

ORDINANCE NO. 2017-13

AN ORDINANCE OF THE CITY OF UVALDE AMENDING CHAPTER 15.08 ELECTRICAL CODE ADOPTED, AND REPEALING CHAPTER 15.32 ELECTRICAL REGULATIONS, UVALDE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING ENFORCEMENT AND PENALTY CLAUSES; PROVIDING OPEN MEETINGS, SEVERABILITY, AND EFFECTIVE DATE CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Council of the City of Uvalde find that licensing for electricians is performed by the State of Texas, and;

WHEREAS, the State of Texas has eliminated local fees and testing of electricians;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UVALDE, TEXAS, THAT:

Section 1. Findings of Fact. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Chapter 15.08 of the Uvalde Municipal Code of Ordinances

To 15.08.10 shall be added:

(a)

In the actual Commercial work of installing, maintaining, altering or repairing any electric conductors or equipment for which this article or other ordinance requires a permit, there shall be present and in direct supervision a qualified electrician of the proper classification. An electrical contractor or master electrician shall be liable and responsible for layout and technical supervision of any work which requires a permit, and a journeyman or higher classified grade electrician shall be in direct "on the job" supervision of work carried on specified in this article.

(b)

A homeowner may personally install electrical outlets/plugs, wires or fixtures within his place of residence except for Meter Loops, electrical panels and the grounding of any pools and spas only after an owner applies for a Homeowner's Affidavit. When the Homeowners Affidavit is signed and notarized, an electrical permit may be issued. All electrical work must be done in accordance with this code, and will be subject to inspection. Work performed by a homeowner, under the provisions of this section must be done by himself on homestead premises owned and occupied. Rental properties are not considered homesteads. The homeowner shall not employ another person to assist him in any way on work done under the provisions of this section. The City of Uvalde will not be held liable for any electrical work done by the homeowner.

(c)

The building official will continue to renew those electrical licenses issued by the City of Uvalde prior to the effective date of this ordinance, but no new city licenses will be issued.

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Section 3. Repeal. Section 15.32 Electrical Regulations is hereby repealed. All other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. Penalty Clause. Any person who shall violate any of the provisions of this ordinance, or shall fail to comply therewith, or with any of the requirements thereof, within the City limits shall be deemed guilty of an offense and shall be liable for a fine not to exceed the sum set out in Section 1.12.010 of this Code. Each day the violation exists shall constitute a separate offense. Proof of a culpable mental state shall not be required to establish a violation of this ordinance. Such penalty shall be in addition to all the other remedies provided herein.

Section 5. Savings Clause. All rights and remedies of the City of Uvalde are expressly saved as to any and all violations of the provisions of any ordinances affecting signage which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

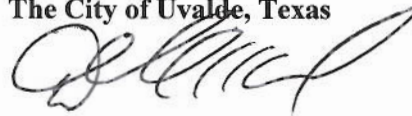
Section 6. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

Section 7. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation into this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 8. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 26th day of September, 2017.

The City of Uvalde, Texas



Don McLaughlin, Jr., Mayor

ATTEST:


Sorayda Sanchez, City Secretary