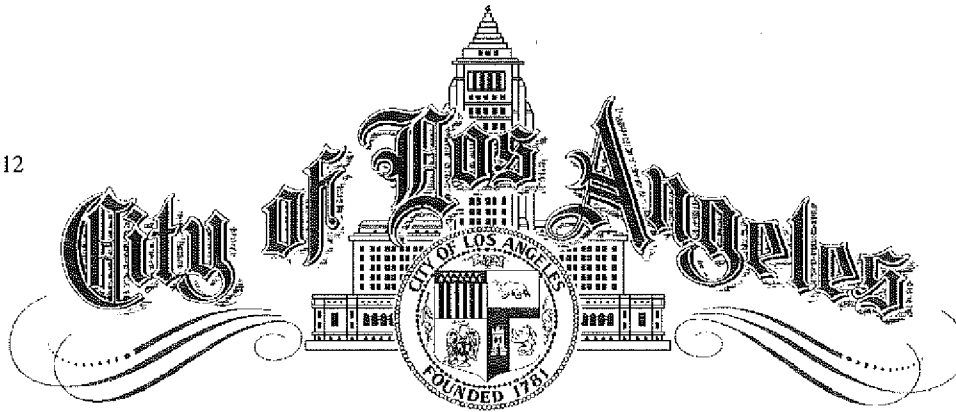


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CARMEN A. TRUTANICH
City Attorney

REPORT NO. R10-0443

DEC 29 2010

REPORT RE:

**DRAFT ORDINANCE AMENDING
LOS ANGELES MUNICIPAL CODE SECTIONS 93.0202, 93.0301,
93.0302, 93.0303, 93.0311, 93.0600 and 93.0700 TO MAKE VARIOUS TECHNICAL
CHANGES AND INCORPORATE PORTIONS FO THE 2011 CALIFORNIA
ELECTRICAL CODE**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File 10-2335

Honorable Members:

We have prepared and transmit to you for your consideration, approved as to form and legality, a draft ordinance amending Los Angeles Municipal Code Sections 93.0202, 93.0301, 93.0302, 93.0303, 93.0311, 93.0600 and 93.0700 to make various technical changes and incorporate portions of the 2011 California Electrical Code.

Summary of Ordinance Provisions

On October 1, 2010, your Honorable Planning and Land Use Management (PLUM) Committee considered a Department of Building and Safety (DBS) report and proposed ordinance relative to amending Chapter IX of the Los Angeles Municipal Code in the adoption of the 2010 California Building Codes; including the Electrical Code. At that meeting, the PLUM Committee requested that the City Attorney prepare the final

ordinance based on the amended proposed ordinance submitted at the Committee meeting by DBS and attached to the Council file.

This draft ordinance makes various technical changes to the existing regulations. It also eliminates obsolete code sections, clarifies code sections, defines "Ambient Temperature" based on climatic conditions and updates code year references.

CEQA Determination

It appears that the ordinance is not a project subject to environmental review under the California Environmental Quality Act (CEQA). Under State CEQA Guidelines Section 15378(b) (2) and (b) (5), continuing administrative activities and organizational activities that will not result in direct or indirect physical changes in the environment are not CEQA projects. The ordinance is an administrative change to existing LAMC Sections 93.020, 93.0301, 93.0302, 93.0303, 93.0311, 93.0600 and 93.0700. These changes make various technical changes to the existing regulations, eliminate obsolete code sections, clarify code sections and define "Ambient Temperature." These changes will not result in any change to the physical environment.

Council Rule 38 Referral

The draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety.

If you have any questions regarding this matter, please contact Deputy City Attorney Kim Rodgers Westhoff at (213) 978-8242. She or another member of this Office will be present to answer any questions you may have when you consider this matter.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By



PEDRO B. ECHEVERRIA
Chief Assistant City Attorney

PBE/KRW:pj
Transmittal

ORDINANCE NO. _____

An ordinance amending various sections of Article 3, Chapter IX of the Los Angeles Municipal Code to reflect local administrative changes and incorporate by reference portions of the 2011 Edition of the California Electrical Code (C.E.C.).

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subdivision 9 of Subsection (a) of Section 93.0202 of the Los Angeles Municipal Code is amended to read as follows:

9. Replacement of gas tube electrodes, transformers, tubes, drivers and power supplies with the same original manufactured parts having the same size, type, capacity and ratings for electric signs, or luminaries.

Sec. 2. Paragraphs (ii) and (iii) of Subdivision 13 of Subsection (a) of Section 93.0202 of the Los Angeles Municipal Code are amended to read as follows:

(ii) Non-required communication circuits which have the power limited in accordance with Section 725.121 of the C.E.C.; and

(iii) Non-required amplifier output circuits which are permitted by Section 640.9(C) of the C.E.C. to employ Class 2 or Class 3 wiring; and

Sec. 3. Section 93.0301 of the Los Angeles Municipal Code is amended to read as follows:

93.0301. POWERS OF DEPARTMENT AND BOARD.

The powers of the Department and the Board are those enumerated in Section 98.0403.1 of the Los Angeles Municipal Code.

Sec. 4. Section 93.0302 of the Los Angeles Municipal Code is amended to read as follows:

93.0302. APPEALS.

Appeals or requests for slight modifications in individual cases from the requirements of this Code shall be made in accordance with the procedure established in Section 98.0403.2 of the Los Angeles Municipal Code.

Sec. 5. Section 93.0303 of the Los Angeles Municipal Code is amended to read as follows:

93.0303. NEW MATERIALS AND METHODS OF CONSTRUCTION.

New or alternate materials and methods of construction may be approved by the Department in accordance with the provisions of Section 98.0502, Division 5 of Article 8, Chapter IX, of the Los Angeles Municipal Code.

Sec. 6. Paragraph 5 of Subsection (f) of Section 93.0311 of the Los Angeles Municipal Code is amended to read as follows:

5. Where changes are made to utility company transformers or distribution system of existing electrical installations that causes an increase of available short-circuit currents, provisions shall be made as required by Sections 110.9 and 110.10 of the C.E.C. to protect the equipment.

Sec. 7. Section 93.0600 of the Los Angeles Municipal Code is amended by adding the definition of the term "Ambient Temperature" in proper alphabetical sequence to read as follows:

AMBIENT TEMPERATURE. The air temperature of locations in the City of Los Angeles as described in the Table below:

LOCATION	TEMPERATURE
In normally heated building	30°C (86°F)
Poorly or unventilated rooms or spaces such as attics, transformer, machinery (refrigeration) or *elevator rooms, etc.	45°C (113°F)
Ventilated transformer rooms, machinery (refrigeration) rooms, elevator rooms* or spaces, etc	37°C (99°F)
In buildings with major heat sources such as power stations or industrial processes	45°C (113°F)
Furnace and boiler rooms	60°C (140°F) Within 2 ft. of a furnace or boiler 40°C (104°F)
In thermal insulation	45°C (113°F)
Outdoors un-shaded areas	39°C (102°F)

Outdoors in shaded areas	34°C (93°F)
Outdoors lowest expected temperature	-7°C (20°F)
Behind stand-off (i.e., parallel to the roof) or integral flat photovoltaic crystalline-silicon cell module, panel or array (up to 6 inches, add 4 °C to the ambient temperature, where channels (rails) are installed under the modules as part of the mounting system)	Within 1 inch = 60°C (140 °F) Over 1 to 3 inches = 56°C (133 °F) Over 3 to 6 inches = 55°C (131 °F) Over 6 inches = 39°C (102°F)
Behind rack mounted (i.e., at an angle to the roof) flat photovoltaic crystalline-silicon cell module, panel or array	Within 1 inch = 54°C (129 °F) Over 1 inch = 39°C (102°F)
Behind direct mounted flat photovoltaic crystalline-silicon cell module, panel or array	63°C (145 °F)

* Lower ambient temperature in elevator room is permitted when it is required to be maintained at a specified maximum ambient temperature per equipment manufacturer as permitted in the Los Angeles Elevator Code.

Sec. 8. Section 93.0700 of the Los Angeles Municipal Code is amended to read as follows:

93.0700. THE CALIFORNIA ELECTRICAL CODE.

Chapters 1 through 9, Annex C, F and G of the 2008 Edition of the National Electrical Code (N.E.C.), as published by the National Fire Protection Association (N.F.P.A. 70-2008), the 2010 California Electrical Code and the California Building Standards Code are adopted by reference as part of the Code. When there is a conflict between the 2008 National Electrical Code, the 2010 California Electrical Code and the Los Angeles Municipal Code, Section 93.0105 shall prevail. Except as specified in Divisions 1 through 6 of Article 3, Chapter IX of the Los Angeles Municipal Code, all electrical installations and materials shall be in conformity with the 2010 California Electrical Code, as adopted by reference to be part of this Code and Sections 93.515.17 and 93.515.18 are added as provided here.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

JUNE LAGMAY, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
KIM RODGERS WESTHOFF
Deputy City Attorney

Date December 8, 2010

File No(s). CF 10-2335