



Agenda Date: 9/13/2005
Agenda Placement: 9B
Continued From: August 16, 2005

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Susan Ingalls for Robert Westmeyer - County Counsel
County Counsel
REPORT BY: Susan Ingalls, Paralegal, 259-8152
SUBJECT: First Reading of Ordinance adopting Electrical Code and Consideration of Resolution Making Findings

RECOMMENDATION

County Counsel requests:

1. First reading and intention to adopt an ordinance amending Chapter 15.28 (Electrical Code) of the Napa County Code, adopting the updated California Electrical Code, and amending administrative provisions.
2. No action is needed regarding resolution making findings in support of modifications and changes to Chapter 15.28 (Electrical Code) due to local climatic, geological and topographical conditions.

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].
(CONTINUED FROM AUGUST 16, 2005)

EXECUTIVE SUMMARY

The proposed ordinance amends Chapter 15.28 to adopt the updated California Electrical Code and amend administrative provisions. Staff recommends the Resolution previously presented for consideration be withdrawn.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

BACKGROUND AND DISCUSSION

This item originally had two actions relating to an ordinance and a resolution. Today staff is recommending the resolution be withdrawn from consideration as noted below and that the Board proceed only with the ordinance.

The proposed ordinance adopts the California Electrical Code without modification as provided for local building officials, including various optional provisions (Annexes B, C, D, E and F). The ordinance also proposes certain amendments to local administrative provisions which are not a part of the California Electrical Code.

On August 16, 2005 prior to introducing the ordinance, the Board expressed concern regarding the proposed ordinance and resolution. The matter was continued to September 13, 2005 for first reading and intention to adopt to allow the department to review the administrative provisions of the proposed ordinance.

The Resolution, previously presented for consideration, is recommended by staff to be withdrawn at this time because it has been determined that the administrative provisions proposed (Napa County Code sections 15.28.030 and 15.28.040) do not require findings be made under California Health and Safety Code section 17958.7, in which case the resolution is not necessary.

This is a two-reading ordinance. The recommended actions on the current agenda are first, that the title be read and reading of the balance of the ordinance be waived, and second the Board move and approve an intention to adopt the proposed ordinance at the second reading to occur on September 20, 2005, or such other later date as the Board deems necessary.

SUPPORTING DOCUMENTS

- A . Tracked Ordinance
- B . Final Ordinance

CEO Recommendation: Approve

Reviewed By: Lorenzo Zialcita