



# Town of Huachuca City

The Sunset City

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## ORDINANCE NO. 2022-08

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 15 “BUILDINGS AND CONSTRUCTION,” CHAPTER 15.15 “ELECTRICAL CODE,” SECTIONS 15.15.010 AND 15.15.020 TO ADOPT THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE WITH AMENDMENTS.**

**WHEREAS**, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the “Code”], and has amended and republished the Code from time to time, as authorized by A.R.S. 9-240 (B) (28) and Town Ordinance No. 15-02; and

**WHEREAS**, the Town Council has determined that it would be in the best interests of the Town and its residents to update the electrical code by adopting the 2020 Edition of the National Electrical Code, with amendments; and

**WHEREAS**, the Town Council previously adopted Resolution No. 2022-XX declaring the “National Electrical Code 2020 Edition, With Amendments” a public record of the Town; and

**WHEREAS**, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on April 28, 2022, and at a subsequent meeting on May 12, 2022.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Huachuca City, as follows:

**SECTION 1.** The Code, Section 15.15.010 “Adopted” is amended as follows, with deletions in ~~strickethrough~~ and additions in underlined text:

### **15.15.010 Adopted.**

That certain code entitled “National Electrical Code” and amendments thereto, ~~2014~~ 2020 Edition, copyrighted by the National Fire Protection Association, is hereby adopted as the “Electrical Code of Huachuca City” and made a part of this title the same as though said code was specifically set forth in full herein.

**SECTION 2.** The Code, Section 15.15.020 “Amendments,” is deleted in its entirety and replaced, as follows:

### **15.15.020 Amendments.**

The following provisions of the National Electrical Code, 2020 Edition, as published by the National Fire Protection Association, are hereby amended as follows:

- A. **At Article 210.8(A)(5), Unfinished Basements**, revise the wording as follows: All 125-volt, single phase, 15-and 20-ampere receptacles installed in ground level rooms and unfinished basements shall have ground-fault circuit-interrupter protection for personnel. For purposes of this article, ground level rooms and unfinished basements are defined as areas not intended as habitable rooms and limited to storage areas, work areas, and the like. (The exception shall remain unchanged).
- B. **At Article 210.8 (B)(3), Rooftops**, insert the following wording: Rooftops. The receptacle(s) shall have the reset located on the roof.
- C. **At Article 210.52(A)(2)(1), Wall Space**, delete the words “*fireplaces*” and “*fixed cabinets*”.
- D. **At Article 210.52(H), Hallways**, insert the following after the first sentence: Hallways and foyers 5 feet or greater in width shall have receptacle spacing as required by NEC Article 210.52(A).
- E. **At Article 210.52(I), Foyers**, delete the entire section.
- F. **At Article 210, Branch Circuits**, insert sub-article 210.71 – Power Source. Where required, smoke alarms shall not be installed on a dedicated circuit and shall originate from a general-purpose branch circuit.
- G. **At Article 215.2 (A)(1), General**, insert the following before the first sentence: Feeder conductors shall have an ampacity of the highest rating of the equipment.
- H. **At Article 230.6, Conductors Considered Outside the Building**, insert a second paragraph as follows: A recessed service entry is not permitted.
- I. **At Article 230.70, General**, insert the following wording after the first paragraph: Service disconnecting means and risers shall be surface mounted.
- J. **At Article 230.70(A)(1), Readily Accessible Location**, revise wording as follows: The service disconnecting means shall be installed at a readily accessible location outside the building or structure. Exception: The service disconnecting means may be installed inside of the building when a remote means of disconnecting the service is provided from outside of the building.
- K. **At Article 230.70(A)(1), Readily Accessible Location**, insert the following second paragraph: For one-family dwellings, except mobile and manufactured homes, the service disconnecting means shall be permanently installed on the outside of the structure.
- L. **At Article 230.79(C), One-Family Dwellings**, revise wording as follows: For a one-family dwelling, the service disconnecting means shall have a rating of not less than 200 amperes, 3-wire. Exception: Existing structures.
- M. **At Article 230.90(A), Ungrounded Conductor**, insert the following before the first sentence: The ungrounded conductor shall have an ampacity of the highest rating(s) of the service equipment.
- N. **At Article 250.50, Grounding Electrode System**, insert the following second paragraph: All accessory structures with a poured foundation require the installation of a concrete-encased electrode as required by NEC 250.52(A)(3).
- O. **At Article 300.1, Scope**, insert sub-article 300.1(D) to read as follows: Special Requirements. The following requirements shall apply to all work except R-1, R-2, R-3, and R-4 Occupancies (as defined in the International Building Code) and U and

S Occupancies accessory to R-1, R-2, R-3, and R-4 (including feeders and home runs serving these excepted occupancies).

1. All wiring shall be installed in Rigid, IMC, EMT, PVC (below top of slab), MC, AC or steel flexible metal conduit, as permitted by this code.
2. Existing energized wiring may remain if it was lawfully installed to code.
3. Changes to an existing circuit require any wiring method listed in (I) above with installation back to the panel.
4. Conductors shall not be smaller than No. 12 copper or equivalent.
5. Unused conduit, conductors, and cables located above accessible ceilings and in accessible walls shall be removed.

P. **At Article 300.21, Spread of Fire or Products of Combustion**, insert the following second and third paragraphs:

- i. Penetrations of one-hour fire-resistance-rated walls shall be required with approved metallic raceway with 12-inch extensions on both sides of the wall. The penetrations of the wall and the conduit ends shall be fire safe.
- ii. Penetrations of two-hour, or greater, fire-resistance-rated walls shall be required with approved metallic raceway with 5-foot extensions on both sides of the wall. The penetrations of the wall and the conduit ends shall be fire safe.

Q. **At Article 406.4(A), Grounding Type**, insert item 1 as follows: Installation. When installed in a vertical position, grounding-type receptacles shall be installed with the grounding contacts down. When installed in the horizontal position, grounding-type receptacles shall be installed with the grounding contacts on the right.

R. **At Article 408, Switchboards, Switchgear, and Panelboards**, insert sub-article 408.31 – Subpanels and Low-Voltage Boxes. Subpanels and low-voltage boxes shall not be located in any firewall, fire barrier, fire partition, or in the garage side of the common wall separating the dwelling from a garage or carport. Subpanels and low-voltage boxes may be surface mounted on any of the above-mentioned walls.

S. **At Article 410.16, Luminaires in Clothes Closets**, revise title as follows: Luminaires in Clothes Closets, Pantries, and Storage Rooms. (All references in this article and section to closet or clothes closet shall apply to clothes closets, pantries and storage rooms.)

T. **At Article 410.30(B)(3), Metal or Nonmetallic Poles Supporting Luminaires**, revise the wording in the first sentence as follows: All metal poles supporting lighting fixtures shall have a 20-foot coil of #4 copper installed at the base of the footing and extended to a separate grounding termination point on the pole.

U. **At Article 450.13, Accessibility**, insert paragraph (C) as follows: Doorbell transformers shall not be permitted in a closet, pantry, or storage room. If a remote receptacle is installed for an alarm system transformer, it shall be located above the door.

V. **At Article 720.11, Mechanical Execution of Work**, revise wording as follows: Circuits operating at less than 50 volts shall be installed in a neat and workmanlike manner. Cables shall be supported by the building structure, independently of

suspended ceiling wires, every 6 feet. Cables shall be installed parallel or perpendicular to the building framing.

**SECTION 3.** As provided in the Code, Section 15.080.010, the penalties for violation of this Ordinance are as follows:

Any person, firm, company, association, corporation or other entity (hereinafter referred to as “person”) in violation of any provisions of this title shall be guilty of a class one misdemeanor, and shall be deemed guilty of a separate offense for each 24-hour period after receipt of a notice of noncompliance from the town building official. Any such violation(s) shall be dealt with as follows:

1. Upon receipt of the initial formal written complaint, the town building official may issue a letter of noncompliance and intent to suspend the business license or permit to the person in violation, which shall state the extent and nature of the violation and the actions necessary to remedy the noncompliance. The person in violation shall be given 30 days from the date of the letter to initiate actions approved by the building official necessary to comply with this chapter.

2. If corrective action is not taken as outlined above and to the satisfaction of the town building official, the person in violation shall receive a notice of continued noncompliance from the town building official, which shall state the extent and nature of the continued noncompliance. Additionally, a copy of the notice of continued noncompliance shall be forwarded to the Huachuca City police department, which may issue a criminal citation for violation and may issue additional citations for each violation. Each 24-hour period of noncompliance after receipt of the notice of continued noncompliance shall constitute a separate violation and shall carry a fine no less than \$500.00 per violation, plus an additional \$50.00 shall be collected per issued citation as reimbursement to the police department, upon the determination of guilt or no contest by the town magistrate. In addition, it shall require an immediate suspension of the business license or permit or both issued by the town of Huachuca City and used by the violator to conduct business within the town limits of Huachuca City upon the determination of guilt or no contest by the town magistrate. Should the person in violation be found guilty or otherwise enter a plea of guilty or “no contest,” the person’s business license or permit shall immediately be suspended until such time as the town building official has determined that the person in violation has remedied the violation, paid all fines in full issued by the town magistrate and is in full compliance with the town code.

3. If a person builds a structure without having a valid permit from the Huachuca City building official, that person(s) will have 10 days from the date of notice to tear down all structures that were built without a permit, or file a request for hearing with the Huachuca City board of adjustment. If corrective action is not taken as outlined above to the satisfaction of the town building official, the person in violation shall receive a notice of continued noncompliance from the town building official, which shall state the extent and nature of the continued noncompliance. Additionally, a copy of the notice of continued noncompliance shall be forwarded to the Huachuca City police department, which shall issue a criminal citation for violation and may issue additional citations for each violation. Each 24-hour period of noncompliance after receipt of the notice of continued noncompliance shall constitute a separate violation and shall carry a fine no less than \$500.00 per violation, plus an additional \$50.00 shall be collected per issued citation as reimbursement to the police department, upon the determination of guilt or no contest by the town magistrate.

4. For purposes of this chapter, a notice shall be deemed received when it is personally served or five days after it is sent by certified U.S. mail.

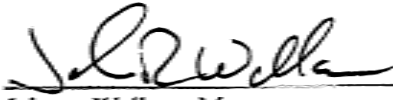
5. In addition to the penalties provided in this section, the court shall impose restitution as part of its sentence to compensate the town for its costs to enforce this chapter and bring a building or land into compliance with this chapter. Restitution shall include all costs of abatement, including inspection fees and prosecution of the case.


**SECTION 4.** All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

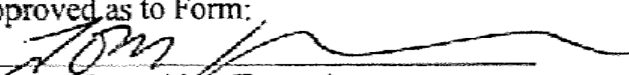
**SECTION 5.** If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

**SECTION 6.** The Town Clerk is hereby directed, pursuant to the Code, sections 2-5-8 and 2-5-9, to post this Ordinance in three or more public places within the Town, and to publish this Ordinance as required by A.R.S. 9-812 and 39-204.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 12<sup>th</sup> DAY OF MAY, 2022.

  
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Johann Wallace, Mayor

ATTEST:  
  
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Brandy Thorpe, Town Clerk

Approved as to Form:  
  
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Thomas Benavidez, Town Attorney