

## **ORDINANCE NO. 1254**

### **AN ORDINANCE AMENDING CHAPTER 21, ARTICLE 4 OF THE FORT MORGAN MUNICIPAL CODE PERTAINING TO THE NATIONAL ELECTRICAL CODE**

**WHEREAS**, the City of Fort Morgan, Colorado (the "City"), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

**WHEREAS**, the City Council (the "Council") has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

**WHEREAS**, pursuant to that authority, the City has previously enacted and amended Chapter 21, Article 4 of Fort Morgan Municipal Code (the "Code") regarding adoption of the National Electrical Code; and

**WHEREAS**, the Council recognizes the value of the various technical Codes, as providing commonly-adopted uniform standards for public health, safety and welfare issues relating to the subject matter of each and as the standards recommended by the City Building Department; and

**WHEREAS**, the State of Colorado Electrical Board has mandated certain updates to the City's adoption of the National Electrical Code, as it relates to the City's electrical inspections, which the City must implement by this summer; and

**WHEREAS**, in order to be compliant with said state requirements, the City Building Department recommends removal of section 21-4-580 of the Code in its entirety, concerning Electrical Service Requirements, within Division 5 of Chapter 21, Article 4, regarding Certificate of Inspection, so that the appropriate section in the 2020 National Electrical Code governs; and

**WHEREAS**, the City Building Department and the State of Colorado also recommend certain other amendments for purposes of safety in dwelling units; and

**WHEREAS**, the Council therefore desires to make the following recommended amendments to the National Electrical Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO**, as follows:

**SECTION 1.** The Fort Morgan Municipal Code section 21-4-15, concerning Amendments to the National Electrical Code, is hereby amended to read as follows:

**Sec 21-4-15. - Amendments.**

- (a) Section 110.26 of the National Electric Code is revised to read and provide as follows:

- (1) Indoor. Indoor installations shall comply with 110.26(E)(l)(a) through (E)(l).

- a. Dedicated Electrical Space. The space equal to the width and depth of the equipment and extending from the floor to a height of 1.8 m (6 ft) above the equipment or to the structural ceiling, whichever is lower, shall be dedicated to the electrical installation. No piping, ducts, leak protection apparatus, or other equipment foreign to the electrical installation shall be located in this Dedicated Electrical Space and the Dedicated Electrical Space shall not be located behind any personal door utilized to access the Dedicated Electrical Space.

Exceptions:

1. Suspended ceilings with removable panels shall be permitted within the 1.8-m (6-ft) zone.
  2. Single phase, 225 amps or less, electrical installations may be installed behind a personal door in a single family dwelling unit.

- (b) Article 210.8(A) of the National Electric Code is revised by the addition of the following provision:

“The GFCI requirements for 250 Volt receptacles installed in the locations specified in Article 201.8(A)(1) through (A)(11) and Article 210.8(F) in the 2020 NEC shall have an enforcement date of one year from the date that the City has adopted said Code. This requirement shall be revisited for extension if needed or upon the City adoption of the 2023 NEC.”

**SECTION 2.** The Fort Morgan Municipal Code section 21-4-580, concerning Electrical Service Requirements, is hereby deleted in its entirety:

**~~Sec 21-4-580. — Electrical service requirements.~~**

~~All electrical services installed for buildings located within the City shall be as follows:-~~

- ~~(1) In approved as described in the preceding Section rigid conduit, equipped at the outer end with an approved as described in the preceding Section waterproof conduit fitting and shall be continuous without pull or junction box, to an approved as described in the preceding Section enclosed externally operated switch, and cutout with meter trim and sealed service fuses.~~
- ~~(2) The service device shall be located within the building or within an enclosed back porch so constructed and arranged as to afford adequate protection from the weather.~~
- ~~(3) The service cabinet shall be in a readily accessible place as near as possible to the point where the service conduit enters the building, but in no place where it will require over fifteen (15) feet of conduit (Electrical Metallic Tubing: EMT, Rigid Metal Conduit: RMC, Liquidtight Flexible Metal Conduit: LFMC, or Rigid~~

~~Polyvinyl Chloride Conduit: PVC Schedule 80 installed per the National Electrical Code) from point of entrance to the service device.~~

**SECTION 3.** If any section, provision, paragraph, clause or phrase of this Ordinance is held, or decided to be unconstitutional, invalid or enforceable for any reason, such decision shall not affect the constitutionality, validity or enforceability of the remaining portions of this Ordinance.


**SECTION 4.** 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 5.** The City Council finds that this Ordinance is necessary for the immediate preservation of the public peace, health and safety of the residents of the City.

**INTRODUCED, READ, ADOPTED ON FIRST READING AND ORDERED  
PUBLISHED** on the 3<sup>rd</sup> day of August, 2021.



THE CITY COUNCIL OF THE CITY OF FORT  
MORGAN, COLORADO


  
By: Ronald Shaver  
Mayor

Attest:  
  
John Brennan  
City Clerk

**PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED  
PUBLISHED** on the 17<sup>th</sup> day of August, 2021.




THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

  
By: Ronald Shaver  
Mayor


Attest:



  
\_\_\_\_\_  
John Brennan  
City Clerk

STATE OF COLORADO                    )  
COUNTY OF MORGAN                )ss.               **CERTIFICATE**  
CITY OF FORT MORGAN                )

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1254** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 3<sup>rd</sup> day of August. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 6<sup>th</sup> day of August, 2021, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 17<sup>th</sup> day of August, 2021. Within five (5) days after its final passage, said **Ordinance No. 1254** was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

  
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John Brennan  
City Clerk