

ORDINANCE NO. O-2018-5866

AN ORDINANCE READOPTING AMENDMENTS TO THE CODE OF ORDINANCES, CITY OF ROUND ROCK, TEXAS (2010 EDITION) PREVIOUSLY ADOPTED BY ORDINANCE NUMBERS O-2018-5091, O-2018-5788, O-2018-5096, O-2018-5799, O-2017-4835, O-2018-5461, AND O-2017-4343; AMENDING THE CODE OF ORDINANCES, CITY OF ROUND ROCK (2018 EDITION) TO INCORPORATE SAID AMENDMENTS; PROVIDING FOR A SAVINGS CLAUSE; REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Round Rock (the “City”), as a Texas home-rule municipality, passes general and permanent legislation by adopting ordinances for the good government, peace, and order of the municipality; and

WHEREAS, the City previously had all such ordinances codified in its “Code of Ordinances, 2010 Edition;” and

WHEREAS, the City has formally adopted “Code of Ordinances, 2018 Edition;” and

WHEREAS, certain ordinances were adopted by the City amending the Code of Ordinances, 2010 Edition that were not incorporated in the Code of Ordinances, 2018 Edition and said ordinances require re-adoption for incorporation into the Code of Ordinances, 2018 Edition; and

WHEREAS, the incorporation of said previously adopted amendments requires certain amendments to the Code of Ordinances, 2018 Edition as set forth herein; Now, Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

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I.

The amendments to the Code of Ordinances, 2010 Edition, adopted by Ordinance Numbers: O-2018-5091, O-2018-5788, O-2018-5096, O-2018-5799, O-2017-4835, O-2018-5461, and O-2017-4343 are hereby readopted and incorporated into the Code of Ordinances, 2018 Edition.

II.

That Chapter 14, Code of Ordinances (2018 Edition), City of Round Rock, Texas is hereby amended by adding new Section 14-213.1, which shall read as follows:

Sec. 14-213.1 Specific noise regulations.

- (a) Certain uses as described in this Section shall be subject to the specific noise regulations as set forth below.
- (b) This subsection (b) applies only to outdoor live music venues that meet the following requirements:
 - (i) are located within 1,000 feet of IH-35 or SH-45, and
 - (ii) the front of the stage is a minimum of 2,500 feet from any residential use or hotel/motel/lodging uses as of the submittal date of the first City required development application.

Said outdoor live music venues are exempt from the requirements of subsection 14-212(c) and (d) during the hours set forth below:

- (i) from noon to 6:00 p.m. on week days for sound check(s);
- (ii) from 6:00 p.m. to midnight on week days for sound check(s) and/or live performances;
- (iii) from noon to midnight on Sunday for sound checks and/or live performances; and
- (iv) from 10:00 a.m. to midnight on Saturday and Federal holidays for sound checks and/or live performances.

Except for the exemption set forth above, said outdoor live music venues are subject to the other requirements of this Article VIII, specifically including the requirements of Tables I and II of 14-212(b).

III.

That Chapter 24, Code of Ordinances (2018 Edition), City of Round Rock, Texas is hereby amended by adding new Article V, which shall read as follows:

71 **ARTICLE V. - COMPLIANCE WITH PEACE OFFICERS AND FIREFIGHTERS**

72
73 **Sec. 24-101. – Offense.**
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75 It shall be unlawful for any person to intentionally, knowingly, recklessly or with criminal
76 negligence fail or refuse to comply with any order, direction, instruction or warning of a peace officer,
77 firefighter or fire official that is given in a visible or audible manner.
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79 **Sec. 24-102. – Affirmative Defense.**
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81 It is an affirmative defense to a violation of this article that the order, direction, instruction or
82 warning of a peace officer, firefighter or fire official is unlawful.
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84 **Sec. 24-103. – Penalty.**
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86 A violation of this article shall be unlawful and a misdemeanor offense punishable by a fine not
87 exceeding the amount set forth in section 1-9.
88

89 **IV.**

90 That Chapter 32, Section 32-33, Code of Ordinances (2018 Edition), City of
91 Round Rock, Texas is hereby amended to read as follows:

92 **Sec. 32-33. - Garbage collection service charges.**

93 (a) *Residential.*

94 (2) The residential charge for the collection of refuse and for recycling services shall be
95 \$18.96 per month.
96

97 **V.**

98 That Chapter 42, Section 42-128, Code of Ordinances (2018 Edition), City of
99 Round Rock, Texas is hereby amended to read as follows:

100 **Sec. 42-128. School zones**

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Speed Zone</u>	<u>Speed Zone Times</u>
Meister Lane	200 feet north of Tall Rider Lane	200 feet south of Harvester Lane	20MPH	8:35-9:10 am 4:15-4:50 pm

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VI.

That Chapter 44, Section 44-30, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

Sec. 44-30. Connection and transfer fees.

- (a) *Water, reuse water and sewer service connection and transfer fees.*
 - (1) Upon making application for water, reuse water and/or sewer service the customer shall pay a service connection fee of \$25.00.
 - (2) Upon making application to transfer an existing service account to a new address, the customer shall pay a water and sewer service transfer fee of \$25.00.
 - (3) Service will generally be connected the next business day after the customer makes the application for service. If a customer requests same day connection service, the fee for same is \$75. However, same day service may not be available if the work load does not permit it. "Business Day" does not include Saturdays, Sundays, and holidays.
 - (4) Bulk water customers that require a fire hydrant meter to be relocated within the same job site or another job site shall pay a \$50.000 fee for each time that the meter is relocated.
- (b) *Additional service trips.* If additional meter service trips are required, including rereads and trips for collection of outstanding charges, fees or penalties, the customer shall pay an additional trip fee in the amount of \$25.00 for each additional trip made to the location. If any service trips are caused by the city's error, the customer will not be charged such additional trip fee.

VII.

That Chapter 44, Section 44-35, subsections (d) and (e), Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

Sec. 44-35. - Utility billing policy.

- (d) *Penalty for late payment.*
 - (1) Any bill not paid by the due date shall be deemed past due and a late fee of \$2.50 or ten percent of the total amount due, whichever is more, will be assessed.
 - (2) Any bill not paid by 5:00 p.m. on the 14th day following the due date will be assessed a \$25.00 Past Due Administrative Fee.
 - (3) Upon written request by a customer with proof that such individual is age 60 years or over, payment may be delayed without penalty until the 25th day after the date the bill is issued. This subsection applies only to residential customers who occupy the entire premises for which the delay is requested.
- (e) *Disconnection and restoration of services.*
 - (1) If a bill is not paid by the 14th day following the due date, the water supply to the customer shall be shut off. Water service shall not be resumed until all outstanding fees, service fees, charges or penalties are paid in full.
 - (2) The service fee for service restoration shall be \$50.00. Service will generally be re-connected the next business day after the customer pays the past due bill and service fee in full. If a customer requests same day re-connection service, the service fee for

147 same is \$75. However, same day re-connection service may not be available if the work
148 load does not permit it. As used herein, "Business Day" does not include Saturdays,
149 Sundays, and holidays.

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VIII.

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154 That Chapter 44, Code of Ordinances (2018 Edition), City of Round Rock, Texas,

155 is hereby amended by adding Article XIII which shall read as follows:

156 **ARTICLE XIII. – Network Nodes in the Public Right-of-Way**

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158 **Sec. 44-431 – Purpose and Scope**

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160 (a) Purpose. The purpose of this Article is to establish policies and procedures for the placement of
161 node support poles in the right-of -way and network nodes in the public right-of-way and on
162 service poles within the City's jurisdiction, which will provide public benefits and will be consistent
163 with the preservation of the integrity, safe usage, and visual qualities of the City public right-of-
164 way and the City as a whole.

165 (b) Intent. In enacting this Article, the City is establishing uniform standards to address issues
166 presented by network nodes, including without limitation, ensuring that network nodes or node
167 support poles do not adversely affect,

168 (1) use of streets, sidewalks, alleys, parkways and other public ways and places;

169 (2) vehicular and pedestrian traffic;

170 (3) the operation of facilities lawfully located in public right-of-way or public property;

171 (4) the ability of the City to protect the environment, including the prevention of damage to
172 trees;

173 (5) the character of residential and historic areas, and city parks, in which network nodes
174 may be installed; and

175 (6) the rapid deployment of network nodes to provide the benefits of wireless services.

176 (c) Conflicts with Other Chapters. This Article supersedes all Articles, parts of Articles or rules
177 adopted prior hereto that are in conflict herewith, to the extent of such conflict.

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179 **Sec. 44-432 – Definitions**

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181 All terms used in this Article, not specifically defined herein, have the meaning provided in Chapter 284 of
182 the Texas Local Government Code.

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184 (a) "Applicable Law" means Chapter 284 of the Texas Local Government Code.

185 (b) "Applicant" means any person who submits an application and is a network provider.

- 186 (c) “Application” means a request submitted by an applicant (i) for a permit to collocate network
 187 nodes; or (ii) to install a transport facility; or (iii) approve the installation, replacement or
 188 modification of a pole.
- 189 (d) “City Code” means those ordinance provisions relevant to use of the public right-of-way where
 190 compliant with applicable law.
- 191 (e) “Collocate” and “collocation” mean the installation, mounting, maintenance, modification,
 192 operation, or replacement of network nodes in a public right-of-way on or adjacent to a pole.
- 193 (f) “Day” means calendar day.
- 194 (g) “Decorative pole” means a streetlight pole specially designed and placed for aesthetic purposes
 195 and on which no appurtenances or attachments, other than specially designed informational or
 196 directional signage or temporary holiday or special event attachments, have been placed or are
 197 permitted to be placed according to nondiscriminatory municipal codes.
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- 199 (h) “Design District” means an area zoned, or otherwise designated by municipal code, and for which
 200 the city maintains and enforces unique design and aesthetic standards on a uniform and
 201 nondiscriminatory basis and includes the following:
 202
- 203 (1) A public improvement district pursuant to Chapter 372 of the Texas Local Government
 204 Code, as amended;
 - 205 (2) reinvestment zone pursuant to Chapter 311 of the Texas Tax Code, as amended;
 - 206 (3) planned development zoning district with Decorative poles;
 - 207 (4) zoning districts MU-1 (Mixed-use Historic Commercial Core), MU-2 (Mixed-use
 208 Downtown Medium Density), MU-L (Mixed-use Limited), H (Historic) Overlay, and CT
 209 (Chisholm Trail) Overlay, as specified by City of Round Rock Planning and Development
 210 Services;
 - 211 (5) property located within 300 feet of any property zoned H (Historic) Overlay;
 - 212 (6) conservation district; and
 - 213 (7) any other area the City Council has designated a Design District, which does not require
 214 a zoning case.
- 215 (i) “Design Manual” means design requirements adopted by City Council for the installation and
 216 construction of network nodes and new node support poles in the public right-of-way that includes
 217 additional installation and construction details.
 218
- 219 (j) “Network Node” means equipment at a fixed location that enables wireless communications
 220 between user equipment and a communications network. The term:
 221
- 222 (1) Includes:
 - 223 i. Equipment associated with wireless communications;
 - 224 ii. A radio transceiver, an antenna, a battery-only backup power supply, and
 225 comparable equipment, regardless of technological configuration; and
 226

- 233 iii. Coaxial or fiber-optic cable that is immediately adjacent to and directly
234 associated with a particular collocation; and
- 235 (2) Does not include:
- 236 i. An electric generator;
- 237 ii. A pole; or
- 238 iii. A macro tower.
- 239 (k) "Network Provider" means:
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- 241 (1) a wireless service provider; or
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- 243 (2) a person that does not provide wireless services and that is not an electric utility but
244 builds or installs on behalf of a wireless service provider:
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- 246 i. network nodes; or
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- 248 ii. node support poles or any other structure that supports or is capable of
249 supporting a network node.
- 250 (l) "Node Support Pole" means a pole installed by a network provider for the primary purpose of
251 supporting a network node.
- 252 (m) "Person" means an individual, corporation, limited liability company, partnership, association,
253 trust, or other entity or organization, including the City.
- 254 (n) "Routine Maintenance" means (i) work in the public right-of-way that does not require excavation
255 or closing of sidewalks or vehicular lanes in a public right-of-way; (ii) replacing or upgrading a
256 network node or pole with a node or pole that is substantially similar in size or smaller and that
257 does not require excavation or closing of sidewalks or vehicular lanes in a public right-of-way; or
258 (iii) the installation, placement, maintenance, operation, or replacement of micro network nodes
259 that are strung on cables between existing poles or node support poles, in the public right-of-
260 way.
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- 262 (o) "Service Poles" means a pole owned or operated by the City and located in a public right-of-way,
263 including:
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- 265 (1) A pole that supports traffic control functions;
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- 267 (2) A structure for signage;
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- 269 (3) A pole that supports lighting, other than a decorative pole; and
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- 271 (4) A pole or similar structure owned or operated by a municipality and supporting only
272 network nodes.
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- 274 (p) "Technical Grounds" means, in light of prevailing industry and engineering standards, reasons of
275 insufficiency of capacity, safety, reliability and/or generally applicable engineering purposes
276 consistent with applicable law and City Code.
277
- 278 (q) "Transport Facility" means each transmission path physically within a public right-of-way,
279 extending with a physical line from a network node directly to the network, for the purpose of
280 providing backhaul for network nodes.

281 **Sec. 44-433 – Permitted Use; Application and Fees**

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- 283 (a) Permitted Use: Collocation of network nodes and the placement of node support poles, meeting
284 the parameters set forth in Sec. 44-435 below and in applicable law, shall be a permitted use.
- 285 (b) Permit Required. No person shall place a network node, transport facility or node support pole in
286 the public right-of-way, without first filing a permit application and obtaining a permit therefore,
287 except as otherwise provided in this Article.
- 288 (c) Permit Application. All permit applications filed pursuant to this Article shall be on a form, paper
289 or electronic, provided by the City.
- 290 (d) Routine Maintenance and Replacement. A permit application shall not be required for:
- 291 (1) routine maintenance that does not require excavation or closing of sidewalks or vehicular
292 lanes in a public right-of-way; or for
- 293 (2) the replacement of a node or pole with another node or pole that is substantially similar in
294 size or smaller and that does not require excavation or closing of sidewalks or vehicular
295 lanes in a public right-of-way.
- 296 (e) Information Updates. Any amendment to information contained in a permit application shall be
297 submitted in writing to the City within 30 days after the change necessitating the amendment.
- 298 (f) Application Fees. All applications for permits pursuant to this Article shall be accompanied by a
299 fee of \$500 for up to five network nodes addressed in the same application, \$250 for each
300 additional node in the same application; and a fee of \$1000 for each node support pole.

301 **Sec. 44-434 – Action on Permit Applications**

- 302
- 303 (a) Review of Applications. The City shall review applications for network nodes, node support poles
304 and transport facilities in light of their conformity with applicable law and City Code and shall
305 issue such permits on nondiscriminatory terms and conditions subject to the following
306 requirements:
307
- 308 (1) Within 30 days of receiving an application for a network node or node support pole, or 10
309 days for a transport facility, the City shall determine and notify the Applicant whether the
310 application is complete. If the application is incomplete, the City will specifically identify
311 the missing information in such notification.
- 312 (2) The City shall make its final decision to approve or deny a complete application no later
313 than
- 314 i. 21 days after receipt of a complete application for a transport facility,

- 315 ii. 60 days after receipt of a complete application for a network node; and
- 316 iii. 150 days after receipt of a completed application for a new node support pole.
- 317 (3) The City shall advise the Applicant in writing of its final decision. If the application is
318 denied, the City shall provide the basis for that denial, including specific provisions of City
319 Code or applicable law on which the denial was based, and send the documentation to
320 the Applicant on or before the day the City denies the application. The Applicant may
321 cure the deficiencies identified by the City and resubmit the application within 30 days of
322 the denial without paying an additional application fee, other than a fee for actual costs
323 incurred by the municipality. The City shall approve or deny the revised application within
324 90 days of receipt of the amended application. The subsequent review by the City shall
325 be limited to the deficiencies cited in the original denial.
- 326 (4) If the City fails to act on an application within the review period specified in this Sec. 44-
327 434, the application shall be deemed approved.
- 328 (5) An applicant seeking to install or collocate network nodes may, at the Applicant's
329 discretion, file a consolidated application and receive permits for not more than 30
330 network nodes. The City's denial of any node within a single application shall not affect
331 other nodes submitted in the same application. The City shall grant permits for any and
332 all nodes in a single application that it does not deny, subject to the requirements of this
333 Section.

334 **Sec. 44-435 – Network Nodes in the Public right-of-way; Maximum Height; Other Requirements**

- 335
- 336 (a) Maximum Size of Permitted Use. Collocation of permitted use network nodes in the public right-
337 of-way shall be subject to the size limitations specified in Chapter 284.003 of the Local
338 Government Code.
- 339
- 340 (b) Maximum Pole Heights. A network provider shall ensure that each new, modified, or replacement
341 utility pole or node support pole installed in a public right-of-way in relation to which the network
342 provider received approval of a permit application does not exceed the lesser of:
343
- 344 (1) 10 feet in height above the tallest existing utility pole located within 500 linear feet of the
345 new pole in the same public right-of-way; or
- 346
- 347 (2) 55 feet above ground level.
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- 349 (c) Undergrounding Provisions. A network provider shall comply with nondiscriminatory
350 undergrounding requirements, zoning regulations, state law, private deed restrictions, and other
351 public or private restrictions, that prohibit installing aboveground structures in a public right-of-
352 way. This requirement or restriction shall not be interpreted to prohibit a network provider from
353 replacing an existing structure with a substantially similar structure.
- 354 (d) Historic Sites and Design Districts. Subject to the permit application approval time frames in Sec.
355 44-434, a network provider must obtain advance approval from the City before collocating new
356 network nodes or installing new node support poles in any areas zoned or designated or defined
357 as a Design District. Such installations shall be subject to the design and aesthetic standards of
358 such areas. All applications for collocating new network nodes or installing new node support
359 poles within three-hundred feet of a designated historic landmark or historic district must be
360 reviewed by the City's Historic Preservation Officer for compliance with design and aesthetic
361 standards.
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- 363 (e) Installation in Municipal Parks and Residential Areas. A network provider may not install a new
364 node support pole in a public right-of-way without the City's discretionary, nondiscriminatory,
365 written consent of the Utility and Environmental Services Director if the public right-of-way is
366 located in a municipal park or is adjacent to a street or thoroughfare that is 1) not more than 50
367 feet wide; and 2) adjacent to single-family residential lots or other multifamily residences or
368 undeveloped land that is designated for residential use by zoning or deed restrictions. A network
369 provider shall comply with private deed restrictions and other private restrictions when installing
370 network nodes in parks and residential areas.
- 371
- 372 (f) Zoning. A network provider seeking to construct, replace or modify a pole or node in the public
373 right-of-way that exceeds the height or size limits contained in this section, shall be subject to
374 applicable zoning requirements.
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- 376 (g) Only One Node per Service Pole. Only one network node may be installed on a service pole.

377 **Sec. 44-436 – Effect of Permit**

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- 379 (a) Authority Granted. A permit from the City authorizes an applicant to undertake only certain
380 activities in accordance with this Article, and does not create a property right or grant authority to
381 the Applicant to impinge upon the rights of others who may already have an interest in the public
382 right-of-way.
- 383
- 384 (b) Time of Installation. A network provider shall begin the installation for which a permit is granted
385 not later than six months after final approval and shall diligently pursue the installation to
386 completion. Provided, however, the City may place a longer time limit on completion or grant
387 reasonable extensions of time as requested by the network provider.
- 388
- 389 (c) Interference with network nodes. A network provider shall operate all network nodes in
390 accordance with all applicable laws, including regulations adopted by the Federal
391 Communications Commission and shall ensure that the operation of a network node does not
392 cause any harmful radio frequency interference to a Federal Communications Commission-
393 authorized mobile telecommunications operation of the municipality operating at the time the
394 network node was initially installed or constructed. On written notice, a network provider shall
395 take all reasonably necessary steps to remedy any harmful interference.
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397 **Sec 44-437 – Removal, Relocation or Modification of Network Nodes in the Right-of-Way**

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- 399 (a) Notice. Within 45 days following written notice from the City, a network provider shall, at its own
400 expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or
401 alter the position of any network node or node support pole within the public right-of-way
402 whenever the City has determined that such removal, relocation, change or alteration, is
403 reasonably necessary for the construction, repair, maintenance, or installation of any City
404 improvement in or upon, or the operations of the City in or upon, the public right-of-way.
- 405
- 406 (b) Emergency Removal or Relocation of Facilities. The City retains the right and privilege to
407 disconnect or move any network node located within the public right-of-way of the City, as the
408 City may determine to be necessary, appropriate or useful in response to any public health or
409 safety emergency. If circumstances permit, the City shall notify the network provider and allow
410 the network provider an opportunity to move its own facilities prior to the City disconnecting or
411 removing a facility and shall notify the network provider after disconnecting or removing a network
node or node support pole.

412 (c) Abandonment of Facilities. Upon abandonment of a network node or node support pole within
413 the public right-of-way, the network provider shall notify the City within 30 days. Following receipt
414 of such notice, the City may direct the network provider to remove all or any portion of a network
415 node or node support pole if the City, or any of its departments, determines that such removal is
416 necessary to protect public health, safety and welfare.
417

418 **Sec. 44-438 – Public Right-of-Way Rate**
419

- 420 (a) Annual Rate. Once a network provider has installed and made operational a network node in the
421 public right-of-way, network provider shall pay to the City compensation for use of the public right-
422 of-way in the amount of \$250 annually per node in the City public right-of-way. This annual rate
423 can be adjusted annually pursuant to Section 284.054 of the Texas Local Government Code.
424
- 425 (b) Cease Payment. A network provider is authorized to remove its facilities at any time from the
426 public right-of-way and cease paying the City compensation for use of the public right-of-way
427 following removal and notification to the City of such removal.

428 **Sec. 44-439 – Attachment to Service Poles in the Public Right-of-Way**
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430 A network provider shall be permitted to attach network nodes to city-owned service poles, consistent
431 with applicable law and City Code and subject to the requirements specified herein.

- 432 (a) Permits. A network provider shall obtain a permit, pursuant to the terms of this Article, prior to
433 collocating network nodes on service poles.
434
- 435 (b) Make Ready. Network Provider shall be responsible for costs for make ready work on City
436 service poles to which provider seeks to place a network node.
437
- 438 (c) Technical Limitations. Prior to collocating a network node on a city-owned service pole, the
439 network provider will provide to the City an industry standard pole load analysis indicating that the
440 service pole to which the network node is to be attached will safely support the load.
441
- 442 (d) Service Pole Attachment Fee. The rate to collocate a network node on a service pole in the
443 public right-of-way shall be \$20 per pole per year. Subject to the provisions of Sec. 44-440, such
444 compensation together with the application fee and the public right-of-way rate specified in Sec.
445 44-438 shall be the sole compensation that the network provider shall be required to pay to the
446 City.
447
- 448 (e) Cease Payment. A network provider is authorized to remove its facilities at any time from a
449 service pole in the public right-of-way and cease paying the attachment fee to the City upon
450 notification to the City that the facilities have been removed.

451 **Sec. 44-440 – Transport Facilities**
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453 Installation of transport facilities, including applicable compensation to the City for such facilities, shall be
454 governed by Chapter 284.055 of the Texas Local Government Code.
455

456 **Sec. 44-441 - Design Manual**

457 A network provider shall comply with the City's Design Manual, if any, in place on the date a permit
458 application is filed in relation to work for which the City has approved a permit application. The City's
459 design manual may not conflict with applicable law and must be competitively neutral. This ordinance
460 shall be considered part of the City's Design Manual.
461

462 **IX.**

463 That Zoning and Development Code, Chapter 8, Article X, Division 9, Code of
464 Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended to read as
465 follows:

466 **DIVISION 9. - ELECTRICAL CODE**

467
468 **Sec. 8-144. - General.**
469

470 (a) *National Electrical Code, NFPA 70.* The National Electrical Code, NFPA 70, 2017 edition
471 (hereinafter referred to as "NEC"), as amended herein, is hereby adopted as part of this division
472 to the same effect as if it were copied verbatim herein and shall be in effect except as it may be in
473 conflict with the provisions of this Code or V.T.C.A., Local Government Code § 214.214.

474 (f) *Amendments to the National Electrical Code, 2017 edition.*
475

476 (1) Article 300, National Electrical Code, 2017 edition, is hereby amended by adding Section
477 24 which shall read as follows:

478 300-24. Special Safety Measures.

479 (a) Except upon written permission of the building official, no electrical conductor of any
480 nature shall be installed nearer than three (3) inches to any metal pipe or duct which
481 could operate at a temperature in excess of one hundred twenty (120) degrees
482 Fahrenheit.

483 (b) Thermostat, low voltage control wiring and communications cables in dwellings shall
484 be protected from mechanical damage and shall maintain two (2) inches clearance from
485 all other wiring and pipes. Thermostat, low voltage control wiring and communications
486 cables shall be well strapped or supported with insulated staples or supports not to
487 exceed four (4) feet spacing.

488 **Sec. 8-146. - Electrical license examination.**
489

490 All applicants for a building permit are required to be licensed by the State of Texas or the City of
491 Round Rock.

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496 **Sec. 8-148. - Licensing.**
497

498 (e) *License not required.* The following may be performed by persons who are not licensed
499 electricians:

500 (1) Electrical work on one's own homestead, as reflected by public records, performed only
501 by the homestead owner; provided, that a permit as provided in section 8-149 shall have
502 been obtained and all other requirements of this division have been complied with except
503 the licensing provisions.

504 (f) *Requirements for continued licensing; master electrician.* In addition to other requirements of this
505 division, all master electricians shall have their license number of company name on all company
506 trucks.

507 (g) *Certain acts prohibited.* It shall be a violation of this division for any person:

508

509 **Sec. 8-149.**

510

511 (d) *Permit issuance.*

512 (1) Permits shall be issued to licensed master electricians, or their duly authorized agents.

513 (2) The city operates under a "one permit" system on new construction whereby a general
514 contractor or owner may secure a single permit covering all of the building, electrical,
515 plumbing, heating, ventilating, and air conditioning requirements. However, where only
516 electrical work is being performed, a master electrician, as defined herein, must secure a
517 permit covering the work to be done. There shall not be more than one permit issued or
518 outstanding at the same time for any one installation of electrical equipment, except for
519 renewal, additions or finish-out or when requested by the city building official.

520 (3) The chief building inspector may require an inspection prior to the issuance of a permit.

521 (4) A permit issued under this division shall continue until revoked or for the period of time
522 designated on the permit.

523 (e) *Revocation and suspension of permits.*

524 (1) The chief electrical inspector has the authority to revoke or suspend a permit or approval
525 issued if any violation of this division is found upon inspection or in the case there have
526 been any false statements or representations submitted in the application or plans on
527 which the permit or approval was based.

528 (2) Revocation will be deemed to occur on the date that the permittee is duly notified of the
529 violation.

530 (f) *Reissued permit.* A permit may be reissued changing the electrician of record upon written
531 application by the person to whom the original permit was issued. However, before the permit is
532 issued, the chief building inspector shall mail a written notice to the electrician of record with a
533 copy to the owner, notifying them of the application for a reissued permit. The notice to the
534 electrician of record shall be by certified mail, return receipt requested, and shall not be reissued
535 until the expiration of ten days after the notice was mailed. The application for a reissued permit
536 shall be accompanied by a permit reissuance fee as currently established or as hereafter adopted
537 by resolution of the city council from time to time. The applicant shall be responsible for all
538 electrical work on the project site, including all work performed prior to reissuance.

539 (g) *Duplicate.* In the event that a permit is lost or destroyed, the permit holder may obtain a duplicate
540 thereof:

541 (1) By furnishing satisfactory proof to the chief electrical inspector that the permit was lost or
542 destroyed; and

543 (2) Upon payment of a fee as currently established or as hereafter adopted by resolution of
544 the city council from time to time.

545 (h) Certain acts prohibited.

546 (1) Any attempt to defraud or otherwise deliberately or knowingly design, install, service,
547 maintain, operate, sell, represent, represent for sale, falsify records, reports, or
548 applications, or other related activity in violation of this division.

549 (2) Any violation of this division will provide cause for immediate suspension or revocation of
550 any related licenses, certificates, or permits issued by this jurisdiction. All violations are
551 additionally subject to any other civil or criminal penalties that may apply.

552 **Sec. 8-150. - Inspections.**

553

554 (b) *Rough inspection.*

555 (1) When the rough wiring or installation work is completed on a commercial job, the
556 electrician responsible shall notify the building inspection division that the job is ready for
557 inspection.

558 **Sec. 8-151. - Standards and specifications**

559 (c) *Special electrical circuit requirements.* The following additional requirements shall be met for all
560 new construction:

561 (1) All circuits shall have conductors sized in accordance with article 310 of the National
562 Electrical Code. No conductor smaller than No. 12 copper American wire gauge size,
563 shall be used in any electrical work as covered by this Code, except the following as
564 approved by the National Electrical Code:

- 565 a. Pendant and portable cords;
- 566 b. No. 14 for control circuits, operating contractors, relays, etc.;
- 567 c. Wiring within display cases;
- 568 d. Wiring for system covered by chapter 7 of the National Electrical Code;

569 (2) All panels must be large enough to accommodate the present load requirements and
570 have at least two spaces for future use.

571 (3) All 125 volt, single phase 15 or 20 ampere rated devices installed in commercial and
572 industrial installations shall be of the nonresidential type or shall be 20 ampere rated only.

573 (4) Temporary service for construction sites are required to have a driven ground rod.

574 (5) Flexible metal conduit smaller than one-half-inch electrical trade size shall not be
575 permitted.

576 (6) Kerneys or split bolt connectors shall not be allowed for taps in electrical services and
577 gutters. Only blocks and couple taps are permitted.

578 (7) All building services shall have a UFER grounded and be grounded by Art. 250 of NEC.

579 (8) All closets and storage areas that are over 48 inches deep or more shall have a light
580 switch.

581 (f) *Special safety measures.*

582 (1) Aluminum conductors will be authorized from the panel to panel and to the service
583 disconnect only, for commercial and industrial construction.

584 (2) All feeder conductors to branch circuit panel boards and all subpanels in residential
585 construction shall be copper conductors.

586 (g) *Smoke detector systems.*

587 (1) Every dwelling and every dwelling unit within an apartment house, condominium or town
588 house, and every guest or sleeping room in a child care facility, motel, hotel or dormitory,
589 shall be provided with an approved listed smoke detector in accordance with V.T.C.A.,
590 Property Code § 92.251 et seq.

591 (2) Detectors shall be listed and meet the installation requirements of NFPA 74 and NFPA
592 72E and be hard wired with battery pack in series where all alarms will be activated.

593

594 **X.**

595 **A.** All ordinances, parts of ordinances, or resolutions in conflict herewith are

596 expressly repealed.

597 **B.** The invalidity of any section or provision of this Ordinance shall not
598 invalidate other sections or provisions thereof.

599 **C.** The City Council hereby finds and declares that written notice of the date,
600 hour, place and subject of the meeting at which this Ordinance was adopted was posted
601 and that such meeting was open to the public as required by law at all times during
602 which this Ordinance and the subject matter hereof were discussed, considered and
603 formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas
604 Government Code, as amended.

605

606

607

608 **READ** and **APPROVED** on first reading this the _____ day of
609 _____, 2018.

610 **READ, APPROVED** and **ADOPTED** on second reading this the _____ day of
611 _____, 2018.

612

613

614

CRAIG MORGAN, Mayor
City of Round Rock, Texas

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616

617

618 ATTEST:

619

620

621

SARA L. WHITE, City Clerk

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