

Introduced: February 4, 2020
Passed: February 4, 2020
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ORDINANCE NO. 2020 - 5

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 21 OF THE CODE OF THE CITY OF HUTCHINSON INCORPORATING THE NFPA 70, NATIONAL ELECTRICAL CODE, 2017 EDITION, BY REFERENCE AND REPEALING THE EXISTING ARTICLE V OF CHAPTER 21 OF SAID CODE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HUTCHINSON, KANSAS:

Section 1. Article V of Chapter 21 of the Hutchinson City Code is hereby amended to read as follows:

Article V. Electrical Code

Sec. 21-501 Adoption of the NFPA 70, National Electrical Code, 2017 Edition

There is hereby incorporated by reference for the purpose of regulating and governing new and existing installations, additions, alterations, modifications, construction, maintenance, testing and repair to electric systems in the City of Hutchinson, providing for the issuance of permits, and collection of fees therefore within the corporate limits of the City of Hutchinson, Kansas, the "NFPA 70, National Electrical Code", 2017 Edition, including Annex A, B, C, D, E, F and H, as published by the National Fire Protection Association, Inc. At least one copy of said NFPA 70, National Electrical Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 2020 - 5," and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Building Inspector and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such NFPA 70, National Electrical Code as may be deemed expedient.

Sec. 21-502 Local amendments to the NFPA 70, National Electrical Code, 2017 Edition

That the following sections of the NFPA 70, National Electrical Code, 2017 Edition, are hereby modified as follows:

ARTICLE 230 – SERVICES, PART VI. Service Equipment – Disconnecting Means

230.70 General. Means shall be provided to disconnect all conductors in a building or other structure from the service-entrance conductors.

(A) Location. The service disconnecting means shall be installed in accordance with 230.70(A)(1), (A)(2), and (A)(3).

(1) Readily Accessible Location. The service disconnecting means shall be installed at a readily accessible location outside of a building or structure and within 1 foot of the Utility Meter.

(2) Bathrooms. Service disconnecting means shall not be installed in bathrooms.

(3) Remote Control. Where a remote control device(s) is used to actuate the service disconnecting means, the service disconnecting means shall be located in accordance with 230.70(A)(1).

(B) Marking. Each service disconnect shall be permanently marked to identify it as a service disconnect.

(C) Suitable for Use. Each service disconnecting means shall be suitable for the prevailing conditions. Service equipment installed in hazardous (classified) locations shall comply with the requirements of Articles 500 through 517.

ANNEX H

Section 80.2 Definitions

Authority Having Jurisdiction. The organization, office, or individual responsible for approving equipment, materials, an installation, or a procedure.

ANNEX H

Section 80.23 Notice of Violation, Penalties. Notice of violations and penalties shall conform to (A) and (B).

(A) Violations.

(1) Whenever the authority having jurisdiction determines that there are violations of this Code, a written notice shall be issued to confirm such findings.

(2) Any order or notice issued pursuant to this Code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by personal service or mail or by delivering the same to, and leaving it with some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such order or notice shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the order or notice shall be mailed by

registered or certified mail, with return receipt requested, to the last known address of the owner, occupant, or both.

(B) Penalties.

(1) Any person who fails to comply with the provisions of this Code or who fails to carry out an order made pursuant to this Code or violates any condition attached to a permit, approval, or certificate shall be subject to the penalties established by this jurisdiction.

(2) Failure to comply with the time limits of an abatement notice or other corrective notice issued by the authority having jurisdiction shall result in each day that such violation continues being regarded as a new and separate offense.

(3) Any person, firm, or corporation who shall willfully violate any of the applicable provisions of this article shall be guilty of a Class C misdemeanor and, upon conviction thereof, shall be punished by a fine or imprisonment or both as provided in Hutchinson City Code sections 24-901 and 24-902..

ANNEX H

Section 80.25 Connection to Electricity Supply. Connections to the electric supply shall conform to (A), (B) and (E).

(A) Authorization. Except as otherwise provided in 80.25, it shall be unlawful for any person, firm, or corporation to make connection to a supply of electricity or to supply electricity to any electric equipment installation for which a permit is required or that has been disconnected or ordered to be disconnected.

(B) Special Consideration. By special permission of the authority having jurisdiction, temporary power shall be permitted to be supplied to the premises for specific needs of the construction project. The Building Official shall determine what needs are permitted under this provision.

(E) Disconnection. Where a connection is made to and installation that has not been inspected, as outlined in the preceding paragraphs or this section, the supplier of electricity shall immediately report such connection to the Building Official. If, upon subsequent inspection, it is found that the installation is not in conformity with the provisions of Article 80, the Building Official shall notify the person, firm, or corporation making the installation to rectify the defects and, if such work is not completed within 15 business days or a longer period as may be specified, the Building Official shall have the authority to cause the disconnection of that portion of the installation not in conformity.

ANNEX H

Section 80.29 Liability for Damages. Article 80 shall not be construed to affect the responsibility or liability of any party owning, designing, operating, controlling, or installing any electric equipment for damages to persons or property caused by a defect therein, nor shall the City of Hutchinson or any of its employees be held as assuming any such liability by reason of the inspection, re-inspection, or other examination authorized.

Section 2. The following sections of the NFPA 70, National Electrical Code, 2017 Edition, ANNEX H are hereby declared to be omitted and deleted: Section 80.19(D), Section 80.25(C) and (D), Section 80.27(A-D) and Section 80.35.

Section 3. That the existing Article V of Chapter 21 of the Hutchinson City Code is hereby repealed effective May 1, 2020.

Section 4. This Ordinance, after its passage, shall be published once in the official City newspaper and shall take effect and be in force from and after May 1, 2020.

PASSED BY THE GOVERNING BODY, this 4th day of February, 2020, for the City of Hutchinson, Kansas.

Jade Piros de Carvalho, Mayor

ATTEST:

Karen Weltmer, City Clerk