

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: 2017 NC Electrical Code

DEADLINE FOR RECEIPT: Friday, February 9, 2018

NOTE: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

This is an adoption to update the Code to the National Electrical Code edition as required by G.S. 143-138(d) and not a petition for rulemaking. Please change the answer to Box 9B of the Form.

So that I am clear – is the 2017 or the 2018 NC Electrical Code? You state 2017 on the form, but the effective date is April 1, 2018, so I wanted to check.

Please confirm compliance with G.S. 143-136(c) and (d) where applicable.

The proposed effective date of this Code is April 1, 2018. However, it was adopted by the Council on December 12, 2017. G.S. 143-138(d) requires at least six months between adoption and the effective date. What is the intent with this stated date, as it appears you cannot have an effective date until June 2018?

Wherever terms are italicized in text of the Rule, please confirm that means it is a term defined elsewhere within the Code.

Wherever you are deleting parts of a list, please confirm that when you publish, the remaining items will be renumbered. If they will not, is that because you need to keep cross-references intact?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel

Date submitted to agency: January 31, 2018

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: Electrical Code, Chapter 1, Article 10

DEADLINE FOR RECEIPT: Friday, February 9, 2018

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In reviewing these rules, the staff determined that the following technical changes need to be made:

10.2: I recommend replacing "does" with "shall" before "not apply" and do you need to retain "for this code." Wouldn't "shall not apply." Suffice?

10.3: Should there be an "or" after "moved" and before "converted"?

In this sentence, it appears you are missing some language, as "converted to other uses of demolished" is not compete. Is it "converted to other uses or demolished"?

What is the purpose of the second sentence in this Section? Are you addressing G.S. 143-138(c)?

(c) Standards to Be Followed in Adopting the Code. -- All regulations contained in the North Carolina State Building Code shall have a reasonable and substantial connection with the public health, safety, morals, or general welfare, and their provisions shall be construed reasonably to those ends.

If so, where is your authority to say "liberally" here?

10.7.1: Replace "with" with "that"

10.7.2: What is the "Inspection Department"?

What is "readily" granted? Who determines this? And granted by whom?

Who determines "whenever possible"?

I do not understand the references to G.S. 153A and 160A, as those speak to condemnation and owner correction of defects. That is not addressed within this Rule. Why isn't G.S. 143-143.2 sufficient here?

10.8.2 and 10.8.3: is the term "Code enforcement official" (as it was used in 10.8.2) or "Code Enforcement Official" (as used in 10.8.3)?

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Also, should they both be “electrical” code enforcement officials?

In 10.8.3, since you say failure to comply “may” result in disconnection (which seems to be mandated by G.S. 143-143.2), when won’t failure to comply result in this?

10.8.4: Do you need to retain “an in the name of”?

I take it your regulated public knows what “port” portions are?

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Commission Counsel
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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: Electrical Code, Chapter 1, Article 110

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110.16: *Remove the comma after "centers" before "that are"*

Who determines if this is "likely"?

What is "clearly visible"? Who determines this?

110.24(A): *What is "legibly"? Is this term used throughout the National Electrical Code?*

What is "sufficient"? Who determines this?

110.26(E)(2): *Since you are deleting (c), should the language read "Outdoor installations shall comply with 110.26(E)(2)(a) and (b)."?*

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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: Electrical Code, Chapter 2

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210.8(A)(3): *In Exception 2, replace “which” with “that”*

210.8(B)(4): *In Exception 3, replace “which” with “that”*

210.52(B)(2): *In Exception 3, are you missing a word after “path”? This sentence seems to be incomplete as written.*

230.95(C): *On line 2, do you need the “shall be” before “provided with”? Are you intending to mandate that manufacturers provide these instructions, or simply that the instructions that are provided must be followed? If it's the latter, I recommend deleting “that shall be”*

250.140: *In Exception 1(3)c., isn't “ground-fault” hyphenated?*

250.142(B): *In Exception 5(2), should it state “redefines... as a feeder as set forth in”?*

In (4), is “AHJ” from the term “authority having jurisdiction” defined in Chapter 1? And should it be “is deemed”?

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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: Electrical Code, Chapter 3

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In reviewing these rules, the staff determined that the following technical changes need to be made:

300.3(B): In Exception 5(a), please be sure when you publish to end the sentence with a semicolon, not a colon.

In 5(b), should it state "redefines... as a feeder as set forth in"?

In (4), is "AHJ" meaning "authority having jurisdiction"? And should it be "is deemed"?

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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: Electrical Code, Chapter 4

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In reviewing these rules, the staff determined that the following technical changes need to be made:

406.12: Given the deletions, should it read 406.12(1) through (4)?

408.4: Given the deletion, I think it should state "The label shall be permanently affixed and of sufficient..."

And I know this is language from the National Code, so I take it that "sufficient" is known here?

445.11: Who shall provide the nameplate? The manufacturer?

For the third paragraph, consider writing this in active voice. "The manufacturer shall provide marking to indicate..."

Who will modify the generator in the field? The installer? And they are the one required to create the additional marking?

Where the terms are used, so that I'm clear, it is "two-wire, dc generators" and "three-wire, dc generators" throughout the National Electrical Code?

445.16: I take it your regulated public knows when the material will be deleteriously affected?

445.17: So that I'm clear – the higher horsepower rating will be chosen between only Tables 430.27 and 430.30? It won't be through those tables, to include 430.28 and 430.29?

445.18: When you publish, consider ending (1) with a semicolon, not a comma.

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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: Electrical Code, Chapter 5

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55.1: Is the term "similar occupancies" known to your regulated public?

55.24: I take it the warning against swimming is to comply with the public health protection of individuals in structures pursuant to G.S. 143-138(b)?

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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: Electrical Code, Chapter 6

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In reviewing these rules, the staff determined that the following technical changes need to be made:

680.21(C)(1); Should this state "Whenever a pool pump motor needs to be replaced" or "is required to be replaced"?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

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Commission Counsel
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