

CHAPTER 3 Electrical

Sec. 4-3-1. National Electrical Code and International Code Council Electrical Code Administrative Provisions; adoption by reference.

The National Electrical Code, 2023 Edition (September 1, 2022), promulgated and published by the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts 02169-7471, referred to as the "N.E.C.," is adopted in its entirety, including Informative Annexes A through G inclusive and Informative Annex I, but excluding Informative Annexes H and J, together with the International Code Council Electrical Code Administrative Provisions, 2003 Edition (December 2002), except the sample ordinance form contained therein, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, hereinafter referred to as the "I.C.C.E.C.A.P.," as amended by this Chapter, are adopted and enacted by reference; provided, however, that the following portions of the I.C.C.E.C.A.P. are not adopted and are expressly deleted:

Paragraph 5 of Section 401.3, entitled "Work Exempt From Permit," Section 404.2, entitled "Schedule of Permit Fees," Section 1102, entitled "Membership" and Section 1103, entitled "Procedures."

Copies of the N.E.C., including adopted Informative Annexes A through G and Informative Annex I and the I.C.C.E.C.A.P., are available in the office of the Pueblo Regional Building Department ("Department") for distribution and sale to the public. Any reference in this Chapter to the "N.E.C." shall mean the National Electrical Code, 2023 Edition, adopted by this Section.;hn1; (Ord. No. 4935, 1-25-82; Ord. No. 5176, 9-24-84; Ord. No. 5601, 6-11-90; Ord. No. 5803, 4-26-93; Ord. No. 6205, 6-9-97; Ord. No. 6460, 7-26-99; Ord. No. 7031 §1, 8-11-03; Ord. No. 7437 §1, 1-23-06; Ord. No. 7892 §1, 10-14-08; Ord. No. 8456 §1, 3-26-12; Ord. No. 8895 §1, 7-13-15; Ord. No. 9250 §1, 4-9-18; Ord. No. 9886 §1, 2-22-21; Ord. No. 10685 §1, 4-8-2024)

Sec. 4-3-2. N.E.C. amendments.

- (a) Section 230.70(A) of the N.E.C. is amended by the addition of a new Subparagraph (4), to read as follows:
- "(4) Meter Base. The length of service entrance conductors from the load side terminals of the meter base to the main disconnecting means shall be located immediately back to back, side to side, or top to bottom of the meter."
- (b) Section 110.26 of the N.E.C., Spaces About Electrical Equipment, is amended by the addition of a new Subparagraph (6)(B)(1), to read as follows:
- "(1) Above finish grade. Clearances shall be provided between bottom of panel and finish grade a minimum of twenty four (24) inches above finish grade."
- (c) Section 408.54 of the N.E.C. is amended by the addition of a new Paragraph (A) thereto, to read as follows:
- "(A) Additional Space in Panelboards. A new panelboard shall have sufficient ampacity and space for at least four (4) full-size circuit breakers for future usage."

(Ord. No. 6205, 6-9-97; Ord. No. 7031 §2, 8-11-03; Ord. No. 7437 §2, 1-23-06; Ord. No. 7892 §2, 10-14-08; Ord. No. 8456 §2, 3-26-12; Ord. No. 9250 §2, 4-9-18; Ord. No. 10685 §2, 4-8-2024)

Sec. 4-3-3. Administrative Provisions Code amendments.

- (a) Section 301.1 of the I.C.C.E.C.A.P., entitled "Creation of enforcement agency," is amended to read as follows:

"301.1. Creation of enforcement agency. Whenever the terms 'Building Official' or 'Department' or 'Code Official' are used in the I.C.C.E.C.A.P., in the N.E.C. or in Chapter 3 of Title IV of the Pueblo Municipal Code, such terms shall be construed to mean the chief electrical inspector or, in the absence of a chief electrical inspector, then the building official, or the building official's authorized representative(s), of the Department. Whenever the phrase 'Authority Having Jurisdiction' is used, such phrase shall mean the City of Pueblo.

"The building official is hereby authorized and directed to enforce all the provisions of this Code. For such purposes, the building official shall have the powers of a law enforcement officer.

"The building official shall have the power to render interpretations of this Code and to adopt and enforce rules and regulations supplemental to this Code as may be deemed necessary in order to clarify the application of the provisions of this Code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of the Code."

- (b) Section 401.1, Permits required, of the I.C.C.E.C.A.P. is hereby amended by the addition of two (2) new paragraphs, to read as follows:

"Permits for low voltage control and signaling systems, as defined in Articles 724 through 830 of the N.E.C., may be issued to persons not licensed as electrical contractors, provided such persons register with the Department, and otherwise comply with all codes with respect to installation and permits.

"All systems supplying power that may normally be supplied by an electrical utility, such as, but not limited to, solar, wind, hydro and other generated sources, shall require a permit and inspection."

- (c) Section 1003.1, Penalties, of the I.C.C.E.C.A.P. is amended to read as follows:

"1003.1 Penalties. Any person, firm or corporation violating any of the provisions of this Code shall, upon conviction thereof, be punished as provided in Section 4-3-8 of the Pueblo Municipal Code. The application of any such penalty shall not be held to prevent the enforced removal of prohibited conditions."

- (d) Section 1101 of the I.C.C.E.C.A.P., entitled "Board of Appeals established," is amended to read as follows:

"1101. Board of Appeals established. There is hereby created an Electrical Board of Appeals to perform the functions set forth in Chapter 1 of Title IV of the Pueblo Municipal Code."

(Ord. No. 6205, 6-9-97; Ord. No. 6460, 7-26-99; Ord. No. 7031 §3, 8-11-03; Ord. No. 7437 §3, 1-23-06; Ord. No. 7892 §3, 10-14-08; Ord. No. 8456 §3, 3-26-12; Ord. No. 10685 §3, 4-8-2024)

Sec. 4-3-4. Reserved.

Sec. 4-3-5. Responsibility for damages; nonliability of City and Department.

The provisions of this Chapter shall neither release or discharge nor be construed to release or discharge any person from any liability imposed by law for any injury to persons or damage to property caused by or resulting from the performance or failure to perform work or furnishing materials covered by this Chapter. Neither the City, the Department nor any of their agents or employees will be held liable for any injury to persons or damage to property because of an inspection or failure to perform any inspection authorized or required by this Chapter or by the issuance or failure to issue a certificate of approval.

Sec. 4-3-6. Interpretation.

- (a) Whenever in the N.E.C. or I.C.C.E.C.A.P. it is provided that anything must be done to the approval of, required by, acceptable to or subject to the direction of the Department, this shall be construed to give only

the discretion to determine whether the rules and standards established by the N.E.C. have been complied with. No such provision shall be construed to give any inspector discretionary powers to determine what regulations or standards shall be, or power to require conditions not prescribed by the N.E.C. or the I.C.C.E.C.A.P. in an arbitrary or discriminatory manner.

- (b) The provisions of this Chapter shall be held to meet the minimum requirements adopted to promote and protect the public health, safety and welfare. When the requirements of this Chapter are at variance with the requirements of any statute, code, rule, regulation or ordinance, the more restrictive or that imposing the highest standards shall apply.

(Ord. No. 4935, 1-25-82; Ord. No. 5176, 9-24-84; Ord. No. 5601, 6-11-90; Ord. No. 5803, 4-26-93; Ord. No. 6205, 6-9-97; Ord. No. 7437 §4, 1-23-06; Ord. No. 7892 §4, 10-14-08; Ord. No. 8456 §4, 3-26-12)

Sec. 4-3-7. Reserved.

Editor's note(s)—Ord. No. 9250 §3, adopted April 9, 2018, repealed § 4-3-7, which pertained to electrical inspectors and derived from Ord. No. 4935, adopted Jan. 25, 1982; Ord. No. 5176, adopted Sept. 24, 1984; Ord. No. 7892 §4, adopted 14, 2008; Ord. No. 8456 §4, adopted March 26, 2012.

Sec. 4-3-8. Offenses; criminal penalties; permit revocation; other enforcement.

- (a) It shall be unlawful for any person to knowingly violate, disobey, omit, neglect, refuse or fail to comply with or resist the enforcement of any provision of this Chapter, the N.E.C. or the I.C.C.E.C.A.P.
- (b) It shall be unlawful for any person to refuse or fail to timely comply with any order issued by the Building Official, the Director of the Pueblo Regional Building Department or other designated building inspector pursuant to the provisions of this Chapter, the N.E.C. or the I.C.C.E.C.A.P.
- (c) It shall be unlawful for any person to knowingly make any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to any requirements of this Chapter, the N.E.C. or the I.C.C.E.C.A.P.
- (d) Any permits issued pursuant to the provisions of this Chapter, the N.E.C. or the I.C.C.E.C.A.P. may be suspended, terminated or revoked by the Building Official for: (1) any of the reasons stated in Section 403.7 of the I.C.C.E.C.A.P., or (2) any material violation of the terms of said permit or requirements applicable thereto.
- (e) In the event any owner or occupant of premises within the City shall refuse entry to the Building Official or any electrical inspector, or any premises are locked and the Building Official or any electrical inspector has been unable to obtain permission of the owner or occupant to enter, the Municipal Court is authorized to issue a search warrant authorizing such entry in accordance with the procedures set forth in the Colorado Municipal Court Rules.
- (f) In the event any owner or occupant of premises within the City, any licensed contractor or any permittee shall fail or refuse to comply with any provisions of this Chapter, the N.E.C., the I.C.C.E.C.A.P., or any license or permit issued thereunder, the City, the Department or both may initiate an action for injunctive relief in any court of competent jurisdiction to compel compliance with said Chapter, N.E.C., I.C.C.E.C.A.P., license or permit.
- (g) The enforcement remedies set forth in this Section are hereby expressly declared to be cumulative, and the exercise of any one (1) or more of them is not dependent upon the exercise of any other remedy, nor does the exercise of any one (1) of them constitute any bar or limitation to the exercise of any other.

(Ord. No. 6205, 6-9-97; Ord. No. 6460, 7-26-99; Ord. No. 7437 §5, 1-23-06; Ord. No. 7892 §4, 10-14-08; Ord. 7937 §6, 12-8-08; Ord. No. 8456 §4, 3-26-12; Ord. No. 9239 §7, 2-26-18)