

## ORDINANCE 17-14

AN ORDINANCE RELATING TO AMENDMENT OF CHAPTER 162 OF THE CITY OF MARION CODE OF ORDINANCES ADOPTING BY REFERENCE THE ICC ELECTRICAL CODE, 2006 EDITION WITH AMENDMENTS, AND THE NATIONAL ELECTRICAL CODE, 2017 EDITION WITH AMENDMENTS, AND PROVIDING PENALTIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA:

Section 1. Chapter 162 of the Code of Ordinances is amended by deleting the same and inserting in lieu thereof the following:

### Chapter 162

### Electrical Code

- 162.01 ICC Electrical Code & National Electrical Code Adopted
- 162.02 Amendments to the Electrical Code
- 162.03 Schedule of Fees
- 162.04 Penalties
- 162.05 Electrical Board of Appeals
- 162.06 Smoke Alarms and Carbon Monoxide Alarms
- 162.07 Clear Space
- 162.08 Receptacles
- 162.09 Garage Branch Circuits
- 162.10 Countertops
- 162.11 Meeting Rooms
- 162.12 Paragraph Added to Article 230
- 162.13 Uses Permitted
- 162.14 Uses Not Permitted

#### **162.01 ICC ELECTRICAL CODE & NATIONAL ELECTRICAL CODE ADOPTED.**

Except as hereinafter amended, there is hereby adopted as the Electrical Code of the City of Marion that certain Electrical Code known as the *ICC Electrical Code-- Administrative Provisions, 2006 Edition* as promulgated by the International Code Council including the referenced *National Electrical Code, 2017 Edition*, as prepared and edited by the National Fire Protection Association, which codes are hereby specifically incorporated by reference and shall be known as the Marion Electrical Code. The provisions of said Electrical Code shall be controlling in the installation, alterations, repairs, removals, renewals, replacements, connection, disconnection and maintenance of all electrical equipment within the corporate limits of the City. For the purpose of this chapter, the term "electrical equipment" means all materials, wiring, conductors, fittings, devices, appliances, luminaires, signs and apparatus or parts thereof comprising an electrical system within a structure or facility.

**162.02 AMENDMENTS TO THE ELECTRICAL CODE.** Certain sections and portions of sections of the *National Electrical Code, 2017 Edition* and *ICC Electrical Code—Administrative Provisions, 2006 Edition*, are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this chapter.

**162.03 SCHEDULE OF PERMIT FEES.** The Marion Electrical Code is hereby amended by deleting Section 404.2 of the *ICC Electrical Code—Administrative Provisions* and replacing said section with a new section as follows:

Section 404.2. Schedule of Permit Fees. A fee for each permit shall be paid as required, in accordance with Schedule E-1 SCHEDULE OF FEES as adopted by resolution.

**162.04 PENALTIES.** The Marion Electrical Code is hereby amended by deleting Section 1003.1.1 to *ICC Electrical Code--Administrative Provisions* and replacing said section with a new section as follows:

Section 1003.1. Penalties. Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant to this code or violates any condition attached to a permit, approval or certificate shall be subject to enforcement and penalties as provided section 1.06 of the Code of Ordinances or may be cited as a municipal infraction under chapter 4 of the Code of Ordinances.

**162.05 ELECTRICAL BOARD OF APPEALS.** The Marion Electrical Code is hereby amended by deleting Chapter 11, Means of Appeal of the *ICC Electrical Code--Administrative Provisions* and inserting in lieu thereof the following:

Chapter 11 Means of Appeal. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals, consisting of The members of the Construction Codes Review Board as established in City of Marion Code of Ordinances Section 30.05. The Building Official or designated representative shall be an ex-officio member without a vote and shall act as secretary of the Board.

The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant, and may recommend to the City Council such new legislation as is consistent therewith. The Board shall hold a regular meeting on the fourth Tuesday of each month, unless there are no appeals or business on file for a hearing.

Nominal appeal fee to the Board of Appeals shall be paid as set forth in Table E-1 SCHEDULE OF FEES as adopted by resolution of the City Council. The appeal shall be valid for one (1) year from the date of the

Board approval to the commencement of work and to the completion of work undertaken pursuant to the approval.

The Board shall have no authority to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.

**FAILURE TO ACT.** In case an appellant or applicant does not exercise his/her rights, act, begin construction or operation or occupancy, as the case may be, in accordance with any appeal, variance or permit granted by the Board within one year after the matter has been acted upon by the Board, such variance or permit shall become null and void.

**162.06 SMOKE ALARMS and CARBON MONOXIDE ALARMS.** The Marion Electrical Code is hereby amended by adding a new Section 102.1.3.1 to the *ICC Electrical Code--Administrative Provisions, 2006 Edition*, as follows:

Section 102.1.3.1. When an electrical service is installed or replaced in a dwelling or multiple dwelling unit building, smoke alarms and carbon monoxide alarms shall be installed as required by the International Residential Building Code for each dwelling unit receiving power from the electrical service.

**162.07 CLEAR SPACE.** The Marion Electrical Code is hereby amended by deleting Section 110.26 (B) to the *National Electrical Code, 2017 Edition* in its entirety and adding the following:

Section 110.26 (B). **CLEAR SPACES.** For electrical equipment located in rooms that contain storage areas, the required working clearances as prescribed in this Article shall be maintained by providing approved rigid barriers and labels.

Exception 1: Within individual residential dwelling units.

Exception 2: Where barriers would obstruct exit pathways the authority having jurisdiction for enforcing this Code may grant an exception or approve an alternate method.

Informational Note: Barriers shall be a minimum of 36 inches in height, the full width of the required working area and meet the load requirements as prescribed by the Building Code for guardrails.

**162.08 RECEPTACLES.** The Marion Electrical Code is hereby amended by adding an additional exception to Section 210.8 (A)(5) of the *National Electrical Code, 2017 Edition*, shall read as follows:

Exception No. 2 to (5): The sump pump receptacle shall not be required to be GFCI protected. A single receptacle supplying a permanently installed sump pump, providing that the sump pump receptacle is permanently and clearly labeled "for sump pump use only" and providing

there is at least one GFI protected duplex receptacle available for use within the room or area in which the sump pump receptacle is located.

**162.09 GARAGE BRANCH CIRCUITS.** The Marion Electrical Code is hereby amended by deleting Section 210.11(C)(4) and adding a new Section 210.11(C)(4) to the *National Electrical Code, 2017 Edition*, as follows:

**(4) Garage Branch Circuits.** In addition to the number of branch circuits required by other parts of this section, at least one additional 120-volt, 20-ampere branch circuit shall be provided to supply the garage receptacle outlet(s) required by 210.52(G).

**162.10 COUNTER TOPS.** The Marion Electrical Code is amended by deleting a portion of Section 210.52(C) of the *National Electrical Code, 2017 Edition* as follows.

Delete Section 210.52 (C)(2) Island Counter Spaces-

**162.11 MEETING ROOMS.** The Marion Electrical Code is hereby amended by deleting Section 210.71 of the *National Electrical Code, 2017 Edition* in its entirety and leaving said Section blank.

**162.12 PARAGRAPH ADDED TO ARTICLE 230.**

1. The Marion Electrical Code is hereby amended by adding a second paragraph to Section 230.26 of the *National Electrical Code, 2017 Edition*, as follows:

Where a service mast is used for the support of service drop conductors, the service raceway shall be a minimum of 2" rigid galvanized steel conduit.

**162.13 USES PERMITTED.** The Marion Electrical Code is hereby amended by repealing Section 334.10 (1) thru (5) of the *National Electrical Code, 2017 Edition*, and replacing it with a new Section 334.10 (1) thru (3) as follows:

Section 334.10. Uses Permitted. Type NM, Type NCM and Type NMS cables shall be permitted in the following:

- (1) One and two-family dwellings
- (2) Multi-family dwelling structures containing not more than twelve (12) dwelling units, except as prohibited in Section 334.12. For the purpose of this Section, multi-family dwelling structures are buildings that contain only dwellings and no other uses.
- (3) Structures and uses, accessory to dwelling units of numbers (1) and (2) above.

**162.14 USES NOT PERMITTED.** The Marion Electrical Code is hereby amended by adding an eleventh and twelfth condition to Section 334.12 (A) of the *National Electrical Code, 2017 Edition* (Uses Not Permitted, Types NM, NMC and NMS cable) as follows:

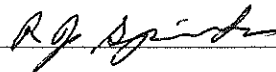
Section 334.12 (A)

- (11) For commercial, educational, ceremonial or public uses.
- (12) Uses not specified in 334.10.

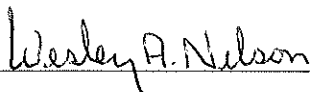
Section 2. Violations of this ordinance shall be punished as provided in section 1.06 of the Code of Ordinances or may be cited as a municipal infraction under chapter 4 of the Code of Ordinances.

Section 3. This ordinance shall be in full force and effect July 1, 2017 and after its passage and publication as by law provided.

Passed and approved this 22nd day of June, 2017.



Raleigh J. Spinks, Jr., Mayor pro tem



Wesley A. Nelson, City Clerk