

**RESOLUTION NO. -2013**

Date Adopted: - - 2013

Date Published/Effective: - - 2013

**A RESOLUTION AMENDING THE EXCEPTIONS TO WORKING SPACE ABOUT ELECTRICAL SERVICE WITHIN THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE; AMENDING THE CONDUCTOR REQUIREMENTS WITHIN THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE; TO BE EFFECTIVE WITHIN THE UNINCORPORATED AREAS OF SEDGWICK COUNTY, KANSAS, INCLUDING THOSE CITIES LOCATED THEREIN WHICH HAVE BY ACTION OF THEIR GOVERNING BODIES ADOPTED THE CONTENT OF THIS RESOLUTION INTO AN ORDINANCE AND WHICH HAVE ENTERED INTO A SEPARATE AGREEMENT WITH SEDGWICK COUNTY PROVIDING FOR ENFORCEMENT WITHIN THEIR MUNICIPAL BOUNDARIES.**

**WHEREAS**, the Board of County Commissioners of Sedgwick County, Kansas, is authorized by K.S.A. 19-101 *et seq.* and 12-3303 *et seq.*, to officially adopt, incorporate, and promulgate by resolution codes, rules, and regulations for electricians and related trades within the confines of Sedgwick County and those cities that have adopted those codes, rules, and regulations by action of their governing bodies and have entered into agreements related thereto; and

**WHEREAS**, the Board of County Commissioners and the City of Wichita consolidated code enforcement from their respective jurisdictions within the Metropolitan Area Building and Construction Department (“MABCD”) in Sedgwick County Resolution No. 135-2012 and City of Wichita Ordinance No. 49-333; and

**WHEREAS**, the Board of County Commissioners adopted the Wichita-Sedgwick County Unified Building and Trade Code (“UBTC”) pursuant to Sedgwick County Resolution 175-2012; and

**WHEREAS**, the MABCD Board of Electrical Appeals, the body authorized to make recommendations to the Board of County Commissioners pursuant to Sedgwick County Resolution 135-2012, has voted to recommend that Sec. 4.2.035 (also Sec. 110.26(A)(3) of the National Electrical Code) be amended to include an exception with regard to working space about electrical service, with said exception accommodating the needs of construction workers, electricians, and builders without compromising the safety concerns that are the basis for the working space requirement; to be effective within the jurisdiction of the MABCD, which includes all unincorporated areas of Sedgwick County, Kansas, including those cities located therein which have by action of their governing bodies adopted the content of this Resolution into ordinances and which have entered into agreements with the Board of County Commissioners, providing for enforcement within their municipal boundaries.

**WHEREAS**, the MABCD Board of Electrical Appeals recommends that Sec. 4.2.070 and Sec. 4.3.030 of the UBTC be amended.

**NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AMENDS THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE AS FOLLOWS:**

**SECTION 1.**

**SECTION 4.2.035. – WORKING SPACE ABOUT ELECTRICAL SERVICE** is hereby amended as follows:

“Section 110.26(A)(3) of the National Electrical Code shall be amended to read as follows:

**Exception #3:** One- and two-family multifamily dwellings, service panels located in garages, basements or accessory structures, a footing or stem wall that is located below the electric panel shall be permitted to extend not more than 12 inches beyond the front of the electric panel.”

**SECTION 2.**

**SECTION 4.2.070 – CONDUCTOR REQUIREMENTS** is hereby amended to read as follows:

“A. *Commercial and Industrial.*

- (1) *Type.* All commercial and industrial wiring conductors rated two hundred amperes or less, including all service conductors required to be installed by the licensed electrical contractor, shall be copper. For parallel conductors, each individual conductor of a parallel set shall meet the requirements of this section. Parallel conductors are not to be considered a single conductor.

**Exception.** Feeder circuit and branch circuit conductors rated one hundred amperes or more, may be aluminum or copper-clad aluminum, provided panelboards or disconnect switches served by such circuits are marked by the manufacturer as being suitable for aluminum or copper-clad aluminum termination. (Effective 2/1/82).

- (2) *Minimum Size.* The minimum size conductors shall be No. 12 AWG copper, except smaller sizes will be acceptable for control wiring.

B. *Residential.* All residential and accessory building wiring conductors less than 90 amperes shall be copper.”

**SECTION 3.**

*SECTION 4.3.030. –CONDUCTOR REQUIREMENTS is hereby amended to read as follows:*

“All mobile or manufactured home and accessory building wiring conductors rated two hundred amperes or less, including all service conductors that are not owned and maintained by the electrical utility company, shall be copper.”

**SECTION 4.**

Upon the adoption of this Resolution, the Clerk of Sedgwick County shall publish this Resolution once in the official county newspaper. This Resolution shall take effect upon said publication.

Commissioners present and voting were:

DAVID M. UNRUH	_____
TIM R. NORTON	_____
KARL PETERJOHN	_____
RICHARD RANZAU	_____
JAMES B. SKELTON	_____

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

\_\_\_\_\_  
 James B. Skelton  
 Chairman  
 Fifth District

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
 Kelly B. Arnold  
 County Clerk

\_\_\_\_\_  
 Justin M. Waggoner  
 Assistant County Counselor