An Ordinance of the City of Plano, Texas repealing Ordinance No. 2018-11-13, codified as Article IX, Electrical Code, Chapter 6 of the Code of Ordinances of the City of Plano, Texas; adopting the 2020 National Electrical Code with certain additions, deletions, and amendments as the Electrical Code for the City of Plano, Texas; and providing a repealer clause, a severabilityclause, a penalty clause, a savings clause, a publication clause and an effective date.

WHEREAS, on November 26, 2018, by Ordinance No. 2018-11-13, the City Council of the Cityof Plano amended Ordinance No. 2014-11-15 to reflect the changes to the National Electric Code, and such were codified as Article IX, Electrical Code, of Chapter 6 of the Code of Ordinances of the City of Plano; and

WHEREAS, on September 21, 2021, and on January 18, 2022, the Building Standards Commission held public hearings to discuss the adoption of the 2020 National Electrical Code, a publication of the National Fire Protections Association, along with the appendices of such Code, and to receive input from the general public and all persons who may be affected by the proposed adoption; and

WHEREAS, upon the recommendation of the Building Standards Commission and upon full review and consideration of all matters attendant and related thereto, the City Council is of the opinion that the 2020 Edition of the National Electrical Code, and the local amendments thereto, should be approved and adopted as the Electrical Code of the City.

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

Section I. Ordinance No. 2018-11-13, duly passed and approved by the City Council of the City of Plano on November 26, 2018, is hereby repealed in its entirety.

Section II. A new Article IX, Electrical Code, of Chapter 6 of the Code of Ordinances of the City of Plano, Texas, is hereby replaced to read as follows:

"Article IX. ELECTRICAL CODE

DIVISION 1. GENERALLY.

Sec. 6-271. Penalty.

Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Sec. 6-272 Adopted.

The 2020 Edition of the National Electrical Code, as published by the National Fire Protection Association, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Electrical Code of the City to the same extent as if such code were copied verbatim in this Article.

Sec. 6-273. Short title.

The title of this Article shall be the "Electrical Code of the City of Plano," and it may be cited as such.

Sec. 6-274. Definitions.

For the purposes of this Article certain terms, phrases, works and their derivatives shall be defined and meanings construed as set out in this section.

Authorized person means an individual or authorized representative of a firm or corporation who is currently licensed under the provisions of this Article to do the work as permitted under the specific provisions of this Article.

Board means the Building Standards Commission as constituted in this Article.

Electrical construction means and includes all work and material used in installing, maintaining and extending a system of electrical wiring and all appurtenances, apparatus, and equipment used in connection therewith, inside of or attached to any building or structure, lot or premises.

Electrical contractor means any person engaged in the business of installing, maintaining or altering, by contract, electrical conductors or equipment.

Electrician means a person who is engaged in the work of electrical construction, maintenance, or repair and who is qualified under the terms and provisions of this Article.

Engineering Supervision means supervision by a qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations.

Inspector means an individual who has been designated by the city as an electrical inspector.

Intersystem Bonding Termination means a device that provides a means for connecting intersystem bonding conductors for communication systems and other systems to the grounding electrode system. Bonding conductors for other systems shall not be larger than 6 AWG.

Kitchen means an area with a sink and permanent facilities for food preparation and cooking.

Maintenance means the act of keeping in a state of safe operating condition any conductor or piece of equipment used inside or outside, attached or connected to any building electrical system by replacement of units or elements thereof, but shall not include extensions of, or additions or alterations to an existing system or branch thereof.

Owner means any person, firm, partnership, or corporation holding legal title to or in any real property, building, or premises within the city limits.

Plans Examiner means an individual who has been designated by the City of Plano to perform code review on plans submitted to the building inspections department for permitting.

Registered (Licensed) means that the person has made application to the building inspections department and has satisfied the department that the person is qualified to do the work stated in the application, the necessary registration fees to date have been paid, and that the person's name is carried in the records of the electrical inspector as a person authorized to do electrical work as defined in this Article.

Repair means the act of restoring to a safe and sound condition as an operating unit or element any conductor or piece of equipment used either inside or outside, attached or connected to a building electrical system, but shall not include extensions of or additions to an existing system or branch thereof.

Special permission means the written consent of the electrical inspector. Such permission shall be based upon a reasonable interpretation of this Article with respect to a specific problem where a strict interpretation would create an injustice.

Texas Department of Licensing and Regulation (TDLR) is the umbrella licensing agency for the State of Texas that is responsible for regulating the Texas Electrical Safety and Licensing Act.

DIVISION 2. AMENDMENTS.

Sec. 6-275. Amendments.

The following amendments to the National Electrical Code adopted herein are hereby approved and adopted:

Article 110.2; *change to read as follows:*

110.2 Approval. The conductors and equipment required or permitted by this *Code* shall be acceptable only if approved. Approval of equipment may be evident by listing and labeling of equipment by a Nationally Recognized Testing Lab (NRTL) with a certification mark of that laboratory or a qualified third party inspection agency or a field evaluation by a Field Evaluation Body accredited by either the International Code Council International Accreditation Service AC354 or ANSI National Accreditation Board programs and approved by the AHJ.

Exception: *Unlisted equipment that is relocated to another location within a jurisdiction or is field modified is subject to the approval by the AHJ. This approval may be by a field*

evaluation by a NRTL or qualified third-party inspection agency or a field evaluation by a Field Evaluation Body accredited by either the ICC IAS AC354 or ANAB programs and approved by the AHJ.

Informational Note No. 1: See 90.7, Examination of Equipment for Safety, and 110.3, Examination, Identification, Installation, and Use of Equipment. See definitions of *Approved*, *Identified*, *Labeled*, and *Listed*.

Informational Note No. 2: Manufacturer's self-certification of equipment may not necessarily comply with US product safety standards as certified by a Nationally Recognized Testing Lab (NRTL).

Informational Note No. 3: National Fire Protection Association (NFPA) 790 and 791 provide an example of an approved method for qualifying a third-party inspection agency.

Article 250.50; *change to read as follows:*

250.50 Grounding electrode System. All grounding electrodes as described in 250.52(A)(1) through (A)(7) that are present at each building or structure served shall be bonded together to form the grounding electrode system. Where none of these grounding electrodes exist, one or more of the grounding electrodes specified in 250.52(A)(4) through (A)(8) shall be installed and used. Any building or structure supplied by a service or feeder with a foundation, footing or piers shall have either a concrete encased electrode, ground ring, 2/0 AWG grounding electrode conductor connecting two eight (8) foot driven ground rods spaced a minimum of twenty (20) feet apart connected by a 2/0 AWG bonding conductor buried in a trench at least 30 inches deep, or chemical electrode installed.

Exception: *Concrete-encased electrodes of existing buildings or structures shall not be required to be part of the grounding electrode system where the steel reinforcing bars or rods are not accessible for use without disturbing the concrete.*

Article 408.4; *change to read as follows:*

408.4 Field Identification Required.

(A) Circuit Directory or Circuit Identification. Every circuit and circuit modification shall be legibly identified as to its clear, evident, and specific purpose or use. The identification shall include an approved degree of detail that allows each circuit to be distinguished from all others. Spare positions that contain unused overcurrent devices or switches shall be described accordingly. The identification shall be included in a circuit directory that is located on the face or inside of, or in an approved location adjacent *and permanently affixed* the panel door in the case of a panelboard and at each switch or circuit breaker in a switchboard or switchgear. No circuit shall be described in a manner that depends on transient conditions of occupancy.

(B) Source of Supply. All switchboards, switchgear, and panelboards supplied by a feeder(s) in other than one- or two-family dwellings shall be permanently marked to indicate each device or equipment where the power originates. The label shall be permanently affixed, of sufficient durability to withstand the environment involved, and not handwritten.

Article 410.118; *change to read as follows:*

410.118 Access to Other Boxes. Luminaires recessed in the ceilings, floors, or walls shall not be used to access outlet, pull, or junction boxes or conduit bodies, unless the box or conduit body is an integral part of the listed luminaire.

> ***Exception:*** *Removable luminaires with a minimum measurement of 22 in. x 22 in. shall be permitted to be used as access to outlet, pull, junction boxes or conduit bodies.*

Article 422.31; *change to read as follows:*

422.31 Disconnection of Permanently Connected Appliances.

(A) Rated at Not over 300 Volt-Amperes or ⅛ Horsepower. For permanently connected appliances rated at not over 300 volt-amperes or ⅛ hp, the branch-circuit overcurrent device shall be permitted to serve as the disconnecting means where the switch or circuit breaker is within sight from the appliance or be capable of being locked in the open position in compliance with 110.25.

(B) Appliances Rated over 300 Volt-Amperes. For permanently connected appliances rated over 300 volt-amperes, the branch-circuit switch or circuit breaker shall be permitted to serve as the disconnecting means where the switch or circuit breaker is within sight from and is readily accessible to the appliance it serves or is capable of being locked in the open position in accordance with 110.25 and is readily accessible to the appliance it serves.

> Informational Note No. 1: For appliances employing unit switches, see 422.34.
>
> Informational Note No 2: The following means of access are considered to constitute readily accessible for this code change when conforming to the additional access requirements of the I Codes:
> (1) A permanent stair.
> (2) A pull-down stair with a minimum 300 lb. (136 kg) capacity.
> (3) An access door from an upper floor level.

(C) Motor-Operated Appliances Rated over ⅛ Horsepower. The disconnecting means shall comply with 430.109 and 430.110. For permanently connected motor-operated appliances with motors rated ⅛ hp, the disconnecting means shall be within sight from the appliance or be capable of being locked in the open position in compliance with 110.25.

> ***Exception:*** *If an appliance of more than ⅛ hp is provided with a unit switch that complies with 422.34 (A), (B), (C), or (D), the switch or circuit breaker serving as the other disconnecting means shall be permitted to be out of sight from the appliance.*

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

(A) Suitability. Suitability of identified equipment shall be determined by one of the following:

(1) Equipment listing or labeling;
(2) Evidence of equipment evaluation from a qualified testing laboratory or inspection agency concerned with product evaluation; or
(3) Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation or an engineering judgment signed and sealed by a qualified licensed Professional Engineer in the State of Texas.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information.

Article 505.7 (A); *change to read as follows:*

(A) Implementation of Zone Classification System. Classification of areas, engineering and design, selection of equipment and wiring methods, installation, and inspection shall be performed by a qualified licensed Professional Engineer in the State of Texas.

Article 695.6 (A)(1); *delete the exception and change to read as follows:*

(1) Services and On-Site Power Production Facilities. Service conductors and conductors supplied by on-site power production facilities shall be physically routed outside a building(s) and shall be installed as service-entrance conductors in accordance with 230.6, 230.9, and Parts III and IV of Article 230. Where supply conductors cannot be physically routed outside of buildings, the conductors shall be permitted to be routed through the building(s) where installed in accordance with 230.6(1) or (2).

Article 710.15 (A); *delete the information note and change to read as follows:*

710.15(A) Supply Output. Power supply to premises wiring systems fed by stand-alone or isolated microgrid power sources shall have adequate capacity to meet the calculated load in accordance with Article 220.

Informational Note: For general-use loads the system capacity can be calculated using the sum of the capacity of the firm sources, such as generators and ESS inverters. For specialty loads intended to be powered directly from a variable source, the capacity can be calculated using the sum of the variable sources, such as PV or wind inverters, or the combined capacity of both firm and variable sources.

Secs. 6-276 - 6-279. Reserved.

Sec. 6-280 Electrical signs.

All electrical display signs shall meet the requirements of other sections of this Article and any rule or regulation of any other ordinance or code issued by authority of the governing body of the city and the National Electrical Code, and shall be constructed and installed in accordance with the special regulations set forth in this section. Permits for installation of signs shall be obtained from the building inspections department before any signs are installed. Permit fees shall be obtained and paid for in the manner and in the amount set forth in the fee schedule as adopted by the city council.

Sec. 6-281. Supervision of work; limitation on employment of apprentices.

(a) In the actual work of installing, maintaining, altering or repairing any electric conductors or equipment for which this Article or other ordinance requires a permit, there shall be present and in direct supervision a qualified electrician of the proper classification. An electrical contractor or master electrician shall be liable and responsible for layout and technical supervision of any work which requires a permit and a journeyman or higher classified grade electrician shall be in direct "on the job" supervision of work carried on specified in this Article. Should it come to the attention of the electrical inspector or his assistants that such supervision and control are not being maintained, the Inspector may order the work to be discontinued and the person to whom the permit has been issued shall discontinue further work until proper supervision has been employed or supplied. Nothing in this section shall be construed as prohibiting the employment of apprentices assisting a person duly registered and qualified under the provisions of this Article. It shall be unlawful to have more than four (4) apprentice electricians working under the supervision of a duly registered person on any one job.

(b) A homeowner may personally install electrical conductors or equipment within his place of residence if the owner applies for and receives a permit, pays required fees, does work in accordance with this code, and applies for an inspection. Work performed by a homeowner, under the provisions of this section must be done by himself on homestead premises owned and occupied by him without compensation. The homeowner shall not employ another person to assist him in any way on work done under the provisions of this section.

Sec. 6-282. Inspection and approval or rejection of rough work.

(a) When the rough wiring or installation work authorized by a permit issued under this Article is complete on any permit issued under this Article, the person responsible therefore shall notify the electrical inspector that the job is ready for inspection giving proper identification of the work and address. The electrical inspector shall then make an inspection of the electrical installation within twenty-four (24) hours from the time of notification (exclusive of Saturdays, Sundays and legal holidays).

(b) If such wiring or installation work has been installed in accordance with the terms or provisions of this Article, the electrical inspector shall sign an inspection notice noting thereon the date of approval of the work. More than one (1) rough inspection may be made without charge when the progress of construction requires such inspection.

(c) If the electric wiring or installation of fixtures or equipment inspected under this section is found to be faulty or incorrectly or defectively installed, the electrical inspector shall attach an inspection notice showing rejection of the work and make available to the responsible person who installed such work information as to the changes necessary to be made in order that the work may conform to this Article. The person responsible for such work shall, within twenty-four (24) hours from the time of notification; make or start to make changes ordered and shall proceed with the work until the same is completed. Upon completion thereof, he shall notify the electrical inspector to the effect that the defective work has been corrected. The latter then shall cause a re-inspection to be made, and if the work is found to comply with this Article he shall sign the inspection card noting thereon the date of approval of the work. If the electrical inspector shall again find the work incorrectly installed, they shall notify the responsible person of the necessary changes and shall again re-inspect the work. If the responsible electrician does not make the required changes before the permit expires, contractor registration shall be cancelled and the inspector shall refuse to issue to any such person any further permits until the work in question is corrected and approved.

Sec. 6-283. Final Inspection and approval or rejection of new work.

Upon completion of all electrical wiring or installations of fixtures or equipment in any building or on any premises for which a permit has been issued under this Article, the permittee shall notify the electrical inspector that the work is ready for final inspection, giving the permit number and street address. The electrical inspector shall then cause inspection to be made within twenty- four (24) hours from time of notification (exclusive of Sundays and legal holidays). If any faulty wiring or equipment is found, the electrician in charge shall be notified of the changes to be made in order that such work shall conform to this Article. If such work is found to be correctly installed, replaced or repaired, the electrical inspector shall endorse his approval upon the inspection certificate stating that the wiring and installation work has been installed in accordance with the provisionsof this Article.

Sec. 6-284. Work not to be covered until approved.

It shall be unlawful for any person to cover or cause to be covered any part of a wiring installation with flooring, lath, wallboard, or other material until the electrical inspector has approved the wiring installation, in part or as a whole, as required by this Article.

Sec. 6-285. Connection prior to issuance of certificate of approval.

(a) It shall be unlawful for any person to make connections from a source of electrical energy to any electrical wiring, devices or equipment on an installation for which a permit is requiredby this Article, until a certificate of approval has been issued by the electrical inspector authorizing such connection, and the use of such wiring, devices or equipment.

(b) It shall be unlawful for any person to make connections from a source of electrical energy to any electrical wiring, devices or equipment which has been disconnected by order of the electrical inspector or the use of which has been prohibited for reasons set forth in this Article until a certificate of approval has been issued by the inspector authorizing the reconnection and use of such wiring, devices or equipment.

Sec. 6-286. Removal of abandoned wire and unused poles and apparatus.

It shall be the duty of the electrical inspector to cause all abandoned wire, unused poles or electrical apparatus on the outside of the building or in streets or alleys to be removed at the expense of the owners thereof by giving such owners written notice.

Sec. 6-287. Inspections of existing installation – complaint driven.

Upon receipt of a complaint of suspected violations of this Article, the electrical inspector shall inspect/re-inspect electric wiring, electric devices and electric equipment previously installed, or that may be installed in any building of the city and within the scope of this Article. If the installation of any such wiring, devices or equipment is found to be defective, dangerous or in an unsafe condition, the electrical inspector shall notify the owner in writing of such condition. The person owning, using or operating the same shall make the necessary repairs or changes required to place such wiring, devices or equipment in a safe condition, within five (5) days or any longer period specified by the electrical inspector. The electrical inspector shall immediately order the disconnection or discontinuance of electrical service to such wiring, device or equipment until the same has been made safe as directed.

Sec. 6-288. Unauthorized alternation of conductors or equipment.

It shall be unlawful for any unauthorized person to, in any manner, change or alter electrical conductors or equipment in or on any building. If, in the course of erecting a building or structure, electrical conductors or equipment have previously been installed in such a position as to interfere with the erection or completion of the structure, notice shall immediately be given the authorized person or firm using the electrical conductors or equipment, and shall be required to accomplish this needed change in accordance with this Article.

Sec. 6-289. Service of notices or orders.

If the person to whom any order or notice issued pursuant to the provisions of this Article is directed, cannot be found after reasonable search has been made, such order or notice may be served by posting the same in a conspicuous place upon the premises occupied by him or where the defects recited in the order or notice are alleged to exist, or on the premises which may be deemed unsafe or dangerous. Such service shall be equivalent to personal service of such order or notice. Any order to comply with the terms of such order or notice may be sent by mail in a sealed envelope with postage prepaid and directed to the address of the electrician, owner, lessee or occupant of the premises where the defects recited in the order are alleged to exist, and shall be equivalent to personal service of such order.

Sec. 6-290. Modification or waiver.

The electrical regulations of this Article may be modified or waived in writing by the electrical inspector pursuant to Section 90-4 of the Electrical Code, as amended, when such modification or waiver is reasonable and does not differ from the intent of this Article and does not create an injustice. In all cases such waiver shall be obtained from electrical inspector prior to starting the work, and a copy of the waiver shall be filed in the office of the electrical inspector. A denial of such a waiver may be appealed to the Building Standards Commission.

Sec. 6-291. Liability of City and owner of property for damages.

The regulations of this Article shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating or installing electrical conductors, devices, appliances, fixtures, apparatus, motors, or equipment for damages to persons or buildings caused by any defect therein by reason of the inspection authorized in this division or the certificate of approved inspection issued by the electrical inspection section as provided in this division. The city shall not be held liable for any damages by reason of the enforcement of this Article.

Sec. 6-292. Liability of Electrical Inspectors.

Where action is taken by the electrical inspectors to enforce the provisions of this Article, such acts shall be done in the name of and on behalf of the city, and the inspectors, in so acting for the city, shall not render themselves personally liable for any damage which may accrue to person or property as a result of any act committed in the discharge of their duties.

Secs. 6-293 – 6-300. Reserved.

DIVISION 3. APPLICATION

Sec. 6-301. Compliance generally.

(a) The provisions of this Article shall apply to all installations of and work done on electrical conductors, fittings, devices, motors, controls, appliances, fixtures, electronic devices, signs and gaseous tubing, within or on public and private buildings and premises, with exceptions as provided in this Article.

(b) All installations of electrical conductors or equipment and all existing installations which are altered shall conform to the requirements for a sufficient and safe electrical structure and system under this Article.

(c) Repair and maintenance work shall be such that if any electrical conductor or equipment is removed and later replaced, the same shall be replaced in accordance with the provision of this Article

Sec. 6-302. Radio and television transmitting equipment.

The provisions of this Article shall apply to electrical equipment used for supplying electrical power for radio transmission in amateur radio transmitting stations and shall apply to all electrical equipment used for power supply to radio and television transmitting equipment, but shall not apply to other electrical equipment used for radio transmission.

Sec. 6-303. City, county and school districts departments and buildings.

The various departments and buildings of the city, the county, and of the Plano Independent School District shall be subject to the provisions of this Article, but shall be exempt from the requirements of fees.

Sec. 6-304. Low voltage conductors and equipment.

This Article shall not apply to low voltage, electrical conductors or equipment when served from a source of supply which is limited by design or construction, other than fuses, so that the voltage shall never exceed fifty (50) volts, and so that current in excess of ten (10) amperes on short circuit would not be possible.

Secs. 6-305 – 6-317. Reserved.

DIVISION 4. ELECTRICAL INSPECTOR

Sec. 6-318. Powers generally.

The electrical inspector shall have the following powers:

(1) To enforce the provisions of this Article and issue citation to any person who violates any of such provisions.

(2) To enter any house by due process of law, if necessary, during reasonable hours, to examine any electrical wiring or installation of electrical wiring, fixtures or equipment therein, in the performance of his official duties.

(3) To order the electric disconnection of service where improper or defective wiring exists or where electrical construction or equipment has been installed without a permit as required in this Article.

(4) To order compliance with provisions of this Article where a change of occupancy occurs in a building which requires changes or alterations to existing wiring.

(5) To disconnect electrical service or services in cases of emergency where necessary, for safety of persons or property or where electrical equipment may interfere with the work of the fire department.

(6) To attach to electrical equipment or electrical meters any official notice or seal which might be necessary to prevent the use of electricity. It shall be unlawful for any person to use any such seal or break, change, destroy, tear, mutilate, cover or otherwise deface or injure any such notice or seal posted by an electrical inspector.

Sec. 6-319. Special rulings.

If a special ruling by the electrical inspector is necessary to govern electrical construction of some particular occupancy or building not covered by this chapter or by the National Electrical Code, as approved by the National Fire Protection Association and adopted in this Article, whereby all wiring for similar types of occupancy or building will be changed in the future, a copy of such ruling shall be filed in the office of the electrical inspector, and such special ruling shall be approved by the board before it becomes effective.

Sec. 6-320 Conflicts of Interest

It shall be unlawful for city electrical inspectors to engage in the business of the sale, installation or maintenance of electrical conductors, devices, appliances, fixtures, or other electrical equipment, either directly or indirectly, and they shall have no financial interest in any concern engaged in such business at any time while in the employ of the city as an electrical inspector without prior approval by the department head.

Secs. 6-321 – 6-326. Reserved.

DIVISION 5. REGISTRATION (LICENSING) OF ELECTRICIANS

Sec. 6-327. Required.

(a) It shall be unlawful for any person to engage in the business of installing, maintaining, altering or repairing any wiring, fixtures, or equipment used for conducting electricity for which a permit is required by this Article, or for any person to in any manner undertake to execute such work, unless such person is licensed in accord with the Texas Department of Licensing and Regulation (TDLR) and has a current certificate of registration per Sec. 6-328.

(b) Only persons who are employed by a registered electrical contractor or a registered electrical sign contractor with the appropriate license category may perform electrical work under the supervision of the master electrician, or master sign electrician, whichever is applicable.

(c) Persons who are not licensed electricians may carry out the following classes of work:

(1) The replacement of lamps, fuses and connection of portable devices to suitable receptacles, which have been permanently installed.

(2) The installation, alteration or repairing of any wiring, devices or equipment for the operation of a signal or the transmission of intelligence, where such wiring, devices,

appliances, or equipment are operated at a voltage not exceeding fifty (50) volts between conductors and do not include generating equipment.

(3) The installation, alteration or repair of electrical wiring, devices, appliances and equipment by or for an electrical public service corporation operating under a franchise from the city when for the use of such corporation in the generation, transmission, distribution or metering of electrical energy or for the use of such a corporation in the operation of street railways, signals or transmission of intelligence as specified in Sec. 6-302.

Sec. 6-328. Classifications.

There shall be two (2) classes of local electrical registration as follows:

(1) Electrical Contractor Registration.

(2) Electrical Sign Contractor Registration.

Sec. 6-329. Application.

(a) *Generally*. To secure a registration, as a qualified and competent electrician in either of the classes set out in this division, an application shall be made in writing and addressed to the building inspections department. The application shall show the applicant's name and address, and such other information as may be prescribed by the building inspections department and shall be made out on forms available in the office of the electrical inspector.

(b) *Electrical Contractor.* An applicant for a registration as an electrical contractor shall file with the application an affidavit setting forth the name of the person who is the owner of the business, his address and that of the place of business; or if the business is a firm, partnership or corporation, the names of officers who own or operate the business and their addresses, the address of the business, and the name and address of the person who shall be responsible for the conduct and in charge of the business for all work done under this Article. The applicant shall further state the method of supervision of work to be contracted by the firm and the name of the registered master electrician who is legally proficient as specified in this Article, and shall be responsible for the actual installation, repair and/or maintenance of the electrical conductors and equipment which is to be carried on by the person, firm or corporation.

(c) *Electrical Sign Contractor.* An applicant for a registration as an electrical sign contractor shall file with the application an affidavit setting forth the name of the person who is the owner of the business, his address and that of the place of business; or if the business is a firm, partnership or corporation, the names of officers who own or operate the business and their addresses, the address of the business, and the name and address of the person who shall be responsible for the conduct and in charge of the business for all work done under this Article. The applicant shall further state the method of supervision of work to be contracted by the firm and the name of the registered master sign electrician who is legally proficient as specified in this Article, and shall be responsible for the actual installation, repair and/or maintenance of the electrical conductors and equipment which is to be carried on by the person, firm or corporation.

Sec. 6-330. Reserved.

Sec. 6-331. Reserved.

Sec. 6-332. Expiration and renewal of certificates.

City registration issued under this division shall expire one (1) year after the date of renewal of registration.

Sec. 6-333. Reserved.

Sec. 6-334. Registration not transferable.

Registration issued under this division shall not be transferable. It shall be unlawful for any person to lend, rent or transfer his registration or any rights thereunder to any other person, or for any person to make use of any such rights which are not actually his own.

Sec. 6-335. Reserved.

Sec. 6-336. Altering Registration.

It shall be unlawful for any person other than the electrical inspector at the direction of the building inspections department to alter or amend in any manner any registration issued under this division.

Sec. 6-337. Cards to be carried on person and exhibited upon request.

Every holder of a license issued by the Texas Department of Licensing and Regulation (TDLR) shall carry the license on their person at all times while doing electrical work and shall produce and exhibit it when requested by an electrical inspector or proper official of the city.

Sec. 6-338. False representations as to registration.

It shall be unlawful for any person to falsely represent themselves as a registered electrician of any class set forth in this division or to use the words “electrical contractor,” “electrical sign contractor”, or words of similar import or meaning on signs, cards, stationery, or by any other manner whatsoever, unless such person is properly registered within the meaning of the words used as provided in this Article.

Sec. 6-339. Record of registration.

The building inspections department shall keep a record of the name and place of business of all persons to whom registration have been issued under this division, provided that the department shall not be responsible for the record of any person whose registration has not been renewed or has lapsed for a period in excess of twelve (12) months.

Sec. 6-340. License not transferable.

It shall be unlawful for any licensed master electrician, or master sign electrician to allow their license to be used by another electrician to permit any job of electrical wiring in the city.

Sec. 6-341. Suspension or revocation of registration.

(a) The chief building official, or the official's designee, shall have the power to temporarily suspend the registration of any electrical contractor, or electrical sign contractor who:

(1) Obtains a certificate by fraud or deceit;

(2) Takes out electrical permits in the name of some person, firm, or corporation authorized by law to do electrical work and thereafter permits an unauthorized person to do the work;

(3) Engages in any gross negligence, incompetence, or misconduct in the performance of electrical work within the jurisdiction of the city;

(4) Fails to obtain a permit for electrical work that is performed within the jurisdiction of the city; or

(5) Fails to obtain all necessary inspection approval required to complete the work as described in the permit.

(b) The building inspections department shall inform the board in writing of any temporary suspensions and the basis thereof within two (2) business days of issuing the temporary suspension. A hearing will be scheduled before the board not later than ten (10) business days from the date the temporary suspension was issued. The alleged violator shall be notified in writing via certified mail of the date, time and location of the hearing. The alleged violator may appear in person or thru counsel or both, at the time and place named in the notice and make defense to the same.

(c) The board shall have the power, through its chairman or secretary to administer oaths and to compel the attendance of witnesses before it by subpoena issued over the signature of the secretary of the board. The city attorney shall provide counsel for the board.

(d) If the accused admits liability or if upon a hearing the board, by vote of five (5) or more of its members, shall find them to be true, it shall enter a finding suspending or revoking the registration of such electrical contractor or electrical sign contractor. The board shall render a decision within forty-eight (48) hours of the hearing.

(e) The board shall, in reciting its decision after a hearing under this section, make provisions for reinstatement. Such reinstatement provisions shall be filed as a part of the record and a copy shall be made and given or mailed within twenty-four (24) hours to the electrical

contractor or electrical sign contractor. Once the requirements have been fulfilled the electrical contractor or electrical sign contractor may notify the chief building official in writing of compliance. If the chief building official determines that all requirements have been fulfilled, the registration shall be reinstated. If the chief building official determines that all requirements have not been fulfilled, the registration shall not be reinstated. Failure to reinstate can be appealed to the board.

(f) The building inspections department shall inform the board in writing of any failure to reinstate within two (2) business days of issuing the denial. A hearing will be scheduled before the board not later than ten (10) business days from the date of the denial of reinstatement. The violator shall be notified in writing via certified mail of the date, time and location of the hearing. The violator may appear in person or by counsel or both, at the time and place named in the notice and make defense to the same.

(g) The board shall render a decision not later than forty-eight (48) hours after a hearing and a copy shall be made and given to the electrical contractor or electrical sign contractor within twenty-four (24) hours of the rendering of the decision.

(h) An electrical contractor or electrical sign contractor adversely affected by a decision of the board shall have the right to appeal the decision to the district court.

(i) It shall be unlawful for any person whose rights under a registration have been suspended or revoked to engage in or do electrical work for which this Article requires a permit.

Sec. 6-342. Termination of registration.

Each registration, when issued under this division, shall be issued to a person, firm or corporation to be known as the holder of the registration, and should such firm or corporation dissolve or surrender its charter; such registration shall become null and void. No refund shall ever be made for the un-expired portion of the registration.

Sec. 6-343-350. Reserved.

DIVISION 6. WORK PERMITS

Sec. 6-351. Required.

(a) It shall be unlawful for any person to install or cause to be installed, or to permit any person to install, any electrical wiring, fixtures or equipment, or to make any alterations, additions, changes or repairs, within the scope of this Article, without first having procured a permit therefore issued by the electrical inspector. One (1) permit shall be allowed for each building for which rough work for electrical conductors or electrical equipment is installed.

(b) Notwithstanding the provisions of subsection (a), no permit shall be required for the making of a minor repair or for maintenance work, the replacement of lamps, or the connection of portable electrical equipment to suitable permanently installed receptacles. No permit shall

be required of an appropriately registered person for the replacing of a refrigeration motor by another motor of the same horsepower and ampere rating, solenoid valves, low pressure controls, or other controls that are a part of the refrigeration system when the electrical supply to same is or has been properly installed by a registered electrician.

Sec. 6-352. Application.

Application for a permit required by this division shall be made in writing upon forms provided by the electrical inspection section for that purpose. With such application there shall be filed, when requested by the electrical inspector, a diagram or plan showing clearly the character and kind of wiring or installation of fixtures or equipment to be done. The plan or diagram shall show the manner in which the electrical installation is to be made, or the character of any repairs to any existing electric installation. Such application shall include the following information; street and house number, name of addition where the work is to be done, name of the owner, kind of building, number of stories in the building, and a list of electrical fixtures and appliances to be installed.

Sec. 6-353. Fee.

Prior to issuance of a permit required by this division, the applicant therefore shall pay a permit fee in accordance with the schedule as adopted by the city council.

Sec. 6-354. To whom issued.

Permits may be issued to registered electrical contractors or electrical sign contractors qualified to secure permits as set forth in this Article, or their duly authorized agents, and to owners to personally perform repair, maintenance or electrical construction work upon premises owned by them. Qualified registered electricians shall certify their duly authorized agents to the electrical inspector in the form of an affidavit stating that such registered electrician assumes all and full responsibility for any permit taken out or applied for by such agents. The certification shall be kept in the files of the building inspections department.

Sec. 6-355. Issuance or refusal.

When the plans examiner finds the application for a permit under this division to be correct and the diagram or plan and specifications, when requested are approved, and all fees have been paid, the permit will be issued. Upon receipt of such permit, the permittee may start or cause to start the proposed job and make the installation described, in the application, requesting inspection by the city inspectors in the proper sequence as the work progresses. If the plans relating to electrical wiring or installation of fixtures or equipment and the permit application are found to be incorrect or faulty, they shall be disapproved and the permit refused, and the electrical inspector shall notify the applicant, listing the corrections necessary to comply with this Article and rules and regulations of the inspection section.

Sec. 6-356. Permits for part jobs.

When one (1) electrical contractor completes the rough work, in whole or in part, on any electrical

wiring or installation of fixtures or equipment and a second electrical contractor is called upon to complete the work, regular fees prescribed by this division shall be paid for the work to be done. Each electrical contractor shall be held responsible only for the work installed by the contractor. Before the second electrical contractor is issued a permit for the completion of electrical wiring or installation of fixtures or equipment, the electrical inspector shall first notify the electrician holding the original or first permit, if the electrician can be found, that the second permit is to be issued. The issuance of the second permit shall cancel the first permit and no refund of fees shall be made.

Sec. 6-357. Revocation of permit.

The electrical inspector shall have the right to revoke a permit issued under this division if there has been misrepresentation of facts or any violation of the provisions of this Article.

Sec. 6-358 – 6-435. Reserved."

Section III. All provisions of the Code of Ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section IV. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section V. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. This Ordinance shall become effective February 1, 2022 and after its passage and publication as required by law.

DULY PASSED AND APPROVED this, the 24th day of January, 2022.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY