying signals or intelligence, except where electrical work is done on the primary side of the source of power at a voltage exceeding 50 volts AC.

4. Exception No 3: **Utilities.** Work performed by authorized employees of the electrical utility company that is part of the public utility system.

5. Exception No. 4: **Homeowners.** A homeowner may personally install electrical conductors or equipment on homestead premises owned and occupied by the owner if the owner files approved plans and specifications with the chief building official, applies for and secures a permit where required, pays required fees, and does work in accordance with this Code and the provisions of Chapter 78 of the Rowlett Code of Ordinances. A homeowner shall not hire another person to assist in any way on the work where a permit is required – unless the other person is qualified to perform and obtains a permit for the electrical work.

m. Certain amendments to the National Electrical Code adopted herein, are adopted as a part of said code and shall be maintained, together with the National Electrical Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.”

SECTION 3: That all references in the National Electrical Code adopted herein to boards of appeal shall refer to the board of adjustment of the City of Rowlett, Texas, which shall be and is hereby authorized to act and preside as a board of appeals under each of the codes adopted by this ordinance.

SECTION 4: That all ordinances of the City of Rowlett, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 5: That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances and ordinances of the City, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6: That should any section, paragraph, sentence, subdivision, clause, phrase or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the Code of Ordinances of the City.

SECTION 7: That any person, firm or corporation violating any of the provisions or terms of this ordinance or the codes adopted hereby, as same may be amended, shall be deemed guilty of a misdemeanor and subject to a penalty as provided for in this ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 8: That this ordinance shall take effect on and after December 15, 2020, and the publication of the caption as the law and charter in such cases provide.

At a meeting of the City Council on March 16, 2021 this Resolution be adopted. The motion carried by the following vote:

Ayes: 6 Mayor Dana-Bashian, Deputy Mayor Pro Tem Bell, Councilmember Margolis, Councilmember Sherrill, Councilmember Laning and Councilmember Brown

Absent: 1 Mayor Pro Tem Grubisich

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Approved by Tommy Davis - Bassham Date March 16, 2021
Mayor

Approved to form by [Signature] Date March 16, 2021
City Attorney

Certified by Laura Hallmark Date March 16, 2021
City Secretary

