

O-2024-20

AN ORDINANCE

AMENDING CHAPTER 14.06 OF TITLE 14 OF THE LAKEWOOD MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2023 NATIONAL ELECTRICAL CODE AS ADOPTED BY THE STATE OF COLORADO BY AND THROUGH THE STATE ELECTRICAL BOARD

WHEREAS, the City of Lakewood, Colorado (the "City") previously adopted by reference the 2020 Edition of the National Electrical Code of the National Fire Protection Association, which is codified in Chapter 14.06 of the Lakewood Municipal Code (the "LMC");

WHEREAS, pursuant to Colorado Revised Statute §12-115-107(2)(a), the State Electrical Board (the "Board") is empowered to adopt rules setting the minimum standards governing the planning, laying out, and installing or the making of additions, alterations, and repairs in the installation of wiring apparatus and equipment for electric, light, heat, and power in Colorado;

WHEREAS, the Board recently adopted the National Electrical Code, 2023 Edition (the "2023 NEC"), as the minimum standard governing the planning, laying out, and installing or the making of additions, alterations, and repairs in the installation of wiring apparatus and equipment for electric, light, heat, and power in Colorado;

WHEREAS, City staff desires to amend LMC Chapter 14.06 to adopt by reference the 2023 NEC as adopted by the State of Colorado by and through the Board as the Electrical Code of the City;

WHEREAS, the Board of Appeals was established by LMC section 14.12.010 and is charged with reviewing proposed additions, changes, or amendments to the City's codes including the National Electric Code and to make recommendations to City Council with respect to the adoption thereof;

WHEREAS, the Board of Appeals has reviewed, considered, and recommended for adoption by reference the 2023 NEC as adopted by the State of Colorado by and through the Board;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the City's Charter by setting a public hearing to provide City staff and the public the 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 is hereby amended as follows:

14.06.010 - National Electrical Code Adopted by Reference.

The National Electric Code of the National Fire Protection Association, 2023 Edition, as adopted and amended by the State of Colorado, by and through the State Electrical Board, is hereby adopted by reference as the Electrical Code of the City of Lakewood.

14.06.020 - Purpose of 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. Section 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. Section 80.27 is deleted.~~

14.06.030 - 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. This Ordinance shall take effect thirty (30) days after final publication.

SECTION 3. All provisions of Title 14 of the LMC not expressly amended hereby shall remain unaltered by this Ordinance and in full force and effect.

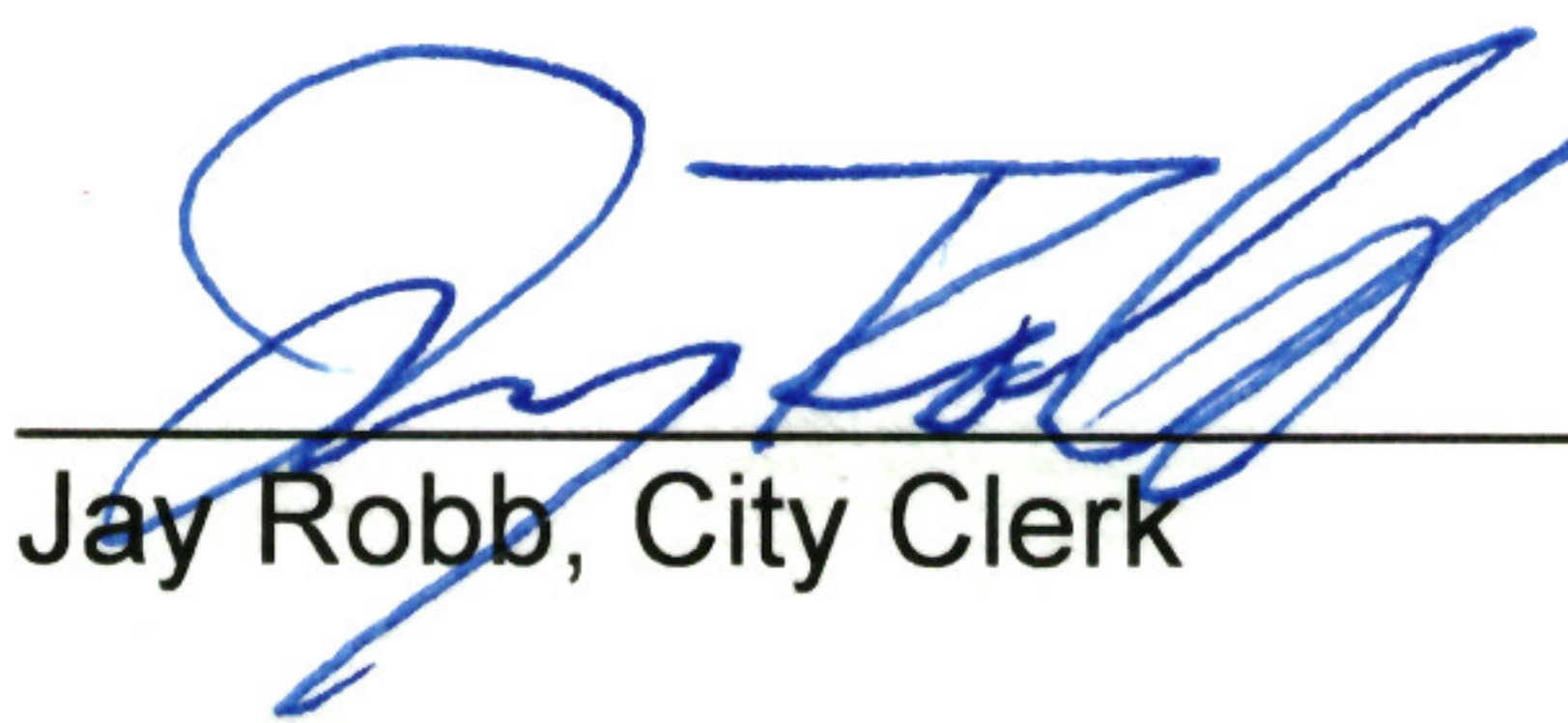
SECTION 4. If any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application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

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 12th day of August, 2024; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org, on the 15th day of August, 2024; set for public hearing to be held on the 26th day of August, 2024; read, finally passed and adopted by the City Council on the 26th day of August, 2024; and signed by the Mayor on the 27th day of August, 2024.




Wendi Strom, Mayor

ATTEST:


Jay Robb, City Clerk

APPROVED AS TO FORM:


Alison McKenney Brown, City Attorney