



1                   16.08.010 National Electrical Code adopted.

2                   Pursuant to Part 2 of Article 16 of Title 31, CRS, as amended, and Article  
3                   IV, Municipal Charter of the city of Longmont, Colorado, there is adopted, as the  
4                   Electrical Code of the city, by reference thereto, NFPA 70-National Electrical  
5                   Code, ~~2005 2008~~ Edition, including ~~appendices~~ *all annexes except annex H*,  
6                   published by the National Fire Protection Association, Inc., One Batterymarch  
7                   Park, Quincy, MA 02269, that Code to have the same force and effect as if set  
8                   forth in this chapter in every particular, save and except such portions as are  
9                   deleted, modified, substituted or amended in this chapter. The adopted Code  
10                  includes comprehensive provisions and standards for practical safeguarding of  
11                  persons and property from hazards arising from the use of electricity. All  
12                  references in this Code to the National Electrical Code are to the edition  
13                  referenced above.

14                  Section 3

15                  The Council amends § 16.08.020 of the Longmont Municipal Code, by adding italicized  
16                  material and deleting stricken material, to read as follows:

17                                  16.08.020 Copies of Code--Filing for public inspection--Sale.

18                                  At the time of adoption, one certified true copy of the National Electrical  
19                                  Code, ~~2005-2008~~ Edition, published by the National Fire Protection Association,  
20                                  Inc. is on file in the office of the city clerk and may be inspected by any interested  
21                                  person between eight a.m. and five p.m., Monday through Friday, holidays  
22                                  excepted. The Electrical Code, as finally adopted, is available for sale at the office  
23                                  of the city clerk, at a price reflecting cost to the city as established by the city

1 manager, pursuant to this Municipal Code. The city shall keep a copy of the  
2 adopted Code in the office of the chief enforcement officer for public inspection.

3 Section 4

4 The Council amends the Longmont Municipal Code by repealing the following stricken  
5 sections.

6 ~~16.08.030 Article 80.2 amended Definitions.~~

7 ~~Article 80.2 of the National Electrical Code is amended by deletion of the~~  
8 ~~definition for electrical inspector.~~

9 ~~16.08.040 Article 80.13(2) amended Authority.~~

10 ~~Article 80.13 of the National Electrical Code is amended by modification~~  
11 ~~of the first sentence of item (2) as follows:~~

12 ~~(2) When the use of any electrical equipment or its installations is found to be~~  
13 ~~dangerous to human life or property, the authority having jurisdiction shall be~~  
14 ~~empowered to have the premises disconnected from its source of electric supply.~~

15 ~~16.08.050 Article 80.13(13) amended Authority.~~

16 ~~Article 80.13 of the National Electrical Code is amended by modification~~  
17 ~~of the second sentence of item (13) as follows:~~

18 ~~The authority having jurisdiction shall be notified when the installation is ready~~  
19 ~~for inspection.~~

20 ~~16.08.060 Article 80.15 replaced Electrical Board.~~

21 ~~Article 80.15 of the National Electrical Code is replaced with the~~  
22 ~~following:~~

23 ~~80.15 Appeals. For provisions relating to the board of appeals, see Chapter 16.30,~~

1 Longmont Municipal Code.

2 ~~16.08.070 Article 80.23(B) replaced Penalties.~~

3 ~~Article 80.23(B) of the National Electrical Code is replaced with the~~  
4 ~~following:~~

5 ~~(B) Penalties.~~

6 ~~(1) Unlawful acts. It is unlawful for any person to erect, install, alter, repair,~~  
7 ~~relocate, add to, replace, demolish, use, occupy or maintain any building or~~  
8 ~~structure, or cause or permit the same to be done, in violation of this code.~~

9 ~~(2) Violation. Any person committing or permitting a violation of this code~~  
10 ~~commits a separate offense for each day or part of a day during which the~~  
11 ~~violation exists. Offenses are punishable according to Chapter 1.12 of the~~  
12 ~~Longmont Municipal Code.~~

13 ~~(3) Violation penalties. Imposition of one penalty for any violation shall not~~  
14 ~~excuse the violation nor permit it to continue, and all such persons shall correct~~  
15 ~~or remedy such violations or defect within a reasonable time.~~

16 ~~(4) Prosecution of violation. In addition to any other penalties, any violation of~~  
17 ~~this code is a public nuisance and shall be enjoined by a court of competent~~  
18 ~~jurisdiction. Nothing in this code shall prevent the city attorney from seeking~~  
19 ~~appropriate legal or equitable relief from any court of competent jurisdiction.~~

20 ~~16.08.080 Article 80.25 deleted Connection to electricity supply.~~

21 ~~Article 80.25 of the National Electrical Code is deleted in its entirety.~~

22 ~~16.08.100 Article 80.29 amended Liability for damages.~~

1 ~~Article 80.29 of the National Electrical Code is amended by insertion of~~  
2 ~~city of Longmont in the blank space.~~

3 ~~16.08.110 Article 80.35 deleted Effective date.~~

4 ~~Article 80.35 of the National Electrical Code is deleted.~~

5 ~~16.08.140 Article 210.11(C) amended Dwelling units.~~

6 ~~Article 210.11(C) of the National Electrical Code is amended by the~~  
7 ~~addition of a new subsection (4) as follows:~~

8 ~~(4) Basement Circuits. In addition to the number of branch circuits required by~~  
9 ~~other parts of this section, at least one 15 ampere, and one 20 ampere circuit shall~~  
10 ~~be installed in a junction box located in the basement for future use.~~

11 Section 5

12 The Council amends Chapter 16.08 of the Longmont Municipal Code by adding the  
13 following sections:

14 16.08.030 Article 90.8 amended Wiring Planning.

15 Article 90.8 of the National Electrical Code is amended to read as follows:

16 ~~(A) Future Expansion and Convenience. Plans and specifications that provide~~  
17 ~~ample space in raceways, spare raceways, and additional spaces allow for future~~  
18 ~~increases in electric power and communication circuits. Distribution centers~~  
19 ~~located in readily accessible locations provide convenience and safety of~~  
20 ~~operation.~~

21 ~~(B) Number of Circuits in Enclosures. It is elsewhere provided in this Code that~~  
22 ~~the number of wires and circuits confined in a single enclosure be varyingly~~  
23 ~~restricted. Limiting the number of circuits in a single enclosure minimizes the~~

1 ~~effects from a short circuit or ground fault in one circuit.~~

2 *Where there exists an unfinished area in a residential dwelling unit that could*  
3 *later be finished, and access to the load center, panel-board, smoke detectors,*  
4 *telephone demark or cable TV demark will be obstructed by building finish, ample*  
5 *circuitry or spare raceways to meet code minimums shall be provided to a*  
6 *junction box and clearly identified as future use in the unfinished area for each*  
7 *system.*

8 16.08.040 Article 300.5 (C) amended Underground Cables Under Buildings.

9 Article 300.5 (C) of the National Electrical Code is amended to read as  
10 follows:

11 (C) Underground Cables Under Buildings. Underground cable installed under a  
12 building, *concrete, asphalt or any finished walking or driving surface* shall be in a  
13 raceway.

14 16.08.050 Article 406.11 amended Tamper-Resistant Receptacles in  
15 Dwelling Units.

16 Article 406.11 of the National Electrical Code is amended to read as  
17 follows:

18 406.11 Tamper-Resistant Receptacles in *One- and Two-Family Dwelling Units*  
19 *and Group E, R-1, R-2, R-3, and I-2 Occupancies.* In all areas specified in  
20 210.52, all ~~125-volt~~, 15- and 20-ampere receptacles *located 48 inches or less*  
21 *above the floor, as measured around installed countertops and readily accessible,*  
22 shall be listed as tamper resistant receptacles.

1                    16.08.060    *Purpose; Scope.*

2                    A.     *Purpose. The purpose of this article is to provide requirements for*  
3                    *administration and enforcement of the National Electrical Code.*

4                    B.     *Scope.*

5                    1.     *The inspection of electrical installations as covered by Article 90.2*  
6                    *of the Code.*

7                    2.     *The investigation of fires caused by electrical installations.*

8                    3.     *The review of construction plans, drawings, and specifications for*  
9                    *electrical systems.*

10                   4.     *The design, alteration, modification, construction, maintenance,*  
11                   *and testing of electrical systems and equipment.*

12                   5.     *The regulation and control of electrical installations at special*  
13                   *events including, but not limited to, exhibits, trade shows, amusement parks, and*  
14                   *other similar special occupancies.*

15                   16.08.070    *Application.*

16                   A.     *New Installations. This Code applies to new installations.*  
17                   *Buildings with construction permits dated after adoption of this Code shall*  
18                   *comply with its requirements.*

19                   B.     *Existing Installations.*

20                   1.     *Existing electrical services if altered or modified shall meet*  
21                   *current Code requirements.*

22                   2.     *When structures are remodeled and the framing exposed through*  
23                   *demolition, all accessible electrical wiring shall be brought up to current Code*

1            *requirements.*

2                    3.     *All wiring including low voltage cable shall be removed if no*  
3            *longer in use.*

4            C.     *Additions, Alterations, or Repairs.*

5                    1.     *Additions, alterations, or repairs to any building, structure, or*  
6            *premises shall conform to that required of a new building without requiring the*  
7            *existing building to comply with all the requirements of this Code.*

8                    2.     *Additions, alterations, installations, or repairs shall not cause an*  
9            *existing building to become unsafe or to adversely affect the performance of the*  
10           *building as determined by the city.*

11                   3.     *Electrical wiring added to an existing service, feeder, or branch*  
12           *circuit shall not result in an installation that violates the provisions of the Code in*  
13           *force at the time the additions are made.*

14                   16.08.080     *Occupancy of Building or Structure.*

15                   A.     *New Construction. No newly constructed building shall be*  
16           *occupied in whole or in part in violation of the provisions of this Code.*

17                   B.     *Existing Buildings. Existing buildings that are occupied at the*  
18           *time of adoption of this Code shall be permitted to remain in use provided the*  
19           *following conditions apply:*

20                    1.     *The occupancy classification remains unchanged.*

21                    2.     *There exists no condition deemed hazardous to life or property that*  
22           *would constitute an imminent danger.*

1           16.08.090 Authority.

2           A.     *This Code shall be administered and enforced by the city chief*  
3           *building official or designees.*

4           B.     *The city may render interpretations of this Code in order to*  
5           *provide clarification to its requirements, as permitted by Article 90.4 of this Code.*

6           1.     *The city may waive specific requirements in this Code or permit*  
7           *alternative methods where it is assured that equivalent objectives can be achieved*  
8           *by establishing and maintaining effective safety. Technical documentation shall*  
9           *be submitted to the city to demonstrate equivalency and that the system, method,*  
10          *or device is approved for the intended purpose.*

11          2.     *Each application for a waiver of a specific electrical requirement*  
12          *shall be filed with the city and shall be accompanied by such evidence, letters,*  
13          *statements, results of tests, or other supporting information as required to justify*  
14          *the request. The city shall keep a record of actions on such applications, and a*  
15          *signed copy of the city's decision shall be provided for the applicant.*

16          C.     *Disconnection. When the use of any electrical equipment or its*  
17          *installations is found to be dangerous to human life or property, the city is*  
18          *empowered to have the premises disconnected from its source of electric supply.*

19          1.     *When such equipment or installation has been so condemned or*  
20          *disconnected, a notice shall be placed thereon listing the causes for the*  
21          *condemnation, the disconnection, or both, and the penalty for the unlawful use*  
22          *thereof. Written notice of such condemnation or disconnection and the causes*  
23          *therefore shall be given within 24 hours to the owners, the occupant, or both, of*

1        *such building, structure, or premises.*

2            2.        *It is unlawful for any person to remove said notice, to reconnect*  
3        *the electrical equipment to its source of electric supply, or to use or permit to be*  
4        *used electric power in any such electrical equipment until such causes for the*  
5        *condemnation or disconnection have been remedied to the satisfaction of the*  
6        *inspection authorities.*

7            D.        *Inspection. The city is authorized to inspect, at all reasonable*  
8        *times, any building or premises for dangerous or hazardous conditions or*  
9        *equipment as set forth in this Code. The city is permitted to order any person(s)*  
10       *to remove or remedy such dangerous or hazardous condition or equipment. Any*  
11       *person(s) failing to comply with such order shall be in violation of this Code.*

12           1.        *The city shall investigate the cause, origin, and circumstances of*  
13       *any fire, explosion, or other hazardous condition.*

14           2.        *The city shall order the immediate evacuation of any occupied*  
15       *building deemed unsafe when such building has hazardous conditions that present*  
16       *imminent danger to building occupants.*

17           16.08.100        *Records and Reports.*

18           *The city shall keep a record of all electrical inspections, including the date*  
19       *of such inspections and a summary of any violations found to exist, the date of the*  
20       *services of notices, and a record of the final disposition of all violations. All*  
21       *required records shall be maintained under the city's records retention policy.*

22           16.08.110        *Permits and Approvals.*

23           A.        *Permit Required; Applications.*

1           1.     *Applications for permits shall be made to the city on forms*  
2           *provided, shall include the applicant's answers in full to inquiries set forth on*  
3           *such forms, and shall be accompanied by such data as required by the city.*

4           2.     *The city shall review all applications submitted and issue permits*  
5           *as required. If an application for a permit is rejected by the city, the applicant*  
6           *shall be advised of the reasons for such rejection.*

7           3.     *Exceptions: No permit shall be required to execute any of the*  
8           *following classes of electrical work:*

9           a.     *Installation or replacement of equipment such as lamps and of*  
10          *electric utilization equipment approved for connection to suitable permanently*  
11          *installed receptacles. Replacement of flush or snap switches, fuses, lamp sockets,*  
12          *and receptacles, and other minor maintenance and repair work, such as replacing*  
13          *worn cords and tightening connections on a wiring device.*

14          b.     *The process of manufacturing, testing, servicing, or repairing*  
15          *electrical equipment or apparatus.*

16          B.     *Plan Review. For new construction, modification, or*  
17          *rehabilitation, the city shall review the applicant's construction documents and*  
18          *drawings.*

19          1.     *It is the responsibility of the applicant to ensure that the*  
20          *construction documents:*

21          a.     *Include all of the electrical requirements.*

22          b.     *Are correct and in compliance with the applicable codes and*  
23          *standards.*

1           c.     *Meet all provisions of Longmont Electrical Plans Requirements*  
2           *available at 385 Kimbark Street, Longmont, Colorado at the Building Inspection*  
3           *office.*

4           2.     *Where field conditions necessitate any substantial change from the*  
5           *approved plan, the city shall require that the corrected plans be submitted for*  
6           *approval.*

7           3.     *Review and approval by the city shall not relieve the applicant of*  
8           *the responsibility of compliance with this Code.*

9           C.     *Content; Posting. Permits issued by the city shall indicate the*  
10          *following:*

11          1.     *Operation or activities for which the permit is issued.*

12          2.     *Address or location where the operation or activity is to be*  
13          *conducted.*

14          3.     *Name and address of the permittee.*

15          4.     *Contractor's name, state of Colorado license number, address and*  
16          *daytime phone number.*

17          5.     *Permit number and date of issuance.*

18          6.     *Period of validity of the permit.*

19          7.     *Inspection requirements.*

20          8.     *A copy of the permit shall be posted or otherwise readily*  
21          *accessible at each work site or carried by the permit holder as specified by the*  
22          *city.*

1           D.     *Scope.*

2           1.     *The permit shall be issued to one person or business only and for*  
3 *the location or purpose described in the permit. Any change that affects any of*  
4 *the conditions of the permit shall require a new or amended permit.*

5           2.     *Activity authorized by a permit issued under this Code shall be*  
6 *conducted by the permittee or the permittee's agents or employees in compliance*  
7 *with all requirements of this Code and in accordance with the approved plans and*  
8 *specifications.*

9           3.     *No permit issued under this Code shall be interpreted to justify a*  
10 *violation of any provision of this Code or any other applicable law or regulation.*

11          4.     *Any addition or alteration of approved plans or specifications*  
12 *shall be approved in advance by the city, as evidenced by the issuance of a new or*  
13 *amended permit.*

14          5.     *No Colorado state licensed electrical contractor shall work under*  
15 *a homeowners permit.*

16          6.     *Homeowner may perform their own wiring provided the following*  
17 *is true:*

18           a.     *The work is personally performed by the homeowner;*

19           b.     *The property is not for sale or is not rental property which is*  
20 *occupied or to be occupied by tenants for lodging, either transient or permanent*  
21 *in nature, and is not generally open to the public.*

22           c.     *All work must be inspected prior to covering and again upon*  
23 *completion of the system prior to occupancy and permanent power release.*

1           d.     *All work complies with the Code.*

2           E.     *Permit Expiration; Extensions.*

3           1.     *Every permit issued shall expire unless the work on the site*  
4           *authorized by such permit is commenced within 180 days after its issuance, or if*  
5           *the work authorized on the site by such permit is suspended or abandoned for a*  
6           *period of 180 days after the time the work is commenced.*

7           2.     *The city may grant an extension of the permit time period upon*  
8           *presentation by the permittee of a satisfactory reason for failure to start or*  
9           *complete the work or activity authorized by the permit.*

10          F.     *Annual Permits. In lieu of an individual permit for each*  
11          *installation or alteration, an annual permit shall, upon application, be issued to*  
12          *any person, firm, or corporation regularly employing one or more employees for*  
13          *the installation, alteration, and maintenance of electrical equipment in or on*  
14          *buildings or premises owned or occupied by the applicant for the permit. Upon*  
15          *application, an electrical contractor as agent for the owner or tenant shall be*  
16          *issued an annual permit. The applicant shall keep records of all work done, and*  
17          *such records shall be transmitted periodically to the chief building official.*

18          G.     *Fees. Permit fees shall be established by a resolution of the city*  
19          *council.*

20                 16.08.120     Inspection and Approvals.

21          A.     *Upon the completion of any installation of electrical equipment*  
22          *that has been made under a permit other than an annual permit, it shall be the*  
23          *duty of the person, firm, or corporation making the installation to notify the chief*

1 *building official having jurisdiction, who shall inspect the work within a*  
2 *reasonable time.*

3 *B. Where the city finds the installation to be in conformity with all*  
4 *applicable statutes, local ordinances and other rules and regulations, the building*  
5 *official shall issue to the person, firm, or corporation making the installation a*  
6 *certificate of approval, with duplicate copy for delivery to the owner, authorizing*  
7 *the connection to the supply of electricity and shall send written notice of such*  
8 *authorization to the supplier of electric service.*

9 *C. When any portion of the electrical installation is to be hidden from*  
10 *view by the permanent placement of parts of the building, the person, firm, or*  
11 *corporation installing the equipment shall notify the chief building official, and*  
12 *such equipment shall not be concealed until it has been approved by the chief*  
13 *building official, provided that on large installations, where the concealment of*  
14 *equipment proceeds continuously, the person, firm, or corporation installing the*  
15 *equipment shall give the chief building official due notice in advance, and*  
16 *inspections shall be made periodically during the progress of the work.*

17 *D. If, upon inspection, any installation is found not to be fully in*  
18 *conformity with the provisions of this Code, and all applicable statutes,*  
19 *ordinances, rules, and regulations, the chief building official shall forward to the*  
20 *person, firm, or corporation making the installation a written notice stating the*  
21 *defects that have been found to exist.*

22 16.08.130 Revocation of Permits; Stop Work Orders.

23 *A. Revocation of Permits.*

1           1.     *The chief building official may revoke any permit, after notice,*  
2 *when it is determined that either:*

3           a.     *There is a material departure from the approved plans,*  
4 *specifications, or conditions of the permit;*

5           b.     *There is a violation of any provision of this Code;*

6           c.     *The permit or approval was obtained by false representation; or*

7           d.     *The permit was issued in error.*

8           2.     *The city shall serve written notice of revocation upon the owner,*  
9 *the owner's agent, the applicant, or other person to whom the permit was issued,*  
10 *or such notice may be posted in a prominent location at the place of the violation.*  
11 *The notice shall state the allegations of noncompliance and of the permit holder's*  
12 *right to appeal the revocation to the Master Board of Appeals.*

13           3.     *Appeals shall be governed by chapter 16.30 of the Longmont*  
14 *municipal code.*

15           4.     *No work or construction shall proceed after service of the*  
16 *revocation notice.*

17           B.     *Stop Work Order. With or without revoking permits, the chief*  
18 *building official may issue an order to stop work on any property on which there*  
19 *is an uncorrected violation of this Code. The stop work order shall specify the*  
20 *Code provisions allegedly being violated. After a stop work order is served, no*  
21 *work shall proceed on any building or other structure covered by such order,*  
22 *except to correct such violation or comply with the order.*

1                    16.08.140      Violations, Penalties.

2                    A.      *Unlawful acts. It is unlawful for any person to erect, install, alter,*  
3                    *repair, relocate, add to, replace, demolish, use, occupy or maintain any building*  
4                    *or structure, or cause or permit the same to be done, in violation of this code.*

5                    B.      *Violation. Any person committing or permitting a violation of this*  
6                    *code commits a separate offense for each day or part of a day during which the*  
7                    *violation exists.*

8                    C.      *Violation penalties.*

9                    1.      *Offenses are punishable according to Chapter 1.12 of the*  
10                    *Longmont municipal code.*

11                    2.      *Imposition of one penalty for any violation shall not excuse the*  
12                    *violation nor permit it to continue, and all such persons shall correct or remedy*  
13                    *such violations or defect within a reasonable time.*

14                    D.      *Public Nuisance. In addition to any other penalties, any violation*  
15                    *of this code is a public nuisance and shall be enjoined by a court of competent*  
16                    *jurisdiction. Nothing in this code shall prevent the city attorney from seeking*  
17                    *appropriate legal or equitable relief from any court of competent jurisdiction.*

18                    16.08.150      Liability for Damages.

19                    *Article 16.08 shall not be construed to affect the responsibility or liability*  
20                    *of any party owning, designing, operating, controlling, or installing any electrical*  
21                    *equipment for damages to persons or property caused by a defect therein, nor*  
22                    *shall the city of Longmont or any of its employees be held as assuming any such*

1 liability by reason of the inspection, reinspection, or other examination  
2 authorized.

3 Section 17 Validity.

4 To the extent only that they conflict with this ordinance, the council repeals any  
5 conflicting ordinances or parts of ordinances. The provisions of this ordinance are severable, and  
6 invalidity of any part shall not affect the validity or effectiveness of the rest of this ordinance.  
7 Neither the adoption of this ordinance nor its action repealing or amending any other ordinance  
8 of the City of Longmont shall, in any manner affect prosecution for violations of ordinances  
9 committed before the effective date of this ordinance. This ordinance shall not waive any  
10 license, fee or penalty due and unpaid under pre-existing ordinances on its effective date. This  
11 ordinance shall not affect any pre-existing ordinances on the collection of any license, fee or  
12 penalty, or the penal provisions applicable to any violation thereof. This ordinance shall not  
13 affect the validity of any bond or cash deposit required under any ordinance. All rights and  
14 obligations under such security shall continue in full force and effect.

15  
16 Introduced this 22nd day of July, 2008.

17  
18 Passed and adopted this 12th day of August, 2008.

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23 ATTEST:

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26 CITY CLERK



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MAYOR

NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT  
7:00 P.M. ON THE 12th DAY OF August, 2008, IN THE  
LONGMONT COUNCIL CHAMBERS.

APPROVED AS TO FORM:

DEPUTY CITY ATTORNEY

DATE

PROOFREAD

DATE

APPROVED AS TO FORM AND SUBSTANCE:

ORIGINATING DEPARTMENT

DATE

ca file: 7568