

Marysville City Council Work Session

April 19, 2010

7:00 p.m.

City Hall

Call to Order

Pledge of Allegiance

Roll Call

Committee Reports

Presentations

Discussion Items

Approval of Minutes (*Written Comment Only Accepted from Audience.*)

1. Approval of March 15, 2010 City Council Retreat Meeting Minutes.
2. Approval of April 5, 2010 City Council Work Session Minutes.
3. Approval of April 12, 2010 City Council Meeting Minutes.

Consent

4. Approval of April 7, 2010 Claims in the Amount of \$1,136,428.65; Paid by Check No.'s 62114 through 62260 with Check Number 61941 Voided.
5. Approval of April 14, 2010 Claims.
6. Approval of April 20, 2010 Payroll.

Review Bids

Public Hearings

New Business

7. Supplemental Agreement No. 1 to the Professional Services Agreement with Otak, Inc. to Provide Consulting Services on the Smokey Point Area Project not to Exceed 95,050.00.
8. Acceptance of the Edward Springs Baffle Project Starting the 45 Day Lien Filing Period for Project Closeout.
9. Renewal of Interlocal Agreement with Snohomish Regional Drug Task Force.
10. Agreement for Caretaker Services and Lease Agreement with Matt Edgerton and Sabra Edgerton at Jennings Memorial Park.

Work Sessions are for City Council study and orientation – Public Input will be received at the April 26, 2010 City Council meeting.

Marysville City Council Work Session

April 19, 2010

7:00 p.m.

City Hall

11. An **Ordinance** of the City of Marysville Amending Certain Chapters in Title 16.12 of the Marysville Municipal Code (MMC) Relating to the Adoption of the National and Cities Electrical Code and Providing for Severability.

Legal

Mayor's Business

12. Board of Appeals Appointments.

Staff Business

Call on Councilmembers

Executive Session

- A. Litigation
- B. Personnel
- C. Real Estate

Adjourn

Special Accommodations: The City of Marysville strives to provide accessible meetings for people with disabilities. Please contact Tracy Jeffries, Assistant Administrative Services Director, at (360) 363-8000 or 1-800-833-6384 (Voice Relay), 1-800-833-6388 (TDD Relay) two days prior to the meeting date if any special accommodations are needed for this meeting.



Council Retreat

March 15, 2010

Pledge of Allegiance / Call to Order

Mayor Dennis Kendall called the March 15, 2010 Council Retreat meeting of the Marysville City Council to order at 6:03 p.m. at Marysville City Hall. He then led those present in the Pledge of Allegiance.

Roll Call

Finance Director Sandy Langdon gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

Council: Councilmember Jon Nehring, Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Absent: None

Also Present: Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, Police Chief Rick Smith, Community Development Director Gloria Hirashima, Public Works Director Kevin Nielsen, Fire Chief Greg Corn, Assistant Chief Martin McFalls, Battalion Chief Jeff Cole, Parks and Recreation Director Jim Ballew, Assistant Human Resources Director Kristie Guy, and Assistant Administrative Services Director Tracy Jeffries

Mayor Dennis Kendall called for a short dinner recess at 6:04 p.m.

Mayor Dennis Kendall called the meeting back to order at 6:27 p.m.

Regional Fire Authority Presentation:

Battalion Chief/Union President Jeff Cole gave a PowerPoint presentation on the purpose of and process for forming a Regional Fire Authority (RFA). This was followed by a question and answer period.

Budget Scenarios:

Finance Director Sandy Langdon discussed General Fund Forecasting and Budget Scenarios with the annexation area in mind. Discussion followed.

Mayor Dennis Kendall called for a short recess at 7:19 p.m.

Mayor Dennis Kendall called the meeting back to order at 7:30 p.m.

Directors' Department Updates:

Jim Ballew updated Council on the following Parks' projects – Qwuloolt Trail, Mother Nature's Window, the Bayview Trail Corridor, Rotary Ranch, and Strawberry Fields. He discussed the current funding climate and consideration of creating a foundation.

Sandy Langdon updated Council on Finance Activities. They are looking at cost-savings projects such as utilizing purchasing cards. This will facilitate purchasing and record-keeping and provide a larger security to assets. Auditors will be coming on April 19. She also discussed updates to and activity on the website.

Kevin Nielsen advised Council of the following Public Works Projects: North End Master Plan Area; fish screen to block off 51st ditch north of 122; Changes to fees; Transportation Projects; Street Maintenance – sidewalk program, overlays, looking at chip sealing option; Solid Waste – reviewing Waste Management contract, looking at Sunnyside area; Wastewater – operating and maintaining; Water – going very well, meeting all requirements, looking at earthquake preparedness; Facilities – maintenance going well, cost savings in contracts; and tabletop exercises for Emergency Management.

Chief Corn informed Council that they are getting lots of capital improvements done and have been very successful in getting grants. Highlights include: training on new air packs, breathing air compressor, Port-o-count machine, and training for air management. New medic unit was received in January. Two new fire engines will be delivered in May.

Chief Smith updated Council on recent police activities, Emergency Management, hiring activity, personnel updates, crime summaries and forecasts.

Kristie Guy discussed HR recruitment efforts related to the annexation, work being done on the online application process, the addition of the risk management officer, and the status of the Wellness Program.

Gloria Hirashima discussed the following: increased permit activity in 2010, online permit software, Qwuloolt Agreement, sign code updates, revamping of the countywide planning policy, Local Improvement District petition, and mobile home park issues.

Mary Swenson thanked the directors for making her job easier during her time as Chief Administrator. She also thanked the Council for all the great years and expressed her appreciation for the hard work and decisions they have made over the years. She thanked the Mayor for the amazing six years and all the support he has given her.

Council and staff thanked Mary for all her support and hard work over the many years.

Recess

Mayor Kendall called a short recess at 9:02 p.m. before going into a ten minute executive session to discuss two real estate items with no action expected.

Executive Session – started at 9:07 p.m.

- A. Litigation
- B. Personnel
- C. Real Estate – 2 real estate items, no action.

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 9:27 p.m.

Approved this _____ day of _____, 2010.

Mayor
Dennis Kendal

Asst. Admin. Svcs. Director
Tracy Jeffries

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 26, 2010

AGENDA ITEM: Agreement for Caretaker Services in Jennings Memorial Park	AGENDA SECTION:	
PREPARED BY: Jim Ballew – Director of Parks and Recreation	AGENDA NUMBER:	
ATTACHMENTS: Agreement for Caretaker Services Scope of Work Lease Agreement	APPROVED BY: J. Ballew	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The opening for the Jennings Memorial Park Caretaker position re-opened at the conclusion of the contract in March of 2010. The former Caretakers of Jennings Memorial Park in Matt and Sabra Edgerton wish to return to service in Jennings Memorial park effective May 1, 2010. The Edgertons have demonstrated significant experience and professional qualifications for the Independent Contractor position and are recommended by staff for the position.

Those accepting the position as Caretaker are to reside in housing furnished by the City as compensation for the duties described within the Scope of Work. The attached Lease Agreement represents the City's residence requirements of the Caretaker Agreement.

RECOMMENDED ACTION: Staff recommends the City Council authorize the Mayor to sign the attached Agreement for Caretaker Services and Lease Agreement with Matt Edgerton and Sabra Edgerton as Independent Contractors performing Caretaker duties as described within the Scope of Work.
COUNCIL ACTION:

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 26, 2010

AGENDA ITEM: Building Code	AGENDA SECTION:	
PREPARED BY: John Dorcas, Building Official	AGENDA NUMBER:	
ATTACHMENTS: 1. Cover Letter on Summary of 2008 Electrical Code Adoption and the new Washington Cities Electrical Code and amendments. 2. Proposed Electrical Code handout on changes to the 2008 NEC. 3. Proposed redline ordinance for 2008 Electrical Codes.	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The State of Washington has currently adopted the 2008 Electrical Code Codes effective January 1, 2009. Local jurisdictions enforcing the electrical code including Marysville are required to adopt any local amendments and fee structures with their specific ordinance.

The Building Division`s electrical inspectors have familiarized themselves with the NEC through seminars, and training over the past year. This training will continue throughout the year.

The attached exhibits include general information on the National Electrical Code (NEC) and the new amendment called “Washington Cities Electrical Code”. The draft ordinance includes a minor change to the fee tables for easier reading and interpretation for this specific code.

RECOMMENDED ACTION: Authorize the Mayor to sign the Ordinance revising Title 16 of the Marysville Municipal Code.
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COUNCIL ACTION:

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE _____

AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING CERTAIN CHAPTERS IN
TITLE 16.12 OF THE MARYSVILLE MUNICIPAL CODE (MMC) RELATING TO THE
ADOPTION OF THE NATIONAL AND CITIES ELECTRICAL CODE
AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Marysville Municipal Code establishes the adoption of the Marysville Electrical Code; and

WHEREAS, RCW 19.28 requires cities that enforce the electrical code to adopt a code the is equal, higher or better than the State Electrical Code; and

WHEREAS, the State has adopted and amended the 2008 National Electrical Code (NEC), while the Marysville Electrical Code is based on the 2005 NEC; and

WHEREAS, the MyBuildingPermit.com and the Washington Association of Building Officials' electrical committee has created a new code called the Washington Cities Electrical Code which adopts the 2008 and better addresses the concerns of cities;

NOW, THEREFORE, the City Council of the City of Marysville do ordain as follows:

Section 1. Chapter 16.12 is amended to read as follows:

Chapter 16.12

NATIONAL ELECTRICAL CODE AND THE WASHINGTON CITIES ELECTRICAL CODE.

Sections

- [16.12.010](#) Adoption NEC and WCEC/Code Conflict Resolution.
- [16.12.015](#) Amendments made in the National Electrical Code and The Washington Cities Electrical Code.
- [16.12.020](#) Table 1-A adopted – Schedule of fees and refunds.
- [16.12.030](#) Amendments – Administrative chapter Washington Cities Electrical Code Adoption Parts 1, 2, 3.
- [16.12.050](#) Code amendments – General provisions.
- [16.12.060](#) Prohibited cables.
- [16.12.070](#) Violations and penalties.
- [16.12.100](#) Board of electrical appeals.
- [16.12.200](#) Annex .

16.12.010 Adoption.

- (1) National Electrical Code (NEC) Adopted.

The 2008 National Electrical Code, published by the National Fire Protection Association, 2004 Edition, the Department of Labor and Industries Rules and Regulations for installing electrical wires and equipment and Administrative Rules (Chapter 19.28 RCW), as adopted by the State of Washington, are hereby adopted by reference except as such portions as are hereinafter deleted, amended or specified and incorporated herein as fully as if set out at length herein, collectively herein referred to as the "NEC code" unless specifically provided otherwise. (Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

(2) The Washington Cities Electrical Code (WCEC) dated June 22, 2009 adopted. The Washington Cities Electrical Code dated June 22, 2009 is adopted by reference except as such portions as are hereinafter amended or specified and incorporated herein as fully as if set out at length herein collectively referred to as "Cities Electrical Code" "WCEC" unless specifically provided otherwise.

a. Page 1 of the Cities Electrical Code reference to RCW 19.28.010(2) is corrected to RCW 19.28.010 (3).

b. Page 38 Part 3 Article 100 Definitions of the Cities Electrical Code only pertain to the Electrical Code and related to the Electrical Code enforcement and not to other chapters or sections of the Marysville Municipal Code.

(3) Code Conflict Resolution.

Any conflict between the provision of the City of Marysville Code, the 2008 NEC and the Cities Electrical Code will be resolved in favor of the most stringent code section.

16.12.015 Amendments made in the National Electrical Code and Washington Cities Electrical Code.

(1) Subsequent Amendments. All amendments or supplements to the National Electrical Code (NEC) adopted by the NFPA National Fire Protection Association and by the state of Washington as part of the State Building Code shall become a part of this code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the city of Marysville. (Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

(2) Subsequent Amendments, All amendments or supplements to the Washington Cities Electrical Code (WCEC) shall become part of this code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the City of Marysville.

16.12.020 Table 1-A adopted – Schedule of fees and refunds.

The schedule of fees specified in Table 1-A, entitled "Electrical Fees," is hereby adopted. The building official may authorize refunding of not more than 70 percent of the plan review or permit fee paid when no review or work has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 90 days after the date of the fee payment.

(1) WCEC page 19 Section (N) Fees. (5) Refunds - Is not adopted.

City of Marysville Table 1-A Electrical Fees Effective July 1, 2007

Residential (Single-Family or Duplex)

New construction, addition or remodel. Additions and remodels based on size of project.

Under 1,000 square feet	\$100.00
1,001 to 2,000 square feet	\$150.00
2,001 to 3,000 square feet	\$200.00
3,001 square feet and over	\$250.00
Garages and outbuildings (stand-alone projects)	\$100.00
Service/panel change or alteration	\$75.00
Circuits added/altered without service change	
1 or 2 circuits	\$50.00
3 or more circuits	\$75.00
Meter/mast repair or alteration	\$75.00

Commercial and Multifamily (including fire alarm)

Total valuation (time and materials)

\$250.00 or less	\$50.00
\$251.00 to \$5,000	\$50.00 + 3% of cost over \$250.00
\$5,001 to \$50,000	\$175.00 + 1.5% of cost over \$5,000
\$50,001 to \$250,000	\$925.00 + 0.9% of cost over \$50,000
\$250,001 to \$1,000,000	\$3,175 + 0.7% of cost over \$250,000
\$1,000,001 and above	\$10,000 + 0.4% of cost over \$1,000,000

**Commercial Low Voltage/Power Limited Permits
are issued on the valuation of each installation**

(Use the valuation schedule shown above for fire alarms)

Residential Low Voltage/Power Limited Permits listed below are \$50.00 each: T-Stat, Intercom, low voltage wire security systems, mult-media systems
misc low voltage system requiring permits

Miscellaneous

Temporary service: 0-200 Amps

\$65.00

Temporary service: 201-400 Amps

\$85.00

Temporary service: 401 and
valuation

more by

Manufactured/mobile home service (does not include outbuildings) \$75.00

Signs \$50.00

Carnival \$200.00

Inspection of work done without permit - double fee *

Reinspection fee (not ready, corrections not made) \$75.00*

Plan review fee or inspection not specified elsewhere (half-hour minimum) \$75.00/hr*.

Typical plan review fees for electrical work shall be equal to 25%
of the total permit fee as set forth in Table 1-A*

*Or the total hourly cost to the jurisdiction, whichever is greatest. This cost
includes supervision, overhead, equipment, hourly wages and fringe benefits
of the employees involved.

(Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

16.12.030 Amendments – Administrative chapter.

There is added to the administration chapter of the National Electrical Code a new section
which shall read as follows: (Reference WCEC applicable parts of Parts 1, 2 and 3.)

1. EXISTING BUILDINGS. Reference - WCEC (page 37-S).
2. MAINTENANCE. Reference WCEC (page 8- 85.5-C)
3. MOVED BUILDINGS. Reference WCEC (page 10- 85.9-A)
4. ADMINISTRATIVE AUTHORITY AND ASSISTANTS. Reference WCEC (page 10-
85.9-A)
5. RIGHT-OF-ENTRY. Reference WCEC (page 28 85.19-I)
Building Official or his/her authorized representative shall have recourse to every
remedy provided by law to secure entry.

When the Building Official or his/her authorized representative shall have first obtained
a proper inspection warrant or other remedy provided by law to secure entry, no owner
or occupant or any other persons having charge, care or control of any building or

premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official or his/her authorized representative for the purpose of inspection and examination pursuant to this Code.

6. STOP ORDERS. Reference WCEC (page 31- 85.25-A thru F)

7. LIABILITY. Also Reference WCEC (page 14- 85.11-11)

The Building Official or any employee charged with the enforcement of this Code, acting in good faith and without malice for the City in the discharge of his/her duties, shall not thereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to person or property as a result of any act required or by reason of any act or omission in the discharge of his/her duties. Any suit brought against the Building Official or employee, because of such act or omission performed by him/her in the enforcement of any provisions of this Code, shall be defended by the legal department of the City until final termination of the proceedings. This code is one of general application and nothing herein is intended to create liability or cause action running in favor of individual members of the public.

8. UNSAFE CONDITIONS. Reference WCEC (page 31- 85.23-A thru F)

9. VIOLATION. Reference WCEC (page 32- 85.25)

10. PERMITS AND INSPECTIONS. Reference WCEC (page 14- 85.13. Permit & Fees & page 85.15, and page 26-85.19 Inspections & Testing)

(a) Permits required: Reference WCEC (page 14- 85.13. Permit & Fees & page 85.15, and page 26-85.19 Inspections & Testing)

(b) Application: Reference WCEC (page 19- 85.15)

(c) To Whom Permits May Be Issued: Reference WCEC (page 14- 85.13. Permit & Fees & page 85.15, and page 26-85.19 Inspections & Testing)

(d) Plans and Specifications: Reference WCEC (page 192- 85.25)

(e) Plan Checking: Reference WCEC (page 21- 85.15)

(f) Validity: Reference WCEC (page 18- 85.13-K)

(g) Suspension or Revocation: Reference WCEC (page 18- 85.13-M)

(h) Inspections: Reference WCEC (page 26- 85.19)

11. ELECTRICAL PERMIT FEES. Reference WCEC (page 26- 85.19) A fee for each electrical permit shall be paid to the Building Official as set forth in Table 1-A Electrical Fees.

12. VIOLATION CITATION – ORDER. Reference WCEC (page 32- 85.25)
(Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

16.12.050 Code amendments – General provisions. Reference the WCEC.
(Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

16.12.060 Prohibited cables. Reference WCEC (page 26- 85.19)
(Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

16.12.070 Violations and penalties.

Each of the codes and regulations adopted in this chapter are hereby amended by the addition of the following:

Violations and Penalties. Also Reference WCEC (page 32- 85.25, section B & C).

1. A violation of the provisions of this Code shall be subject to the City's Civil Enforcement Procedures as set forth in Title 4 MMC and any person, firm or corporation who violates any provision of this Code shall be subject to said enforcement procedures. Provided, however, notwithstanding language to the contrary, any violation citation issued concerning a violation of this Code shall be issued by the Building Official or his/her designee.

2. Any person, firm or corporation who violates any provision of this Code shall be deemed guilty of a misdemeanor, and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction of any such violation such person, firm or corporation shall be punishable by a fine not to exceed one thousand dollars, or imprisonment in jail not to exceed ninety days, or by both such fine and imprisonment.

3. The enforcement provisions and procedures provided in this Code are not exclusive and the City is authorized to pursue any remedy it deems appropriate or as otherwise provided by law.

4. The issuance or granting of a permit or approval of plans and/or specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or any other law or regulation. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use which it authorized is lawful.

5. The issuance or granting of a permit or approval of plans and/or specifications shall not prevent the Building official or designee from thereafter requiring the correction of errors in said plans and/or specifications or from preventing construction operation being carried on thereunder when in violation of this Code or of any other ordinance, law or regulations or from revoking any certificate of approval when issued in error.

(Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

16.12.100 Board of electrical appeals.

- 1. Appeals from any ruling made under this chapter may be made to the building code board of appeals. Procedural rules concerning appeals shall be as provided in the building code. (Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).
- 2. Section 85.27 Means of Appeal is deleted from WCEC (page 31- 85.27)

16.12.200 Annex 1-2-3.

Annex A, B, C, to the National Electrical Code, 2008 Edition, are adopted, incorporated by this reference, and made a part of this chapter as if fully set forth in this chapter. (Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

Section 2. Severability.

If any word, phrase, sentence, provision, or portion of this ordinance is declared to be invalid or unenforceable, it shall not affect validity or enforceability of the remaining words, phrases, sentences, provisions or portions of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2010.

CITY OF MARYSVILLE

By _____
DENNIS KENDALL, MAYOR

ATTEST:

By _____
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____



COMMUNITY DEVELOPMENT DEPARTMENT

80 Columbia Avenue ♦ Marysville, WA 98270

(360) 363-8100 ♦ (360) 651-5099 FAX

City of Marysville

2008 ELECTRICAL CODE ADOPTION

During the last code adoption period, the City of Marysville in conjunction with majority the Washington State Cities has been enforcing the 2005 National Electrical Code (NEC). Every three (3) years *this code* is updated and adoption of a new edition of the Electrical Code is implementing. This code cycle the city will be adopting the 2008 National Electrical Code (NEC) and is also purposing to adopt an amendment code called "*The Washington Cities, Electrical Code, Part 1, 2 and 3*". This document is included in this agenda package for Councils review and approval. The following is a brief history of the past code merging process.

What codes make up the new 2008 NEC-Code family?

National Electrical Code and Standards Adopted.

The 2008 Edition of the National Electrical Code (NFPA 70), including Annex A, B and C; the 2007 Edition of Standard for the Installation of Stationary Pumps for Fire Protection (NFPA 20-2007); the 2005 Edition of Standard for Emergency and Standby Power Systems (NFPA 110-2005); Commercial Building Telecommunications Cabling Standard (ANSI/TIA/EIA 568-B.1 June 2002 including Annex 1 through 5); Commercial Building Standard for Telecommunications Pathway and Spaces (ANSI/TIA/EIA 569-A-7 December 2001 including Annex 1 through 4); Commercial Building Grounding and Bonding Requirements for Telecommunications (ANSI/ TIA/EIA 607-A-2002); and the Residential Telecommunications Cable Standard (ANSI/TIA/EIA 570-B-2004) are adopted and shall be applicable within the city, as amended, added to and excepted in this code. So we can avoid any conflicts with the state RCW 19.28.010(3) that requires that cities adopt the current NEC Code when the State adopts it, we have also put language that will help us in the future.

Introduction of the Washington Cities Electrical Code:

The *Washington Cities Electrical Code* is a joint effort between the MyBuildingPermit.com (MBP) EGov portal and the Washington Association of Building Officials (WABO). This Code was created to provide cities with a document that complies with RCW 19.28.010(2), which allows cities to enforce any Ordinance that is equal, higher or better than the State's rules, but offers the following advantages.

- This Code omits all administrative and procedural State rules that cities cannot or choose not to adopt.
- This Code is written in the same format as the NEC to eliminate any conflict between a State rule and the NEC. This format will also allow the creation of insert pages that can be inserted into the applicable pages of the NEC.
- This Code provides enforcement consistency among those cities that choose to adopt it.

Development:

The partnership between MBP and WABO resulted in an Electrical Committee open to any Washington city and county wishing to participate. The Electrical Committee had participation from Bellevue, Bellingham, Burien, Des Moines, Kirkland, King County, Lacey, Longview, **Marysville**, Mercer Island, Olympia, Redmond, Renton, SeaTac, Seattle and Vancouver. The committee compared

the 2008 NEC to the most current State rules and to any regional concerns and through consensus produced this Code. All Washington cities are encouraged to adopt this Code.

Eventho the city is still researching permit software, we continue to partner with

MyBuildingPermit.com (MBP); We currently share communication with all jurisdictions, including the 16 cities and one county team members that make up MBP. Through the MBP portal, homeowners and contractors can obtain over the counter code information for various construction projects and research such as:

- Building construction; new and alternations
- Plumbing work and alternations
- Mechanical work and alternations
- Electrical work and alternations
- Tip sheets for various construction projects and issues
- Training opportunities

Washington Association of Building Officials:

The Washington Association of Building Officials (WABO) was incorporated in 1977 to promote building codes and standards that safeguard the public health and safety; advise on legislative matters; assist in the development of national and state codes; provide educational opportunities for its members; and preserve local government control of code administration.

The WABO is a nonprofit, professional association of state, county, city and town officials in Washington State engaged in the development, enforcement and administration of building construction codes and ordinances. Members (both governmental and associate) are building officials and inspectors, planners, architects, structural engineers and others interested in providing safe buildings for our communities.

Format:

This Code is divided into three parts to facilitate those cities that do not want to adopt the entire document. Part 1 adopts the 2008 NEC and other necessary codes and standards adopted by the State. Part 2 is an administrative chapter based on portions of the ICC Electrical Code, published by the International Code Council. It provides necessary rules for enforcing and administering the NEC. Part 3 amends the NEC through supplements, deletions or revisions to be equal, higher or better than the State's rules.

Only those Sections of the NEC that have been amended are included in this Code.

Recap of the attached Electrical-Code material for City of Marysville Council:

The below listed items will attempt to assists electrical contractor/builders and homeowners in understanding these requirements, inspections and proposed permit fees.

1. The current fee schedule is not purposing a fee increases at this time, but is changing the format to make it read easier to read and understand. Attached are Residential and Commercial building permit valuations. The City Code requires each jurisdiction to establish and adopt its own fee table. These fee-tables are currently apart of the Marysville Municipal Code, Chapter 16.
2. We have created a counter handout for contractors and the public. Below are the top six (6) changes to the electrical code.
 - NEC 210.4(B) Each multi-wire branch circuit shall have a means to simultaneously disconnect all ungrounded conductors at the point where the branch circuit originates.

- NEC 210.4(D) Grouping. The ungrounded and neutral conductors of a multi-wire branch circuit shall be grouped together in at least one location by ties or similar means at the point of origination.
- NEC 210.12(B) has been revised to require combination-type AFCI protective devices for all dwelling unit 120-volt, single phase, 15- and 20-amp branch circuits serving nearly all rooms and areas.
- NEC 406.11 has been added to require all 125-volt 15- and 20-amp receptacles in dwelling units specified by NEC 210.52 to be listed as tamper-resistant.
- NEC 210.8(A) (2) exceptions have been removed, now all receptacles in a garage have to be GFCI. Our amendment does have an exception to this article; *Exception: In a garage or unfinished basement, a red receptacle, with a red cover plate, supplying a fire alarm system is not required to have ground-fault circuit-interrupter protection. The receptacle must be identified for use only with the fire alarm system by an identification plate or cover with letters at least ¼” high.*
- NEC 250.50 Article 250.50 of the National Electrical Code is amended and supplemented by the addition of a new Subsection (1) to read as follows:

1) At each new building or structure served, a concrete-encased grounding electrode complying with NEC 250.52(A) (3) shall be installed. All electrodes shall be inspected prior to covering, concealing or the placing of concrete.

Exception: New buildings or structures, job site construction trailers, mobile/manufactured homes where not installed on a permanent concrete foundation.

More on: Arc Fault Circuit Interrupters (AFCIs).

Beginning July 1, 2009, the City of Marysville will require all general-purpose circuits in new or remodeled single-family and multifamily dwelling units to be protected with Arc Fault Circuit Interrupters (AFCIs).

The 1999 edition of the National Electrical Code (NEC) required that bedroom circuits be protected by AFCIs. These are special circuit breakers that can detect arcing in a circuit, causing the breaker to trip and shut off power to that circuit.

Traditional circuit breakers trip when the circuit current exceeds the rating of the breaker— typically 15 amps or 20 amps for a bedroom. An electrical arc is created when there is a loose connection or a broken or damaged wire in the circuit. Usually these types of electrical arcs do not produce a high current, so a traditional breaker will not trip. And if left uncorrected, this type of arc can produce enough heat to cause a fire. There are more than 50,000 residential electrical fires every year in the US. Most of these electrical fires could be prevented by using AFCIs.

The 2008 edition of the NEC now requires all general-purpose circuits of the house to be protected with AFCIs. However, citing economic concerns, the Washington State Department of Labor and Industries recently amended the 2008 NEC to *exclude* the AFCI requirement for the entire house and *limit* them to bedrooms only.

Cities that enforce the NEC are not required to adopt the state’s amendments provided their electrical ordinance is “equal, better or greater than” the state code. An electrical committee, consisting of representatives from 15 cities and sponsored by MyBuildingPermit.com (MBP) and the Washington Association of Building Officials (WABO), researched this issue. The committee decided unanimously to endorse adoption of the 2008 NEC with the AFCI protection required for the entire dwelling.

The committee believes there is enough fire data to indicate that the installation of AFCIs substantially increases the safety of electrical systems in houses and is a cost effective way to prevent residential electrical fires. The typical cost for a new house to have the additional AFCIs installed would be \$150 to \$200.

City of Marysville staff is working with other cities to create a common ordinance that would adopt the 2008 NEC in February or March of 2009.

For More Information

To learn more you can:

Contact Orlando Roché, 360-363-8203, in the Building Division.

Staff Training and Education for the New Code:

As stated above, Orlando and I have met with the following jurisdictions and agencies that currently have an electrical program; *Bellevue, Bellingham, Burien, Des Moines, Everett, Kirkland, King County, Lacey, Longview, Lynnwood, Mercer Island, Olympia, Redmond, Renton, SeaTac, Seattle and Vancouver*. It has been valuable to be able to meet with each official to review, network and discuss each of their programs. I have found out each jurisdictions program is a little different. However, they have indicated to me it is all about providing a timely service.

I have also met with several electrical contractors and they have expressed to me that it is not about costs of the permit, it is about receiving a permit in a timely manner. In addition, having the inspector to discuss code issues and also show up the following day after the inspection request. **We are excited about maintaining the city's one-stop permit program.**

Implementing this program has been a learning experience for all parties. We are continuing to meet with, revise and explain the program to help the electrical contractor and the public understand these code provisions.

Our electrical inspector has attended seminars, and initiated training to study and become familiar with the new code sections and provisions. This includes the recent training with Washington State Labor & Industries Electrical inspectors. Even though we have begun our own city electrical program, we still have a good working relationship with Washington State Labor & Industries Compliance division. Staff will continue to review and understand code materials throughout the year. **As of April 5, 2010, we are happy to add to our staff, Dave Jubie, as our new part-time electrical inspector.** Dave has more than 30 years of electrical and construction experience. This will allow flexibility for Orlando who has been our lone electrical inspector since we started the program back in September of 2008.

After adoption, city staff will be arranging a meeting to sit down face to face with the local electrical contractors to discuss *the new codes* and how they will affect their projects and structures. These meetings will take place later this year.

Interlocal with the City of Lynnwood

As a back-up for the electrical programs, we continue to maintain our Interlocal agreement with the City of Lynnwood. This agreement allows both cities to use each-others electrical inspectors in case of extended vacations, sick leave or seminars. This agreement is also to ensure continued good customer service.



Washington Association
of Building Officials

The Washington Cities Electrical Code

June 22, 2009

PREFACE

Introduction

The Washington Cities Electrical Code is a joint effort between the MyBuildingPermit.com (MBP) EGov portal and the Washington Association of Building Officials (WABO). This Code was created to provide cities with a document that complies with RCW 19.28.010(2), which allows cities to enforce any Ordinance that is equal, higher or better than the State's rules, but offers the following advantages.

- This Code omits all administrative and procedural State rules that cities cannot or choose not to adopt.
- This Code is written in the same format as the NEC to eliminate any conflict between a State rule and the NEC. This format will also allow the creation of insert pages that can be inserted into the applicable pages of the NEC.
- This Code provides enforcement consistency among those cities that choose to adopt it.

Development

The partnership between MBP and WABO resulted in an Electrical Committee open to any Washington city and county wishing to participate. The Electrical Committee had participation from Bellevue, Bellingham, Burien, Des Moines, Kirkland, King County, Lacey, Longview, Marysville, Mercer Island, Olympia, Redmond, Renton, SeaTac, Seattle and Vancouver. The committee compared the 2008 NEC to the most current State rules and to any regional concerns and through consensus produced this Code. All Washington cities are encouraged to adopt this Code.

MyBuildingPermit.com

MyBuildingPermit.com (MBP) is an internet portal currently shared by 16 cities and one county. Through the MBP portal, homeowners and contractors can obtain over the counter types of electrical, plumbing, mechanical and reroof permits. Plans are under way to allow the submittal of plans electronically through the MBP site.

Other services provided through the MBP site include:

- Online inspection requests
- Current permit status
- Tip sheets for various construction issues
- Training opportunities

The member jurisdictions are dedicated to providing a consistent and efficient permitting experience to their customers. The current members of MBP are, Bellevue, Bothell, Burien, Duvall, Gig Harbor, Kenmore, Kirkland, Issaquah, Mercer Island, Mill Creek, Mukilteo, Renton, Sammamish, SeaTac, Snohomish County, Snoqualmie, Woodinville .

Washington Association of Building Officials

The Washington Association of Building Officials (WABO) was incorporated in 1977 to promote building codes and standards that safeguard the public health and safety; advise on legislative matters; assist in the development of national and state codes; provide educational opportunities for its members; and preserve local government control of code administration.

The WABO is a nonprofit, professional association of state, county, city and town officials in Washington State engaged in the development, enforcement and administration of building construction codes and ordinances. Members (both governmental and associate) are building officials and inspectors, planners, architects, structural engineers and others interested in providing safe buildings for our communities.

Format

This Code is divided into three parts to facilitate those cities that do not want to adopt the entire document. Part 1 adopts the 2008 NEC and other necessary codes and standards adopted by the State. Part 2 is an administrative chapter based on portions of the ICC Electrical Code, published by the International Code Council. It provides necessary rules for enforcing and administering the NEC. Part 3 amends the NEC through supplements, deletions or revisions to be equal, higher or better than the State's rules. Only those Sections of the NEC that have been amended are included in this Code.

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Part 1 - Adoption

80 National Electrical Code Article 80 created — Adoption.

The National Electrical Code is amended and supplemented by the addition of a new Article to be known as Article 80 – Adoption, to read as follows:

Article 80 Adoption

80.1 Short Title. These regulations shall be known as the City Electrical Code and shall be cited as such and will be referred to herein as “this code.”

80.3 National Electrical Code and Standards Adopted. The 2008 Edition of the National Electrical Code (NFPA 70), including Annex A, B and C; the 2007 Edition of Standard for the Installation of Stationary Pumps for Fire Protection (NFPA 20-2007); the 2005 Edition of Standard for Emergency and Standby Power Systems (NFPA 110-2005); Commercial Building Telecommunications Cabling Standard (ANSI/TIA/EIA 568-B.1 June 2002 including Annex 1 through 5); Commercial Building Standard for Telecommunications Pathway and Spaces (ANSI/TIA/EIA 569-A-7 December 2001 including Annex 1 through 4); Commercial Building Grounding and Bonding Requirements for Telecommunications (ANSI/ TIA/EIA 607-A-2002); and the Residential Telecommunications Cable Standard (ANSI/TIA/EIA 570-B-2004) are adopted and shall be applicable within the city, as amended, added to and excepted in this code.

80.4 Conflicts. In accordance with RCW 19.28.010(3), where the State of Washington, Department of Labor and Industries adopts a more current edition of the National Electrical Code (NFPA 70) the Code Official may supplement use of this Code with newly adopted editions of the National Electrical Code.

Part 2 - Administration

85 National Electrical Code Article 85 created — Administration.

The National Electrical Code is amended and supplemented by the addition of a new Article to be known as Article 85 – Administration, to read as follows:

Article 85 Administration

85.1 Purpose. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of electrical systems and equipment.

85.3 Scope. This code covers the installation of electric conductors, electric equipment and additions, alterations, modifications, or repairs to existing electrical installations for the following:

- (A) Electric conductors, electric equipment, and electrical raceways installed within or on public and private buildings, property or other structures.
- (B) Signaling and communications conductors and equipment, telecommunications conductors and equipment, fiber optic cables, and raceways installed within or on public and private buildings, property or other structures.
- (C) Yards, lots, parking lots, and industrial substations.
- (D) Temporary electrical installations for use during the construction of buildings.
- (E) Temporary electrical installations for carnivals, conventions, festivals, fairs, traveling shows, the holding of religious services, temporary lighting of streets, or other approved uses.
- (F) Installations of conductors and equipment that connect to a supply of electricity.
- (G) All other outside electrical conductors on the premises.
- (H) Optional standby systems derived from portable generators.

Exception: Installations under the exclusive control of electric utilities for the purpose of communication, transmission, and distribution of electric energy located in buildings used exclusively by utilities for such purposes

or located outdoors on property owned or leased by the utilities or on public highways, streets, roads, etc., or outdoors by established rights on private property.

It is the intent of this section that this code covers all premises' wiring or wiring other than utility owned metering equipment, on the load side of the service point of buildings, structures, or any other premises not owned or leased by the utility. Also, it is the intent that this code covers installations in buildings used by the utility for purposes other than listed in above, such as offices buildings, warehouses, garages, machine shops, and recreational buildings which are not an integral part of a generating plant, substation, or control center.

85.5 Applicability

(A) New Installations. This code applies to new electrical installations. Exception: If an electrical permit application is received after this chapter has taken effect, but is associated with a building permit application received prior to the effective date of the ordinance codified in this chapter, all applicable codes adopted and in force at the time of a complete building permit application will apply.

(B) Existing installations. Lawfully installed existing electrical installations that do not comply with the provisions of this chapter shall be permitted to be continued without change, except as is specifically covered in this code, the International Fire Code or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public. Where changes are required for correction of hazards, a reasonable amount of time shall be given for compliance, depending on the degree of the hazard.

(C) Maintenance. Electrical systems, equipment, materials and appurtenances, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices or safeguards that are required by this code shall be maintained in compliance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the electrical systems and equipment. To determine compliance with this provision, the code official shall have the authority to require that the electrical systems and equipment be re-inspected.

(D) Additions, alterations, modifications or repairs. Additions, alterations, modifications or repairs to the electrical system of any building,

structure, or premises shall conform to the requirements of this code without requiring those portions of the existing building not being altered or modified to comply with all the requirements of this code. Installations, additions, alterations, modifications, or repairs shall not cause an existing building to become unsafe or to adversely affect the performance of the building as determined by the building official or designated representative. Electrical wiring added to an existing service, feeder, or branch circuit shall not result in an installation that violates the provisions of the code in force at the time the additions were made.

(E) Change in occupancy. It shall be unlawful to make a change in the occupancy of any structure that will subject the structure to any special provision of this code applicable to the new occupancy without approval. The code official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to public health, safety or welfare.

(F) Differences.

(1) Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(2) The requirements of this code will be observed where there is any conflict between this code and the National Electrical Code (NFPA 70), Centrifugal Fire Pumps (NFPA 20), the Emergency and Standby Power Systems (NFPA 110), ANSI/TIA/EIA 568-B, ANSI/TIA/EIA 569-A, ANSI/TIA/EIA 607, or ANSI/TIA/EIA 570..

(3) The National Electrical Code will be followed where there is any conflict between standard for Installation of Stationary Pumps for Fire Protection (NFPA 20), standard for Emergency and Standby Power Systems (NFPA 110), ANSI/TIA/EIA 568-B, ANSI/TIA/EIA 569-A, ANSI/TIA/EIA 607, ANSI/TIA/EIA 570-B, and the National Electrical Code (NFPA 70).

(G) Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

(H) Validity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions thereof, which are determined to be legal; and it shall be presumed that this code would have been adopted without such illegal or invalid parts or provisions.

(I) Segregation of invalid provisions. Any invalid part of this code shall be segregated from the remainder of this code by the court holding such part invalid, and the remainder shall remain effective.

(J) Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapters, sections or provisions of this code.

(K) Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes or standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

(L) Annex Chapters Provisions in the annex chapters shall not apply unless specifically referenced in the adopting ordinance.

(M) Subjects not regulated by this code. Where no applicable standards or requirements are set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of nationally recognized standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the code official to determine compliance with codes or standards for those activities or installations within the code official's jurisdiction or responsibility.

85.9 Moved buildings or structures.

(A) Buildings or structures intended to be relocated within or into the city must be inspected by the code official for compliance with the codes and standards adopted in this chapter prior to being relocated or moved. The owner of the building or structure must obtain a building permit and further must agree to correct all deficiencies identified by the inspection prior to moving the building. All deficiencies must be corrected before electric power is connected to the building.

(B) Nonresidential buildings or structures moved into the jurisdiction must be inspected to ensure compliance with current requirements of this Code.

(C) Residential buildings or structures wired in the U.S., to NEC requirements, and moved into the jurisdiction must be inspected to ensure compliance with the NEC requirements in effect at the time and place the original wiring was made. The building or structure must be inspected to

ensure compliance with all current requirements of chapter 19.28 RCW and the rules developed by the department if:

- (1) The original occupancy classification of the building or structure is changed as a result of the move; or
- (2) The building or structure has been substantially remodeled or rehabilitated as a result of the move.

(D) Residential buildings or structures wired in Canada to Canadian Electrical Code (CEC) standards and moved into the jurisdiction must be inspected to ensure compliance with the following minimum safety requirements:

- (1) Service, service grounding, and service bonding must comply with this Code.
- (2) Canadian Standards Association (CSA) listed Type NMD cable is allowed with the following qualifications:
 - (a) CSA listed Type NMD cable, American Wire Gauge #10 and smaller installed after 1964 utilizing an equipment grounding conductor smaller than the phase conductors, must be:
 - (i) Replaced with a cable utilizing a full-size equipment grounding conductor; or
 - (ii) Protected by a ground fault circuit interrupter protection device.
 - (b) CSA listed Type NMD cable, #8 AWG and larger, must:
 - (i) Utilize an equipment grounding conductor sized according to the requirements of the NEC in effect at the time of the installation;
 - (ii) Be protected by a ground fault circuit interrupter protection device; or
 - (iii) Be replaced.
- (3) Other types of wiring and cable must be:
 - (a) Replaced with wiring listed or field evaluated in accordance with U.S. standards by a laboratory approved by the department; or
 - (b) Protected by a ground fault circuit interrupter protection device and arc fault circuit protection device.
- (4) Equipment, other than wiring or panelboards, manufactured and installed prior to 1997 must be listed and identified by laboratory labels approved by the department or CSA labels.
- (5) All panelboards must be listed and identified by testing laboratory labels approved by the department with the following qualifications:
 - (a) CSA listed panelboards labeled "Suitable for Use as Service Equipment" will be considered to be approved as "Suitable for Use only as Service Equipment."
 - (b) CSA listed panelboards must be limited to a maximum of 42 circuits.

- (c) CSA listed panelboards used as lighting and appliance panelboards as described in the NEC, must meet all current requirements of the NEC and this chapter.
- (6) Any wiring or panelboards replaced or changed as a result of the move must meet current requirements of chapter 19.28 RCW and this chapter.
- (7) The location, type, and ground fault circuit interrupter protection of receptacles and equipment in a bathroom, kitchen, basement, garage, or outdoor area must meet the Washington requirements in effect at the time the wiring was installed.
- (8) 4, 15-ampere, kitchen small appliance circuits will be accepted in lieu of 2, 20-ampere, kitchen small appliance circuits. Receptacles will not be required to be added on kitchen peninsular or island counters.
- (9) Spacing requirements for all other receptacles must meet the Washington requirements in effect at the time the wiring was installed.
- (10) Receptacles installed above baseboard or fixed wall space heaters must be removed and the outlet box covered with a blank cover. The receptacle is required to be relocated as closely as possible to the existing location.
- (11) Lighting outlet and switch locations must meet the Washington requirements in effect at the time the wiring was installed.
- (12) Dedicated 20-ampere small appliance circuits are not required in dining rooms.
- (13) Electric water heater branch circuits must be adequate for the load.
- (14) The location, type, and circuit protection of feeders must meet the Washington State requirements in effect at the time the wiring was installed.

85.11 Organization and Enforcement

(A) Creation of enforcement agency. The department of electrical inspection is hereby created and the official in charge thereof shall be known as the code official. The function of the department shall be to assist the code official in the administration and enforcement of the provisions of this code.

(B) Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction.

(C) Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, the related technical officers, inspectors, plans examiners and other employees. Such employees shall have powers as delegated by the code official.

(D) Duties and powers of the code official. The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

(1) Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

(2) Applications and permits. The code official is authorized to receive applications, review construction documents and issue permits for the installation of electrical systems and equipment, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

(3) Notices and orders. The code official is authorized to issue all necessary notices or orders in accordance with Section 85.25(B) as are required to effect compliance with this code.

(4) Inspections. The code official shall make all of the inspections necessary to determine compliance with the provisions of this code in accordance with Section 85.19.

(5) Identification. The code official shall carry proper identification as required by Section 85.19(G).

(6) Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code in accordance with Section 85.19(I).

(7) Department records. The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, notices and orders issued, and as required by this code, such records shall be retained in the official records for the period required for retention of public records.

(8) Approvals and modifications. A record of approvals and modifications granted shall be maintained by the code official and shall be available for public inspection during business hours in accordance with applicable laws.

(9) Inspections. The code official shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

(10) Alternative methods or materials. The application for modification, alternative methods or materials and the final decision of the code official shall be in writing and shall be officially recorded in the permanent records of the code official.

(11) Liability. The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings.

The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any official, officer or employee, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

(E) Certificate of Occupancy. No building or structure shall be used or occupied until a certificate of occupancy has been provided in accordance with the *International Building Code*.

85.13 Permits and Fees.

(A) Permits required. Permits required by this code shall be obtained from the code official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official.

(B) Types of permits. An owner, authorized agent or contractor who desires to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace electrical systems or equipment, the installation of which is regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work.

Exception: Where repair or replacement of electrical systems or equipment must be performed in an emergency situation, the permit application shall be submitted within the next working business day.

(C) Telecommunication Systems. An electrical permit is required for all installations of telecommunications systems on the customer side of the network demarcation point for projects greater than ten telecommunications outlets. All backbone installations regardless of size and all telecommunications cable or equipment installations involving penetrations of fire barriers or passing through hazardous locations require permits and inspections. For the purposes of determining the inspection threshold for telecommunications projects greater than ten outlets, the following will apply:

(1) An outlet is the combination of jacks and mounting hardware for those jacks, along with the associated cable and telecommunications closet terminations that serve one workstation. In counting outlets to determine the inspection threshold, one outlet must not be associated with more than six standard four pair cables or more than one twenty-five-pair cable. Therefore, installations of greater than sixty standard four-pair cables or ten standard twenty-five-pair cables require permits and inspections. (It is not the intent of the statute to allow large masses of cables to be run to workstations or spaces serving telecommunications equipment without inspection. Proper cable support and proper loading of building structural elements are safety concerns. When considering total associated cables, the telecommunications availability at one workstation may count as more than one outlet.)

(2) The installation of greater than ten outlets and the associated cables along any horizontal pathway from a telecommunications closet to work areas during any continuous ninety-day period requires a permit and inspection.

(3) All telecommunications installations within the residential dwelling units of single-family, duplex, and multifamily dwellings do not require permits or inspections. In residential multifamily dwellings, permits and inspections are required for all backbone installations, all fire barrier penetrations, and installations of greater than ten outlets in common areas.

(4) No permits or inspections are required for installation or replacement of cord and plug connected telecommunications equipment or for patch cord and jumper cross-connected equipment.

(5) Definitions of telecommunications technical terms will come from chapter 19.28 RCW, this chapter, TIA/EIA standards, and NEC.

(D) Temporary Installations. For temporary electrical installations, the city will consider a permit applicant to be the owner per RCW 19.28.261 under the conditions below:

Any person firm, partnership, corporation, or other entity registered as a general contractor under chapter 18.27 RCW will be permitted to install a single electrical service per address for the purposes of temporary power during the construction phase of a project, when all of the following conditions are met:

- 1) The installation is limited to the mounting and bracing of a pre-assembled pole or pedestal mounted service, the installation of a ground rod or ground plate, and the connection of the grounding electrode conductor to the ground rod or plate;
- 2) The total service size does not exceed 200 amperes, 250 volts nominal;
- 3) The service supplies no feeders;
- 4) Branch circuits not exceeding 50 amperes each are permitted, provided such branch circuits supply only receptacles that are either part of the service equipment or are mounted on the same pole;
- 5) The general contractor owns the electrical equipment;
- 6) The general contractor has been hired by the property owner as the general contractor for the project;
- 7) The general contractor must purchase an electrical work permit for the temporary service, request inspection, and obtain approval prior to energizing the service.

(E) Work exempt from permit.

As required by chapter 19.28 RCW or this chapter, an electrical permit is required for the installation, alteration, or maintenance of all electrical systems or equipment except for:

- (1) Travel trailers;
- (2) Basic electrical work which includes:
 - a) The like-in-kind replacement of a: Contactor, relay, timer, starter, circuit board, or similar control component; household appliance; circuit breaker; fuse; residential luminaire; lamp; snap switch; dimmer; receptacle outlet; thermostat; heating element; luminaire ballast with an exact same ballast; component(s) of electric signs, outline lighting, skeleton neon tubing when replaced on-site by an appropriate electrical contractor and when the sign, outline lighting or skeleton neon tubing electrical system is not modified; ten horsepower or smaller motor;
 - b) Induction detection loops described in WAC 296-46B-300(2) and used to control gate access devices; and
 - c) Heat cable repair

Unless specifically noted, the exemptions listed do not include: The replacement of an equipment unit, assembly, or enclosure that contains an exempted component or combination of components. (i.e., electrical furnace/heat pumps, industrial milling machine, etc.)

Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code or other laws or ordinances of this jurisdiction.

(F) Application. Application for a permit required by this code shall be made to the code official in such form and detail as prescribed by the code official. Applications for permits shall be accompanied by such plans as prescribed by the code official.

(1) Action on application. The code official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the code official shall reject such application in writing, stating the reasons therefore. If the code official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the code official shall issue a permit as soon as practicable.

(2) Inspection required. Before a permit is issued, the code official is authorized to inspect and approve the systems, equipment, buildings, devices, premises and spaces or areas to be used.

(3) Time limitation of application. An application for a permit for any proposed work or operation shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official is authorized to grant one extension of time for an additional period not exceeding 90 days. The extension shall be requested in writing and justifiable cause demonstrated.

(G) Conditions of a permit. A permit shall constitute permission to conduct work as set forth in this code in accordance with the provisions of this code. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.

(H) Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The code official is authorized to grant, in writing, one or more

extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(I) Extensions. The code official is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 90 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

(J) Posting the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official.

(K) Validity. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the code official from requiring the correction of errors in the construction documents and other data. The code official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

(L) Information on the permit. The code official shall issue all permits required by this code on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the code official. Issued permits shall bear the signature of the code official, except when issued through a City authorized online permitting system.

(M) Suspension or revocation. The code official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error, on the basis of incorrect, inaccurate or incomplete information; in violation of any ordinance, regulation or any of the provisions of this code; or if any one of the following conditions exists:

- (a) The permit is used for a location or establishment other than that for which it was issued.
- (b) The permit is used for a condition or activity other than that listed in the permit.
- (c) Conditions and limitations set forth in the permit have been violated.
- (d) There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
- (e) The permit is used by a different person or firm than the name for which it was issued.
- (f) The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.

(g) The permit was issued in error or in violation of an ordinance, regulation or this code.

(N) FEES.

1) Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

2) Schedule of permit fees. A fee for each permit shall be paid as required, in accordance with the schedule as established by the City.

3) Work commencing before permit issuance. Except where authorized for emergencies by Section 85.13(B) exception, any person who commences any work before obtaining the necessary permits shall be subject to an additional fee established by the code official, which shall be in addition to the required permit fees.

4) Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with, or concurrently with, the work authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

5) Refunds. The code official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code provided the request is made in writing and file by the original permittee not later than 180 days after the date of permit issuance. The code official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review is done provided the request is made in writing and filed by the original applicant not later than 180 days after the date of application.

6) Use of Consultants. Whenever review of an application requires retention by the city for professional consulting services for other than normal plan review, the applicant shall reimburse the city the cost of such professional consulting services. This fee may be in addition to the normal plan review and permit fees. The city may require the applicant to deposit an amount with the city to be sufficient to cover anticipated costs to retain professional consultant services and to ensure reimbursement for such costs.

85.15 Construction Documents

(A) Submittal documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted as required by the City in two or more sets with each application for a permit.

The construction documents shall be prepared by a registered design professional where required by the State of Washington. Where special conditions exist, the code official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The code official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this code.

(B) Electrical Engineer. Electrical plans for the following installations shall be prepared by, or under the direction of, a consulting electrical engineer registered under Chapter 18.43 RCW, and Chapters 180-29, 246B-320, and 388-97 WAC. All electrical plans must bear the engineer's stamp and signature.

- (1) All educational facilities, hospitals and nursing homes;
- (2) All services or feeders rated 1,600 amperes or larger;
- (3) All installations identified in the National Electrical Code requiring engineering supervision;
- (4) As required by the building official for installations which by their nature are complex, hazardous or pose unique design problems.

(C) Information on construction documents. Construction documents shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted where approved by the code official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the code official.

Construction documents shall identify the name and classification of the facility and clearly show the electrical installation or alteration in floor plan view, include all switchboard and panelboard schedules and when a service or feeder is to be installed or altered, must include a riser diagram, load calculation, fault current calculation, and interrupting rating of equipment.

(D) Penetrations. Construction documents shall indicate where penetrations will be made for electrical systems and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

(E) Load calculations. Where an addition or alteration is made to an existing electrical system, an electrical load calculation shall be prepared to determine if the existing electrical service has the capacity to serve the added load.

(F) Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The code official is permitted to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

(G) Plan review required. Electrical plan review is required for all new or altered electrical projects in the following occupancies and/or installations:

- 1) Educational, institutional, or health care facilities/buildings as follows:
 - (a) Hospital
 - (b) Nursing home unit or long-term care unit
 - (c) Boarding home
 - (d) Assisted living facility
 - (e) Private alcoholism hospital
 - (f) Alcoholism treatment facility
 - (g) Private psychiatric hospital
 - (h) Maternity home
 - (i) Ambulatory surgery facility
 - (j) Renal hemodialysis clinic
 - (k) Residential treatment facility for psychiatrically impaired children and youth
 - (l) Adult residential rehabilitation center
 - (m) Educational facilities
 - (n) Institutional facilities

Exception: Electrical Plan review is not required for the above educational, institutional, or health care facilities buildings where:

1. Lighting specific projects that result in an electrical load reduction on each feeder involved in the project;
2. Low voltage systems;
3. Modification to existing electrical installations where all of the following conditions are met:

- a. Service or distribution equipment involved is rated 100 amperes or greater and does not exceed 250 volts;
 - b. Does not involve emergency systems other than listed unit equipment per NEC 700.12(F);
 - c. Does not involve branch circuits or feeders of an essential electrical system as defined in NEC 517.2; and
 - d. Service and feeder load calculations are increased by 5% or less.
4. Stand-alone utility fed services that do not exceed 250 volts, 100 amperes where the project's distribution system does not include:
- a. Emergency systems other than listed unit equipment per NEC 700.12(F);
 - b. Critical branch circuits or feeders as defined in NEC 517.2, or
 - c. A required fire pump system.
- 2) Alterations in non-residential occupancies 2,500 square feet and greater.
- 3) Installations in occupancies, except one and two family dwellings, where a service or feeder rated 100 amperes or greater is installed or altered or if more than 100 amperes is added to the service or feeder.
- 4) All work on electrical systems operating at/over 600 Volts
- 5) All commercial generator installations or alterations
- 6) All work in areas determined to be hazardous (classified) location by the NEC.
- 7) If 60% or more of luminaires change.
- 8) Installations of switches or circuit breakers rated four hundred amperes or over except for one and two family dwellings.
- 9) Wind driven generators.
- 10) Solar photovoltaic systems.
- 11) Any proposed installation which cannot be adequately described in the application form.

(H) Examination of Documents. The code official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

(I) Approval of construction documents. When the code official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed By", "Approved", or other similar words. One set of construction documents so reviewed shall be retained by the code official. The other set shall be returned to the applicant, shall be kept at the site of

work and shall be open to inspection by the code official or the authorized representative.

(1) Previous approvals. This code shall not require changes in the construction documents, construction or installation of electrical systems or equipment for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

(2) Phased approval. The code official is authorized to issue a permit for the installation of part of an electrical system before the construction documents for the electrical system have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire system will be granted.

(J) Design Professional in Responsible Charge. When it is required that documents be prepared by a qualified registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by IBC Chapter 17, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also duties specified in IBC Chapter 17).

(K) Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge, or the applicant, if no design professional is required, shall list the deferred submittals on the construction documents for review by the building official. Where a design professional is required, documents for deferred submittal items shall be

submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official. The building official is authorized to charge an additional plan review fee to evaluate the deferred submittal under.

(L) Amended construction documents (aka "Revisions"). Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents (aka: Revisions). The building official may authorize minor field changes subject to the approval of the field inspector.

(M) Retention of construction documents. One set of approved construction documents shall be retained by the City for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

85.17 APPROVAL

(A) Approved materials and equipment. All materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

(B) Technical assistance. To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to the inspection of the department, the code official is authorized to require the owner or the person in possession or control of the building or premises to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or organization acceptable to the code official and shall analyze the properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The code official is authorized to require design submittals to be prepared by and bear the stamp of a registered design professional.

(C) Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided the code

official shall first find that special individual reason makes the strict letter of this code impractical and that the modification is in compliance with the intent and purpose of this code, and that such modification does not lessen health, life and fire-safety requirements. The details of action granting modifications shall be recorded and entered in the permit file.

(D) Alternative materials, methods, equipment and appliances. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

(E) Material, equipment and appliance reuse. Materials, equipment, appliances and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition and approved.

(F) Required testing. Wherever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

(G) Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures.

(H) Testing agency. All tests shall be performed by an approved agency.

(I) Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

(J) Alternate engineered design. The design, documentation, inspection, testing and approval of an alternative engineered design electrical system shall comply with this section.

1) Design criteria. An alternative engineered design shall conform to the intent of the provisions of this code and shall provide an equivalent level of quality, strength, effectiveness, fire resistance, durability and

safety. Materials, equipment or components shall be designed and installed in accordance with the manufacturer's installation instructions.

2) Submittal. The registered design professional shall indicate on the permit application that the electrical system is an alternative engineered design. The permit and permanent permit records shall indicate that an alternative engineered design was part of the approved installation.

3) Technical data. The registered design professional shall submit sufficient technical data to substantiate the proposed alternative engineered design and to prove that the performance meets the intent of this code.

4) Construction documents. The registered design professional shall submit to the code official two complete sets of signed and sealed construction documents for the alternative engineered design. The construction documents shall include floor plans and a diagram of the work.

5) Design approval. Where the code official determines that the alternative engineered design conforms to the intent of this code, the electrical system shall be approved. If the alternative engineered design is not approved, the code official shall notify the registered design professional in writing, stating the reasons therefore.

6) Inspection and testing. The alternative engineered design shall be tested and inspected in accordance with the requirements of this code.

85.19 INSPECTIONS AND TESTING

(A) General. The code official is authorized to conduct inspections that are deemed necessary to determine the extent of compliance with the provisions of this code and to approve reports of inspection by approved agencies or individuals. All reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues subject to the approval of the governing body. Electrical wiring or equipment subject to this chapter must be sufficiently accessible, at the time of inspection, to allow the inspector to visually inspect the installation to verify conformance with the NEC and any other electrical requirements of this chapter. Cables or raceways, fished according to the NEC, do not require visual inspection.

(B) Required Inspections. The code official, upon notification, shall make the inspections set forth in this section:

(1) Underground. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping and conductors are installed, and before backfill is put in place. Where excavated soil

contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the raceway, cable or conductors, or where corrosive action will occur, protection shall be provided in the form of granular or selected material, approved running boards, sleeves or other means.

(2) Rough-in. Rough-in inspection shall be made after the roof, framing, fireblocking and bracing are in place and all wiring and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes. All required equipment grounding conductors installed in concealed cable or flexible conduit systems must be completely installed and made up at the time of the rough-in cover inspection.

(3) Other inspections. In addition to the inspections specified above, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws, which are enforced by the department of electrical inspection.

(4) Final Inspection. The final inspection shall be made after all work required by the permit is completed.

(C) Concealed work. Work shall remain accessible and exposed for inspection purposes until approved. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Wherever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the code official shall have the authority to require that such work be exposed for inspection. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

(D) Inspection record card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the code official to make conveniently the required entries thereon regarding inspection of the work. This card shall be maintained by the permit holder until final approval has been granted by the code official.

(E) Approval required. Work shall not be performed beyond the point indicated in each successive inspection and test without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and tests and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such

portion shall not be covered or concealed until authorized by the code official. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

(F) Preliminary inspection. Before issuing a permit, the code official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. The code official shall be notified when the installation is ready for inspection and is authorized to conduct the inspection within a reasonable period of time.

(G) Identification. The code official shall carry proper identification issued by the governing authority where inspecting structures, premises or facilities in the performance of duties under this code and shall be identified by proper credentials issued by this governing authority.

(H) Impersonation prohibited. A person shall not impersonate the code official through the use of a uniform, identification card, badge or any other means.

(I) Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the code official has reasonable cause to believe that there exists in a structure or upon any premises a condition that is contrary to or in violation of this code, which makes the structure or premises unsafe, dangerous or hazardous, the code official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied, that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the code official is authorized to first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

(J) Inspection agencies. The code official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

(K) Inspection requests. It shall be the duty of the person doing the work authorized by a permit or the owner to notify the code official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work.

(L) Assistance from other agencies. The assistance and cooperation of police, building, fire and health department officials and all other officials shall be available as required in the performance of duties.

(M) Contractors' responsibilities. It shall be the responsibility of every contractor who enters into contracts for the installation or repair of electrical systems for which a permit is required to comply with adopted state and local rules and regulations concerning licensing.

(N) Traffic management systems.

(1) The city will perform the electrical inspection and acceptance of traffic management systems within its jurisdiction. A traffic management system includes:

- (a) Traffic illumination systems;
- (b) Traffic signal systems;
- (c) Traffic monitoring systems;
- (d) The electrical service cabinet and all related components and equipment installed on the load side of the service cabinet supplying electrical power to the traffic management system; and
- (e) Signalization system(s) necessary for the operation of a light rail system. A traffic management system can provide signalization for controlling vehicular traffic, pedestrian traffic, or rolling stock.

(2) The city recognizes that traffic signal conductors, pole and bracket cables, signal displays, traffic signal controllers/cabinets, and associated components used in traffic management systems are acceptable for the purpose of meeting the requirements of chapter 19.28 RCW provided they conform with the following standards or are listed on the Washington state department of transportation (WSDOT) qualified products list.

- (a) WSDOT/APWA Standard Specifications and Plans;
- (b) WSDOT Design Manual;
- (c) International Municipal Signal Association (IMSA);
- (d) National Electrical Manufacturer's Association (NEMA);
- (e) Federal Standards 170/Controller Cabinets;
- (f) Manual for Uniform Road, Bridge, and Municipal Construction;
- (g) Institute of Transportation Engineers (ITE); or
- (h) Manual of Uniform Traffic Control Devices (MUTCD).

(3) *Associated induction* detection loop or similar circuits will be accepted by the department or city authorized to do electrical inspections without inspection.

(4) For the licensing requirements of chapter 19.28 RCW, jurisdictions will be considered owners of traffic management systems when doing electrical work for another jurisdiction(s) under a valid interlocal agreement, as permitted by chapter 39.34 RCW. Interlocal agreements

for traffic management systems must be filed with the department or city authorized to do electrical inspections prior to work being performed for this provision to apply.

(5) Jurisdictions, with an established electrical inspection authority, and WSDOT may perform electrical inspection on their rights of way for each other by interlocal agreement. They may not perform electrical inspection on other rights of way except as allowed in chapter 19.28 or 39.34 RCW.

(6) Underground installations.

(a) In other than open trenching, raceways will be considered "fished" according to the NEC and do not require visual inspection.

(b) The department or city authorized to do electrical inspections will conduct inspections in open trenching within its jurisdiction upon request.

(7) Identification of traffic management system components. Local government jurisdictions or WSDOT may act as the certifying authority for the safety evaluation of all components.

(a) An electrical service cabinet must contain only listed components. The electrical service cabinet enclosure is not required to be listed but will conform to the standards in subsection (h) of this section.

(b) The local government jurisdiction must identify, as acceptable, the controller cabinet or system component(s) with an identification plate. The identification plate must be located inside the cabinet and may be attached with adhesive.

(8) Conductors of different circuits in same cable, enclosure, or raceway. All traffic management system circuits will be permitted to occupy the same cable, enclosure, or raceway without regard to voltage characteristics, provided all conductors are insulated for the maximum voltage of any conductor in the cable, enclosure, or raceway.

(O) Testing. Electrical work shall be tested as required in this code. Tests shall be performed by the permit holder and observed by the code official.

(1) **Apparatus, material and labor for tests.** Apparatus, material and labor required for testing an electrical system or part thereof shall be furnished by the permit holder.

(2) **Reinspection and testing.** Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for inspection and testing.

85.21 Service utilities

(A) Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that

is regulated by this code for which a permit is required, until approved by the code official.

(B) Temporary connection. The code official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

(C) Authority to disconnect service utilities. The code official shall have the authority to authorize disconnection of utility services or energy sources to the building, structure or system regulated by this code in case of an emergency where it is necessary to eliminate an immediate hazard to life or property. The code official shall notify the serving utility and, wherever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

(D) Connection after order to disconnect. A person shall not make utility service or energy source connections to systems regulated by this code, which have been disconnected or ordered to be disconnected by the code official, or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such systems.

85.23 Unsafe systems and equipment

(A) Unsafe electrical systems. An electrical system that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this code, is hereby declared as an unsafe electrical system. Use of an electrical system regulated by this code constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe equipment and appliances are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

(B) Authority to condemn electrical systems. Wherever the code official determines that any electrical system, or portion thereof, regulated by this code has become hazardous to life, health or property, the code official shall order in writing that such electrical systems either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective electrical system or equipment after receiving such notice.

Where such electrical system is to be disconnected, written notice as prescribed in this code shall be given. In cases of immediate danger to life

or property, such disconnection shall be made immediately without such notice.

(C) Dangerous conditions. Wherever the code official shall find in any structure or upon any premises dangerous or hazardous conditions or materials, the code official is authorized to order such dangerous conditions or materials to be removed or remedied in accordance with the provisions of this code.

(D) Record. The code official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

(E) Notice. If an unsafe condition is found, the code official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe condition to be removed within a stipulated time.

(F) Method of service. Such notice shall be deemed properly served if a copy thereof is: (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

85.25 Violations

(A) Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any system or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

(B) Notice of Violation

Where the code official finds any building, premises, vehicle, system or equipment that is in violation of this code, the code official is authorized to issue corrective orders.

(1) **Notice.** Wherever the code official determines violations of this code or observes an apparent or actual violation of a provision of this code or other codes or ordinances under the code official's jurisdiction, the code official is authorized to prepare a written notice of violation describing the conditions deemed unsafe and, where compliance is not immediate,

specifying a time for re-inspection. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

(2) **Service.** Any order or notice issued pursuant to this code shall be served upon the owner, operator, occupant or other person responsible for the condition or violation, either by personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such order or notice shall be posted on the premises in a conspicuous place at or near the entrance to such premises, and the order or notice shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both.

(3) **Compliance with orders and notices.** Orders and notices issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the order or notice pertains.

(4) **Failure to correct violations.** If the notice of violation is not complied with, the code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of any order or direction made pursuant thereto.

(5) **Failure to comply.** Failure to comply with an abatement notice or other corrective notice issued by the code official shall result in each day that such violation continues being regarded as a new and separate offense.

(6) **Unauthorized tampering.** Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with or removed without authorization from the code official.

(C) Penalties. Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant of this code or violates any condition attached to a permit, approval or certificate shall be subject to the penalties as prescribed by law.

The imposition of the penalties herein described shall not prevent the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

(D) Stop work order. Upon notice from the code official that any electrical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume.

(1) Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

(2) Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

85.27 Means of Appeal.

A person shall have the right to appeal a decision of the code official. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder, have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed.

Appeals shall be heard by the hearing examiner pursuant to the applicable Chapters of the City's Municipal Code.

85.29 Additional Electrical Provisions

(A) All identified electrical hazards shall be abated. All identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the code official responsible for enforcement of this code. Electrical wiring, devices, appliances and other equipment which is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.

(B) Electrical appliances and fixtures shall be tested and listed in published reports of inspected electrical equipment by an approved agency and installed in accordance with all instructions included as part of such listing.

(C) The cutting, notching and boring of wood and steel framing members, structural members and engineered wood products shall be in accordance with the International Building Code.

(D) Penetrations of walls, floors, ceilings and assemblies required to have a fire-resistance rating, shall be protected in accordance with the International Building Code. Where cables, conductors and raceways penetrate fireblocking or draftstopping, such penetrations shall be protected by filling the annular space with an approved fireblocking material.

(E) Where appliances requiring access are installed in attics or underfloor spaces, a luminaire controlled by a switch located at the required passageway opening to such space and a receptacle outlet shall be provided at or near the appliance location.

(F) Fuel gas piping shall not be used as a grounding electrode.

(G) Emergency and standby power systems required by the International Building Code or International Fire Code shall be installed in accordance with the International Building Code, the International Fire Code, NFPA 110, NFPA 111 and this code.

(H) Smoke control systems required by the International Building Code or International Fire Code shall be supplied with two sources of power. Primary power shall be the normal building power systems. Secondary power shall be from an approved standby source complying with this code. The standby power source and its transfer switches shall be in a separate room from the normal power transformers and switch gear, and shall be enclosed in a room constructed of not less than 1-hour fire-resistance-rated fire barriers, ventilated directly to and from the exterior. Power distribution from the two sources shall be by independent routes. Transfer to full standby power shall be automatic and within 60 seconds of failure of the primary power.

(I) Elements of the smoke management system relying on volatile memories or the like shall be supplied with uninterruptable power sources of sufficient duration to span 15-minute primary power interruption. Elements of the smoke management system susceptible to power surges shall be suitably protected by conditioners, suppressors or other approved means.

(J) In addition to meeting the requirements of this code, all signal and control wiring for smoke control systems, regardless of voltage, shall be fully enclosed within continuous raceways.

(K) Combustible electrical or electronic wiring methods and materials, optical fiber cable, and optical fiber raceway exposed within plenums regulated by Section 602 of the International Mechanical Code shall have a peak optical density not greater than 0.50, an average optical density not greater than 0.15, and a flame spread not greater than 5 feet (1524 mm) when tested in accordance with NFPA 262. Only type OFNP (plenum-rated non-conductive optical fiber cable) shall be installed in plenum-rated optical fiber raceways. Wiring, cable and raceways addressed in this section shall

be listed and labeled as plenum rated and shall be installed in accordance with this code.

(L) Combustible electrical equipment exposed within plenums regulated by Section 602 of the International Mechanical Code shall have a peak rate of heat release not greater than 100 kilowatts (kW), a peak optical density not greater than 0.50, and an average optical density not greater than 0.15 when tested in accordance with UL 2043. Combustible electrical equipment shall be listed and labeled.

(M) Permanently installed equipment and appliances powered by internal combustion engines and turbines shall be installed in accordance with the manufacturer's installation instructions, the International Mechanical Code, International Fuel Gas Code and NFPA 37.

(N) Stationary fuel cell power systems having a power output not exceeding 10MW shall be tested in accordance with ANSI CSA America FC1 and shall be installed in accordance with the manufacturer's installation instructions and NFPA 853.

(O) The power supply to the electrical control system for boilers shall be from a two-wire branch circuit that has a grounded conductor or from an isolation transformer with a two-wire secondary. Where an isolation transformer is provided, one conductor of the secondary winding shall be grounded. Control voltage shall not exceed 150 volts nominal, line to line. Control and limit devices shall interrupt the ungrounded side of the circuit. A means of manually disconnecting the control circuit shall be provided, and controls shall be arranged so that when de-energized, the burner shall be inoperative. Such disconnecting means shall be capable of being locked in the off position and shall be provided with ready access.

(P) Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar approved wording. The disconnecting means for each service, feeder or branch circuit originating on a switchboard or panelboard shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident.

(Q) In new construction, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are not required to be equipped with battery backup in Group R-1 where they are connected to an emergency electrical system.

(R) Where more than one smoke alarm is required to be installed within an individual dwelling unit or sleeping unit in Group R-2, R-3 or R-4, or within an individual sleeping unit in Group R-1, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

(S) Existing buildings. This section shall apply to existing buildings and structures that are within the scope of an adopted property maintenance code, abatement of dangerous buildings code, existing building code and/or housing code. Every occupied building shall be provided with an electrical system in compliance with the following requirements:

(1) Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with this code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

(2) Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

(3) Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

(4) Receptacles. Every habitable space in a dwelling shall be provided with at least two separate and remote receptacle outlets. Every laundry area shall be provided with at least one grounding-type receptacle outlet or a receptacle outlet with ground fault circuit interrupter protection. Every bathroom shall contain at least one receptacle outlet. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

(5) Luminaires. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall be provided with at least one electric luminaire.

Part 3 – NEC Amendments

90.7 Examination of equipment for safety

Article 90.7 of the National Electrical Code is amended to read as follows:

90.7 Examination of equipment for safety. For specific items of equipment and materials referred to in this Code, examinations for safety made under standard conditions, to a recognized United States or harmonized international standard, provide a basis for approval where the record is made generally available through promulgation by organizations properly equipped and qualified for experimental testing, inspections of the run of goods at factories, and service-value determination through field inspections. This avoids the necessity for repetition of examinations by different examiners, frequently with inadequate facilities for such work, and the confusion that would result from conflicting reports on the suitability of devices and materials examined for a given purpose.

It is the intent of this Code that factory-installed internal wiring or the construction of equipment need not be inspected at the time of installation of the equipment, except to detect alterations or damage, if the equipment has been listed by a qualified electrical testing laboratory that is recognized as having the facilities described in the preceding paragraph and that requires suitability for installation in accordance with this Code.

100 National Electrical Code Article 100 amended — Definitions.

Article 100 of the National Electrical Code is amended and supplemented by the addition of the following definitions to read as follows:

“Accessible (as applied to wiring methods)” means capable of being removed or exposed without damaging the building structure or finish or not permanently closed in by the structure or finish of the building including insulation.

“Accessible, Readily (Readily Accessible)” means capable of being reached quickly for operation, renewal, or inspections without requiring those to whom ready access is requisite to climb over or remove obstacles or

to resort to portable ladders, and so forth. In addition, it means that except for keys, no tools or other devices are necessary to gain access (e.g. covers secured with screws, etc.)

"Adult residential rehabilitation center" means a residence, place, or facility designed or organized primarily to provide twenty-four-hour residential care, crisis and short-term care or long-term individualized active treatment and rehabilitation for clients diagnosed or evaluated as psychiatrically impaired or chronically mentally ill as defined herein or in chapter 71.24 RCW.

"Alcoholism treatment facility" means a private place or establishment, other than a licensed hospital, operated primarily for the treatment of alcoholism.

"Ambulatory surgical facility" means a facility, not a part of a hospital, providing surgical treatment to patients not requiring inpatient care in a hospital. This term does not include a facility in the offices of private physicians or dentists, whether for individual or group practice, if the privilege of using such facility is not extended to physicians or dentists outside the individual or group practice.

"Amusement structure" means electrical or mechanical devices or combinations of devices operated for revenue and to provide amusement or entertainment to viewers or audiences at carnivals, fairs, or amusement parks. "Amusement structure" also means a bungee jumping device regardless of where located. "Amusement structure" does not include games in which a member of the public must perform an act, nor concessions at which customers may make purchases.

"Amusement ride" means any vehicle, boat, bungee jumping device, or other mechanical device moving upon or within a structure, along cables or rails, through the air by centrifugal force or otherwise, or across water, that is used to convey one or more individuals for amusement, entertainment, diversion, or recreation. "Amusement ride" includes, but is not limited to, devices commonly known as skyrides, ferris wheels, carousels, parachute towers, tunnels of love, bungee jumping devices, and roller coasters. "Amusement ride" does not include: (a) Conveyances for persons in recreational winter sports activities such as ski lifts, ski tows, j-bars, t-bars, and similar devices subject to regulation under chapter [70.88](#) RCW; (b) any single-passenger coin-operated ride that is manually, mechanically, or electrically operated and customarily placed in a public location and that does not normally require the supervision or services of an operator; (c) non-mechanized playground equipment, including but not limited to,

swings, seesaws, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, slides, trampolines, and physical fitness devices; or (d) water slides.

“Approved Agency” means an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, where the agency has been approved by the code official.

“Basement” means that portion of a building that is partly or completely below grade plane. A basement shall be considered as a story above grade plane and not a basement where the finished surface of the floor above the basement is:

- (1) More than 1829 mm (six feet) above grade plane.
- (2) More than 1829 mm (six feet) above the finished ground level for more than 50% of the total building perimeter; or
- (3) More than 3658 mm (twelve feet) above the finished ground level at any point.

“Boarding home” means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing board and domiciliary care to seven or more aged persons not related by blood or marriage to the operator. It must not include any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof.

“Building” is a structure that stands alone or that is separated from adjoining structures by a minimum two hour rated fire walls, and protected openings complying with the provisions of Section 705 of the International Building Code. The extent and location of such fire walls shall provide a complete separation.

“Certified electrical product” means an electrical product to which a laboratory, accredited by the State of Washington, has the laboratory's certification mark attached.

“Certification mark” is a specified laboratory label, symbol, or other identifying mark that indicates the manufacturer produced the product in compliance with appropriate standards or that the product has been tested for specific end uses.

“City” means the City that adopts and enforces this code.

“Code official” means the person(s) or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative.

“Educational facility” refers to a building or portion of a building used primarily for educational purposes by six or more persons at one time for twelve hours per week or four hours in any one day. Educational facility includes: Schools (preschool through grade twelve), colleges, academies, universities, and trade schools.

“Electrical equipment” includes electrical conductors, conduit, raceway, apparatus, materials, components, and other electrical equipment not exempted by RCW 19.28.006(9). Any conduit/raceway of a type listed for electrical use is considered to be electrical equipment even if no wiring is installed in the conduit/raceway at the time of the conduit/raceway installation.

“Electrical products certification laboratory” is a laboratory or firm accredited by the state of Washington to perform certification of electrical products.

“Electrical products evaluation laboratory” is a laboratory or firm accredited by the state of Washington to perform on-site field evaluation of electrical products for safety.

“Family child day care home” means the same as "family child care home" and "a child day care facility" licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home. Electrical plan review is not required.

“Field evaluated” means an electrical product to which a field evaluation mark is attached. Field evaluation shall include job site inspection unless waived by the department, and may include component sampling and/or laboratory testing.

“Field evaluation mark” is a specified laboratory label, symbol, or other identifying mark indicating the manufacturer produced the product in essential compliance with appropriate standards or that the product has been evaluated for specific end uses.

“Fished wiring” is when cable or conduit is installed within the finished surfaces of an existing building or building structure (e.g., wall, floor or ceiling cavity).

"High-Rise Building" is a building having occupied floors located more than 75 feet above the lowest level of fire department vehicle access.

Exception: The following buildings and structures as defined in the International Building Code shall not be considered as a high-rise building:

- (1) Airport traffic control towers in accordance with IBC Section 412.
- (2) Open parking garages in accordance with IBC Section 406.3.
- (3) Buildings with an occupancy in Group A-5 in accordance with IBC Section 303.1
- (4) Low-Hazard special industrial occupancies in accordance with IBC Section 503.1.2.
- (5) Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with IBC Section 415.

"Hospital" means any institution, place, building, or agency providing accommodations, facilities, and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care of two or more individuals not related to the operator who are suffering from illness, injury, deformity, abnormality, or from any other condition for which obstetrical, medical, or surgical services would be appropriate for care or diagnosis.

"IBC" means the International Building Code.

"Identification plate" is a phenolic or metallic plate or other similar material engraved in block letters at least 1/4" (6 mm) high unless specifically required to be larger by this chapter, suitable for the environment and application. The letters and the background shall be in contrasting colors. Screws, rivets, or methods specifically described in this chapter shall be used to affix an identification plate to the equipment or enclosure.

"Industrial control panel" means a factory or user wired assembly of industrial control equipment such as motor controllers, switches, relays, power supplies, computers, cathode ray tubes, transducers, and auxiliary devices used in the manufacturing process to control industrial utilization equipment. The panel may include disconnecting means and motor branch circuit protective devices. Industrial control panels include only those used in a manufacturing process in a food processing or industrial plant.

"Installation" includes the act of installing, connecting, repairing, modifying, or otherwise performing work on an electrical system, component, equipment, or wire except as exempted by WAC 296-46B-925.

"Institutional facility" refers to a building or portion of a building used primarily for detention and correctional occupancies where some degree of restraint or security is required for a time period of twenty-four or more

hours. Such occupancies include, but are not restricted to: Penal institutions, reformatories, jails, detention centers, correctional centers, and residential-restrained care.

"Labeled" means an electrical product that bears a certification mark issued by a laboratory accredited by the state of Washington.

"Laboratory" may be either an electrical product(s) certification laboratory or an electrical product(s) evaluation laboratory.

"Like-in-kind" means having similar characteristics such as voltage requirement, current draw, circuit overcurrent and short circuit characteristics, and function within the system. Like-in-kind also includes any equipment component authorized by the manufacturer as a suitable component replacement part.

"Listed" means equipment has been listed and identified by a laboratory approved by the State of Washington for the appropriate equipment standard per this chapter.

"Low voltage" means:

- (1) NEC, Class 1 power limited circuits at 30 volts maximum.
- (2) NEC, Class 2 circuits powered by a Class 2 power supply as defined in NEC 725.121(A).
- (3) NEC, Class 3 circuits powered by a Class 3 power supply as defined in NEC 725.121(A).
- (4) Circuits of Telecommunications systems as defined in chapter 19.28 RCW.

"Maternity home" means any home, place, hospital, or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: provided, however, that this definition will not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

"Mezzanine" is the intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-third of the area of the room or space in which the level or levels are located. Also see "basement" and "story."

"NEC" means National Electrical Code. Copies of the NEC are available from the National Fire Protection Association.

"NRTL" means Nationally Recognized Testing Laboratory accredited by the federal Occupational Safety and Health Administration (OSHA) after meeting the requirements of 29 CFR 1910.7.

"Nursing home," "nursing home unit" or "long-term care unit" means a group of beds for the accommodation of patients who, because of chronic illness or physical infirmities, require skilled nursing care and related medical services but are not acutely ill and not in need of the highly technical or specialized services ordinarily a part of hospital care.

"Occupancy" means the purpose for which a building, or part thereof, is utilized or occupied as defined by the International Building Code.

"Point of contact" for utility work, means the point at which a customer's electrical system connects to the serving utility system.

"Private alcoholism hospital" means an institution, facility, building, or equivalent designed, organized, maintained, or operated to provide diagnosis, treatment, and care of individuals demonstrating signs or symptoms of alcoholism, including the complications of associated substance use and other medical diseases that can be appropriately treated and cared for in the facility and providing accommodations, medical services, or other necessary services over a continuous period of twenty-four hours or more for two or more individuals unrelated to the operator, provided that this chapter will not apply to any facility, agency, or other entity which is owned and operated by a public or governmental body.

"Private psychiatric hospital" means a privately owned and operated establishment or institution which: provides accommodations and services over a continuous period of twenty-four hours or more, and is expressly and exclusively for observing, diagnosing, or caring for two or more individuals with signs or symptoms of mental illness who are not related to the licensee.

"Renal hemodialysis clinic" means a facility in a building or part of a building which is approved to furnish the full spectrum of diagnostic, therapeutic, or rehabilitative services required for the care of renal dialysis patients (including inpatient dialysis furnished directly or under arrangement). (NEC; Ambulatory Health Care Center)

"Residential treatment facility for psychiatrically impaired children and youth" means a residence, place, or facility designed or organized to provide twenty-four-hour residential care or long-term individualized, active

treatment for clients who have been diagnosed or evaluated as psychiatrically impaired.

"Stand-alone amplified sound or public address system" is a system that has distinct wiring and equipment for audio signal generation, recording, processing, amplification, and reproduction. This definition does not apply to telecommunications installations.

"Story" is that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. Next above means vertically and not necessarily directly above. Also see "basement" and "mezzanine."

"Structure" for the purposes of this chapter and in addition to the definition in the NEC, means something constructed either in the field or factory that is used or intended for supporting or sheltering any use or occupancy as defined by the IBC.

"Telecommunications installations" is as described in RCW 19.28.400 for both regulated carriers and unregulated local service providers.

"Telecommunications local service provider" is a regulated or unregulated (e.g., by the Federal Communications Commission or the utilities and transportation commission as a telephone or telecommunications provider) firm providing telecommunications service ahead of the telecommunications network demarcation point to an end-user's facilities.

"Telecommunications network demarcation point" as defined in RCW 19.28.400 means the point or interconnection between the service provider's communications cabling, terminal equipment, and protective apparatus and the customer's premises telecommunications cabling system. The location of this point for regulated carriers is determined by federal and state regulations and is applicable for both regulated carriers and unregulated local service providers.. The carrier should be contacted to determine the location policies in effect in the area,

"Utility system" means electrical equipment owned by or under the control of a serving utility that is used for the transmission or distribution of electricity from the source of supply to the point of contact and is further defined as installations under the exclusive control of electric utilities for the purpose of communication, transmission, and distribution of electric energy located in buildings used exclusively by utilities for such purposes or located outdoors on property owned or leased by the utilities or on public highways, streets, roads, etc., or outdoors by established rights on private property.

It is the intent that this chapter covers all premises' wiring or wiring other than utility owned metering equipment, on the load side of the service point of buildings, structures, or any other premises not owned or leased by the utility. Also, it is the intent that this chapter covers installations in buildings used by the utility for purposes other than listed in the previous paragraph, such as offices buildings, warehouses, garages, machine shops, and recreational buildings which are not an integral part of a generating plant, substation, or control center.

"Utilization voltage" means the voltage level employed by the utility's customer for connection to lighting fixtures, motors, heaters, or other electrically operated equipment other than power transformers.

110.2 National Electrical Code Article 110.2 amended — Approval.

Article 110.2 of the National Electrical Code is amended and supplemented by the addition of the following text to the end of Article 110.2:

All materials, devices, appliances, and equipment, not exempted in state law chapter 19.28. RCW, must conform to applicable standards recognized by the authority having jurisdiction, be listed, or field evaluated by an accredited electrical products testing laboratory. Equipment must not be energized until such standards are met, unless specific permission has been granted by the authority having jurisdiction.

110.3 National Electrical Code Article 110.3 amended — Examination, Identification, Installation, and Use of Equipment.

Article 110.3 of the National Electrical Code is amended and supplemented by the addition of a new subsection to be known as subsection 110.3(C), to read as follows:

(C) Industrial control panels and utilization equipment. Control panels and utilization equipment installed in industrial plants will be determined to meet the minimum electrical safety standards for installations by one of the following methods:

- (1) Listing and Labeling by an accredited electrical products testing laboratory.

- (2) Field evaluation by an accredited electrical products testing laboratory;
- a) If the equipment usage is changed to other than industrial utilization equipment or electrical modifications are made to the equipment, the equipment must be successfully listed or field evaluated by an accredited electrical products testing laboratory.
 - b) The equipment must be permanently installed at the owner's facility and inspected per the requirements of this Chapter.

Use of industrial control panel(s) or equipment before its evaluation or final inspection, must be authorized by the Code Official or designated representative prior to its being energized.

110.12 National Electrical Code Article 110.12 amended — Mechanical Execution of Work.

Article 110.12 of the National Electrical Code is amended and supplemented by the addition of new subsections to be known as 110.12(C), 110.12(D) and 110.12(E), to read as follows:

(C) Abandoned Conductors and Cables. Electrical conductors or cables shall not be abandoned in place. Unused electrical conductors, or cables, regardless of voltage, and communication cables not in use shall be removed from the building or structure back to the originating panel board unless otherwise authorized by the authority having jurisdiction.

(D) Old, Used or Damaged Material and Equipment. Old, used or damaged electrical equipment, conductors or materials shall not be reinstalled or used in any new work without prior approval of the authority having jurisdiction.

(E) Electrical Equipment submerged or exposed to water. Electrical equipment and wiring that has been submerged or exposed to water must comply with the following:

- (1) All wire or cable listed for dry locations, molded-case breakers, fuses, electronic/solid state controllers, receptacles, lighting switches/dimmers, electric heaters, and any sealed device/equipment (e.g. relays, contactors, and similar equipment listed in NEMA 2006 publication titled "Evaluating Water Damaged Equipment") must be replaced.
- (2) All other electrical equipment (e.g. wiring, breaker panelboards, disconnect enclosed switches, switchgear, motor control centers, boiler controls, HVAC/R equipment, electric motors, transformers, appliances, water heaters, and similar equipment listed in NEMA 2006 publication titled "Evaluating Water Damaged Equipment") may after consultation

with and approval of the manufacturer, be reconditioned by properly trained personnel. The potential to recondition the equipment may vary with the nature of the electrical function, the degree of flooding, the age of the equipment, and the length of time the equipment was exposed to water.

(3) Before any electrical equipment is reconditioned and placed back into service, documentation shall be provided to the code official that the original manufacturer has reviewed and approved the reconditioning method, and that any recommended tests have been performed.

110.16 National Electrical Code Article 110.16 amended — Flash Protection.

Article 110.16 of the National Electrical Code is amended and supplemented by the addition of the following text to the end of the first paragraph, to read as follows:

The flash protection marking shall be an identification plate or label meeting ANSI Standards Z535.4-1998 or be of a type approved by the Code Official or designated representative. The plate or label may be installed at the factory or in the field. The plate or label may be mounted using adhesive. The plate or label shall include all of the following:

- (1) The date of the flash hazard analysis.
- (2) The flash hazard category.
- (3) The incident energy level in cal/cm² at 18 inches from the flash hazard.
- (4) The flash hazard boundary.
- (5) The personal protective equipment that people within the Flash Hazard Boundary shall use.

The arc flash hazard shall be updated when a major modification, renovation or changes in the electrical distribution system that could affect the results of the arc flash hazard analysis takes place.

The arc flash hazard analysis shall take into consideration the design of the overcurrent protective device and its opening time, including its condition of maintenance.

Exception: An arc flash analysis shall not be required where all of the following exists:

- (1) *The circuit supplying the electrical equipment is 240 volts or less.*
- (2) *The electrical equipment is fed from only one transformer.*

(3) The transformer feeding the electrical equipment is rated less than 125 kVA.

110.22 National Electrical Code Article 110.22 amended — Identification of Disconnecting Means.

A. Article 110.22 of the National Electrical Code is amended and supplemented by the addition of the following text to subsection 110.22(A) to read as follows:

In other than dwelling units, an identification plate or label is required unless the disconnect is a circuit breaker or fused switch installed within a panelboard and its purpose is indicated by the panelboard schedule. The identification plate or label must include the identification designation of the circuit source panelboard that supplies the disconnect.

B. Article 110.22 of the National Electrical Code further is amended and supplemented by the addition of a new subsection to be known as subsection (D) to read as follows:

(D) The markings referenced in this section must be in the form of an identification plate or label in letters at least 13 mm (1/2") high.

200.6 National Electrical Code Article 200.6 amended – Means of Identifying Grounded Conductors

A. Article 200.6(A) of the National Electrical Code is amended and supplemented by the addition of the following exception, to read as follows:

Exception: the grounded service conductor is permitted to be identified with a yellow jacket or with one or more yellow stripes.

B. Article 200.6(B) of the National Electrical Code is amended and supplemented by the addition of the following exception, to read as follows:

Exception: the grounded service conductor is permitted to be identified with a yellow jacket or with one or more yellow stripes.

210.8 National Electrical Code 210.8 amended — Ground Fault Circuit-Interrupter Protection for Personnel.

A. Article 210.8 (A) of the National Electrical Code is amended and supplemented by the addition of the following text to read as follows:

Exception: In a garage or unfinished basement, a red receptacle, with a red cover plate, supplying a fire alarm system is not required to have ground-fault circuit-interrupter protection. The receptacle must be identified for use only with the fire alarm system by an identification plate or cover with letters at least ¼" high.

B. Article 210.8(B)(2) of the National Electrical Code is amended and supplemented to read as follows:

- (2) Kitchens and food preparation areas
 - (a) For the purposes of NEC 210.8 (B), Kitchen means any area where utensils, dishes, etc. are cleaned or where food or beverages are prepared or cooked.

C. Article 210.8 (B) of the National Electrical Code is amended and supplemented by the addition of a new subsection 210.8 (B)(6) to read as follows:

- (6) All 125-volt, 15- and 20-ampere receptacles installed in wet locations must have ground-fault circuit interrupter protection for personnel.

210.11 National Electrical Code 210.11 amended — Branch Circuits Required.

Article 210.11 of the National Electrical Code is amended and supplemented by the addition of a new subsection to be known as subsection 210.11(C)(4), to read as follows:

(4) Unfinished spaces. In addition to the number of branch circuits required by other parts of this section, an additional raceway system or one dedicated 15 ampere minimum, 120 volt branch circuit shall be provided for unfinished spaces areas adaptable to future dwelling unit living areas that are not readily accessible to the service or branch circuit panelboard. One circuit or raceway is required for each 480 square feet or less of unfinished space area. If the total adjacent unfinished space area is less than 480 square feet the circuit can be an extension of an existing circuit. The circuits must terminate in a suitable box(es). The box must contain an identification of the intended purpose of the circuit(s). The branch circuit

panelboard must have adequate space and capacity for the intended load(s).

210.12 National Electrical Code Article 210.12 amended - Arc-Fault Circuit-Interrupter Protection

Section 210.12 (B) of the National Electrical Code is amended and supplemented by the addition of a new exception to read as follows:

Exception #3: If an existing circuit is extended, arc-fault circuit interrupter protection is not required where approved by the code official.

215.10 National Electrical Code 215.10 amended — Ground-Fault Protection of Equipment.

Article 215.10 of the National Electrical Code is amended and supplemented by the addition of a new paragraph following the first paragraph of Article 215.10 to read as follows:

Equipment ground fault protection systems shall be performance tested prior to being placed into service to verify proper installation and operation of the system as determined by the manufacturer's published instructions. This test or a subsequent test shall include all system feeders. A firm having qualified personnel and proper equipment must perform the tests required. A copy of the manufacturer's performance testing instructions and a written performance acceptance test record signed by the person performing the test must be provided for the inspector's records at the time of inspection. The performance acceptance test record shall include test details including, but not limited to all trip settings and measurements taken during the test. The equipment being tested shall be labeled identifying the date of the test, the firm performing the test, and all settings for the equipment tested.

220.12 National Electrical Code 220.12 amended — Lighting Loads for Specified occupancies.

Article 220.12 of National Electrical Code is amended and supplemented by the addition of an exception to read as follows:

Exception: In determining feeder and service entrance conductor sizes and equipment ratings, the currently adopted Washington State Energy Code unit lighting power allowance table and footnotes may be used in lieu of NEC 220.12.

220.87 National Electrical Code 220.87 amended — Optional Calculations for Determining Existing Loads.

Article 220.87 of National Electrical Code is amended and supplemented by the addition of the following text to the end of Subsection (1), Exception, to read as follows:

In addition to the 30-day demand data, the following information must be provided:

- (1) The date of the measurements.
- (2) A statement attesting to the validity of the demand data, signed by a registered professional engineer or the electrical administrator of the electrical contractor performing the measurements.
- (3) A diagram of the electrical system identifying the point(s) of the measurements.

225.30 National Electrical Code Article 225.30 amended – Number of Supplies

Article 225.30 (A) of the National Electrical Code is amended and supplemented by the addition of a new paragraph at the end of subsection (A) to read as follows:

If a property has only a single building that is supplied from a remote service, the building may be supplied by no more than two feeders originating from the service equipment. The service equipment must contain over current protection appropriate to each feeder. The building disconnecting means required by NEC 225.32 must be located within sight and within 5' of each other.

225.32 National Electrical Code 225.32 amended — Location.

A. Article 225.32 of the National Electrical Code is amended and supplemented by the addition of a new paragraph following the first paragraph of Article 225.32 to read as follows:

Feeder disconnects, panelboards, subpanels, and similar electrical equipment must be installed so that they are readily accessible and may not be installed in bathrooms, clothes closets, or shower rooms. All indoor feeder disconnects, panelboards and subpanels and similar electrical equipment must have adequate working space and be adequately illuminated.

B. Article 225.32 of the National Electrical Code is further amended and supplemented by the addition of new subsections to be known as Subsection 225.32(1) and 225.32(2), to read as follows:

(1) Outside locations: Where the feeder disconnecting means is installed outside of a building or structure it must be on the building or structure supplied. The building disconnecting means may supply only 1 building or structure unless the secondary building(s) or structure(s) has a separate building disconnecting means meeting the requirements of this subsection. The disconnecting means must have an identification plate with at least 1/2" high letters identifying:

- a. The building or structure served; and
- b. Its function as the building or structure main disconnect(s).

(2) Inside location: Where the feeder disconnecting means is installed inside the building or structure, it must be located so that the feeder raceway or cable extends no more than 15' inside the building or structure.

230.28 Service Mast as Support

Article 230.28 of the National Electrical Code is amended and supplemented by the addition of new text and drawings to the end of the first paragraph to read as follows:

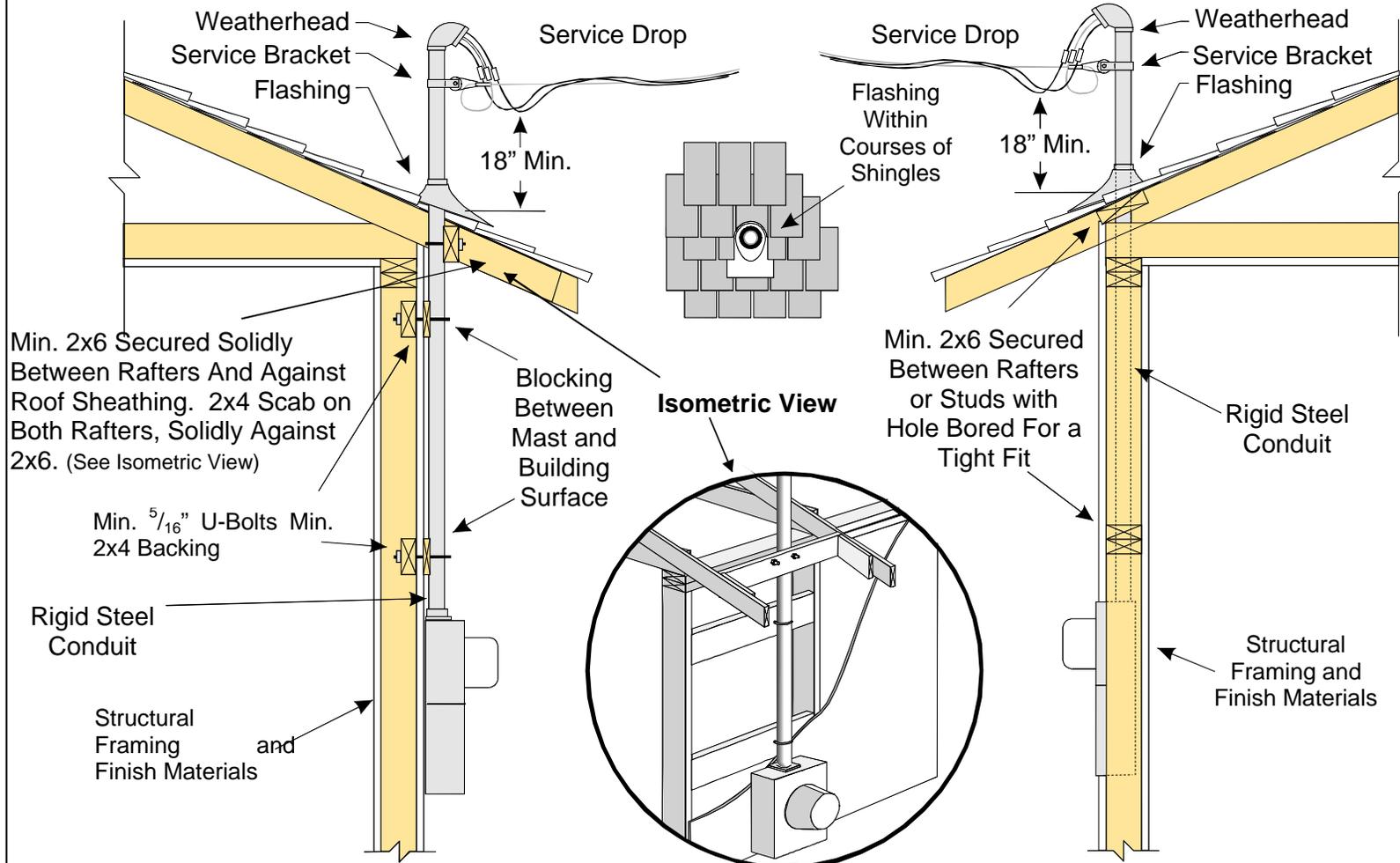
Where a raceway-type service mast is used as support for service-drop conductors, the following conditions must be met:

1. Raceway type service mast shall be a minimum of 2-inch rigid metal conduit.
2. An approved roof flashing shall be installed on each mast where it passes through a roof. Plastic, non-hardening mastic shall be placed between lead-type flashings and the conduit. Approved neoprene type roof flashings may be permitted.
3. Masts shall be braced, secured, and supported in such a manner that no pressure from the attached conductors will be exerted on a roof flashing, meter base, or other enclosures.

4. Utilization of couplings for a mast shall not be permitted above the point the mast is braced, secured, or supported. There must be a minimum of two means of support above any couplings used. A properly installed cable or stiff leg type support qualifies as one of the two required means of support.
5. Except as otherwise required by the serving utility, service mast support guys shall be installed if the service drop attaches to the mast more than 600 mm (24 in.) above the roof line or if the service drop is greater than 100' in length from the pole or support. Masts for support of other than service drops shall comply with this requirement as well.
6. Intermediate support masts shall be installed in an approved manner with methods identical or equal to those required for service masts.
7. For altered services, where it is impractical to install U bolt mast supports due to interior walls remaining closed, it may be permissible to use other alternate mast support methods such as heavy gauge, galvanized, electrical channel

Surface Mount Meter Base

Recessed Meter Base

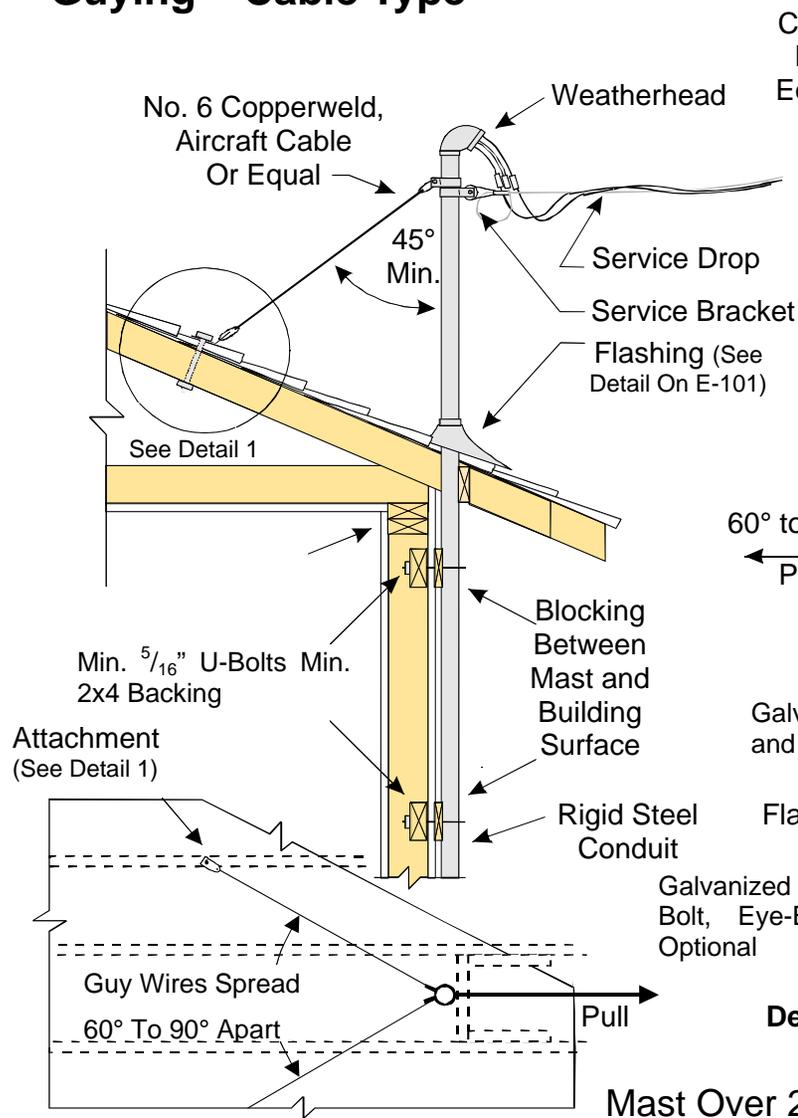


Mast Not Over 26" High - Service Bracket 24" Or Less Above Roof Surface

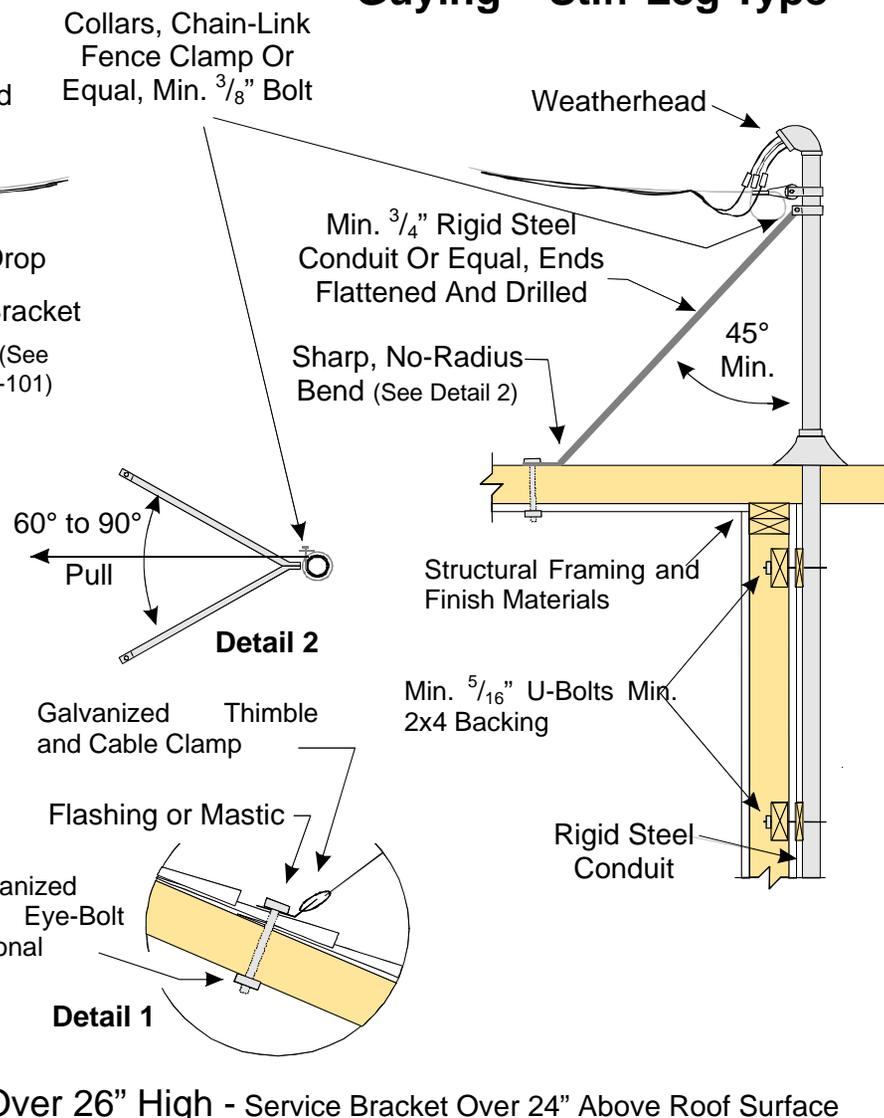
Service Mast Installation Details

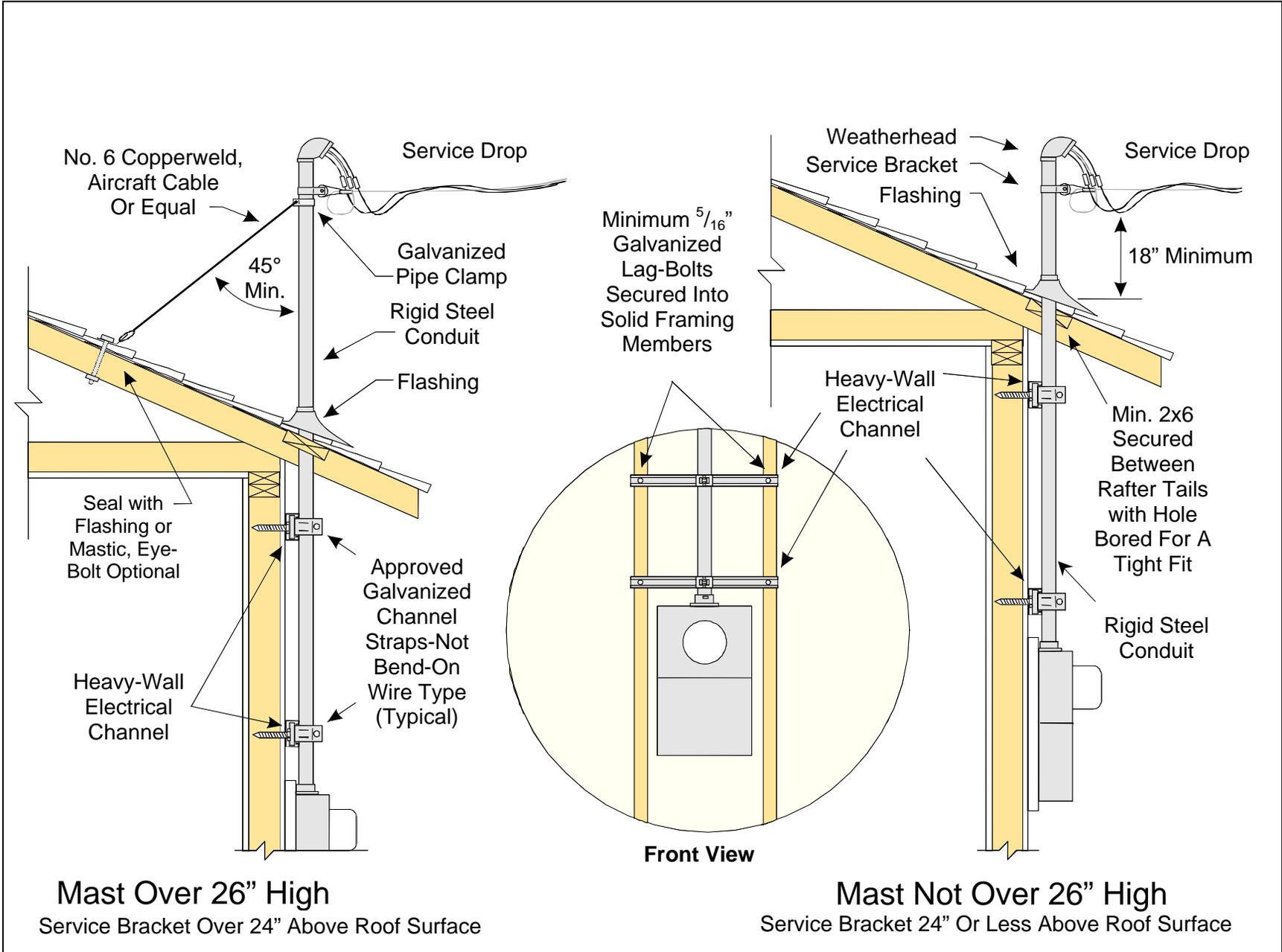
Drawing E-101

Guying – Cable Type



Guying – Stiff-Leg Type





Service Mast Installation Details

Drawing E-103

230.43 Wiring Methods for 600 Volts, Nominal, or Less

Article 230.43 of the National Electrical Code is amended to read as follows:

230.43 Wiring Methods for 600 Volts, Nominal, or Less. Service-entrance conductors shall be installed in accordance with the applicable requirements of this code covering the type of wiring method used and shall be limited to the following methods:

- (1) Rigid metal conduit
- (2) Intermediate metal conduit
- (3) Wireways
- (4) Busways
- (5) Auxiliary gutters
- (6) Minimum schedule 40 Rigid polyvinyl chloride (PVC) conduit
- (7) Cablebus
- (8) Mineral-insulated, metal-sheathed cable (type MI).

Exception: With the approval of the authority having jurisdiction existing electrical metallic tubing used for service entrance conductors may be permitted to remain, provided it meets all of the following conditions:

- (1) It was installed prior to October 1984*
- (2) It is properly grounded*
- (3) The conduit is installed in a non-accessible location*
- (4) It is the proper size for the installed conductors*

230.70 VI. Service Equipment - Disconnecting Means – General

A. Subsection 230.70(A)(1) of the National Electrical Code is amended and supplemented by the addition of new Subsections (a) and (b) to read as follows:

(a) Outside Location. The service disconnect means shall be installed on the building or structure it serves. The service disconnection means shall be labeled with a plate with 1/2 inch letters providing the following information:

- (1) The building or structure served; and
- (2) Its function as the building or structure main service disconnect(s).

(b) Inside Location. Where the service disconnect is installed inside the building or structure, it shall be located so that the service raceway extends no more than 15 feet inside the building or structure served. Service disconnecting means, panel boards, subpanels and similar electrical equipment shall be adequately illuminated.

B. Subsection 230.70(A)(2) of the National Electrical Code is amended to read as follows:

(2) Bathrooms, clothes closets, toilet rooms and shower rooms.

Service disconnection means, panel boards, subpanels and similar electrical equipment shall not be installed in bathrooms, clothes closets, toilet rooms or shower rooms.

230.90 Service Equipment - Overcurrent Protection

Exception No. 3 to Article 230.90(A) of the National Electrical Code is amended to read as follows:

Exception No. 3: Two to six circuit breakers or sets of fuses shall be permitted as the overcurrent device to provide the overload protection. The sum of the ratings of the circuit breakers or fuses shall be permitted to exceed the ampacity of the service conductors, provided the calculated load does not exceed the ampacity of the service conductors. Where the service conductors have a lesser ampacity than the overcurrent protection or the equipment rating that they terminate in or on, an identification plate showing the ampacity of the conductors must be installed on the service equipment.

230.95 Ground-Fault Protection of Equipment

Article 230.95 of the National Electrical Code is amended and supplemented by the addition of a new paragraph following the first paragraph to read as follows:

Equipment ground fault protection systems shall be performance tested prior to being placed into service to verify proper installation and operation of the system as determined by the manufacturer's published instructions. This test or a subsequent test shall include all system feeders. A firm having qualified personnel and proper equipment must perform the tests required. A copy of the manufacturer's performance testing instructions and a written performance acceptance test record signed by the person performing the test must be provided for the inspector's records at the time of inspection. The performance acceptance test record shall include test details including, but not limited to all trip settings and measurements taken during the test. The equipment being tested shall be labeled identifying the date of the test, the firm performing the test, and all settings for the equipment tested.

230.202 VIII. Services Exceeding 600 Volts - Service-Entrance Conductors

Subsection 230.202(B) of the National Electrical Code is amended and supplemented by the addition of new text to the end of the Subsection to read as follows:

Wiring methods for service conductors exceeding 600 volts, nominal, within a building or structure are limited to the following methods:

- (1) Rigid metal conduit
- (2) Intermediate metal conduit
- (3) Busways
- (4) Minimum schedule 80 Rigid polyvinyl chloride (PVC) conduit
- (5) Cablebus; metal-clad cable that is exposed for its entire length

240.24 National Electrical Code Article 240.24 amended — Location on Premises – Not located over a step

Article 240.24 (F) of the National Electrical Code is amended and supplemented by the addition of an exception to Article 240.24 (F) to read as follows:

Exception – If the overcurrent device is a part of a panelboard that is being repaired or replaced in an existing location, the installation is allowed to be made above the stairs.

250.28 National Electrical Code Article 250.28 amended —Main Bonding Jumper and System Bonding Jumper – Separately Derived System with More than One Enclosure

Article 250.28 (D)(3) of the National Electrical Code is amended to read as follows:

(3) Separately Derived System with More than One Enclosure.

Where a separately derived system supplies more than a single enclosure, the system bonding jumper for each enclosure shall be sized in accordance with 250.28 (D) (1) based on the largest ungrounded feeder/tap conductor serving that enclosure, or a single system bonding jumper shall be installed at the source and sized in accordance with 250.28 (D) (1) based on the equivalent size of the largest supply conductor determined by the largest sum of the areas of the corresponding conductors of each set.

250.50 Grounding electrode system

Article 250.50 of the National Electrical Code is amended and supplemented by the addition of a new Subsection (1) to read as follows:

(1) At each new building or structure served, a concrete-encased grounding electrode complying with NEC 250.52(A)(3) shall be installed. All electrodes shall be inspected prior to covering, concealing or the placing of concrete.

Exception: New buildings or structures, job site construction trailers, mobile/manufactured homes where not installed on a permanent concrete foundation.

250.56 Resistance of rod, plate, and pipe electrodes

Article 250.56 of the National Electrical Code is amended and supplemented by the addition of new text to the end of the first paragraph of Article 250.56 to read as follows:

If a ground resistance test is not performed to ensure a resistance to ground of twenty-five ohms or less, two or more electrodes as specified in NEC 250.52 must be installed a minimum of six feet apart.

Exception: A temporary construction service is not required to have more than one rod or pipe electrode.

250.68 National Electrical Code Article 250.68 amended — Grounding electrode conductor and bonding Jumper connection to Grounding Electrodes.

Article 250.68 (A) of the National Electrical Code is amended to read as follows:

(A) Accessibility. All mechanical elements used to terminate a grounding electrode conductor or bonding jumper to grounding electrode or grounding electrode tap shall be accessible.

250-104(A) Bonding of Piping Systems and Exposed Structural Steel

Article 250.104(A) of the National Electrical Code is amended and supplemented by the addition of new Subsections (4) and (5) to read as follows:

(4) Bonding hot and cold plumbing pipes. The hot and cold plumbing pipes shall be bonded together. Hot and cold metallic plumbing lines are considered to be bonded together if, at the time of inspection, the inspector can determine that the lines are mechanically and electrically joined by one or more mixing valves.

(5) Metallic stubs or valves. Metallic stubs or valves used in nonmetallic plumbing systems are not required to be bonded to the electrical system unless required by the equipment manufacturer's instructions.

250.184(A) Solidly Grounded Neutral Systems

Article 250.184(A) of the National Electrical Code is amended and supplemented by the addition of new Subsections (3) and (4) to read as follows:

(3) Existing installations.

(a) The use of a concentric shield will be allowed for use as a neutral conductor for extension, replacement, or repair, if all of the following are complied with:

- (1) The existing system uses the concentric shield as a neutral conductor;
- (2) Each individual conductor contains a separate concentric shield sized to no less than 33 1/2% of the ampacity of the phase conductor for 3-phase systems or 100% of the ampacity of the phase conductor for single-phase systems;
- (3) The new or replacement cable's concentric shield is enclosed inside an outer insulating jacket; and
- (4) Existing cable (i.e. existing cable installed directly in the circuit between the work and the circuit's overcurrent device) successfully passes the following tests:
 - (i) A cable maintenance high potential dielectric test. The test must be performed in accordance with the cable manufacturer's instruction or the 2001 NETA maintenance test specifications.
 - (ii) A resistance test of the cable shield. Resistance must be based on the type, size, and length of the conductor used as the cable shield using the conductor properties described in NEC Table 8 Conductor Properties.
 - (iii) A registered professional engineer must provide a specific certification to the authority having jurisdiction or designated representative in writing that the test results of the

maintenance high potential dielectric test and the resistance test have been reviewed by the electrical engineer and that the cable shield is appropriate for the installation. The registered engineer must stamp the certification document with the engineer's stamp and signature. The document may be in the form of a letter or electrical plans. Testing results are valid for a period of seven years from the date of testing. Cable will not be required to be tested at a shorter interval.

(a) A concentric shield used as a neutral conductor in a multi-grounded system fulfills the requirements of an equipment grounding conductor.

(b) Where a separate conductor is used as the neutral for an extension, replacement, or repair, the conductor must pass a resistance test. Resistance must be based on the type, size, and length of the conductor used as the cable shield using the conductor properties described in NEC Table 8 Conductor Properties.

(4) New installations.

(a) New installations shall not include extensions of existing circuits.

(b) The use of the concentric shield will not be allowed for use as a neutral conductor for new installations. A listed separate neutral conductor meeting the requirements of NEC 250.184(A) must be installed.

300.11 National Electrical Code 300.11 amended — Securing and Supporting.

Section 300.11(A) of the National Electrical Code is amended to read as follows:

(A) **Secured in Place.** Raceways, cable assemblies, boxes, cabinets, and fittings shall be securely fastened in place. Where not restricted by the authority having jurisdiction or Article 300, raceways, cables, or boxes may be installed in suspended ceilings provided the installation complies with the following:

- 1) The support wires are independent of the ceiling support system.
- 2) The support wires are a minimum #12 AWG and securely fastened to the structural ceiling and to the ceiling grid system.
- 3) Cables and raceways shall not be supported by ceiling grids.
- 4) Raceways and/or cables are not larger than three-quarter-inch trade size;
- 5) No more than two raceways or cables are supported by a support wire.

- a) The two-cable limitation does not apply to telecommunications cables, Class 2 cables, or Class 3 cables on support wires installed exclusively for such cables provided:
 - i) The support wire must be adequate to carry the cable(s) weight and all attached cables must be secured with approved fittings; and
 - ii) The maximum number of cables shall not be more than a 2 inch diameter when bundled together.
- 6) Raceways and cables are secured to the support wires by fittings designed and manufactured for the purpose.
- 7) The raceways or cables serve equipment that is located within the ceiling cavity or is mounted on or supported by the ceiling grid system.
 - a) Telecommunications cables, Class 2 cables, or Class 3 cables supported as required by this section, may pass through ceiling cavities without serving equipment mounted on or supported by the ceiling grid system.
- 8) NEC power limited, Class 2, and Class 3 cables must be secured in compliance with Article 334.30 and must be secured to boxes in compliance with Article 314.17.
- 9) Telecommunications cables must be secured in a manner that will not cause damage to the cables and at intervals not exceeding five feet. Cables are considered adequately supported when run through holes in building structural elements or other supporting elements. Telecommunications cables may be fished into inaccessible hollow spaces of finished buildings. Clamps or fittings are not required where telecommunications cables enter boxes.
- 10) Optical fiber cables must be secured in a manner that will not cause damage to the cables and at intervals not exceeding five feet. Cables are considered adequately supported when run through holes in building structural elements or other supporting elements. Optical fiber cables may be fished into inaccessible hollow spaces of finished buildings. Supports must allow a bending radius that will not cause damage to the cables.

**310.12 National Electrical Code Article 310.12 amended —
Conductor Identification.**

Article 310.12 of the National Electrical Code is amended and supplemented by the addition of a new subsection to be known as subsection 310.12(D), to read as follows:

(D) Each cable operating at over 600 volts and installed on customer owned systems must be legibly marked in a permanent manner at each termination point and at each point the cable is accessible. The required

marking must use phase designation, operating voltage, and circuit number if applicable.

314.23 National Electrical Code 314.23 amended — Supports.

Section 314.23(H) of the National Electrical Code is amended to read as follows:

(H) **Pendant Boxes.** An enclosure supported by a pendant shall comply with 314.23(H)(1) or (H)(2). In addition, a pendant box suspended by a flexible cord, must not contain conduit "knockouts" and the connection to the suspended box must utilize an integral threaded hub.

(1) **Flexible Cord.** box supported from a flexible cord must comply with the following.

(a) The maximum length of the cord for a suspended pendant drop from a permanently installed junction box to a suitable tension take-up device above the pendant box must not exceed six feet.

(b) The flexible cord must be supported at each end with an approved cord grip or strain relief connector fitting/device that will eliminate all stress on the conductors and the conductor connections.

(c) The flexible cord must be a minimum #14 AWG copper.

(d) The flexible cord ampacity must be determined using NEC Table 400.5(A) column A.

(e) The flexible cord must be hard or extra hard usage.

(2) **Conduit.** A box supporting lampholders or luminaires (lighting fixtures), or wiring enclosures within luminaires (fixtures) used in lieu of boxes in accordance with 300.15(B), shall be supported by rigid or intermediate metal conduit stems. For stems longer than 450 mm (18 in.), the stems shall be connected to the wiring system with flexible fittings suitable for the location. At the luminaire (fixture) end, the conduit(s) shall be threaded wrenchtight into the box or wiring enclosure, or into hubs identified for the purpose.

Where supported by only a single conduit, the threaded joints shall be prevented from loosening by the use of set-screws or other effective means, or the luminaire (fixture), at any point, shall be at least 2.5 m (8 ft) above grade or standing area and at least 900 mm (3 ft) measured horizontally to the 2.5 m (8 ft) elevation from windows, doors, porches, fire escapes, or similar locations. A luminaire (fixture) supported by a single conduit shall not exceed 300 mm (12 in.) in any horizontal direction from the point of conduit entry.

334.15 National Electrical Code Article 334.15 amended – Exposed Work

Article 334.15 (C) is amended and supplemented by the addition of the following exception to read as follows:

Exception: The requirement for nonmetallic sheathed cable protection in this section does not apply in crawl spaces.

358.10 National Electrical Code Article 358.10 amended – Electrical Metallic Tubing: Type EMT – Wet Locations.

Article 358.10 (C) of the National Electrical Code is amended and supplemented by the addition of a new paragraph following the first paragraph, to read as follows:

Where installed in wet locations, an equipment grounding conductor must be provided within the raceway and sized per NEC 250.122

358.12 National Electrical Code Article 358.12 amended – Uses Not Permitted.

Article 358.12 of the National Electrical Code is amended and supplemented by the addition of a new subsection to be known as subsection 358.12(7), to read as follows:

(7) Installed in direct contact with the earth or in concrete on or below grade.

394.12 National Electrical Code Article 394.12 amended – Uses Not Permitted.

Article 394.12 of the National Electrical Code is amended and supplemented by the addition of a new Exception to Article 394.12(5), to read as follows:

Exception: Hollow spaces containing existing knob-and-tube wiring are allowed to be insulated provided that all of the following conditions are met:

- 1. The wiring shall be surveyed by an appropriately licensed electrical contractor who must certify in writing to the authority having jurisdiction*

- that the wiring is in good condition with no evidence of improper overcurrent protection, conductor insulation failure or deterioration, and with no improper connections or splices. The electrical inspector must inspect all repairs, alterations, or extensions to the electrical system;*
- 2. The insulation shall meet Class I specifications as identified in the International Building Code, with a flame spread factor of 25 or less as tested using ASTM E84-81a. Foam insulation may not be used with knob-and-tube wiring;*
 - 3. All knob-and-tube circuits shall have overcurrent protection in compliance with NEC Table 310.16, 60 degree centigrade, Column C. Overcurrent protection shall be circuit breakers or Type S fuses.*

406 National Electrical Code Article 406 amended — Tamper Resistant Receptacles.

Article 406 of the National Electrical Code is amended and supplemented by the addition of a Section to be known as Section 406.15, to read as follows:

406.15 Tamper-Resistant Receptacles in Other Locations. Listed tamper-resistant receptacles or listed tamper-resistant receptacle cover plates are required in all licensed day care centers, all licensed children group care facilities and psychiatric patient care facilities where accessible to children five years of age and under. Listed tamper-resistant receptacles are required in psychiatric patient care facilities where accessible to psychiatric patients over five years of age.

410.10 National Electrical Code Article 410.10 amended — Bathtub and Shower Areas.

Section (D) of Article 410.10 of the National Electrical Code is amended to read as follows:

(D) Bathtub and Shower Areas. No parts of cord-connected luminaires (fixtures), chain-, cable-, or cord-suspended-luminaires (fixtures), lighting track, pendants, or ceiling-suspended (paddle) fans shall be located within a zone measured five feet horizontally and eight feet vertically from the top of the bathtub rim or shower stall threshold. This zone is all encompassing and includes the zone directly over the tub or shower stall. Luminaires (lighting fixtures) located in this zone shall be listed for damp locations, or listed for wet locations where subject to shower spray. These fixtures must be GFCI protected where there are exposed metal parts.

**410.62 National Electrical Code Article 410.62 amended —
Cord-Connected Lampholders and Luminaires.**

Article 410.62 of the National Electrical Code is amended and supplemented by the addition of a new subsection to be known as subsection 410.62(C)(1)(3), to read as follows:

(3) A ground-type attachment plug cap and receptacle connection at the source junction box is not required when the flexible cord complies with NEC 410.30 and the following:

- a. Connection to a source junction box must utilize an approved cable connector or clamp;
- b. The flexible cord must be supported at each end with an approved cord grip or strain relief connector fitting/device that will eliminate all stress on the conductor connections;
- c. The maximum length of the cord for a suspended pendant drop from a permanently installed junction box to a suitable tension take-up device above the pendant luminaire must not exceed six feet;
- d. The flexible cord must be a minimum #14 AWG copper;
- e. The flexible cord ampacity must be determined in NEC Table 400.5(A) column A;
- f. The flexible cord must be hard or extra hard usage; and
- g. A vertical flexible cord supplying electric discharge luminaires must be secured to the luminaire support as per NEC 334.30(A).

**422.10 National Electrical Code Article 422.10 amended —
Branch-Circuit Rating.**

Article 422.10 of the National Electrical Code is amended and supplemented by the addition of a new paragraph at the end of Article 422.10(A), to read as follows:

Water heaters with a rated circuit load in excess of 3,500 watts, but less than 4900 watts, at 208 or 240 volts shall be provided with branch circuit conductors not smaller than #10 AWG copper or equal. Overcurrent protection shall comply with NEC 422.11(E).

**445.20 National Electrical Code Article 445.20 added —
Generators**

Article 445 of the National Electrical Code is amended and supplemented by the addition of a new section to be known as section 445.20, to read as follows:

445.20 Wind Driven Equipment. Wind driven equipment includes alternators or generators that produce electrical current through the conversion of wind energy into electrical energy. Wind driven generation equipment must demonstrate conformance to applicable safety standards.

For utility interactive systems, any person making inter-connections between the generator system and the utility distribution network must consult the serving utility and are required to meet all additional utility standards.

All wind driven generator equipment and disconnecting means must be permanently identified as to their purpose, maximum voltages and type of current within the system with an identification plate.

450.27 National Electrical Code Article 450.27 amended — Oil-Insulated Transformers Installed Outdoors.

Article 450.27 of the National Electrical Code is amended and supplemented by the addition of the following text to the end of the last paragraph of Article 450.27 to read as follows:

Oil-Insulated transformers located adjacent to building(s) or structures shall comply with the following:

1. Transformers shall not be located closer than 2.5 m (8 ft) to any part of a building or structure constructed of combustible material including any eaves, overhangs or decks;
2. Transformers shall not be located closer than 900 mm (2 ft) to any part of a building or structure constructed of non-combustible material including any eaves, overhangs or decks and must be outside a line extended vertically from the ends of the eaves, overhangs or rooflines of the building or structure;
3. Transformers shall not be located closer than 2.5 m (8 ft) to any part of doors, windows, stairways, ventilation openings, other types of openings of all buildings or structures;
4. Transformers shall be located such that any oil leaking from the transformer will flow away from the building or structure and will not pool; and
5. Transformers located in areas subject to vehicular traffic shall be provided with adequate guarding.
6. Enclosures for total underground oil filled transformers shall not be located closer than 2.5 m (8 ft) to any part of a doorway, window, stairway or fire escape. Adequate space must be maintained above the enclosure so that a boom may be used to lift the transformer from the enclosure.

450.42 National Electrical Code Article 450.42 amended – Walls, Roofs, and Floors.

Article 450.42 Exception of the National Electrical Code is amended and supplemented to read as follows:

Exception: Where transformers are protected with automatic sprinkler, water spray, carbon dioxide, or halon and installed 5 stories or less above finished grade, construction of 1-hour rating shall be permitted.

501.200 National Electrical Code Article 501 amended – Sewage Disposal Systems.

Article 501 of the National Electrical Code is amended and supplemented by the addition of a new Section 501.200, to read as follows:

501.200 Sewage Disposal Systems.

(A) Pumping chambers for sewage, effluent, or grinder pumps in on-site and septic tank effluent pump (S.T.E.P.) disposal systems will be considered unclassified when not more than five residential units are connected to the system, residential units are connected to a utility sewage system, or when nonresidential systems have residential loading characteristics and all of the following general installations requirements are complied with:

- (1) The pumping chamber must be adequately vented. Venting may be accomplished through the building or structure plumbing vents where the system venting has been approved by the local jurisdiction authority or by a direct two-inch minimum vent to the atmosphere;
- (2) Equipment that in normal operation may cause an arc or spark must not be installed in any pumping chamber;
- (3) Float switches installed in a pumping chamber must be hermetically sealed to prevent the entrance of gases or vapors;
- (4) Junction boxes, conduits and fittings installed in the septic atmosphere must be of a noncorrosive type, installed to prevent the entrance of gases or vapors;
- (5) Where a conduit system is installed between the pumping chamber and the control panel, motor disconnect, or power source, an approved sealing method must be installed to prevent the migration of gases or vapors from the pumping chamber, and must remain accessible; and
- (6) Wire splices in junction boxes installed in pumping chambers must be suitable for wet locations.

(B) Residential wastewater loading characteristics in a nonresidential installation:

- (1) For systems that process less than three thousand five hundred gallons of wastewater per day may be certified by:

- (a) An on-site wastewater designer licensed under chapter 18.210 RCW; or
 - (b) A professional engineer, engaged in the business of on-site wastewater system design, licensed under chapter 18.43 RCW.
- (2) For systems that process three thousand five hundred gallons or more of wastewater per day may be certified by a professional engineer, engaged in the business of on-site wastewater system design, licensed under chapter 18.43 RCW. Written documentation must be signed and stamped by the designer or engineer and provided to the electrical inspector prior to inspection.
- (C) Any residential or nonresidential system that has building or structure floor drains being discharged into the system is classified as Class I Division 1. Drains from any commercially made tub, shower, basin, sink, or toilet are not considered floor drains.
- (D) Pumping chamber access covers can be covered by gravel, light aggregate, or noncohesive granulated soil, and must be accessible for excavation. Access covers that are buried must have their exact location identified at the electrical panel or other prominent location by an identification plate. The authority having jurisdiction for performing electrical inspections must approve the identification plate location.
- (E) Indoor grinder pumps installed in chambers with less than fifty gallons capacity are not required to meet the requirements of this section, except for the venting requirements in subsection (A)(1) of this section. Indoor grinder pumps installed in chambers with less than fifty gallons capacity are not classified systems as described in Article 500 NEC.
- (F) Secondary treatment effluent pumping chambers such as sand filters are unclassified, and require no special wiring methods.
- (G) Inspection approval is required prior to covering or concealing any portion of the septic electrical system, including the pump. New septic and effluent tanks containing electrical wires and equipment must be inspected and approved prior to being loaded with sewage.

**514.11 National Electrical Code Article 514.11 amended —
Circuit Disconnects.**

Article 514.11 (A) of the National Electrical Code is amended and supplemented by the addition of the following subsections to be known as subsections 541.11 (A) (1), (2), and (3), to read as follows:

- (1) The disconnecting means shall disconnect all conductors of the circuit supplying all station dispensers and or pumps (including the grounded conductor) simultaneously from the source(s) of supply.

(2) For multi-circuit installations, an electrically held normally open contactor operated by a push-button or other suitable device may serve as the disconnecting means. The push button or disconnecting device shall not function as the resetting mechanism for the electrically held contactor. The resetting means shall meet the following:

- (a) Located at least 4.5 m (15 ft) or out of sight of the pushbutton; and
- (b) Protected by a suitable cover or guard; and
- (c) Identified with an approved identification plate that has white lettering on a black background.

(3) The disconnecting means shall be labeled with an identification plate, with letters at least 1" high, as the emergency disconnecting means.

The disconnecting means or operator must be:

- (a) Substantially red in color; and
- (b) For attended facilities – Must be readily accessible and must be located outdoors and within sight of the pump or dispensing equipment it controls; or
- (4) For unattended facilities – must be readily accessible and must be located within sight, but at least 20' from the pump or dispensing equipment it controls.

517.29 National Electrical Code Article 517.29 amended — Essential Electrical Systems for Hospitals.

Article 517 of the National Electrical Code is amended and supplemented by the addition of a new section to be known as section 517.29, to read as follows:

517.29 General Requirements. In health care facilities, the following methods must be used to determine adequate capacity and ratings of equipment providing electrical power for the essential electrical systems.

(A) Systems in new facilities:

(1) Emergency system: The emergency branch must consist of 2 branches known as:

- (a) Life safety system: The feeder conductors and equipment used to supply electrical power to the life safety branch must be determined by summation of the connected loads as determined by article 220 NEC and may not be subjected to any reduction due to the diversity of the loads. Feeder and equipment will be subject to a 125% multiplier for continuous loads in accordance with article 220 NEC.
- (b) Critical branch system: The feeder conductors and equipment must be calculated in accordance with article 220 NEC, including a level of diversity as determined by such article.

(2) Equipment branch: The feeder conductors and equipment used to supply electrical power to the equipment branch of the essential electrical system must be calculated in accordance with article 220 NEC, including a level of diversity as determined by such article.

(3) Generator sizing: The rating of the generator(s) supplying electrical power to the essential system of a health care facility must meet or exceed the summation of the loads determined in (a) and (b) of this subsection with no additional demand factors applied. Momentary X-ray loads may be ignored if the generator is rated at least 300% of the largest momentary X-ray load connected.

(B) Existing essential systems in facilities to which additional load is to be added:

(1) Existing loads: The existing loads of the separate branches of the essential electrical system may be determined by NEC Article 220.35(1).

(2) Added loads: Added loads to the separate branches of the essential electrical system must be determined by subsection (a) of this section.

(3) Generator sizing: The rating of the generator(s) supplying electrical power to the essential electrical system must meet or exceed the summation of the loads determined by (a) and (b) of this subsection with no additional demand factors applied.

519 National Electrical Code Article 519 created —Educational and Institutional Occupancies.

The National Electrical Code is amended and supplemented by the addition of a new Article to be known as Article 519 – Educational and Institutional Occupancies to read as follows:

ARTICLE 519 Educational and Institutional Occupancies

519.1 Scope. This article covers educational and institutional occupancies as defined in the Article.

519.2 Wiring Methods. The wiring methods in educational or institutional occupancies shall be limited to metallic or nonmetallic raceways, MI, MC, or AC cable. Places of Assembly within an Educational or Institutional occupancy may not be wired according to Section 518.4(b) or (c).

Exception: Limited energy systems may use wiring methods in accordance with this Code.

525.1 National Electrical Code Article 525.1 amended — Scope.

Article 525.1 of the National Electrical Code is amended to read as follows:

525.1 Scope. This article covers the installation of portable wiring and equipment for carnivals, circuses, fairs, and similar functions, including wiring in or on all structures. In addition to the requirements in this Article, all wiring and equipment for carnivals, circuses, fairs, and similar functions must also comply with WAC 296-403A.

**547.1 National Electrical Code Article 547 amended –
Agricultural Buildings - Scope**

Article 547.1 of the National Electrical Code is amended to read as follows:

547.1 Scope. The provisions of this article shall apply to the following agricultural buildings or that part of a building or adjacent areas of similar or like nature greater than 1,000 square feet and used as part of a business or commercial farming activity as specified in 547.1 (A) and (B).

**553.4 National Electrical Code Article 553.4 amended —
Location of Service Equipment.**

Article 553.4 of the National Electrical Code is amended to read as follows:

553.4 Location of Service Equipment. The service equipment for floating buildings and similar facilities shall have a readily accessible service rated disconnect located on the shoreline within sight of the shoreline connection of the dock, wharf or similar structure to which the floating building or similar facility is moored.

**553.6 National Electrical Code Article 553.6 amended —
Feeder Conductors.**

Article 553.6 of the National Electrical Code is amended and supplemented by the addition of new paragraph following exception to read as follows:

Floating buildings or similar facilities shall have a disconnecting means located within sight of each floating building or similar facility. The disconnecting means shall be installed adjacent to but not in or on, the floating building or similar facility.

**553.7 National Electrical Code Article 553.7 amended —
Installation of Services and Feeders.**

Article 553.7(B) of the National Electrical Code is amended and supplemented by the addition of new paragraph following the first paragraph, to read as follows:

Where flexible cables or cords are used they shall comply with Article 555.13(2). Conductors operating in excess of 600 volts, nominal, shall not be installed on floating portions of a floating building or similar facility.

**555.1 National Electrical Code Article 555.1 amended —
Marinas and Boatyards - Scope.**

Article 555.1 of the National Electrical Code is amended and supplemented by amending the last paragraph of Article 555.1 to read as follows:

Private, non-commercial docking facilities constructed or occupied for the use of the owner or residence of the associated single family dwelling are covered by this article.

**555.5 National Electrical Code Article 555.5 amended —
Transformers.**

Article 555.5 of the National Electrical Code is amended to read as follows:

555.5 Transformers. Transformers and enclosures shall be specifically approved for the intended location. The bottom of enclosures for transformers shall be located a minimum of 12" above the deck of a dock.

**555.7 National Electrical Code Article 555.7 amended —
Location of Service Equipment.**

Article 555.7 of the National Electrical Code is amended to read as follows:

Article 555.7 Location of Service Equipment. The service equipment for floating docks or marinas shall be located adjacent to and within sight but not on or in, the floating structure.

**555.9 National Electrical Code Article 555.9 amended —
Electrical Connections.**

Article 555.9 of the National Electrical Code is amended and supplemented by the addition of new exception to read as follows:

Exception: Connections approved for wet locations.

**555.10 National Electrical Code Article 555.10 amended —
Electrical Equipment Enclosures.**

Article 555.10(B) of the National Electrical Code is amended and supplemented by the addition of new text after the first sentence, to read as follows:

All enclosures must be corrosion resistant. Gasketed enclosures must be arranged with a weep hole to discharge condensation.

**555.13 National Electrical Code Article 555.13 amended —
Wiring Methods and Installation.**

Article 555.13(B)(1) of the National Electrical Code is amended and supplemented by amending the first paragraph to read as follows:

(1) Overhead Wiring. Overhead wiring shall be installed to avoid possible contact with masts and other parts of boats being moored, stored, serviced or moved.

**555.19 National Electrical Code Article 555.19 amended —
Receptacles.**

Article 555.19(A)(4) of the National Electrical Code is amended to read as follows:

(4) Ratings. Shore Power Receptacles that provide shore power for boats must be rated not less than 20 amperes and must be single outlet type and must be of the locking and grounding type or pin and sleeve type.

**555.21 National Electrical Code Article 555.21 amended —
Gasoline Dispensing Stations – Hazardous (Classified)
Locations.**

Article 555.21(B)(1) of the National Electrical Code is amended and supplemented by deleting exception numbers 1 and 2 and adding new exception number 1 to read as follows:

Exception No. 1: Dock, pier, or wharf sections that do not support fuel dispensers and may abut a section(s) that supports a fuel dispenser(s) are permitted to be unclassified where documented air space between the

sections is provided and where flammable liquids or vapors cannot travel to these sections. Documentation shall be provided as required in NEC 500.4(A).

590.1 National Electrical Code Article 590.1 amended — Scope.
Article 590.1 of the National Electrical Code is amended and supplemented to read as follows:

590.1 Scope. The provisions of this article apply to temporary electrical power and lighting installations. For the purposes of this section, any circuit used for construction purposes is considered to be temporary.

590.4 National Electrical Code Article 590.4 amended — General - Splices.

Article 590.4 of the National Electrical Code is amended by revising subsection 590.4(G) to read as follows:

(G) Splices. On construction sites, a splice or junction box is not required for splices or junction connections where splices of conductors are at least ten feet above the grade or floor level and where not subject to contact from personnel.

600.3 National Electrical Code Article 600.3 amended - Electrical Signs and Outline Lighting - Listing.

Article 600.3 of the National Electrical Code is amended and supplemented by the addition of a new paragraph following the first paragraph, to read as follows:

Electric signs within the scope of Underwriters Laboratories Standards for Electric Signs UL 48 shall be listed. Electric signs not covered under the Standards for Electric Signs UL 48 shall be required to be installed in conformance with this Code or be field evaluated by an accredited electrical products testing laboratory.

600.10 National Electrical Code Article 600.10 amended — Portable or Mobile Signs.

Article 600.10 of the National Electrical Code is amended to read as follows:

600.10 Portable and Mobile Signs

(A) Support. Portable or mobile signs shall be adequately supported and readily movable without the use of tools.

(B) **Attachment Plug.** An attachment plug shall be provided for each portable or mobile sign.

(C) **Outdoor locations.** Portable or mobile signs in outdoor locations shall comply with 600.10(C)(1) and (C)(2).

(1) **Cords.** A weatherproof receptacle outlet that is weatherproof with the supply cord connected must be installed within six feet of each electrical sign. Extension cords are not permitted to supply portable outdoor signs.

(2) **Ground-Fault Circuit Interrupter.** Portable or mobile signs shall be provided with factory-installed ground-fault circuit-interrupter protection for personnel. The ground-fault circuit interrupter shall be an integral part of the attachment plug or shall be located in the power-supply cord within 300 mm (12 in.) of the attachment plug.

**600.21 National Electrical Code Article 600.21 amended —
Ballasts, Transformers, and Electronic Power Supplies.**

Article 600.21 of the National Electrical Code is amended and supplemented by the addition of a new subsection (G), to read as follows:

(G) Outside Awnings. Luminaires installed in outdoor awnings shall be of a type that is suitable for wet locations and be connected by a wiring method suitable for wet locations. Fluorescent luminaires shall be installed so that no part of the luminaire is located closer than 6" to the awning fabric. Incandescent luminaires shall be installed so that no part of the luminaire is located closer than 18" to the awning fabric. Luminaires installed in outside awnings shall be controlled by a disconnect installed in conformance with Article 600.6.

**680.4 National Electrical Code Article 680.4 amended —
Approval of Equipment.**

Article 680.4 of the National Electrical Code is amended and supplemented by the addition of the following new text to follow the first paragraph, to read as follows:

Electrical components which have failed and require replacement shall be replaced with identical products unless the replacement part is no longer available; in which case, a like-in-kind product may be substituted provided the mechanical and grounding integrity of the equipment is maintained.

680.13 National Electrical Code Article 680.13 New — Field Installed Equipment.

Article 680 of the National Electrical Code is amended and supplemented by the addition of new Section to be known as Article 680.13 to read as follows:

680.13 Field Installed Equipment. Field installed electrical equipment for a swimming pool, hot tub, spa or swim spa shall not be located closer than five feet from inside wall of the swimming pool, hot tub, spa or swim spa. The five feet separation may be reduced by the installation of a permanent barrier, such as a solid wall, fixed glass windows or doors, etc. The five feet separation shall be determined by the shortest path or route that a cord can travel from the spa, hot tub, swim spa, or swimming pool to the equipment.

Field installed electrical equipment must meet the following additional requirements:

1. Heaters are listed as a "swimming pool heater or a spa heater";
2. Pumps are listed as a "swimming pool pump" or "spa pump" or "swimming pool/spa pump";
3. Other equipment such as panelboards, conduit, and wire are suitable for the environment and comply with the applicable codes.
4. The field assembly or installation of "recognized components" shall not be permitted.

680.25 National Electrical Code Article 680.25 amended — Feeders.

Article 680.25 of the National Electrical Code is amended by revising subsection 680.25(A) to read as follows:

(A) Wiring Methods. A feeder between the service equipment and the remote panelboard is permitted to run in flexible metal conduit, an approved cable assembly that includes an equipment grounding conductor within its outer sheath (the equipment grounding conductor must comply with NEC 250.24(A)(5)), rigid metal conduit, intermediate metal conduit, liquidtight flexible nonmetallic conduit, rigid polyvinyl chloride conduit, reinforced thermosetting resin conduit, electrical metallic tubing (when installed on or within a building or crawl space), and electrical nonmetallic tubing (when installed within a building or crawl space). Aluminum conduit is not permitted.

680.40 National Electrical Code Article 680.40 amended — General.

Article 680.40 of the National Electrical Code is amended and supplemented by the addition of a new Subsection (A) and a new Subsection (B), to read as follows:

(A) Modular, Self-Contained Spa or Hot Tubs. Equipment assemblies for self-contained spas or hot tubs shall be installed within 1.5 m (5 ft.) from the inside wall of the spa or hot tub. Equipment assemblies shall be listed or field evaluated as a unit with the spa or hot tub.

(B) Packaged Spa or Hot Tub Equipment Assemblies. Equipment assemblies (skid pack) pre-packaged by a factory shall not be installed closer than 1.5 m (5 ft.) from the inside wall of the spa or hot tub and shall be listed as a package unit.

680.70 National Electrical Code Article 680.70 amended — General.

Article 680.70 of the National Electrical Code is amended and supplemented by the addition of the following text to the end of the first paragraph, to read as follows:

Hydromassage bathtubs must be listed as a unit and bear a listing mark which reads "Hydromassage bathtub."

690.2 National Electrical Code Article 690.2 amended – Solar Photovoltaic Systems – Definitions

Article 690.2 of the National Electrical Code is amended and supplemented by the addition of the following definitions, to read as follows:

Photovoltaic system. The photovoltaic system may conduct alternating current, direct current, or both and will comprise all interconnected circuits to the point of connection with the building distribution circuits or utility service conductors.

Support structure, foundation, and tracker. For the purpose of this section those portions of the array or tracker that are exclusively mechanical and are built specifically for the purpose of physically

supporting the modules or panels will not be considered part of the photovoltaic system as defined by this article.

690.4 National Electrical Code Article 690.4 amended - Solar Photovoltaic Systems - Installation

Article 690.4 of the National Electrical Code is amended and supplemented by the addition of two new subsections to be known as 690.4(E) and 690.4(F), to read as follows:

(E) Utility interactive systems. For utility interactive systems, persons making inter-connections between solar photovoltaic systems and the utility distribution network must consult the serving utility and are required to meet all additional utility standards.

(F) Labels and Identification. Required "WARNING" labels as specified by NEC 690 are required to be an identification plate on or immediately adjacent to the pertinent equipment.

All photovoltaic circuits must be identified at each overcurrent protection device(s) and panel directory(ies).

690.7 National Electrical Code Article 690.7 amended – Solar Photovoltaic Systems - Maximum Voltage

Article 690.7 of the National Electrical Code is amended and supplemented by replacing the second paragraph of Article 690.7(A) with the following text, to read as follows:

The open-circuit voltage temperature coefficients supplied in the instruction of listed photovoltaic modules will be used to determine the maximum direct current photovoltaic system voltage. Otherwise the voltage will be calculated using Table 690.7 of the National Electrical Code. For the purposes of this calculation, a temperature correction factor of 1.25 will be used unless another factor can be justified and is approved by the authority having jurisdiction.

700.6 National Electrical Code Article 700.6 amended – Transfer Equipment.

Article 700.6 of the National Electrical Code is amended and supplemented by the addition of a new subsection (E) to read as follows:

(E) Location. In high-rise buildings and underground buildings, per IBC 403 and 405 respectively, the emergency transfer switches where required by the IBC or this code shall be located in a separate room from the normal

power source including transformers and distribution equipment and shall be enclosed in a room constructed of not less than 2-hour fire-resistive-rated fire barriers ventilated directly to and from the exterior. The emergency transfer switches, where required by the IBC or this code in other buildings or uses, shall be located in a separate room from the normal power source including transformers and distribution equipment and shall be enclosed in a room constructed of not less than 1-hour fire-resistive-rated fire barriers ventilated directly to and from the exterior. Power distribution from the two sources to the emergency transfer switches shall be by independent routes.

Exception: System components described in Article 701 may occupy the same dedicated spaces as emergency systems.

700.8 National Electrical Code Article 700.8 amended – Emergency Systems – Signs

Article 700.8 of the National Electrical Code is amended and supplemented by the addition of the following paragraph prior to subsection (A) to read as follows:

Signs required in this section must be placed at the service disconnecting means and the meter base if the service disconnecting means and meter base are not located within sight and within 5 feet of each other.

700.9 National Electrical Code Article 700.9 amended – Wiring, Emergency Systems.

Article 700.9 of the National Electrical Code is amended and supplemented by amending Article 700.9(A) to read as follows:

(A) Identification.

(1) Emergency systems. All boxes and enclosures larger than 150 mm (6 in.) by 150 mm (6 in.) (including transfer switches, generators and power panels) for emergency circuits shall be permanently marked with an identification plate that is orange in color so they will be readily identified as a component of the emergency circuit or system. All other device and junction boxes for emergency systems and circuits shall be orange in color, both inside and outside.

(2) Smoke Control Systems. All boxes and enclosures larger than 150 mm (6 in.) by 150 mm (6 in.) (including transfer switches, generators

and power panels) for smoke control power and control circuits shall be permanently marked with an identification plate that is orange in color with a yellow diagonal stripe so they will be readily identified as a component of the smoke control circuit or system. All other device and junction boxes for smoke control systems and circuits shall be orange in color both inside and outside. Cover plates shall be orange in color with a yellow diagonal stripe.

(3) Stair and elevator pressurization systems. All boxes and enclosures larger than 150 mm (6 in.) by 150 mm (6 in.) (including transfer switches, generators and power panels) for stair and elevator pressurization system power and control circuits shall be permanently marked with an identification plate that is orange in color with a gray diagonal stripe so they will be readily identified as a component of the stair and elevator pressurization system. Raceways for stair and elevator pressurization system wiring shall be identified by labels or color coding which distinguish it from all other systems and shall be visible at the time of inspection All other device and junction boxes for stair and elevator pressurization system power and control circuits shall be orange in color both inside and outside. Cover plates shall be orange in color with a gray diagonal stripe.

Exception: In existing facilities, the existing nameplate identification color scheme may be retained where approved by the code official.

700.12 National Electrical Code Article 700.12 amended – Sources of Power.

A. Article 700.12 of the National Electrical Code is amended and supplemented by the addition of three new paragraphs following the last paragraph to read as follows:

In high-rise buildings and underground buildings, per IBC 403 and 405 respectively, the emergency source of power shall be located in a separate room from the normal power source including transformers and distribution equipment and shall be enclosed in a room constructed of not less than 2-hour fire-resistive-rated fire barriers ventilated directly to and from the exterior.

In other buildings or uses the emergency source of power, where required by the IBC or this code shall be located in a separate room from the normal power source including transformers and distribution equipment and shall be enclosed in a room constructed of not less than 1-hour fire-resistive-rated fire barriers ventilated directly to and from the exterior.

Power distribution from the emergency source to the emergency transfer switch shall be by an independent route from the normal source.

B. Article 700.12(B)(6) of the National Electrical Code is amended and supplemented by the addition of new text following the first paragraph to read as follows:

A generator set located less than 3 m (10 ft) from the building(s) shall be enclosed within an approved structure of 1-hour fire resistive construction. Where located more than 3 m (10 ft) but less than 6 m (20 ft) shall be within an approved enclosure.

700.27 National Electrical Code Article 700.27 amended – Coordination.

Article 700.27 of the National Electrical Code is amended and supplemented by the addition of a new exception #2 following the first exception to the first paragraph to read as follows:

Exception #2: The requirements for selective coordination described are not required where the emergency system was installed prior to June 1, 2006. For new emergency systems that are supplied from an existing emergency system installed prior to June 1, 2006, the new portion of the emergency system shall comply with NEC 700.27. The ground fault sensing function of overcurrent protective devices will only be required to selectively coordinate with the ground fault sensing functions of other overcurrent protective devices.

700.30 National Electrical Code Article 700.30 new – Smoke Control Systems, Pressurization Wiring and Equipment.

Article 700 of the National Electrical Code is amended and supplemented by the addition of a new section to be known as Section 700.30 to read as follows:

700.30 Smoke Control Systems, Pressurization Wiring and Equipment. Where smoke control, stair pressurization and elevator pressurization is required by the City Building Code, all power and control wiring and equipment, including the emergency source of power and transfer switch(s) for smoke control, stair pressurization and elevator pressurization systems shall be installed in accordance with this Article (NEC 700-Emergency Systems), and IBC Section 403 HIGH-RISE BUILDINGS, IBC Section 405 UNDERGROUND BUILDINGS and IBC Section 909 SMOKE CONTROL SYSTEMS as amended and adopted by the City Building Code.

701.7 National Electrical Code Article 701.7 amended – Transfer Equipment.

Article 701.7 of the National Electrical Code is amended and supplemented by the addition of a new subsection (D) to read as follows:

(D) Location. In high-rise buildings the legally required standby source of power and its transfer switches shall be located in a separate room from the normal power source including transformers and distribution equipment and shall be enclosed in a room constructed of not less than 2-hour fire-resistive-rated fire barriers ventilated directly to and from the exterior. Power distribution from the two sources shall be by independent routes.

Exception: System components described in Article 700 may occupy the same dedicated spaces as the legally required standby systems.

701.9 National Electrical Code Article 701.9 amended – Legally Required Standby Systems – Signs

Article 701.9 of the National Electrical Code is amended and supplemented by the addition of the following paragraph prior to subsection (A) to read as follows:

Signs required in this section must be placed at the service disconnecting means and the meter base if the service disconnecting means and meter base are not located within sight and within 5 feet of each other

701.11 National Electrical Code Article 701.11 amended – Legally Required Standby Systems.

Article 701.11(B)(5) of the National Electrical Code is amended and supplemented by the addition of new text following the first paragraph to read as follows:

A generator set located less than 3 m (10 ft) from the building(s) shall be enclosed within an approved structure of 1-hour fire resistive construction. Where located more than 3 m (10 ft) but less than 6 m (20 ft) shall be within an approved enclosure.

701.18 National Electrical Code Article 701.18 amended – Coordination.

Article 701.18 of the National Electrical Code is amended and supplemented by the addition of a new exception following the first paragraph to read as follows:

Exception: The requirements for selective coordination described are not required where the legally required standby system was installed prior to June 1, 2006. For new legally required standby systems that are supplied from an existing legally required standby system installed prior to June 1, 2006, the new portion of the legally required standby system shall comply with NEC 701.18. The ground fault sensing function of overcurrent protective devices will only be required to selectively coordinate with the ground fault sensing functions of other overcurrent protective devices.

702.8 National Electrical Code Article 702.8 amended – Optional Standby Systems – Signs

Article 702.8 of the National Electrical Code is amended and supplemented by the addition of the following paragraph prior to subsection (A) to read as follows:

Signs required in this section must be placed at the service disconnecting means and the meter base if the service disconnecting means and meter base are not located within sight and within 5 feet of each other

725.3 National Electrical Code Article 725.3 amended – Other Articles.

Article 725.3 of the National Electrical Code is amended and supplemented by the addition of Subsection (H) to read as follows:

(H) Suspended Ceilings. The installation of Class 1, Class 2 and Class 3 circuits must comply with Section 300.11(A).

760.3 National Electrical Code Article 760.3 amended – Other articles.

Article 760.3 of the National Electrical Code is amended and supplemented by the addition of a new subsection (H), to read as follows:

(H) Suspended Ceilings. The installation of fire alarm cables and raceways installed in hollow spaces of suspended ceilings shall comply with Section 300.11(A) of this code.

760.12 National Electrical Code Article 760.12 amended – Fire Alarm Systems.

Article 760 of the National Electrical Code is amended and supplemented by the addition of a new Section 760.12 to read as follows:

760.12 Detection and control systems. Wiring for fire detection systems providing power, detection, or control input or output signals to mechanical smoke control systems, stair and elevator pressurization systems or elements thereof shall be fully enclosed within a continuous metallic raceway system. The installation of the wiring system shall be installed in accordance with this Article (NEC 760-Fire Alarm Systems), IBC Section 403 HIGH-RISE BUILDINGS, IBC Section 405 UNDERGROUND BUILDINGS and IBC Section 909 SMOKE CONTROL SYSTEMS as amended and adopted by the City Building Code. The installation shall ensure the survivability of circuits for the specified time for evacuation of the building as determined by the Fire Code Official.

760.30 National Electrical Code Article 760.10 amended – Fire alarm circuit identification.

Article 760.30 of the National Electrical Code is amended and supplemented by the addition of new text to follow the end of the first paragraph, to read as follows:

Device and junction boxes for fire alarm systems shall be red in color, both inside and outside. Power-limited fire protective signaling circuit conductors shall be durably and plainly marked in or on junction boxes or other enclosures to indicate that it is a power-limited fire protective signaling circuit.

All device boxes, junction boxes and enclosures for smoke control systems larger than 150 mm (6 in.) by 150 mm (6 in.) shall be permanently marked with an identification plate that is red in color with a yellow diagonal stripe so they will be readily identified as a component of the smoke control circuit or system. All other device and junction boxes for smoke control systems and circuits shall be red in color both inside and outside. Cover plates shall be red in color with a yellow diagonal stripe.

770.3 National Electrical Code Article 770.3 amended — Other Articles.

Article 770.3 of the National Electrical Code is amended and supplemented by the addition of Subsection (C) to read as follows:

(C) Suspended Ceilings. The installation of optical fiber cables and raceways must comply with Section 300.11(A).

800.3 National Electrical Code Article 800.3 amended — Other Articles.

Article 800.3 of the National Electrical Code is amended and supplemented by the addition of Subsection (D) to read as follows:

(D) Suspended Ceilings. The installation of communications cables must comply with Section 300.11(A).

800.30 National Electrical Code Article 800 amended — Communication Circuits.

Article 800 of the National Electrical Code is amended and supplemented by the addition of a new Section 800.30 to read as follows:

800.30 Designation of Telecommunications Network Demarcation Point.

(A) At the point of telecommunications network demarcation, the telecommunications installer must install an identification plate with the following information:

- (1) "Point of demarcation";
- (2) Name of telecommunications utility; and
- (3) Name of customer/end user of the system.

(B) The telecommunications installer must confer with the telecommunications utility when determining the point of demarcation.

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE _____

AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING CERTAIN CHAPTERS IN TITLE 16.12 OF THE MARYSVILLE MUNICIPAL CODE (MMC) RELATING TO THE ADOPTION OF THE NATIONAL AND CITIES ELECTRICAL CODE AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Marysville Municipal Code establishes the adoption of the Marysville Electrical Code; and

WHEREAS, RCW 19.28 requires cities that enforce the electrical code to adopt a code that is equal, higher or better than the State Electrical Code; and

WHEREAS, the State has adopted and amended the 2008 National Electrical Code (NEC), while the Marysville Electrical Code is based on the 2005 NEC; and

WHEREAS, the MyBuildingPermit.com and the Washington Association of Building Officials' electrical committee has created a new code called the Washington Cities Electrical Code which adopts the 2008 and better addresses the concerns of cities;

NOW, THEREFORE, the City Council of the City of Marysville do ordain as follows:

Section 1. Chapter 16.12 is amended to read as follows:

Chapter 16.12

NATIONAL ELECTRICAL CODE AND THE WASHINGTON CITIES ELECTRICAL CODE.

Sections

- [16.12.010](#) Adoption [NEC and WCEC/Code Conflict Resolution.](#)
- [16.12.015](#) Amendments made in the National Electrical Code [and The Washington Cities Electrical Code.](#)
- [16.12.020](#) Table 1-A adopted – Schedule of fees and refunds.
- [16.12.030](#) Amendments – Administrative chapter [Washington Cities Electrical Code Adoption Parts 1, 2, 3.](#)
- [16.12.050](#) Code amendments – General provisions.
- [16.12.060](#) Prohibited cables.
- [16.12.070](#) Violations and penalties.
- [16.12.100](#) Board of electrical appeals.
- [16.12.200](#) [Annex ppendices.](#)

16.12.010 Adoption.

- (1) National Electrical Code ([NEC](#)) Adopted.
The [2008 2005](#) National Electrical Code, published by the National Fire Protection Association, 2004 Edition, the Department of Labor and Industries Rules and

Regulations for installing electrical wires and equipment and Administrative Rules (Chapter 19.28 RCW), and the Department of Labor and Industries electrical installation law (Chapter 296-46B WAC), as adopted by the State of Washington, are hereby adopted by reference except as such portions as are hereinafter deleted, amended or specified and incorporated herein as fully as if set out at length herein, collectively herein referred to as the "NEC code" unless specifically provided otherwise. (Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

(2) The Washington Cities Electrical Code (WCEC) dated June 22, 2009 adopted. The Washington Cities Electrical Code dated June 22, 2009 is adopted by reference except as such portions as are hereinafter amended or specified and incorporated herein as fully as if set out at length herein collectively referred to as "Cities Electrical Code" "WCEC" unless specifically provided otherwise.

a. Page 1 of the Cities Electrical Code reference to RCW 19.28.010(2) is corrected to RCW 19.28.010 (3).

b. Page 38 Part 3 Article 100 Definitions of the Cities Electrical Code only pertain to the Electrical Code and related to the Electrical Code enforcement and not to other chapters or sections of the Marysville Muncipal Code.

(3) Code Conflict Resolution.

Any conflict between the proviosn of the City of Marysville Code, the 2008 NEC and the Cities Electrical Code will be resolved in favor of the most stringent code section.

16.12.015 Amendments made in the National Electrical Code and Washington Cities Electrical Code.

(1) Subsequent Amendments. All amendments or supplements to the National Electrical Code (NEC) adopted by the NFPA National Fire Protection Association and by the state of Washington as part of the State Building Code shall become a part of this code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the city of Marysville. (Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

(2) Subsequent Amendments. All amendments or supplements to the Washington Cities Electrical Code (WCEC) shall become part of this code in all respects insofaar as it is applied and enforced within the jurisdictional boundaries of the City of Marysville.

16.12.020 Table 1-A adopted – Schedule of fees and refunds.

The schedule of fees specified in Table 1-A, entitled "Electrical Fees," is hereby adopted. The building official may authorize refunding of not more than 70 percent of the plan review or permit fee paid when no review or work has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 90 days after the date of the fee payment.

(1) WCEC P 19 Section (N) Fees. (5) Refunds is not adopted.

City of Marysville Table 1-A Electrical Fees Effective July 1, 2007

Residential (Single-Family or Duplex)

New construction, addition or remodel. Additions and remodels based on size of project.

Under 1,000 square feet \$100.00

1,001 to 2,000 square feet	\$150.00
2,001 to 3,000 square feet	\$200.00
3,001 square feet and over	\$250.00
Garages and outbuildings (stand-alone projects)	\$100.00
Service/panel change or alteration	\$75.00
Circuits added/alterred without service change	
1 or 2 circuits	\$50.00
3 or more circuits	\$75.00
Meter/mast repair or alteration	\$75.00

Commercial and Multifamily (including fire alarm)

Total valuation (time and materials)	
\$250.00 or less	\$50.00
\$251.00 to \$5,000	\$50.00 + 3% of cost over \$250.00
\$5,001 to \$50,000	\$175.00 + 1.5% of cost over \$5,000
\$50,001 to \$250,000	\$925.00 + 0.9% of cost over \$50,000
\$250,001 to \$1,000,000	\$3,175 + 0.7% of cost over \$250,000
\$1,000,001 and above	\$10,000 + 0.4% of cost over \$1,000,000

**Commercial Low Voltage/Power Limited Permits
are issued on the valuation of each installation**

(Use the valuation schedule shown above for fire alarms)

70 or less connections	\$50.00
over 70 connections	\$50.00 + \$0.50 per connection

Residential Low Voltage/Power Limited Permits listed below are \$50.00 each: [T-Stat](#), [Intercom](#), [low voltage wire security systems](#), [mult-media systems](#), [misc low voltage system requiring permits](#)

Miscellaneous

Temporary service: <u>0-200 Amps</u>	<u>\$65.00</u>	\$50.00
Temporary service: <u>201-400 Amps</u>	<u>\$85.00</u>	
Temporary service: <u>401 and more by valuation</u>		
Manufactured/mobile home service (does not include outbuildings)		\$75.00
Signs		\$50.00

Carnival	\$200.00
Inspection of work done without permit - <u>double fee</u>	<u>\$75.00*</u>
Reinspection fee (not ready, corrections not made)	\$75.00*
Plan review fee or inspection not specified elsewhere (half-hour minimum)	\$75.00/hr*

Typical plan review fees for electrical work shall be equal to 25% of the total permit fee as set forth in Table 1-A*

*Or the total hourly cost to the jurisdiction, whichever is greatest. This cost includes supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

(Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

16.12.030 Amendments – Administrative chapter.

There is added to the administration chapter of the National Electrical Code a new section which shall read as follows: (Reference WCEC applicable parts of Parts 1, 2 and 3.)

1. EXISTING BUILDINGS. Reference - WCEC (page 37-S) Buildings or structures to which additions, alterations or repairs are made to electrical system, including any and all electrical wires, services, equipment and apparatus shall comply with all the requirements for new work in buildings and structures as set forth in this Code except as specifically provided for in this section.

~~(a) In the event of unsafe or hazardous wiring, Section 11 shall take precedence.~~

2. MAINTENANCE. Reference (WCEC page 8- 85.5-C) All electrical wires, equipment and apparatus shall be maintained in a safe condition. All devices and safeguards which are required by this Code in a building, sign or structure when erected, altered or repaired shall be maintained in a safe and good working order. The owner or his agent shall be responsible for the maintenance of all such electrical wiring, equipment and apparatus.

3. MOVED BUILDINGS. Reference WCEC (page 10- 85.9-A) All electrical wires, equipment, or apparatus within or on, or attached thereto, which are moved within or into the City shall comply with the provisions of this Code and all other applicable laws, codes and ordinances.

~~4. ADMINISTRATIVE AUTHORITY AND ASSISTANTS. The Building Official is hereby authorized and directed to enforce all the provisions of this Code. For such purpose he/she shall have the powers of a police officer. In accordance with procedure and with the approval of the chief appointing authority of the City, the Building Official may appoint such number of officers, inspectors and assistants and other employees as may be necessary to carry out the functions of this Code.~~

4. ADMINISTRATIVE AUTHORITY AND ASSISTANTS. Reference WCEC (page 10- 85.9-A) The Building Official is hereby authorized and directed to enforce all the provisions of this Code. For such purpose he/she shall have the powers of a police officer. In accordance with procedure and with the approval of the chief appointing authority of the City, the Building Official may appoint such number of officers, inspectors

~~and assistants and other employees as may be necessary to carry out the functions of this Code.~~

5. RIGHT-OF-ENTRY. Reference WCEC (page 28 85.19-1) ~~Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his/her authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official or his/her authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by this Code, provided that if such building or premises be occupied, he/she shall first present proper credentials and request entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the~~
Building Official or his/her authorized representative shall have recourse to every remedy provided by law to secure entry.

When the Building Official or his/her authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official or his/her authorized representative for the purpose of inspection and examination pursuant to this Code.

6. STOP ORDERS. Reference WCEC (page 31- 85.25-A thru F)
~~Whenever any work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.~~

7. LIABILITY. Also Reference WCEC (page 14- 85.11-11)
The Building Official or any employee charged with the enforcement of this Code, acting in good faith and without malice for the City in the discharge of his/her duties, shall not thereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to person or property as a result of any act required or by reason of any act or omission in the discharge of his/her duties. Any suit brought against the Building Official or employee, because of such act or omission performed by him/her in the enforcement of any provisions of this Code, shall be defended by the legal department of the City until final termination of the proceedings. This code is one of general application and nothing herein is intended to create liability or cause action running in favor of individual members of the public.

8. UNSAFE CONDITIONS. Reference WCEC (page 31- 85.23-A thru F)
~~All electrical wires, equipment and apparatus which are unsafe or not provided with adequate safeguards, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety, health, or public welfare by reason of inadequate maintenance, obsolescence, fire hazard, disaster damage, or abandonment, as specified in this Code or any other effective ordinance are for the purpose of this section considered unsafe conditions. All such unsafe conditions are hereby declared to be public nuisances and the owner or his agent must abate by~~

~~repair, rehabilitation, demolition, or removal in accordance with this Code or by any other procedures provided by law.~~

9. VIOLATION. ~~Reference WCEC. (page 32- 85.25)~~

~~It shall be unlawful for any person, firm, or corporation to install, alter or extend any electrical equipment in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Code.~~

10. PERMITS AND INSPECTIONS. ~~Reference WCEC. (under page 14- 85.13. Permit & Fees & page 85.15, and page 26-85.19 Inspections & Testing)~~

~~(a) Permits required: No person, firm or corporation shall install, alter, replace or extend any electrical work or equipment except replacement of kind or as provided for in Section 11, "Work Started Without a Permit," without first obtaining a separate electrical permit for each installation, alteration, replacement or extension from the Building.~~

~~(b) Application: Reference WCEC. (page 19- 85.15)To obtain a permit the applicant shall first file an application therefor in writing on a form furnished for that purpose. Every such application shall:~~

- ~~(1) Identify and describe the work to be covered by the permit for which application is made;~~
- ~~(2) Describe the land on which the proposed work is to be done, by house and street address;~~
- ~~(3) Indicate the use or occupancy for which the proposed work is intended;~~
- ~~(4) Be accompanied by plans and specifications as required in Subsection (d) of this section;~~
- ~~(5) State the valuation of the proposed work;~~
- ~~(6) Be signed by the permittee;~~
- ~~(7) Give such other information as reasonably may be required by the Building Official.~~

~~(c) To Whom Permits May Be Issued: A permit may be issued to anyone as permitted by Chapter 19.28 RCW.~~

~~(d) Plans and Specifications: Reference WCEC. (page 192- 85.25)With each application for a permit, and when required by the Building Official for enforcement of any provisions of this Code, two sets of plans, service diagrams, specifications, and other information deemed necessary by the Building Official, shall be submitted. The Building Official may require plans and specifications to be prepared and designed by an electrical engineer or electrical contractor licensed by the State to practice as such. The plans shall be drawn upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and all other relevant laws, ordinances, rules and regulations.~~

~~(e) Plan Checking: Reference WCEC. (page 21- 85.15)Plan Checking: The application, plans and specifications filed by the applicant for a permit shall be checked by the Building Official. If the Building Official is satisfied that the work described in an application for a permit and the plans filed therewith conform to~~

the requirements of this Code and other pertinent laws and ordinances and that the fee specified in Section 11 has been paid, he may issue a permit therefor to the applicant.

(f) Validity: [Reference WCEC. \(page 18- 85.13-K \)](#) ~~The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the Code or any other law or regulation. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work which it authorized is lawful.~~

~~The issuance of a permit based upon plans and specifications shall not prevent the Building Official from thereafter requiring the correction of errors in said plans and specifications or from preventing work being carried on thereunder when in violation of the Code or of any other ordinance of the City.~~

(g) Suspension or Revocation: [Reference WCEC. \(page 18- 85.13-M \)](#) ~~The Building Official may, in writing, suspend or revoke a permit issued under provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Code.~~

(h) Inspections: [Reference WCEC. \(page 26- 85.19 \)](#)

~~(1) All construction, work and equipment for which a permit is required by this Code shall be subject to inspections by the Building Official to ensure compliance with this Code.~~

~~(2) That portion of any construction, work and equipment intended to be concealed shall not be concealed until inspected and approved.~~

~~(3) Neither the City nor the Building Official nor his duly appointed assistant shall be liable for any expense entailed in the removal or replacement of any material required to allow an inspection.~~

~~(4) The Building Official may require that every request for inspection be filed at least one day before such inspection is desired.~~

11. ELECTRICAL PERMIT FEES. [Reference WCEC. \(page 26- 85.19 \)](#) ~~A fee for each electrical permit shall be paid to the Building Official as set forth in Table 1-A Electrical Fees.~~

12. VIOLATION CITATION – ORDER. [Reference WCEC. \(page 32- 85.25\)](#)

~~Notwithstanding any language in this Code, in the event a time period is established in:~~

~~(1) a violation citation issued by a Code Compliance Officer or the Building Official, or his or her designee, or (2) an order issued by the Violations Hearing Examiner, said time period shall supersede the time period provided by this Code.~~

~~(Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).~~

16.12.050 Code amendments – General provisions. [Reference the WCEC.](#)

~~Each of the codes and regulations adopted by reference in MMC [16.12.010](#) are hereby amended by the addition of the following:~~

~~It is expressly the purpose of this Code to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any~~

~~particular class or group of persons who will or should be especially protected or benefited by the terms of this Code.~~

~~It is the specific intent of this Code to place the obligation of complying with these regulations upon the permit applicant and any person owning or controlling any building or structure within its scope and no provision nor any term used in this Code is intended to impose any duty whatsoever upon the City or any of its officers, employees or agents, for whom the implementation or enforcement of this Code shall be discretionary and not mandatory.~~

~~Nothing contained in this Code is intended to be nor shall be construed to create or form the basis for any liability on the part of the City or its officers, employees or agents, for any injury or damage resulting from the failure of a building to comply with the provisions of this Code, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this Code, or by reason of any action or inaction on the part of the City related in any manner to the implementation or the enforcement of this Code by its officers, employees or agents.~~

~~Notwithstanding any language in this Code, it is not the intent of the Code to create a duty and/or cause of action running to any individual or identifiable person but rather any duty is intended to run only to the general public.
(Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).~~

16.12.060 Prohibited cables. [Reference WCEC. \(page 26- 85.19 \)](#)

~~WAC 296-46-155 of the Department of Labor and Industries Rules and Regulations for installing electric wires and equipment and administrative rules as herein adopted is hereby amended by adding the following:~~

~~Regardless of any other provisions in this chapter, NM, NMS, NMC, SE, and USE cable shall not be allowed in non-dwelling occupancies. For the purpose of this section motels, hotels, and the facilities listed in tables 1 and 2 (WAC 296) are not considered to be dwelling occupancies. Family child daycare homes are exempt from this section.~~

~~(Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).~~

16.12.070 Violations and penalties.

Each of the codes and regulations adopted in this chapter are hereby amended by the addition of the following:

Violations and Penalties. [Also Reference WCEC \(page 32- 85.25, section B & C\).](#)

1. A violation of the provisions of this Code shall be subject to the City's Civil Enforcement Procedures as set forth in Title 4 MMC and any person, firm or corporation who violates any provision of this Code shall be subject to said enforcement procedures. Provided, however, notwithstanding language to the contrary, any violation citation issued concerning a violation of this Code shall be issued by the Building Official or his/her designee.

2. Any person, firm or corporation who violates any provision of this Code shall be deemed guilty of a misdemeanor, and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction of any such violation such person, firm or corporation shall be punishable by a fine not to exceed one thousand dollars, or imprisonment in jail not to exceed ninety days, or by both such fine and imprisonment.

3. The enforcement provisions and procedures provided in this Code are not exclusive and the City is authorized to pursue any remedy it deems appropriate or as otherwise provided by law.

4. The issuance or granting of a permit or approval of plans and/or specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or any other law or regulation. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use which it authorized is lawful.

5. The issuance or granting of a permit or approval of plans and/or specifications shall not prevent the Building official or designee from thereafter requiring the correction of errors in said plans and/or specifications or from preventing construction operation being carried on thereunder when in violation of this Code or of any other ordinance, law or regulations or from revoking any certificate of approval when issued in error.

(Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

16.12.100 Board of electrical appeals.

1. Appeals from any ruling made under this chapter may be made to the building code board of appeals. Procedural rules concerning appeals shall be as provided in the building code. (Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

2. Section 85.27 Means of Appeal is deleted from WCEC (page 31- 85.27)

16.12.200 Appendices Annex 1-2-3.

Annex Appendices A, B, C, ~~D, E, F, G~~ to the National Electrical Code, 2008 2005 Edition, are adopted, incorporated by this reference, and made a part of this chapter as if fully set forth in this chapter. (Ord. 2740 § 3, 2008; Ord. 2708 § 3, 2007).

Section 2. Severability.

If any word, phrase, sentence, provision, or portion of this ordinance is declared to be invalid or unenforceable, it shall not affect validity or enforceability of the remaining words, phrases, sentences, provisions or portions of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2010.

CITY OF MARYSVILLE

By _____
DENNIS KENDALL, MAYOR

ATTEST:

By _____
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____



MINUTES

Work Session April 5, 2010

Call to Order / Pledge of Allegiance

Mayor Pro Tem Seibert called the April 5, 2010 work session of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall and led those present in the Pledge of Allegiance.

Roll Call

Chief Administrative Officer Gloria Hirashima gave the roll call. The following staff and councilmembers were in attendance.

Mayor Pro Tem: Jeff Seibert

Council: Councilmember Jon Nehring, Councilmember Carmen Rasmussen, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Absent: Mayor Kendall, Councilmember Lee Phillips

Also Present: Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Chief Smith, Public Works Director Kevin Nielsen, Senior Planner Chris Holland, and Recording Secretary Laurie Hugdahl.

CAO Hirashima reported that Councilmember Phillips had called in for medical reasons and asked for an excused absence.

Motion made by Councilmember Rasmussen, seconded by Councilmember Soriano, to excuse the absences of Councilmember Phillips. **Motion** passed unanimously (6-0)

Committee Reports

Councilmember Soriano reported on the March 24 LEOFF 1 Board Meeting where they reviewed and approved four claims.

Councilmember Soriano then reported on the Public Safety meeting held on March 24.

- Police Department has begun the planning phase for the Strawberry Festival and is in close coordination with the MaryFest Committee.
- The NITE team is working well and has served several warrants. Recent arrests include individuals who were involved in dealing black tar heroine. Word is getting out that Marysville is not a market for this type of activity.

- The North American Motor Officers Association will be holding a conference at the Tulalip Resort Hotel from May 12 - 16th Jim Maples will be the hosting chairperson. 132 motorcycle police officers are expected to attend.

Councilmember Nehring reported on the Snohomish County Tomorrow meeting on March 24. Topics discussed included:

- An update on the Transportation 2040 Plan.
- Countywide planning policies update.
- Mitigation fee issues related to annexation areas.

Mayor Pro Tem Seibert reported on the April 2 Public Works Committee meeting where they discussed the future of the Wastewater Treatment Plant. There was discussion of a screen made by a new bio-solids technology company called Blue Water Technology which takes the bio-solids out before it goes through the process. This could have many benefits. The biosolids could be converted to a cake which is bermed for electricity. A membrane-type system further down in the process they could reclaim the water to use at the golf course or other industries which could reuse the water. The algae in the filter could also be harvested for use in biodiesel. Public Works Committee made a recommendation that this be researched further.

Presentations

Melanie Mihara, Strategies 360, gave an update on federal lobbying issues. They have been working on five appropriations requests for Marysville. These include the Lakewood Triangle, State Avenue, Qwuloolt Trail, Mother Nature's Window, and a proactive community policing request. Representative Larsen chose not to submit any of these projects, but Senator Murray's office indicated interest in the State Avenue project. They will find out if Senator Cantwell or Senator Murray support the community policing request later this week. Strategies 360 met today with several directors to discuss other projects and how they might be of assistance with federal grant opportunities.

Discussion Items

Approval of Minutes

1. Approval of March 8, 2010 City Council Meeting Minutes.
2. Approval of March 22, 2010 City Council Meeting Minutes.

Consent

3. Approval of March 17, 2010 Claims in the Amount of \$509,282.60; Paid by Check No.'s 61693 through 61842 with No Check Numbers Voided.
4. Approval of March 24, 2010 Claims in the Amount of \$504,926.35; Paid by Check No.'s 61843 through 61974 with No Check Numbers Voided.
5. Approval of March 31, 2010 Claims.
6. Approval of March 19, 2010 Payroll in the Amount of \$904,553.07; Paid by Check No.'s 22455 through 22505.

Review Bids

7. Award 6th Street Alley Sewer Replacement Project.

Public Works Director Kevin Nielsen explained this is a re-bid on the 6th Street Alley Sewer Replacement Project due to the contractor going out of business. The update will be in Council's packet next week.

Public Hearings

New Business

8. Supplemental Agreement No. 1 to the Professional Services Agreement with Lane and Associates, Increasing the Maximum Amount Payable Under the Agreement by \$7,000.00, to Make the Contract Total \$41,999.

Director Nielsen explained that they added two additional parcels that will enable us to get the triangle access constructed. The City is doing federal requirements for right-of-way negotiation on this so that if there is any federal money available we will meet the requirements for this.

9. An Ordinance of the City of Marysville, Washington Amending the City's Development Regulations Repealing MMC Section(s) 19.06.593 through 19.06.665 and MMC Chapter 19.20 Sign Code, and Adopting a New MMC Chapter 19.20 Sign Code.

Senior Planner Chris Holland gave a presentation on the Planning Commission's recommendations for Amendment to Chapter 19.20 MMC, *Sign Code* as contained in Council's packet.

Discussion:

Councilmember Vaughan expressed some concern about the using of public right-of-way for business advertising. Senior Planner Holland stated that they could prohibit signage within the public right-of-way, but they can't regulate content. CAO Hirashima discussed a court case regarding this and agreed that cities cannot make the content of the signs the criteria for these signs. They can, however, regulate by zones. Staff is looking at restricting these in the commercial zones (to avoid clutter) and allowing them in residential zones.

Councilmember Rasmussen suggested that under this provision a business could advertise in a residential zone using a temporary sign. Mr. Holland acknowledged that this could be true because they could not control the content of that sign even though the way the Code is set up is to allow for residential directional signage.

Mayor Pro Tem Seibert asked if the temporary portable real estate signs would be allowed on the sidewalk. Mr. Holland replied that they would be prohibited on the sidewalk, but they would be allowed on the public right-of-way.

Councilmember Seibert asked if the staked in signs would be allowed. Mr. Holland explained that they are only allowed at turning decision points during the day in residential zones. In commercial zones they are currently illegal and will remain illegal.

Councilmember Rasmussen commented that the Liquor Control Board implemented rule changes regarding outdoor advertising of alcohol products. The new regulations limit a retailer to a total of four signs advertising alcohol brand names or manufacturers which are visible from the public right-of-way. The size of those signs is limited to 1600 square inches. She recommended adding this to the Sign Code to facilitate enforcement of this. CAO Hirashima indicated that this would be a great idea. Mr. Holland agreed that they intended to start enforcing regulations on those types of signs.

Councilmember Rasmussen discussed the positive comments she has heard on the Sign Code. She commended Mr. Holland on the great work on this.

Councilmember Nehring concurred with the positive comments on the Sign Code. He asked regulations regarding *living* signs. Mr. Holland commented that court cases that have gone through have not been favorable to prohibiting this type of sign.

Councilmember Soriano complimented Mr. Holland on the Sign Code. He noted that as the older sections start to redevelop this will help.

Mayor Pro Tem Seibert asked about section 19.20.240 regarding Temporary and Special Event Signs/Construction Signs. He explained that usually the general contractor and subcontractors each want their own sign. Mr. Holland indicated that the way it is written it does refer to just one sign, but he indicated that some additional language could be added.

Mayor Pro Tem Seibert commended Mr. Holland for the amendments. He expressed support for the amendments to Home Occupation, Day Care and Adult Family Care signage.

Legal - None

Mayor's Business

Motion made by Councilmember Nehring, seconded by Councilmember Rasmussen, to authorize the Mayor's signature to the correction to the Seventh Amendment to Chief Administrative Officer Employment Contract. **Motion** passed unanimously (6-0)

Staff Business

Chris Holland indicated he would make changes to the Sign Code and bring it back to the Council.

Chief Smith had no comments.

Sandy Langdon had no comments.

Gloria Hirashima had no comments.

Call on Councilmembers

Donna Wright had no comments.

John Soriano had no comments.

Carmen Rasmussen:

- The Easter Egg Hunt was very fun.
- She asked Director Nielsen if he had any information about a turn pocket from the library. Director Nielsen said they are looking at how far the curb would have to be moved and the cost associated with that.

Jeff Vaughan had no comments.

Jon Nehring:

- WSDOT kickoff for construction season at the bridge was a good bit of publicity for the City.
- He commended Chief Smith, the other officers, and the youth involved in the Underage Drinking and Prescription Drug Use Forum last week.
- He agreed with Councilmember Rasmussen that the Easter Egg Hunt went well.

Jeff Seibert:

- Someone has tagged the repainted bridge. He recommended repainting as soon as possible. Staff said that WSDOT had repainted it the last time, but had indicated that they would not repaint it.
- He noted that someone has also tagged the back side of a sign on northbound I-5 looking toward the trestle.

Adjournment

Seeing no further business Mayor Kendall adjourned the meeting at 8:07 p.m.

Approved this _____ day of _____, 2010.

Mayor
Dennis Kendall

Asst. Admin. Svcs. Director
Tracy Jeffries

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Excuse the absence of Councilmember Phillips.	Approved
Approval of Minutes	
Approval of March 8, 2010 City Council Meeting Minutes.	Approved
Approval of March 22, 2010 City Council Meeting Minutes.	Approved.
Consent Agenda	
Approval of March 17, 2010 Claims in the Amount of \$509,282.60; Paid by Check No.'s 61693 through 61842 with No Check Numbers Voided.	Approved
Approval of March 24, 2010 Claims in the Amount of \$504,926.35; Paid by Check No.'s 61843 through 61974 with No Check Numbers Voided.	Approved
Approval of March 31, 2010 Claims in the Amount of \$290,217.04; Paid by Check No.'s 61975 through 62113 with No Check Numbers Voided.	Approved
Approval of March 19, 2010 Payroll in the Amount of \$904,553.07; Paid by Check No.'s 22455 through 22505.	Approved
Supplemental Agreement No. 1 to the Professional Services Agreement with Lane and Associates, Increasing the Maximum Amount Payable Under the Agreement by \$7,000.00, to Make the Contract Total \$41,999.	Approved
Approval of April 5, 2010 Payroll in the Amount of \$1,421,173.26; Paid by Check No.'s 22506 through 22556.	Approved
Public Hearings	
Review Bids	
Authorize the Mayor to Award Bid and Authorize Mayor to Enter into an Agreement with Faber Brothers Construction in the Amount of \$70,982.21 Including Washington State Sales Tax and Approve a Management Reserve of \$20,000 for a Total Allocation of \$90,982.21 for the 6 th Street Alley Sewer Replacement Project.	Approved
New Business	
Adopt an Ordinance of the City of Marysville, Washington Amending the City's Development Regulations Repealing MMC Section(s) 19.06.593 through 19.06.665 and MMC Chapter 19.20 <i>Sign Code</i> , and Adopting a New MMC Chapter 19.20 <i>Sign Code</i> .	Approved Ord. No. 2820
Legal	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Authorize the Mayor to do a Proclamation to encourage the citizens of Marysville to vote in the upcoming school bond election.	Approved
Adjournment	7:44 p.m.

COUNCIL



MINUTES

Regular Meeting

April 12, 2010

Call to Order / Invocation / Pledge of Allegiance

Mayor Kendall called the April 12, 2010 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Dave Carnes of Marysville Christian Church. Mayor Kendall led those present in the Pledge of Allegiance.

Roll Call

Chief Administrator Gloria Hirashima gave the roll call. The following staff and councilmembers were in attendance:

Mayor: Dennis Kendall

Council: Councilmember Jon Nehring, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember Jeff Vaughan, Councilmember Donna Wright and Councilmember John Soriano

Absent: Councilmember Lee Phillips

Also Present: Chief Administrator Gloria Hirashima, Finance Director Sandy Langdon, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Police Commander Darin Rasmussen, Senior Planner Chris Holland and City Clerk Tracy Jeffries

Chief Administrator Gloria Hirashima informed council that Councilmember Phillips requested an excused absence due to a death in the family.

Motion made by Councilmember Nehring, seconded by Councilmember Rasmussen, to excuse Councilmember Phillips. **Motion** passed (6-0).

Committee Reports

Councilmember Jon Nehring reported on the April 1 Community Transit Board Meeting where the following items were discussed:

- An update from CT's lobbyists on their efforts to secure funds to help bridge the budget gap.
- Details of some service that was added back to help the Boeing commuters.
- A quarterly financial report.

April 9 SERS Board meeting where a number of items were discussed:

- They signed a three-year agreement with Black Rock Cable which will allow participating cities three years of free use of the dark fiber connectivity.
- They passed an administration agreement with the county to allow the county to do SERS payroll and help the SERS employees receive county benefits.
- They signed a mutual aid agreement with Stillaguamish Tribe.
- There was discussion about available FEMA funding.

Audience Participation – None

Approval of Minutes

1. Approval of March 8, 2010 City Council Meeting Minutes.

Councilmember Soriano informed he would be abstaining as he was not present.
Abstaining

Councilmember Seibert stated that on page 2 of 9 the second bullet point needs to be corrected to 156th rather than 150th street.

Motion made by Councilmember Nehring, seconded by Councilmember Vaughan, to approve the March 8, 2010 City Council Meeting minutes as amended. **Motion** passed (5-0) with Councilmember Soriano abstaining.

2. Approval of March 22, 2010 City Council Meeting Minutes.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve the March 22, 2010 City Council Meeting minutes as presented. **Motion** passed (6-0)

Consent

3. Approval of March 17, 2010 Claims in the Amount of \$509,282.60; Paid by Check No.'s 61693 through 61842 with No Check Numbers Voided.
4. Approval of March 24, 2010 Claims in the Amount of \$504,926.35; Paid by Check No.'s 61843 through 61974 with No Check Numbers Voided.
5. Approval of March 31, 2010 Claims in the Amount of \$290,217.04; Paid by Check No.'s 61975 through 62113 with No Check Numbers Voided.

6. Approval of March 19, 2010 Payroll in the Amount of \$904,553.07; Paid by Check No.'s 22455 through 22505.
8. Supplemental Agreement No. 1 to the Professional Services Agreement with Lane and Associates, Increasing the Maximum Amount Payable Under the Agreement by \$7,000.00, to Make the Contract Total \$41,999.
10. Approval of April 5, 2010 Payroll in the Amount of \$1,421,173.26; Paid by Check No.'s 22506 through 22556.

Motion made by Councilmember Nehring, seconded by Councilmember Soriano, to approve Consent Agenda items 3, 4, 5, 6, 8 and 10. **Motion** passed unanimously (6-0).

Review Bids

7. Award Bid and Authorize Mayor to Enter into an Agreement with Faber Brothers Construction in the Amount of \$70,982.21 Including Washington State Sales Tax and Approve a Management Reserve of \$20,000 for a Total Allocation of \$90,982.21 for the 6th Street Alley Sewer Replacement Project.

Motion made by Councilmember Rasmussen, seconded by Councilmember Wright, to authorize the Mayor to Award Bid and Authorize Mayor to Enter into an Agreement with Faber Brothers Construction in the Amount of \$70,982.21 Including Washington State Sales Tax and Approve a Management Reserve of \$20,000 for a Total Allocation of \$90,982.21 for the 6th Street Alley Sewer Replacement Project. **Motion** passed unanimously (6-0).

New Business

9. An **Ordinance** of the City of Marysville, Washington Amending the City's Development Regulations Repealing MMC Section(s) 19.06.593 through 19.06.665 and MMC Chapter 19.20 *Sign Code*, and Adopting a New MMC Chapter 19.20 *Sign Code*.

Chris Holland explained that they had added number 11 to section 19.20.240 requiring alcohol advertising to be in compliance with the WAC. This forced renumbering of the other items. He also gave an update on the NAPA billboard on State Avenue.

Public Comment:

Ryan McIrvine, 3201 Broadway Ste E Everett WA 98201, spoke on behalf of the Snohomish County Camano Association of Realtors regarding the portions of the Ordinance concerning real estate signs. He spoke in support of the proposed changes.

Council Comments:

Councilmember Rasmussen thanked staff for their work on this Ordinance. She commended the fine balance they have struck between the needs of having sign regulations but also the needs of the business community.

Councilmember Nehring also thanked staff for their work and spoke in support of the Ordinance.

Motion made by Councilmember Wright, seconded by Councilmember Nehring, to approve **Ordinance #2820**. **Motion** passed unanimously (6-0).

Mayor's Business

Mayor Kendall introduced Nathan Carol, District Manager for Waste Management, who was in attendance.

He then gave updates on activities around the city:

- Many trees on 528 were replaced on Serve Day.
- USS Ingraham is back in town.
- On Saturday he attended a cleanup event at Marshall Elementary, a Little League ball game, and some special events at the Boys and Girls Club.
- There will be a Government Affairs meeting with the Tribes on Thursday morning.
- He will be out of town starting Thursday for ten days.
- He encouraged council members to RSVP regarding the meeting with the Historical Society on May 3 before the Council meeting.
- Representative Larsen and his aide were in town last week and took a quick trip through Mother Nature's Window. He gave them some pertinent information on grant monies that he thought would be very endorsable by him.
- He attended the opening of 5 Guys Burgers and Fries and thoroughly enjoyed the food.

Staff Business

Jim Ballew:

- Serve Day went very well. United Methodist church helped to plant 35 large trees along 528. At Marshall Elementary they cleared a major corridor at the school.
- They have issued three mini-grants through the Healthy Communities Sustainable Living Grant Program. These will be going to Bethlehem Lutheran for their community garden, to Totem Middle School's Evergreen Club, and Marshall Elementary's "Adapted Bike Day".
- Spring soccer has started; over 800 kids are playing over the next six weeks.
- Earth Day is on April 24 and there will be three major events: Surface Water Management has coordinated an event at Jennings Park for most of the morning

and early afternoon. Puget Sound Energy is coming up to Strawberry Fields for Rover with volunteers to plant 13 trees for shading. Kiwanis is planting three trees and installing three memorial plaques for members of their group on Earth Day.

- Parks and Recreation hired a full-time Parks Maintenance Worker, Andrew King.
- He and Tara will be at the WRPA Conference along with Greg Erickson and Wendy Bart presenting a Healthy Communities Initiative over two days at a summit in Tacoma.

Darin Rasmussen:

- The police department has been very busy with the annexed area. The NITE team continues to focus on neighborhood livability issues. He met with a couple different community groups in the newly annexed area; they are very satisfied and excited about the involvement of the police department and the City.
- The Shared Vehicle Program began on April 5 and is going smoothly so far.
- He appreciated being part of Serve Day.

Kevin Nielsen:

- Crews are pulverizing 47th today and tomorrow and are hoping to pave the first lift by the end of the week. This project is being funded by grant money from TIB and Safe Sidewalks to School. The construction management is being done in house for this project.
- Ingraham Blvd. work has progressed through the wetland. This will be done for the school opening. The construction management is being done in house. He commended Rick Herzog for the work he is doing with inspections for in house projects.
- Staff is going out for Request for Proposals on the recycle contract.
- Today they ran a waterborne breakout tabletop. Both chemical and microbial scenarios were reviewed. He discussed the importance of this exercise.

Sandy Langdon announced that the budget has been posted to the website. She also reported that the auditors will be in on Monday.

Gloria Hirashima:

- Commended Chris Holland and the Planning Commission for their work on the sign code. She thanked Councilmember Rasmussen for bringing the information about liquor advertising to their attention. She added that they will try to keep close track of the enforcement.
- She shared that sad news that that Grant Weed's mother had passed away. The Planning Commission's Chairman Steve Muller's father also passed away recently.
- Senator Murray released her proposed appropriation proposals and she included money for the City of Marysville's Community Policing Initiative for \$1.47 million. The City is currently collecting letters of support from different groups to send on as a supplement to this request.

- She discussed FEMA flood plain boundaries. The City is tracking this closely. The newly released maps have been adjusted to correspond with most of the City's requests.
- She requested that Council turn in their AWC Conference registration confirmations this week.

Call on Councilmembers

Carmen Rasmussen:

- She wished Jim Ballew and the others well at the WRPA Conference. She expressed confidence in him and his staff and noted how proud she is to have such a great Healthy Communities project in our city.
- She had an extensive conversation with a representative from the University of Washington who is also working with the Department of Health regarding Healthy Communities Initiatives in the State of Washington.
- She enjoyed participating in the Arbor Day/Serve Day tree planting.
- She extended thanks to Jim Ballew and his staff for the Easter Egg Hunt.
- She will not be able to attend the Governmental Affairs meeting with the Tribes on Thursday due to a work obligation.
- She asked Jim Ballew to email the Earth Day information to council members. Mr. Ballew indicated that he would do that.

John Soriano had no comments.

Jon Nehring said he was contacted by a citizen who was asking about regulations regarding sheep in city limits. CAO Hirashima indicated that staff would follow up on this.

Jeff Vaughan discussed his keen interest in the Historical Society event.

Donna Wright offered to share the honor of participating in the flag ceremony in the Parade of Flags with anyone else who was interested. There was consensus that Councilmember Wright would keep this honor. She asked Mayor Kendall about encouraging voters to vote on the school bond election.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to do a Proclamation to encourage the citizens of Marysville to vote in the school bond elections. **Motion** passed unanimously (6-0).

Jeff Seibert commended the Community Development and the Planning Commission on the sign code.

Executive Session – None

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 7:43 p.m.

Approved this _____ day of _____, 2010.

Mayor
Dennis Kendall

Asst. Admin. Svcs. Director
Tracy Jeffries

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 26, 2010

AGENDA ITEM: Claims	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Claims Listings	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Please see attached.

<p>RECOMMENDED ACTION:</p> <p>The Finance and Executive Departments recommend City Council approve the April 7, 2010 claims in the amount of \$1,136,428.65 paid by Check No.'s 62114 through 62260 with Check No. 61941 voided.</p>
<p>COUNCIL ACTION:</p>

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-4

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$1,136,428.65 PAID BY CHECK NO.'S 62114 THROUGH 62260 WITH CHECK NUMBER 61941 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

Andy Kingdon _____ 4/7/10
AUDITING OFFICER DATE

MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **7TH DAY OF APRIL 2010.**

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 04/01/2010 TO 04/07/2010

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
62114	621 BEACH STREET PROPERTY LLC	UB 920924000000 621 BEACH AVE	401.122110.	139.02
62115	KAMAL ABOUZAKI	INTERPRETER SERVICES	00102515.549000.	150.00
	KAMAL ABOUZAKI		00102515.549000.	150.00
62116	ADVANTAGE BUILDING SERVICES	JANITORIAL SERVICES	00100010.541000.	605.88
	ADVANTAGE BUILDING SERVICES		00101250.541000.	950.52
	ADVANTAGE BUILDING SERVICES		00103530.541000.	535.16
	ADVANTAGE BUILDING SERVICES	EXTRA CLEANING-KBSCC	00105120.541000.	100.00
	ADVANTAGE BUILDING SERVICES	JANITORIAL SERVICES	00105250.541000.	435.49
	ADVANTAGE BUILDING SERVICES		00105380.541000.	620.40
	ADVANTAGE BUILDING SERVICES		40141580.541000.	37.73
	ADVANTAGE BUILDING SERVICES		40142480.541000.	403.76
	ADVANTAGE BUILDING SERVICES		40143410.541000.	1,032.75
	ADVANTAGE BUILDING SERVICES		40143780.541000.	202.51
62117	ALBERTSONS FOOD CENTER #471	CUSTODY SUPPLIES	00103960.549000.	-49.69
	ALBERTSONS FOOD CENTER #471		00103960.549000.	5.00
	ALBERTSONS FOOD CENTER #471		00103960.549000.	285.99
62118	ROY A ALDERMAN	MILEAGE REIMBURSEMENT	40143410.543010.	33.10
62119	ALLIED EMPLOYERS LABOR RELATIONS	4/2010 MEMBERSHIP DUES	00100310.541000.	2,366.96
62120	AMSAN SEATTLE	(3) DEGREASER	501.141100.	172.79
62121	ANDERSON, DEBORAH	UB 840003600000 7210 73RD ST N	401.122110.	26.91
62122	ARAMARK UNIFORM SERVICES	MECHANICS UNIFORM	42047165.526000.	11.62
	ARAMARK UNIFORM SERVICES		42047165.526000.	11.62
	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	50100065.526000.	21.77
62123	CITY OF ARLINGTON	SURFACE WATER REVENUE BILLING	401.237000.	13,569.73
62124	ASCOM HASLER/GE CAP PROG	POSTAGE METER	00100020.542000.	13.86
	ASCOM HASLER/GE CAP PROG		00100110.545000.	27.69
	ASCOM HASLER/GE CAP PROG		00100310.545000.	27.69
	ASCOM HASLER/GE CAP PROG		00101023.545000.	27.69
	ASCOM HASLER/GE CAP PROG		00101130.545000.	27.69
	ASCOM HASLER/GE CAP PROG		00101320.545000.	27.69
	ASCOM HASLER/GE CAP PROG		00102020.542000.	27.68
	ASCOM HASLER/GE CAP PROG		00143523.545000.	27.69
	ASCOM HASLER/GE CAP PROG		40143410.542000.	13.86
62125	ASL INTERPRETER NETWORK	INTERPRETER SERVICES	00102515.549000.	160.00
	ASL INTERPRETER NETWORK		00102515.549000.	160.50
62126	ASPEN HOA	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
62127	MICHAEL ASPEN	INSTRUCTOR SERVICES	00105120.541020.	245.00
62128	BAG BOY	GOLF BAG	420.141100.	93.10
62129	JAMES B BALLEW	REIMBURSE HEALTHY COMM LUNCH	00105090.531000.0811	22.26
	JAMES B BALLEW	REIMBURSE TENT/SUPPLIES	00105090.531050.	222.22
62130	BELKNAP, ROBERT G & LORI	UB 760097000000 6816 58TH ST N	401.122110.	159.58
62131	OWEN EQUIPMENT COMPANY	REPAIR YELLOW VACTOR	40140580.548000.	1,606.22
	OWEN EQUIPMENT COMPANY		40142680.548000.	1,606.22
62132	BICKFORD FORD-MERCURY	BRAKE ROTORS,PADS	501.141100.	251.89
62133	BLUMENTHAL UNIFORMS & EQUIPMENT	PATROL UNIFORMS-RASMUSSEN	00103010.526000.	323.09
62134	BOATLAND P & A	MARINE HAND PUMP	40140980.531000.	161.24
62135	DE'T BRAY	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
62136	BRIDGESTONE GOLF INC	WOMENS GLOVES	420.141100.	58.72
62137	BRIDGESTONE GOLF INC	GOLF BALLS	420.141100.	1,074.21
62138	BRIM TRACTOR COMPANY, INC.	LOADER BUCKET CUTTING EDGE	50100065.534000.	554.12
62139	BRK MANAGEMENT SERVICES INC	ELEC HOME MONITORING 2/2010	00103960.541000.	4,048.50
62140	BUD CLARY CHEVROLET	2010 CHEVY COLORADO	50100048.564000.	20,023.66

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 04/01/2010 TO 04/07/2010

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
62141	CAN AM FABRICATIONS INC	REPAIR LIFT ARM ON GARBAGE TRK	50100065.548000.	586.44
62142	CARR'S ACE HARDWARE	SOAP,LOCKNUT,PVC CAPS,SCREWDR	00105380.531000.	33.05
	CARR'S ACE HARDWARE	PVC,UNIONS,BUSHINGS,CLAMPS,PIP	40142480.531300.	57.53
	CARR'S ACE HARDWARE	KEYS CUT,PAINT BRUSHES,ROLLERS	41046060.531000.	71.51
	CARR'S ACE HARDWARE	PADLOCKS	501.141100.	156.34
62143	VICKI CARVER	INSTRUCTOR SERVICES	00105120.541020.	124.95
	VICKI CARVER		00105120.541020.	541.45
62144	CDW GOVERNMENT INC	SCO REPLACEMENT PRINTER	00103222.548000.	49.93
62145	CEMEX	CLASS B ASPHALT	10110130.531000.	562.06
	CEMEX		10110130.531000.	626.73
	CEMEX		10110240.531000.	347.42
62146	CHAMPION BOLT & SUPPLY	NUTS,BOLTS	50100065.534000.	96.16
62147	CK APPAREL	OUTERWEAR,SHIRTS	420.141100.	925.58
62148	JEFF COBB	REIMBURSE TRAVEL EXPENSES-WOW	40143410.543040.	325.11
62149	COMMERCIAL FIRE PROTECTION	FIRE EXTINGUISHER SERVICE	501.141100.	26.25
	COMMERCIAL FIRE PROTECTION		501.141100.	51.00
62150	CORRECT EQUIPMENT	SODIUM HYPOCH PUMPS,PVC SYSTEM	40142480.548000.	11,678.23
62151	COVAD COMMUNICATIONS	INTERNET SERVICES	50300090.541000.	239.95
62152	BRUNO CUENCA	INTERPRETER SERVICES	00102515.549000.	150.00
62153	CUZ CONCRETE PRODUCTS	JET SET CONCRETE REPAIR	10110240.531000.	359.68
62154	DAILY JOURNAL OF COMMERCE	AD-RE BID PROJECT	40230594.563000.S R&R	147.60
62155	DATEC, INC	E TICKETING EQUIP FOR MOTORS	10400022.549000.1003	9,852.24
62156	DAVIS, JOSEPH & MARGARET	UB 251123016001 5307 112TH PL	401.122110.	28.30
62157	DELL MARKETING LP	PW ADMIN PROG CLERK PC	00100020.531000.	116.08
	DELL MARKETING LP		40143410.531000.	812.55
	DELL MARKETING LP		40145040.531000.	116.08
	DELL MARKETING LP		50100065.531000.	58.04
	DELL MARKETING LP		50200050.531000.	58.04
	DELL MARKETING LP	WS ENGINEERING REPLACEMENT	50350390.535000.RPLC	2,221.56
62158	ARLINE DEPALMA	INSTRUCTOR SERVICES	00105250.541020.	224.00
62159	DICKS TOWING INC	TOWING EXPENSE- MP 10-1717	00103222.541000.	43.44
62160	DUNLAP INDUSTRIAL	STEP LADDER,BUNGEE CORDS	50200050.531000.	186.83
62161	E & L CONSTRUCTION INC	UB 983418630000 6310 35TH ST N	401.122130.	117.62
62162	E&E LUMBER INC	SUPPLIES FOR CABLE HOOK UP-CAO	00103530.531000.	14.47
	E&E LUMBER INC	STRINGHOLDERS,PLIERS,CABLE TIE	00105120.531030.	65.94
	E&E LUMBER INC	NUTS,BOLTS,WASHERS	10111230.548000.	24.11
	E&E LUMBER INC	SEALANT	40142280.548000.	14.10
62163	WA ENVIRONMENTAL TRAINING CENTER	WATER DIST CERT EXAM REVIEW-MI	40143410.549030.	315.00
62164	ERIC ERGA	REIMBURSE HOTEL/TRAVEL-WOW CO	40143410.543020.	306.83
62165	ETONIC WORLDWIDE LLC	GLOVES,SHOES	420.141100.	1,286.50
62166	CITY OF EVERETT	LAB ANALYSIS	40145040.553100.	202.50
62167	FABER BROTHERS CONSTRUCTION	PAY ESTIMATE # 3	30500030.563000.R0701	116,631.90
62168	LORENA FARR	INTERPRETER SERVICES	00102515.549000.	125.00
62169	FBINAA WASHINGTON CHAPTER	TRAINING-LAMOUREUX, R	10400022.549000.1004	45.00
62170	FEDEX	SHIPPING EXPENSE	50300090.531000.	14.75
62171	JOHN FILORI	REIMBURSE TRAVEL EXPENSE-WOW (40143410.543040.	343.82
62172	JOSEPH FINLEY	MILEAGE REIMBURSEMENT	50300090.543000.	102.84
62173	GALLS INC	NYLON BELT KEEPERS	00103222.526000.	97.86
62174	KEVIN GESSNER	REIMBURSE TRAVEL EXPENSE-WOW (40143410.543020.	315.57
62175	KRISTA GESSNER		40143410.543020.	156.36
62176	GOLFWEED	PRO SHOP TRADE MAGAZINE SUBSCR	42047267.549000.	29.95
62177	MATTHEW GOOLSBY	MEAL REIMBURSEMENT	00103222.543000.	51.03

**CITY OF MARYSVILLE
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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
62178	GRAYBAR ELECTRIC CO INC	HARDWARE	00100010.531000.	44.68
62179	GREG RAIRDON'S DODGE CHRYSLER JEEP	RADIATOR CAP	50100065.534000.	21.79
	GREG RAIRDON'S DODGE CHRYSLER JEEP	HEATER CORE, ORING	50100065.534000.	235.63
62180	HASLER, INC	POSTAGE MACHINE LEASE PYMNT-PO	00104190.545000.	219.60
62181	HD FOWLER COMPANY	PVC FITTINGS	00105380.548000.	2.96
	HD FOWLER COMPANY	CHANNEL STEEL	00105380.548000.	127.07
	HD FOWLER COMPANY	WATER TANK	00105380.548000.	219.52
	HD FOWLER COMPANY	FITTINGS	401.141400.	31.99
	HD FOWLER COMPANY	LID	401.141400.	48.22
	HD FOWLER COMPANY	BALL VALVE	401.141400.	217.89
	HD FOWLER COMPANY	METER VALVE,ADAPTER,FLANGE	401.141400.	413.09
	HD FOWLER COMPANY	METER BOX BASES,LIDS,GASKETS	401.141400.	419.26
	HD FOWLER COMPANY	METER SETTER	401.141400.	510.42
	HD FOWLER COMPANY	BROOMS,MARKING PAINT	501.141100.	377.28
62182	HD SUPPLY WATERWORKS, LTD	HYDRANT,LUGS,ADAPTER	40141080.531000.	1,882.17
62183	LETTIE HYLARIDES	INTERPRETER SERVICES	00102515.549000.	108.25
	LETTIE HYLARIDES		00102515.549000.	108.80
62184	IRON MOUNTAIN QUARRY LLC	ROCK	10110130.531000.	258.84
	IRON MOUNTAIN QUARRY LLC		40145040.531000.	162.65
62185	JET PLUMBING	REPAIRS TO COMEFORD PARK RESTR	00105380.548000.	815.22
62186	KAR GOR INC	VIDEO DETECTION PKG	10111864.531000.	6,457.90
62187	RYAN M. KEEFE	REIMBURSE MEAL COSTS-HERBICIDE	10111160.549000.	27.29
62188	TORY OLSEN KLEMENSTEN	INSTRUCTOR SERVICES	00105120.541020.	1,560.00
62189	KUSTOM SIGNALS INC	BATTERY PACKS	00103222.526000.	501.73
62190	LADY OF LETTERS, INC	MINUTE TAKING SERVICE	00105380.541000.	200.00
62191	LANGUAGE EXCHANGE	INTERPRETER SERVICES	00102515.549000.	569.50
	LANGUAGE EXCHANGE		00102515.549000.	712.50
	LANGUAGE EXCHANGE		00102515.549000.	736.25
	LANGUAGE EXCHANGE		00102515.549000.	1,045.00
62192	DEPT OF LICENSING	BLAKE, GREGORY (RENEWAL)	001.237020.	18.00
	DEPT OF LICENSING	BUSSE, SANDRA (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	CORWIN, LANCE (RENEWAL)	001.237020.	18.00
	DEPT OF LICENSING	HAMILTON, RYAN (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	HEACOCK, MICHAEL (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	KAM, WALLACE (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	LEIGHTY, BRENDA (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	MCFADDEN, BARBARA (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	MURRAY, DANIELLE (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	SWAGERTY, CHARLES (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	WHITTINGTON, JOHN (ORIGINAL)	001.237020.	18.00
62193	MACAULAY & ASSOCIATES	LID BOUNDRY REVIEW	30500030.563000.R0604	1,620.00
62194	MARYSVILLE DOG OWNERS GROUP	2009 HOTEL/MOTEL GRANT APPLICA	10500030.549000.	1,522.96
62195	MARYSVILLE FIRE DIST #12	FIRE CONTROL/EMERGENCY AID SRV	00109522.551000.	457,865.33
	MARYSVILLE FIRE DIST #12		00109526.551000.	184,794.22
62196	MARYSVILLE PRINTING	BUSINESS CARDS-HIRASHIMA, G	00100110.531000.	227.84
	MARYSVILLE PRINTING	BUSINESS CARDS-DREYER, S	00103222.531000.	42.30
	MARYSVILLE PRINTING	ENVELOPES	00103222.531000.	266.07
62197	MCLOUGHLIN & EARDLEY CORP	SPOTLIGHT	501.141100.	145.77
	MCLOUGHLIN & EARDLEY CORP		501.231700.	-11.54
62198	COREY MILLER	REIMBURSE MEAL-HERBICIDE TRAIN	40143410.543020.	16.34
62199	TARA MIZELL	REIMBURSE EASTER EGG HUNT SUPP	00105120.531050.	33.57
62200	DUANE MORGISON	REIMBURSE TRAVEL EXPENSE-WOW C	40143410.543020.	236.12

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
62201	MPC CONTAINMENT INTERNATIONAL LLC	PAY ESTIMATE # 2	401.223400.	-306.85
	MPC CONTAINMENT INTERNATIONAL LLC		40140280.548000.	6,664.71
	MPC CONTAINMENT INTERNATIONAL LLC	PAY ESTIMATE # 1	402.223400.	-6,746.71
	MPC CONTAINMENT INTERNATIONAL LLC		40220594.563000.W0602	146,538.49
62202	CELIESTE MURPHY	REFUND CLASS FEES	00110347.376004.	57.00
62203	NATIONAL BARRICADE COMPANY	(25) POSTS (50) BRACKETS	10111864.531000.	1,316.78
	NATIONAL BARRICADE COMPANY	(20) SIGNS (10) RAILS	10111864.531000.	1,504.11
62204	HERNAN NAVAS	INTERPRETER SERVICES	00102515.549000.	125.00
62205	JON NEHRING	REIMBURSE MILEAGE	00100060.543000.	14.50
62206	NELSON PETROLEUM	DIESEL AND GASOLINE CONSUMED	42047165.532000.	817.38
	NELSON PETROLEUM	BULK MOTOR OIL	42047165.548000.	781.62
62207	NEXTEL COMMUNICATIONS	ACCT #495802314	50350390.542000.	17.86
	NEXTEL COMMUNICATIONS		50350390.542000.	17.86
	NEXTEL COMMUNICATIONS		50350390.542000.	17.86
	NEXTEL COMMUNICATIONS		50350390.542000.	18.07
	NEXTEL COMMUNICATIONS		50350390.542000.	38.32
	NEXTEL COMMUNICATIONS		50350390.542000.	42.50
	NEXTEL COMMUNICATIONS		50350390.542000.	53.58
	NEXTEL COMMUNICATIONS		50350390.542000.	62.10
	NEXTEL COMMUNICATIONS		50350390.542000.	65.06
	NEXTEL COMMUNICATIONS		50350390.542000.	71.44
	NEXTEL COMMUNICATIONS		50350390.542000.	71.44
	NEXTEL COMMUNICATIONS		50350390.542000.	80.13
	NEXTEL COMMUNICATIONS		50350390.542000.	100.35
	NEXTEL COMMUNICATIONS		50350390.542000.	120.80
	NEXTEL COMMUNICATIONS		50350390.542000.	134.96
	NEXTEL COMMUNICATIONS		50350390.542000.	163.57
	NEXTEL COMMUNICATIONS		50350390.542000.	220.72
	NEXTEL COMMUNICATIONS		50350390.542000.	252.59
	NEXTEL COMMUNICATIONS		50350390.542000.	268.54
	NEXTEL COMMUNICATIONS		50350390.542000.	271.99
	NEXTEL COMMUNICATIONS		50350390.542000.	319.80
	NEXTEL COMMUNICATIONS		50350390.542000.	420.75
	NEXTEL COMMUNICATIONS		50350390.542000.	468.82
	NEXTEL COMMUNICATIONS		50350390.542000.	1,709.56
62208	ESTHER NICOLAS	REFUND SECURITY DEPOSIT	001.239100.	200.00
62209	NORTHWEST CASCADE INC	HONEY BUCKET	00105380.545000.	111.38
62210	NPEA/SNO CO SHERRIFF'S OFFICE	2010 DUES-GOLDMAN, JEFF	00103222.541000.	60.00
62211	OFFICE DEPOT	OFFICE SUPPLIES	00100310.531000.	62.51
	OFFICE DEPOT		00100310.531000.	88.91
	OFFICE DEPOT		00101130.531000.	8.63
	OFFICE DEPOT		00101130.531000.	35.16
	OFFICE DEPOT		00103222.531000.	175.98
	OFFICE DEPOT		00104190.531000.	80.00
	OFFICE DEPOT		00105250.531000.	19.12
	OFFICE DEPOT		00105380.531000.	16.98
	OFFICE DEPOT		00143523.531000.	8.99
	OFFICE DEPOT		00143523.531000.	33.33
	OFFICE DEPOT	RETURN CHAIR	40143410.531000.	-238.22
	OFFICE DEPOT	CHAIR REPLACEMENT	40143410.531000.	238.43
	OFFICE DEPOT	RETURN CHAIR	50100065.531000.	-29.78
	OFFICE DEPOT	CHAIR REPLACEMENT	50100065.531000.	29.81

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
62211	OFFICE DEPOT	RETURN CHAIR	50200050.531000.	-29.78
	OFFICE DEPOT	CHAIR REPLACEMENT	50200050.531000.	29.81
62212	ORBIT ENTERPRISES,INC	WEBSITE HOSTING	42047267.544000.	900.00
62213	OSOS	NW REGIONAL RECORDS SEMINAR-JE	00101130.549000.	30.00
62214	PACIFIC NW BUSINESS PRODUCTS INC	TONER	00101130.531000.	30.92
	PACIFIC NW BUSINESS PRODUCTS INC		00103010.531000.	289.80
	PACIFIC NW BUSINESS PRODUCTS INC		00143523.531000.	30.93
62215	PACIFIC POWER PRODUCTS	SPRAYER HOSE	42047165.548000.	26.93
	PACIFIC POWER PRODUCTS	REAR AXLES	42047165.548000.	242.12
62216	PACIFIC TOPSOILS INC	SOIL/SOD DUMP	10110130.531000.	221.20
	PACIFIC TOPSOILS INC	ROCK	10110130.531000.	336.66
	PACIFIC TOPSOILS INC	SOD DUMP FEES	10110770.531000.	105.00
	PACIFIC TOPSOILS INC		10110770.531000.	150.00
	PACIFIC TOPSOILS INC		10110770.531000.	150.00
	PACIFIC TOPSOILS INC		10110770.531000.	150.00
	PACIFIC TOPSOILS INC		10110770.531000.	150.00
	PACIFIC TOPSOILS INC		10110770.531000.	150.00
	PACIFIC TOPSOILS INC		10110770.531000.	150.00
	PACIFIC TOPSOILS INC		10110770.531000.	150.00
62217	LAWRENCE PANG	INTERPRETER SERVICES	00102515.549000.	125.00
62218	THE PARTS STORE	U-JOINT	00105380.531000.	44.07
	THE PARTS STORE	ALUM BRIGHT	41046060.531000.	97.67
	THE PARTS STORE	TRANS FILTER,PLASTIC TIES	501.141100.	67.48
	THE PARTS STORE	OIL,AIR FILTERS,ANTIFREEZE	501.141100.	103.08
	THE PARTS STORE	ACCESSORY BELTS,TENSIONER,FILT	50100065.534000.	94.38
62219	LAURIE HUGDAHL	MINUTE TAKING SERVICE	00101130.541000.	176.70
62220	PETTY CASH- PW	TAPE,FOAM BOARD,CABLE,TAPES,PA	00100020.531000.	10.85
	PETTY CASH- PW		40140080.548000.	5.65
	PETTY CASH- PW		40140780.531000.	1.00
	PETTY CASH- PW		40140980.531000.	15.20
	PETTY CASH- PW		40140980.531000.	15.20
	PETTY CASH- PW		40143410.531000.	4.12
62221	JOSEPH PHAM	INTERPRETER SERVICES	00102515.549000.	109.74
62222	DENISE FREEMAN	JUMPSUIT/JACKET-BARTL	00103222.526000.	792.05
62223	PING	PING G5 IRONS	420.141100.	392.96
62224	PLATT- EVERETT	(30) BULBS	42047165.531000.	86.81
62225	PNWS-AWWA	NEW WATER PRODUCTS CLASS-MILLE	40143410.549030.	60.00
	PNWS-AWWA	NEW WATER PRODUCTS CLASS-GESSN	40143410.549030.	120.00
62226	CANDICE POWERS	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
62227	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2026-7070-9	10110463.547000.	38.48
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2030-6201-3	10110463.547000.	93.88
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2022-9433-6	10110463.547000.	318.66
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2025-7232-7	10110463.547000.	355.84
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2027-2901-8	10111864.547000.	147.77
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2032-3100-6	10111864.547000.	263.85
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2020-3007-8	10111864.547000.	295.63
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2013-8099-5	40140180.547000.	29.28
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2024-6354-3	40142280.547000.	153.58
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2024-9063-7	40142280.547000.	272.59
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2026-8910-5	40142480.547000.	165.56
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2016-7563-4	40142480.547000.	216.66
	PUD NO 1 OF SNOHOMISH COUNTY	WATER DAMAGE TO HOUSE @ 6519 6	40143410.547000.	60.66

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
62228	R&R PRODUCTS INC	ROLLERS	42047165.548000.	625.86
62229	MIRIAH RIVERS	REFUND CLASS FEES	00110347.376009.	35.00
62230	ROY ROBINSON CHEVROLET	IGNITION SWITCH	50100065.534000.	171.84
	ROY ROBINSON CHEVROLET	DR DOOR INTERIOR PANEL	50100065.534000.	507.92
62231	SCBOWBO REC BALL DIVISION	REFEREES-BASKETBALL	00105120.531040.	3,291.00
62232	HELEN SCILLEY	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
62233	EVIE SCRIBNER	INSTRUCTOR SERVICES	00105250.541020.	140.00
62234	SNOPAC	DISPATCH SERVICES	00104000.551000.	61,891.86
62235	SONITROL	MONITORING SERVICES	00100010.541000.	89.00
	SONITROL		00103530.541000.	293.00
	SONITROL		00105250.541000.	126.00
	SONITROL		00105380.541000.	116.00
	SONITROL		40141580.541000.	216.00
	SONITROL		40142480.541000.	216.00
	SONITROL		40143410.541000.	372.00
62236	SOUND HARLEY DAVIDSON	MOTORCYCLE REPAIR-MC SHANE	00103222.548000.	1,463.45
62237	SOUND SAFETY PRODUCTS CO INC	JEANS EXCHANGE-CARY,C	40143410.526300.	-20.31
	SOUND SAFETY PRODUCTS CO INC	BOOTS-CARY, C	40143410.526300.	170.30
	SOUND SAFETY PRODUCTS CO INC	GLOVES,EARPLUGS,FIRST AID KITS	501.141100.	129.85
	SOUND SAFETY PRODUCTS CO INC	JACKETS	501.141100.	148.79
	SOUND SAFETY PRODUCTS CO INC	GLOVES,SAFETY GLASSES	501.141100.	211.99
	SOUND SAFETY PRODUCTS CO INC	GLOVES	501.141100.	278.89
	SOUND SAFETY PRODUCTS CO INC	SHIRTS,JACKETS	501.141100.	449.17
	SOUND SAFETY PRODUCTS CO INC	T-SHIRTS,SWEATSHIRTS	501.141100.	524.54
	SOUND SAFETY PRODUCTS CO INC	SHORTS-LEWIS, M	50200050.526000.	73.16
62238	SPARLING INC	PROFESSIONAL SERVICES	40230594.563000.S0901	532.00
	SPARLING INC	WWTP GENERATOR METER CONNECT	40230594.563000.S0901	614.30
62239	RICK SPARR	REIMBURSE MEALS-TRAINING	00103222.543000.	44.58
62240	STEVENS, JANET	UB 890560000000 7909 52ND DR N	401.122110.	21.06
62241	JAMES STRICKLAND	REIMBURSE CAP PURCHASE	00103960.526000.	43.44
62242	TAYLORMADE	DRIVERS,WEDGES,PUTTER	420.141100.	810.22
62243	TIRE DISTRIBUTION SYSTEMS, INC	(4) TIRES	50100065.534000.	360.64
	TIRE DISTRIBUTION SYSTEMS, INC		50100065.534000.	385.10
62244	TRAFFIC SAFETY SUPPLY CO INC	(50) POSTS, ANCHORS,SLEEVES,QW	10111864.531000.	1,980.32
62245	AL TREACY	REIMBURSE TRAINING/MILEAGE COS	00101320.543000.	154.94
	AL TREACY		00101320.549000.	292.50
62246	KEN TYACKE	REIMBURSE MEALS-HERBICIDE TRAI	10111160.549000.	25.35
62247	UNITED PIPE & SUPPLY INC	BOLT KITS,GASKETS	40140580.531000.	40.07
	UNITED PIPE & SUPPLY INC	COMPOUND METER	40140580.531000.	1,905.34
	UNITED PIPE & SUPPLY INC		40140580.531000.	1,905.34
62248	US HEALTHWORKS MEDICAL GROUP WA, P	PRE-EMPLOYMENT EXAM-MASON, B	00103010.541000.	512.00
	US HEALTHWORKS MEDICAL GROUP WA, P	DOT EXAMS	10111230.541000.	54.00
	US HEALTHWORKS MEDICAL GROUP WA, P		40143410.541000.	54.00
	US HEALTHWORKS MEDICAL GROUP WA, P		40143410.541000.	108.00
	US HEALTHWORKS MEDICAL GROUP WA, P		50100065.541000.	54.00
62249	USA BLUEBOOK	PENTAGON SOCKET	40140680.535000.	100.49
	USA BLUEBOOK	WRENCH,ANTI SIEZE,SERV BAGS	40140780.531000.	477.46
62250	JEFF VANDENBERG	REIMBURSE MEALS-TRAINING	00103222.543000.	41.93
62251	VERIZON NORTHWEST	ACCT #101451140308	00100010.542000.	107.00
	VERIZON NORTHWEST	ACCT #107355912203	00100020.542000.	52.61
	VERIZON NORTHWEST		00100050.542000.	52.61
	VERIZON NORTHWEST		00100110.542000.	52.61

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62251	VERIZON NORTHWEST	ACCT #107355912203	00100310.542000.	52.61
	VERIZON NORTHWEST		00102020.542000.	210.43
	VERIZON NORTHWEST		00103010.542000.	105.22
	VERIZON NORTHWEST		00103222.542000.	52.61
	VERIZON NORTHWEST	ACCT #100152074306	00103530.542000.	107.00
	VERIZON NORTHWEST	ACCT #107355912203	00103530.542000.	210.43
	VERIZON NORTHWEST		00103960.542000.	105.22
	VERIZON NORTHWEST		00104000.542000.	105.22
	VERIZON NORTHWEST	ACCT #107747568401	00104190.542000.	53.51
	VERIZON NORTHWEST	ACCT #107355912203	00104190.542000.	157.83
	VERIZON NORTHWEST		00105250.542000.	52.61
	VERIZON NORTHWEST		00105380.542000.	263.04
	VERIZON NORTHWEST		00112572.542000.	52.61
	VERIZON NORTHWEST		00143523.542000.	52.61
	VERIZON NORTHWEST	ACCT #109367558610	10110564.547000.	49.71
	VERIZON NORTHWEST	ACCT #107567892708	10110564.547000.	52.15
	VERIZON NORTHWEST	ACCT #107355912203	10111230.542000.	52.61
	VERIZON NORTHWEST	ACCT #10624354707	10111864.547000.	180.59
	VERIZON NORTHWEST	ACCT #64811477782	40141580.547000.	101.82
	VERIZON NORTHWEST	ACCT #105660553702	40142280.542000.	90.66
	VERIZON NORTHWEST	ACCT #107355912203	40142480.542000.	210.42
	VERIZON NORTHWEST	ACCT #1101641995410	40143410.542000.	30.22
	VERIZON NORTHWEST	ACCT #1103241996301	40143410.542000.	65.73
	VERIZON NORTHWEST	ACCT #1108541996810	40143410.542000.	65.73
	VERIZON NORTHWEST	ACCT #1105841995206	40143410.542000.	75.89
	VERIZON NORTHWEST	ACCT #107355912203	40143410.542000.	290.42
	VERIZON NORTHWEST	ACCT #106853520208	40143780.542000.	53.51
	VERIZON NORTHWEST	ACCT #107355912203	42047061.542000.	157.83
	VERIZON NORTHWEST		42047061.549100.	105.22
62252	WA ROCK QUARRIES INC	TOPDRESSING SAND	42047165.531940.	999.57
	WA ROCK QUARRIES INC		42047165.531940.	1,903.33
62253	WASTE MANAGEMENT NORTHWEST	SERVICE @ DEERING	00105380.547000.	66.71
62254	WESTERN FACILITIES SUPPLY INC	JAIL SUPPLIES	00103960.531000.	396.21
	WESTERN FACILITIES SUPPLY INC	JANITORIAL SUPPLIES	42047165.531700.	42.20
62255	WHATCOM COUNTY	NW MINI CHAIN 1ST QTR 2010	00103960.551000.	10,205.25
62256	CARL WINELAND	REIMBURSE MEALS-HERBICIDE TRAI	10111160.549000.	20.71
62257	CHESTER WOGUE	USED GOLF BALLS	420.141100.	125.00
62258	LORI WONG	REFUND CLASS FEES	00110347.376009.	34.00
62259	WSHNA- OFFICER SHERRY MURPHY	TRAINING-HENDRICKSON, J	10400022.549000.1004	135.00
	WSHNA- OFFICER SHERRY MURPHY	TRAINING-SMITH, C	10400022.549000.1004	135.00
62260	YSI INCORPORATED	YSI PROBE	40145040.553100.	2,921.22

WARRANT TOTAL: 1,136,463.65

VOID

CHECK # 61941 INITIATOR ERROR (35.00)

REASON FOR VOIDS:

- INITIATOR ERROR
- WRONG VENDOR
- CHECK LOST IN MAIL

1,136,428.65

CITY OF MARYSVILLE
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 26, 2010

AGENDA ITEM: City of Marysville Smokey Point Area Project, Professional Services Agreement, Supplement No. 1	AGENDA SECTION:	
PREPARED BY: Kari Chennault, Program Engineer – Surface Water	APPROVED BY: <i>jc</i> <i>lc</i>	
ATTACHMENTS: • Supplement No. 1		
	MAYOR	CAO
BUDGET CODE: 40250594.563000 D0801	AMOUNT: \$95,050.00	

DESCRIPTION

Attached is Supplement No. 1 to the Professional Services Agreement with Otak, Inc. to provide consulting services on the Smokey Point Area Project. Otak, Inc. previously identified the preferred alternatives to develop the Smokey Point Area. As identified in the Scope of Services attached to the Supplement, Otak will develop and provide a Biological Assessment for Hayho and Edgecomb Creeks based on the current level of engineering analysis prepared in the initial agreement. This information will accompany the City's application for a Regional General Permit from the Army Corp of Engineers for developing the Smokey Point Area.

RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor to sign Supplement No. 1 to the Professional Services Agreement with Otak, Inc. in an amount not to exceed \$95,050.00.
COUNCIL ACTION:

**SUPPLEMENTAL AGREEMENT NO. 1
TO
PROFESSIONAL SERVICES AGREEMENT
FOR
CITY OF MARYSVILLE
AND
OTAK, INC.**

This Supplemental Agreement No. 1 is made and entered into on the _____ day of _____, 2010, between the City of Marysville, hereinafter called the "City" and **Otak, Inc.**, hereinafter called the "Consultant."

WITNESSETH THAT:

WHEREAS, the parties hereto have previously entered into an Agreement for the **development of Phase 1 of the City of Marysville's Smokey Point Feasibility Study**, hereinafter called the "Project," said Agreement being dated **July 28, 2008**; and

WHEREAS, both parties desire to supplement said Agreement, by expanding the Scope of Services to provide for **the information required to apply for a Regional General Permit** and to amend the total amount payable for this Agreement,

NOW THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

Each and every provision of the Original Agreement for Professional Services dated **July 28, 2008**, shall remain in full force and effect, except as modified in the following sections:

1. Article II of the Original Agreement, "SCOPE OF SERVICES", shall be supplemented to include the Scope of Services as described in **Attachment A**, attached hereto and by this reference made part of this Supplemental Agreement No.1.

North Marysville Streams Biological Assessment
March 12, 2010

INITIAL BIOLOGICAL ASSESSMENT AND ASSOCIATED BASELINE CONDITIONS ANALYSIS

At the request of the City, this cost estimate is provided to conduct a Biological Assessment on both Hayho and Edgecomb Creeks based on the current level of engineering analysis completed by Otak in July, 2009. No further engineering analysis is proposed as part of this scope of work. The ability to complete the Biological Assessment to the satisfaction of the Services for Hayho Creek may be limited by the extent of current engineering.

1.0 Data Collection and Analysis

Otak will conduct field work necessary to collect the data for identifying baseline conditions and the presence of habitat conditions for preparation of the Biological Assessment (BA) on both Edgecomb and Hayho Creeks.

1.1 Background Data Gathering and Analysis

Data on existing and historic habitat will be collected in order to inform development of baseline habitat conditions and past land use implications in the Edgecomb and Hayho Creek systems. Data to be reviewed and collected will include information and mapping data from Washington Department of Fish and Wildlife (WDFW) Priority Habitat and Species program, DNR's Natural Heritage information on rare plants and high quality ecosystems.

1.2 Stream Survey

Field work will include stream habitat surveys, per modified Timber, Fish, and Wildlife protocols. Field work will be sufficient to characterize baseline conditions and provide the necessary data for accurate characterization of habitat conditions per National Marine Fisheries Service (NMFS)/U.S. Fish and Wildlife Service (USFWS) Matrix of Pathways and Indicators for both streams. Geomorphic, riparian, and stream habitat data will be gathered, assessed, and utilized to assess baseline and proposed conditions and project effects determinations for both streams.

1.3 Data Collection Monitoring and Reporting

This task involves ongoing monitoring and updating of data collection activities, compiling and collating data collection results, and communications and sharing with the City of Marysville regarding data collection activities and results.

Deliverables:

- Data collection results—maps, files, species lists, etc.—upon request.
- Monthly monitoring and data collection update reports.

Assumptions:

- The project will involve seven (7) days of stream survey work by a team of two (2) scientists, in order to characterize baseline conditions for the BA.

North Marysville Streams Biological Assessment
March 12, 2010

2.0 Prepare Biological Assessment

Documentation necessary for compliance with the provisions of Sections 7 and 9 of the Endangered Species Act (ESA) will be prepared based on project concepts and designs to date. Being able to conduct a Biological Assessment on Hayho Creek may be limited by the current level of engineering conceptual design on the project. This scope does not include any additional effort to further design or analyze the Hayho system beyond the current existing level of analysis.

2.1 Prepare Draft Biological Assessment

Otak will prepare a draft Biological Assessment (BA) for the project on both streams, to be included as part of the permit package submittal to the U.S Army Corps of Engineers (Corps) and other relevant resource agencies. Otak will submit the draft BA to the City of Marysville for one round of review, and will address comments and editing concerns after said review. Upon completion of internal review and editing by the City, Otak will submit the BA to the Corps for their review and for consultation with NMFS and USFWS (the Services).

Assumptions

- The engineering analysis on both streams, conducted by Otak in July, 2009 is sufficient to provide accurate analysis to meet the Services expectations and requirements.

2.2 Respond to Corps/Services Comments

Otak will respond to comments, concerns, and potential edits solicited by either the Corps or the Services during the consultation process. A total of two (2) iterations of submittal, review, and response to either the Corps or the Services is assumed under this subtask.

2.3 Prepare Final Biological Assessment

Based on review, comments, and edits derived from the Corps and/or Services, Otak will prepare and submit a final BA for project ESA compliance.

Deliverables:

- Draft and Final Biological Assessment (BA), submitted to the Corps and the Services.

Assumptions:

- The project will result in a May Affect, Likely to Adversely Affect determination for listed fish species that may occur in the project action area, based on the available engineering analysis.

North Marysville Streams Biological Assessment
March 12, 2010

- As such, the project will enter into formal consultation and require a Biological Opinion (BO) and Incidental Take Statement (ITS) issued jointly by NMFS and USFWS.
- The project will be specifically designed and modified to comply with the Reasonable and Prudent Measures and meet the Terms and Conditions identified in the BO and ITS.

3.0 Coordination with Army Corps and the Services

As part of the ongoing negotiation and cooperation with the Corps and Services, and as part of the process of permitting the project under a Corps General Permit, Otak will provide the City with project coordination and facilitation services.

3.1 Project Coordination with Review Agencies

Otak will provide point of contact and coordination services between the City of Marysville, and the Corps/Services. Negotiations regarding project alterations and design modifications will occur as part of this task.

3.2 Meetings and Communication

Otak will attend a total of ten (10) meetings with the Corps, Services, City of Marysville, or other relevant resource agencies.

Assumptions:

- This task assumes a total of ten (10) meetings with the Corps, Services, City of Marysville, or other relevant resource agencies.
- No engineering design alterations or analyses are assumed as part or parcel of this task.

4.0 Project Management

Otak will provide project management and oversight as part of this task.

4.1 Project Monitoring and Reporting

This task involves ongoing communications of project updates and results with the City of Marysville, and includes monthly project status updates.

4.2 General Project Management

This task involves general project oversight and management activities.

North Marysville Streams Biological Assessment
March 12, 2010

Summary of Activities and Costs

1.0	Data Collection and Analysis	
	1.1 Background Data Gathering and Analysis	\$ 6,000
	1.2 Stream Survey	\$ 11,700
	1.3 Data Collection Monitoring and Reporting	\$ 2,500
	Task 1 Cost:	\$20,200
2.0	Prepare Biological Assessment	
	2.1 Prepare Draft Biological Assessment	\$ 20,900
	2.2 Respond to Corps/Services Comments	\$ 9,000
	2.3 Prepare Final Biological Assessment	\$ 9,500
	Task 2 Cost:	\$39,400
3.0	Coordination with Army Corps and the Services	
	3.1 Project Coordination with Review Agencies	\$ 13,950
	3.2 Meetings and Communication	\$ 10,250
	Phase 3 Cost:	\$24,200
4.0	Project Management	
	4.1 Project Monitoring and Reporting	\$ 3,500
	4.2 General Project Management	\$ 3,750
	Phase 4 Cost:	\$ 7,250
	Expenses	\$ 4,000
	Total Project Cost:	\$95,050

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 26, 2010

AGENDA ITEM: Project Acceptance: W0602 Edward Springs Baffle Project	AGENDA SECTION:	
PREPARED BY: Paul Federspiel, Project Engineer	APPROVED BY: 	
ATTACHMENTS: <ul style="list-style-type: none">• Notice of Physical Completion• Vicinity Map		
	MAYOR	CAO
BUDGET CODE: NA 40220594.563000 W0602	AMOUNT: N/A	

DESCRIPTION:

The City Council awarded the “Edward Springs Baffle Project” contract to MPC Containment International, LTD. on November 16th, 2009 in the amount of \$144,416.45.

MPC Containment completed the work for this project on February 18th, 2010 and delivered the inspection documentation the week of March 8th, 2010.

The work performed under this Contract was inspected by City Engineering staff and found to be physically complete in accordance with the approved plans and specifications. Staff recommends Council’s acceptance of the project for closeout.

RECOMMENDED ACTION:

Staff recommends that Council authorize the Mayor to accept the Edward Springs Baffle project, starting the 45-day lien filing period for project closeout.

COUNCIL ACTION:



PUBLIC WORKS
Kevin Nielsen, *Director*

80 Columbia Avenue
Marysville, Washington 98270
Phone (360) 363-8100
Fax (360) 363-8284

March 8, 2010

Johann Konrad
MPC Containment International LTD.
4834 South Oakley
Chicago, Illinois 60609

Re: Edward Springs Baffle Project / **Notice of Physical Completion**

Dear Mr. Konrad:

Having received the video inspection, this is to inform you that work on the referenced project was considered Physically Complete by the City of Marysville on March 8th, 2010. The following documents or procedures are still required to establish the Project Completion Date:

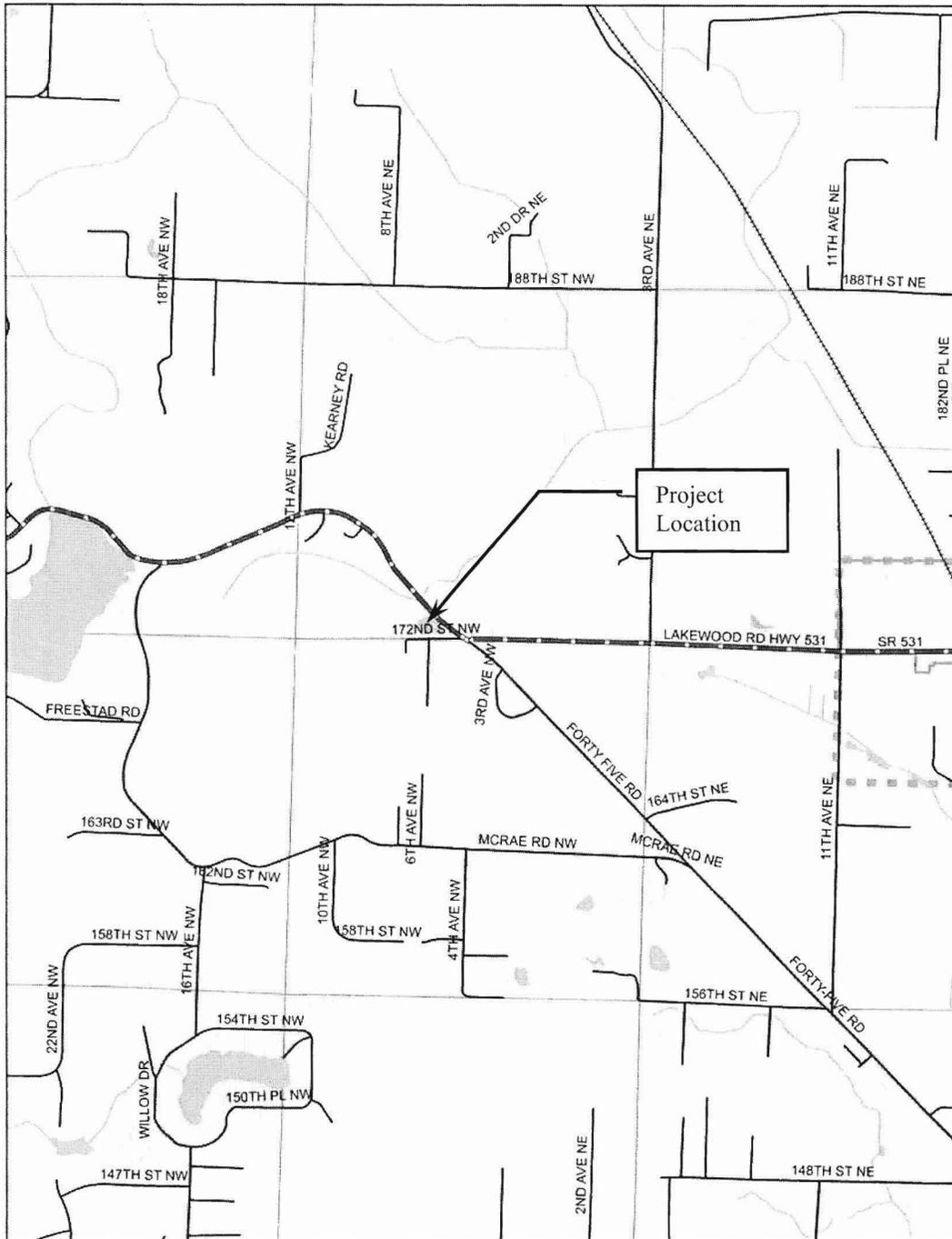
1. Signed Affidavit of Wages Paid.
2. Certificate of Release from Department of Labor and Industries.
3. Certificate of Release from the Department of Revenue.
4. Certificate of Release from the Employment Security Department
5. A 45-day lien period must pass without liens being filed.

Your retainage account in the amount of 5% of the final Contract price will be released pending receipt of the required release forms and upon passage of the 45-day lien period without any liens being filed. The 45-day lien period will begin following City Council Acceptance of the project (scheduled for April 26th). If you have any questions or comments, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Federspiel".

Paul Federspiel, PE
Project Engineer



CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 26, 2010

AGENDA ITEM: Inter-local Agreement with Snohomish Regional Drug Task Force	AGENDA SECTION:	
PREPARED BY: Commander R. Krusey	AGENDA NUMBER:	
ATTACHMENTS: Inter-local Agreement	APPROVED BY: Chief Richard Smith	
	MAYOR	CAO
BUDGET CODE: 00103426 551000	AMOUNT: \$13,730.	

Marysville Police Department request council approval of the Inter-local Agreement with the Snohomish Regional Drug Task Force and authorize the Mayor to sign the agreement. The cost of the agreement is based on the City of Marysville population. The cost this year is \$13,730. This is a recurring expense.

RECOMMENDED ACTION: Staff recommends that Marysville City Council authorize the Mayor to sign the Inter-local Agreement with Snohomish Regional Drug Task Force.
COUNCIL ACTION:



Snohomish Regional Drug Task Force

M/S #606
3000 Rockefeller Ave.
Everett, WA 98201
(425) 388-3479
FAX (360) 658-7664

FROM: Patric L. Slack

DATE: April 2, 2010

RE: **FFY 2010 /2011 INTERLOCAL AGREEMENT for the
SNOHOMISH REGIONAL DRUG TASK FORCE**

Enclosed please find the Snohomish Regional Drug Task Force Interlocal Agreement between Snohomish County and participating jurisdictions for the period from July 1, 2010 through June 30, 2011.

Enclosed are three Original attest sheets. Please have officials from your jurisdiction sign all three attest sheets and return all three sheets. Please have these returned to us **no later than May 15, 2010**. You can either call my secretary, Megan King, and she will pick these documents up or you may return them to her attention via mail.

When all agency signature pages have been returned to us and the necessary County officials' signatures have been obtained for this document, we will send you a final, conformed copy for your records. This will take place in late summer.

We are looking forward to another year of successful, productive activity from our Snohomish Regional Drug Task Force. Thank you for your participation and assistance in this united effort.

Sincerely,

Patric L. Slack
COMMANDER

Megan King
Desk 360-657-1306
Cell 425-754-8375
Fax 360-658-7664
megan.king@snoco.org

**INTERLOCAL AGREEMENT ESTABLISHING
SNOHOMISH REGIONAL DRUG TASK FORCE**

This Interlocal Agreement is among Snohomish County, a political subdivision of the State of Washington, and the following jurisdictions (hereinafter collectively referred to as the “Participating Jurisdictions”):

City of Arlington	City of Monroe
City of Bothell	City of Mountlake Terrace
City of Brier	City of Mukilteo
City of Darrington	City of Snohomish
City of Edmonds	City of Stanwood
City of Everett	City of Sultan
City of Gold Bar	DSHS, Child Protective Services
City of Granite Falls	Sauk Suiattle Tribe
City of Index	Snohomish Health District
City of Lake Stevens	Stillaguamish Tribe
City of Lake Forest Park	Swinomish Tribe
City of Lynnwood	Tulalip Tribe
City of Marysville	Upper Skagit Tribe
City of Mill Creek	Washington State Patrol

WITNESSES THAT:

WHEREAS, the State of Washington Department of Community, Trade, and Economic Development (hereinafter "CTED"), has received funds from the U.S. Department of Justice under authority of the Anti-Drug Abuse Act of 1988 to provide grants to local units of government for drug law enforcement; and

WHEREAS, eligible applicants include cities, counties and Indian tribes; and

WHEREAS, RCW 39.34 permits one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking that each public agency is authorized by law to perform; and

WHEREAS, Snohomish County and CTED have entered into a Narcotics Control Grant Contract (hereinafter "Grant Contract") whereby Snohomish County shall use specified grant funds solely for a regional task force project consistent with the task force grant application submitted to CTED on or before June 1, 2010, upon which the Grant Contract is based (by this reference both the Grant Contract and the grant application are incorporated in this agreement as though set forth fully herein); and

WHEREAS, the Participating Jurisdictions recognize the above-mentioned Grant Contract between CTED and Snohomish County; and

WHEREAS, the Participating Jurisdictions desire to participate as members of the multi-jurisdictional task force with Snohomish County administering task force project grants on their behalf; and

WHEREAS, the Participating Jurisdictions desire to enter into an agreement with Snohomish County to enable Snohomish County to continue to be the receiver of any grant funds related to the task force project; and

WHEREAS, each of the Participating Jurisdictions represented herein is authorized to perform each service contemplated for it herein;

NOW, THEREFORE, in consideration of covenants, conditions, performances and promises hereinafter contained, the parties hereto agree as follows:

1.0 TASK FORCE CONTINUATION, TERM, AND PURPOSE

- 1.1 The countywide multi-jurisdictional task force, composed of law enforcement, prosecutor, and support personnel, known as the Snohomish Regional Drug Task Force (hereinafter "Task Force") was created pursuant to the Interlocal Agreement Among Participating Jurisdictions dated January 18, 1988. The Task Force has operated on a continuous basis since that time under a series of interlocal agreements, the most recent effective from July 1, 2009, through June 30, 2010. This agreement shall serve to continue the operation of the Task Force.
- 1.2 The effective date of this agreement shall be from July 1, 2010, through June 30, 2011, unless earlier terminated or modified as provided in this agreement.
- 1.3 The purpose of the Task Force shall be to formally structure and jointly coordinate selected law enforcement activities, resources, and functions in order to disrupt illegal drug trafficking systems and to remove traffickers through a cooperative program of investigation, prosecution, and asset forfeiture.
- 1.4 The Task Force agrees to perform the statement of work indicated in the Task Force Abstract set forth in the application for funding between CTED and Snohomish County. Therefore each participating jurisdiction adopts the following Task Force goals:
 - Continue to attack the demand and supply sides of narcotics trafficking.

- Continue enforcement efforts directed toward mid and upper level dealers.
 - Continue to assist smaller agencies within Snohomish County with narcotics enforcement within their towns and cities.
 - Continue to provide narcotics enforcement training to smaller jurisdictions throughout Snohomish County.
- 1.5 The Task Force shall continue to follow a management system for the shared coordination and direction of personnel as well as financial, equipment and technical resources as stated in this agreement.
- 1.6 The Task Force shall continue to implement operations, including:
- a. Development of intelligence
 - b. Target identification
 - c. Investigation
 - d. Arrest of Suspects
 - e. Successful prosecution of offenders, and
 - f. Asset forfeiture/disposition
- 1.7 The Task Force shall evaluate and report on Task Force performance to CTED as required in the Grant Contract.

2.0 ORGANIZATION

- 2.1 Exhibit “D”, incorporated herein by this reference, sets forth the organization of the Task Force.
- 2.2 The Task Force Executive Board shall be comprised of the Snohomish County Prosecuting Attorney, the Snohomish County Sheriff, the Everett Police Chief, the Everett City Prosecutor, and one (1) chief of police from the remaining Participating Jurisdictions chosen by the chiefs of police of the remaining Participating Jurisdictions. The Snohomish

County Sheriff shall serve as Chair of the Executive Board. The Task Force Executive Board may adopt bylaws providing for appointment of alternates to attend Executive Board meetings in the absence of members. At such meetings the alternate shall have the same rights as the appointing member. Any action taken by the Task Force Executive Board under this agreement shall be based on a majority vote.

- 2.3 All law enforcement personnel assigned to the Task Force shall be directed in their Task Force duties by the Snohomish County Sheriff's Office (SCSO) through the Task Force Commander. The Task Force Commander will be an employee of Snohomish County for all purposes and, if not a regular SCSO deputy, will hold a special commission for that purpose.
- 2.4 Exhibit "A", incorporated herein by this reference, sets forth the personnel and related equipment and supplies currently assigned to the Task Force by each Participating Jurisdiction. Nothing in this agreement shall restrict the ability of the Snohomish County Prosecuting Attorney, Snohomish County Sheriff, Everett Police Chief, or chief law enforcement officer of any Participating Jurisdiction to reassign personnel and related equipment and supplies now or later assigned to the Task Force.

3.0 FINANCING

- 3.1 Exhibit "B" sets forth the Task Force operating budget and is incorporated herein by reference. Participating Jurisdictions in the aggregate agree to provide funds that will allow for at least a one-third match of the funds awarded under the Grant Contract.

- 3.2 Exhibit "C" sets forth the Local Match breakdown for the period from July 1, 2010, to June 30, 2011, and is incorporated herein by reference. Although State and/or Federal Grant funds may vary from the amount initially requested, each Participating Jurisdiction agrees to provide funding that is no less than the amount indicated in Exhibit "C", and to pay its funding share to Snohomish County as administrator of Task Force funds promptly upon request.
- 3.3 As required by the Grant Contract, each Participating Jurisdiction agrees the funding it contributes shall be provided in addition to that currently appropriated to narcotics enforcement activities and that no Task Force activity will supplant or replace any existing narcotic enforcement activities.
- 3.4 Except as modified by section 5.3 below, all revenues collected or generated by or for the Task Force shall be forwarded to the Snohomish County Treasurer and placed in a designated special account for the purpose of supporting Task Force operations, and all real or personal property of the Task Force will be held in Snohomish County's name for the benefit of the Task Force.
- 3.5 Upon termination of the Task Force, all funds remaining in said special account shall be disbursed pro rata to the then-current Participating Jurisdictions in proportion to the percentage of their most recent financial participation as indicated in Exhibit "C".

4.0 GENERAL ADMINISTRATION

- 4.1 Snohomish County agrees to provide CTED with the necessary documentation to receive grant funds.

- 4.2 By executing this agreement, each Participating Jurisdiction agrees to make any certified assurances required by the Grant Contract that are within its particular control, and agrees to make all its records related to the Task Force available for inspection consistent with the Grant Contract.
- 4.3 All Task Force contracts and agreements executed on behalf of Participating Jurisdictions under this agreement must first be approved on motion of the Task Force Executive Board. By executing this agreement, each Participating Jurisdiction agrees that, for the purpose of administering the assets and resources available to the Task Force, Snohomish County is hereby granted the authority to execute on behalf of the Participating Jurisdictions all agreements and contracts signed as approved by the Task Force Executive Board, by and through its Chair, including but not limited to all contracts for professional services. Agreements and contracts executed in this manner shall have the same legal effect as if they were executed by each Participating Jurisdiction. No such agreement or contract may impose or waive liability with respect to a Participating Jurisdiction in a manner that is inconsistent with the hold harmless provision in section 10.0 of this agreement.
- 4.4 Any dispute arising under this agreement will be forwarded to the Task Force Executive Board for arbitration. The determination made by the Executive Board shall be final and conclusive as between the parties. This provision shall not apply to issues of indemnity and liability governed by the hold harmless provision in section 10.0 of this agreement.

5.0 ASSET FORFEITURE

- 5.1 The Participating Jurisdictions shall refer all potential asset forfeitures initiated or investigated by officers assigned to the Task Force during the pendency of this agreement to the Task Force for disposition at the discretion of the Task Force Executive Board or prosecuting authority (Prosecuting Attorney or United States Attorney). Any such referred asset forfeiture that is pursued in state court will be prosecuted in the name of Snohomish County on behalf of the Task Force and its Participating Jurisdictions.
- 5.2 The Task Force Commander, under the direction of the Task Force Executive Board, shall manage the acquisition and disposition of assets seized or forfeited as a result of this agreement in compliance with law and Task Force Procedures.
- 5.3 A portion of the net monetary proceeds of each asset forfeiture made by the Task Force shall be distributed to the involved investigating agencies commensurate with their participation as determined by prior agreement between the Task Force Commander and said agencies, or in the absence of such agreement, by the Task Force Executive Board, prior to dedication of the remaining proceeds to the Task Force as specified in section 3.4. As long as the personnel, equipment, and related supply assignments stated in Exhibit "A" remain unchanged, distributions to Snohomish County and the City of Everett under this subparagraph shall be 40 percent each of the net monetary proceeds remaining after distributions under this subparagraph to Participating Jurisdictions other than Snohomish County and the City of Everett. If assignments change from those stated in Exhibit "A", the Task Force Executive Board may modify the relative percentage allocations to Snohomish County and the

City of Everett on a case-by-case or permanent basis. For purposes of this subparagraph, the term “net monetary proceeds” means cash proceeds realized from property forfeited during the term of this agreement that is not retained for use by the Task Force after deducting all costs and expenses incurred in its acquisition, including but not limited to the cost of satisfying any bona fide security interest to which the property may be subject at the time of seizure, the cost of sale in the case of sold property (including reasonable fees or commissions paid to independent selling agencies), amounts paid to satisfy a landlord’s claim for damages, and the amount of proceeds (typically ten percent) payable to the State of Washington under RCW 69.50.505(9) or similar law.

- 5.4 Any Participating Jurisdiction receiving a distribution of assets forfeited under RCW 69.50.505 shall use such assets in accordance with RCW 69.50.505(10), which limits use to the expansion and improvement of controlled substances related law enforcement activity and prohibits use to supplant preexisting funding sources.
- 5.5 Upon termination of the Task Force, the Task Force Executive Board shall dispose of the Task Force’s interest in assets seized or forfeited as a result of this agreement in accordance with applicable federal, state and county requirements, and shall distribute proceeds in accordance with sections 5.3 and 3.5.

6.0 ACQUISITION AND USE OF EQUIPMENT

- 6.1 In the event that any equipment is acquired with grant funds, the Participating Jurisdictions agree that the Task Force will use that equipment only for specified law enforcement purposes for the term of the grant.

- 6.2 Upon termination of the Task force, any equipment provided by Participating Jurisdictions will be returned to those respective jurisdictions.
- 6.3 Upon termination of the Task Force, the Task Force Executive Board shall dispose of all acquired equipment in accordance with applicable federal, state and county requirements, and shall distribute proceeds in accordance with section 3.5.

7.0 MODIFICATION

- 7.1 Participating Jurisdictions hereto reserve the right to amend this agreement in the future from time to time as may be mutually agreed upon. No such amendment shall be effective unless written and signed by all then-contributing jurisdictions with the same formality as this agreement.

8.0 NONDISCRIMINATION PROVISION

- 8.1 There shall be no discrimination against any employee who is paid by the grant funds or against any applicant for such employment because of race, color, religion, handicap, marital status, political affiliation, sex, age, or national origin. This provision shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, lay-off or termination, rates of pay or other forms of compensation, and selection for training.

9.0 TERMINATION OF AGREEMENT

- 9.1 Notwithstanding any provisions of this agreement, any party may withdraw from the agreement as it pertains to them by providing written

notice of such withdrawal to all other parties, specifying the effective date thereof at least thirty (30) days prior to such date. A withdrawing party may take with it any equipment it has loaned or donated to the Task Force, and shall be entitled to distributions under section 5.3 of this agreement with respect to asset forfeitures initiated before the effective date of withdrawal.

- 9.2 If there is a reduction in funds by the source of those funds, and if such funds are the basis of this agreement, Snohomish County may unilaterally terminate all or part of the agreement, or may reduce its scope of work and budget.

10.0 HOLD HARMLESS

- 10.1 Each party hereto agrees to save, indemnify, defend and hold the other parties harmless from any allegations, complaints, or claims of wrongful and/or negligent acts or omissions, by said party and/or its officers, agents, or employees to the fullest extent allowed by law. In the case of allegations, complaints, or claims against more than one party, any damages allowed shall be levied in proportion to the percentage of fault attributable to each party, and each party shall have the right to seek contribution from each of the other parties in proportion to the percentage of fault attributable to each of the other parties. Moreover, the parties agree to cooperate and jointly defend any such matter to the extent allowed by law. An agency that has withdrawn assumes no responsibility for the actions of the remaining members arising after the date of withdrawal, but shall remain liable for claims of loss or liability arising prior to the effective date of withdrawal.

- 10.2 The Tulalip Tribes waives sovereign immunity to suit by any party to interpret or enforce the terms of this Agreement. The parties agree that in enforcing obligations under this Agreement, a party seeking payment from the Tulalip Tribes shall look first to the proceeds of any insurance procured by the Tribes for this purpose. Should any claim exceed the limit of procured insurance arising from the entry of a final decree in any court, or by settlement of a civil action mutually agreed to by a party to this Agreement and the Tribes, the Tribes hereby waives any claim of immunity or exemption for any assets it holds up to the amount necessary to discharge the obligation and the costs of collection.
- 10.3 The Sauk Suiattle Tribe waives sovereign immunity to suit by any party to interpret or enforce the terms of this Agreement. The parties agree that in enforcing obligations under this Agreement, a party seeking payment from the Sauk Suiattle Tribe shall look first to the proceeds of any insurance procured by the Tribe for this purpose. Should any claim exceed the limit of procured insurance arising from the entry of a final decree in any court, or by settlement of a civil action mutually agreed to by a party to this Agreement and the Tribe, the Tribe hereby waives any claim of immunity or exemption for any assets it holds up to the amount necessary to discharge the obligation and the costs of collection.
- 10.4 The Stillaguamish Tribe waives sovereign immunity to suit by any party to interpret or enforce the terms of this Agreement. The parties agree that in enforcing obligations under this Agreement, a party seeking payment from the Stillaguamish Tribe shall look first to the proceeds of any insurance procured by the Tribe for this purpose. Should any claim exceed the limit of procured insurance arising from the entry of a final decree in any court, or by settlement of a civil action mutually agreed to

by a party to this Agreement and the Tribe, the Tribe hereby waives any claim of immunity or exemption for any assets it holds up to the amount necessary to discharge the obligation and the costs of collection.

10.5 The Swinomish Tribe waives sovereign immunity to suit by any party to interpret or enforce the terms of this Agreement. The parties agree that in enforcing obligations under this Agreement, a party seeking payment from the Swinomish Tribe shall look first to the proceeds of any insurance procured by the Tribe for this purpose. Should any claim exceed the limit of procured insurance arising from the entry of a final decree in any court, or by settlement of a civil action mutually agreed to by a party to this Agreement and the Tribe, the Tribe hereby waives any claim of immunity or exemption for any assets it holds up to the amount necessary to discharge the obligation and the costs of collection.

11.0 GOVERNING LAW AND VENUE

11.1 This agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Washington without reference to choice of law principles, and venue of any suit between the parties arising out of this agreement shall be in the Superior Court of Snohomish County, Washington.

12.0 INTEGRATION

12.1 With the exception of necessary operational agreements between law enforcement agencies of the Participating Jurisdictions and agreements pursuant to section 5.3 hereof, this agreement constitutes the whole and entire agreement among those parties as to the Task Force and no other

understandings, oral, or otherwise, regarding the Task Force shall be deemed to exist or bind the parties.

13.0 EXECUTION OF MULTIPLE ORIGINAL COUNTERPARTS

13.1 This agreement may be reproduced in any number of original counterparts. Each party need sign only one counterpart and when the signature pages are all assembled with one original counterpart, that compilation constitutes a fully executed and effective agreement among all the Participating Jurisdictions. In the event that fewer than all named parties execute this agreement, the agreement, once recorded as specified in section 15.0, shall be effective as between the parties that have executed the agreement to the same extent as if no other parties had been named.

14.0 SEVERABILITY

14.1 If any part of this agreement is unenforceable for any reason the remainder of the agreement shall remain in full force and effect.

15.0 RECORDING

15.1 This interlocal agreement will be recorded in compliance with RCW 39.34.040.

In witness whereof, the parties have executed this agreement.

SNOHOMISH COUNTY, approved at the direction of the County Council.

Aaron Reardon, County Executive

DATE: _____

ATTEST:

APPROVAL RECOMMENDED:

John Lovick, Sheriff

DATE: _____

Approved as to form only:

Deputy Prosecuting Attorney

EXHIBIT A

Snohomish Regional Drug Task Force

Personnel and Basic Equipment Assigned by Jurisdiction
July 1, 2010 through June 30, 2011

EVERETT POLICE DEPARTMENT

1 Lieutenant	Everett PD
1 Sergeant	Everett PD
1 Detective	Everett PD
1 Support Personnel	Everett PD

FUNDING

GRANITE FALLS POLICE DEPARTMENT

1 Detective	Justice Assistance Grant
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FUNDING

MARYSVILLE POLICE DEPARTMENT

1 Detective	Marysville PD	<i>VACANT</i>
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FUNDING

BOTHELL POLICE DEPARTMENT

1 Detective	Bothell PD
-------------	------------

FUNDING

SNOHOMISH COUNTY SHERIFF'S OFFICE

1 Task Force Commander	Justice Assistance Grant	
1 Lieutenant	Snohomish County Sheriff	
1 Sergeant	Snohomish County Sheriff	
1 Detective	Snohomish County Sheriff	
1 Detective	Snohomish County Sheriff	
1 Detective	Snohomish County Sheriff	
1 Detective	Snohomish County Sheriff	
1 Detective	Snohomish County Sheriff	<i>VACANT</i>
1 Detective	Snohomish County Sheriff	<i>VACANT</i>
1 Support Staff	Justice Assistance Grant	
1 Support Staff	Snohomish County Sheriff	

FUNDING

SNOHOMISH HEALTH DISTRICT

1 Local Health Officer	Snohomish Health District
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FUNDING

SNOHOMISH COUNTY PROSECUTOR'S OFFICE

1 Deputy Prosecutor
1 Deputy Prosecutor
1 Support Staff
1 Deputy Prosecutor

FUNDING

Justice Assistance Grant
Snohomish County Prosecutor
Snohomish County Sheriff
Snohomish County Prosecutor

STATE OF WASHINGTON

1 Detective
1 Case Worker

FUNDING

Washington State Patrol
DSHS, Child Protective Services

WASHINGTON NATIONAL GUARD

1 Intelligence Analyst

FUNDING

Washington National Guard

BUREAU OF ALCOHOL TOBACCO AND FIREARMS

1 Agent

FUNDING

ATF *VACANT*

DRUG ENFORCEMENT AGENCY

1 Agent

FUNDING

Drug Enforcement Agency *VACANT*

IMMIGRATION AND CUSTOMS ENFORCEMENT

1 Agent
0.5 Agent

FUNDING

Immigration And Customs Enforcement *VACANT*
Immigration And Customs Enforcement

EXHIBIT B

Snohomish Regional Drug Task Force

Estimated Operating Budget for July 1, 2010 through June 30, 2011

	<u>FEDERAL FUNDS</u>	<u>LOCAL MATCH</u>	<u>TOTAL</u>
Salaries	205,466	120,670	326,136
Benefits	49,684	29,180	78,864
Contracted Services	119,700	70,300	190,000
Goods and Services	6,300	3,700	10,000
Travel	0	0	0
Training	6,300	3,700	10,000
Equipment	0	0	0
Confidential Funds	0	0	0
TOTALS	\$387,450	\$227,550 *	\$615,000

* \$168,481 from Local Matching Funds; \$59,069 from Forfeited Assets Fund

Interlocal Agreement Establishing
Snohomish Regional Drug Task Force

EXHIBIT C

Snohomish Regional Drug Task Force

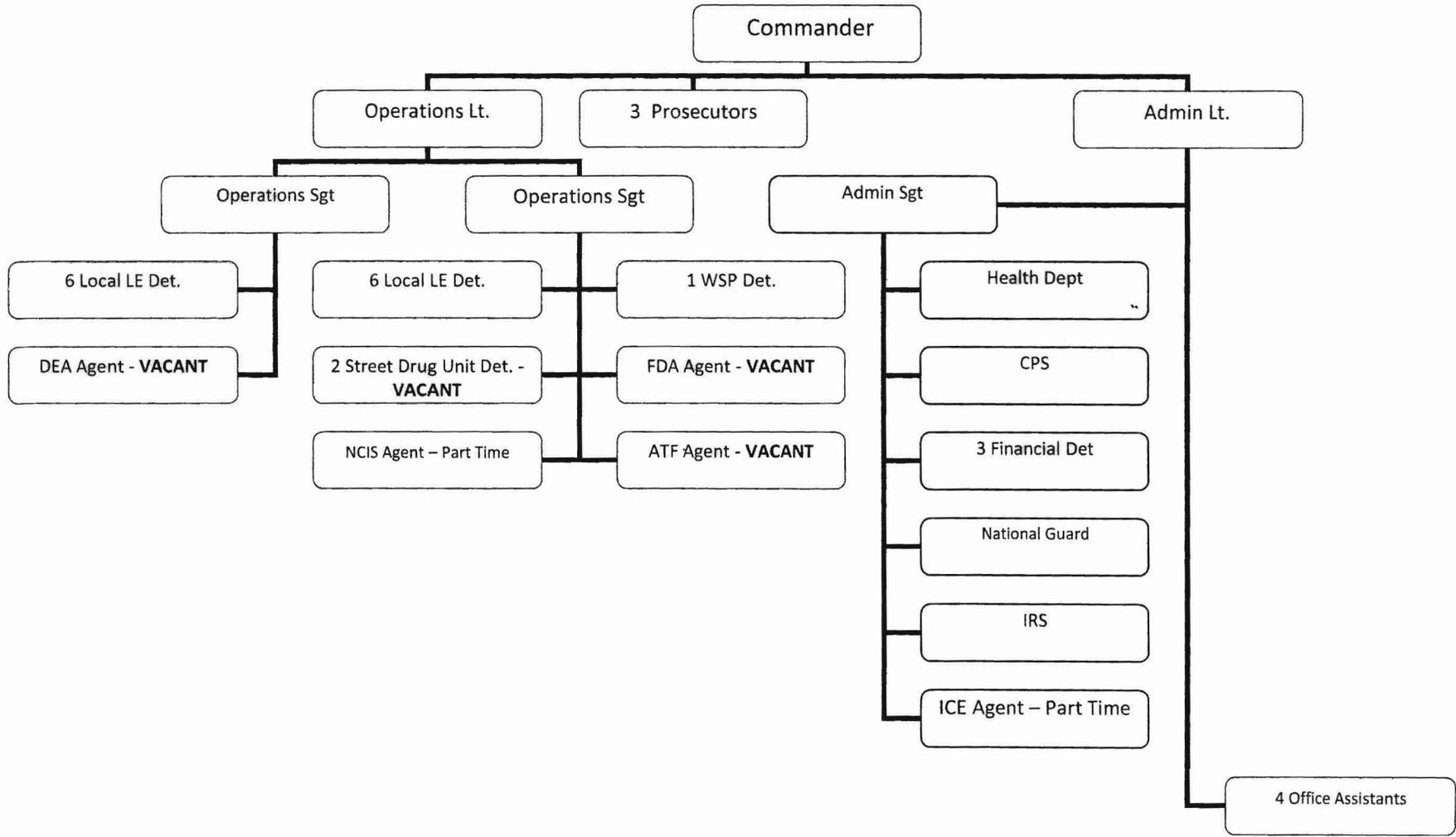
Local Match Breakdowns for July 1, 2010 through June 30, 2011

<u>JURISDICTION</u>	<u>POPULATION</u>	<u>PERCENTAGE</u>	<u>AMOUNT</u>
Arlington	17,150	2.44%	\$ 4,110.00
Bothell	15,980	2.27%	\$ 3,829.00
Brier	6,490	0.92%	\$ 1,555.00
Darrington	1,505	0.21%	\$ 361.00
Edmonds	40,900	5.81%	\$ 9,801.00
Everett	103,500	14.70%	\$ 24,801.00
GoldBar	2,250	0.31%	\$ 515.00
Granite Falls	3,375	0.48%	\$ 809.00
Index	155	0.02%	\$ 37.00
Lake Stevens	25,674	3.65%	\$ 6,152.00
Lake Forest Park	-	-	\$ -
Lynnwood	35,740	5.07%	\$ 8,564.00
Marysville	57,300	5.32%	\$ 13,730.00
Mill Creek	18,480	2.62%	\$ 4,428.00
Monroe	16,710	2.37%	\$ 4,004.00
Mountlake Terrace	20,960	2.98%	\$ 5,023.00
Mukilteo	20,110	2.86%	\$ 4,819.00
Snohomish	9,145	1.30%	\$ 2,191.00
Snohomish County	297,641	42.26%	\$ 71,322.00
Stanwood	5,590	0.79%	\$ 1,339.00
Sultan	4,555	0.65%	\$ 1,091.00
DSHS, CPS	-	-	\$ -
Sauk Suiattle Tribe	-	-	\$ -
Snohomish Health District	-	-	\$ -
Stillaguamish Tribe	-	-	\$ -
Swinomish Tribe	-	-	\$ -
Tulalip Tribes	-	-	\$ -
Washington State Patrol	-	-	\$ -
 PARTICIPATING JURISDICTIONS' TOTALS:			 \$ 168,481

Interlocal Agreement Establishing
Snohomish Regional Drug Task Force

SRDTF Organizational Chart

SRDTF Executive Board
 Chief of Everett (Asst Chair), Chief of Lynnwood, Snohomish County Sheriff (Chair), Snohomish County Prosecutor, City of Everett Prosecutor, SRDTF



03/23/10

ATTEST:

APPROVED AT THE DIRECTION OF THE PARTICIPATING JURISDICTION:

Title _____

Dated _____
Jurisdiction of _____

ATTEST:

Jurisdiction Clerk

Dated _____

APPROVED AS TO FORM:

Jurisdiction Attorney

Dated _____

ORIGINAL
(if printed in blue)

ATTEST:

APPROVED AT THE DIRECTION OF THE PARTICIPATING JURISDICTION:

Title _____

Dated _____
Jurisdiction of _____

ATTEST:

Jurisdiction Clerk

Dated _____

APPROVED AS TO FORM:

Jurisdiction Attorney

Dated _____

ORIGINAL
(if printed in blue)

ATTEST:

APPROVED AT THE DIRECTION OF THE PARTICIPATING JURISDICTION:

_____ Dated _____
Title _____ Jurisdiction of _____

ATTEST:

_____ Dated _____
Jurisdiction Clerk

APPROVED AS TO FORM:

_____ Dated _____
Jurisdiction Attorney

ORIGINAL
(if printed in blue)