

TOWN OF MILLIKEN

ORDINANCE NO. 768

AN ORDINANCE ADOPTING BY REFERENCE THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH

WHEREAS, the Town of Milliken, Colorado (“Town”) is authorized under Title 31 of the Colorado Revised Statutes to adopt and amend ordinances in furtherance of governmental administrations and the Town’s provision of public services; and

WHEREAS, Colorado law requires that the Town follow the minimum standards of the National Electrical Code (“N.E.C.”) as adopted by the State Electrical Board pursuant to C.R.S. § 12-23-104; and

WHEREAS, it is deemed to be in the interest of the public health, safety and general welfare to adopt by reference the N.E.C. 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 the N.E.C. pursuant to C.R.S. § 31-16-203; and

WHEREAS, the N.E.C. and amendments thereto have been submitted to the Board of Trustees in writing and the Board of Trustees has determined that the N.E.C. and amendments thereto should be adopted as herein set forth.

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

Section 1. Article III of Chapter 18 of the Milliken Municipal Code is hereby repealed and replaced in its entirety, in accordance with C.R.S. § 31-16-202, to read as follows:

Article III –
ELECTRICAL CODE

Section 18-3-10. - 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 Milliken 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 2017 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* include 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 with the Town building department and may be inspected during regular business hours.

Sec. 18-3-20. - Copy on file

At least one (1) copy of the *National Electrical Code*, currently adopted by the State Electrical Board, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

Section 18-3-30. - National Electrical Code - Amendments

The *National Electrical Code* as adopted by the Town is hereby amended to include the following: 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 18-3-40. - Violations and penalties

It is unlawful for any person to violate any of the provisions stated or adopted in this Article. Every person convicted of a violation of any provision stated or adopted in this Article shall be punished by a fine not exceeding three hundred dollars (\$300.00), or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment

Section 2. Severability. Should any one or more sections or provisions of this ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this ordinance or of the Municipal Code, the intention being that the various sections and provisions are severable.

Section 3. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

Introduced, read, adopted, signed and ordered published by title only by the Board of Trustees of the Town of Milliken this 27th day of March, 2019.

TOWN OF MILLIKEN



Beau Woodcock, Mayor

ATTEST:

APPROVED AS TO FORM:



Cheryl Powell, Town Clerk

Linda Michow, Town Attorney

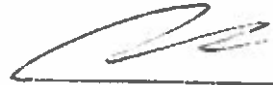
Published by title only, together with the statement that “[t]he complete text of all ordinances is available at the Town offices and on the Town’s official website” on _____, 2019.

Cheryl Powell, Town Clerk

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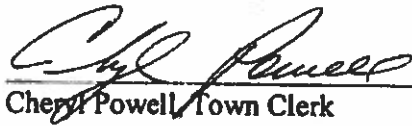
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Cheryl Powell, Town Clerk