

**BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA**

RESOLUTION ADOPTING THE NATIONAL ELECTRICAL CODE 2008

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 2007), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103 (Reissue 2007), the powers of the County as a body are exercised by the County Board of Commissioners; and,

WHEREAS, Neb. Rev. Stat. § 23-172 (Reissue 2007) authorizes the County Board of Commissioners to adopt such codes relating to building, repair, maintenance or use of various structures, the same to have the force and effect of law; and

WHEREAS, the County currently operates under the National Electrical Code 2005 as amended; and

WHEREAS, the adoption of the National Electrical Code 2008 would be in the best interest of the general welfare of the citizens of Sarpy County; and,

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT the National Electrical Code 2008 is hereby adopted by the Sarpy County Board of Commissioners, and further, that the same have full force and effect of law, the effective date of the aforementioned National Electrical Code 2008 shall be the 13th day of July, 2010.

BE IT FURTHER RESOLVED THAT the adoption of the National Electrical Code 2008 is intended to completely repeal any previously adopted version of the National Electrical Code and all previous Resolutions or parts of Resolutions of the Sarpy County Board of Commissioners on said subjects in conflict with the provisions of this resolution are hereby repealed.

Dated this 13th day of July, 2010

Moved by Tom Richards seconded by Rich Jansen, that
the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

Russell
Rich Jansen
Jon Asprecht
Tom Richards
Patrick J. Thomas

none

none

ABSTAIN:

none



Debra J. Houghtaling
County Clerk

Approved as to form:

[Signature]
County Attorney

Sarpy County Board of Commissioners Report

County Board Date: July 1, 2010

Report prepared 07-13-10

Subject	Type	By
Adopt the 2008 National Electrical Code	Public Hearing and Resolution	Rebecca Horner, Planning Director

• Request

- This is a request to adopt the 2008 National Electrical Code as the minimum standard for electrical projects within Sarpy County.
- The request does not impact application fees.
- Any existing projects will be required to meet the minimum standards of the code that was in place when they applied.
- The primary amendments include:
 - Require "UFER" grounding (concrete encased electrodes).
 - All receptacles must be tamper resistance.
 - All exterior receptacles must be tamper and weather resistant.
 - Light fixtures must be listed
 - GFCI protection is extended; additional areas include: all receptacles in garages and basements (i.e. garage door opener, sump pump, etc).

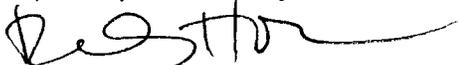
• History

- On July 1, 2010, MOBA confirmed they do not object to the request.
- On February 14, 2006, Sarpy County adopted the 2005 National Electrical Code as the standard for electrical projects in the County.
- On April 12, 2010, Nebraska Governor Heinemann signed LB 411 which adopted the 2008 National Electrical Code as Nebraska's minimum standard electrical code.
- Metro area jurisdictions are in the process of adopting the 2008 National Electrical Code including Omaha, La Vista, Papillion, Gretna and Bellevue.

• Recommendation

- Staff recommends Sarpy County adopt the 2008 National Electrical Code as the standard for electrical projects within Sarpy County in order to remain consistent with the minimum state standards.

Respectfully submitted by:



Rebecca Horner, AICP
Planning Director

LEGISLATIVE BILL 411

Approved by the Governor April 12, 2010

Introduced by Giese, 17.

FOR AN ACT relating to the State Electrical Act; to amend section 81-2104, Reissue Revised Statutes of Nebraska; to update the reference to the National Electrical Code; and to repeal the original section.

Be it enacted by the people of the State of Nebraska;

Section 1. Section 81-2104, Reissue Revised Statutes of Nebraska, is amended to read:

81-2104 The board shall have power to:

- (1) Elect its own officers;
- (2) Engage and fix the compensation of such officers, inspectors, and employees as may be required in the performance of its duties;
- (3) Pay such other expenses as may be necessary in the performance of its duties;
- (4) Provide upon request such additional voluntary inspections and reviews as it deems appropriate;
- (5) Adopt, promulgate, and revise rules and regulations necessary to enable it to carry into effect the State Electrical Act. In adopting and promulgating such rules and regulations, the board shall be governed by the minimum standards set forth in the National Electrical Code issued and adopted by the National Fire Protection Association in ~~2005~~, 2008, Publication Number ~~70-2005~~, and amendments to the code adopted as of ~~January 1, 2003~~, 70-2008, which code and amendments shall be filed in the offices of the Secretary of State and the board and shall be a public record. The board shall adopt and promulgate rules and regulations establishing wiring standards that protect public safety and health and property and that apply to all electrical wiring which is installed subject to the State Electrical Act;
- (6) Revoke, suspend, or refuse to renew any license or registration granted pursuant to the State Electrical Act when the licensee or registrant (a) violates any provision of the National Electrical Code as adopted pursuant to subdivision (5) of this section, the act, or any rule or regulation adopted and promulgated pursuant to the act, (b) fails or refuses to pay any examination, registration, or license renewal fee required by law, (c) is an electrical contractor or master electrician and fails or refuses to provide and keep in force a public liability insurance policy as required by the board, or (d) violates any political subdivision's approved inspection ordinances;
- (7) Order disconnection of power to any electrical installation that is proximately dangerous to health and property;
- (8) Order removal of electrical wiring and apparatus from premises when such wiring and apparatus is proximately dangerous to health and property;
- (9) Investigate, for the purpose of identifying dangerous electrical wiring or violations of the National Electrical Code as adopted pursuant to subdivision (5) of this section, any death by electrocution that occurs within the State of Nebraska;
- (10) Refuse to renew any license granted pursuant to the act when the licensee fails to submit evidence of completing the continuing education requirements under section 81-2117.01;
- (11) Provide for the amount and collection of fees for inspection and other services;
- (12) Adopt a seal, and the executive secretary shall have the care and custody thereof; and
- (13) Enforce the provisions of the National Electrical Code as adopted pursuant to subdivision (5) of this section.

Sec. 2. Original section 81-2104, Reissue Revised Statutes of Nebraska, is repealed.

Todd Aerni

From: Patrick Martin
Sent: April 15, 2010 08:22 AM
To: Todd Aerni; Michel Mason; Shawn Hovseth; Joseph Olivas; Tarja Koistila
Subject: FW: UPDATE 2008 NEC coming soon

From: SED-NebraskaElectricalDivision [mailto:SED-NEBRASKAELECTRICALLDIVISION@LISTSERV.NEBRASKA.GOV] **On Behalf Of** Anderson, Randy
Sent: Thursday, April 15, 2010 7:44 AM
To: SED-NEBRASKAELECTRICALLDIVISION@LISTSERV.NEBRASKA.GOV
Subject: UPDATE 2008 NEC coming soon

On April 12, 2010 the Governor signed LB 411 which was the legislative bill to update 81-2105 of the Nebraska State Electrical Act and Board Rules to make the 2008 National Electrical Code the minimum electrical standard in Nebraska. This will take effect on all electrical permits taken out on and after July 12, 2010. Existing electrical permits will remain on the 2005 NEC.

The North Platte exam on 7/20/2010 and all later exams will be over the 2008 National Electrical Code.

Randy Anderson
Executive Director
Nebraska State Electrical Division