

CITY OF CALGARY ELECTRICAL PERMIT BYLAW

EXECUTIVE SUMMARY

Administration is bringing forward a proposed Electrical Permit Bylaw (Attachment 1) to replace Bylaw 55M89, the Electrical Regulations, Licensing, Installation and Inspection Bylaw (Attachment). A revised bylaw is necessary to ensure relevancy and consistency is maintained with the *Safety Codes Act*, the Permit Regulation AR2004/2007 and the Canadian Electrical Code. City Council approval is required to repeal the existing and enact the proposed bylaw.

ADMINISTRATION RECOMMENDATIONS

That the SPC on Planning and Urban Development recommends that Council repeal existing Bylaw 55M89 and give three readings to the proposed Electrical Permit Bylaw.

RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2014 JULY 16

That Council:

1. Repeal existing Bylaw 55M89 (**Attachment 2**); and
2. Give three Readings to the proposed **Bylaw 46M2014**.

Excerpt from the Minutes of the Regular Meeting of the SPC on Planning and Urban Development, dated 2014 July 16:

“And further, that Bylaw 55M89 be attached to the report prior to being forwarded to Council.”

PREVIOUS COUNCIL DIRECTION / POLICY

None

BACKGROUND

The Alberta Safety Codes Act (SCA) is the governing statute for all safety standards and code regulations in nine disciplines including electrical. The SCA applies to the design, manufacture, construction, installation, operation, maintenance and fire protection of buildings, electrical systems, elevating devices, gas systems, plumbing and private sewage disposal systems, and pressure equipment.

The Canadian Electrical Code (CEC) is a regulation published by the Canadian Standards Association. It pertains to the installation and maintenance of electrical equipment in Canada and is adopted pursuant to the Electrical Code Regulation AR209/2006. The SCA and the CEC are designed to work together to protect the safety of citizens, industry and the built form.

City of Calgary Safety Codes Officers are empowered to monitor compliance with the SCA and other relevant legislation including the CEC to ensure minimum standards are met. The City monitors compliance through a program of permit issuance, plans examination (when

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applicable), site inspection, and follow-up inspections. The scope of the Electrical Permit Bylaw applies to the issuance of permits for electrical systems regulated by the SCA or the CEC within the City of Calgary. Portions of the current Bylaw conflict with the SCA and/or the CEC, which renders those portions inoperative. As a result, the Bylaw must be updated.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Section 66(2) of the SCA, states that a municipality may make bylaws:

- a) Respecting fees for anything issued pursuant to the SCA, and
- b) Respecting the carrying out of its powers and duties as an accredited municipality.

The Permit Regulation outlines general requirements for permits, while a municipal bylaw should outline more specific permit requirements, prohibitions and administrative details. Building Regulations' Codes and Standards Technical Interpretation Committee (CSTIC) has reviewed the content of the current bylaw, originally approved in 1989, and asserts that portions of Bylaw 55M89 are inoperative and/or outdated. The Committee moved to adopt a new bylaw to establish consistency in code interpretation of the CEC.

The purpose of the proposed bylaw is to eliminate inoperative elements without altering the application procedure and fees for permits issued pursuant to the Alberta Safety Codes Act and the Canadian Electrical Code. Some key changes to the bylaw include:

- Deleting annual maintenance permits (a permit is not required for maintenance),
- Deleting the requirement of locating electrical panels in a common area, and
- Updating definitions and terminology within the Bylaw to be consistent with current legislative language.

Stakeholder Engagement, Research and Communication

The Electrical Contractors Association of Alberta has been advised of the proposed bylaw and they have no objections.

Strategic Alignment

The recommendations in this report allow for the opportunity to re-align the bylaw with the general jurisdiction and permissible scope as described in the SCA.

Administration's recommendations support Council's Fiscal Plan by becoming a more effective and disciplined organization and pursuing improvements in legislation, regulations and bylaws to reflect the leading standards for safe building and communities.

Social, Environmental, Economic (External)

Social

Building Regulations' maintains the duty to ensure a standard of care for public safety while providing clear and accurate regulations and consistent code interpretations for permit applicants.

Environmental

There are no significant environmental impacts associated with the proposed bylaw.

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Economic (External)

The existing bylaw includes electrical installation requirements which are beyond the minimum standard of the CEC. Removing such requirements would facilitate business success through cost savings for customers.

Financial Capacity

Current and Future Operating Budget:

There are no fee adjustments associated with this report and there is no impact on the operating budget.

Current and Future Capital Budget:

No implications are identified.

Risk Assessment

Inconsistent legislation has the potential to create an inequitable application and inspection process. Occasionally this has resulted in conflicts between applicants and Administration. Consistency and clarity between the bylaw, SCA and CEC will mitigate these conflicts and provide for faster, more accurate decisions.

REASON(S) FOR RECOMMENDATION(S):

Bylaw 55M89 is outdated and must be amended. The proposed bylaw eliminates inoperative elements without altering the application procedure and fees for electrical permits issued pursuant to the Alberta Safety Codes Act.

ATTACHMENT

- 1. Proposed Bylaw 46M2014**
- 2. Bylaw 55M89**