ORDINANCE

Motion was made by Councilmember John Langley seconded by Councilmember Clint Fowler, that the following Ordinance be adopted.

ORDINANCE NO.: 2015-394

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS, TO ADOPT THE LATEST EDITION OF THE NATIONAL ELECTRIC CODE; PROVIDING FOR INSPECTION ACTIVITIES BY THE BUILDING OFFICIAL; PROVIDING PENALTIES NOT TO EXCEED A $500 FINE FOR ANY VIOLATION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE ON OR AFTER JANUARY 1, 2016.

WHEREAS, it is the desire of the City Council of the City of Panorama Village, Texas, to adopt, in all respects, the NFPA 70® National Electric Code® as published by the National Fire Protection Association for both commercial and residential structures; and

WHEREAS, the adoption of this Code is done to facilitate proper inspection activities by the City of Panorama Village, Montgomery County, Texas, relating to construction and to maintenance of all buildings and structures within the corporate limits of said City of Panorama Village, Texas, and relating to public safety, health, and general welfare;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS, THAT:

SECTION I.

The following edition of the NFPA 70® National Electric Code® ("the Code") is hereby adopted by reference as though it was copied herein fully:

2014 National Electric Code® as published by the National Fire Protection Association

SECTION II.

BUILDING OFFICIAL. When reference is made to the duties of the authority having jurisdiction for enforcement of the Code named within said Code, that designated official of the City of Panorama Village, Montgomery County, Texas, who has duties corresponding to those of the named authority in the NFPA 70® Code shall be deemed the ***Building Official*** or his/her designee. The Building Official shall periodically review amendments to the National Electric

Code and other Codes, and may recommend adoption of such amendments to the City Council. The Building Official may also recommend other local amendments to the Codes. Local amendments to the City Building Codes shall be adopted by ordinance and shall control over any conflicting provisions of the Codes.

SECTION III.

BUILDING PERMIT PROCEDURES AND INSTRUCTIONS. The City Council hereby authorizes the Building Official to implement Building Permit procedures and instructions for construction of all buildings and structures in the City of Panorama Village which are consistent with the Codes and this Ordinance. .

SECTION IV.

PERMIT APPLICATION FORMS. The City Council hereby authorizes the Building Official to issue permits for the electrical installation of all buildings and structures which are consistent with the National Electric Code® and this Ordinance.

SECTION V.

CRIMINAL PENALTIES.

A. A person, firm or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than $500 for each act of violation, and each day of violation shall be considered a separate violation.

B. In addition to proceeding under authority of this Ordinance, the City is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of statutes or ordinances against a person continuing to violate this Ordinance.

SECTION VI.

REPEALING CLAUSE. Any matters in said National Electric Code® which are contrary to existing Ordinances and the Codes of the City of Panorama Village, Montgomery County, Texas, shall prevail and all other Ordinances in conflict are hereby repealed to the extent of any conflict.

SECTION VII.

SEVERABILITY. If any section, subsection, sentence, clause, provision or part of this Ordinance shall be held invalid for any reason, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

SECTION VIII.

TEXAS OPEN MEETINGS ACT. It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, of the Texas Government Code.

SECTION IX.

EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after January 1, 2016.

PASSED AND APPROVED by the City Council of the City of Panorama Village, Texas, on the 29th day of September, 2015.

THE CITY OF PANORAMA VILLAGE, TEXAS

Howard Kravetz, Mayor

ATTEST:

Lisa Evans, City Secretary

APPROVED AS TO FORM:

Larry L. Foerster, City Attorney