



COUNCIL AGENDA: 06-21-05

ITEM: 2.18

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: See Below

DATE: June 9, 2005

Approved

Date

6/09/05

COUNCIL DISTRICT: Citywide

SUBJECT: ADOPTION OF THE 2002 EDITION OF THE NATIONAL ELECTRICAL CODE

RECOMMENDATION

Approval of an Ordinance amending Title 24 of the San Jose Municipal Code to adopt the 2002 edition of the National Electrical Code (NEC) with the State of California amendments, but with no local amendments, as the City of San Jose Electrical Code.

BACKGROUND

The City of San Jose is currently using the 1999 edition of the NEC. The State of California has formally adopted the 2002 edition of the NEC. The State published their amendments to the NEC on February 1, 2005, but did not adopt a new edition of the Building, Plumbing or Mechanical Codes. According to State Law, the 2002 edition of the NEC, with State amendments, will become effective on August 1, 2005 in all jurisdictions throughout California.

Based on Council direction to staff on 1/25/05 concerning Ordinance No. 27341, the City of San Jose's Fire Department and Department of Planning, Building and Code Enforcement are jointly preparing an additional Ordinance addressing the requirements for an "Emergency Power Riser" in High-Rise buildings. Originally, this was conceived to take place as part of the Electrical Code adoption, but it became clear that it would need to be a Building Code amendment. State-mandated deadlines for adopting the Electrical Code did not leave enough time to conduct the Public Outreach necessary for revising the Building Code. Staff expects to bring this before Council by September 2005.

ANALYSIS

The State of California in the past has published revised editions of the model Building, Plumbing, Mechanical and Electrical Codes every three years. These are used as the basis for San Jose's Building, Plumbing, Mechanical and Electrical Codes. Due to various issues at the

State level, the State Building Standards Commission has delayed publishing new editions of the Building, Plumbing and Mechanical Codes but was able to publish a new edition of the NEC. The State mandates that the 2002 edition of the NEC, published by the National Fire Protection Association, as amended by the State, be enforced by local jurisdictions effective August 1, 2005.

The City of San Jose Building Division continues to lead a regional program to streamline and unify the local code amendments and interpretations throughout the Bay Area. This program is supported by Joint Venture: Silicon Valley, the Silicon Valley Manufacturing Group and other industry and professional groups, including the Peninsula, East Bay and Monterey Chapters of the International Code Council (ICC). As a result of this program, San Jose had eliminated any local amendments to the NEC.

The only amendments to the provisions in Title 24 of the City of San Jose Municipal Code, including provisions for permit issuance, permit exemptions, plan check, and inspection requirements for all four codes (Building, Plumbing, Mechanical and Electrical) are to ensure proper cross references to the newly adopted Code and to clearly set forth that the new Electrical Code requirements will be applicable to all permit applications filed on or after August 1, 2005.

The City of San Jose is adopting the 2002 National Electrical Code (NEC) with no local amendments, but as referenced above under Background, an additional Ordinance is being jointly prepared by the City of San Jose Fire Department and the Department of Planning, Building and Code Enforcement to require an "Emergency Power Riser" in High-Rise buildings. This future Ordinance will be a local amendment to the Building Code, and is expected to be presented to Council in September 2005.

COST IMPLICATIONS

The City of San Jose permit fees are established in the City of San Jose Fee Resolution. This Electrical Code Adoption Ordinance does not modify any existing fees. No fee changes are proposed as part of the Ordinance. It is expected that there will be little or no negative financial impact on the construction industry as a result of the adoption of the 2002 NEC. There may be a minor positive impact on construction costs in the allowed expanded use of non-metallic sheathed cables (NM).

OUTCOME

This Ordinance will replace the 1999 NEC with the 2002 NEC, keeping the City of San Jose's Electrical Code in alignment with the mandated requirements of the State of California Building Standards Commission. The 2002 NEC is the latest and most up-to-date version allowed by the State, and will keep the City current with surrounding jurisdictions.

COORDINATION

HONORABLE MAYOR AND CITY COUNCIL

May 31, 2005

Subject: **ADOPTION OF THE 2002 EDITION OF THE NATIONAL ELECTRICAL CODE**

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The relevant sections of the proposed ordinance were coordinated with the Fire and Public Works Departments. This memorandum and the proposed ordinance were coordinated with the City Attorney's Office.

CEQA

Not a Project.

 For
Stephen M. Haase

STEPHEN M. HAASE, DIRECTOR
Planning, Building and Code Enforcement