

**TOWN OF BERTHOUD**

**ORDINANCE NO. 1222**

**AN ORDINANCE ADOPTING BY REFERENCE THE 2014 EDITION OF THE NATIONAL ELECTRICAL CODE AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH**

WHEREAS, state law requires that the Town follow the minimum standards of the National Electrical Code as adopted by the State' Electrical Board pursuant to C.R.S. § 12-23104; and

WHEREAS, it is deemed to be in the interest of the public health, safety and general welfare to adopt by reference the National Electrical Code with certain amendments tailored to accommodate particular circumstances and requirements of the Town; and

WHEREAS, the Board of Trustees, after proper notice, has held a public hearing on this ordinance providing for the adoption of said code pursuant to C.R.S. § 31-16-203; and

WHEREAS, the National Electrical Code and amendments thereto have been submitted to the Board of Trustees in writing and the Board of Trustees has determined that such code and amendments thereto should be adopted as herein set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. Section 11.05 of the Berthoud Municipal Code is hereby repealed and reenacted, with amendments, to read as follows:

Chapter 15.08  
NATIONAL ELECTRICAL CODE

Sections:

Section 11.05 — National Electrical Code adopted

The National Fire Protection Association standard number 70, hereafter known as the *National Electrical Code*, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts, 02169-7471, is hereby adopted by reference as the Town of Berthoud Electrical Code as if fully set out in the ordinance codified herein with the additions, deletions, insertions and changes as follows, and such adoption is to have the same force and effect as if set forth herein in every particular. The effective edition of such *National Electrical Code* shall be the 2014 Edition or the succeeding edition currently adopted by

the State Electrical Board, Division of Professions and Occupations, Department of Regulatory Agencies as updated from time to time. The purpose and subject matter of the *National Electrical Code* includes minimum regulations for the practical safeguarding of persons and property from the hazards arising from the use of electricity and minimum standards relating to the installation of electrical conductors and equipment within or on public and private buildings and other structures, including mobile homes, recreational vehicles and floating dwelling units, and other premises such as yards, carnivals, parking and other lots, and industrial substations. The *National Electrical Code* provides for the issuance of permits, inspections and the collection of fees therefor. Except as otherwise provided herein, the *National Electrical Code* is adopted in full, including the outline of contents, index and all appendices thereto. A copy of the provisions of the *National Electrical Code*, currently adopted by the State Electrical Board, is available for public inspection during regular business hours at the State Electrical Board office at the Division of Professions and Occupations, Department of Regulatory Agencies, 1560 Broadway, Suite 1350, Denver, Colorado, 80202. In addition, at least one copy of the edition of the *National Electrical Code*, currently adopted by the State Electrical Board, has been and is now on file in the town building department and may be inspected during regular business hours.

#### Section 11.7-1 — National Electrical Code — Amendments

The National Electrical Code as adopted by the town is hereby amended as follows: The electrical permit fees for each permit shall be as established from time to time by resolution of the board of trustees and set forth in the town fee schedule maintained by the building officials for such purposes.

#### Section 11.7 Violations and penalties

It shall be unlawful for any person, firm, building superintendent, building manager, contractor, contractor's superintendent, corporation or other entity to violate any of the provisions of this chapter or the terms of the code adopted and incorporated herein. Any person, firm or corporation convicted of a violation of any provision of this chapter or of the provisions of the code adopted and incorporated herein shall be subject to the penalty provided in Section 11.14-1.

Section 2. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Municipal Code of the Town of Berthoud by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 29<sup>th</sup> day of November, 2016.

TOWN OF BERTHOUD, COLORADO

  
Steve Mulvihill, Mayor

  
Alisa Darrow Town Clerk

