

O-2021-XX

AN ORDINANCE

AN ORDINANCE REPEALING AND REENACTING CERTAIN PROVISIONS OF TITLE 14 OF THE LAKEWOOD MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE, INCLUDING ANNEX C AND INCLUDING ANNEX H WITH AMENDMENTS, AND ESTABLISHING THE PENALTIES THEREFOR

WHEREAS, Colorado state law at C.R.S. 12-115-107 (2) (a) requires local entities to adopt the most current edition of the national electrical code;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Chapter 14.06 of the Lakewood Municipal Code is repealed and reenacted as follows:

14.06.010 National Electrical Code, 2020 Edition, adopted by reference, generally.

Pursuant to Title 31, Article 16, 1973 C.R.S., and the Lakewood Municipal Charter, the National Electrical Code of the National Fire Protection Association, 2020 Edition, including Annex C and Annex H, hereinafter "National Electrical Code," is hereby adopted by reference, subject to the deletions, amendments and additions contained in this chapter.

14.06.020 Purpose of the National Electrical Code.

The purpose of the National Electrical Code is to safeguard persons in buildings and their contents from hazards arising from the use of electricity for lights, heat, power, radio, signaling, and for other purposes. The subject matter of the code is the regulation of electrical conductors and equipment installed within or on public and private buildings and other premises, including yards, carnival and parking lots, industrial substations, mobile homes, and recreational vehicles, as well as the conductors that connect the installations to a supply of electricity and other outside conductors adjacent to a premises.

14.06.040 Amendments to certain provisions of the National Electrical Code. Certain provisions of the National Electrical Code, as indicated in this section, are hereby amended.

A. The provisions of Annex H shall include the following amendments:

1. Subsection 80.15 is deleted.
2. Subsection 80.19 (D) is deleted.
3. Subsection 80.19 (E) is replaced with the following:

80.19(E) Fees. Fees and valuation for permits required by this code shall be as specified in Section 14.01.060 of the Lakewood Building Code.

4. Subsection 80.23 (B) is deleted.
5. Subsection 80.27 is deleted.

14.06.070 Penalties for violations of the National Electrical Code.

A. Any person who violates any of the provisions of the code adopted by this chapter or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order, as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction, within the time fixed in this chapter, shall jointly and severally, for each and every violation and noncompliance respectively, be subject to the penalties set forth in Section 1.16.020. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or deficits within a reasonable time, and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 2. All provisions of Chapter 14 of the Lakewood Municipal Code not expressly amended hereby shall remain unaltered and in full force and effect.

SECTION 3. This ordinance shall take effect thirty (30) days after final publication.

SECTION 4. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.