

ORDINANCE NO. 2005-03-04

05889 02735

AN ORDINANCE OF THE CITY OF WESTON, TEXAS ADOPTING THE 2002 NATIONAL ELECTRIC CODE, AS AMENDED BY THE RECOMMENDED AMENDMENTS OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS, AS THE ELECTRIC CODE OF THE CITY OF WESTON; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Weston, Texas is a Type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Section 214.214 of the Texas Local Government Code provides that the National Electrical Code is adopted as the municipal residential electrical construction code in this state; and

WHEREAS, the Weston City Council desires to adopt the 2002 National Electric Code with amendments recommended by the North Central Texas Council of Governments in order to better provide for the safety of its residents and their property.

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

**SECTION 1.
2002 NATIONAL ELECTRIC CODE ADOPTED**

That all electrical equipment installed or used in the City and all installations of electrical equipment shall be reasonably safe to persons and property and in conformity with the standards provided by the National Fire Protection Association, and with the provisions of this ordinance, applicable state statutes, and any rules or regulations issued under authority thereof. The National Electrical Code, 2002 Edition, as published by the National Fire Protection Association, a copy of which is on file in the office of the City Secretary, and the regional amendments and interpretations thereto recommended by the North Central Texas Council of Governments are hereby adopted by reference to the same extent as though set out here in full as the Electrical Code of the City of Weston.

**SECTION 2.
PROVISIONS SEVERABLE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared

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Weston TX 75097

unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 3.
PROVISIONS CUMULATIVE**

This ordinance shall be cumulative of all provisions of ordinances of the City of Weston, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 4.
SAVINGS CLAUSE**

All rights and remedies of the City of Weston are expressly saved as to any and all violations of the provisions of ordinances of the City of Weston, Texas relating to the use and installation of electrical equipment or any other ordinances affecting public health and safety 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 5.
PENALTY**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 6.
PUBLICATION**

The City Secretary of the City of Weston is directed to publish the caption, penalty clause, publication clause and effective date of this Ordinance in accordance with the provisions of Section 52.011 of the Local Government Code.

**SECTION 7.
PUBLICATION IN BOOK OR PAMPHLET FORM**

The City Secretary of the City of Weston is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

**SECTION 8.
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED this the 1st day of March 2005.

Patti Harrington
Patti Harrington, Mayor

ATTEST:

Susan M Coffey
Susan M Coffey, City Secretary



311 A Collin

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ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW (THE STATE OF TEXAS)

(COUNTY OF COLLIN)

I hereby certify that this instrument was FILED in the File Number Sequence on the date and the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Collin County, Texas on

APR 04 2005

Brenda Taylor



Filed for Record in:
Collin County, McKinney TX
Honorable Brenda Taylor
Collin County Clerk

On Apr 04 2005
At 12:53pm

Doc/Num : 2005- 0042290

Recording/Type: OR 22.00
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