

COUNCIL ACTION FORM

SUBJECT: CITY ELECTRICAL CODE UPDATE TO COMPLY WITH NEW STATE ELECTRICAL CODE REQUIREMENTS

BACKGROUND:

The National Electrical Code (NEC), published by the National Fire Protection Association (NFPA), is the model code widely adopted throughout the nation's cities, counties, and states, including the State of Iowa, all major Iowa communities, and the City of Ames. The NEC is updated at three year intervals to reflect the latest improvements in public safety technologies and methods. The City and the State have historically adopted the latest NEC to become effective approximately six months after public release. The 2008 NEC was released in July, 2008, and the State adopted it effective January 1, 2009. The City of Ames has historically mirrored the State's action to assure consistency of State and local standards for electricians and the general public. Staff is behind schedule in presenting this item for Council action. The attached ordinance will correct this situation.

The proposed brief text revisions have been discussed and are recommended by the Ames Electrical Board for Council approval and adoption. Local electricians are aware of the proposed changes and are anticipating enactment not later by July.

The revisions will be made to Chapters 5 and 7 of the Municipal Code. Such redundancy is not typical, but is needed in this instance due to an oversight that occurred in July, 2007 when the Building, Electrical, Mechanical, and Plumbing Codes were consolidated into one reorganized Chapter 5. It was Staff's intent to delete the prior separate Electrical, Mechanical, and Plumbing Chapters (7, 32, and 21) at the time consolidation took place. It was recently discovered this was accomplished for Mechanical, but was not accomplished for Electrical or Plumbing. It is Staff's intent to correct this oversight during upcoming discussions with the Boards which will commence early this fall and will culminate with recommended adoption of the remaining 2009 International Codes next spring.

ALTERNATIVES:

1. Approve the proposed text revision as presented to align the Ames Electrical Code with the State Electrical Code as recommended by the Ames Electrical Board.
2. Reject the recommendation to approve the proposed text revision as presented.
3. Approve only some portion(s) of the proposed text revisions.

MANAGER'S RECOMMENDED ACTION:

The proposed text revision will make the City Electrical Code consistent with the State Electrical Code, and is recommended by the City of Ames Electrical Board. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the proposed revisions to the City of Ames Electrical Code.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ADOPTING SECTIONS 5.100(11) AND 7.101 ELECTRICAL RULES AND REGULATIONS FOR THE PURPOSE OF ADOPTING THE NEWEST NATIONAL ELECTRICAL CODE REQUIREMENTS; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing the current Sections 5.100(11) and 7.101 and adopting new Sections 5.100(11) and 7.101 as follows:

“Sec. 5.100. TITLE & ADOPTION.

These regulations shall be known as the Building Code of the City of Ames, hereinafter referred to as “this code.”

(11) **Electrical.** The provisions of the 2008 National Electrical Code (NEC), as adopted and amended in this code, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

(a) Section 334.10 of the said National Electric Code is amended by substituting the following for subsections (i) through (iii):

‘Type NM, Type NMC and Type NMS cables shall be permitted to be used in: (i) one-family dwellings and associated accessory buildings, (ii) two-family dwellings and associated accessory buildings, (iii) multi-family dwellings and associated accessory buildings. All other structures shall be wired using other methods as allowed by the National Electrical Code.’

(b) All references in the aforesaid 2008 National Electric Code to the building code shall be deemed a reference to the applicable code set out in and adopted by Chapter 5 of the Municipal Code of the City of Ames, Iowa.

Sec. 7.101 ELECTRICAL RULES AND REGULATIONS.

(1) The 2008 National Electric Code, as adopted by the Iowa Electrical Exam Board, and published by the National Fire Protection Association, Quincy, Massachusetts, is hereby adopted as the electrical code of the City of Ames and shall govern electrical work and installations in the City of Ames, except for such specific, higher standards and requirements as have been or may from time to time be enacted by the City of Ames. Violations of the standards of said rules, or failure to comply with the provisions of said rules shall, when occurring within the jurisdiction of the City of Ames, constitute an offense against the City of Ames.

(2) Section 334.10 of the said National Electric Code is amended by substituting the following for subsections (i) through (iii):

‘Type NM, Type NMC and Type NMS cables shall be permitted to be used in: (i) one-family dwellings and associated accessory buildings, (ii) two-family dwellings and associated accessory buildings, (iii) multi-family dwellings and associated accessory buildings. All other structures shall be wired using other methods as allowed by the National Electrical Code.’

(3) All references in the aforesaid 2008 National Electric Code to the building code shall be deemed a reference to the applicable code set out in and adopted by Chapter 5 of the Municipal Code of the City of Ames, Iowa.

(*Ord. No. 3220, Sec. 1, 3-23-93; Ord. No. 3514, Sec. 1, 1-26-99, Ord. No. 3693, 11-26-02; Ord. No. 3860, 11-22-05.*)”

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, 2009.

Diane R. Voss, City Clerk
O01013

Ann H. Campbell, Mayor