

ORDINANCE NO. 2022-016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA ELECTRICAL CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY

The City Council of the City of San Buenaventura does ordain as follows:

SECTION 1: FINDINGS. The City Council finds and determines that local climatic, geological or topographical conditions exist as follows:

- A. Climatic. The City has: 1) periods of high temperatures accompanied by low humidity and high winds each year. These conditions could create an environment in which the fire department may have great difficulty in controlling fires occurring in hillside brush areas as well as structures not having built in fire protection; 2) periods of intense rainfall, which create the need for special drainage precautions; 3) moist coastal air and some corrosive native soil.
- B. Geological. The City has: 1) areas with expansive soils and hillsides that are subject to mudflows and unstable conditions. Special foundation considerations and soils analyses requirements must be in place to provide a reasonable degree of structural integrity for buildings constructed in these areas; 2) several earthquake faults that, when active, will impose unique lateral loads on structures in the City. Special lateral structural design criteria are needed to resist these lateral loads imposed by active earthquake faults in the City; 3) Earthquakes will block/damage roads and limit the Fire Department's ability to access and fight fires. Built-in fire protection systems will provide the initial firefighting services until the Department can arrive on site; 4) areas of corrosive water and areas of very hard potable water. Special piping materials and provisions for on-site water treatment must be made.
- C. Topographical. The City has: 1) Existing hillside and flat land developments require special drainage precautions Structures are subject to water damage without special requirements addressing site drainage; 2) many older City streets are very narrow and difficult for the Fire Department to stage equipment, clear wildland and fight fires. Hillside conditions may also inhibit ocean views.
- D. Administrative. Administrative changes are those made to either sections of the State Building Standards Codes that are not specifically adopted by a State agency or that are needed to coordinate the State Codes with the City's local Charter and Municipal Code. Administrative amendments shall not result in

waiving or reducing the State Building Standards Codes regulations nor create new building standards.

- E. After due consideration, the City Council finds and determines that these local climatic and geological conditions make modifications and changes to the 2022 edition of the California Electrical Code reasonably necessary to provide sufficient and effective protection of life, health and property. A summary the applicable findings as they relate to each local amendment is attached hereto as Exhibit "A," incorporated herein by this reference.

SECTION 2: AMENDMENT TO CODE. Chapter 12.125 of Division 12 of the San Buenaventura Municipal Code ("SBMC") is amended in its entirety to read as follows:

"Chapter 12.125 - Electrical Standards

Section 12.125.010. - Adoption of the California Electrical Code, 2022 Edition.

Pursuant to Government Code sections 50022.1 to 50022.8, inclusive, Part 3 of Title 24 of the California Code of Regulations, known as the California Electrical Code, 2022 Edition ("CEC"), including Annex C, is adopted by reference, subject to the amendments, additions and deletions set forth in this Chapter. One true copy of the CEC is on file in the Office of the Building Official and is available for public inspection as required by law."

Section 12.125.020. - Amendments.

- A. The City Council finds and determines that local climatic and geological conditions exist as follows: The City has moist coastal air and some corrosive native soil.
- B. The CEC is therefore modified, amended, added to, and changed based on the foregoing findings as further set forth below:

- 1. CEC Article 89.108.4.1.1 is added to read as follows:

A separate electrical permit shall be required for the removal and reconstruction of any existing roof top solar photovoltaic system at the same address location. The system shall be reconstructed without modification to the original AHJ approved plan.

- 2. CEC Article 90.1 (D) is added to read as follows:

90.1 (D) 2021 NFPA-70E Section 120.1 et. Seq., and OSHA 1910.147 et. seq. – All line side connections shall first be made electrically SAFE or in the OFF and DE-ENERGIZED condition. This rule applies to both service equipment and distribution equipment. A written service equipment outage

schedule from the serving utility shall be provided to the AHJ for all connections ahead of the service main disconnect. For building electrical distribution system connections all equipment shall be locked out/tagged out prior to commencement of any work. It may be determined by the AHJ to provide a recognized, listed, and experienced third-party evaluation written report for any or all equipment that has been modified beyond the manufacturer's intended use.

Exception: Work performed by qualified utility personnel on equipment under their specific control.

3. CEC Article 230.70 (D) is added to read as follows:

230.70 (D) Multi-meter installations. Electrical service systems of 480 volts or 277/480 volts with provisions for more than one meter shall have a single service disconnecting means for all live parts downstream of the utility connection.

4. CEC Article 680.22 (F) is added to read as follows:

680.22 (F) Pool Shell, Lighting, Receptacles, and Equipment Including Covers, Heaters and Circulating Pumps. When there is a modification, addition, or repair of any of the equipment listed above, all GFCI protection provisions shall be field tested and verified to be in working order or replaced prior to final inspection. This applies to both residential and commercial pools and spas.

5. CEC Article 680.26 (D) is added to read as follows:

680.26 (D) Equipotential bonding. When there is a modification, addition, or repair of any pool shell, pool slide, hand rail, ladder, diving board, deck insert, pool cover, pool heater, pool pump, pool light, or surface deck within 5 feet (1524 mm) of the pool water's edge, all provisions for Pool Equipotential Bonding shall be field-verified to be in good working condition or made to be in good working order prior to final inspection.

6. CEC Article 705.12 (D) is amended to read as follows:

705.12 (D) Suitable for Backfeed. Circuit breakers, if back-fed, shall be suitable for such operations. Quad (space-saving) circuit breakers with a PV system backfeed of more than 20 amps shall not be permitted.

Informational Note: Fused disconnects, unless otherwise marked, are suitable for backfeeding.

SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT. The City Council determines that this Ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code § 21000 *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations § 15000 *et seq.*, the "State CEQA Guidelines") because it does not meet the definition of a "project" under Public Resources Code § 21065 and, to the extent it is determined by a court of competent jurisdiction to be a project, is covered by the common sense exception under 14 California Code of Regulations § 15061(b)(3) as it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance is an action being taken for enhanced protection of the environment and does not have a reasonably foreseeable direct or indirect physical change on the environment or the potential to cause significant effects on the environment.

SECTION 4: SAVINGS CLAUSE. Repeal of any provision of the SBMC or any other City ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5: SEVERABILITY. If any part of this Ordinance is deemed invalid by a court of competent jurisdiction, the City Council intends that said invalidated part is severable and that such decision will not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance is repealed or is deemed invalid by a court of competent jurisdiction, such action will render this Ordinance void and cause such SBMC Ordinance previously in effect prior to amendment by this Ordinance to remain in full force and effect for all purposes.

SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on the 30th day following its final passage and adoption or January 1, 2023, whichever is later.

The foregoing Ordinance was adopted by the City Council of San Buenaventura on November 28, 2022 and ordered published by posting the following vote:

Ayes: Councilmembers Sanchez-Palacios, Brown, Johnson, Halter, Deputy Mayor Schroeder, and Mayor Rubalcava

Noes: None

Absent: Councilmember Friedman



Sofia Rubalcava
Mayor

ATTEST:




Michael B. MacDonald, CMC
City Clerk



APPROVED AS TO FORM:

Andy Heglund
City Attorney

 12/1/2022

Miles Hogan
Senior Assistant City Attorney

Exhibit "A"

After due consideration, the City Council finds and determines that these local climatic and geological conditions make modifications and changes to the CEC reasonably necessary to provide sufficient and effective protection of life, health and property. The CEC is therefore modified, amended, added to, and changed based on the following findings and as further set forth below:

CODE SECTION	AMEND	ADD	DELETE	California Electric Code Local Amendment, Title/Description	FINDINGS
Article 230.70		X		Requires a single disconnect of the building electrical system where multiple electrical meters are installed.	Admin
Article 680 et. Seq.				Requires testing of all GFCI pool receptacles. Customer safety product	Admin
Article 705.12(D)	X			Requires a single disconnect of the building electrical system where multiple electrical meters are installed.	Admin