

ORDINANCE NO. 2007-03

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEALY, TEXAS, BY DELETING ALL OF SECTION 14-2 OF ARTICLE I OF CHAPTER 14 THEREOF AND SUBSTITUTING THEREFOR A NEW SECTION 14-2; BY DELETING ALL OF SUBPARAGRAPHS (1) AND (21) OF PARAGRAPH (b) OF SECTION 14-231 OF ARTICLE IV OF CHAPTER 14 THEREOF AND SUBSTITUTING THEREFOR NEW SUBPARAGRAPHS (1) AND (21) OF PARAGRAPH (b) OF SECTION 14-231; BY DELETING SECTION 14-302 OF ARTICLE IV OF CHAPTER 14 THEREOF AND SUBSTITUTING THEREFOR A NEW SECTION 14-302; BY DELETING ALL OF PARAGRAPHS (a) AND (b) OF SECTION 14-315 OF ARTICLE IV OF CHAPTER 14 THEREOF AND SUBSTITUTING THEREFOR NEW PARAGRAPHS (a) AND (b) OF SECTION 14-315; ADOPTING THE *INTERNATIONAL BUILDING CODE, 2006 EDITION*, THE *INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION*, THE *INTERNATIONAL MECHANICAL CODE, 2006 EDITION*, THE *INTERNATIONAL PLUMBING CODE, 2006 EDITION*, THE *INTERNATIONAL PROPERTY MAINTENANCE CODE, 2006 EDITION*, THE *INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION*, THE *INTERNATIONAL FIRE CODE, 2006 EDITION*, AND THE *INTERNATIONAL FUEL GAS CODE, 2006 EDITION*, EACH AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., THE *STANDARD AMUSEMENT DEVICE CODE, 1997 EDITION*, AS PUBLISHED BY THE SOUTHERN BUILDING CODE CONGRESS INTERNATIONAL, THE *NATIONAL ELECTRICAL CODE, 2005 EDITION*, THE *NATIONAL ELECTRICAL SAFETY CODE, 2002 EDITION*, THE *NFPA 780 INSTALLATION OF LIGHTING PROTECTION SYSTEMS, 2000 EDITION*, AND THE *NFPA 101 LIFE SAFETY CODE, 2006 EDITION*, EACH AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, INC.; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISION HEREOF; PROVIDING OTHER MATTERS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEALY, TEXAS:

Section 1. The Code of Ordinances of the City of Sealy, Texas, is hereby amended by deleting all of Section 14-2 of Article I of Chapter 14 thereof and substituting therefor a new Section 14-2, to provide as follows:

“Sec. 14-2. Adoption of Codes and Standards.

...

There are adopted by the city for the purpose of establishing rules and regulations for the construction, maintenance and reconstruction of new and existing

buildings and for the installation, maintenance or repair of all plumbing, mechanical, fire prevention and electrical systems, fixture piping, appliances and equipment in the city, including permits and penalties, the following codes as listed:

- (1) *International Building Code, 2006 Edition;*
 - (2) *International Residential Code, 2006 Edition, with the exception of Part VII – Plumbing, Chapters 25 through 32;*
 - (3) *International Mechanical Code, 2006 Edition;*
 - (4) *International Plumbing Code, 2006 Edition;*
 - (5) *International Property Maintenance Code, 2006 Edition;*
 - (6) *International Energy Conservation Code, 2006 Edition;*
 - (7) *International Fire Code, 2006 Edition;*
 - (8) *International Fuel Gas Code, 2006 Edition;*
 - (9) *Standard Amusement Device Code, 1997 Edition;*
 - (10) *National Electric Code, 2005 Edition;*
 - (11) *National Electrical Safety Code, 2002 Edition;*
 - (12) *NFPA 780 Installation of Lighting Protection Systems, 2000 Edition;*
- and
- (13) *NFPA 101 Life Safety Code, 2006 Edition;*

together with their appendix chapters and any amendments that become an official part of any code, save and except any such portion as may be in conflict with this chapter, a copy of each of which has been and is now filed in the office of the city secretary; and these codes are incorporated as fully as if set out at length in this chapter; and the provisions of such codes shall be controlling within the corporate limits of the city.”

Section 2. The Code of Ordinances of the City of Sealy, Texas, is hereby further amended by deleting all of subparagraphs (1) and (21) of paragraph (b) of Section 14-231 of Article

IV of Chapter 14 thereof and substituting therefor new subparagraphs (1) and (21) of paragraph (b) of Section 14-231, to provide as follows:

“Sec. 14-231. Permits.

...

(1) Motors, office furnishings (as defined by the National Electrical Code, article 605) or other appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when the cord or cable is permitted by this article. Note: This exception does not apply to manufactured wiring systems as defined in the National Electrical Code, article 604).

...

(21) The design, installation, erection, repair, or alteration of Class 1, Class 2, or Class 3 remote control, signaling, or power-limited circuits, fire alarm circuits, optical fiber cables, or communications circuits, including raceways, as defined by the National Electrical Code, article 725.”

Section 3. The Code of Ordinances of the City of Sealy, Texas, is hereby further amended by deleting all of Section 14-302 of Article IV of Chapter 14 thereof and substituting therefor a new Section 14-302, to provide as follows:

“Sec. 14-302. Adopted standards.

The following codes, pamphlets and specifications are adopted, authentic copies of which are filed with the city secretary, as part of this article, and shall govern and be observed and followed in all electrical wiring, and in the construction, installation, repair, alteration, operation, and maintenance of electrical wiring, apparatus or fixtures.

- (1) The 2005 National Electrical Code
- (2) The 2005 National Electrical Safety Code; and
- (3) The 2000 National Fire Protection Association Pamphlet No. 780, ‘Installation of Lighting Protection Systems.’

In case of conflict between the provisions of these standards and the provisions of this article, the provisions of this article shall prevail.”

Section 4. The Code of Ordinances of the City of Sealy, Texas, is hereby further amended by deleting all of paragraphs (a) and (b) of Section 14-315 of Article IV of Chapter 14 thereof and substituting therefor new paragraphs (a) and (b) of Section 14-315, to provide as follows:

“Sec. 14-315. Underground wiring.

(a) Ampacities for one or more single insulated conductors in underground electrical ducts shall be permitted to be determined from table 310-16 of the National Electrical Code and its accompanying notes where all of the following conditions are met:

- (1) Load calculations have been made in accordance with article 220 of the National Electrical Code;
- (2) A minimum two-inch spacing between raceways is maintained;
- (3) Fill medium is compacted to eliminate air pockets and to assure uniform heat dissipation; and
- (4) The minimum cover of underground piping under streets, highways, road, alleys, driveways, and parking lots shall be not less than 18 inches.

(b) Where such underground conductors supply loads, which are expected to have a connected load, which exceeds 70 percent of the installed circuit capacity, conductor sizes shall be increased one size as per table 310-16 of the National Electrical Code.”

Section 5. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and,

upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 6. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Sealy, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED on first reading this 10th day of January 2007.

PASSED, APPROVED, AND ADOPTED on second and final reading this 16th day of January 2007.

Russell L. Koym
Mayor

ATTEST:

Krishna Langton
City Secretary