

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, AMENDING SECTION 7-67 OF THE CODE OF ORDINANCES AND ADOPTING THE 2023 NATIONAL ELECTRICAL CODE BY REFERENCE AND THE NORTH TEXAS COUNCIL OF GOVERNMENT'S RECOMMENDED AMENDMENTS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A CUMULATIVE CLAUSE, A SAVINGS CLAUSE, AND A PENALTY CLAUSE; AND TO BECOME EFFECTIVE UPON PASSAGE, APPROVAL, AND PUBLICATION

WHEREAS, the Texas Commission of Licensing and Regulation adopted amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 73, §73.100, regarding the Electricians program. The adopted rule is necessary to adopt the 2023 National Electrical Code (NEC) as required by statute. Texas Occupations Code §1305.101(a) requires the Commission to adopt, every three years, the revised NEC as the electrical code for the state; and

WHEREAS, the adoption justification was published in the August 25, 2023, issue of the *Texas Register* (48 TexReg 4654) and is available online. The updated rule chapter will be available on the Secretary of State website upon its effective date of September 1, 2023; and

WHEREAS, the North Texas Council of Governments (NCTCOG's) Regional Codes Coordinating Committee (RCCC) encourages consistency in jurisdictions in North Central Texas and recommends adoption of regional amendments of the adopted codes. The 2023 NEC amendments were approved at the August 24, 2023, Executive Board Meeting; and

WHEREAS, the city staff presented the proposed adoption of the 2023 NEC to the Building Advisory and Appeals Board (BAAB) for public comment on November 6, 2023; and

WHEREAS, the city staff presented the proposed adoption of the 2023 NEC to the City Council Development Committee on November 21, 2023, and sub-sequentially received their recommendation to proceed with adoption; and

WHEREAS, to comply with the State's adoption, regional consistency, and stay up to date in the industry, staff is recommending the adoption of the 2023 National Electrical Code along with the NTCOG's regional amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. – That the provisions of Section 7-67 of the Code of Ordinances relative Adoption of the National Electrical Code shall be amended as follows:

Sec. 7-67. - National Electrical Code—Adopted by reference.

- (a) The rules and requirements of the NFPA 70, known as the National Electric Code, 2023 Edition, together with the recommended amendments of the North Central Texas Council of Governments incorporated herein as if set out in full, as hereinafter amended, is hereby adopted as the Electrical Code of the City of Grand Prairie. One (1) copy of such National Electrical Code along with said recommended amendments of the North Central Texas Council of Governments is incorporated herein by reference and shall have been filed for permanent record and inspection in the office of the city secretary.

- (b) Any person, firm or corporation that violates the provisions or terms of the code or amendments that are adopted by reference in subsection (a) of this section shall be subject to a fine for each offense in accordance with [section 1-8](#) of the Code of Ordinances of the City of Grand Prairie. If there is any conflict with section 1-8 and the Electrical Code as adopted by this section, the provisions of section 1-8 shall prevail.
- (c) In the event of conflict between Sec. 7-1. - Building advisory and appeals board and the Electrical Code as adopted by this section, the provisions of Sec. 7-1 shall prevail.

SECTION 2. Severability.

If any article, section, sub-section, sentence or phrase of this Ordinance should be held to be invalid for any reason whatsoever, such invalidity shall not affect the remaining portions of this Ordinance which shall remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. Cumulative Clause.

All ordinances or parts of ordinances not consistent or conflicting with the provisions of this Ordinance are hereby repealed. Provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this Ordinance.

SECTION 4. Governmental function

That all of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety, and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Grand Prairie, Texas, in the discharge of his or her duties, shall not thereby render himself or herself personally liable; and he or she is hereby relieved of all personal liability for any damage that might occur to persons or property as a result of any act required or permitted in the discharge of his said duties.

SECTION 5. Penalty Clause

Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined in an amount not to exceed two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative or other remedies provided by state law, and the power of injunction as provided in V.T.C.A. Local Government Code Section 54.016 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

SECTION 6. Effective Date

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE,
TEXAS, ON THIS THE 12TH DAY OF DECEMBER 2023.**

APPROVED:



Ron Jensen, Mayor

ATTEST:

APPROVED AS TO FORM:

City Secretary

City Attorney