

**The National Electrical Code, 2014 Edition, as published by the National Fire Protection Association, Inc. is adopted by reference and shall be the Electrical Code of the City of Benson.**

**The National Electrical Code, 2014 Edition, adopted by the City of Benson by enacting this resolution is amended as follows:**

## **ARTICLE 90**

### **Add**

**90.1.1 Title:** That certain document, known as the “National Electrical Code, 2014 Edition” published by the National Fire Protection Association, together with all appendices thereto be and the same are hereby adopted as the Electrical Code of the City of Benson, for regulating the installation, alteration and maintenance of all electrical installations, and this code is hereby referred to, adopted and made a part hereof as though fully set forth in this Article.

**90.1.2 Conflicting Provisions:** When conflicting provisions or requirements occur between this Chapter, the technical codes and other codes or laws, the Building Official shall have the discretion to determine which provision shall apply. When conflicts occur between the technical codes, those provisions providing the greater degree of safety to life as determined by the Building Official shall govern. In other conflicts where sanitation, life safety or fire safety are not involved, the Building Official shall have the discretion to determine which provision shall apply. Where in a specific case different sections of the technical codes specify different materials, methods of construction or other requirements, the Building Official shall have the discretion to determine which provision shall apply. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**90.1.3 Unlawful acts:** It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

**90.1.4 Notice of violation:** The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

**90.1.5 Prosecution of violation:** If the notice of violation is not complied with promptly, the Building Official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

**90.1.6 Violation penalties:** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or perform work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Class 1

misdemeanor, punishable by a fine of not more than \$2500.00 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**90.1.7 Authority:** Where the Building Official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the Building Official is authorized to issue a stop work order.

**90.1.8 Issuance:** The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

**90.1.9 Unlawful continuance:** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

**90.1.10 Conditions:** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the Building Official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

**90.1.11 Record:** The Building Official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

**90.1.12 Notice:** If an unsafe condition is found, the Building Official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the Building Official acceptance or rejection of the terms of the order.

**90.1.13 Method of service:** Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

**90.1.14 Restoration:** Where the structure or equipment determined to be unsafe by the Building Official is restored to a safe condition, to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions and change of occupancy shall comply with the requirements of the International Existing Building Code.

## CHAPTER 2

### ARTICLE 230

#### Add

**230.63. Location.** All service equipment rated 1000 amperes or more located inside a building shall be enclosed within a room or space separated from the rest of the building by not less than a one-hour fire-resistive barrier installed in compliance with the International Building Code.