

(Published at www.mcpcity.com beginning on November 8, 2022)

ORDINANCE NO. 3383

AN ORDINANCE OF THE CITY OF MCPHERSON, KANSAS ADOPTING THE 2017 EDITION OF THE NATIONAL ELECTRIC CODE, REGULATING AND GOVERNING THE INSTALLATION, ALTERATION AND REPAIR OF ELECTRICAL WIRING AND APPURTENANCES THERETO, INCLUDING PERMITS AND PENALTIES; AMENDING SECTION 18-241 AND 18-242 OF THE MCPHERSON CITY CODE, AS AMENDED, AND ALL OTHER ORDINANCES, PARTS OF ORDINANCES AND MCPHERSON CITY CODE SECTIONS AND PARTS OF CODE SECTIONS IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MCPHERSON, KANSAS:

The governing body of the City of McPherson, Kansas does ordain as follows:

Section 1. Sections 18-241 and 18-242 of the Code of the City of McPherson, Kansas, are hereby deleted in their entirety and in their place the following is inserted:

- (a) That a certain document, three (3) copies of which are on file in the office of the City Clerk, being marked and designated as the National Electric Code, 2017, be and is hereby adopted as the Electric Code of the City of McPherson for the installation, alteration and repair of electrical wiring and appurtenances thereto, including permits and penalties; and each and all of the regulations, provisions, penalties, conditions and terms of said Electric on file in the office of the City Clerk of the City of McPherson are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 110-5 shall be amended to read: "Conductors normally used to carry current shall be of copper, except those conductors used in service entrance connections."

Section 250-50 is supplemented with the following clarifications:

1. The main house electrical service panel shall have its own grounding rod exterior to the building, with proper sized rod and bonding wire, which shall be located not less than six feet from the service connection grounding rod and protected from physical damage.

2. The house metal cold and hot water piping systems shall be bonded to the building electrical service panel grounding rod system.
3. The house structural metal studs shall be bonded to the building electrical service panel ground rod grounding system.

The following is added to the National Electrical Code:

1. **Right of entry.** Upon presentation of proper credentials, the building official or his duly authorized representative may enter any building, structure or premises in the city, at reasonable hours, to perform any duty imposed upon him by this code.
2. **Stop orders.** Whenever any work is being done contrary to the provisions of the code, the building official may notify, in writing, the person engaged in the doing or causing of such work to be done of violations found, specifying a period of time allowed to bring work into code conformance. Such notice shall not be deemed to be a condition precedent to prosecution of a person acting in violation of the provisions of the code.
3. **Authority to condemn equipment.** Whenever the building official learns or ascertains that any electrical conductor or distribution equipment, as defined in the code, has become hazardous to life, health or property, he shall order, in writing, that such equipment be restored to a condition of safety or dismantled or removed from its present location. The written notice shall fix a time limit for compliance with such order. The building official is authorized to seal off electric current and/or fuel supply to equipment as defined in the code, where such installation is installed without a permit or does not meet provisions of the code. Where electric current or fuel supply has been sealed off, it shall be unlawful for any unauthorized person to break such seal. Upon corrections being made to meet requirements set forth in the code, the building official shall remove such seal.
4. **Liability.** The building official or any employee charged with the enforcement of the code, acting for the jurisdiction in good faith and without malice in the discharge of his duties, shall not thereby render himself liable personally and he hereby is relieved from all personal liability for and damage that may occur to person or property as a result of any act required or by reason of any act or omission in the discharge of his duties.
5. **Violations.** It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure, or cause or permit such work to be done in violation of the code.
6. **Inspections.** All work for which a permit is to be obtained under the code shall be subject to inspection by the building official. Any portion of the work for which a

permit is obtained under the code which will be concealed prior to completion shall be subject to inspection prior to such work being concealed. These regulations shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating, controlling or installing any electric wiring, electric device or electric material for damages to persons or property caused by any defect therein, nor shall the city be held as assuming any such liability by reason of the inspection authorized in this subsection or certificates of inspection issued as provided in this code.

Section 3. All other ordinances or parts of ordinances and City Code sections or parts of sections in conflict herewith or with the provisions of said National Electric Code are hereby amended to conform to the provisions of this ordinance and said Property Maintenance Code.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The governing body of the City of McPherson hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the National Electric Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the City Clerk is hereby ordered and directed to cause a summary of this ordinance to be published once in the official city newspaper after its passage by the governing body and signature by the mayor and comply with K.S.A. 12-3007(b).

Section 7. This ordinance shall also be effective for all land laying outside of the city limits of McPherson, Kansas, but inside the extraterritorial limits subject to city control as granted by state statute and/or county action, as amended from time to time.

Section 8. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after its passage, signature and publication.

Passed by the governing body November 8, 2022

CITY OF McPHERSON, KANSAS



By Thomas A. Brown
THOMAS A. BROWN, Mayor

ATTEST:

BRITTA ERKELENZ, City Clerk