

ORDINANCE NO. O2022-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING THE YUMA CITY CODE, TITLE 15, CHAPTER 150, SECTIONS 150-076, 150-077, ADOPTING BY REFERENCE THE *NFPA 70 NATIONAL ELECTRICAL CODE 2020 EDITION*, AND THE AMENDMENTS RECOMMENDED BY THE BUILDING ADVISORY BOARD DATED FEBRUARY 2, 2022, AND PROVIDING A PENALTY FOR VIOLATIONS THEREOF

WHEREAS, on July 15, 2015, the City Council adopted the *NFPA 70 National Electrical Code 2014 Edition* and the *2006 International Code Council Electrical Code Administrative Provisions*; and,

WHEREAS, Yuma City Council Resolution No. R2022-021 declared a document titled, “*NFPA 70 National Electrical Code 2020 Edition*” a public record; and,

WHEREAS, the City Council has considered the recommendation of the Building Advisory Board based on their actions taken at the meeting of February 2, 2022 recommending adoption of the *NFPA 70 National Electrical Code 2020 Edition*, and the amendments within this Ordinance; and,

WHEREAS, up to date modern codes help protect the built environment from natural disasters and fires, and offer safe environments for the occupants for both residential and commercial structures; and,

WHEREAS, the City of Yuma is desirous to adopt the *NFPA 70 National Electrical Code 2020 Edition* and the amendments herein, to keep current with the code cycle and amendments to reflect modern technology, materials and techniques.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: The Yuma City Code Title 15, Chapter 150, Section 76 is amended to delete the following strikethrough text and insert the following underlined text:

§ 150-076 Adoption of NFPA 70 National Electrical Code 2014 2020 Edition and 2006 International Code Council Electrical Code Administrative Provisions.

Certain documents, three copies of which are on file as public record in the office of the City Clerk of the City of Yuma, ~~marked and titled, “known as the NFPA-70 National Electrical Code 2014 Edition NFPA 70 National Electrical Code 2020 Edition and 2006 International Code Council Electrical Code Administrative Provisions 2006 International Code Council Electrical Code Administrative Provisions, and Amendments dated March 11, 2015 were declared a which was made public record by Resolution R2015-028 R2022-021, with certain amendments listed herein, and are is hereby adopted by reference and made a part hereof as if fully set out ~~herein~~ in this article.~~

SECTION 2: The Yuma City Code Title 15, Chapter 150, Section 77 is amended to delete the following strikethrough text and insert the following underlined text:

§ 150-077 Amendments.

The following amendments, additions, and deletions are hereby made to the ~~NFPA 70 National Electrical Code 2014 Edition~~ NFPA 70 National Electrical Code 2020 Edition and ~~2006 International Code Council Electrical Code Administrative Provisions~~ 2006 International Code Council Electrical Code Administrative Provisions, as adopted by this subchapter. Paragraphs and section numbers refer to the National Electrical Code (NEC) and International Code Council Electrical Code Administrative Provisions numbering systems. Code references not appearing ~~amended~~ in this section, ~~as amended~~, shall be enforced as published in the reference document.

(A) The requirements of the most current Arizona Public Service (APS) Electrical Service Manual shall supersede the requirements of the NEC when the APS requirements are more restrictive.

(B) Where reference is made to the Fire Code it shall mean the current adopted Fire Code.

(C) Article 210.8 Ground-Fault Circuit-Interrupter for Personnel. (F) Outdoor Outlets. Add 2 additional exceptions to section, as follows:

2. Air conditioning equipment where an approved grounding lug and an additional properly grounding conductor is attached to the equipment chassis,

3. Air conditioning equipment located on roofs or within locked and maintained equipment enclosures that are not accessible to the public.

(D) Article 310.106(A) 311.12(A) Minimum Size of Conductors. Amend to read, “The minimum size of conductors shall be as shown in Table ~~310.106(A) 311.12(A)~~. Whether solid or stranded, conductors, other than signal or control wiring, shall not be smaller than #12 Copper or #1 Aluminum or Copper-Clad Aluminum for current carrying conductors.”

(E) Amend Table ~~310.106(A) 311.12(A)~~ as follows:

Table ~~310.106(A) 311.12(A)~~ Minimum Size of Conductors

Conductor Voltage Rating (Volts)	Minimum Conductor Size (AWG)	
	Copper	Aluminum or Copper-Clad Aluminum
0-2000	12	1
2001-8000	8	1
8001-15,000	2	1
15,001-28,000	1	1
28,001-35,000	1/0	1/0

(EF) Article 334.10 Uses Permitted. Amend to read, "Type NM, and Type NMC, ~~and Type NMS~~ cables shall be permitted to be used in residential Group R-3 and their related U structures. Type NM, and Type NMC, ~~and Type NMS~~ cables shall be permitted to be used in Residential Group R-1, Residential Group R-2, Institutional Group I-1, ~~and~~ Residential Group R-4 and their related U structures, for branch circuits only. The branch circuits shall serve only one residential unit and shall originate in a panel or junction box located on or within the unit served."

(FG) Article 394.10 Uses Permitted. ~~Amend to read,~~ "Use of Concealed knob-and tube wiring shall be limited to the maintenance and repair of existing installation. No knob-and-tube wiring shall be extended or otherwise altered to provide additional points of utilization or used to establish new circuits."

(GH) Article 338.10 Uses Permitted (A) Service Entrance conductors. ~~Amend to read,~~ "Type SE and USE cable shall not be used as service-entrance conductors."

(H) ~~Article 690.56 Identification of Power Sources. Subpart (C) Facilities with Rapid Shutdown. Add to end of section.~~ "The required plaque or directory shall be located on or adjacent to the utility service entrance section."

(I) Chapter 1. ICCEC Administrative Provisions. Section 101.1 Title. Amend to read, "These regulations shall be known as the *Electrical Code-Administrative Provisions* of City of Yuma, Department of ~~Community Development~~, Building Safety ~~Division~~ and shall be cited as such and will be referred to herein as 'this code.'"

(J) Section 102.6 Referenced codes and standards. Amend first sentence to read, "The codes and standards referenced in this code shall be those that are listed in Chapter 13 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference, except that where duplications of reference standards are included in the building and fire codes, the reference standard numbers of the current adopted building and fire codes shall govern."

(K) Chapter 3. Section 301.1 Creation of enforcement agency. Delete all reference to Department of Electrical Inspection, and amend first sentence to read, "The Department of ~~Community Development~~, Building Safety ~~Division~~ is hereby created and the official in charge thereof shall be known as the ~~code~~ building official."

(L) Chapter 4. Section 404.2 Schedule of permit fees. Insert Electrical Permit Fee Schedule Table 1-A, as follows:

**Table 1-A
ELECTRICAL PERMIT FEE SCHEDULE**

A. Fee Schedule for New Construction. By Occupancy Classification. Electrical Permit Fee amount is calculated using the listed unit rate per square foot times the gross building area in square feet.

For occupancies not listed use the System Fee Schedule or Unit Fee Schedule.

Group "A-1" Assembly w/ Fixed Seating (Theater, Concert Hall, etc.).....	\$0.07
Group "A-2" Assembly w/ Food & Drink Consumption (Restaurant, Tavern, Night Club, etc.).....	0.11

Group "A-2" Assembly w/ Food & Drink Consumption (Restaurant – Fast Food).....	0.20
Group "A-3" Assembly for Worship, Recreation, Amusement (Church, Museum, Dance Hall, etc.)..	0.06
Group "B" Business (Offices, Professional Services, etc.).....	0.09
Group "E" Educational (Schools Below 12 th Grade, Day Care, etc.).....	0.04
Group "F-1" Factory (Moderate Hazard).....	Use Unit Schedule
Group "F-2" Factory (Low Hazard).....	Use Unit Schedule
Group "I-2" Institutional (Hospital, Nursing Home, etc.).....	0.09
Group "I-3" Institutional (Jail, etc.).....	0.04
Group "I-4" Institutional (Day Care 24 hour, Day Care under 2 ½ years of Age, etc.).....	0.04
Group "M" Mercantile (Retail or Wholesale Store, Market, Department Store, etc.).....	0.04
Group "R-1" Residential (Hotel, Motel, etc.: Transient).....	0.09
Group "R-2" Residential (Hotel, Motel, etc.: Non-Transient).....	0.09
Group "S-1" Moderate-Hazard Storage (Combustible Storage).....	Use Unit Schedule
Group "S-2" Low-Hazard Storage (Noncombustible Storage).....	Use Unit Schedule

B. Fee Schedule – Other

Permit Issuance

1. For issuing each electrical permit.....	\$50.00
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finalized.....	7.00

System Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. New Residential Buildings

The following fees shall include all wiring and electrical equipment in or on each building, or other electrical equipment on the same premises constructed at the same time.

Multifamily. For new multifamily buildings (apartments and condominiums) having three or more dwelling units constructed at the same time, not including the area of garages carports, and accessory buildings, per square foot (0.09 m²)..... 0.05

Single- and two- family. For new single- and two-family residential buildings constructed at the same time and not including the area of garages, carports, and accessory buildings, per square foot (0.09 m²)..... 0.08

For other types of residential occupancies use the Fee Schedule for New Construction. For alterations, additions, and modifications to existing residential buildings, use the Unit Fee Schedule.

2. Private Swimming Pools

For new private, in-ground swimming pools for single-family and multifamily occupancies including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting,

water pumping, and other similar electrical equipment directly related to the operation of a swimming pool.....	52.00
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3. Carnivals and Circuses

Carnivals, circuses, or other types of traveling shows or exhibitions utilizing transportable rides, booths, displays, and attractions.

For electrical generators and electrically driven rides, each.....	22.00
For mechanically driven rides and walk through attractions or displays having electric lighting, each.....	7.00
For a system of area and booth lighting, each.....	7.00
For permanently installed rides, booths, displays, and attractions use the Unit Fee Schedule.	

4. Temporary Power Service

For a temporary service pole or pedestal including all pole or pedestal mounted receptacle outlets or appurtenances, each.....	25.00
For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sales lots, fire works stands, etc., each.....	15.00

Unit Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. Receptacle, Switch and Light Outlets

For receptacle, switch, light or other outlets at which current is used or controlled, except services, feeders and meters:

First 20 fixtures, each.....	1.50
Additional fixtures, each.....	1.00

Note: For multioutlet assemblies, each 5 feet (1524 mm) or fraction thereof may be considered as one outlet.

2. Lighting Fixtures

For lighting fixtures, sockets or other lamp holding devices:

First 20 fixtures, each.....	1.50
Additional fixtures, each.....	1.00
For pole or platform-mounted lighting fixtures, each.....	1.50
For theatrical-type lighting fixtures or assemblies, each.....	1.50

3. Residential Appliances

For fixed residential appliances or receptacle outlets for same, including wall- mounted electric ovens; counter-mounted cooking tops; electric ranges; self-contained room, console, or through-wall air conditioners; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding 1 horsepower (HP)(746W,) in rating, each.....	5.00
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Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.

4. Nonresidential Appliances

For nonresidential appliances and self-contained factory-wired, nonresidential appliances not exceeding 1 horsepower (HP), kilowatt (kW), or kilovolt-ampere (kVA), in rating, including medical and dental devices; food, beverage and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types of equipment, each..... 5.00

Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.

5. Power Apparatus

For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, as follows:

Rating in horsepower (HP), kilowatts (kW), kilovolt-amperes (kVA) or kilovolt-amperes-reactive (kVAR):

Up to and including 1, each.....	5.00
Over 1 and not over 10, each.....	13.00
Over 10 and not over 50, each.....	25.00
Over 50 and not over 100, each.....	50.00
Over 100, each.....	67.00

Notes:

1. For equipment or appliances having more than one motor, transformer, heater, etc., the sum of the combined ratings may be used.
2. These fees include all switches, circuit breakers, contactors, thermostats, relays and other directly related control equipment.

6. Busways

For trolley and plug-in-type busways, each 100 feet (30 480 mm) or fraction thereof..... 8.00

Note: An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways. A fee is not required for portable tools.

7. Signs, Outline Lighting and Marquees

For signs, outline lighting and marquees supplied from one branch circuit, each..... 25.00

For additional branch circuits within the same sign, outline lighting system or marquee, each..... 5.00

8. Services

For services of 600 volts or less and not over 200 amperes in rating, each..... 50.00

For services of 600 volts or less and over 200 amperes to 1,000 amperes, each..... 75.00

For services over 600 volts or 1,000 amperes in rating, each..... 125.00

9. Miscellaneous Apparatus, Conduits and Conductors

For electrical apparatus, conduits and conductors for which a permit is required but for which no fee is herein set forth..... 25.00

Note: This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, signs or other equipment.

Other Inspections and Fees

- 1. Inspections outside of normal business hours (minimum charge two hours)..... \$50. per hour*
- 2. Reinspection fee assessed under provisions of Section 107.3.3 \$50. per hour*
- Inspection for which no fee is specifically indicated (minimum charge one-half hour) \$50. per hour*
- 3. Additional plan review required by changes, additions or revisions to approved plans (minimum charge one-half hour) \$50. per hour*

* Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include, supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

(M) Section 404.3 Work commencing before permit issuance. Amend to read, “Any person who commences work before obtaining the necessary permits shall be subject to the usual fee and an additional investigation fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be determined by the ~~code~~ building official, based on the circumstances, nature and severity of the infraction. The minimum investigation fee shall be \$50 and the maximum shall be an amount up to the same as the fee set forth in Table 1-A.”

(N) ~~Amend section~~ Section 404.5 Refunds. Amend and add to end of section, “The ~~code~~ building official shall authorize the refunding of fees as follows:-

- 1. The full amount of any fee paid hereunder which was erroneously paid or collected.
- 2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- 3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.”

(O) Section 1003.1 Penalties. Amend ~~sentence~~ to read, “Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant of this code or violates any condition attached to a permit, approval or certificate shall be subject to the penalty and fine described in ~~Section 5~~ of this ordinance.” ~~Penalty, see §150-999~~

(P) Section 1004.3 Unlawful continuance. Amend ~~sentence~~ to read, “Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalty and fine described in ~~Section 5~~ of this ordinance”.

(Q) Chapter 11. ICCEC Administrative Provisions. Section 1102.1 Membership of board. ~~Amend to read,~~ “The membership of the Building Advisory Board, as prescribed in Section 150-008 of the Yuma City Code, will be the Board of Appeals.”

(R) Delete Sections 1102.2 through ~~1102.4~~ 1102.7 in their entirety.

(S) ~~Section 1103.5 Postponed hearing. Amend to read, "When 9 members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing."~~

(S) Delete Sections 1103.1 through 1103.7 in their entirety.

(T) Chapter 12. Delete Section 1202.2 Nonmetallic-sheathed cable

(U) Chapter 13. Under heading "NFPA" revise standard reference number from ~~"70-08"~~ "70-14" to ~~"70-14"~~ "70-20."

SECTION 3: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed, effective thirty (30) days from the adoption hereof. All ordinances or parts of ordinances not amended or repealed by the provisions of this Ordinance shall remain in full force and effect.

SECTION 4: This Ordinance does not affect the rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this Ordinance.

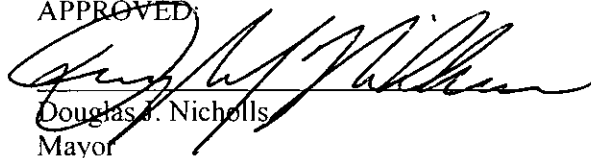
SECTION 5: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 6: Violations of this Ordinance are subject to the following penalties:

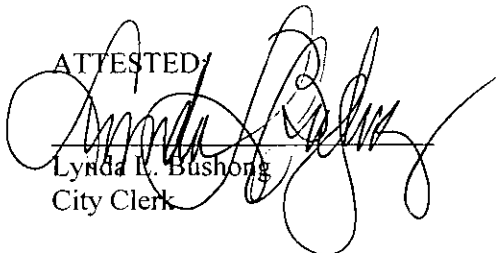
It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of the ordinance. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a class 1 misdemeanor and shall be punished by a fine not to exceed \$1,000, or by imprisonment for not more than ten days, or by both fine and imprisonment. Each separate day or part thereof during which any violation of this ordinance occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof, shall be punishable as herein provided.

Adopted this 4th day of May, 2022.

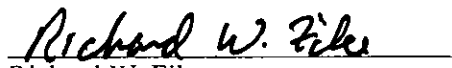
APPROVED:


Douglas J. Nicholls
Mayor

ATTESTED:


Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:


Richard W. Files
City Attorney