

ORDINANCE NO. 1305

COPY

AN ORDINANCE OF THE CITY OF SABETHA, KANSAS, ADOPTING THE 1997 EDITION OF THE NATIONAL ELECTRICAL CODE, REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF ELECTRICAL WIRING AND APPARATUS IN THE CITY OF SABETHA; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF; AMENDING SECTION 4-302 OF THE SABETHA CITY CODE, AND ALL OTHER CONFLICTING ORDINANCES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City has adopted 1996 edition of the National Electrical Code, as the same currently appears in Chapter 4, Section 302 of the Sabetha City Code; and,

WHEREAS, an updated and similar version of the Code, known as the 1997 edition of the National Electric Code (NEC) has been promulgated for use by municipalities and other entities; and,

WHEREAS, the City Commission has determined in its legislative capacity that adoption of the updated version of the NEC furthers the best interest of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SABETHA, KANSAS, as follows:

SECTION I

That Section 4-302 Sabetha City Code, is hereby amended to read as follows:

"There is hereby adopted and incorporated by reference, for the purpose of establishing rules and regulations for the practice of electrical wiring and apparatus, the National Electrical Code, 1997 Edition, such code being made a part of the ordinances and code of the City as if the same had been set out in full herein, all authorized and in the manner prescribed by K.S.A. 12-3009 through 12-3012 including any amendments thereto. No fewer than three copies of the Uniform Building Code shall be marked or stamped "Official Copy as Incorporated by Ordinance No. _____ of the City of Sabetha," and shall be filed with the City Clerk to be open to inspection and available to the public at all reasonable hours of business."

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SECTION II

That penalties for violations of this ordinance shall be determined by the General Penalty for Violation of Code, as the same now exists or is hereafter amended, in Section 1-116 of the Sabetha City Code.

SECTION III

That the existing Section 4-302 of the Sabetha City Code is hereby repealed, as are any other ordinances in conflict herewith.

SECTION IV

Should any paragraph, sentence, sub-division, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

SECTION V

This ordinance shall be in full force and effect from and after its adoption by the City Commission and publication in the official City Newspaper.

SECTION VI

That all other ordinances and code provisions in conflict herewith are hereby repealed to the extent of any such conflict or consistency and all other provisions of the Sabetha City Code not in conflict herewith shall remain in full force and effect.

SECTION VII

The repeal of any ordinance, of parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

DULY PASSED AND APPROVED by the City Commission of the City of
Sabetha, Kansas, this ____ day _____, 1997.

By _____
Norman D. Schmitt, Jr.
Mayor

ATTEST: _____
Linda Lehman
City Clerk