

10/22/2008

ORDINANCE NO.48-102

AN ORDINANCE AMENDING SECTIONS 19.08.010, 19.08.015, 19.08.020, 19.08.025, 19.08.030, 19.08.050, 19.08.150, 19.08.171, 19.12.010, 19.12.050, 19.12.060, 19.12.090, 19.12.100, 19.12.140, 19.12.150, 19.12.170, 19.12.180, 19.12.185, 19.12.190, 19.12.195, 19.12.200, 19.16.110, 19.22.090, 19.22.100, 19.22.110, 19.22.140, 19.22.190, 19.22.260 AND 19.24.020 OF THE CODE OF THE CITY OF WICHITA, KANSAS; CREATING SECTIONS 19.08.005, 19.12.085, 19.12.125, 19.12.135, 19.12.165, 19.12.175, 19.12.220, 19.22.085, 19.22.095, 19.22.195, AND 19.22.290; OF THE CODE OF THE CITY OF WICHITA, KANSAS, AND REPEALING THE ORIGINALS OF SECTIONS 19.08.010, 19.08.015, 19.08.020, 19.08.025, 19.08.030, 19.08.050, 19.08.060, 19.08.150, 19.08.171, 19.12.010, 19.12.040, 19.12.050, 19.12.060, 19.12.090, 19.12.100, 19.12.150, 19.12.170, 19.12.180, 19.12.185, 19.12.190, 19.12.195, 19.12.200, 19.16.110, 19.22.090, 19.22.100, 19.22.110, 19.22.140, 19.22.190, 19.22.260 AND 19.24.020; ALL PERTAINING TO THE ELECTRICAL CODE OF THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA,
KANSAS:

SECTION 1. Section 19.08.005 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Electrical license—Required. It is unlawful for any person to engage in the business of the installation of electric wiring or of the installation of electrical equipment, devices or apparatus for light, heat, or power purposes in or on any building or premises within the city without having secured an electrical license from the superintendent of central inspection.”

SECTION 2. Section 19.08.010 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Master and journeyman electricians’ certificates—required. It is unlawful for any person to engage in the business of electrical contracting without first having secured a master electrician’s certificate as provided for in this title. The master electrician shall be responsible for all electrical work encompassed in the inspection requested by and/or on the permit issued to his company.

It is further unlawful for any person to engage in the trade or otherwise perform the act of installing electrical wiring or raceways for equipment, apparatus or devices for light, heat or power, or other purposes within or on any building or premises within the city without first having secured a master electrician’s certificate or a journeyman electrician’s certificate as herein provided for and both be in the employ of a licensed electrical contractor. A holder of a residential wireman electrician’s certificate may perform the act of installing any and all electrical wiring within or on one- and two-family dwellings only and must be in the employ of a licensed electrical contractor.

The following exception shall be allowed: Except as provided for in Sections 19.08.061 and 19.08.140 hereof.”

SECTION 3. Section 19.08.015 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Apprentice electrician and/or electrical helper.

(a) Apprentice electricians or helpers shall be permitted to perform the act of or install any electrical work within the city when he or she is on the job site

with and under the supervision of a master, journeyman or residential wireman electrician certified by the city and both be in the employ of a licensed electrical contractor. If an apprentice electrician or helper works without the required supervision, both the electrical contractor license holder and the apprentice electrician/helper shall be guilty of this offense.

(1) “Job site” is defined as the property that an individual permit is issued for.

(b) A numeric ratio of apprentices or helpers to certified city master, journeyman or residential wireman electricians on any one job site shall not be greater than four apprentices and/or helpers for each certified electrician.”

SECTION 4. Section 19.08.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Electricians’ certificates—Application—Examination. Applications for examination for a master electrician’s certificate or a journeyman electrician’s certificate or a residential wireman electrician’s certificate shall be made to the office of central inspection.

Applicants for master electrician examination shall provide written documented proof of having a valid journeyman electrician certificate for a minimum of two years.

Applicants for journeyman electrician and residential wireman electrician examination shall provide written documented proof of at least two years field experience in the electrical construction industry. “Field experience” means working under the direct supervision of a person having a valid

journeyman certificate or master certificate or attending an accredited electrical trade school. No more than one year of the requirement may be satisfied by trade related schooling. Schooling shall consist of a minimum of 240 hours classroom training. Documentation shall be the following:

- (1) written letter on company letterhead from employer(s) stating job description and dates of employment and signed by a person qualified in the electrical trade;
- (2) copy of a transcript or attendance record from an accredited electrical trade school. The electrical examination will be administered in accordance with K.S.A. 12-1525 and amendments thereto, with a minimum passing score of seventy-five percent.

SECTION 5. Section 19.08.025 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Electricians’ certificates—Reciprocity. Any person with written proof of successful completion of the required electrical master, journeyman or residential wireman electrician test pursuant to K.S.A. 12-1525 and amendments thereto, with a minimum score of seventy-five percent and with proof of having obtained, since January 1, 2006, not less than 12 hours biennially of continuing education approved by the Office of Central Inspection, shall be issued the appropriate license by the City of Wichita. The Office of Central Inspection shall establish a uniform fee to be charged all applicants for licenses.”

SECTION 6. Section 19.08.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Electricians’ certificates—Renewal.

(a) The fee for an examination and original certificate for a master electrician, journeyman electrician or residential wireman electrician shall be established by the superintendent of central inspection to cover the administrative costs of issuing such certificates. This fee shall be paid to the office of central inspection when the application for an examination is made. All such certificates shall expire on the thirty-first of December of each odd-number year. The biennial fee for the renewal of all certificates shall be established by the superintendent of central inspection to cover the administrative costs of issuing such certificates.

(b) The applicant must provide written proof of having completed biennially not less than 12 hours of continuing education approved by the Office of Central Inspection. Continuing education may be provided by the Office of Central Inspection or a nationally recognized trade association, community college, technical school or technical college. All 12 hours of education may consist of code up-date training on the electrical code currently adopted.

(c) Any holder of a certificate who fails to renew the same by March 1st from the date of expiration shall be required to submit one of the following:

(1) Proof of passing a new examination as required per Section 19.08.020 or;

(2) Proof of completing an additional 1 ½ hours of continuing education for each 3 month period the renewal is late and only when the original certificate was issued pursuant to K.S.A. 12-1525.”

SECTION 7. Section 19.08.050 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Electricians’ certificates—Contractor’s license—Revocation.

(a) The board of electrical appeals is authorized to cancel and recall the certificate of any master electrician, journeyman electrician or residential wireman electrician for any or all of the following reasons:

- (1) Committing of any act in violation of any provisions of this code or any other ordinance of the city, or the refusal or failure to comply with any lawful and reasonable order of the code official or inspector;
- (2) Misrepresentation of a material fact by the applicant in obtaining a certificate;
- (3) Carelessness or negligence in providing reasonable safety measures for the protection of the public.

(b) The board of electrical appeals is authorized to cancel and recall the license of any electrical contractor for any or all of the following reasons:

- (1) Abandonment of any contract without legal cause;
- (2) Diversion of funds or property received for performance or completion of a specific contract for a specified purpose, in the performance or completion of any contract, and application or use

for any other contract, obligation or purpose, or the failure, negligence or refusal to use such funds or property for the performance or completion of said contract;

- (3) Committing of any act in violation of any provisions of this code or any other ordinance of the city, or the refusal or failure to comply with any lawful and reasonable order of the code official or inspector;
- (4) Misrepresentation of a material fact by the applicant in obtaining a license;
- (5) Failure of any contractor to fully certify all claims for labor and material used in the performance of any work for which he has been engaged or for which he has been paid;
- (6) Use of any license to obtain a permit for another as set forth in Section 19.08.120 of this code;
- (7) Carelessness or negligence in providing reasonable safety measures for the protection of workmen and the public;
- (8) Failure to obtain permits as required in Section 19.08.150 of this title;
- (9) Unreasonable delay in the performance and carrying out of any contract;
- (10) Failure by the licensee, if a firm, co partnership or corporation, to have at least one active member or officer who has qualified as

and has a master's certificate as provided in Section 19.08.070 of this code.

- (11) Failure to have the required supervision for apprentice electrician or helper as set forth in Section 19.08.015 of this code;
- (12) That the license holder is in arrears on payment of electrical permit and/or re-inspection fees.

(c) Upon presentation by the code official to the board of electrical appeals of charges against any holder of any certificate, as set forth in this section, the board of electrical appeals shall fix a time and place for a meeting to consider such charges and shall notify the holder of such certificate to be present at such meeting. Such notification shall be in writing and shall be presented to the holder at least five days in advance of the meeting. If upon full hearing of all evidence by the board of electrical appeals it shall be decided that such holder of a certificate has been guilty of any of the actions as hereinbefore set forth in this section, then the board shall have the power to place on probation for a specified time period, temporarily suspend or permanently revoke the license or certificate of the holder thereof.

(d) When a certificate of a person has been revoked, a new certificate shall not be granted until he shall have corrected the violation in accordance with this code or any ordinance of the city and shall have made application and have passed an examination as required for the original certificate.

SECTION 8. Section 19.08.150 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Electrical permit required—Fees listed. It is unlawful for any person to do or cause to be done any electrical wiring for light, heat or power within any building or on any premises in the city without first obtaining a permit from the office of central inspection. Applications for permits shall be made on forms furnished by the office, duly executed and signed by a person properly authorized to obtain permits for the applicant, which application may be presented in person or by mail, accompanied by the fee as listed below:

Ordinary branch circuits on new construction or remodeling:

120 volt circuits, each \$2.00

277 volt circuits, each \$2.25

Heating appliances less than 4500 watts, each \$3.00

Light fixtures or lamp holders, each \$0.75

Motors:

1 HP or smaller, each \$5.00

Over 1 HP, each \$7.00

Water well motor, each \$7.00

Special circuits and additions:

Electric ranges and all heating devices over 4500 watts, each \$9.00

Hot Tubs/Sauna, each \$15.00

Clothes dryers, each \$9.00

Special power outlets, or feeder circuits, each \$10.00

Signs, each circuit \$7.00

Outlets added to existing circuits \$0.75

Transformers, each \$12.00

Services:

480 volts or less:

100 amperes or less, per meter \$12.00

each additional ampere \$0.06

Construction service, per meter \$15.00

Re-inspection – Discontinued service, per meter \$12.00

Over 480 volts:

Each service entrance \$75.00

Construction Service \$30.00

Miscellaneous \$15.00

Permit Issuance Fee \$18.00

Minimum charge for one permit \$25.00

Provided also that electrical work done in conjunction with a building project covered by a building permit for a one- or two-family dwelling new construction, repair, remodel or addition is covered and permitted under the authority granted by the building permit and does not require a separate electrical permit. A separate electrical permit is required if a water well motor is installed or will be installed.

Provided, however, permit fees for one- and two-family dwellings shall be established in accordance with the fee schedule as set forth in the applicable section of the currently adopted City of Wichita Building Code. The evaluation used to determine the amount of the permit fee to be used shall be seven percent

of the total valuation of a one- or two-family dwelling as determined by the superintendent of central inspection. A separate fee established by the Superintendent of Central Inspection to cover the administrative costs may be assessed for each construction service to the building site. Payment shall be made by the general contractor at the time a building permit is issued.

A separate electrical permit is required if work requiring a permit and inspection as defined in the code is begun more than one hundred eighty days from the date of the issuance of the building permit.

A separate electrical permit shall be required for each building or tenant space with an electric meter, and anytime a separate electric meter is installed.

Exception: One- and two-family dwellings or multi-family dwellings when such dwelling units are not individually owned.

Any person who installs any electrical wiring for which a permit and inspection are required and who fails to report the same as ready for inspection when such work is completed shall pay a special permit fee of double the amount of the permit issuance as listed above.

Where extra inspections are made because of faulty construction or failure to make necessary repairs, a fee established by the Superintendent of Central Inspection to cover the administrative costs may be charged for each inspection.”

SECTION 9. Section 19.08.171 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Insurance required. Every electrical, elevator or handicapped accessibility lifts contractor licensed under this title shall procure and maintain a

policy of general liability insurance covering the activities of the contractor while engaged in contracting hereunder. Such insurance policy shall be written with an insurance company licensed to do business in the state and shall have minimum limits of coverage of three hundred thousand dollars per occurrence. In addition, every such electrical, elevator or handicapped accessibility lifts contractor shall procure and maintain worker's compensation insurance as required by law and automobile liability insurance as required by law. Every contractor licensed under this title shall, prior to the issuance of a license, file with the office of central inspection certificates of insurance evidencing the insurance coverage specified herein. All such certificates shall indicate that the city shall be given at least thirty days advance written notice of any cancellation or material change in coverage of such insurance. Failure of an electrical, elevator or handicapped accessibility lifts contractor to either procure or maintain such insurance shall be grounds for suspension or revocation of their contractor's license and certificate."

SECTION 10. Section 19.12.010 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Installation standards. All electrical installations made within the city shall be in strict conformity with the provisions of this title. If sections contained within this title, in a given situation, do not prescribe a specific type or class of material or specific standards of construction, then the standards as set forth and contained in the National Electrical Code, 2008 Edition, as published by the National Fire Protection Association as N.F.P.A. No. 70-2008, as presently constituted and as may be hereinafter amended, shall apply with the exception of

Section 110.16; Section 200.6(d); Section 210.4(b); Section 210.5(c); Section 210.12; Section 210.52(c)(1); Section 230.40; Section 250.68(a) Exception No. 2; Section 590.6(b)(2); Section 300.11(a)(2); Section 314.28; Section 334.10; Section 334.12(a)(1) Exception; Section 334.40(b); Section 334.80; Section 406.4(e); Section 406.8(b)(1)&(2); Section 600.3; and Section 680.8; of such publication. Said N.F.P.A. No. 70-2008, was adopted by the National Fire Protection Association on June 7, 2007 and received the approval of the American National Standards Institute on August 15, 2007. By this publication, all provisions of such publication, with noted exceptions, are adopted by reference and made a part of the Code of the City of Wichita, Kansas, and this title as though fully set forth herein.”

SECTION 11. Section 19.12.040 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“**Section 230.40 amended.** Section 230.40 of the National Electrical Code shall be amended to read as follows:

Number of Service-Entrance Conductor Sets. Each building shall be supplied by only one service drop or lateral. Each service drop or lateral shall supply only one set (or sets where connected in parallel) of service-entrance conductors. All service-entrance conductors shall terminate at the same location.

Exception: #1: Where two to six service disconnecting means in separate enclosures are grouped at one location, one set of service-entrance conductors shall be permitted to supply each such service equipment enclosure.

Exception #2: A two family dwelling unit without an approved area separation wall as defined by the currently adopted City of Wichita Building Code, and served from one service drop or lateral, shall be permitted to have one set of service entrance conductors run to each dwelling unit without the mains from both units being located together.”

SECTION 12. Section 19.12.050 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Services. A. Service Length. Unfused service entrance conductors shall not be extended more than fifteen feet inside any building.

B. Service Disconnects. Main disconnects shall be installed on the load side of the utility company’s meters where not more than six meters and service equipment are grouped together. Where there is an existing main disconnect ahead of six meters or less and all the services are completely revamped, the main disconnects shall be relocated on the load side of the meters.

SECTION 13. Section 19.12.060 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“**Section 210.52(c)(1) exception amended.** Section 210.52(c)(1) exception of the National Electrical Code shall be amended to read as follows:

Exception: Receptacle outlets shall not be required on a wall directly behind a range or sink.”

SECTION 14. Section 19.12.085 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Concrete-Encased electrode. The grounding electrode conductor to a concrete-encased electrode shall be not less than that required in Table 250.66 of the National Electrical Code.”

SECTION 15. Section 19.12.090 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Color code. Where installed in raceways, as cable or as open work, all conductors connected to the same system shall conform to the following color code:

Three-phase, four-wire 120/208 volt – phase A - black, phase B - red, phase C – blue, grounded conductor - white;

Three-phase, four-wire 277/480 volt—phase A - brown, phase B - orange, phase C – yellow, grounded conductor - gray.

The grounded conductor of a three wire 240 volt delta system shall be identified by alternating white and red stripes encircling the conductor.

The grounded conductor of a three wire 480 volt delta system shall be identified by alternating gray and orange stripes encircling the conductor.

Ungrounded circuit conductors used as travelers between 3-way and 4-way switches may be of colors other than those specified.

All conductor sizes 6 AWG or smaller shall be identified by a continuous outer finish along its entire length. Sizes larger than 6AWG shall be identified, at time of installation, by distinctive color markings at its terminations. This marking shall encircle the conductor or insulation.

All circuit conductors of the same color shall be connected to the same ungrounded conductor throughout the premises wiring system(s).”

SECTION 16. Section 19.12.100 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Smoke detector requirements. Reference shall be made to the appropriate sections of Title 15 and Title 18 of the Code of the City of Wichita.”

SECTION 17. Section 19.12.125 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Type NM, NMC and NMS cable ampacity. The ampacity of Types NM, NMC, and NMS cable shall be determined in accordance with 310.16. The ampacity shall be in accordance with the 60°C (140°F) conductor temperature rating.”

SECTION 18. Section 19.12.135 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Type NM, NMC and NMS cable ran exposed in unfinished basements. Article 334.15(c) of the National Electrical Code shall be amended to read:

(C) In Unfinished Basements. Where cable is run at angles with joists in unfinished basements, it shall be permissible to secure cables not smaller than two 6 AWG or three 8 AWG conductors directly to the lower edges of the joists. Smaller cables shall be run either through bored holes in joists or on running boards. NM cable installed on the wall of an unfinished basement shall be permitted to be installed in a listed conduit or tubing or shall be protected in accordance with Article 300.4. Conduit or tubing shall be provided with a suitable insulating bushing or adapter at the point the cable enters the raceway. The NM

cable sheath shall extend through the conduit or tubing and into the outlet or device box not less than 6 mm (1/4 in.). The cable shall be secured within 300 mm (12 in.) of the point where the cable enters the conduit or tubing. Metal conduit, tubing, and metal outlet boxes shall be connected to the equipment grounding conductor.”

SECTION 19. Section 19.12.150 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Ceiling grid support wires. The following is added to the section 300.11(A)(2) of the National Electrical Code:

Exception No. 2: MC cable or flexible metal conduit may be attached to the ceiling grid support wires serving lighting fixtures located within the ceiling grid area where all the following conditions apply.

1. The MC cable or flexible metal conduit must not be larger than trade size ½ inch.

2. Only a single MC cable or flexible metal conduit may be attached per ceiling grid support wire.

3. Only clips or devices approved for the purpose may be used to attach the MC cable or flex to the support wires.”

SECTION 20. Section 19.12.165 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Sewage ejector pumps and sump pumps. In a dwelling, ground fault circuit interrupter protection shall not be required on a sewage ejector pump or

sump pump that is cord and plug connected to a single receptacle installed on a dedicated circuit.”

SECTION 21. Section 19.12.170 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“**Conduit bodies.** Section 314.28 of the National Electrical Code shall be amended to read as follows: Boxes and conduit bodies trade size over 2 inch used as pull or junction boxes shall comply with 314.28(A) through (D).”

SECTION 22. Section 19.12.175 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“**Arc-Fault Circuit-Interrupter Protection.** (A) Definition: Arc-Fault Circuit Interrupter. An arc-fault circuit interrupter is a device intended to provide protection from the effects of arc faults by recognizing characteristics unique to arcing and by functioning to de-energize the circuit when an arc fault is detected.

(B) Dwelling Unit Bedrooms. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit bedrooms shall be protected by a listed arc-fault circuit interrupter, combination type installed to provide protection of the branch circuit.

Exception: The location of the arc-fault circuit interrupter shall be permitted to be at other than the origination of the branch circuit in compliance with (a) and (b):

(a) The arc-fault circuit interrupter installed within 1.8 m (6 ft) of the branch circuit overcurrent device as measured along the branch circuit conductors.

(b) The circuit conductors between the branch circuit overcurrent device and the arc-fault circuit interrupter shall be installed in a metal raceway or a cable with a metallic sheath.”

SECTION 23. Section 19.12.180 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Nonmetallic-Sheathed Cable: Type NM, NMC, and NMS. Uses permitted: Type NM, Type NMC and Type NMS cable shall be permitted to be used only in one- and two-family dwellings and their accessory structures and multifamily dwelling units. The structure shall not exceed~~ing~~ three floors above grade. These structures shall be served only by single-phase services.”

SECTION 24. Section 19.12.185 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Receptacles in countertops not to be installed face-up. Section 406.4(E) of the National Electrical Code shall be amended to read as follows:

(E) Receptacles in Countertops and Similar Work Surfaces. Receptacles shall not be installed in a face-up position in countertops or similar work surfaces.”

SECTION 25. Section 19.12.190 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Receptacles in wet locations. Section 406.8(B)(1) & (2) of the National Electrical Code shall be amended to read as follows:

(B) Wet Locations. All 15- and 20-ampere, 125- and 250-volt nonlocking receptacles shall be listed weather-resistant type. All receptacles installed in a wet location shall comply with either of the following:

(1) A receptacle installed in a wet location, where the product intended to be plugged into it is not attended while in use, shall have an enclosure that is weatherproof with the attachment plug cap inserted or removed.

(2) A receptacle installed in a wet location where the product intended to be plugged into it will be attended while in use (e.g., portable tools) shall have an enclosure that is weatherproof when the attachment plug is removed.”

SECTION 26. Section 19.12.195 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Pools shall not be located under overhead wiring. Section 680.8 of the National Electrical Code shall be amended to read as follows:

The following parts of pools shall not be placed under existing electrical, communication, CATV, Network powered Broadband conductors or any other overhead wiring; nor shall such wiring be installed above the following:

(1) Pools and the area extending 10 ft horizontally from the inside of the walls of the pool,

(2) Diving structure, or

(3) Observation stands, towers or platforms.”

SECTION 27. Section 19.12.200 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Permitted use of multiplex cable. Multiplex cable may be installed as an approved wiring method for outdoor aerial use only within the city of Wichita, with the following restrictions.

(a) Permitted for outside aerial use only.

(b) Minimum wire size shall be: #1 aluminum or #8 copper.

(c) In all cases, the phase conductors and the neutral conductor must be insulated and identified.

(d) The ampacity of the conductors must comply with the values for the respective size and conductor material as listed in the seventy-five degree column of the Ampacity Tables of the latest adopted edition of the National Electrical Code.”

SECTION 28. Section 19.12.220 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Conduits exposed to sunlight on rooftops. Where conductors or cables are installed in conduits with a horizontal length exceeding 6 feet and exposed to direct sunlight on or above rooftops, the adjustments shown in Table 310.15(B)(2)(c) shall be added to the outdoor temperature to determine the applicable ambient temperature for application of the correction factors in Table 310.16 and Table 310.18 of the National Electrical Code.”

SECTION 29. Section 19.16.110 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Conductor requirements. All mobile or manufactured home and accessory building wiring conductors rated two hundred amperes or less,

including all service conductors that are not owned and maintained by the electrical utility company, shall be copper.”

SECTION 30. Section 19.22.085 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Penalites for violations. Any person violating any of the provisions of this title shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars, or be imprisoned in the city jail not more than six months, or by both such fine and imprisonment. Each and every day during which any violation of any provision of this title is committed, continued or permitted shall be deemed a separate violation.”

SECTION 31. Section 19.22.090 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Elevator or handicapped accessibility lifts license—Required. It is unlawful for any person to engage in the business of the installation or repair of elevators, handicapped accessibility lifts, dumbwaiters, escalators or moving walks in or on any building or premises within the city without having secured an elevator license from the superintendent of central inspection.”

SECTION 32. Section 19.22.095 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Master and journeyman electrical elevator certificates—Required. It is unlawful for any person to engage in the business of elevator or handicap handicapped accessibility lifts contracting without first having secured a master electrical elevator certificate as provided for in this title. The master shall be

responsible for all work encompassed in the inspection requested by and/or on the permit issued to his company.

It is further unlawful for any person to engage in the trade or otherwise perform the act of installing or repairing elevator, handicapped accessibility lifts, dumbwaiters, escalators or moving walks within or on any building or premises within the city without first having secured a master or journeyman electrical elevator's certificate as herein provided for and be in the employ of a licensed elevator or handicap handicapped accessibility lifts contractor. The following exception shall be allowed:

Apprentices shall be permitted to work when accompanied by, and under the supervision of a master or journeyman electrical elevator mechanic.”

SECTION 33. Section 19.22.100 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Elevators’ certificates—Application—Examination—Renewal.

Applications for examination for a master electrical elevators certificate shall be made to the office of central inspection. Applicants for the electrical elevators examination shall provide written documented proof of at least two years practical experience in the elevator construction industry. Documentation shall be one of the following: (1) written letter on company letterhead from employer(s) stating job description and dates of employment; (2) copy of a transcript or attendance record from an accredited elevator trade school; (3) a written letter on a city letterhead from the building official or elevator inspection division of a city where the applicant is licensed as an elevator contractor, or is

certified by that city as an electrical elevator master and stating the length of time of the certification or license.

The fee for an examination and original certificate for an electrical elevator master shall be established by the superintendent of central inspection to cover the administrative costs of issuing such certificates. This fee shall be paid to the office of central inspection when the application for an examination is made. Such certificate shall expire on the thirty-first of December of each odd-number year.

The biennial fee for renewal of this certificate shall be established by the superintendent of central inspection to cover the administrative costs of issuing such certificates. Any holder of a certificate who fails to renew the same by March 1st from the date of expiration shall be required to take a new examination before receiving a new certificate.

A 90 day temporary journeyman electrical elevator certificate may be issued to an applicant providing documented proof of at least four years practical experience in the elevator construction industry. Documentation shall be one of the following: (1) written letter on company letterhead from employer(s) stating job description and dates of employment; (2) a written letter on a city letterhead from the building official or elevator inspection division of a city where the applicant is licensed as an elevator contractor, or is certified by that city as an electrical elevator master and stating the length of time of the certification or license. The fee for this certificate shall be established by the superintendent of

central inspection to cover the administrative costs of issuing such certificates. Such certificates shall be limited to one in twenty-four months to each applicant.”

SECTION 34. Section 19.22.110 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“**License—Issuance of elevator.** Any person, firm or corporation shall be issued an elevator license, provided such person or one active officer of the firm or corporation who devotes full time to that firm or corporation shall have submitted evidence and has qualified as to experience and ability in matters pertaining to the installation and maintenance of elevators. Such experience and ability must be confirmed by successful passage of an examination as required in Section 19.22.100. The fee for such license shall be one hundred dollars per year. The license shall expire on the thirty-first of December of the year in which so issued. Licensees who have not renewed their license by January 31st of the year in which they are due shall pay a penalty of ten percent for each month they are delinquent in obtaining such renewal.”

SECTION 35. Section 19.22.140 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“**License—Issuance of handicapped accessibility lifts contractor.** Any person, firm or corporation shall be issued an handicapped accessibility lifts license, provided such person or one active member or officer of the firm or corporation who devotes full time to that firm or corporation shall have submitted evidence of qualifications and experience and has been examined as required in Section 19.22.100 in handicapped accessibility lifts. The fee for such license

shall be one hundred dollars per year. The license shall expire on the thirty-first of December of the year in which so issued. Licensees who have not renewed their license by January 31st of the year in which they are due shall pay a penalty of ten percent for each month they are delinquent in obtaining such renewal.”

SECTION 36. Section 19.22.190 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“**Alterations and repairs.** The following alterations and/or repairs require permits from the Office of Central Inspection:

- (1) increase in rated load or speed;
- (2) increase or decrease in dead weight of car;
- (3) increase or decrease in travel;
- (4) change in type of operation or control;
- (5) replacement, change in size, length or number of suspension ropes, belts or chains;
- (6) replacement, change in size or length of safety or governor ropes;
- (7) replacement, change in size or type of guide rails;
- (8) replacement, change in type or addition of a car or counterweight safety;
- (9) change in power supply;
- (10) replacement of an existing machine by a new driving machine;
- (11) replacement of an existing governor by a new governor;
- (12) replacement of an existing controller by a new controller;
- (13) replacement of an existing driving machine brake by a new brake;

- (14) replacement of tanks or anticreep leveling device;
- (15) replacement of pump, motor or valves;
- (16) replacement of hoistway doors;
- (17) replacement of hoistway door re-opening devices;
- (18) addition of hoistway-door locking devices or car-door or gate electric contacts;
- (19) addition of hoistway access switches;
- (20) addition of top-of-car operating devices;
- (21) addition of top-of-car, hoistway-door and/or car-door or gate operating devices;
- (22) addition of rope equalizers;
- (23) addition of auxiliary rope-fastening devices;
- (24) addition of car-leveling or truck-zoning devices;
- (25) addition of roller guide shoes;
- (26) addition of automatic transfer device;
- (27) addition of fire service;
- (28) addition of ADA compliant devices;
- (29) replacement of hydraulic cylinder or plunger;
- (30) replacement, addition or removal of canopy, wall or floor covering;
- (31) replacement of car operation panel;
- (32) prior to placing an elevator back in service after it has been red tagged;"

SECTION 37. Section 19.22.195 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Elevator inspected prior to use. All new and red tagged elevators shall be inspected and approved prior to use by the public. The elevator contractor shall notify the elevator inspector two business days before the elevator is ready for inspection.

When the elevator inspector observes or it is called to his attention that any elevator work is installed contrary to or in violation of any provisions of this code, it shall be his duty to immediately notify the person responsible for the installation that the violation or violations exist. All defective or substandard installations shall be corrected within forty-eight hours from time of notification by the elevator inspector.”

SECTION 38. Section 19.22.260 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Inspection compliance certificates. The elevator inspector, as provided for in section 19.22.040, shall perform acceptance and periodic inspections and tests as required by this title and when found in compliance with this chapter will, after all fees are paid in accordance with Section 19.22.200, issue a compliance certificate. This certificate shall be permanently displayed in the elevator car for which the certificate was issued. The certificate shall be framed and installed not less than five feet nor more than five feet six inches from the platform of the car to the bottom of the frame or a location approved by the elevator inspector. Escalators and handicap accessibility lifts shall have the compliance certificate

permanently displayed in a frame adjacent to the equipment and at a location approved by the elevator inspector.”

SECTION 39. Section 19.22.290 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Insurance, Truth in Advertising and Vehicle Identification.

Compliance with the provisions of Chapter 19 relating to insurance, truth in advertising and vehicle identification shall be required as set forth in Sections 19.08.171, 19.08.172 and 19.08.180 and other amendments.”

SECTION 40. Section 19.24.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Installation standards. All installations of private residence elevators in commercial structures for use by persons with a disability, that are made within the city, shall be in strict conformity with the provisions of this title and with the approved standards of construction for safety to life and property. If sections contained within this title, in a given situation, do not prescribe a specific type or class of material or specific standards of construction, then the applicable standards as set forth for elevators and contained in the currently adopted edition of the ANSI/ASME A17.1 Safety Code for Elevators and Escalators, published by the American Society of Mechanical Engineers shall apply to the design, construction, installation, operation, alteration and repair of this type of elevator.

All installations of wheelchair lifts and stairclimb lifts in commercial buildings within the city, shall be in strict conformity with the provisions of this title and with approved standards of construction for safety to life and property. If

sections contained within this title, do not prescribe a specific type or class of material or specific standards of construction, then the applicable standards as set forth in the currently adopted edition of the ANSI/ASME A18.1 Safety Standard for Platform Lifts and Stairway Chairlifts with all addendums thereto, published by the American Society of Mechanical Engineers, shall apply to the design, construction, installation, operation, alteration and repair of this type of lift.”

SECTION 41. The originals of Sections 19.08.010, 19.08.015, 19.08.020, 19.08.025, 19.08.030, 19.08.050, 19.08.060, 19.08.150, 19.08.171, 19.12.010, 19.12.040, 19.12.050, 19.12.060, 19.12.090, 19.12.100, 19.12.150, 19.12.170, 19.12.180, 19.12.185, 19.12.190, 19.12.195, 19.12.200, 19.16.110, 19.22.090, 19.22.100, 19.22.110, 19.22.140, 19.22.190, 19.22.260 AND 19.24.020 are hereby repealed.

SECTION 42. “This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective January 1, 2009, upon its passage and publication once in the official city paper. “

PASSED by the governing body of the City of Wichita, Kansas, this 28th day of October, 2008.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Gary E. Rebenstorf, Director of Law