BUILDING CODES APPEALS BOARD

Notice is hereby given of a meeting of the Building Codes Appeals Board to be held on February 19, 2013, at 6:00 P.M. at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, regarding items of business according to the agenda listed below:

- 1. Call to order
- 2. Consider approval of minutes from the January 15, 2013 meeting
- 3. Public Comments (Limited to five minutes per person)
- 4. Review, discuss and consider a recommendation to City Council relating to a possible change to the City's electrical code local amendments (Chapter 82, Code of Ordinances)
- 5. Administrative Reports
- 6. Board Comments on matters appearing on agenda or inquiry of staff regarding specific factual information of existing policy
- 7. Establish next meeting date, time and topics
- 8. Adjourn

A quorum of City Council members may be present and participate in discussions during this meeting; however, no action will be taken by Council as a governing body.

In compliance with the Americans with Disabilities Act, the City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meetings. Please contact Patrice Fogarty, City Secretary, at 281.470.5019.

CERTIFICATION

I certify that a copy of the February 19, 2013 agen	da of items to be considered	by the City of La Porte
Building Codes Appeals Board was posted on the Cit	y Hall bulletin board on the	day of
, 2013.		
	Title:	

Out of consideration for all attendees of the meeting, please turn off all cell phones and pagers, or place on inaudible signal. Thank you for your consideration.

Building Codes Appeals Board Minutes of January 15, 2013

Members Present: Tom Campbell, Ken Schlather, Paul Larson, J. P. Jackson, Mark Follis

and Lindsay Pfeiffer

Members Absent: Terry Bunch

<u>City Staff Present:</u> Mark Huber, Deputy Building Official

Others Present: Rick Lord and John Mata

1. CALL TO ORDER

Meeting called to order at 6:00 P.M. by Chairman Tom Campbell.

2. CONSIDER APPROVING MINUTES FROM THE NOVEMBER 13, 2012 MEETING

Motion to approve the November 13, 2012 minutes, as written, was made by Lindsay Pfeiffer. Second by J. P. Jackson. Motion passed unanimously.

3. PUBLIC COMMENTS (LIMITED TO FIVE MINUTES PER PERSON)

John Mata of the International Association of Plumbing and Mechanical Officials (IAPMO) advised the Board that he supports the prompt adoption of the new codes since it helps the City's ISO rating. He advised the Board that the State Board of Plumbing Examiners recently adopted the 2012 Uniform Plumbing code

He also requested confirmation that the City received the refund on the code book purchases. Mark Huber confirmed receipt.

4. REVIEW, DISCUSS AND CONSIDER A RECOMMENDATION TO CITY COUNCIL TO ADOPT THE 2012 CODE EDITIONS WITH LOCAL AMENDMENTS (RESIDENTIAL, BUILIDNG, PLUMBING, ENERGY & MECHANICAL)

Motion by Ken Schlather to recommend City Council adopt the 2012 codes with local amendments as presented in the packet. Second by Mr. Pfeiffer. Voting in favor of the motion were Mr. Campbell, Mr. Jackson, Mr. Schlather and Mr. Pfeiffer. Mr. Follis and Paul Larson voted in opposition. Motion passed.

5. ADMINISTRATIVE REPORTS

Mark Huber provided the Board with a report on building activity.

6. BOARD COMMENTS ON MATTERS APPEARING ON AGENDA OR INQUIRY OF STAFF REGARDING SPECIFIC FACTUAL INFORMATION OF EXISTING POLICY

Paul Larson stated that the Uniform Plumbing and Mechanical Codes do not publish books on the significant changes. He suggested that the Board look at the International Codes in the future.

Mr. Follis discussed the City's current 120 m.p.h. windload requirement.

7. ESTABLISH NEXT MEETING DATE, TIME AND TOPICS

Motion by Mr. Pfeiffer, next meeting date to be February 19, 2013 at 6:00 p.m. and topic will be the review of the electrical code local amendments. Second by Mr. Schlather. Motion passed unanimously.

8. ADJOURN

A motion to adjourn was made by Mr. Pfeiffer with a second by Mr. Schalther. Motion passed unanimously. Meeting adjourned at 6:40 p.m.

Respectfully submitted,

Mark Huber Deputy Building Official

ARTICLE IV. - ELECTRICAL CODE

DIVISION 1. GENERALLY

Sec. 82-101. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apprentice electrician means the holder of an apprentice electrician license.

Electrical work means the installing, maintaining, altering, repairing or erecting of any electrical wiring, apparatus, devices, appliances, fixtures or equipment for which a permit is required under the terms and provisions of the electric code.

Inspector shall mean the chief building official of the city or any of the division construction inspectors under her/his supervision.

Journeyman electrician means the holder of a journeyman electrician license.

Master electrician means the holder of a master electrician license.

Sec. 82-102. Electrical work to be done only by or under licensed master electrician.

- (a) Except as provided in this article, it shall be unlawful for any person to do electrical work within the city unless such person is a master electrician licensed under the provisions of the Electrician's Occupations Code (a.k.a. The Texas Electrical Safety and Licensing Act), or unless such person does such electrical work under the supervision, direction and control of a master electrician licensed under the provisions of said code.
- (b) Nothing in the Electrician's Occupations Code (a.k.a. The Texas Electrical Safety and Licensing Act) shall ever be construed or operate to prevent any person from doing electrical work in or on his property which he owns, where he resides and which he maintains as a homestead. Such homeowner shall not be required to be a licensed electrician but shall otherwise conform to all other requirements of said code. In doing electrical work on his own property, as provided in this subsection, such owner shall not use any hired assistant unless such assistant is duly licensed under the terms of said code.

(c) Except as provided in subsection (b) of this section, no electrical work shall be performed by any person not the holder of the required license. No person, firm or corporation shall employ any other person for doing electrical work unless such person proposed to be employed is the holder of the proper license.

Sec. 82-103. Reserved.

Sec. 82-104. Tampering.

- (a) It shall be unlawful for any person to bridge, tamper with or change from its original installation, except upon the approval of the inspector, and then only after a proper permit for alteration has been issued, any fuse of the plug, cartridge type or link type, installed in panel boards, main switches or switchboards, or to alter or change circuit breakers so that the original calibration will be affected, or to tie down or secure any circuit breaker so that it will not function properly.
- (b) It shall be unlawful for any person, in any manner, to interfere with any electrical wiring installed or being installed in, or on, within or without any structure or building. If in the course of erection of a building or structure the wiring is in such position as to interfere with the erection or completion of the building or structure as called for by the plans, notice shall immediately be given the person installing the wiring and the needed change shall be made by such person.
- (c) It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring, apparatus, devices, appliances, fixtures and equipment for the installation of which a permit is required until it shall have received an approval by the inspector.
- (d) It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring, apparatus, devices, appliances, fixtures and equipment which have been disconnected by the inspector or the use of which has been ordered by the inspector to be discontinued until approval has been issued by the inspector.

Secs. 82-105 – 81-150. Reserved.

DIVISION 2. RESERVED.

<u>Secs. 82-151 – 82-280.</u> Reserved.

DIVISION 3. PERMITS

Sec. 82-281. Required; exceptions.

- (a) No wiring, poles, duct line, guy anchors, apparatus, devices, appliances, fixtures or equipment for the transmission, distribution or utilization of electrical energy for any purpose shall be installed within the city limits, nor shall any alteration or addition be made in any such existing wiring, poles, duct lines, guy anchors, apparatus, devices, appliances, fixtures or equipment without first securing a permit therefor from the inspector, except that no permit shall be required for the following:
- (1) Replacing fuses or lamps or the connection of portable devices to suitable receptacles which have been permanently installed or for repairs to portable appliances.
- (2) Minor repair work, such as repairing or replacing flush and snap switches, receptacles and lamp sockets, or minor repairs on permanently connected electric apparatus, appliances, fixtures or equipment, or the installation of light globes.
- (3) The installation, maintenance or alteration of wiring, apparatus, devices, appliances or equipment for telegraph, telephone, signal service or central station protective service used in conveying signals or intelligence, except where electrical work is done on the primary side of the source of power from the power company at a voltage over 50 volts and which generates more than 500 watts of energy.

- (4) Poles and guy anchors, for the installation, maintenance or alteration of electric wiring, apparatus, devices, appliances or equipment to be installed by an electric public service corporation for the use of such corporation in the generation, transmission, distribution, sale or utilization of electrical energy. However, an electric public service corporation shall not do any wiring on a customer's premises other than wiring which is part of the company's distribution system, nor shall any of its employees do any work other than that done for the company as provided for in this section, by virtue of this exemption.
- (5) The installation of temporary wiring, apparatus, devices, appliances or equipment used by a recognized school in teaching electricity.
- (b) Where no permit is required for the installation or repair of wiring, apparatus, devices or equipment for the transmission, distribution or utilization of electrical energy for any purpose, the wiring, apparatus, devices or equipment shall be installed or repaired in conformity with the provisions of this article.

Sec. 82-282. Application and issuance.

- (a) The application for a permit shall describe the work to be done and shall be made in writing by a master electrician or his company representative. The permit, when issued, shall be issued to such applicant to cover such work as described and detailed. Any changes or additions must be covered by additional permits at the time changes are made. The application shall be accompanied by such plans, specifications and schedules as may be necessary to determine whether the installations, as described, will be in conformity with the requirements of this article.
 - (b) Reserved.
 - (c) Reserved.

- (d) If it is found that the installation, as described, will, in general, conform to the requirements of this article, and if the applicant has complied with all provisions of the ordinances of the city, a permit for such installation shall be issued. The issuance of a permit will not be taken as permission or as a license to violate any of the requirements of this article or any other ordinance of the city.
- (e) The inspector may issue and enforce any rules or regulations he may deem necessary covering the granting of emergency permits, where real emergencies exist.
- (f) Before a permit is issued, fees shall be paid to the city in amounts listed in appendix A of the city's Code of Ordinances.

Sec. 82-283. Reserved.

Sec. 82-284. Insurance requirements.

- (a) No permit shall be issued until the master electrician shall have arranged to carry the minimum insurance as required by the Administrative Rules of the Texas Department of Licensing and Regulation, 16 Texas Administrative Code, Chapter 73; Section 73.40.
- (b) Evidence of compliance with the insurance requirements of subsection (a) of this section shall be considered as having been met when a certificate of insurance has been filed with and approved by the city. Such policy shall include an endorsement thereon that the city will be notified at least ten days in advance in the event of the policy being cancelled.

Secs. 82-285 – 82-305. Reserved.

DIVISION 4. INSPECTIONS

Sec. 82-306. Inspector's responsibilities.

The inspector shall, upon application, cause to be issued permits for the installation and alteration of electrical wiring, devices, appliances, fixtures, apparatus and equipment, and certificates of final approval therefor, and shall be responsible for inspection of all new electrical installations and reinspections of all electrical installations, all as provided in this article. He shall keep complete records of all permits issued, inspections and reinspections made, and other official work performed in accordance with the provisions of this article.

Sec. 82-307. Entry upon private property.

The inspector shall have the right from 7:30 a.m. to 5:30 p.m. (Monday—Friday) or in emergency situations, to enter any building in the discharge of his official duties or for the purpose of making any inspection, reinspection or test of the installation of electrical wiring, apparatus, devices, appliances, fixtures and electrical equipment contained therein, and shall have the authority to cause the turning off of all electrical currents and to cut or disconnect in cases of emergency any wire where such electrical currents are dangerous to life and property, or where such wires may interfere with the work of the fire department. The inspector is hereby empowered in emergencies to disconnect and to order the discontinuance of electrical service to any electric wiring, apparatus, device, appliance, fixture or equipment found to be dangerous to life or property because of its being defective or defectively installed or otherwise not in conformity with the provisions of this article until such wiring, apparatus, device, appliance, fixture and equipment and their installation have been made safe as directed by him/her in conformity with this article.

Sec. 82-308. Installations to be concealed.

When any part of a wiring installation is to be concealed by the permanent placement of parts of a building, the master electrician to whom the permit has been issued shall notify the inspector, provided that on such installation as the concealment of parts of the wiring must, in the discretion of the inspector, necessarily proceed continuously, the master electrician to whom the permit has been issued shall give the inspector due notice, and inspection shall be made periodically during the progress of the work. Where, in the discretion of the inspector, it is necessary, he shall post notice upon the premises stating that work is approved and may be covered, or is not approved and may not be covered, until such further inspection as is necessary has been made. Any person destroying, altering or defacing such notice without the consent of the inspector, shall be deemed guilty of an offense under this section, and any work described in the notice shall be stayed pending the further necessary inspection. Upon the completion of the work which has been authorized by the issuance of a permit, it shall be the duty of the master electrician to whom the permit has been issued to immediately notify the inspector, who shall inspect such installations within three days, exclusive of weekends and holidays, of the time such notice is given.

Sec. 82-309. Authorization for electrical service.

If the work is found to be in compliance with the provisions of this article, the inspector, subject to the other applicable provisions of this article, shall issue a final approval to the public utility corporation furnishing the electrical service or the person supplying the energy, which approval shall authorize connection of such approved work to the source of energy of the electrical service, the turning on of current and the use of the installation. No connection shall be made until such authorization and final approval is given.

Sec. 82-310. Reinspection; correction of unsafe conditions.

The inspector shall make, upon information or belief that faulty conditions exist, a thorough reinspection of any electrical wiring, apparatus, devices, appliances, fixtures and equipment now installed or that may hereafter be installed and within the scope of this article, and when the installation of such wiring, apparatus, devices, appliances, fixtures and equipment is found to be at variance with the original permit issued, or to be in a dangerous or unsafe condition, or if it is found that the electrical measuring device has been tampered with so as to create a condition dangerous to the continuity of the electrical service or to property, the person owning, using or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place such wiring, apparatus, devices and equipment in safe condition so as to relieve the hazards created by such unauthorized conditions, and shall have such work completed within ten days, or any reasonably longer period specified by the inspector in the written notice.

Sec. 82-311. Schedule of fees for inspection.

The master electrician making or supervising installation or alteration of electric wiring, apparatus, devices, appliances, fixtures or equipment, shall pay to the city fees in such amounts as established by the city and listed in appendix A of this Code.

Sec. 82-312. Reserved.

Secs. 82-313 – 82-335. Reserved.

DIVISION 5. STANDARDS

Sec. 82-336. National Electrical Code – Adoption.

- (a) The National Electrical Code, 2008 Edition, is hereby adopted as the regulations to govern and to be observed and followed in all electric wiring and in all electrical construction, installation, repair, alteration, operation and maintenance of electric wiring, apparatus and fixtures, except for the amendments adopted in sections 82-337 through 82-350, of this chapter.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall be deemed to have committed a class C misdemeanor and upon conviction shall be punished by a fine in an amount as provided in appendix B of this Code.
 - (d) All applicable fees shall be in accordance with appendix A of this Code.

Sec. 82-337. Same – Amendments.

The electrical code adopted in <u>section 82-336</u> is amended to read as provided in sections <u>82-338</u> through <u>82-350</u>.

Sec. 82-338. Aluminum conductors.

Aluminum conductors may not be used in any wiring within buildings, nor in any underground service conductors. Aluminum conductors may only be used as outside aerial conductors from a weatherhead to a pole, from a pole to a pole, and from a weatherhead to a weatherhead.

Sec. 82-339. Installation of electrical devices.

All electrical devices (including but not limited to outlets and switches) shall be installed with the screw-wrap or approved screw clamp installation. Back or quick stab installation is prohibited.

Sec. 82-340. Residential capacity and branch circuits.

- (a) All services for 1 and 2 family dwellings, shall be a minimum of 100 Amp capacity and shall have a minimum of two spare breaker slots.
 - (b) All underground services shall be installed in a minimum of schedule 40 conduit.

Sec. 82-341. Reserved.

Sec. 82-342. Wiring within buildings.

Nonmetallic sheathed cable shall be used only for residential work, apartment houses, hotels, motels and similar occupancies equal to and less than three stories in height. Conductors in or on all tile and masonry walls of such buildings shall be encased in rigid conduit, flexible conduit, PVC conduit or electrical metallic tubing. Minimum size nonmetallic sheathed cable shall be limited to No. 12 AWG.

Sec. 82-343. Reserved.

Sec. 82-344. Meter cabinets.

Meter cabinets or meter sockets shall be approved by the electric public service company and installed in accordance with subsection <u>82-102(a)</u> of this chapter. Meter cabinets shall be installed in accordance with electric public service company standards and the National Electrical Code (NEC).

Sec. 82-345. Feeders.

All services, except residential and interior feeders, shall be installed in rigid metal conduit, electric metallic tubing or approved busways, except that underground services and feeders may be installed in approved ducts or plastic conduit. The portion of the service ahead of the meter cabinet shall not be run through attic spaces.

Sec. 82-346. Flexible conduit.

Flexible metallic conduit may be used, provided that such flexible metal conduit meets all specifications of the National Electrical Code; provided, however, that the wiring method of BX/Armour Clad is specifically prohibited.

Sec. 82-347. Specific regulations for dwellings.

General lighting load in single-family residences shall be divided into not less than three circuits and shall be balanced as nearly as possible. Circuits may be of either 15 or 20 ampere capacity or may be mixed. Not more than eight outlets may be connected to any 15-ampere circuit, nor more than ten outlets to any 20-ampere circuit. For purposes of this section an outlet is considered to be a receptacle or fixture outlet.

Sec. 82-348. Franchise to install equipment in streets.

No person or public service company that does not operate under a franchise granted by the city shall have the right to install any electrical conduit, wires, ducts, poles or equipment of any character for the transmissions, distribution or utilization of electrical energy, or for the operation of signals or the transmission of intelligence on, over or under the streets in the city, without first obtaining from the city council a franchise right or grant for the particular installation so desired to be made. Any such installation so made under such franchise or grant shall be in strict conformity with all rules and regulations and ordinances of the city.

Sec. 82-349. Suspension of approval of materials.

The building codes appeals board (BCAB) may, for good and justifiable reasons, suspend or revoke the approval of certain materials or wiring.

Sec. 82-350. Prohibition of installation of nonconforming goods.

- (a) No electrical materials, apparatus, devices appliances, fixtures or equipment shall be installed in the city unless they are in conformity with the provisions of this article and the statutes of the state.
- (b) The maker's name, trademark or other identification symbol shall be placed on all electrical materials, apparatus, devices, appliances, fixtures and equipment used or installed under the provisions of this article.

Secs. 82-351 – 82-380. Reserved.