

COMMUNITY DEVELOPMENT

MEMORANDUM

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Mayor and City Council Members

Cc: Gregg Mandsager, City Administrator
Dave Gobin, Community Development Director

From: Nick Morgan, Inspector

Date: August 16, 2018

Re: An Ordinance Amending Chapter 3 of Title 8 Of City Code to Bring the City of Muscatine Into Better Alignment with the Most Recent Addition of The National Electric Code

As the city electrical inspector, I would like to clean up Title 8 Section 3 of the city code to better reflect today's construction standards. These parts of the city code were adopted thirty or more years ago and the trade has out grown these old codes. The current city code does not provide any additional safety and only drives construction costs up. I believe that deleting sections D, E, and F of Title 8 Chapter 3 will be beneficial for both local and out of town electrical contractors.

The current applicable sections of Title 8 have been in the city code since at least 1986. At this time the NEC only limited Romex type wiring to residential uses. In 2002 The NEC changed the allowed uses to be included in many types of buildings limited by their size and use rather than solely residential vs. non-residential. Title 8-3-2 has not been updated to reflect the allowed uses, in turn restricting contractors in what they can do without adding any additional safety.

Currently, 8-3-2 D is all redundant and unnecessary. It may not have been at the time, but since then the NEC has expanded to cover all of the uses in this section and more. Section E and F are now out dated. The NEC covers when Romex can and cannot be used, and it allows many uses beyond what city code allows. This NEC rule has been in place for sixteen years with almost no change to the verbiage in that time. Typically, if there are any problems with an NEC change they amend it the following year.

Part of the problem with not allowing Romex is that most other cities allow its use, so out of town contractors aren't expecting this rule. Sometimes the contractor does not check with the building department and installs Romex where they aren't allowed to. This puts the building department in a bad position to force them to tear out all of the Romex, and for no real reason other than "because it says so in the city code". This is also unfair to the local contractors who are familiar with the city code. The local contractors price their jobs accordingly and sometimes lose jobs because they are outbid by contractors who do not know the city code disallows Romex.

To summarize, Chapter 8-3-2 section D, E, and F of the city code are out dated and The NEC covers these issues with much more flexibility without sacrificing safety. Less amendments to

the building codes keeps things simpler for all parties involved. There are no anticipated negatives.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 8 OF CITY CODE TO BRING THE CITY OF MUSCATINE INTO BETTER ALIGNMENT WITH THE MOST RECENT ADDITION OF THE NATIONAL ELECTRIC CODE

WHEREAS, the most recent edition of the National Electric Code, as amended and published by the National Fire Protection Association, has been adopted as the Electrical Code for the City of Muscatine, Iowa, insofar as they do not conflict with the regulations set out in Chapter 3 of Title 8 of the City Code; and

WHEREAS, the 2017 edition is most recent edition of the National Electric Code, and except for as specifically amended in Chapter 3 of Title 8 of the City Code, is the Electrical Code for the City Muscatine; and

WHEREAS, Section 8-3-2(D), (E), and (F) of City Code, have been in City Code since 1986, and they establish regulations for the use of armored construction for wiring, conduit wiring, and the use of Romex wiring, these regulations supersede those found in the 2017 edition of the National Electric Code; and

WHEREAS, in 2002 The National Electric Code was changed the allowed use of Romex in many types of buildings limited by their size and use rather than solely residential vs. non-residential as was previously required in the National Electric Code; and

WHEREAS, City has not been changed to reflect this change in the National Electric Code, which in turn restricts contractors in what they can do without increasing building safety; and

WHEREAS, Tie National Electric Code covers the use of armored construction for wiring, conduit wiring, and the use of Romex wiring issues with much more flexibility than does City Code without sacrificing safety;

WHEREAS, the current addition National Electric Code now covers the use of armored construction for wiring, making Section 8-3-2(D) redundant and unnecessary as the National Electric Code adequately addresses this topic; and

WHEREAS, less amendments to the building codes keeps things simpler for all parties involved and makes it easier to build in Muscatine without sacrifice building quality or safety.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA:

SECTION 1.

Title 8, Chapter 3, Section 2, Subsection D of the City Code: Electrical Code, Armored Construction is hereby repealed.

SECTION 2.

Title 8, Chapter 3, Section 2, Subsection E of the City Code: Electrical Code, Unarmored Construction is hereby repealed.

SECTION 3.

Title 8, Chapter 3, Section 2, Subsection F of the City Code: Electrical Code, Conduit Writing is hereby repealed.

SECTION 4.

Title 8, Chapter 3, Section 2, Subsection G of the City Code: Electrical Code, Workmanship is hereby renumbered as Title 8, Chapter 3, Section 2, Subsection D of the City Code.

SECTION 5. Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is repealed.

SECTION 6. This ordinance shall be in effect from and after the passage, approval and publication of this ordinance, as provided by law.

PASSED, APPROVED AND ADOPTED this 16th day of August, 2018.

By the City Council of the City of Muscatine, Iowa

Diana L. Broderson, Mayor

Attest:

Gregg Mandsager, City Clerk

First Reading:

Second Reading:

Third Reading:

Publication: