



State of Kansas, Montgomery County
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Marilyn Calhoun
Marilyn Calhoun, Register of Deeds

ORDINANCE NO. 4401

AN ORDINANCE ADOPTING THE 2020 EDITION OF THE NATIONAL ELECTRIC CODE WITH AMENDMENTS AND DELETIONS

Be it ordained by the Governing Body of the City of Independence, Kansas:

Section 1.

Sec. 18-121. – Code adopted

The 2020 Edition of the National Electric Code, as adopted by the National Fire Protection Association (NFPA No. 70) and approved by The American National Standards Institute, is hereby adopted and is incorporated by reference as if fully set forth herein subject to the following amendments and deletions. Any prior version of this Code previously adopted is hereby repealed.

Chapter 1. Deletions, modifications, supplements or amendments.

Sec. 18-122.

a) The National Electrical Code, as adopted in is hereby amended and supplemented by the addition of the following definitions to Article 100*:

Grade. The lower point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.

Story. That portion of a building is included between the upper surface or any floor and the upper surface of the floor next above, except that the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or unused under-floor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement or unused under-floor space shall be considered as a story.

Sec. 18-123. – Raceways

Wiring in certain areas and certain buildings within the city must be installed in raceways.

- 1) Definition. Article 100 of the National Electrical Code defines “raceway.” The fine print not (FPN) of this definition specifies those raceways meeting the requirements of this section.
- 2) Within fire limits. Except for a one- or two-family dwelling unit, any electrical wiring installed within the fire limits shall be installed in a raceway.

- 3) Outside of fire limits. Any electrical wiring installed in certain buildings outside of the fire limits shall be installed in a raceway. Those buildings shall include but not be limited to the following:
 - a. Churches
 - b. Public Buildings
 - c. Places of public assembly
 - d. Business or commercial buildings
 - e. Manufacturing establishments
 - f. Rest or nursing homes
 - g. Institutional buildings
 - h. All other buildings of similar occupancy

Chapter 2. Deletions, Modifications, supplements or amendments.

Sec. 18-124

- a) The National Electrical Code, as adopted, is hereby amended and modified, and Section 210 shall read as follows:
 - a. Article 210 Branch Circuits, Section 210.8 Ground Fault Circuit-Interrupter Protection
 - 1) Section 210.8 Section (A) through (F) is hereby modified to exempt GFCI from appliances, garage doors, freezers, refrigerators, dishwashers, washing machines and air conditioning units.

Sec. 18-125

- a) Article 210 Branch Circuits, Section 210.12 Arc Fault Circuit-Interrupter
 - 1) Section 210.12 is hereby modified to exempt the City of Independence from Arc Fault requirements

Sec. 18-126

- a) Article 230 Services, Section 230.62 Service Equipment
 - 1) Section 230.62 Service equipment shall be amended to say all UL listed meter boxes would be acceptable in the City of Independence.

Chapter 6. Article 625 Electric vehicle Power Transformer System

Sec. 18-127

- a) Article 625 Part III Installation
 - 1) Shall be amended to only be required for new construction. Upgrades or rewiring of existing structures are exempted and not required to comply with Article 625.

Article III. – Electrical

Division 5. – Standards

Secs. 18-128 Article 700 Special Conditions

Generators – Emergency Power

- a) Generators may be used for temporary power for the purposes of construction, electrical maintenance or other uses where electricity is not available. The generator may only be used during working hours for this purpose and shut off by sunset.
- b) Emergency generators may not be used to remove the residence from the grid or as permanent power replacing the electrical grid.
 - a. Total usage cannot exceed 500 hours per year, per generator

Secs. 18-129 Residential Power

- a) Residences shall be powered by the local utility through an approved meter set by the City of Independence and utility.
 - a. Residential power may be used to power the residence, garage or structures on the property as allowed by the NEC code.
- b) Utility electrical service shall serve the owner property only. Sharing or resale of electrical power to neighboring residences or buildings is prohibited.

Secs. 18-130 Notice of Violation

Upon Inspection, if the enforcement officer determines that a violation exists, a written notice of violation shall be mailed, hand delivered, or email to the owner and or resident agent, stating the following.

- (1) Specifics. The specifics of any violation of NEC or City Code for Electric
- (2) Correction Deadline. The violation must be corrected by a specified deadline to be determined by the enforcement officer after considering the nature of the violation, but in no event shall the deadline be more than 60 days from the date of Inspection.
- (3) Noncompliance. The enforcement officer determines that the violation has not been corrected to comply with the NEC or City Code by the specified deadline. In that case, the electrical service may be immediately disconnected and/or citation issued.
- (4) Deadline extension. Upon request, the enforcement officer may extend the deadline for good cause shown as determined in the discretion of the enforcement officer.

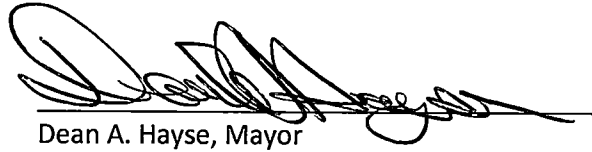
Notwithstanding any of the provisions above, in the event the violation constitutes a life safety issue or other emergency as determined in the sole discretion of the enforcement officer, the notice shall state the electrical service be immediately disconnected and not re-energized until the violation has been corrected.

Sec. 18-131 Penalty

Any person violating any of the provisions of this article shall, upon conviction thereof be punished as provided under Sec 1-14. General penalty with the following amendment. Violation of any of the Electrical Code or adopted 2020 NEC shall be punished by a fine not to exceed \$500 for 1st offense, \$1,000 for 2nd offense and 3rd offense shall be \$2,500. Each day any violation of any provision of this Code or of any ordinance shall continue shall constitute a separate offense.

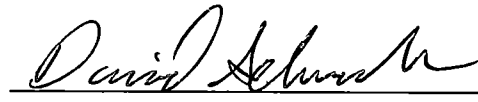
This Ordinance shall take effect upon its publication in the official city newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the 11th day of August, 2022.



Dean A. Hayse, Mayor

ATTEST:



David Schwenker, City Clerk

