

ORDINANCE NO. O: 2012 - 040

AN ORDINANCE AMENDING THE DEL RIO CODE OF ORDINANCES CHAPTER 8, ARTICLE V, ELECTRICAL INSTALLATIONS; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, City staff and local electrical contractors have met and reviewed the current electrical installation ordinance that was established in 1962; and

WHEREAS, it was found that the current provisions contradict with the Texas State Regulations for Electricians and Contractors and are more stringent in some sections than the adopted National Electrical Code Edition; and

WHEREAS, the City Council desires to establish regulations that are easier for the public to understand; and

WHEREAS, the proposed provisions are of such a comprehensive nature that it is necessary to repeal the existing Article V; and

WHEREAS, the intent and purpose of these new provisions is to promote and protect the public's health, safety, welfare, and to be at the same level with the Texas State Regulations for Electrician and Contractors.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEL RIO, TEXAS, THAT:

Section 1. The City Council finds the above recitations to be true and correct and hereby adopts said findings as fully as if set forth in full herein.

Section 2. Chapter 8, Article V, of the Del Rio Code of Ordinances is hereby repealed in its entirety and replaced with an updated Article V as provided below in italics:

Section 3. The City Council hereby establishes new provisions in Chapter 8 of the Del Rio Code of Ordinances pertaining to electrical installations, licensing, and registrations as provided below in italics:

ARTICLE V. ELECTRICAL INSTALLATIONS, LICENSING AND REGISTRATIONS

DIVISION 1. GENERALLY

Sec. 8-110. Title; purpose; scope.

(a) Title. These regulations shall be known as the electrical code of the city and shall be cited as such and will be referred to herein as "this code."

- (b) *Purpose. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of electrical systems and equipment.*
- (c) *Scope. This code shall regulate the design, construction, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of electrical systems and equipment.*

Sec. 8-111. Applicability.

- (a) *General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Sec. 8-110.*
 - (1) *Maintenance. Electrical systems, equipment, materials and appurtenances, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices and safeguards that are required by this code shall be maintained in compliance with the edition under which installed. The owner or owner's designated agent shall be responsible for the maintenance of the electrical systems and equipment. To determine compliance with this provision, the director shall have the authority to require that the electrical systems and equipment be reinspected.*
 - (2) *Moved buildings. Buildings or structures moved into or within the city must comply with the provisions of this code for new electrical systems and equipment installations.*
 - (3) *Change in Occupancy. It shall be unlawful to make a change in the occupancy of any structure that will subject the structure to any special provision of this code applicable to the new occupancy without approval. The code official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that a change in occupancy will not result in hazard to public health, safety or welfare.*
- (b) *Differences. The provisions of this code shall be applicable to the Electrical Codes of the Del Rio Municipal Code. Where, in any specific case, different sections of this code, or of the Technical Codes, specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.*

Sec. 8-112. Definitions.

As used in this article:

Appliance Installation Work - Appliance replacement or new installation associated with direct plumbing connections or electrical hard wiring connections.

Assumed name - A name used by a business as defined in the Business and Commerce Code, Title 4, Chapter 36, Subchapter A, §36.02.

Business affiliation - The business organization to which a master licensee may assign his or her license.

Code Official - For the purpose of this code, the authority having jurisdiction (AHJ).

Electrical Apprentice - An individual, licensed as an apprentice who works under the on-site supervision of a master electrician, journeyman electrician, or residential wireman, on behalf of an electrical contractor or employing governmental entity performing "Electrical Work" as defined by Texas Occupations Code, §1305.002(11).

Electrical contracting - shall mean the business of designing, installing, erecting, repairing, or altering electrical wires or conductors to be used for light, heat, power, or signaling purposes. The term includes the installation or repair of ducts, raceways, or conduits for the reception or protection of wires or conductors and the installation or repair of any electrical machinery, apparatus, or system used for electrical light, heat, power, or signaling.

Electrical Contractor - A person, or entity, licensed as an electrical contractor, that is in the business of performing "Electrical Contracting" as defined by Texas Occupations Code, §1305.002(5).

Electrical Maintenance Work - The replacement, or repair of existing electrical appurtenances, apparatus, equipment, machinery, or controls used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises. All replacements or repairs must be of the same rating and type as the existing installation. No improvements may be made that are necessary to comply with applicable codes under Texas Occupations Code, Chapter 1305. Electrical maintenance work does not include the installation of any new electrical appurtenances, apparatus, equipment, machinery, or controls beyond the scope of any existing electrical installation.

Electrical Sign Contractor - A person, or entity, licensed as an electrical sign contractor, that is in the business of performing "Electrical Sign Contracting" as defined by Texas Occupations Code, §1305.002(9).

Electrical Sign Work - Any labor or material used in manufacturing, installing, maintaining, extending, connecting or reconnecting an electrical wiring system and its appurtenances, apparatus or equipment used in connection with signs, outline lighting, awnings, signals, light emitting diodes, and the repair of existing outdoor electric

discharge lighting, including parking lot pole lighting. This also includes the installation of an electrical service integral to an isolated sign and/or outline lighting installation.

Electrical work - shall mean any labor or material used in installing, maintaining, or modifying an electrical wiring system and the appurtenances, apparatus, or equipment used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises. The term includes service entrance conductors as defined by the National Electrical Code as adopted by the city.

Employee - An individual who performs tasks assigned to him by his employer. The employee is subject to the deduction of social security and federal income taxes from his pay. An employee may be full time, part time, or seasonal.

Employer - One, who employs the services of employees, pays their wages, deducts the required social security and federal income taxes from the employee's pay, and directs and controls the employee's performance.

Filed - A document is deemed to have been filed with the department on the date that the document has been received by the department or, if the document has been mailed to the department, the date a postmark is applied to the document by the U.S. Postal Service.

General Supervision - Exercise of oversight by a master electrician on behalf of an electrical contractor, or electrical sign contractor, or by a master sign electrician on behalf of an electrical sign contractor of performance by all classes of electrical licensees of electrical work bearing responsibility for the work's compliance with applicable codes under Texas Occupations Code, Chapter 1305.

Inspector - shall mean a duly qualified person appointed by the code official who conducts field inspections and investigations for the purpose of enforcing the provisions of this code.

Journeyman Electrician - An individual, licensed as a journeyman electrician, who works under the general supervision of a master electrician, on behalf of an electrical contractor, or employing governmental entity, while performing "Electrical Work" as defined by Texas Occupations Code, §1305.002(11).

Journeyman Sign Electrician - An individual, licensed as a journeyman sign electrician, who works under the general supervision of a master electrician or a master sign electrician, on behalf of an electrical sign contractor, while performing "Electrical Sign Work" as defined in paragraph (10) of this section.

Layperson - shall mean a person who has never belonged to nor been affiliated by employment to the electrical profession. A person who is within the first degree of consanguinity to an electrical professional may not be considered a layperson.

License renewal date - shall mean midnight of the expiration date as listed on the registration card.

Master Electrician - An individual, licensed as a master electrician, who on behalf of an electrical contractor, electrical sign contractor, or employing governmental entity, performs "Electrical Work" as defined by Texas Occupations Code, §1305.002(11).

Master Sign Electrician - An individual, licensed as a master sign electrician, who, on behalf of an electrical sign contractor, performs "Electrical Sign Work" as defined in paragraph (9).

On-Site Supervision - Exercise of supervision of electrical work or electrical sign work by a licensed individual other than an electrical apprentice. Continuous supervision of an electrical apprentice is not required, though the on-site supervising licensee is responsible for review and inspection of the electrical apprentice's work to ensure compliance with any applicable codes or standards.

Offer to perform - To make a written or oral proposal, to contract in writing or orally to perform electrical work or electrical sign work, or to advertise in any form through any medium that a person or business entity is an electrical contractor or electrical sign contractor, or that implies in any way that a person or business entity is available to contract for or perform electrical work or electrical sign work.

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

Sec. 8-113. Effect of State Licensing.

- (a) Effect of state Licensing. Upon the state's enforcement of House Bill 1478, passed by the 78th session of the Texas Legislature the established the State Licensing of electricians, the city no longer licenses electricians through testing administered by the city.*
- (b) State licensed electricians /electrical contractors and sign electricians/electrical sign contractors, registration. State licensed sign/electricians and contractors shall register with the city before performing any electrical work or electrical sign work regulated by this code or chapter 32, sign ordinance. The annual fee for such registration shall be established by city ordinance in accordance with Sec. 8-374 Fees Attachment "A".*

Sec. 8-114. Building official--Copies of regulations.

The building official shall keep on file in his office a copy of this article, the latest copy of the National Electrical Code and copies of all amendments, changes or provisions that may be made to same, and such copies shall be open to inspection by any person.

Sec. 8-115. Electrical service and meter installation manual.

The Information for Electrical Service and Meter Installation, as revised in April, 2009, of the American Electric Power of Corpus Christi, Texas, is hereby adopted and the same is hereby made a part of this article as fully and to the same extent as though copied in full.

Sec. 8-116. Utility exceptions.

Sections 8-110, 8-128, 8-158--8-165 and 8-178 of this article shall not apply to the following:

- (1) Installation of meters or other registering devices by any utility company engaged in the business of supplying electrical service and operating under a franchise from this city.*
- (2) The installations of telephone and telegraph equipment by any utility company engaged in the business of supplying communications service and operating under a franchise from this city.*

Secs. 8-117--8-127. Reserved.

DIVISION 2. ELECTRICAL CODE GENERALLY

Sec. 8-128. Adopted.

The NFPA 70 National Electric Code--2005 Edition and all annexes thereto with revisions and all annexes thereto, shall be, and the same is hereby adopted as a standard for the inspection and installation of all electrical wiring, apparatus and fixtures, except as otherwise provided in this article and the same is hereby made a part of this article as fully and to the same extent as though copied in full. Effective January 1st 2013 the 2011 National Electrical Code will apply.

Sec. 8-129. Wiring to be encased in conduit.

- (a) All electrical wiring for lights, heat and power, or other purposes hereafter to be installed within the city shall in all cases be contained and encased in an approved conduit material or Metal Clad cable with proper fittings:*

Exceptions:

- (1) One and Two Family dwelling units.*

(2) *Multi-family dwellings as described in Article 334 of the N.E.C. supplied with automatic sprinkler and fire alarm systems.*

Sec. 8-130. Main line disconnects.

All main line disconnects shall be installed adjacent to a meter and located outside of buildings unless otherwise authorized by the building official.

Sec. 8-131. Nuisance of Exterior Lighting.

Exterior lighting shall be arranged as to not create a nuisance to any public way or surrounding neighboring properties. For signs refer to chapter 32 sign ordinance.

Sec. 8-132. Minimum required branch circuits.

In addition to the minimum branch circuits required for by the N.E.C. at least one additional 20 amp branch circuit shall be provided for each bedroom.

Sec. 8-133. Utilities.

A utility serving the city shall not be allowed to energize a line until approved by the building official.

Sec. 8-134. Services disconnected--Generally.

Whenever the electrical system in a building or sign does not meet the requirements of the National Electrical Code once disconnected, the service shall not again be connected until the entire electrical system has been repaired to the satisfaction of the code official.

Secs. 8-135--8-157. Reserved.

DIVISION 3. PERMIT AND INSPECTIONS

Sec. 8-158. Required; application.

It shall be unlawful for any person to commence the construction, installation or alteration of any electrical/sign work, either outside or inside of any building, without first making application in writing on forms furnished by the building official for a permit for such construction, installation, alteration or wiring and said application shall contain a description by street and number, or by street, lot and block, as may be necessary to locate the same and shall be accompanied with the inspection fees to be paid in accordance with Section 8-374 Fees Attachment "A".

Sec. 8-159. Issuance; inspection generally.

Upon making application and the payment of the inspection fees provided for in this article, the building official shall issue a permit for the construction, installation or alteration of any electrical/sign work and shall carefully inspect such work during and after its completion, and if said work shall prove to be constructed in accordance with all rules and requirements governing the same and if payment is made of any additional fee for additional inspection not embraced in the original application, the inspector shall issue a notice approving same.

Sec. 8-160. Concealed wiring--Inspection.

No concealed wiring for which a permit is issued or required shall be lathed over or in any manner concealed from sight until inspected and accepted by the code official.

Sec. 8-161. Same--Concealment.

All wiring must be completed before the same shall be allowed to be concealed from view.

Sec. 8-162. Installation of electrical system and equipment; alterations.

All electrical system and equipment shall be permanently installed before final inspection and separate permits shall be required for any alterations or changes thereafter.

Sec. 8-163. Notice of approval Required.

The Code Official shall issue a notice of approval after the inspection of the work completed under the permit issued therefore.

Sec. 8-164. Failure to notify inspector as to wiring.

Any person having charge of the construction, alteration, concealing or covering of any wiring for which a permit has been issued or required before the said wiring has been inspected and approved without having officially notified the building department shall be subject to penalties provided for by this Code.

Sec. 8-165. Premises Identification.

Address shall be posted on all premises prior to inspections in such a position as to be plainly visible and legible from the street or road fronting the property.

Secs. 8-166--8-177. Reserved.

DIVISION 4. ELECTRICIANS REGISTRATION AND RESPONSIBILITIES

Sec. 8-178. Classification of Registration.

1. *Electrical Contractor*
2. *Master Electrician*
3. *Journeyman Electrician*
4. *Residential Wireman Electrician*
5. *Apprentice Electrician*
6. *Electrical Sign Contractor*
7. *Master Sign electrician*
8. *Journeyman Sign electrician*
9. *Apprentice Sign electrician*

Sec. 8-179. Electrical Contractor Registration.

- (1) *An applicant for registration as an electrical contractor must:*
 - (a) *Show proof of Texas State contractor license;*
 - (b) *Present proof of valid personal photo identification;*
 - (c) *Be licensed under this chapter as a master electrician or employ a person licensed under this chapter as a master electrician; and*
 - (d) *A person who holds a master electrician license issued or recognized under this chapter may only be assigned to a single electrical contractor, unless the master electrician owns more than 50 percent of the electrical contracting business.*
- (2) *Establish proof of financial responsibility.*
 - (a) *Contractors are required to maintain at least the minimum general liability insurance coverage's at all times to satisfy proof of financial responsibility;*
 - (b) *The insurance must be at least \$300,000 per occurrence (combined for property damage and bodily injury);*
 - (c) *Be at least \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and*
 - (d) *Be at least \$300,000 aggregate for products and completed operations.*

Sec. 8-180. Electrical Contractor responsibilities.

- (a) *A licensed electrical contractor shall display its name and license number on both sides of each vehicle owned or operated by the business and used in the conduct of electrical work. Lettering shall be of a contrasting color and at least two (2) inches*

in height. The license number shall be preceded by the letters "EM" or "TECL" depending on whether the business is operating under a local license or state license.

- (b) All of a contractor's non-exempt electrical work shall be performed by licensed individuals. A contractor is responsible for compliance with applicable codes for all such electrical work performed on its behalf.*
- (c) The licensed electrical contractor's name, address, phone number, and license number shall appear on all proposals, invoices, and written contracts proposed by the contractor. The following information: "Regulated by The Texas Department of Licensing and Regulation, P. O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599; website: www.license.state.tx.us/complaints" shall be listed on invoices and written contracts.*
- (d) A licensed electrical contractor shall maintain employee records and records of all work performed on its behalf for a period of four (4) years after completion of the work, and shall make those records available to the code official at the contractor's place of business during normal business hours for inspection and copying.*
- (e) A licensed electrical contractor and its designated master electrician are responsible for supervision of all licensees or registered persons performing work on behalf of the contractor to assure compliance with applicable statutes and rules and, in particular, standards of conduct set out in these rules.*

Sec. 8-181. Electrical Sign Contractor Registration.

- (1) An applicant for registration as an electrical sign contractor must:
 - (a) Show proof of valid Texas State Electrical Sign contractor license;*
 - (b) Present proof of valid personal photo identification;*
 - (c) Be licensed under this chapter as a master/ master sign electrician or employ a person licensed under this chapter as a master/master sign electrician;*
 - (d) A person who holds a master/master sign electrician license issued or recognized under this chapter may only be assigned to a single electrical sign contractor, unless the master/master sign electrician owns more than 50 percent of the electrical contracting business.**
- (2) Establish proof of financial responsibility.*

- (a) *Contractors are required to maintain at least the minimum general liability insurance coverages at all times to satisfy proof of financial responsibility;*
- (b) *The insurance must be at least \$300,000 per occurrence (combined for property damage and bodily injury);*
- (c) *be at least \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and*
- (d) *Be at least \$300,000 aggregate for products and completed operations.*

Sec. 8-182. Electrical sign contractor responsibilities.

- (a) *A licensed electrical sign contractor shall display its name and license number on both sides of each vehicle owned or operated by the business and used in the conduct of electrical sign work. Lettering shall be of a contrasting color and at least two (2) inches in height. The license number shall be preceded by the letters "SM" "TSCL" for city licenses or state licenses respectively.*
- (b) *Display of Certificate of registration in a conspicuous place in the place of business of such person.*
- (c) *All of a contractor's non-exempt electrical sign work shall be performed by licensed or registered individuals. A contractor is responsible for compliance with applicable codes for all such electrical sign work performed on its behalf.*
- (d) *The electrical sign contractor's name, address, phone number, and license number shall appear on all proposals, invoices, and written contracts proposed by the contractor. The following information: "Regulated by The Texas Department of Licensing and Regulation, P. O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599; website: www.license.state.tx.us/complaints" shall be listed on invoices and written contracts.*
- (e) *A registered electrical sign contractor shall maintain employee records and records of all work performed on its behalf for a period of four (4) years after completion of the work, and shall make those records available to the building official at the contractor's place of business during normal business hours for inspection and copying.*
- (f) *A registered electrical sign contractor and its designated master electrician or master sign electrician are responsible for supervision of all licensees performing work on behalf of the contractor to assure compliance with applicable statutes and rules and in particular, standards of conduct set out in these rules.*

Sec. 8-183. Registered Master/ Master Sign Electrician.

- (a) Registration required. Every electrical or electrical sign contractor, before engaging in electrical or electrical sign work, must procure a master electrician or master electrician sign registration for the conduct of such work.*
- (b) Limitation on multiple business affiliations. Any master electrician affiliated with a business as herein provided shall not engage in the operation of a second electrical business, under the provisions of this code, unless it is under the same name and insurance certificate of the first company. Any permit issued to a firm must be for work done by that firm. Any firm obtaining permits for any person, business or company other than the business with which he is affiliated will be notified to appear before the code official for consideration of a complaint.*
- (c) Responsibilities. The master electrician of record shall be responsible for the layout and technical supervision of any work that requires the securing of a permit under the electrical or electrical sign contractor's license. Failure of the master to properly provide for the supervision and control of work being performed on behalf of the firm may cause the work being performed under permit to be discontinued by the code official.*

Sec. 8-184. Registered Journeyman/Sign Electrician.

- (a) Registration and Term. A journeyman/ Sign electrician shall register with the city and shall continue in full force from the date of issuance to the next regular registration renewal date and may be renewed thereafter by the code official unless revoked or canceled by the code official. Such license shall not be transferable.*
- (b) Performance of work. A registered journeyman/ Sign electrician may perform all of the electrical or electrical sign work under the general supervision of a master electrician or master sign electrician on behalf of an electrical or electrical sign contractor.*
- (c) Supervision and ratio. A Journeyman/ Sign electrician may direct and supervise the work of an electrical / Sign apprentice provided that a ratio of twelve (12) electrical apprentices to one (1) journeyman electricians shall not be exceeded.*

Sec. 8-185. Registered Residential Wireman Electrician.

- (a) Term of registration. A residential wireman shall register with the city and shall continue in full force from the date of issuance to the next regular registration renewal date and may be renewed thereafter by the code official unless revoked or canceled by the code official. Such license shall not be transferable.*

- (b) *Supervision and ratio. A residential wireman may direct and supervise the work of an electrical apprentice provided that a ratio of two (2) electrical apprentices to one (1) residential wireman shall not be exceeded.*

Sec. 8-186. Registered Electrical/Sign Apprentice Electrician.

- (a) *Supervision. Apprentices may work on behalf of an electrical contractor or electrical sign contractor, under the direct supervision of a master electrical contractor, master sign electrician, journeyman sign electrician, residential wireman, or electrical sign technician.*
- (b) *Registration. Such apprentice shall register with the city and show proof of a Texas state electrical/sign licensing and regulation and shall carry their person a registration card.*

Sec. 8-187. Technical Codes, Federal and State Regulations.

It shall be the duty of every contractor who shall make contracts for the installation or repair of electrical systems, for which a permit is required, to conform to the requirements of this code and the Technical Codes and with all other federal and state regulations.

Sec. 8-188. Means of Communication.

Every electrical or electrical sign contractor shall maintain an established place of business, and shall establish a means to receive messages from the code official during regular business hours. Acceptable means for receiving communications include, but are not limited to, a person available at the place of business, an answering machine, voice mail, e-mail and a cell phone.

Sec. 8-189. Registration and Renewal.

An applicant for registration as an electrician must Show proof of a valid Texas State Electrical/ Contractors license; Present proof of valid personal photo identification. Each person already holding a registration card in the city of Del Rio shall have the right to obtain a registration card for each additional year upon the payment of a registration fee in accordance with Sec. 8-374 Fees, Attachment "A" as may be set by the city council from time to time. The fee for each additional year shall be paid before the expiration of the current registration.

Sec. 8-190. Same--Revocation generally.

A registration card may be revoked at any time by the order of the city council for a violation of any of the provisions of this article; and the offending person may be prohibited from engaging in such work in the corporate limits of this city for a period of not less than ten (10) days nor more than one year.

Sec. 8-191. *Exemption from registration.*

Electrical work performed on/or by:

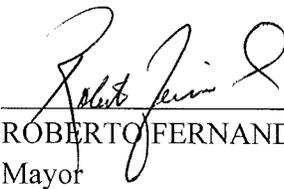
- (a) *Maintenance person/electrician who does not engage in electrical work for the public and does not involve installation of electrical equipment in new construction as per section 8-111.*
- (b) *A dwelling by a person who owns and resides in the dwelling.*
 - (1) *A homeowner may personally install electrical conductors or equipment within that person's own home if the owner files with the code official approved plans and specifications, has satisfied the chief electrical inspector as to that person's ability to install electrical wiring, applies for and secures a permit, pays required fees, does work in accordance with this article, and applies for inspection.*
 - (2) *Work performed by a homeowner under the provisions of this section must be done by such homeowner on the homestead premises owned and occupied by such homeowner without compensation. A homeowner shall not employ another person to assist such homeowner in any way on the work.*
- (c) *Building, structure, or equipment in agricultural use as defined by section 11.002, Texas water code, other than the processing of an agricultural commodity;*

Secs. 8-192—210. *Reserved.*

Section 3. Said Chapter 8, except as amended herein, shall remain the same.

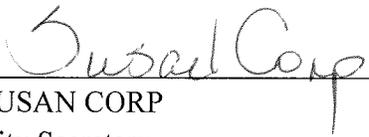
Section 4. This Ordinance shall become effective October 8, 2012.

PASSED AND APPROVED on this 25th day of September, 2012.



ROBERTO FERNANDEZ
Mayor

ATTEST:



SUSAN CORP
City Secretary

REVIEWED FOR ADMINISTRATION:



ROBERT A. EADS
City Manager

**REVIEWED AS TO FORM AND
LEGALITY:**



SUZANNE WEST
City Attorney

ARTICLE V. ELECTRICAL INSTALLATIONS, LICENSING AND REGISTRATION

Sec. 8-110. --Definitions--

As used in this article:

~~*Apprentice electrician* is defined to mean any person who, as his principal occupation, is engaged in learning and assisting a master electrician, electrical contractor or journeyman electrician.~~

~~*Journeyman electrician* is defined to mean any person employed by a master electrician or person duly licensed and bonded in the city. He shall at no time contract his labor, and must at all times have in his possession a card issued by the employing master electrician and same must be registered with the building official and record made of the same.~~

~~*Master electrician* is defined to mean any person engaged in the business of, or holding himself out to the public as engaged in the business of installing or repairing, or contracting to install or repair, wires, conductors and equipment used within or on buildings for the utilization of electrical current for electric light, heat, power or signaling purposes, together with the fitting of same necessary for the protection of such wire, conductors and equipment.~~

Title; purpose; scope.

(a) *Title. These regulations shall be known as the electrical code of the city and shall be cited as such and will be referred to herein as "this code."*

(b) *Purpose. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of electrical systems and equipment.*

(c) *Scope. This code shall regulate the design, construction, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of electrical systems and equipment.*

(Code 1962, §§ 4-3-3—4-3-5)

Sec. 8-111. ~~Copy to electricians.~~

~~All electricians in the city shall be furnished a copy of this article.~~

Applicability.

(a)General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Sec 8-110

(1)Maintenance. Electrical systems, equipment, materials and appurtenances, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices and safeguards that are required by this code shall be maintained in compliance with the edition under which installed. The owner or owner's designated agent shall be responsible for the maintenance of the electrical systems and equipment. To determine compliance with this provision, the director shall have the authority to require that the electrical systems and equipment be reinspected.

(2)Moved buildings. Buildings or structures moved into or within the city must comply with the provisions of this code for new electrical systems and equipment installations.

(3) Change in Occupancy. It shall be unlawful to make a change in the occupancy of any structure that will subject the structure to any special provision of this code applicable to the new occupancy without approval. The code official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that a change in occupancy will not result in hazard to public health, safety or welfare.

(b)Differences. The provisions of this code shall be applicable to the Electrical Codes of the Del Rio Municipal Code. Where, in any specific case, different sections of this code, or of the Technical Codes, specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(Code 1962, § 4-3-8)

Sec. 8-112. ~~Building official—Copies of regulations.~~

~~The building official shall keep on file in his office a copy of this article, the latest copy of the National Electrical Code and copies of all amendments, changes or provisions that may be made to same, and such copies shall be open to inspection by any person.~~

Definitions.

As used in this article:

Appliance Installation Work--Appliance replacement or new installation associated with direct plumbing connections or electrical hard wiring connections.

Assumed name--A name used by a business as defined in the Business and Commerce Code, Title 4, Chapter 36, Subchapter A, §36.02.

Business affiliation--The business organization to which a master licensee may assign his or her license.

Code Official. — For the purpose of this code, the authority having jurisdiction (AHJ).

Electrical Apprentice--An individual, licensed as an apprentice who works under the on-site supervision of a master electrician, journeyman electrician, or residential wireman, on behalf of an electrical contractor or employing governmental entity performing "Electrical Work" as defined by Texas Occupations Code, §1305.002(11).

Electrical contracting- shall mean the business of designing, installing, erecting, repairing, or altering electrical wires or conductors to be used for light, heat, power, or signaling purposes. The term includes the installation or repair of ducts, raceways, or conduits for the reception or protection of wires or conductors and the installation or repair of any electrical machinery, apparatus, or system used for electrical light, heat, power, or signaling.

Electrical Contractor--A person, or entity, licensed as an electrical contractor, that is in the business of performing "Electrical Contracting" as defined by Texas Occupations Code, §1305.002(5).

Electrical Maintenance Work--The replacement, or repair of existing electrical appurtenances, apparatus, equipment, machinery, or controls used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises. All replacements or repairs must be of the same rating and type as the existing installation. No improvements may be made that are necessary to comply with applicable codes under Texas Occupations Code, Chapter 1305. Electrical maintenance work does not include the installation of any new electrical appurtenances, apparatus, equipment, machinery, or controls beyond the scope of any existing electrical installation.

Electrical Sign Contractor--A person, or entity, licensed as an electrical sign contractor, that is in the business of performing "Electrical Sign Contracting" as defined by Texas Occupations Code, §1305.002(9).

Electrical Sign Work--Any labor or material used in manufacturing, installing, maintaining, extending, connecting or reconnecting an electrical wiring system and its appurtenances, apparatus or equipment used in connection with signs, outline lighting, awnings, signals, light emitting diodes, and the repair of existing outdoor electric discharge lighting, including parking lot pole lighting. This also includes the installation of an electrical service integral to an isolated sign and/or outline lighting installation.

Electrical work- shall mean any labor or material used in installing, maintaining, or modifying an electrical wiring system and the appurtenances, apparatus, or equipment used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises. The term includes service entrance conductors as defined by the National Electrical Code as adopted by the city.

Employee--An individual who performs tasks assigned to him by his employer. The employee is subject to the deduction of social security and federal income taxes from his pay. An employee may be full time, part time, or seasonal.

Employer--One, who employs the services of employees, pays their wages, deducts the required social security and federal income taxes from the employee's pay, and directs and controls the employee's performance.

Filed--A document is deemed to have been filed with the department on the date that the document has been received by the department or, if the document has been mailed to the department, the date a postmark is applied to the document by the U.S. Postal Service.

General Supervision--Exercise of oversight by a master electrician on behalf of an electrical contractor, or electrical sign contractor, or by a master sign electrician on behalf of an electrical sign contractor of performance by all classes of electrical licensees of electrical work bearing responsibility for the work's compliance with applicable codes under Texas Occupations Code, Chapter 1305.

Inspector- shall mean a duly qualified person appointed by the code official who conducts field inspections and investigations for the purpose of enforcing the provisions of this code.

Journeyman Electrician--An individual, licensed as a journeyman electrician, who works under the general supervision of a master electrician, on behalf of an electrical contractor, or employing governmental entity, while performing "Electrical Work" as defined by Texas Occupations Code, §1305.002(11).

Journeyman Sign Electrician--An individual, licensed as a journeyman sign electrician, who works under the general supervision of a master electrician or a master sign electrician, on

behalf of an electrical sign contractor, while performing "Electrical Sign Work" as defined in paragraph (10).

Layperson- shall mean a person who has never belonged to nor been affiliated by employment to the electrical profession. A person who is within the first degree of consanguinity to an electrical professional may not be considered a layperson.

License renewal date- shall mean midnight of the expiration date as listed on the registration card.

Master Electrician--An individual, licensed as a master electrician, who on behalf of an electrical contractor, electrical sign contractor, or employing governmental entity, performs "Electrical Work" as defined by Texas Occupations Code, §1305.002(11).

Master Sign Electrician--An individual, licensed as a master sign electrician, who, on behalf of an electrical sign contractor, performs "Electrical Sign Work" as defined in paragraph (9).

On-Site Supervision--Exercise of supervision of electrical work or electrical sign work by a licensed individual other than an electrical apprentice. Continuous supervision of an electrical apprentice is not required, though the on-site supervising licensee is responsible for review and inspection of the electrical apprentice's work to ensure compliance with any applicable codes or standards.

Offer to perform--To make a written or oral proposal, to contract in writing or orally to perform electrical work or electrical sign work, or to advertise in any form through any medium that a person or business entity is an electrical contractor or electrical sign contractor, or that implies in any way that a person or business entity is available to contract for or perform electrical work or electrical sign work.

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

(Code 1962, § 4-3-8)

State law reference— Access by public to governmental information, Vernon's Ann. Civ. St. Art. 6252-17a.

Sec. 8-113. - Same—Annual inspection.

~~It shall be the duty of the building official to make an annual inspection of all wiring in the city limits to determine its condition, adequacy and safety.~~

Effect of State Licensing

(a) Effect of state Licensing. Upon the state's enforcement of House Bill 1478, passed by the 78th session of the Texas Legislature the established the State Licensing of electricians, the city no longer licenses electricians through testing administered by the city.

(b) State licensed electricians /electrical contractors and sign electricians /electrical sign contractors, registration. State licensed sign/electricians and contractors shall register with the city before performing any electrical work or electrical sign work regulated by this code or chapter 32, sign ordinance. The annual fee for such registration shall be established by city ordinance in accordance with Sec. 8-374 Fees Attachment "A"..

(Code 1962, § 4-3-9)

Sec. 8-114. - Electrical service and meter installation manual.

~~The Information for Electrical Service and Meter Installation, as revised in July, 1980, of the Central Power and Light Company of Corpus Christi, Texas, is hereby adopted and the same is hereby made a part of this article as fully and to the same extent as though copied in full.~~

Building official--Copies of regulations.

The building official shall keep on file in his office a copy of this article, the latest copy of the National Electrical Code and copies of all amendments, changes or provisions that may be made to same, and such copies shall be open to inspection by any person.

(Code 1962, § 4-3-1)

Sec. 8-115. - Maintenance work.

~~Maintenance work under this article may be done by any person through an employee regularly employed to do such work solely on or within the premises of property owned or controlled by such person; provided, that such employee shall not be allowed to install any new wiring, conduit, apparatus or equipment.~~

Electrical service and meter installation manual.

The Information for Electrical Service and Meter Installation, as revised in April, 2009, of the American Electric Power of Corpus Christi, Texas, is hereby adopted and the same is hereby made a part of this article as fully and to the same extent as though copied in full.

(Code 1962, § 4-3-9)

Sec. 8-116. - Utility exceptions.

Sections 8-110—8-115, 8-128, 8-158—8-165 and 8-178—8-196 of this article shall not apply to the following:

- (1) Installation of meters or other registering devices by any utility company engaged in the business of supplying electrical service and operating under a franchise from this city.
- (2) The installations of telephone and telegraph equipment by any utility company engaged in the business of supplying communications service and operating under a franchise from this city.

(Code 1962, § 4-3-10)

Secs. 8-117—8-127. - Reserved.

DIVISION 2. ELECTRICAL CODE GENERALLY

Sec. 8-128. - Adopted.

The NFPA 70 National Electric Code—2005 Edition and all appendixes thereto with revisions and all ~~appendixes~~ *annexes* thereto, shall be, and the same is hereby adopted as a standard for the inspection and installation of all electrical wiring, apparatus and fixtures, except as otherwise provided in this article and the same is hereby made a part of this article as fully and to the same extent as though copied in full. *Effective January 1st 2013 the 2011 National Electrical Code will apply.*

(Code 1962, § 4-3-1; Ord. No. 96-29, § 1(E), 7-9-96; Ord. No. 2001-25, 3-13-01; Ord. No. 2007-003, § 5, 2-13-07, eff. 3-1-07)

Sec. 8-129. - Wiring to be encased in conduit.

(a) All electrical wiring for lights, heat and power, or other purposes hereafter to be installed within the city ~~and as respectively described in the following subsections hereof,~~ shall in all cases be contained and encased in an approved conduit material *or Metal Clad cable* with proper fittings:

- ~~(1) All electric wiring in buildings of any description situated in all fire zones.~~
One and Two Family dwelling units
- ~~(2) All establishments for use other than private dwellings outside of a fire zone.~~
Multi- family dwellings as described in Article 334 of the N.E.C. supplied with automatic sprinkler and fire alarm system.

(Code 1962, § 4-3-11; Ord. No. 2007-004, § 2, 2-13-07, eff. 3-1-07)

Sec. 8-130. - Main line disconnects.

All main line disconnects shall be installed adjacent to a meter and located outside of buildings unless otherwise authorized by the building official.

(Code 1962, § 4-3-12)

Sec. 8-131. - ~~Electric stoves.~~

~~Approved SE cable is permissible in residences for electric stoves.~~

Nuisance of Exterior Lighting.

Exterior lighting shall be arranged as to not create a nuisance to any public way or surrounding neighboring properties. For signs refer to chapter 32 sign ordinance.

(Code 1962, § 4-3-12)

Sec. 8-132. - ~~Water heaters.~~

~~All electric water heaters must be wired in steel tube or flexible metallic conduit with proper fittings.~~

Minimum required branch circuits.

In addition to the minimum branch circuits required for by the N.E.C. at least one additional 20 amp branch circuit shall be provided for each bedroom.

(Code 1962, § 4-3-12)

Sec. 8-133. - ~~Commercial, public buildings.~~

~~All switches and receptacles in commercial or public buildings must be of approved T-rating.~~

Utilities.

A utility serving the city shall not be allowed to energize a line until approved by the building official.

(Code 1962, § 4-3-12)

Sec. 8-134. - Multiple circuits.

~~Any electrical service supplying over two (2) circuits shall be three-wire.~~

Services disconnected--Generally.

Whenever the electrical system in a building or sign does not meet the requirements of the National electrical code, once disconnected, the service shall not again be connected until the entire electrical system has been repaired to the satisfaction of the code official.

(Code 1962, § 4-3-12)

Sec. 8-135. - Utilities

~~A utility serving the city shall not be allowed to energize a line until approved by the building official.~~

(Code 1962, § 4-3-12)

Sec. 8-136. - Size of wires to panel box.

~~Wires from the entrance switch to the panel box shall be of No. 8 or larger within the city limits and may be SE cable for residences.~~

(Code 1962, § 4-3-12)

Sec. 8-137. - Conduits; location of service wiring.

~~All service wires from the point of entrance of a building to the service switch and meter connection will be run in approved conduit, with proper fittings, but no junction or pull boxes will be allowed in service conduits. Service wiring shall be installed not less than ten (10) feet from the ground.~~

(Code 1962, § 4-3-12)

Sec. 8-138. - Meter installations.

~~The provision of space for meters and the meter connections and appurtenances shall comply with the requirements and regulations of the utility furnishing the service as set forth in the meter installation standards obtainable at the office of the utility furnishing the service.~~

(Code 1962, § 4-3-12)

~~Sec. 8-139. -- Drop cords; ceiling fixtures.~~

~~Drop cords must not be installed in clothes closets or in places where wearing apparel is likely to be hung; however, ceiling fixtures will be permissible.~~

~~(Code 1962, § 4-3-15)~~

~~Sec. 8-140. -- Lamps; cords generally.~~

~~Extension cords for portable lamps as well as the lamp cords for all drop lights exposed to weather which may be moved out of their natural pendent positions must be "packing house cords" or other reinforced portable cord. All drop lights on porches or in bathrooms and kitchens shall have porcelain or other nonconductive material, sockets and reinforced lamp cords.~~

~~(Code 1962, § 4-3-15)~~

~~Sec. 8-141. -- Access to cabinet and cutoffs.~~

~~Where one electrical service is installed to control several installations, apartments or customers, the main cabinet and cutoffs must be accessible at all times to each of the parties.~~

~~(Code 1962, § 4-3-15)~~

~~Sec. 8-142. -- Minimum capacity of wires and attachments.~~

~~In every electrical installation, all wires and attachments must be of at least such capacity as will maintain service with the full connected load, according to the requirements of this article.~~

~~(Code 1962, § 4-3-15)~~

~~Sec. 8-143. -- Receptacle circuits in dwellings.~~

~~In dwelling occupancies, branch circuits supplying convenience outlets in the kitchen, pantry, dining room and breakfast room shall not supply other outlets, and such circuits shall have conductors no smaller than No. 12. Laundry convenience outlets shall be on a separate circuit.~~

~~(Code 1962, § 4-3-15)~~

~~Sec. 8-144. -- Circuit breakers.~~

~~Whenever in this article a fuse is called for, the requirements may be met by use of circuit breakers approved for the purpose. Wherever a switch or a switch and fuses are called for, the requirement may be met by the use of an approved manually operated circuit~~

~~breaker. If a circuit breaker is used, there shall be an overcurrent device in each underground conductor of the circuit.~~

~~(Code 1962, § 4-3-15)~~

~~**Sec. 8-145. - Services disconnected—Generally.**~~

~~Whenever the service wires or interior wiring in a building does not meet the requirements of this article, once disconnected, the service shall not again be connected until the entire wiring has been repaired to the satisfaction of the building official.~~

~~(Code 1962, § 4-3-14)~~

~~**Sec. 8-146. - Same—Application to signs.**~~

~~The provisions of section 8-145 shall likewise apply to any and all outdoor electrical signs.~~

~~(Code 1962, § 4-3-14)~~

~~**Secs. 8-135—8-157. - Reserved.**~~

DIVISION 3. PERMIT AND INSPECTIONS

Sec. 8-158. - Required; application.

It shall be unlawful for any person to commence the construction, installation or alteration of any electrical/*Sign* work, either outside or inside of any building, without first making application in writing on forms furnished by the building official for a permit for such construction, installation, alteration or wiring and said application shall contain a description by street and number, or by street, lot and block, as may be necessary to locate the same and shall be accompanied with the inspection fees to be paid *in accordance with Sec. 8-374 Fees Attachment "A"*.

(Code 1962, § 4-3-9)

Sec. 8-159. - Issuance; inspection generally.

Upon making application and the payment of the inspection fees provided for in this article, the building official shall issue a permit for the construction, installation or alteration of any electrical / *Sign* work and shall carefully inspect such work during and after its completion, and if said work shall prove to be constructed in accordance with all rules and requirements governing the same and if payment is made of any additional fee for additional inspection not embraced in the original application, the inspector shall issue a ~~certificate~~ *notice* approving same.

(Code 1962, § 4-3-9)

Sec. 8-160. - Concealed wiring—Inspection.

No concealed wiring for which a permit is issued or required shall be lathed over or in any manner concealed from sight until inspected and accepted by the building code official.

(Code 1962, § 4-3-9)

Sec. 8-161. - Same—Concealment.

All wiring must be completed before the same shall be allowed to be concealed from view.

(Code 1962, § 4-3-9)

Sec. 8-162. - Installation of fittings *Electrical System and Equipment*; alterations.

All ~~cabinets, cutouts, flush switches and all other fittings~~ *electrical system and equipment* shall be permanently installed before final inspection and acceptance except the ~~lighting or other fixtures themselves~~; and separate permits shall be required for any alterations or changes thereafter.

(Code 1962, § 4-3-9)

Sec. 8-163. - Clearance—Required.

~~The master electrician shall obtain clearance.~~

Notice of approval Required.

The Code Official shall issue a notice of approval after the inspection of the work completed under the permit issued therefore.

(Code 1962, § 4-3-9)

Sec. 8-164. - Same—Issuance.

~~The building official shall issue a clearance after the inspection and approval of the work completed under the permit issued therefor.~~

Failure to notify inspector as to wiring.

Any person having charge of the construction, alteration, concealing or covering of any wiring for which a permit has been issued or required before the said wiring has been inspected and approved without having officially notified the building department shall be subject to penalties provided for by this Code.

(Code 1962, § 4-3-9)

Sec. 8-165. - Failure to notify inspector as to wiring.

~~Any person having charge of the construction, alteration, concealing or covering of any wiring for which a permit has been issued or required before the said wiring has been~~

~~inspected and approved without having officially notified the building official at least eight (8) hours previously, afternoons, Sundays and holidays not included, shall be subject to penalties provided for by this Code.~~

Premises Identification

Address shall be posted on all premises prior to inspections in such a position as to be plainly visible and legible from the street or road fronting the property.

(Code 1962, § 4-3-9)

Cross reference— Penalty for violations of Code, § 1-7.

~~Sec. 8-166. -- Temporary service.~~

~~A temporary service without inspection or permit will be permitted where it is not attached to buildings and shall be approved SE cable.~~

(Code 1962, § 4-3-16)

~~Secs. 8-167 166—8-177. - Reserved.~~

DIVISION 4. ELECTRICIANS REGISTRATION AND RESPONSIBILITIES

~~Sec. 8-178. - Examining board—Created; composition.~~

~~A board of electrical examiners is hereby created for the city to be known as the electrical examining board, which shall consist of three (3) members, one of whom shall be the building official, and the remaining two (2) members shall be appointed by the mayor with the approval of the council. Said two (2) members appointed by the mayor shall consist of one master electrician and one journeyman electrician. The master and journeyman shall not be from the same shop. They shall serve four-year terms coinciding with those of city elected officials.~~

Classification of Registration:

1. *Electrical Contractor*
2. *Master Electrician*
3. *Journeymen Electrician*
4. *Residential Wireman Electrician*
5. *Apprentice Electrician*
6. *Electrical Sign Contractor*
7. *Master Sign electrician*
8. *Journeymen Sign electrician*
9. *Apprentice Sign electrician*

(Code 1962, § 4-3-6)

Cross reference— Administration, Ch. 2; boards and commissions, Ch. 7; licenses and business regulations, Ch. 16.

Sec. 8-179. —Same—Rules.

~~The electrical examining board may promulgate its own rules to govern its meetings and proceedings before it.~~

Electrical Contractor Registration

(1) An applicant for registration as an electrical contractor must:

(a) Show proof of Texas State contractor license;

(b) Present proof of valid personal photo identification

(c) Be licensed under this chapter as a master electrician or employ a person licensed under this chapter as a master electrician;

(d) A person who holds a master electrician license issued or recognized under this chapter may only be assigned to a single electrical contractor, unless the master electrician owns more than 50 percent of the electrical contracting business.

(2) Establish proof of financial responsibility.

(a) Contractors are required to maintain at least the minimum general liability insurance coverage's at all times to satisfy proof of financial responsibility.

(b) The insurance must be at least \$300,000 per occurrence (combined for property damage and bodily injury);

(C) be at least \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and

(d) Be at least \$300,000 aggregate for products and completed operations.

(Code 1962, § 4-3-6)

Sec. 8-180. --Same--General duty.

~~It is the duty of the electrical examining board to examine master electricians as to their ability and qualifications to do electrical work in the city, and if found to be competent, to issue said applicants a license stating that the applicant is to do electrical work in the city.~~

Electrical Contractor responsibilities

- (a) *A licensed electrical contractor shall display its name and license number on both sides of each vehicle owned or operated by the business and used in the conduct of electrical work. Lettering shall be of a contrasting color and at least two (2) inches in height. The license number shall be preceded by the letters "EM" or "TECL" depending on whether the business is operating under a local license or state license.*
- (b) *All of a contractor's non-exempt electrical work shall be performed by licensed individuals. A contractor is responsible for compliance with applicable codes for all such electrical work performed on its behalf.*
- (c) *The licensed electrical contractor's name, address, phone number, and license number shall appear on all proposals, invoices, and written contracts proposed by the contractor. The following information: "Regulated by The Texas Department of Licensing and Regulation, P. O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599; website: www.license.state.tx.us/complaints" shall be listed on invoices and written contracts.*
- (d) *A licensed electrical contractor shall maintain employee records and records of all work performed on its behalf for a period of four (4) years after completion of the work, and shall make those records available to the code official at the contractor's place of business during normal business hours for inspection and copying.*
- (e) *A licensed electrical contractor and its designated master electrician are responsible for supervision of all licensees or registered persons performing work on behalf of the contractor to assure compliance with applicable statutes and rules and, in particular, standards of conduct set out in these rules.*

(Code 1962, § 4-3-6)

Sec. 8-181. - ~~Master electricians—License, bond, examination required.~~

~~All persons desiring to engage as master electricians in the business of installing wires, appliances, apparatus, fixtures or electrical signs shall, before doing any work, take out a license and pass a practical examination by the electrical examining board.~~

Electrical Sign Contractor Registration

- (1) *An applicant for registration as an electrical sign contractor must:*
- (a) *Show proof of valid Texas State Electrical Sign contractor license;*
 - (b) *Present proof of valid personal photo identification;*
 - (c) *Be licensed under this chapter as a master/ master sign electrician or employ a person licensed under this chapter as a master/master sign electrician;*
 - (d) *A person who holds a master/master sign electrician license issued or recognized under this chapter may only be assigned to a single electrical sign contractor, unless the master/master sign electrician owns more than 50 percent of the electrical contracting business.*

- (2) *Establish proof of financial responsibility.*

(a) *Contractors are required to maintain at least the minimum general liability insurance coverages at all times to satisfy proof of financial responsibility.*

(b) *The insurance must be at least \$300,000 per occurrence (combined for property damage and bodily injury);*

(c) *be at least \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and*

(d) *Be at least \$300,000 aggregate for products and completed operations.*

(Code 1962, § 4-3-6)

Sec. 8-182. - ~~Same—Qualification.~~

~~All applicants for a master electrician's license shall be required to hold a journeyman electrician's license for a period of two (2) years before being eligible to take a master electrician's test.~~

Electrical sign contractor responsibilities

- (a) *A licensed electrical sign contractor shall display its name and license number on both sides of each vehicle owned or operated by the business and used in the conduct of electrical sign*

work. Lettering shall be of a contrasting color and at least two (2) inches in height. The license number shall be preceded by the letters "SM" "TSCL" for city licenses or state licenses respectively.

- (b) Display of Certificate of registration in a conspicuous place in the place of business of such person.*

- (c) All of a contractor's non-exempt electrical sign work shall be performed by licensed or registered individuals. A contractor is responsible for compliance with applicable codes for all such electrical sign work performed on its behalf.*

- (d) The electrical sign contractor's name, address, phone number, and license number shall appear on all proposals, invoices, and written contracts proposed by the contractor. The following information: "Regulated by The Texas Department of Licensing and Regulation, P. O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599; website: www.license.state.tx.us/complaints" shall be listed on invoices and written contracts.*

- (e) A registered electrical sign contractor shall maintain employee records and records of all work performed on its behalf for a period of four (4) years after completion of the work, and shall make those records available to the building official at the contractor's place of business during normal business hours for inspection and copying.*

- (f) A registered electrical sign contractor and its designated master electrician or master sign electrician are responsible for supervision of all licensees performing work on behalf of the contractor to assure compliance with applicable statutes and rules and in particular, standards of conduct set out in these rules.*

(Code 1962, § 4-3-6; Ord. of 7-12-77)

Sec. 8-183. ~~Same~~ Bond.

~~Each person applying for a license as a master electrician, as required by this article, before being granted a license, shall make and execute and deliver to the secretary a bond in the sum of one thousand dollars (\$1,000.00), payable to the city; after such bond has been approved by the secretary, the bond shall be for the use and benefit of the owner or any party in interest in the property where said master electrician may furnish any material or labor or perform any service against loss or damage to person or property which may arise~~

~~by reason of work or labor done, or material furnished in violation of the requirements of any law of the state, or any provisions of this Code controlling such work. Such bond shall be executed by each applicant with any recognized and responsible surety company authorized to do business in the state.~~

Registered Master/ Master Sign Electrician

(a)Registration required. Every electrical or electrical sign contractor, before engaging in electrical or electrical sign work, must procure a master electrician or master electrician sign registration for the conduct of such work.

(b)Limitation on multiple business affiliations. Any master electrician affiliated with a business as herein provided shall not engage in the operation of a second electrical business, under the provisions of this code, unless it is under the same name and insurance certificate of the first company. Any permit issued to a firm must be for work done by that firm. Any firm obtaining permits for any person, business or company other than the business with which he is affiliated will be notified to appear before the code official for consideration of a complaint.

(c)Responsibilities. The master electrician of record shall be responsible for the layout and technical supervision of any work that requires the securing of a permit under the electrical or electrical sign contractor's license. Failure of the master to properly provide for the supervision and control of work being performed on behalf of the firm may cause the work being performed under permit to be discontinued by the code official.

(Code 1962, §§ 4-3-6, 4-3-7)

~~Sec. 8-184. -Same- Issuance of license; first year fee.~~

~~The license of a master electrician shall be issued by the inspection department. The fee for the first year of such license shall be payable in advance and shall be set by the city council from time to time.~~

Registered Journeyman/Sign Electrician

(a)Registration and Term. A journeyman/ Sign electrician shall register with the city and shall continue in full force from the date of issuance to the next regular registration renewal date and may be renewed thereafter by the code official unless revoked or canceled by the code official. Such license shall not be transferable.

(b) Performance of work. A registered journeyman/ Sign electrician may perform all of the electrical or electrical sign work under the general supervision of a master electrician or master sign electrician on behalf of an electrical or electrical sign contractor.

(c) Supervision and ratio. A Journeyman/ Sign electrician may direct and supervise the work of an electrical / Sign apprentice provided that a ratio of twelve (12) electrical apprentices to one (1) journeyman electricians shall not be exceeded.

(Code 1962, § 4-3-6; Ord. No. 84-33B, § 2, 8-28-84)

Sec. 8-185. —Same—Application for license; issuance.

~~The application for a master electrician's license shall be made to the chief building official or his designee, and he shall notify the electrical examining board, which shall examine the applicant and after duly qualified by examination then a license may be issued by the planning/code compliance department.~~

Registered Residential Wireman Electrician.

(a) Term of registration. A residential wireman shall register with the city and shall continue in full force from the date of issuance to the next regular registration renewal date and may be renewed thereafter by the code official unless revoked or canceled by the code official. Such license shall not be transferable.

(b) Supervision and ratio. A residential wireman may direct and supervise the work of an electrical apprentice provided that a ratio of two (2) electrical apprentices to one (1) residential wireman shall not be exceeded.

(Code 1962, § 4-3-6; Ord. of 7-12-77; Ord. No. 97-46, § 7, 9-23-97)

Sec. 8-186. - Same—Examination required.

~~All applicants for master electrician rating shall appear before the electrical examining board and shall be required to take an examination before being permitted to do any electrical work in the city.~~

Registered Electrical/Sign Apprentice Electrician

(a) Supervision. Apprentices may work on behalf of an electrical contractor or electrical sign contractor, under the direct supervision of a master electrical contractor, master sign electrician, journeyman sign electrician, residential wireman, or electrical sign technician.

(b) Registration. Such apprentice shall register with the city and show proof of a Texas state electrical/ sign licensing and regulation and shall carry their person a registration card.

(Code 1962, § 4-3-6; Ord. of 7-12-77)

Sec. 8-187. - Same—Grade on examination.

~~Each applicant for master electrician rating shall make a grade of seventy (70) or better, to pass the examination.~~

Technical Codes, Federal and State Regulations.

It shall be the duty of every contractor who shall make contracts for the installation or repair of electrical systems, for which a permit is required, to conform to the requirements of this code and the Technical Codes and with all other federal and state regulations.

(Code 1962, § 4-3-6; Ord. of 7-12-77)

Sec. 8-188. - Same—Duty of board following examination.

~~The electrical examining board shall issue to every master electrician, after having passed the examination, a license to do electrical work. The board shall also issue a card certifying that the person holding said card has passed the examination prescribed by said board. The city shall charge such examination fee as may be set by the city council from time to time for the purpose of defraying the expense of conducting such examination.~~

Means of Communication.

Every electrical or electrical sign contractor shall maintain an established place of business, and shall establish a means to receive messages from the code official during regular business hours. Acceptable means for receiving communications include, but are not limited to, a person available at the place of business, an answering machine, voice mail, e-mail and a cell phone.

(Code 1962, § 4-3-6; Ord. of 7-12-77; Ord. No. 84-33B, § 2, 8-28-84)

Sec. 8-189. - Same—Subsequent examination generally.

~~In the event any applicant for master electrician rating should fail to pass an examination, as provided for in this division, he shall be entitled to a second examination, after the expiration of thirty (30) days; and provided further, that if a third examination is necessary, the same shall not be had until after the expiration of six (6) months from the last examination to be taken.~~

Registration and Renewal.

An applicant for registration as an electrician must Show proof of a valid Texas State Electrical/ Contractors license; Present proof of valid personal photo identification. Each person already holding a registration card in the city of Del Rio shall have the right to obtain a registration card for each additional year upon the payment of a registration fee in accordance with Sec. 8-374 Fees, Attachment "A" as may be set by the city council from time to time. The fee for each additional year shall be paid before the expiration of the current registration.

(Code 1962, § 4-3-6; Ord. of 7-12-77)

Sec. 8-190. ~~–Same—Number of times examined.~~

~~The third examination shall be the final examination offered to an applicant for master electrician rating.~~

Same--Revocation generally.

A registration card may be revoked at any time by the order of the city council for a violation of any of the provisions of this article; and the offending person may be prohibited from engaging in such work in the corporate limits of this city for a period of not less than ten (10) days nor more than one year.

(Code 1962, § 4-3-6; Ord. of 7-12-77)

Sec. 8-191. ~~- Same—Display of license.~~

~~Any person already holding a license as a master electrician or a renewal thereof, in accordance with the provisions of this article shall display the same in a conspicuous place in the place of business of such person.~~

Exemption from registration.

Electrical work performed on/ or by:

(A) maintenance person/electrician who does not engage in electrical work for the public and does not involve installation of electrical equipment in new construction as per section 8-111.

(B) A dwelling by a person who owns and resides in the dwelling.

(1) A homeowner may personally install electrical conductors or equipment within that person's own home if the owner files with the code official approved plans and specifications, has satisfied the chief electrical inspector as to that person's ability to install electrical wiring, applies for and secures a permit, pays required fees, does work in accordance with this article, and applies for inspection.

(2) Work performed by a homeowner under the provisions of this section must be done by such homeowner on the homestead premises owned and occupied by such homeowner without compensation. A homeowner shall not employ another person to assist such homeowner in any way on the work.

(C) Building, structure, or equipment in agricultural use.

(Code 1962, § 4-3-7)

Sec. 8-192. ~~Same—License renewal.~~

~~Each person already holding a license in the city as a master electrician shall have the right to obtain a license for each additional year upon the payment of a license fee as may be set by the city council from time to time. The fee for each additional year shall be paid before the expiration of the current license. The master electrician shall further be required to execute a bond as required in this division; provided further, that no person holding such license shall allow his name to be used by any other person directly or indirectly for the purpose of obtaining a permit to work under such license.~~

(Code 1962, §§ 4-3-6, 4-3-7; Ord. No. 84-33B, § 2, 8-28-84)

Sec. 8-193. ~~Same—Revocation generally.~~

~~The license of a master electrician may be revoked at any time by the order of the city council for a violation of any of the provisions of this article; and the offending person may be prohibited from engaging in such work in the corporate limits of this city for a period of not less than ten (10) days nor more than one year.~~

(Code 1962, § 4-3-6)

Sec. 8-194. ~~Journeyman electricians—Examination procedure.~~

~~All journeyman electricians will be examined by the same procedure as master electricians.~~

(Code 1962, § 4-3-6)

Sec. 8-195. ~~Same—Fees.~~

~~The examination fee for journeyman electricians shall be such fee as may be set by the city council from time to time.~~

(Code 1962, § 4-3-6; Ord. No. 84-33B, § 2, 8-28-84)

Sec. 8-196. ~~Same—Bond.~~

~~Journeyman electricians, because they must be employed by master electricians, need not have a bond.~~

(Code 1962, § 4-3-6)

Sec. 8-197. ~~Same—License fees.~~

~~The license fees for journeyman and apprentice electricians for the first and each additional year shall be in such amounts as may be fixed by the city council from time to time.~~

(Ord. No. 84-33B, § 2, 8-28-84)

Secs. 8-198-191—8-210. - Reserved.

Meeting Date: 09/25/2012

Submitted By: Ruben Esquivel, Engineering
Department

Information

SUBJECT:

O: 2012 - 040 An Ordinance Amending the Del Rio Code of Ordinances Chapter 8, Article V, Electrical Installations; Providing for a Penalty; Providing for Publication; and Providing for an Effective Date - Ruben Esquivel, Chief Building Official

SUMMARY:

Discussion and possible action on an ordinance to amend the Del Rio Code of Ordinance Chapter 8, Article V, for Electrical Installations.

BACKGROUND:

The ordinance should be reviewed to prevent any conflicts/differences between local, federal, and state laws and amended as needed.

DISCUSSION:

The current ordinance is in conflict with the current adopted National Electrical Codes. In some sections it is more stringent and electricians are required to take a local exam and obtain a license through local administered testing. Amending this Ordinance to remove the testing and local licensing will bring the City's Ordinance into line with the Texas State Regulations for Electricians and Contractors. And finally, the National Electrical Codes will govern in all cases.

PROS:

The adoption of this ordinance will make the City requirements equivalent to state law and regulations and will prevent conflicts between the existing requirements.

CONS:

The adoption of this ordinance will require all electrician classifications and contractors to register and obtain a registration card to work in the City of Del Rio.

RECOMMENDATION:

Staff recommends approval of an ordinance to the Del Rio Code of Ordinance Chapter 8, Article V, for Electrical Installations.

Fiscal Impact

FISCAL IMPACT:

The registration fees will provide additional revenue to the General Fund and reduce some of the costs of operations for the budget of the Code Compliance Department.

Attachments

O:2012-040 Chp 8 Article V Elect Install
ch 8 art 5