

CERTIFICATION OF CLERK

I, Brenda K. Wolf, the duly appointed, qualified, and Deputy City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Ordinance was duly adopted at a meeting of the City of Manhattan, Kansas, held on the 18th day of June, 2019, and that said Ordinance has been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, 19th day of June, 2019.



Brenda K. Wolf

Brenda K. Wolf, CMC, Deputy City Clerk



ORDINANCE NO. 7432

AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, REGULATING ELECTRICAL WIRING AND APPARATUS WITHIN THE CORPORATE LIMITS OF THE CITY OF MANHATTAN, KANSAS; INCORPORATING BY REFERENCE THE “NATIONAL ELECTRICAL CODE” EDITION OF 2017, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KS:

SECTION 1. That Section 8-47 of Chapter 8 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to read as follows:

Section 8-47. Adoption of the National Electrical Code.

There is hereby incorporated by reference for the purpose of establishing standards for the protection of the public health, safety and welfare within the corporate limits of the City of Manhattan, Kansas, that certain electrical code known as the National Electrical Code (NFPA 70), 2017 Edition, including Annex A, B, C, D, E, F, G, H, I and J, a standard of the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts, 02169, save and except such articles, sections, parts or portions as may be hereinafter omitted, deleted, modified or changed. No fewer than one (1) copy of such publication shall be marked or stamped “Official Copy as adopted by Ordinance No. 7432”, and shall be attached to a copy of this ordinance and filed with the city clerk and open for inspection and available to the public at all reasonable hours. All administrative departments of the city charged with enforcement of this code shall be supplied, at the cost of the city, such number of official copies, similarly marked, as may be deemed expedient.

SECTION 2. That Section 8-48 of the Code of Ordinances, City of Manhattan, Kansas, is hereby amended to read as follows:

Section 8-48. Amendments.

The National Electrical Code, adopted by Section 8-47 is hereby changed, altered, modified and otherwise amended as follows:

1. Article 210.12 of the National Electrical Code is hereby changed to read as follows:

Article 210.12 Arc Fault Circuit Interrupter Protection.

- a. **Definition.** 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, Sleeping Rooms, Guest Rooms And Dormitories.** All branch circuits that supply 125 volt, single phase, 15 and

20 ampere receptacle outlets installed in dwelling unit bedrooms, sleeping rooms, guest rooms and dormitories shall be protected by an arc-fault circuit interrupter(s) of the combination type.

2. Article 300.5(C) of the National Electrical Code is hereby amended to read as follows:

Article 300.5(C) Underground Cables Under Buildings. Underground cable installed under a building shall be in a raceway.

3. Article 334.10 of the National Electrical Code is hereby amended to read as follows:

Article 334.10 Uses Permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following:

1. One and two family dwellings
2. Multi-family dwellings permitted to be of Type III, IV and V construction

A) Type NM. Type NM cable shall be permitted as follows:

- (1) For both exposed and concealed work in normally dry locations except as prohibited in section 334.10(3).
- (2) To be installed or fished in air voids in masonry block or tile walls.

B) Type NMC. Type NMC cable shall be permitted as follows:

- (1) For both exposed or concealed work in dry, moist, damp or corrosive locations, except as prohibited by 334.10(3).
- (2) In outside and inside walls of masonry block or tile.
- (3) In a shallow chase in masonry, concrete or adobe protected against nails or screws by a steel plate at least 1/16 inch thick and covered with plaster, adobe or similar finish.

C) Type NMS. Type NMS cable shall be permitted as follows:

- (1) For both exposed and concealed work in normally dry locations except as prohibited by 334.10(3).
- (2) To be installed or fished in air voids in masonry block or tile walls.

4. Article 334.12 of the National Electrical Code is hereby amended to read as follows:

Article 334.12 Uses Not Permitted.

A) Types NM, NMC and NMS. Types NM, NMC and NMS cables shall not be permitted as follows:

- (1) In any structure not specifically permitted in 334.10 (1) and
- (2) As service entrance cable.

- (3) In hoistways or on elevators or escalators.
- (4) Embedded in poured concrete or aggregate.

B) Types NM and NMS. Type NM and NMS cables shall not be used under the following conditions or in the following locations:

- (1) Where exposed to corrosive fumes or vapors.
- (2) Where embedded in masonry, concrete, adobe, fill or plaster.
- (3) In a shallow chase in masonry, concrete, or adobe and covered with plaster, adobe or similar finish.
- (4) Where exposed or subject to excessive moisture or dampness.

5. Articles 406.4(D)(4), 406.4(D)(5) and 406.4(D)(6) of the National Electrical Code are hereby deleted.

10. Article 406.9(B)(1) of the National Electrical code is hereby amended to read as follows:

Article 406.9(B)(1) 15 and 20 Ampere Receptacles in a Wet Location. 15 and 20 ampere, 125 and 250 volt receptacles installed in a wet location shall have an enclosure for the receptacle that is weatherproof when the receptacle is covered (attachment plug cap not inserted and receptacle covers closed). All 15 and 20 ampere 125 and 250 volt non locking type receptacles shall be listed weather resistant type.

SECTION 3. Ordinance No. 7231 and all other ordinances, or portions thereof, in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after January 1, 2020, and its publication in the official city newspaper.

**PASSED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS,
THIS 18TH DAY OF JUNE, 2019.**


Michael I. Dodson, Mayor

ATTEST:


Gary S. Rees, MMC, City Clerk




(PUBLISHED IN *THE MANHATTAN MERCURY* ON JUNE 23, 2019)

ORDINANCE NO. 7432 SUMMARY

On June 18, 2019, the City of Manhattan, Kansas adopted the following ordinance:

AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, REGULATING ELECTRICAL WIRING AND APPARATUS WITHIN THE CORPORATE LIMITS OF THE CITY OF MANHATTAN, KANSAS; INCORPORATING BY REFERENCE THE “NATIONAL ELECTRICAL CODE” EDITION OF 2017, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

The Ordinance adopts the 2017 National Electrical Code and makes certain amendments to that code as more specifically described in the ordinance. The complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 1101 Poyntz Ave., Manhattan, KS 66502, Monday – Friday, 8 a.m. – 5 p.m., and is available for at least one week following the publication date of this summary at www.cityofmnhk.com. This Summary certified to be legally accurate and sufficient by Assistant City Attorney Rachel Zenger.


Assistant City Attorney
Date certified: 6-18-19