

On motion of *Mr. Bell*
Mr. Wilkerson

and seconded by
the following Ordinance was introduced:

ORDINANCE 68-137

AN ORDINANCE TO PROVIDE FOR THE ADOPTION OF THE NATIONAL ELECTRIC CODE STANDARD OF THE NATIONAL BOARD OF FIRE UNDERWRITERS FOR ELECTRIC WIRING AND APPARATUS FOR THE City of De Leon, Texas CREATING THE OFFICE OF ELECTRICAL INSPECTOR, FOR LICENSING OF ELECTRICIANS AND FOR OTHER PURPOSES, AND REGULATING THE INSTALLATION OF ELECTRIC WIRING AND APPARATUS AND OTHER PURPOSES

Be it ordained by the City of De Leon, Texas

Section 1 Adoptions of Electric Code. That there is hereby adopted Ordinance No. _____ for the purpose of establishing rules and regulations for the construction, alteration, removal and maintenance of electric wiring and apparatus, including permits and penalties, that certain electric code known as the National Electric Code Standard of the National Board of Fire Underwriters, being particularly the 1905 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of which not less than three (3) copies have been and now are filed in the office of the City Secretary and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling in the construction, alteration, maintenance or removal of all electric wiring and apparatus within the corporate limits of the City of De Leon, Texas

Section 2. Inspector. There is hereby created the office of Electrical Inspector who shall be appointed by the Mayor, subject to the Confirmation of the Council
The Electrical Inspector shall be of good moral character, shall be versed in the approved methods of electrical construction for safety of life and property and the National Electrical Code. He shall receive such compensation as the Mayor & Council may decide

Section 3 Duties. The Electrical Inspector shall have the duty and is hereby authorized, empowered and directed to regulate and determine the placing of electric wires or other appliances for electric lights, heat or power in the City of De Leon and to cause all such wires, appliances or apparatus to be placed, constructed and guarded as not to cause fires or accidents, endangering life or property, and to cooperate with the Fire Marshall.

It shall be the duty of the Electrical Inspector to enforce all provisions of this Ordinance and he is hereby granted the authority to enter all buildings in the City of De Leon in the performance of his duties between the hours of eight A. M. and five P. M. daily, except that in emergency and within the limits of reason, may enter buildings for such purposes at other than the designated hours

It shall be the duty of the Electrical Inspector to inspect and/or test all electrical work and equipment or apparatus for compliance with the Code whenever electric wiring, appliances, or apparatus shall be defective or hazardous through improper manufacture of improper or insufficient insulation or for any other reason, he shall at once cause the removal of such defect or defects, at the expense of the owners of such wiring appliance or apparatus.

Section 4 Permits. No installation, alteration, or removal shall be made in/or of the wiring of any building or structure for light, heat or power or to increase the load of energy, carried by such wires or equipment, nor shall any building or structure be wired for electric lights, appliances, motors, apparatus, or heating devices nor alterations made thereto without a written permit therefor being first obtained from the De Leon License Issuing Clerk by the person, firm or corporation having direct charge of such installation.

Section 5 Inspection. Upon the completion of the wiring, installation or alteration of any building or structure for light, heat, power, appliance or apparatus, it shall be the duty of the person, firm or corporation having direct charge of such to notify the Electrical Inspector who shall, as early as possible, inspect such wiring, installation, appliance, and apparatus and if installed, altered and constructed in compliance with the permit in accordance with the requirements of this Ordinance, he

shall execute a certificate of satisfactory inspection, which shall contain the date of such inspection and the result of his examination, but no such certificate shall be issued unless such electric wiring, motors, heating devices, appliances, and apparatus be in strict accord with the rules and requirements and the spirit of this Ordinance, nor shall current be turned on such installation, equipment, appliance, motors, heating device, and apparatus until said certificate be issued. The amount of fee or charge to be made for such inspections and certificate shall be \$2.50 per inspection and \$0.25 per circuit.

Section 6 Standards. All electrical construction, all materials, appliances, motors, heating devices, and apparatus used in connection with electrical work and the operation of all electrical apparatus within the City of De Leon, shall conform to the rules and requirements of the National Electrical Code current when work is performed or equipment and apparatus installed, however, the necessity, good service and said results often require larger sizes of wire, more branch circuits, and better types of equipment that the minimum which is specified in the National Electrical Code. Therefore, the Electrical Inspector supervising the enforcement of this code will have the responsibility and authority for making interpretations of the rules, for deciding upon the approval of equipment, materials, construction and for granting the special permission contemplated in a number of the rules and the Electrical Inspector, where necessary, shall follow the code procedure for securing official interpretations of the code.

Section 7 Licensing of Electricians. Any person, firm or corporation desiring to engage in the business of electrical construction or of the installation of wiring and apparatus for electric lights, appliances, heating or power in the City of De Leon shall, before doing so, obtain a license therefore, the fee for which shall be \$10.00 per year which shall be paid into the De Leon Treasury before such license shall become effective.

Section 8 Bond Required. Every person, firm or corporation doing electrical business in the City of De Leon shall execute and deliver to the City Secretary a bond with a surety bonding company in the sum of \$500.00 to indemnify the City of De Leon or any Citizen for any damage caused by the failure of such person, firm or corporation doing the electrical work to comply strictly with the provisions of this Ordinance.

Section 9 Qualification. No license shall be issued until the party applying for same has given satisfactory evidence to the Electrical Inspector of his or their ability to do said electrical work in a safe and satisfactory manner. No permit for installation or alteration of any wiring, heating devices, motors, appliances and apparatus shall be issued until the license and bond herein required have been obtained.

Section 10. Failure to comply. Any person, firm or corporation who shall fail to correct any defect or defects in his or her work or to meet the required standard after having been given notice of the unfit condition by the Electrical Inspector, within a reasonable time, shall be refused any other permit until such defect or defects have been corrected and shall be subject to revocation of license for continual defective work or either upon conviction for violation of the provision of this Ordinance.

Section 11. Upon failure to comply with this Ordinance, the Electrical Inspector shall have authority, after due notice, to cut out electric current in the locality concerned.

Section 12. Penalties. Any person, firm or corporation found guilty of violating any of the provisions of this Ordinance shall be subject to a fine of not less than Ten (\$10.00) dollars nor more than One Hundred (\$100.00) Dollars together with the costs of such prosecution, or by Imprisonment Each day during which violation continues shall be a separate offense.

Section 13 License to Individual. Any individual desiring to perform his own electrical work personally shall not be required to make the required bond or to obtain the required license, but shall be required to obtain the regular permit for that particular job. Such work done by an individual must be done by him personally on his own particular job and not be a way of performing a service to the public generally.

Section 14. Conflicting Ordinance Repealed. All ordinances or parts of Ordinances conflicting with any of the provisions of this Ordinance are hereby repealed.

Section 15. Saving Clause Nothing in this Ordinance or the code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or Ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 16. Validity. The invalidity of any Section or provision of this Ordinance or of the code hereby adopted shall not invalidate other sections or provisions thereof.

The roll call for the adoption of the foregoing ordinance resulted as follows:

YEAS: 3

NAYS: 0

Absent: Delton Nabors

Signed: *Terrell Sharp*

Date Passed: Jan. 9, 1968

Terrell Sharp, Mayor
De Leon, Texas

Attest: *Eula Weaver*

Mrs. Eula Weaver
City Secretary
(SEAL)