

**ORDINANCE O-24-06**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE COUNTY OF COCHISE, STATE OF ARIZONA, DECLARING THE FOLLOWING AS A PUBLIC RECORD: 2017 NATIONAL ELECTRIC CODE, INCLUDING ALL TABLES AND APPENDICES; AMENDING THE CITY CODE BY ADOPTING THE FOLLOWING PUBLICATION IN PLACE OF THE CURRENT PUBLICATION: 2017 NATIONAL ELECTRIC CODE, INCLUDING ALL TABLES AND APPENDICES, EXCEPT AS SPECIFICALLY AMENDED BY THIS ORDINANCE; REPEALING AND REPLACING CHAPTER 7 “BUILDING,” ARTICLE 7.3, “ELECTRICAL CODE,” SECTION 7.3.1 THROUGH 7.3.2 OF THE CITY CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Mayor and City Council have the authority to adopt and to amend, by ordinance, building and safety codes of the City of Bisbee; and,

**WHEREAS**, the International Code Council has developed a comprehensive set of building and safety codes that are now in use in all fifty states and have become widely accepted in Arizona, including Cochise County; and,

**WHEREAS**, the City of Bisbee had not updated or revised its building and safety codes since 2014; and,

**WHEREAS**, other local jurisdictions have adopted various specific amendments to these Codes to adapt them to the specific conditions and circumstances in these jurisdictions; and,

**WHEREAS**, the City of Bisbee Amendments to the Designated Building and Safety Codes incorporated herein by reference are intended to become applicable at the same time that these Codes be applicable, in April 2024; and,

**WHEREAS**, it is in the best interests of the City of Bisbee and its citizens to adopt these specific amendments.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, THAT:**

**Section 1.**     Technical Code Adopted as Public Record.

That certain document entitled the 2017 National Electric Code, including all tables and appendices, three copies of which are to remain on file in the office of the City Clerk, is hereby declared to be public records and said copies are to remain on file with the City Clerk.

**Section 2.**     In General.

The City of Bisbee Code is hereby amended by adopting the following publication in place of the current publication: the 2017 National Electric Code, including all tables and appendices, except as specifically amended by this Ordinance.

The City of Bisbee Code is further amended by repealing and placing Chapter 7 Building, Article 7.3 Electrical Code, Sections 7.3.1 through 7.3.2 as follows:

## **CHAPTER 7 BUILDING**

### **ARTICLE 7.3 ELECTRICAL CODE**

#### **7.3.1 Adoption of Code**

The 2017 National Electric Code, including all tables and appendixes, is hereby adopted for use in this jurisdiction except as specifically amended or excluded by the amendments specified in this City Code.

#### **7.3.2 Amendments**

The 2017 National Electric Code, as applicable in the City of Bisbee, is hereby amended as follows:

1. Article 210.8 (B)(3). Amend to read: "Rooftops. The receptacle(s) shall have the reset located on the roof."
2. Article 210.72, Power Source. Amend by adding this new Section: "Where required, smoke alarms shall not be installed on a dedicated circuit and shall originate from a general-purpose branch circuit."
3. Article 230.6. Amend by adding the following: "A recessed service entry is not permitted."
4. Article 230.70. Amend by adding the following after the first paragraph: "Service disconnecting means and risers shall be surface mounted."
5. Article 250.50. Amend by adding the following: "All accessory structures with a poured foundation require the installation of a concrete-encased electrode as required by NEC 250.52 (A)(3) and IRC Section E3508.1.2."
6. Article 300.21. Amend by adding the following: "Penetrations of one-hour fire resistance-rated walls shall require 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. Penetrations of two-hour, or greater, fire-resistance-rated walls shall require 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."
7. Article 406. Amend by adding a new sub-Article, Article 406.4 (A)(1) Installation, to read as follows: "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."
8. Article 408. Amend by adding a new sub-Article 408.31, Subpanels and Low-Voltage Boxes, to read as follows: "Subpanels and low-voltage boxes shall not be located in

**ORDINANCE O-24-06**

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.”

**Section 3. Providing for Repeal of Conflicting Ordinances.**

All ordinances and parts of ordinances in conflict with this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

**Section 4. Providing for Severability.**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**Section 5. Providing for Penalties.**

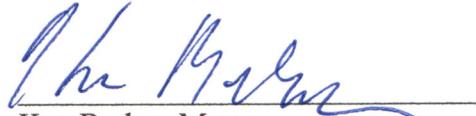
Any person found guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed one thousand dollars (\$1,000) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein above described.

**Section 6. Effective Date.**

This Ordinance shall be effective from 30 days after the date written below.

**PASSED, APPROVED AND ADOPTED** by the Mayor and Council of the City of Bisbee on this 5<sup>th</sup> day of March, 2024.

**APPROVED:**

  
\_\_\_\_\_  
Ken Budge, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ashlee Coronado, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Joseph D. Estes, City Attorney