

TOWN OF LAKEWOOD VILLAGE

ELECTRICAL CODE 21-07

AN ORDINANCE TO ADOPT THE 2017 NATIONAL ELECTRICAL CODE, WITHIN THE TOWN OF LAKEWOOD VILLAGE; PROVIDING A SAVINGS/REPEALING CLAUSE, PROVIDING A PENALTY CLAUSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Lakewood Village, Texas (“Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas to adopt the 2017 Edition of the National Electrical Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

Section 1: Findings

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Adoption of the 2017 National Electrical Code

The National Electrical Code, 2017 Edition, copyrighted by the National Fire Protection Association, including Annex H, save and except the deletions and amendments set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, is hereby adopted as the Electrical Code for Lakewood Village, regulating the construction, alteration, removal, use and/or maintenance of any electrical wiring, apparatus, device or system within Lakewood Village (the "2017 National Electrical Code"). The 2017 National Electrical Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Electrical Code 16-17 ordinance is hereby repealed in its entirety.

Section 4: Penalty Clause

A. Violation

A person who knowingly violates any provision of this chapter is guilty of separate offenses for each day during which the violation is continued after notification. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this ordinance.

B. Fine

Each offense is punishable by a fine of not more than two-thousand (\$2,000) nor less than two-hundred (\$200). The minimum fine established in this paragraph shall be doubled for the second conviction of the same offense within any 24-month period and tripled for the third and subsequent convictions of the same offense within any 24-month period. At no time shall the minimum fine exceed the maximum fine established in this paragraph.

Section 5: Legal Rights

The penal provision imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. The Town of Lakewood Village retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 6: Severability

A. Unconstitutional or Invalid Section

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

B. Independent Sections

The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

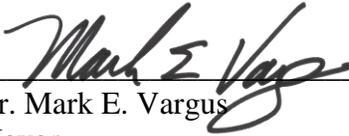
Section 7: Estoppel / Waiver

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

Section 8: Effective Date

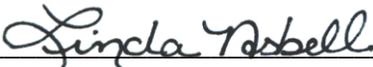
The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas this the 10th day of June, 2021.



Dr. Mark E. Vargus
Mayor

ATTESTED:



Linda Asbell, TRMC, CMC
Town Secretary

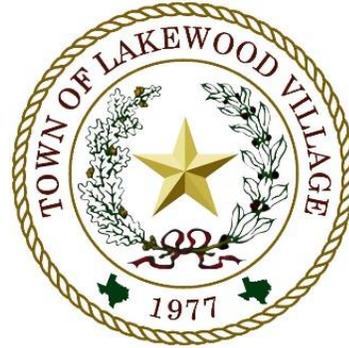


Exhibit A

Town of Lakewood Village Amendments

2017 National Electrical Code



ELECTRICAL CODE

Adopted: June 10th, 2021

**TABLE OF CONTENTS**

CHAPTER 2. WIRING AND PROTECTION	8
ARTICLE 230 SERVICES	8
230.71 Maximum Number of Disconnects	8
CHAPTER 3. WIRING METHODS AND MATERIALS	8
ARTICLE 310 CONDUCTORS FOR GENERAL WIRING	9
310.106 Conductors	9
Table 310.106(A) Minimum Size of Conductors	9
ARTICLE 334 NONMETALLIC-SHEATHED CABLE: TYPES NM, NMC AND NMS	9
334.12 Uses Not Permitted	9
ANNEX H. ADMINISTRATION AND ENFORCEMENT	10
[H] 101 GENERAL	10
[H] 101.1 Title	10
[H] 101.2 Scope	10
[H] 101.3 Intent	10
[H] 102 APPLICABILITY	10
[H] 102.1 General	10
[H] 102.2 Existing Installations	11
[H] 102.3 Maintenance	11
[H] 102.4 Additions, Alterations or Repairs	11
[H] 102.5 Change in Occupancy	11
[H] 102.6 Moved Buildings	11
[H] 102.7 Referenced Codes and Standards	11
[H] 102.8 Requirements not Covered by Code	12
[H] 102.9 Other Laws	12
[H] 102.10 Application of References	12
[H] 103 DEPARTMENT OF ELECTRICAL INSPECTION	12
[H] 103.1 General	12
[H] 103.2 Appointment	12
[H] 103.3 Deputies	12
[H] 103.4 Liability	13
[H] 104 DUTIES AND POWERS OF THE CODE OFFICIAL	13
[H] 104.1 General	13
[H] 104.2 Applications and Permits	13
[H] 104.3 Inspections	13
[H] 104.4 Right of Entry	13
[H] 104.5 Identification	14



[H] 104.6 Notices and Orders	14
[H] 104.7 Department Records	14
[H] 105 APPROVAL	14
[H] 105.1 Modifications	14
[H] 105.2 Alternative Materials, Methods and Equipment	14
[H] 105.2.1 Research Reports	14
[H] 105.3 Required Testing	15
[H] 105.4 Approved materials and Equipment	15
[H] 106 PERMITS	15
[H] 106.1 When Required	15
[H] 106.2 Exempt Work	15
[H] 106.3 Application for Permit	15
[H] 106.4 By Whom Application is Made	16
[H] 106.5 Permit Issuance	16
[H] 106.6 Fees	18
[H] 107 INSPECTIONS AND TESTING	19
[H] 107.1 General	19
[H] 107.2 Required Inspections and Testing	19
[H] 107.2.5.3 Test and Inspection Records	20
[H] 107.3 Special Inspections	20
[H] 107.4 Testing	21
[H] 107.5 Approval	21
[H] 107.6 Temporary Connection	21
[H] 107.7 Connection of Service Utilities	22
[H] 108 VIOLATIONS	22
[H] 108.1 Unlawful Acts	22
[H] 108.2 Notice of Violation	22
[H] 108.3 Prosecution of Violation	22
[H] 108.4 Violation Penalties	22
[H] 108.5 Stop Work Orders	22
[H] 108.6 Abatement of Violation	23
[H] 108.7 Unsafe Electrical Systems	23
[H] 109 MEANS OF APPEAL	24
[H] 109.1 Application for Appeal	24
ADOPTION AND SUMMARY OF AMENDMENTS	25

CHAPTER 2. WIRING AND PROTECTION

The following additions, deletions and amendments to the 2017 National Electrical Code adopted herein and hereby adopted.

ARTICLE 230 SERVICES

The following additions, deletions and amendments to the 2017 National Electrical Code adopted herein and hereby adopted.

230.71 Maximum Number of Disconnects

(A) General. The service disconnecting means for each service permitted by 230.2, or for each set service-entrances conductors permitted by 230.40. Exception No. 1, 3, 4, or 5, shall consist of not more than six switches or sets of circuit breakers, or a combination of not more than six switches and sets of circuit breakers, mounted in a single enclosure, in a group of separate enclosures, or in or on a switchboard. There shall be not more than six sets of disconnects per service grouped in any one location.

For the purpose of this section, disconnecting means installed as part of listed equipment and used solely for the following shall not be considered a service disconnecting means:

- (1) Power monitoring equipment
- (2) Surge-protective devices(s)
- (3) Control circuit of the ground-fault protection system
- (4) Power-operable service disconnecting means

Exception: Multi-occupant buildings. Individual service disconnecting means is limited to six for each occupant. The number of individual disconnects at one location may exceed six.

ARTICLE 250 GROUNDING AND BONDING

The following additions, deletions and amendments to the 2017 National Electrical Code adopted herein and hereby adopted.

250.62 Grounding Electrode Conductor Material

The grounding electrode conductor shall be of copper, ~~aluminum, copper-clad aluminum as permitted in 250.68(C).~~ The material selected shall be resistant to any corrosive condition existing at the installation or shall be protected against corrosion. Conductors of the wire type shall be solid or stranded, insulated, covered, or bare.

CHAPTER 3. WIRING METHODS AND MATERIALS

The following additions, deletions and amendments to the 2017 National Electrical Code adopted herein and hereby adopted.

ARTICLE 310 CONDUCTORS FOR GENERAL WIRING

The following additions, deletions and amendments to the 2017 National Electrical Code adopted herein and hereby adopted.

310.106 Conductors

(A) Minimum Size of Conductors. The minimum size of conductors shall be as shown in Table 310.106(A), except for low voltage control circuits as permitted elsewhere in this Code.

(B) Conductor Material. Conductors in this article shall be of aluminum, copper-clad aluminum, or copper unless otherwise specified. Use of aluminum 1/0 and larger is allowed for multifamily and commercial use only. All grounding and bonding conductors shall be of copper and sized per 250.66, 250.102(C)(1) and 250.122. Refer to amendments in Article 250 for cable assemblies.

~~Solid aluminum conductors 8, 10, and 12 AWG shall be made of an AA-8000 series electrical grade aluminum alloy conductor material.~~ For multifamily and commercial use only, stranded aluminum conductors ~~8 AWG~~ 1/0 through 1000 kcmil marked as Type RHH, RHW, XHHW, THW, THHW, THWN, THHN, service-entrance Type SE Style U, and SE Style R shall be made of an AA-8000 series electrical grade aluminum alloy conductor material.

Table 310.106(A) Minimum Size of Conductors

Conductor Voltage Rating (Volts)	Minimum Conductor Size (AWG)	
	Copper	Aluminum or Copper-Clad Aluminum (Only Feeders Allowed)
0 - 2,000	14 <u>12</u>	12 <u>1/0</u>
2,001 - 5,000	8	8 <u>1/0</u>
5,001 - 8,000	6	6 <u>1/0</u>
8,001 - 15,000	2	2 <u>1/0</u>
15,001 - 28,000	1	1 <u>1/0</u>
28,001 - 35,000	1/0	1/0

ARTICLE 334 NONMETALLIC-SHEATHED CABLE: TYPES NM, NMC AND NMS

The following additions, deletions and amendments to the 2017 National Electrical Code adopted herein and hereby adopted.

334.12 Uses Not Permitted

(A) Types NM, NMC and MNS. Types NM, NMC and NMS cables shall not be permitted as follows:

- (1) In any dwelling or structure not specifically permitted in 334.10(1), (2) and (5).
- (2) Exposed in dropped or suspended ceilings in other than one- and two-family and multifamily dwellings.
- (3) As service-entrance cable.
- (4) In commercial garages having hazardous (classified) locations as defined in 511.3.
- (5) In theaters and similar locations, except where permitted in 518.4(B).
- (6) In motion picture studios

- (7) In storage battery rooms
- (8) In hoist ways or on elevators or escalators
- (9) Embedded in poured cement, concrete or aggregate.
- (10) In hazardous (classified) locations, except where specifically permitted by other articles in this Code.
- (11) In structures where it would be required to pass through either factory or filed punched, cut or drilled slots or holes in metal members.

(B) Types NM and NMS. (*No edits*)

ANNEX H. ADMINISTRATION AND ENFORCEMENT

The 2017 National Electrical Code is amended by deleting the entire article and replacing it with the following:

[H] 101 GENERAL

[H] 101.1 Title

These regulations shall be known as the *National Electrical Code* of The Town of Lakewood Village hereinafter referred to as "this code."

[H] 101.2 Scope

The provision of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of electrical systems within this jurisdiction. This code shall also regulate the installation of electrical conductors, equipment, and raceways; signaling and communications conductors equipment, and raceways; and optical fiber cables and raceways as identified in Article 90 of this code. Provisions in the appendices shall not apply unless specifically adopted.

Exception

Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

[H] 101.3 Intent

The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of electrical systems and equipment.

[H] 102 APPLICABILITY

[H] 102.1 General

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in any specific case, different sections of this code specify

different materials, methods of construction or other requirements, the most restrictive shall govern.

[H] 102.2 Existing Installations

Electrical systems lawfully in existence at the time of the adoption of this code shall be permitted to have their use and maintenance continue if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property is created by such electrical system.

[H] 102.3 Maintenance

All electrical systems, materials and appurtenances, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design in a safe condition. All devices or safeguards required by this code shall be maintained in compliance with the code edition under which they were installed. The owner or the owner's designated agent shall be responsible for maintenance of electrical systems. To determine compliance with this provision, the code official shall have the authority to require any electrical system to be reinspected.

[H] 102.4 Additions, Alterations or Repairs

Additions, alterations, renovations or repairs to any electrical system shall conform to that required for a new electrical system without requiring the existing electrical system to comply with all the requirements of this code unless otherwise determined by the code official that it is necessary to change part of or all of the existing electrical system to safeguard life or limb, health, property and public welfare. Additions, alterations or repairs shall not cause an existing system to become unsafe, insanitary or overloaded. Minor additions, alterations, renovations and repairs to existing electrical systems shall meet the provisions for new construction, unless such work is done in the same manner and arrangement as was in the existing system, is not hazardous and is approved.

[H] 102.5 Change in Occupancy

It shall be unlawful to make any change in the occupancy of any structure that will be subject the structure to any special provision of this code applicable to the new occupancy without approval of the code official. The code official shall certify that such structure meets the intent of the provisions of the law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

[H] 102.6 Moved Buildings

Except as determined by section 102.2, electrical systems that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations.

[H] 102.7 Referenced Codes and Standards

The codes and standards referenced in this code, when specifically adopted, shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of

this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well.

[H] 102.7.1 Conflicts

Where conflicts occur between provisions of this code and the referenced standards, the provision of this code shall apply.

[H] 107.2 Provision in Referenced Codes and Standards

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provision of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[H] 102.8 Requirements not Covered by Code

Any requirements necessary for the strength, stability or proper operation of an existing or proposed electrical system, or for public safety, health and general welfare, not specifically covered by this code shall be determined by the code official.

[H] 102.9 Other Laws

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

[H] 102.10 Application of References

Reference to chapter section numbers, or provision not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

[H] 103 DEPARTMENT OF ELECTRICAL INSPECTION

[H] 103.1 General

The department of electrical inspection is hereby created and the executive official in charge thereof shall be known as the code official.

[H] 103.2 Appointment

The code official shall be appointed by the chief appoint authority of the jurisdiction.

[H] 103.3 Deputies

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appoint authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

[H] 103.4 Liability

The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final terminate of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[H] 104 DUTIES AND POWERS OF THE CODE OFFICIAL**[H] 104.1 General**

The code official is hereby authorized and directed to enforce the provision of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[H] 104.2 Applications and Permits

The code official shall receive applications, review construction documents and issue permits for the installation and alteration of electrical systems, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

[H] 104.3 Inspections

The code official shall make all the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appoint authority.

[H] 104.4 Right of Entry

Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in any building or upon an premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the code official by this code. If such building or premises is occupied, the code official shall be present credentials to the occupant and request entry. If such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the

building or premises and request entry. If entry is refused, the code official shall have recourse to every remedy provided by law to secure entry. When the code official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or person 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 code official for the purpose of inspection and examination pursuant to this code.

[H] 104.5 Identification

The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

[H] 104.6 Notices and Orders

The code official shall issue all necessary notices or orders to ensure compliance with this code.

[H] 104.7 Department Records

The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records.

[H] 105 APPROVAL

[H] 105.1 Modifications

Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification conforms to the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the electrical inspection department.

[H] 105.2 Alternative Materials, Methods and Equipment

The provisions of this code of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed alternative material, method or equipment complies with the intent of the provision of this code and is at least the equivalent of that prescribed in this code.

[H] 105.2.1 Research Reports

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

[H] 105.3 Required Testing

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternate materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

[H] 105.3.1 Test Methods

Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures.

[H] 105.3.2 Testing Agency

All tests shall be performed by an approved agency.

[H] 105.4 Approved materials and Equipment

Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

[H] 105.4.1 Material and Equipment Reuse

Materials, equipment and devices shall not be reused unless such elements have been reconditions, tested, placed in good and proper working condition and approved.

[H] 106 PERMITS**[H] 106.1 When Required**

Any owner, authorized agent or contractor who desires to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the code official and obtain the required permit for the work.

[H] 106.2 Exempt Work

The following work shall be exempt from the requirements for a permit:

1. The work identified in Article 90.2(B) as not being covered by this Code.

[H] 106.3 Application for Permit

Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or an authorized agent. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of

the site or lot, if any, not covered by the building or structure and shall contain such other information required by the code official.

[H] 106.3.1 Construction Documents

Construction documents, engineering calculations, diagrams and other such data shall be submitted, as required by the code official, with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for pipes, conduits, wiring, equipment, fittings and components and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fire blocking.

Exception

The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such reviewing of the construction documents is not necessary to determine compliance with this code.

[H] 106.3.2 Preliminary Inspection

Before a permit is issued, the code official is authorized to inspect and evaluate the systems, equipment, buildings, devices, premises and spaces or areas to be used.

[H] 106.3.3 Time Limitation of Application

An application for a permit for any proposed work shall be deemed to have been abandoned 90 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued: except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[H] 106.4 By Whom Application is Made

Application for a permit shall be made by the person or agent to install all or part of any electrical system. The applicant shall meet all qualifications established by statute, or by rules promulgated by this code, or by ordinance or by resolution. The full name and address of the applicant shall be stated in the application.

[H] 106.5 Permit Issuance

The application, construction documents and other data filed by an applicant for permit shall be reviewed by the code official. If the code official finds that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, and that the fees specified in Section [H] 106.6 have been paid, a permit shall be issued to the applicant.

[H] 106.5.1 Approved Construction Documents

When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "APPROVED." Such approved construction documents shall not be changed, modified or altered without authorization from the code official. All work shall be done in accordance with the approved construction documents. The code official shall have the authority to issue a permit for the construction of a part of an electrical system before the entire construction documents 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 holders of such permit shall proceed at their own risk without assurance that the permit for the entire electrical system will be granted.

[H] 106.5.2 Validity

The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or any other ordinance of the jurisdiction. Not permit presuming to give authority to violate or cancel the provisions of this code shall be valid. The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter required the correction of errors in said construction documents and other data or from preventing building operations being carried on thereunder when in violation of this code of other ordinances of this jurisdiction.

[H] 106.5.3 Expiration

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after the issuance, or if the work authorized by such permit is suspended, abandoned or lacks any required inspection for a period of 180 days after the time the work is commenced. The code official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[H] 106.5.4 When Extensions

Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. Not permit shall be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work.

[H] 106.5.5 Suspension or Revocation of Permit

The code official shall have the authority to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis on incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

[H] 106.5.6 Retention of Construction Documents

One set of approved construction documents shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. Once set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

[H] 106.5.7 Previous Approvals

This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

[H] 106.5.8 Posting of Permit

The permit or a copy shall be kept on the site of the work until the completion of the project.

[H] 106.6 Fees

A permit shall not be issued until the fees prescribed in Section 106.6.2 have been paid, and an amendment to a permit shall not be released until the additional fee, if any, due to an increase of the electrical systems, has been paid.

[H] 106.6.1 Work Commencing before Permit Issuance

Any person who commences any work on an electrical system before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fees.

[H] 106.6.2 Fee Schedule

The fees for all electrical work shall be as indicated in the Consolidated Fee Ordinance for the Town of Lakewood Village.

[H] 106.6.3 Fee Refunds

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that 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 50 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 code 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.

[H] 107 INSPECTIONS AND TESTING**[H] 107.1 General**

The code official is authorized to conduct such inspections as are deemed necessary to determine compliance with the provisions of this code. Construction or work for which a permit is required shall be subject to inspection by the code official, and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

[H] 107.2 Required Inspections and Testing

The code official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or an agent of any violations that must be corrected. The holder of the permit shall be responsible for the scheduling of such inspections.

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping and conduit installed, and before any backfill is put in place.
2. Rough-in inspection shall be made after the roof, framing, fire blocking, fire stopping, draft stopping and bracing is in place and all electrical systems are rough-in, and prior to the installation of wall or ceiling membranes.
3. Final inspection shall be made after the building is complete, all electrical fixtures are in place and properly connected, and the structure is ready for occupancy.

[H] 107.2.1 Other Inspections

In addition to the inspections specified above, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced.

[H] 107.2.2 Inspection Requests

It shall be the duty of the holder of the permit or their duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

[H] 107.2.3 Approval Required

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or agent wherein the same fails to comply with

this code. Any portions that do not comply shall be corrected and such portion shall not covered or concealed until authorized by the code official.

[H] 107.2.4 Approved Agencies

The code official is authorized to accept reports of approved inspection agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

[H] 107.2.5 Evaluation and Follow-up Inspection Services

Prior to the approval of a closed, prefabricated, electrical system and the issuance of an electrical permit, the code official may require submittal of an evaluation report on each prefabricated electrical system indicating the complete details of the electrical system, including a description of the system and its components, the basis upon which the electrical system is being evaluated, test results and similar information, and other data as necessary for the code official to determine conformance to this code.

[H] 107.2.5.1 Evaluation Service

The code official shall designate the evaluation service of an approved agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code.

[H] 107.2.5.2 Follow-up Inspection

Except where ready access is provided to all electrical systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the code official shall conduct the frequency of in-plant inspections necessary to ensure conformance to the approved evaluation report or shall designate an independent, approved inspection agency to conduct such inspections. The inspection agency shall furnish the code official with the follow up inspection manual and a report of inspections upon request, and the electrical system shall have an identifying label permanently affixed to the system indicating that factory inspection have been performed.

[H] 107.2.5.3 Test and Inspection Records

All required test and inspection records shall be available to the code official at all times during the fabrication of the electrical system and the erection of the building, or such records as the code official designates shall be filed.

[H] 107.3 Special Inspections

Special inspections of alternative engineered design electrical systems shall be conducted in accordance with Sections 107.3.1 and 107.3.2.

[H] 107.3.1 Periodic Inspection

The registered design professional or designated inspector shall periodically inspect and observe the alternative engineered design to determine that the installation is in accordance with the

approved construction documents. All discrepancies shall be brought to the immediate attention of the electrical contractor for correction. Records shall be kept of all inspections.

[H] 107.3.2 Written Report

The registered design professional shall submit a final report in writing to the code official upon completion of the installation, certifying that the alternative engineered design conforms to the approved construction documents. A notice of approval for electrical system shall not be issued until a written certification has been submitted.

[H] 107.4 Testing

Electrical work and systems shall be tested as required by this code and in accordance with Sections 107.4.1 through 107.4.3. Tests shall be made by the permit holder and observed by the code official.

[H] 107.4.1 new, Altered, Extended or Repaired Systems

New electrical systems and parts of existing systems that have been altered, extended or repaired shall be inspected and tested as required by the code official.

[H] 107.4.2 Equipment, Material and Labor for Tests

All equipment, material and labor required for testing a electrical system or part thereof shall be furnished by the permit holder.

[H] 107.4.3 Reinspection and Testing

Where any work or installation does not pass any initial test or inspection, the necessary corrections shall be made to comply with this code. The work or installation shall then be resubmitted to the code official for inspection and testing.

[H] 107.5 Approval

After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

[H] 107.5.1 Revocation

The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provision of this code.

[H] 107.6 Temporary Connection

The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provision of this code wherever the notice issued in error, or on the basis of incorrect information supplied, or where it is determined that the build or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provision of this code.

[H] 107.7 Connection of Service Utilities

A person shall not make connections from a utility, source of energy, or power system to any building or system that is regulated by this code for with a permit is required until authorized by the code official.

[H] 108 VIOLATIONS**[H] 108.1 Unlawful Acts**

It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any electrical system, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

[H] 108.2 Notice of Violation

The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of electrical work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

[H] 108.3 Prosecution of Violation

If the notice of violation is not complied with promptly, the code official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

[H] 108.4 Violation Penalties

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair electrical work in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of separate offenses for each day during which the violation is continued after notification.

[H] 108.5 Stop Work Orders

Upon notice from the code official, work on any electrical system that is being done contrary to the provision of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or that owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. 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 liable to a fine as required herein by this code.

[H] 108.6 Abatement of Violation

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premise, or to stop an illegal act, conduct, business or utilization of the electrical system on or about an premises.

[H] 108.7 Unsafe Electrical Systems

Any electrical system regulated by this code that is unsafe or that constitutes a fire or health hazard, or is otherwise dangerous to human life is hereby declared unsafe. Any use of electrical systems 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 hereby declared an unsafe used. Any such unsafe electrical system is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

[H] 108.7.1 Authority to Condemn Equipment

Whenever the code official determines that any electrical system, or portion thereof, regulated by this code has become hazardous to life, health or property the code official shall order in writing that such electrical system either be removed or restored to a safe conditions. A time limit for compliance with such order shall be specified in the written notice. No person shall use or maintain a defective electrical system after receiving such notice. When such electrical system is to be disconnected, written notice as prescribed in Section 108.2 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without notice.

[H] 108.7.2 Authority to Disconnect Service Utilities

The code official shall have the authority to authorize disconnection to utility service to the building, structure or system regulated by the technical codes in case of an emergency, where necessary, to eliminate an immediate danger to life or property. Where possible, the owner or occupant of the building, structure or service system shall be notified of the decision to disconnect utility service prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service systems shall be notified in writing, as soon as practical thereafter.

[H] 108.7.3 Connection after Order to Disconnect

No person shall make connections from any energy or power supply system or supply energy or power supply to any equipment regulated by this code that has been disconnected or ordered to be disconnected by the code official or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such equipment. When any electrical system is maintained in violation of this code, and in violation of any notice



issued pursuant to the provisions of this section, the code official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

[H] 109 MEANS OF APPEAL

[H] 109.1 Application for Appeal

Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the Town of Lakewood Village's enabling ordinance.



End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
21-07	June 10, 2021	<ul style="list-style-type: none">• Referenced 2017 NEC• Added section 250• Added feeder column to table 310.106(A)• Removed Article 334
16-17	October 13, 2016	<ul style="list-style-type: none">• Removed ETJ
15-13	August 13, 2015	<ul style="list-style-type: none">• Removed amendments to Article 680• Removed amendments to Annex G• Added Annex H
11-08	April 14, 2011	REPEALED