

ORDINANCE NO. 2004-11

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, BY DELETING ALL OF SECTIONS 14-142 THROUGH 14-146, SECTIONS 14-148 THROUGH 14-150, SECTION 14--173, SECTIONS 14-186 THROUGH 14-190, SECTION 14-192, SECTION 14-211, SECTION 14-213, SECTION 14-216, AND SECTIONS 14-231 THROUGH SECTION 14-232 OF CHAPTER 14, IN THEIR ENTIRETY, AND BY DELETING ALL OF SECTIONS 14-147, 14-185, 14-210, AND 14-230 OF CHAPTER 14, AND SUBSTITUTING THEREFOR NEW SECTIONS 14-147, 14-185, 14-210, AND 14-230; PROVIDING THAT ALL ELECTRICAL WORK PERFORMED WITHIN THE CITY BE UNDER THE CONTROL, SUPERVISION, DIRECTION, AND RESPONSIBILITY OF A MASTER ELECTRICIAN LICENSED BY THE STATE OF TEXAS, AND THAT ALL JOURNEYMEN AND APPRENTICE ELECTRICIANS MUST FIRST OBTAIN THE APPROPRIATE CURRENT STATE OF TEXAS ELECTRICIAN LICENSE BEFORE UNDERTAKING ANY WORK WITHIN THE CITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City of Tomball, Texas, recognizes that the State of Texas has now begun to issue State licenses for electricians; and

WHEREAS, the City Council has determined that requiring all electricians to obtain the appropriate State of Texas electrician license prior to performing work within the City of Tomball shall benefit the citizens of the City by establishing uniform standards, as set by the State, for all electricians doing work within the City; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. The Code of Ordinances of the City of Tomball, Texas, is hereby amended by deleting from Chapter 14, "*Buildings and Building Regulations*," Article IV, "*Electricity*," Division 3, "*Electricians*," all of the following Sections:

- 1) Section 14-142 Issuance generally

- 2) Section 14-143 Transfer
- 3) Section 14-144 Expiration
- 4) Section 14-145 Renewal
- 5) Section 14-146 Duplicates
- 6) Section 14-148 Payroll records
- 7) Section 14-149 Suspension, withholding or revocation
- 8) Section 14-150 Time Lapse from revocation
- 9) Section 14-173 Conduct examinations
- 10) Section 14-186 Qualifications
- 11) Section 14-187 Application
- 12) Section 14-188 Examination, fee
- 13) Section 14-189 Reexaminations
- 14) Section 14-190 License fee
- 15) Section 14-192 Permanent number
- 16) Section 14-211 Application
- 17) Section 14-213 Fee
- 18) Section 14-216 Revocation
- 19) Section 14-231 Application
- 20) Section 14-232 Fee

Section 2. The Code of Ordinances of the City of Tomball, Texas, is hereby further amended deleting all of Sections 14-147, 14-185, 14-210, and 14-230 of Chapter 14 *Buildings and Building Regulations*, Article IV *Electricity*, Division 3 *Electricians*, and substitution new to Sections 14-147, 14-185, 14-210, and 14-230 to read as follows:

“Sec. 14-147. Supervision of work.

All electrical work performed within the City shall be under the control, supervision, direction, and responsibility of a master electrician licensed by the State of Texas. A journeyman or apprentice electrician shall perform the actual work under the supervision, control and responsibility of a master electrician.”

...

“Sec. 14-185. License required.

Except as otherwise provided by this article, it shall be unlawful for any person to perform or contract for electrical work within the City unless such person is licensed by the State of Texas as a master electrician.”

...

“Sec. 14-210. License required.

No person shall undertake any work as a journeyman electrician unless such person has first obtained the appropriate current State of Texas electrician license.”

. . .

“Sec. 14-230. License required.

No person shall undertake any work as an apprentice electrician unless such person has first obtained the appropriate current State of Texas electrician license.”

Section 3. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 4. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 15TH DAY OF NOVEMBER 2004.

COUNCILMAN MARTIN	<u> AYE </u>
COUNCILMAN FORD	<u> AYE </u>
COUNCILMAN FAGAN	<u> AYE </u>
COUNCILMAN GATLIN	<u> AYE </u>
COUNCILMAN DRIVER	<u> AYE </u>

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 6TH DAY OF DECEMBER 2004.

COUNCILMAN MARTIN	<u> AYE </u>
COUNCILMAN FORD	<u> AYE </u>
COUNCILMAN FAGAN	<u> AYE </u>
COUNCILMAN GATLIN	<u> AYE </u>
COUNCILMAN DRIVER	<u> AYE </u>

(signed) H. G. Harrington
H. G. HARRINGTON, Mayor
City of Tomball

ATTEST:

(signed) Doris Speer
Doris Speer, City Secretary
City of Tomball