

ORDINANCE NO. 4907-1445

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE III, CHAPTER 7 OF THE CITY CODE OF THE CITY OF PRESCOTT ENTITLED "NATIONAL ELECTRICAL CODE" BY REPEALING SECTION 3-7-2 AND ADOPTING A NEW SECTION 3-7-2 BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED " CITY OF PRESCOTT 2011 NATIONAL ELECTRICAL CODE AMENDMENTS", WHICH WAS MADE A PUBLIC RECORD BY RESOLUTION NO. 4250-1459, AND PROVIDING PENALTIES THEREIN.

RECITALS:

WHEREAS, the City of Prescott wishes to adopt certain amendments to the *2011 National Electrical Code* in the interests of the health, safety and welfare of the citizens of Prescott; and

WHEREAS, Resolution 4250-1459 establishes the "*City of Prescott 2011 National Electrical Code Amendments*" as public records; and, whereas that document is intended to be adopted by this Ordinance therefore by reference.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. That certain document entitled the "*City of Prescott 2011 National Electrical Code Amendments*", which document amends and supersedes certain designated sections of the *2011 National Electrical Code* was made a public record by Resolution No. 4250-1459 is hereby adopted by this reference.

SECTION 2. SEVERANCE CLAUSE: The provisions of this Ordinance and the Codes it incorporates are hereby declared to be severable; and, if any section, sentence, clause or phrase of this Ordinance or the Codes that it incorporates shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance and the Code it incorporates, but they shall remain in effect, it being the legislative intent that this Ordinance and the Code it incorporates shall stand notwithstanding the invalidity of any part thereof.

SECTION 3. PENALTY-CRIMINAL: Any person who violates any provision of this Ordinance or the Codes adopted pursuant to this Ordinance may be guilty of a misdemeanor, and upon conviction thereof, shall be punished as provided in Section 1-3-1 of the Prescott City Code, by a fine not exceeding two thousand five hundred dollars

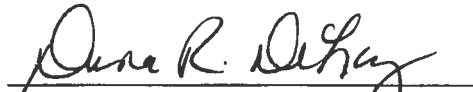
(\$2,500.00) or by imprisonment for not more than six months, or by both such fine and imprisonment, at the discretion of the City judge. Each and every day any such violation continues shall be deemed and considered a separate offense.

SECTION 4. PENALTY-CIVIL: Upon conviction any person who violates any provision of this Ordinance thereof may be punished as provided in Section 1-3-1 and Section 1-3-2 of the Prescott City Code and subject to a civil penalty. Each and every day any such violation continues shall be deemed and considered a separate offense.

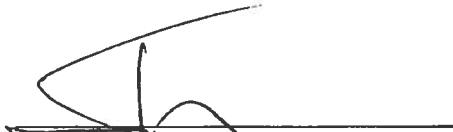
PASSED AND ADOPTED by the Mayor and Council of the City of Prescott, Arizona, on this 23rd day of September, 2014.


MARLIN KUYKENDALL, Mayor

ATTEST:


DANA R. DeLONG, City Clerk

APPROVED AS TO FORM:


JON M. PALADINI, City Attorney

RESOLUTION NO. 4250-1459

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ADOPTING THAT CERTAIN DOCUMENT ENTITLED "*CITY OF PRESCOTT 2011 NATIONAL ELECTRICAL CODE AMENDMENTS*", AS PUBLIC RECORDS, AND DIRECTING THE CITY CLERK TO RETAIN THREE COPIES THEREOF ON FILE.

RECITALS:

WHEREAS, the City of Prescott wishes to adopt that certain document entitled the *2011 National Electrical Code*, as adopted by the National Fire Protection Association, attached hereto and made a part hereof as Exhibit "A" as a public record.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

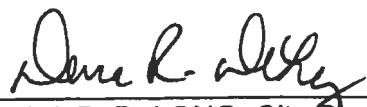
Section 1. That certain document entitled "*City of Prescott 2011 National Electrical Code Amendments*", Exhibit "A", is hereby declared to be a public record.

Section 2. That the City Clerk is hereby directed to maintain three (3) copies of the above referenced public documents on file at all times for inspection by the public.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this 9th day of September, 2014.


MARLIN KUYKENDALL, Mayor

ATTEST:


DANA R. DeLONG, City Clerk

APPROVED AS TO FORM:



JON M. PALADINI, City Attorney

EXHIBIT "A"**PART 1 ADOPTION**

That Resolution 3914-0920 of the City of Prescott is here by repealed and a new International Mechanical code pertaining to all aspects of construction is adopted to read as follows:

CITY OF PRESCOTT 2011 NATIONAL ELECTRICAL CODE AMENDMENTS

There is hereby adopted by reference, that certain document known as the National Electrical Code, 2011 edition, as published by the National Fire Protection Agency. Said document is hereby amended and adopted as the 2011 National Electrical Code for the City of Prescott for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, penalties, conditions, and terms of the various Technical codes and Ordinances. Providing procedures for enforcement thereof; providing the severability of each and all conditions and terms of the "City of Prescott 2011 National Electrical Code" are hereby referred to, adopted, and made as part hereof as set forth herein, excepting such portions as are herein deleted, modified or amended.

ARTICLE 90 - INTRODUCTION**ARTICLE 90.1 Purpose**

ARTICLE 90.1 (A) Practical Safeguarding is amended to read as follows:

Article 90.1 (A) Practical Safeguarding - Any and all electrical work for light, heat, power or any other purposes shall be installed in the conformity with the rules and regulations as set forth in this Code and that document entitled National Electrical Code, 2011 Edition, and in conformity with the rules and regulations as set forth by the Chief Building Official.

CHAPTER 1 GENERAL

ARTICLE 100 Definitions is amended by adding a third and fourth paragraph as follows:

Scope: Terms not defined in other codes. Where terms are not defined in this code and are defined in the International Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code or The City of Prescott Administration Code, such terms shall have the meanings ascribed to them as in those codes.

Scope: Terms not defined. Where terms are not defined through the methods authorized by this Chapter, such terms shall have ordinarily accepted meanings such as the context implies. The Current edition of Webster's New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

CHAPTER 3 WIRING METHODS AND MATERIALS**ARTICLE 310 – CONDUCTORS FOR GENERAL WIRING**

ARTICLE 310.15 Ampacities for conductors rated 0-2000 volts is amended as follows:

TABLE 310.15(B)(7) - 120/240-Volt and 120/208-Volt, 3-Wire, Single-Phase Dwelling Services and Feeders.

ARTICLE 310.15(B)(7) - 120/240-Volt and 120/208 Volt, 3-Wire, Single-Phase Dwelling Services and Feeders. For dwelling units, conductors, as listed in Table 310.15(B)(7), shall be permitted as 120/240-volt and 120/208-Volt, 3-wire, single phase service-entrance conductors, service lateral conductors, and feeder conductors that serve as the main power feeder to a dwelling unit and are installed in raceway or cable with or without an equipment grounding conductor.

CHAPTER 4 EQUIPMENT FOR GENERAL USE

ARTICLE 406 – RECEPTICLES, CORD CONNECTORS AND ATTACHMENT PLUGS.

ARTICLE 406.12 Tamper-Resistant Recepticles in Dwelling Units. Is deleted in its entirety

PART II FINDINGS AND DECLARATION

The City of Prescott Council, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the City of Prescott 2011 National Electrical Code, which are stated in this Exhibit "A".

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the 1st day of January 2015.