



ORDINANCE NO. 3489

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING CODE OF ORDINANCES CHAPTER 22 “BUILDINGS AND BUILDING REGULATIONS,” ARTICLE IV “ELECTRICAL STANDARDS” ADOPTING THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE AND ADOPTING LOCAL AMENDMENT THERETO; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

WHEREAS, the City of Farmers Branch has been involved throughout the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

WHEREAS, the National Electrical Code prepared by the National Fire Protection Association and the International Codes were prepared by the International Code Council, have been reviewed by the NCTCOG, and in addition have been reviewed by City staff; and

WHEREAS, the City's building and construction codes are intended to be updated periodically, and the 2017 edition of the National Electrical Code is the most current published electrical code at this time; and

WHEREAS, the City Council of the City of Farmers Branch has determined that it is in the best interest of the citizens of the City of Farmers Branch to update and adopt the 2017 edition of the National Electrical Code, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein and as those codes are specifically modified by this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 2. The Code of Ordinances of the City of Farmers Branch, Chapter 22 “Building and Building Regulations”, Article IV “Electrical Standards” is amended in its entirety to read as follows:

ARTICLE IV. - ELECTRICAL STANDARDS

Sec. 22-121. - Adoption of National Electrical Code; purpose

The 2017 Edition of the National Electrical Code, as published by the National Fire Protection Association and as amended pursuant to Sec. 22-122, is hereby adopted. Copies of the Electrical Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Electrical Code. For purposes of this Article, the phrase "Electrical Code" means collectively (i) the 2017 Edition of the National Electrical Code, as published by the National Fire Protection Association and (ii) the local amendments adopted pursuant to Sec. 22-122.

Sec. 22-122. - Local Amendments Adopted

For purposes of enforcement of the provisions of the Electrical Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the Electrical Code are hereby amended as follows:

Amend Article 90 by adding Article 90.10 titled "Administration" to read as follows:

ARTICLE 90.10 - ADMINISTRATION

90.10.1 Conflicting Provisions. Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

90.10.2 Application to Existing Electrical Systems and Equipment.

(A) Additions, Alterations or Repairs. Additions, alterations or repairs may be made to any electrical system and equipment without requiring the existing electrical system and equipment to comply with all the requirements of this Code, provided that addition, alteration or repair conforms to that required for a new electrical system and equipment and provided further that no hazard to life, health or safety will be created by such additions, alterations or repairs.

(B) Existing Installations. Electrical systems and equipment lawfully in existence at the time of the adoption of this Code may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property has been created by such electrical system and equipment.

(C) Changes in Building Occupancy. Electrical systems and equipment which are a part of any building or structure undergoing a change in use or occupancy, as defined in the Building Code, shall comply with the requirements of this Code which are applicable to the new use or occupancy.

(D) Maintenance. All electrical systems and equipment, both existing and new, and all parts thereof shall be maintained in a proper operating condition in accordance with the original design and in a safe and hazard free condition. All devices or safeguards which are required by this Code shall be maintained in conformance with this Code. The owner or his designated agent shall be responsible for the maintenance of the electrical system. To determine compliance with this subsection, the Building Official may cause any electrical system to be reinspected.

(E) Moved Building. Electrical systems and equipment which are a part of buildings or structures moved into or within the City shall comply with the provisions of this Code for new installations.

90.10.3 Unsafe Electrical Systems or Equipment.

(A) Unsafe Use. All electrical systems or equipment regulated by this Code which are unsafe, or which constitute a fire hazard, or are otherwise dangerous to human life, for the purpose of this Code, shall be considered unsafe. Any use of electrical systems or equipment regulated by this Code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

(B) Unsafe Systems and Equipment as Public Nuisance. All such unsafe electrical systems or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Minimum Housing Code and the Property Maintenance Code of the City of Farmers Branch or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of the City as designated by the City Manager may institute any other appropriate action to prevent, restrain, correct or abate the violation.

90.10.4 Violations and Penalties

(A) Violations. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, improve, remove, convert, or demolish, equip, use or maintain mechanical systems or equipment or cause or permit the same to be done in violation of this code.

(B) Penalties. Any person, firm, organization or corporation violating any of the provisions of this code or any amendment thereto shall be deemed guilty of a misdemeanor, and upon conviction in Municipal Court shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000) for each offense, and each and every day such violation continues shall constitute a separate offense.

90.10.5 Organization and Enforcement

(A) Powers and Duties of Building Official. The Building Official is hereby authorized to enforce all the provisions of this code. He shall cause a record to be kept of all permits issued and inspections made.

(B) Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the Building Official may appoint a chief electrical inspector and other related technical officers and inspectors and other employees as shall be authorized from time to time. It shall be unlawful for any person to hinder or interfere with the electrical inspector or any of his assistants in the discharge of their duties.

It shall be unlawful for the chief electrical inspector or any electrical inspector to engage in the business of selling, installing, or maintenance of electrical fixtures, devices, equipment or materials, and they shall have no financial interest in any concern engaged in such business at any time while employed by the enforcement agency of the City.

(C) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by such Codes, provided that if such building or premises be occupied, he shall first present proper credentials and request entry. If such building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry be refused, the Building Official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

When the Building Official or his authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official or his authorized representative for the purpose of inspection and examination pursuant to this Code.

(D) Notice. When any order or notice is issued pursuant to the provisions of this Code to any person who cannot be found after a reasonable search, such order or notice may be served by posting it in a conspicuous place upon the premises occupied by him or upon the premises where the defects are alleged to exist. Such posting of the notice shall be considered equivalent to personal service of such order or notice. An order sent by mail in a sealed envelope with postage prepaid and directed to the address of the electrical contractor, owner, leaseholder, or occupant of the premises shall be equivalent to personal service of such order.

Electrical inspectors are hereby empowered to attach to the nearest electrical cabinet or equipment feeding defective or hazardous wiring, any official notice or seal to prevent use of electricity in that area, and it shall be unlawful for any other person to place or attach such seal, or to break, change, destroy, tear, mutilate, cover or otherwise deface or injure any such official notice or seal posted by an electrical inspector.

(E) Stop Orders. Whenever any work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

(F) Authority to Disconnect Utilities in Emergencies. The Building Official or his authorized representative shall have the authority to disconnect any electrical power or energy service supplied to the building, structure or building service equipment therein regulated by this Code in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

(G) Authority to Condemn Electrical System and Equipment. Whenever the Building Official ascertains that any electrical system or equipment regulated in this Code has become hazardous to life, health or property, he may order in writing that such electrical system or equipment either be removed or restored to a safe condition, whichever is appropriate. The written notice itself shall fix a time limit for compliance with such order. No person shall use or maintain a defective *electrical* system or equipment after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours of the order to disconnect to the serving utility, the owner and occupant of such building, structure or premises.

When an electrical system or equipment is maintained in violation of this Code and in violation of any notice issued pursuant to the provisions of this section, the Building Official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

(H) Connection after Order to Disconnect. No person shall make connections from any energy or power supply nor supply power to any electrical system or equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such electrical system or equipment.

(I) Liability. The Building Official, or his authorized representative charged with the enforcement of this Code, acting in good faith and without malice in the discharge of his duties, shall not thereby render himself personally liable for any damage that may accrue

to persons or property as a result of any act or by reason of any act or omission in the discharge of his duties.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any property within the City for any damages to persons or property caused by defects, nor shall the Code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by the Code or approvals issued under this Code.

(J) Cooperation of Other Officials and Officers. The Building Official may request, and shall receive so far as is required in the discharge of his duties, the assistance and cooperation of other officials of this jurisdiction.

90.10.6 Board of Appeals

(A) General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application, and interpretation of this code, there shall be and is hereby created a board of appeals consisting of members who are not employees of the jurisdiction. The Building Official shall be an ex-officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

(B) Limitations of Authority. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

(C) Appointment. The members of the City of Farmers Branch Zoning Board of Adjustment shall be the City of Farmers Branch Board of Appeals.

90.10.7 Permits.

(A) Permits Required. Except as specified in Subsection (c) of this article, no electrical system regulated by this Code shall be installed, altered, repaired, replaced or remodeled unless a separate electrical permit for each building or structure has first been obtained from the Building Official. It shall be unlawful for any person, firm or corporation who is not licensed by the State as an electrical contractor to secure permits.

(B) Transfer of Permits. It shall be unlawful for any person to lend, rent, or transfer an electrical permit or permit a person without proper license or registration to do work, or for any person to make use of any such permit or affidavit which is not actually his own, and any such permit obtained or affidavit submitted under these conditions shall be null and void.

(C) Exempt Work. An electrical permit shall not be required for the following:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this Code.
2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
3. Temporary decorative lighting.
4. Repair or replacement of current-carrying parts of any switch, contactor or control device.
5. Reinstallation of attachment plug receptacles, but not the outlets therefore.
6. Repair or replacement of any overcurrent device of the required capacity in the same location.
7. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
8. Taping joints.
9. Removal of electrical wiring.
10. Temporary wiring for experimental purposes in suitable experimental laboratories.
11. The wiring for temporary theater, motion picture or television stage sets.
12. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
13. Low-energy power, control and signal circuits of Classes II and III as defined in this Code.
14. A permit shall not be required for the installation, alteration or repair of electrical wiring apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of the intelligence by a public or private utility in the exercise of its function as a serving utility.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this Code or any other laws or ordinances.

(D) Application for Permit. To obtain a permit, the applicant shall first file an application in writing on a form furnished by the Code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Be accompanied by plans, diagrams, computations and specifications and other data as required in subsection (e) of this article.
4. Be signed by permittee, or his authorized agent.
5. Give such other data and information as may be required by the Building Official.

(E) Plans and specifications. Plans, engineering calculations, diagrams and other data shall be submitted in one or more sets with each application for a permit. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such. If the Building Official finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this Code, then the Building Official may waive the submission of plans, engineering calculations, diagrams and data, or portions thereof.

(F) Information on plans and specifications. Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of work proposed and show in detail that it will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

Plans for buildings more than two stories in height of other than Groups R, Division 3 and U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical and communication conduits, pipes and similar systems.

(G) Permits Issuance. The applications, plans and specifications, and other data, filed by an applicant for permit may be reviewed by other departments of the City to determine compliance with any applicable laws under their jurisdiction. If the work described in an application for a permit and the plans, specifications and other data filed therewith conforms to the requirements of this Code and other pertinent laws and ordinances, and the

fees specified have been paid, the Building Official shall issue a permit therefore to the applicant.

When the Building Official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications "APPROVED". Such approved plans and specifications shall not be changed, modified or altered without authorizations from the Building Official, and all work shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of an electrical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his own risk without assurance that the permit for the entire building, structure or building service will be granted.

(H) Retention of plans. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress. One set of approved plans, specifications and computations shall be retained by the Building Official until final approval of the work.

(I) Validity of permit. The issuance of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code, or of any other ordinance of the City, nor shall the issuance of a permit or approval of plans be construed as representing or warranting the safety or lack of defects of any electrical work described therein. No permit presuming to give authority to violate or cancel the provisions of these Codes shall be valid.

The issuance of a permit based upon plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on there under when in violation of these Codes or of any other ordinances of the City.

(J) Expiration. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days or more. Before such work can be recommenced, a new permit shall be first obtained and the fee therefore shall be one-half the amount required for the original permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after one year, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which he may commence work under that permit when he is unable to commence

work within the time required by this article for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

(K) Suspension or Revocation. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the City.

(I) Permit Fees. The fee for each electrical permit shall be as set forth in the Fee Schedules of the City of Farmers Branch. A fee equal to twice the normal fee may be assessed on all work commenced prior to obtaining a required permit.

90.10.8 Inspections.

(A) General. All electrical systems and equipment for which a permit is required by this Code shall be subject to inspection by the Building Official. No portion of any electrical system intended to be concealed shall be concealed until inspected and approved. Neither the Building Official nor the City shall be liable for expense entailed in the removal or replacement of any material necessary to allow inspection. When the installation of an electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this Code shall not be connected to the energy source until authorized by the Building Official.

(B) Inspection requests. It shall be the duty of the person doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. The Building Official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the Building Official.

It shall be the duty of the person requesting inspections required by this Code to provide access to and means for proper inspection of such work.

(C) Operation of electrical equipment. The requirements of this article shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment. The request for inspection of such equipment must have been filed with the Building Official not more than 48 hours after such replacement work is completed and before any portion of such electrical system is concealed by any permanent portion of the building.

(D) Other inspections. In addition to the inspections required by this Code, the Building Official may make or require other inspections of any work to ascertain compliance with the provisions of this Code and other laws which are enforced by the Code enforcement agency.

(E) Reinspection. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is requested is not complete or when required corrections are not made.

This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection or when required corrections are not made.

Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official.

To obtain a reinspection, the applicant shall pay the reinspection fee in accordance with The Fee Schedules of the City of Farmers Branch.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

90.10.9 Connection Approval

(A) Energy Connections. An electrical system or equipment regulated by this Code for which a permit is required shall not be connected to a source of energy or power until approved by the Building Official.

(B) Temporary connections. The Building Official may authorize the temporary connection of the electrical system or equipment to the source of energy or power for the purpose of testing the equipment, or for the use under a temporary Certificate of Occupancy.

All temporary electrical services must be granted for a specified time limit only, and upon expiration of the original time limit, may be renewed when, in the opinion of the Building Official, it is justifiable. Temporary electrical service permits shall in no case exceed 30 days per permit.

The Building Official shall have the right to specify any conditions which must be met prior to releasing temporary electrical service.

Temporary electrical services released for buildings where work is in progress and has not been approved on final inspection shall require the owner or owner's agent for such building to file application for temporary electrical service with the Building Official. Such application shall contain a "hold harmless agreement", as well as any other information which may be required by the Building Official.

90.10.10 Method of Registration of Electrical Contractor.

(A) Electrical license required. All applications for electrical permits must be made by a properly licensed person or business holding the appropriate license as required by the Texas Occupations Code Chapter 1305 administered by the Texas Department of Licensing and Regulation unless exempted by section 1305.003

(B) Supervision. Any electrical work or any electrical sign work requiring a permit by Section 90.10.7 shall be directly supervised by a licensed individual other than an electrical apprentice. Continuous supervision by an on-site licensee shall be required at all times while electrical work is being performed.

Article 100, Part I is amended by adding the definition of “Engineering Supervision” to read as follows:

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

Article 110.2 is amended 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 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 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.

Informational Note No. 3: NFPA 790 and 791 provide an example of an approved method for qualifying a third party inspection agency.

Article 210.52 (G)(1) is amended to read as follows:

(1) Garages. In each attached garage and in each detached garage with electric power, at least one receptacle outlet shall be installed for each car space.

Article 500.8(A)(3) is amended to read as follows:

- (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.

Article 505.7(A) is amended 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 600.6(A)(1) is amended to read as follows:

(1) At Point of Entry to Sign. The disconnect shall be located at the point the feeder circuit or branch circuit(s) supplying a sign or outline lighting system enters a sign enclosure, a sign body, or a pole in accordance with 600.5(C)(3). The disconnect shall open all ungrounded conductors where it enters the enclosure of the pole sign.

Exception No.1: A disconnect shall not be required for branch circuits(s) or feeder conductor(s) passing through the sign where enclosed in a Chapter 3 listed raceway or metal-jacketed cable identified for the location. The conductor(s) shall not serve the sign body or sign enclosure where passing through.

Exception No. 2. A disconnect shall not be required at the point of entry to a sign body, sign enclosure, or pole for branch circuit conductor(s). The conductors shall be enclosed in a Chapter 3 listed raceway or metal-jacketed cable identified for the location. The conductor(s) shall be routed to a device box which contains the disconnect. A field-applied permanent warning label that is visible during servicing shall be applied to the raceway at or near the point of entry into the sign enclosure or sign body. The warning label shall comply with 110.21(B) and state the following: "Danger. This raceway contains energized conductors." The marking shall include the location of the disconnecting means for the energized conductor(s). The disconnecting means shall be capable of being locked in the open position in accordance with 110.25.

Exception No. 3: A disconnect shall not be required at the point of entry to a sign enclosure or sign body for branch circuit(s) or feeder conductor(s) that supply an internal panelboard(s) in a sign enclosure or sign body. The conductors shall be enclosed in a Chapter 3 listed raceway or metal-jacketed cable identified for the location. A field-applied permanent warning label that is visible during servicing shall be applied to the raceway at or near the point of entry into the sign enclosure or sign body. The warning label shall comply with 110.21(B) and state the following: "Danger. This raceway contains energized conductors." The marking shall include the location of the disconnecting means for the energized

conductor(s). The disconnecting means shall be capable of being locked in the open position in accordance with 110.25.

Informational Note: The location of the disconnect is intended to allow service or maintenance personnel complete and local control of the disconnecting means.

SECTION 2. Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Farmers Branch, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

SECTION 5. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1-14 of the Code of Ordinances.

SECTION 6. This ordinance shall take effect on the first day of the calendar month following its passage and publication in accordance with the provisions of the charter and state law.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS THE 20TH DAY OF MARCH, 2018.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM

Peter G. Smith, City Attorney
(kbl:3/13/18:96817)