


City Commission Memorandum
12-14

January 18, 2012

TO: Mayor Steve Austin and the Board of Commissioners

FROM: Russell R. Sights, City Manager 

SUBJECT: Amend Ordinance Regarding Natural Gas Service

An item for the agenda of the Tuesday, January 24, 2012 meeting is final reading of an ordinance adopting National Fire Protection Association (NFPA) 54, National Fuel Gas (NFG) Code, and amending certain sections of Chapter 23 of the City's Code of Ordinances relating to Natural Gas Service.

The National Fire Protection Association 54, National Fuel Gas Code is a safety code that applies to the installation of fuel gas (other than liquefied petroleum) piping systems, appliances, equipment, and related accessories.

Gas department personnel have conducted a review of city ordinances for conformity with the updated NFPA 54-2012 Code. During that process it was determined that several sections of Article III, *Gas Services* of Chapter 23, *Utilities*, of the City's Code of Ordinances needed to be updated and/or repealed.

The attached document represents the requested changes which include the adoption of the 2012 edition of NFPA 54, National Fuel Gas Code along with all subsequent amendments and additions. Further changes include provisions that certain types of pipe are not allowed for use by or with our system; provisions for commercial/industrial inspection and compliance; ownership and responsibility; pipe joining methods; installation; meter and related equipment replacement or alterations; and Gas Allocations.

Mr. Owen Reeves, Gas System Director, will be in attendance to answer any questions that you may have.


Your approval of the attached ordinance is requested.

c: Owen Reeves

Gas Department Memorandum
12-01

January 5, 2012

TO: Russell Sights, City Manager

FROM: Owen R. Reeves, Gas System Director 

SUBJECT: Natural Gas Code Amendments

At the request of HMG staff a meeting was held late last year to clarify existing issues as related to natural gas codes including venting. In addition to staff, Ernest Bates, the assigned state inspector for HVAC was also in attendance. Discussions include jurisdiction clarifications as well as clarifications on each entities processes regarding building construction as it relates to natural gas service and venting.

As a result of this meeting and prior recommendations from staff, current codes were reviewed and updated or amended as proposed. From a code enforcement perspective there are no major changes as the National Fire Protection Association (NFPA 54); National Fuel Gas Code has been our standard for in excess of twenty years. Our personnel have gone to state training as provided by KGA on the National Fuel Gas Code since I have been Director and prior. In general terms we are seeking codification, as predating back to 1965 the recognized code was Southern Standard which in general terms has morphed into NFPA 54.

Nearly all of the HVAC/plumbing contractors that perform work in our service territory are aware of our requirements and the expectations we have proposed herein. There is one item contained in NFPA 54 where we will be stepping up enforcement. The requirement regards pre-inspection approval of gas piping within the building, specifically that all gas piping be exposed for visual review prior to dry walling. This parallels plumbing and HVAC requirements, to have pipe and ducts exposed to view for inspection. Though many contractors are following this requirement, some education and transition is expected over the next few months.

Tom Menner, Operations Manager and I will be in attendance should there be any questions.

cc: Tom L. Menner

ORDINANCE NO. 02-12

ORDINANCE ADOPTING NATIONAL FUEL GAS CODE AND
AMENDING SECTIONS OF GAS SERVICES PROVISIONS OF
CODE OF ORDINANCES

SUMMARY: AN ORDINANCE ADOPTING BY REFERENCE THE 2012 EDITION OF NFPA 54 (THE NATIONAL FUEL GAS CODE), AND ALL SUBSEQUENT AMENDMENTS AND ADDITIONS THERETO; AND WITH CERTAIN REQUIREMENTS OF THE CITY OF HENDERSON; AND AMENDING AND/OR REPEALING CERTAIN SECTIONS OF GAS SERVICES PROVISIONS IN CITY’S CODE OF ORDINANCES

BE IT ORDAINED by the City of Henderson, Kentucky as follows:

1. That the 2012 edition of NFPA 54 / ANSI Z223.1 *National Fuel Gas Code*, and all amendments thereto and subsequent editions thereof, published by The National Fire Prevention Association, which code shall regulate the design, fabrication, erection, construction, enlargement, inspection, testing, acceptance, alteration and repair of natural gas systems installed in buildings served by Henderson Municipal Gas (whether inside or outside the city limits) is hereby adopted in full as an ordinance of the city as if set out at length herein. The Director of Henderson Municipal Gas or his designee(s) will administer and enforce this code and be the “Authority Having Jurisdiction” as prescribed by this code.

2. That regardless of provisions that may or may not be contained in the 2012 National Fuel Gas Code, or any amendments or subsequent editions thereto, the following requirements shall apply for the natural gas system of the City of Henderson:

- a) Galvanized steel pipe is not allowed to be used for gas service.
- b) CSST or Tract pipe is not allowed to be used for gas service.
- c) Copper pipe or tubing is not allowed to be used for gas service.
- d) Any commercial building which changes its business name or its use shall be re-inspected in light of it’s new function (for example, a beauty parlor has different requirements that an insurance office.)
- e) Any commercial/ industrial building will comply with section 9.4.3 regardless of height of building.

BE IT FURTHER ORDAINED that certain sections of Article III. *Gas Services*, of Chapter 23, *Utilities*, of the City’s Code of Ordinances are hereby amended and/or repealed as follows:

PUBLICATION DATE: _____

FIRST READING: 01/10/2012
SECOND READING: 01/24/2012

Sec. 23-48. Ownership and responsibility.

~~(a) — The service line and tap consists of the connection at the main and necessary pipe to extend to the meter. This connection is made by the gas department, or its representative. The service line remains the property of the property owner.~~

(a) — The natural gas service line is the property of Henderson Municipal Gas (City of Henderson/HMG). HMG has jurisdiction from the tap on the main to the meter set location (typically at the residence) and reserves the right to remove facilities not in use for periods in excess of 6 months.

(b) The materials, installation and location of the customer service line shall be subject to requirements and specifications contained herein. Such line shall be subject to the inspection and test at any time as provided. ~~herein, but the gas department assumes no responsibility for its condition.~~

Sec. 23-49. Materials.

~~(a) — Where more than one length of pipe is required, welding shall be used to join the lengths of service pipe.~~

~~(b) — When welding is used, the welding procedures and the quality of welding shall conform to the procedures and processes in A.S.A. B 31 1 8 1955 Code for pressure piping for welds on piping systems intended to operate at less than twenty (20) percent of the specified minimum yield strength.~~

(a) — Materials used will be in accordance with 49 CFR 192-subpart “B”. Pipe joining will be in compliance with 49 CFR 192 Subpart “E” Welding of Steel in Pipelines or Subpart “F”, Joining of materials other than by welding and be performed by HMG personnel for mains and services.

Sec. 23-50. Installation.

(a) As soon as possible, the customer, owner, or his representative, shall contact the gas department for information as to size, location, cost and termination points of the service. At the time of gas service request, the account owner shall provide a contact number, which may be a cell phone or home phone or some other acceptable method of contact for safety and public awareness purposes.

(e) — Residential natural gas service installations shall be free for the first 100 feet to the extent installation is typical in the opinion of the Gas Director. Beyond 100 feet an estimate will be provided to owner and HMG shall be reimbursed costs up to limit of estimate. A standard house meter and regulator shall be supplied at no cost.

(f) Commercial natural gas service shall be installed for free for the first 100 feet of service to the extent the installation shall be typical. For any length exceeding 100 feet an estimate will be provided to owner and HMG shall be reimbursed at cost up to limit of the estimate. Rates and fees shall be as on record with Henderson Municipal Gas. A standard meter (250/425) and regulator (standard pressure) shall be provided free of charge. Any larger volume meters, higher costs meters, and/or regulator required for service will be included in estimate minus the cost of a typical meter set installation.

(g) HMG may extend up to 200 feet of main at no cost for expanded natural gas use at the discretion of the Gas Director. Anticipated additional service(s), size of pipe (diameter), and type of material will all be factors in consideration of an extension. Costs in excess of the 200 feet (if allowed for free) will be borne by the person(s) requesting natural gas service to unserved locations.

Sec. 23-52. Meters and service pressure regulators in general.

~~(f) Where necessary to make piping alterations, a gas fitter or plumber may remove the meter by first closing the meter stop, then disconnecting both the meter by first closing the meter stop, then disconnecting both the inlet and outlet of a meter and notifying the gas department of the removal. Persons not in the employ of, or not having permission from the gas department are forbidden to reconnect either the inlet or the outlet of the meter. The meter cock shall be left shut off and the service line outlet shall be plugged. The gas department shall be notified to reconnect the meter and turn on the gas. Only HMG personnel shall be allowed to remove or replace gas meters and related equipment such as regulators. HMG maintains jurisdiction to the outlet of the meter. The owner of property shall have house piping installed in accordance with current requirements as outlined in other sections.~~

Sec. 23-57. Additional industrial or commercial customers, Sec. 23-58, Combining of gas allocations by individual customer; allocation remains with property after transfer, Sec. 23-59, Retention of allocation following reconstruction or eminent domain, and Sec. 23-60, Penalty for exceeding allocation, are hereby deleted and repealed in their entirety.

All ordinances or parts of ordinances in conflict herewith are hereby repealed and superseded to the extent of such conflict.

This ordinance shall become effective upon its legal adoption.

On first reading of the foregoing ordinance, it was moved by Commissioner Robert M. Mills, seconded by Commissioner Robert Pruitt, that the ordinance be adopted on its first reading.

On roll call the vote stood:

Commissioner Mills: AYE Commissioner Taylor: AYE
Commissioner Farmer: AYE Mayor Austin: AYE
Commissioner Pruitt: AYE

WHEREUPON, Mayor Austin declared the ordinance adopted on first reading and ordered that it be presented for a second reading at a meeting of the Board of Commissioners.

On second reading of the ordinance, it was moved by Commissioner _____, seconded by Commissioner _____, that the ordinance be adopted.

WHEREUPON, the vote was called. On roll call the vote stood:

Commissioner Mills: _____ Commissioner Taylor: _____
Commissioner Farmer: _____ Mayor Austin: _____
Commissioner Pruitt: _____

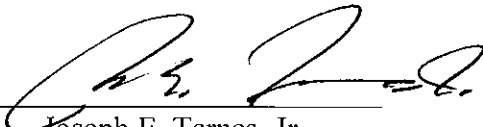
WHEREUPON, Mayor Austin declared the ordinance adopted, affixed his signature and the date and ordered that it be recorded.

Steve Austin, Mayor
Date: _____

ATTEST:

Carolyn Williams, City Clerk

**APPROVED AS TO FORM AND
LEGALITY THIS 5th DAY OF
JANURAY, 2012.**

By: 

Joseph E. Ternes, Jr.
City Attorney