

October 3, 2005

**Honorable Mayor and Members of the
Hermosa Beach City Council**

**Regular Meeting of
October 11, 2005**

**SUBJECT: ADOPTION OF THE 2004 EDITION OF THE CALIFORNIA ELECTRICAL CODE
INCORPORATING LOCAL AMENDMENTS**

Recommendation:

That the City Council waive further reading and adopt the attached Resolution and Ordinance.

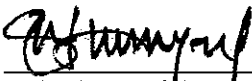
Summary:

As a general law city, Hermosa Beach is required to enforce the codes adopted by the State with amendments as required for administration and local conditions. Adoption of the 2004 Edition of the California Electrical Code will bring the city into conformity with the current electrical code (National Electrical Code, 2002 Edition) adopted by the State Building Standards Commission and include local amendments originally adopted under the 2001 California Building Code. In addition, the amendments include a new requirement that all construction sites requiring temporary power install temporary power poles in order to alleviate the problem of noisy gas generators that are sometimes used to supply temporary power to construction equipment.

Analysis:

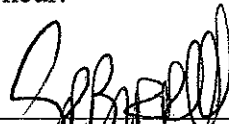
The California Electrical Code regulates and safeguards persons and property from hazards arising from the use and installation of conductors and equipment that connect to the supply of electricity. In addition to the provisions adopted by the state, Section 15.32 of the HBMC provides local amendments for fees, dedicated raceways and conduits for condominium development passing between units, required risers on poles and buildings and utility undergrounding for all new construction and all other construction where the costs exceeds 50% of the existing building valuation. These amendments will be carried forward with adoption of the 2004 Edition of the California Electrical Code. Additionally, all construction sites for which temporary power must be supplied will be required to provide a temporary power pole prior issuance of a building permit. Section 15.32.130 has been added as follows: 15.32.130 Temporary Power Poles.

All construction sites for which temporary power must be supplied because there is no electrical service shall provide a temporary power pole prior to issuance of a building permit. Said power pole shall remain installed until the project has received final approval and electrical service has commenced. Generators are prohibited as a substitute for a temporary power pole.



Sol Blumenfeld, Director
Community Development Department

Concur:



Stephen R. Burrell
City Manager

Attachments:

1. Resolution
2. Ordinance
3. Chapter 15.32 HBMC

P:/ElectricalCodeAmendment

RESOLUTION NO. 05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, MAKING FINDINGS IN SUPPORT OF ADOPTION OF AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ADOPTING BY REFERENCE THE "CALIFORNIA ELECTRICAL CODE" 2004 EDITION AND THE APPENDICES THERETO, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, DELECTIONS AND EXCEPTIONS INCLUDING FEES AND PENALTIES.

A. Recitals

Section 1. Recitals.

- (i) Section 17922 of the California Health & Safety Code mandates the adoption, by reference, of the uniform code.
- (ii) At least one copy of the code identified in this Ordinance and certified as full, true and correct copy thereof by the City Clerk of the City of Hermosa Beach have been filed in the office of the City Clerk of the City of Hermosa Beach in accordance with the provisions of California Government Code § 50022.6
- (iii) All legal prerequisites to the adoption of this Ordinance have occurred.

B. Resolution

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. This Council does hereby expressly find and determine that the proposed amendments set forth in the attached Ordinance amending the "California Electrical Code 2004 Edition " and the appendices thereto together with certain amendments are necessary for protection and safety of the public in and around buildings.

PASSED, APPROVED and ADOPTED this 11h day of October 2005.

PRESIDENT of the City Council and **MAYOR** of the City of Hermosa Beach,
California

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF HERMOSA BEACH AMENDING CHAPTER 15.32 OF THE HERMOSA BEACH CODE ADOPTING, BY REFERENCE, THE "CALIFORNIA ELECTRICAL CODE," 2004 EDITION AND THE APPENDICES THERETO, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS AND EXCEPTIONS INCLUDING FEES AND PENALTIES.

The City Council of the City of Hermosa Beach does hereby find, determine and ordain as follows:

Section 1. Recitals.

- (i) Section 17922 of the California Health & Safety Code mandates the adoption, by reference, of the uniform code.
- (ii) At least one copy of the code identified in this Ordinance and certified as full, true and correct copy thereof by the City Clerk of the City of Hermosa Beach have been filed in the office of the City Clerk of the City of Hermosa Beach in accordance with the provisions of California Government Code § 50022.6
- (iii) All legal prerequisites to the adoption of this Ordinance have occurred.

Section 2. Section 15.32.010 of Title 15, Chapter 15.32 of the Hermosa Beach City Code is amended to read as follows:

"15.32.010 California Electrical Code – Adopted.

Except as hereinafter provided, the 2004 Edition of the California Electrical Code (Part 3 of Title 24 of the California Code of Regulations), including appendices thereto, which incorporates the National Electrical Code, 2004 Edition, published by the National Fire Protection Association, is hereby adopted by reference with the same force and effect as though set forth herein in full and shall constitute the Electrical Code of the City. A copy of such Code has been deposited in the office of the City Clerk and shall be, at all times, maintained by the Clerk for use and examination by the public.

Whenever the term "building official" appears in said code, it shall mean and refer to the Director of Community Development of the City of Hermosa Beach.

Section 3. Chapter 15.32 of Title 15 of the Hermosa Beach City Code is amended by adding thereto a new Section 15.32.130 to read as follows:

"15.32.130 Temporary Power Pole Required on Construction Sites.

All construction sites for which temporary power must be supplied because there is no electrical service shall provide a temporary power pole prior issuance of a building permit. Said power pole shall remain installed until the project has received final approval and electrical service has commenced. Generators are prohibited as a substitute for a temporary power pole.

Section 4. Adoption of this Ordinance is not a project within the meaning of the California Environmental Quality Act (CEQA) pursuant to Section 15378 of the State CEQA Guidelines.

Section 5. This ordinance shall become effective and be in full force and effect from and after thirty (30) days of its final passage and adoption.

Section 6. Prior to the expiration of fifteen (15) days after the date of its adoption, the City Clerk shall cause this ordinance to be published in the "Easy Reader", a weekly newspaper of general circulation published and circulated in the City of Hermosa Beach, in the manner provided by law.

Section 7. The City Clerk shall certify to the passage and adoption of this ordinance, shall enter the same in the book of original ordinances of said city, and shall make minutes of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted.

PASSED, APPROVED and ADOPTED this _____ day of October 2005, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

PRESIDENT of the City Council and MAYOR of the City of Hermosa Beach, California

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

Chapter 15.32

ELECTRICAL CODE

15.32. 010 Adoption of Electrical Code.

Except as hereafter provided, the California Electrical Code, 2001 Edition (part 3 of Title 24 of the California Code of Regulations), which incorporates and amends the National Electrical Code, 1999 Edition, including the Uniform Administrative Code Provisions published by the National Fire Protection Association, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full. Said code shall comprise the Electrical Code of the City of Hermosa Beach. A copy of the Electrical Code shall be maintained in the office of the City Clerk, and shall be made available for public inspection while the Code is in force .

Whenever the term "jurisdiction" appears in said code, it shall mean and refer to the City of Hermosa Beach.

Whenever the term "building official" appears in said code, it shall mean and refer to the Director of Community Development of the City of Hermosa Beach. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 95-1142 §1 (part), 1995: prior code § 11-1)

15.32. 020 Fees.

Section 304 of said electric code is hereby amended to replace the term "Table No. 3-A." with the term "the most recent resolution adopted by the City Council."

For purposes of determining fees only, the following definitions shall apply:

304.1 New general use branch circuits.

1. The fees prescribed apply to new branch circuit wiring and the lighting fixtures, switches, receptacles, appliances or other utilization equipment permitted to be supplied by these branch circuits.
2. For the purposes of this subsection, each ungrounded conductor of a multiwire branch circuit supplying one appliance may be counted as one circuit.
3. For the purposes of this subsection, three-phase lighting branch circuits are counted as two (2) branch circuits.

304.2 Adding outlets (to existing branch circuits) or temporary lights and yard lighting.

1. Each outlet added to an existing branch circuit shall be counted as one unit and each lighting fixture connected thereto shall be counted as an additional unit except as modified in the following provisions of this subsection.
2. An outlet shall mean a point or place on a fixed-wiring installation from which electric current is controlled, or is supplied to a lamp, lighting fixture, fan, clock, heater, range, motor, or other electrical appliance or equipment.
3. An outlet box for two (2) or more switches or receptacles shall be considered as one unit.

304.3 Motors, transformers, heating appliances and miscellaneous equipment or appliances.

1. The fees prescribed cover the inspection of the supply branch circuit and the utilization equipment supplied therefrom and the control equipment therefore.
2. Except where supplied by branch circuits rated over fifty (50) amperes, the fees required apply only to nondwelling occupancies. The fee for each motor, transformer, heating appliance, welder, rectifier, x-ray machine, storage battery system, infrared industrial heating appliance, cooking or baking equipment, studio effects lighting, and other miscellaneous equipment or appliances shall be given in the rating table of the resolution order.

3. Where fixed equipment is supplied by flexible cords to facilitate servicing or replacement, those fees shall also apply to each receptacle outlet installed for the supply of portable equipment rated larger than three (3) H.P., K.W., or K.V.A.
4. For any equipment or appliance containing more than one motor, or other current consuming utilization components in addition to the motor or motors, the combined electrical ratings converted to K.V.A. of all shall be used to determine the fee. For the purpose of this subsection, one H.P. or one K.W. is equivalent to one K.V.A. The total ampere ratings of all receptacles installed on a factory fabricated wireway assembly for studio effects lighting may be used in computing the fees therefor.
5. The fees for a change of location or replacement of equipment on the same premises shall be the same as that for a new installation. However, no fees shall be required for moving any temporary construction motor from one place to another on the same site during the time of actual construction work after a permit has once been obtained for such motor and the fees required therefor have been paid.

304.4 Required fire warning, communications and emergency control systems. For the purposes of this subsection, devices shall include all signaling equipment, stations, power equipment such as damper actuators or door holding device, and communication jacks or outlets.

304.5 Service and switchboard sections.

1. Fees shall be required for the installation, reinstallation, replacement or alteration of each service and each switch board section.
2. For the purpose of this subsection, a switch board section means any portion of complete switchboard, distribution board, or motor control center which is prevented by the structural framework from being separated into smaller units.
3. The fees for services shall be determined from the ampacity of the set of service entrance conductors or the total ampere rating of the service equipment.
4. No fee need be paid for switchboard section which incorporates service equipment for which service fees were paid. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 95-1142 §1 (part), 1995: prior code § 11-2)

15.32. 030 Condominium installations.

Section 230.4 of said code is amended to read as follows:

230.4 Where conductors serving a condominium pass through a condominium which they do not serve, as in the case of multifamily dwelling structures, said conductors shall be enclosed in an approved conduit or raceway. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 95-1142 §1 (part), 1995: prior code § 11-3)

15.32. 040 Underground Service Laterals Required for New Construction.

All new buildings and structures in the city shall provide underground electrical and communications service laterals on the premises to be served, as hereinafter required. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 95-1142 §1 (part), 1995: prior code § 11-4)

15.32. 050 Service Wires and Cables to be Underground for New Buildings.

All electrical, telephone, community antenna television system (CATV), and similar service wires or cables which provide direct service to new buildings and structures shall be installed underground in compliance with all applicable building and electrical codes, safety regulations and orders, and the rules of the Public Utilities Commission of the State of California. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 95-1142 §1 (part), 1995: prior code § 11-4.1)

15.32. 060 Existing Buildings.

Such service wires shall also be placed underground when existing building or structures are repaired, remodeled or expanded, except where no new dwelling units are created and where the value (as determined for building permit fee purposes as provided by **Section 15.04.040** of this Code) of such repairs or remodeling, in a five-year period, does not exceeds fifty (50) percent of the existing valuation prior to construction. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 96-1149 §1 (part), 1996: Ord. 95-1142 § 1 (part), 1995: prior code § 11-4.2)

15.32. 070 Responsibility for Compliance.

The developer and owner are jointly and severally responsible for complying with the requirements of this chapter and shall make the necessary arrangements with the utility companies for the installation of such facilities. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 95-1142 §1 (part), 1995: prior code § 11-4.3)

15.32. 080 Appurtenances.

For the purposes of this chapter, appurtenances and associated equipment, such as, but not limited to, surface mounted transformers, pedestal-mounted terminal boxes and meter cabinets and concealed ducts in an underground system may be placed aboveground if permitted by and in accordance with the rules of the State Public Utilities Commission. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 95-1142 §1 (part), 1995: prior code § 11-4.4)

15.32. 090 Risers.

Risers on poles and buildings are permitted and shall be provided, by the developer or owner, on the pole which services said property. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 95-1142 §1 (part), 1995: prior code § 11-4.5)

15.32. 100 Waiver of Underground Requirements.

All construction valued in excess of fifty (50) percent of the value of the existing structure, shall require underground installations except where Southern California Edison deems in writing such underground installations infeasible based upon its service requirements or to unavailability of necessary easements. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 96-1149 §1 (part), 1996: Ord. 95-1142 § 1 (part), 1995: prior code § 11-4.6)

15.32. 110 Existing Underground Areas.

On streets where electrical and communications lines have been placed underground or where no overhead lines presently exist on or before July 1, 1977, said lines shall remain permanently underground and no additional electric or communications service facilities shall be added on said streets unless they are placed underground. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 95-1142 §1 (part), 1995: prior code § 11-4.7)

15.32. 120 Application.

Section 15.32.040 of this City code of the City of Hermosa Beach shall not apply to utility lines which do not provide service in the area being developed. (Ord. 99-1192 §1 (part), 06/22/99; Ord. 95-1142 §1 (part), 1995: prior code § 11-4.8)

15.32. 130 Temporary Power Poles.

All construction sites for which temporary power must be supplied because there is no electrical service shall provide a temporary power pole prior to issuance of a building permit. Said power pole shall remain installed until the project has received final approval and electrical service has commenced. Generators are prohibited as a substitute for a temporary power pole.