



Legislation Text

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To: Board of County Commissioners

Through: Bryan D. Weimer, PWLF, Director, Public Works and Development Department

Prepared By:
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Presenter: Bryan Weimer, Director, PWD; Greg Bragdon, Building Manager, PWD; Mitch Maulik, Sr. Plans Examiner, PWD; James McClain, Building Inspections Manager, PWD

Subject:
2:30 PM *2023 National Electrical Code Adoption Starting June 30, 2024

Purpose and Request:

The purpose of this Study Session is to provide information to the Board of County Commissioners (BOCC) on the plans to update the currently adopted National Electrical Code (2020) used by Arapahoe County to the 2023 NEC for implementation beginning on June 30, 2024. Furthermore, staff will be providing insight regarding various components pertaining to some of the new statutory requirements as adopted by the State of Colorado, and the impact to Arapahoe County and its residents.

Background and Discussion: Currently, the Arapahoe County Building Division utilizes the 2020 version of National Electrical Code. Staff is currently in the process of evaluating the following codes for update to the current version:

- 2023 National Electrical Code (NFPA-70)

It is the policy of Public Works and Development Department to update our electrical codes every 3 years, as required by the State of Colorado.

The primary purpose of the National Electrical Code is to establish the minimum requirements to protect life, maintain safe electrical installations, protect property, and adhere to the most current prescriptive requirements of the NFPA-70. This purpose is achieved by promoting the construction of installations in conformance with the most recent Electrical Code(s).

The National Electrical Code is updated every 3 years. Historically, these updates have increasingly emphasized improving property protection, and provisions that also reduce the overall fiscal impact due to natural hazard events, or circumstances where new protective features limit electrical failures resulting in fires. Additionally, the latest available version of the NEC has consistently demonstrated improvements to life safety, coordination with industry changes, and increases to the performance of buildings.

During the Study Session staff will highlight additional areas of the code and several corresponding statutory changes that are either already in effect, or that are designed to coincide with any new code adoption

throughout the State of Colorado.

These areas include:

- 2023 National Electrical Code
- HB23-1057 (Non-Gender Specific Restroom Provisions / Effective 1/1/24)
- HB23-1233 (Electric Vehicle Charging Provisions / Effective 3/1/24)
- HB22-1362 (Model Electric Ready & Solar Ready Code / Effective upon adoption of the 2023 NEC)
- HB22-1362 (Model Low Energy & Carbon Code - Under Development / Effective upon adoption of Building Codes updates after July 1, 2026)

The schedule for this updated Building Code adoption is as follows:

- May 14, 2024 - Study Session & Discussion
- June 11, 2024 - BOCC Hearing on Adopting New Electrical Code
- June 30, 2024 - New Code Effective in accordance with CRS 2023, Title 12, Article 115

Fiscal Impact: There is no direct fiscal impact to PWD except for the additional time to perform plan reviews and inspections (Re: Implementation of House Bills). There will be an increase in construction costs to residents and builders with the implementation of the House Bills.

Alternatives: There are no alternatives whereby the adoption of the NEC is statutorily mandated by the State of Colorado and the implementation of the referenced House Bills signed into law by the Governor are required of local governments.

Alignment with Strategic Plan:

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

Staff Recommendation: Staff recommends updating to the 2023 National Electrical Code based on the schedule provided, and the Building Division has been communicating this anticipated change for several months.

Concurrence: The proposed process for updating the County's adopted Electrical Code is supported within PWD and specifically the Building Division. The County Attorney's Office concurs with the recommendation.