

ORDINANCE NO. 2012-227

AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF DENTON, TEXAS, ("ELECTRICAL CODE") BY REPEALING THE 2005 NATIONAL ELECTRICAL CODE WITH CERTAIN AMENDMENTS AND PROVIDING FOR THE ADOPTION OF THE 2011 NATIONAL ELECTRICAL CODE WITH CERTAIN DELETIONS AND AMENDMENTS; PROVIDING FOR A PENALTY IN THE AMOUNT OF \$2000.00 FOR VIOLATIONS THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. That Section 28-61 of Article III of Chapter 28 of the Code of Ordinances of the City of Denton, Texas, is hereby amended to read as follows:

**Sec. 28-61. Adoption of electrical code.**

The 2011 National Electrical Code as published by the National Fire Protection Association, a copy of which shall be filed with the office of the City Secretary and available for public inspection, is hereby adopted and designated as the electrical code of the city, the same as though that edition of such code were copied at length herein, subject to deletions and amendments enumerated in Section 28-62.

SECTION 2. That Section 28-62 of Article III of Chapter 28 of the Code of Ordinances of the City of Denton is hereby amended to read as follows.

**Sec. 28-62. Deletions and Amendments**

The National Electrical Code adopted by Section 28-61 is amended as follows:

**Amendments to the 2011 National Electrical Code**

*(1)Article 100, Part I; amend the following definition:*

**Intersystem Bonding Termination.** A device that provides a means for connecting bonding conductors for communication systems and other systems such as metallic gas piping systems to the grounding electrode system.

*(2)Article 110.5; change the following to read as follows:*

**110.5 Conductors.** Conductors normally used to carry current shall be of copper, or may be of aluminum if 2 AGW or larger and may be used only for service panelboards or sub-panelboard service feeders. Where conductor material is not specified, the material and the size...(the rest of the paragraph as written.)

*(3)Article 110.2; change the following 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.*

Manufacturer's self-certification of any equipment shall not be used as a basis for approval by the AHJ.

Informational Note: 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*.

**(4) Article 210.8(A)(1); change to read as follows:**

**210.8(A)(1) Dwelling units.** Bathroom, the Ground-Fault Circuit-Interruption device shall be located in the bathroom served.

**(5) Article 230.2; add sentence to end of section to read as follows:**

**230.2 Number of Services.** *{no changes to current section}*... The height of the meter, measured from finish grade, shall be between a minimum height of 4 feet to a maximum of 6 feet measured to the center of the glass.

**(1) Readily Accessible Location.** *The service disconnection means shall be installed at a readily accessible location on the outside of a building or structure nearest the service.*

**(6) Article 230.70(A)(1); change to read as follows:**

**(1) Readily Accessible Location.** *The service disconnection means shall be installed at a readily accessible location on the outside of a building or structure nearest the service.*

**(7) Article 240.91; delete the Article.**

**(8) Article 310.15(B)(7); change to read as follows:**

**(7) 120/240-Volt, 3-Wire, Single-Phase Dwelling Services and Feeders.** For dwelling units, conductors, as listed in Table 310.15(B)(7), shall be... *{text unchanged}*... provided the requirements of 215.2, 220.61, and 230.42 are met. This Article shall not be used in conjunction with 220.82.

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

**500.8 Equipment.** Articles 500 through 504 require equipment construction and installation standards 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

- (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.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information. Guidelines for certificates may be found in ANSI/ISA 12.00.02, *Certificate Standard for AEx Equipment for Hazardous (Classified) Locations*.

**(10) Article 505.7(A) changed to read as follows:**

**505.7 Special Precaution.** Article 505 requires equipment construction and installation that ensures 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 the installation and maintenance of electrical equipment in hazardous (classified) locations.

Informational Note No. 2: Low ambient conditions require special consideration. Electrical equipment depending on the protection techniques described by 505.8(A) may not be suitable for use at temperatures lower than -20°C (-4°F) unless they are identified for use at lower temperatures. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified Class I, Zones 0, 1, or 2 at normal ambient temperature.

**(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.

**(11) Article 680.25(A) changed to read as follows:**

**680.25 Feeders.** These provisions shall apply to any feeder on the supply side of panelboards supplying branch circuits for pool equipment covered in Part II of this article and on the load side of the service equipment or the source of a separately derived system.

**(A) Wiring Methods.**

**(1) Feeders.** Feeders shall be installed in rigid metal conduit or intermediate metal conduit. The following wiring methods shall be permitted if not subject to physical damage:

- (1) Liquidtight flexible nonmetallic conduit
- (2) Rigid polyvinyl chloride conduit
- (3) Reinforced thermosetting resin conduit
- (4) Electrical metallic tubing where installed on or within a building
- (5) Electrical nonmetallic tubing where installed within a building
- (6) Type MC cable where installed within a building and if not subject to corrosive environment
- (7) Nonmetallic-sheathed cable
- (8) Type SE cable

*Exception: An existing feeder between an existing remote panelboard 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).*

**END**

**SECTION 3.** If any provision of this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end provisions of this ordinance are severable.

SECTION 4. All provisions of the ordinances of the City of Denton in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the ordinances of the City of Denton, not in conflict with the provisions of this ordinance, shall remain in full force and effect.

SECTION 5. Any person violating any provision of this ordinance shall, upon conviction, be fined a sum not to exceed two thousand dollars (\$2000.00). Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 6. This ordinance shall become effective October 1, 2012 and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, the official newspaper of the City of Denton, Texas, within ten (10) days of the date of its passage.

PASSED AND APPROVED this the 11<sup>th</sup> day of September, 2012.

Mark A. Burroughs  
MARK A. BURROUGHS, MAYOR

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

BY: Jennifer Walters

APPROVED AS TO LEGAL FORM:  
ANITA BURGESS, CITY ATTORNEY

BY: Anita Burgess