



Legislation Text

File #: 13-498, **Version:** 2

ORDINANCE Repealing Article 7 and Re-Enacting Article 7 of Chapter 5 of Title VII of the San Leandro Municipal Code, Electrical - Procedure (provides for minor clerical edits)

The City Council of the City of San Leandro does **ORDAIN** as follows:

Section 1. Article 7 of Chapter 5 of Title VII of the San Leandro Municipal Code is hereby repealed.

Section 2. Article 7 is hereby re-enacted to Chapter 5 of Title VII of the San Leandro Municipal Code to read as follows:

“ARTICLE 7. ELECTRICAL - PROCEDURE

Section 7-5-700: **COMMENCEMENT OF WORK.** If the work authorized by any permit issued pursuant to the provisions of this Article shall not be commenced for a period of one hundred eighty (180) days after the date of said permit, or shall be continuously suspended for a period of one hundred eighty (180) days, such permit shall thereupon lapse and become null and void. A lapsed permit may be renewed upon payment of one-half of the fee currently required for a new permit; provided that no changes are made in the original plans and specifications for such work; and provided further that such suspension of work has not exceeded one year.

Section 7-5-705: **CALL FOR INSPECTION.** Within twenty-four (24) hours, exclusive of Saturdays, Sundays and holidays, after the completion of work for which a permit has been issued or upon completion of portions of said work as determined by the Building Official, the permittee shall notify the Building Official in the form and manner prescribed by the Building Official, that said work or portion thereof has been completed.

Section 7-5-710: **INSPECTION OF WORK.** Upon receipt of the notice prescribed by Section 7-5-705, the Building Official shall inspect the work as soon as reasonably practicable. An inspection of the work or portion thereof may also be made at such other times, and as often during the progress of said work as may be deemed necessary or advisable by the Building Official. If the Building Official determines that said work is not in compliance with the provisions of this Article and other applicable regulations, or if for any reason an inspection cannot be made, the Building Official shall disapprove or withhold approval of said work and shall notify the holder of the permit of the action and the reasons therefor.

Section 7-5-715: **CORRECTION OF DEFECTS IN WORK.** Within ten (10) days following receipt of the notice provided in Section 7-5-710, or within such extension of time as may be reasonably granted by the Building Official, the holder of the permit shall correct the work and notify the Building Official that said correction has been made.

Section 7-5-725: INTERFERENCE WITH WORK AFTER APPROVAL. Whenever any electrical wiring or other electrical equipment shall have been inspected and approved, it shall be unlawful thereafter for any person to damage or interfere with the same without authority; and it shall likewise be unlawful thereafter for any person, whether pursuant to authority of the original or any subsequent permit, to change or alter such wiring or other electrical equipment without the approval of the Building Official.

Section 7-5-730: UNLAWFUL TO CONCEAL WIRING OR OTHER EQUIPMENT BEFORE INSPECTION. It shall be unlawful for any person to lath over, seal, or in any manner cover or conceal, or to cause to be lathed over, sealed, or in any manner covered or concealed, any wiring or other electrical equipment for installation of which a permit is herein required, until such wiring or other electrical equipment shall have been inspected and approved by the Building Official. The Building Official shall have the power to require the removal of any obstruction that prevents proper inspection of any electrical equipment.

Section 7-5-735: UNLAWFUL TO MAKE SERVICE CONNECTION WITHOUT APPROVAL OF BUILDING OFFICIAL. It shall be unlawful for any person engaged in the distribution or sale of electrical energy to connect the distribution system, or any live supply or service conductor or conductors from said distribution system, to any electrical equipment in, on or about any building, or to cause or allow any such connection to be made, until the Building Official shall have inspected said electrical equipment and shall have authorized such connection to be made thereto. Every person engaged in the distribution or sale of electrical energy, and owning or operating any electrical distribution system, shall be held responsible for all supply or service connections from such distribution system owned or operated by him; and in any prosecution for violation of this section, if it shall be proved that any electrical distribution system, or any live supply or service conductor therefrom was connected to any electrical equipment in, on or about any building before such connection has been authorized as in Article 5, 6 and 7 provided, such proof shall be prima facie evidence of a violation of this Section by the person owning or operating the said distribution system.

Section 7-5-740: DISCONNECTION OF UNLAWFUL CONNECTION REQUIRED. Whenever the Building Official shall find any electrical distribution system, or any live service conductor therefrom, to have been connected to any electrical equipment in, on or about any building without authority therefor as in Articles 5, 6 and 7 required, the Building Official shall be authorized and empowered to cause such system or conductor to be disconnected from said electrical equipment, or to order and require the same to be disconnected by the person owning or operating said distribution system.

Section 7-5-745: UNLAWFUL TO CONNECT OR USE CERTAIN EQUIPMENT WITHOUT APPROVAL OF BUILDING OFFICIAL. It shall be unlawful for any person to connect, or cause to be connected, to any source of electrical energy any electrical equipment for installation of which a permit is in this Chapter required, or to use electric current in, through, or by means of any such electrical equipment, until such connection and use shall have been authorized by the Building Official.

Section 7-5-755: INSPECTION RELEASE REQUIRED FOR POWER COMPANIES TO MAKE METER INSTALLATIONS, SERVICE CONNECTIONS AND CHANGES OF SERVICE. An inspection release is required whenever any person engaged in the distribution or sale of electrical energy shall set or install, or reset or reinstall in, on, or about any building, any meter for the measurement of

electrical energy or shall connect or reconnect supply or service to any installation of electrical equipment, in, on, or about any building; or shall change the nominal voltage of supply or service to any installation of electrical equipment in, on or about any installation of electrical equipment, in, on or about any building, or shall change any such supply or service from 2-wire to 3-wire or vice versa, or from single phase to poly phase or vice versa, or from direct current to alternating current or vice versa; provided, however, that said inspection release need not be required with respect to any residential type meter installation or reinstallation, or supply or service connection or reconnection, or change of supply or service which shall have been expressly approved or authorized by the Building Official within sixty (60) days previous to the date on which said meter installation or reinstallation, or said change of supply or service, is made.

Section 7-5-760: SAFETY OF ELECTRICAL WORK AND EQUIPMENT REQUIRED. All electrical work shall be so performed, and all electrical equipment shall be so constructed, installed, protected, operated, repaired, and maintained, that said electrical work and electrical equipment will be, to such extent as is reasonably possible, safe, and free from risk or danger of accident or injury by fire, shock, or otherwise, to either person or property.

Section 7-5-765 ENERGY EFFICIENCY MANDATORY MEASURES FOR NEWLY CONSTRUCTED RESIDENTIAL BUILDINGS

ELECTRICAL VEHICLE SUPPLY WIRING

1. For one- or two- family dwellings and townhouses, provide a minimum of:
 - a. One 208/240 V 40 amp, grounded AC outlet, for each dwelling unit; or
 - b. Panel capacity and minimum ¾" conduit for the future installation of a 208/240 V 40 amp, grounded AC outlet, for each dwelling unit.

The electrical outlet or conduit termination shall be located adjacent to the parking area.

2. For other residential occupancies where there is a common parking area, provide one of the following:
 - a. A minimum number of 208/240 V 40 amp, grounded AC outlets equal to 5 percent of the total number of parking spaces. The outlets shall be located within the parking area; or
 - b. Panel capacity and conduit for future installation of electrical outlets. The panel capacity and conduit size shall be designed to accommodate the future installation, and allow the simultaneous charging, of a minimum number of 208/240 V 40 amp, grounded AC outlets, that is equal to 5 percent of the total number of parking spaces. The conduit shall terminate within the parking area; or
 - c. Additional service capacity, space for future meters, and conduit for future installation of electrical outlets. The service capacity and conduit size shall be designed to accommodate the future installation, and allow the simultaneous charging, of a minimum number of 208/240 V 40 amp, grounded AC outlets, that is equal to 5 percent of the total number of parking spaces. The conduit shall terminate within the parking area.

When the application of the 5 percent results in a fractional space, round up to the next whole number.

FUTURE ACCESS FOR PHOTOVOLTAIC SYSTEM

An electrical conduit shall be provided from the electrical service equipment to an accessible location in the attic or other location suitable for future connection to a Photo Voltaic system. The conduit shall be adequately sized by the designer but shall not be less than 3/4 inch. The conduit shall be labeled as per the CEC section 690.31 (3) (4). The electrical panel shall be sized to accommodate the installation of a future electrical solar system.

Section 7-5-770: GENERAL POWERS AND AUTHORITY OF BUILDING OFFICIAL. The Building Official designated by the City Manager pursuant to Section 7-5-1100 shall carry out the enforcement of all laws and ordinances and all lawful orders, rules and regulations that are now or may hereafter be in effect with respect to the performance of electrical work and construction, installation, protection, alteration, repair, operation, maintenance, and use of electrical equipment, shall have and shall exercise jurisdiction over and supervision of all electrical work and all electrical equipment insofar and to such an extent as may be necessary for the adequate enforcement of such laws, ordinances, orders, rules and regulations, and shall inspect and re-inspect any and all electrical work and electrical equipment at such times and as often as, in the discretion of the Building Official, may be necessary to determine that such laws, ordinances, orders, rules and regulations shall have been or are in compliance. All electrical equipment now existing or that may hereafter be installed shall be subject to such supervision, inspection and re-inspection.

Section 7-5-780: DISCONNECTION OF ELECTRICAL EQUIPMENT. Whenever the Building Official finds any electrical equipment is or was unlawfully installed, changed, or altered, or was or is operated or used in a manner or under conditions contrary to the provisions of Article 5, 6 or 7 of this Chapter, or of any ordinance, rule, or regulation pertaining thereto, or, in the judgment of the Building Official to be defective or unsafe or dangerous to person or property, the Building Official shall have the authority and power to prohibit the further use thereof until the said unlawful, defective, unsafe, or dangerous conditions with respect thereto are remedied, and said Building Official is likewise further authorized and empowered thereupon summarily to disconnect any such electrical equipment from its source of current supply and to place a seal upon such disconnected equipment, or to disconnect the supply or service wires to the building or premises wherein or whereon such equipment is located and to place a seal thereon, or to order and require the person supplying electrical energy to such equipment to disconnect the supply or service wires and discontinue the supply of electrical energy to such equipment. It shall be unlawful for any person to fail, neglect, or refuse to comply with any such notice within the time and in the manner therein specified.

Section 7-5-785: NOTICE OF DISCONNECTION. Whenever the Building Official, pursuant to Section 7-5-780, disconnects any electrical equipment, or orders and requires the same to be disconnected, a notice in writing, stating the reason for such disconnection, shall be given to the person owning or in charge or control of such electrical equipment, or shall be conspicuously posted on the premises whereon the said equipment is located; and whenever the Building Official likewise disconnects or orders and requires the disconnection of any supply or service wires, notice in writing, stating the reason for such disconnection shall also be given to the person supplying electrical energy through such supply or service wires.

Section 7-5-795: APPROVAL AFTER CONNECTION OF CONDEMNED EQUIPMENT. When any electrical equipment shall have been condemned and disconnected in accordance with the foregoing provisions of this Chapter, it shall thereafter be unlawful for any person to reconnect such electrical equipment to any source of electrical energy, or to cause it to be so reconnected, or to use any electrical current in, through, or by means of such electrical equipment, or to supply any electrical energy thereto, or to remove or break any seal placed thereon, until the unlawful, defective, unsafe, or dangerous conditions with respect to such electrical equipment are remedied and the Building Official shall have inspected and approved the same.”

Section 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of the Ordinance is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part hereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause phrase of the Ordinance irrespective of the fact that one or more of them would be declared unconstitutional or invalid. To this end, the provisions of the Ordinance are declared to be severable.

Section 4. Effective Date and Publication. This ordinance shall take effect on January 1, 2014, and the title thereof shall be published twice prior to adoption pursuant to California Government Code Section 50022.3. The City Clerk is directed to post a complete copy of this ordinance on the City Council Chamber bulletin board prior to its adoption.

Introduced by Councilmember Cutter and passed and adopted this 21st day of October, 2013, by the following vote:

Members of the Council:

AYES: Councilmembers Cutter, Gregory, Lee, Prola, Reed, Souza; Mayor Cassidy(7)

NOES: None (0)

ABSENT: None (0)