

ORDINANCE NO. 806

AN ORDINANCE OF THE TOWN OF MILLIKEN, COLORADO, ADOPTING THE 2020 EDITION OF NFPA 70, THE NATIONAL ELECTRICAL CODE

WHEREAS pursuant to Section 1-1-40 of the Milliken Municipal Code, the Board of Trustees for the Town of Milliken, Colorado, ("Board") is authorized to adopt codes by reference as allowed under article 16 of title 31 of the Colorado Revised Statutes ("Statutes");

WHEREAS following notice in accordance with statutory requirements the Board conducted a public hearing in accordance with section 31-16-203 of the Statutes regarding whether to adopt the 2020 Edition of NFPA 70, the National Electrical Code;

WHEREAS the Board of Trustees for the Town of Milliken, Colorado, ("Board") finds that updates to the Milliken Municipal Code respecting electrical installations are necessary and required in the interest of the health, safety and welfare of the people;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, COLORADO, AS FOLLOWS:

Section 1. Section 18-3-10 of the Milliken Municipal Code is amended to read in its entirety as follows:

Sec. 18-3-10. National Electrical Code adopted.

The 2020 Edition of NFPA 70, National Electrical Code, ("NEC") published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts, 02169-7471, is hereby adopted by reference as the Town of Milliken Electrical Code as if fully set out in the ordinance codified herein with the additions, deletions, insertions and changes set forth in this Article, and such adoption is to have the same force and effect as if set forth herein in every particular. Except as otherwise provided herein and excepting any penalty clauses set forth therein, the NEC is adopted in full, including the outline of contents, index and all appendices thereto. References in this Article to the "National Electric Code" shall mean the NEC as so adopted.

Section 2. Section 18-3-20 of the Milliken Municipal Code is amended to read in its entirety as follows:

Sec. 18-3-20. Copy on file.

At least one (1) copy of the National Electrical Code, certified to be a true copy, is now on file with the Town Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Section 3. If any part or parts of this ordinance or the code herein adopted by reference are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this ordinance or such code. The Town Board hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

Section 4. Any repeal of any existing ordinance or municipal code provisions or portions thereof set forth herein or by implication of any amendment (a) shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or municipal code provision or portion thereof hereby repealed prior to the taking effect of this ordinance and (b) shall not repeal the repealer clauses of such ordinance or municipal code provision or revive any ordinance or municipal code provision.


Section 5. Giving this ordinance immediate effect is necessary to the immediate preservation of the public peace, health, or safety because failure to give the ordinance immediate effect would impose substantial additional costs on construction related activities due to the legislature's approval of HB22-1362 at a time when economic concerns, including rising costs, threaten the financial well being of individuals and the businesses that employ them, putting the ability to pay for basic needs at risk.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 28 DAY OF June 2023.

TOWN OF MILLIKEN


By: Elizabeth Austin, Mayor

ATTEST:


Caree Rinebarger, Town Clerk

APPROVED AS TO FORM:


Matthew T. Gould, Town Attorney