

ORDINANCE NO. 6514

AN ORDINANCE TO AMEND CHAPTER 13.16, ELECTRICAL CODE OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY AMENDING AND RETITLING SECTION 13.16.010 "ADOPTION BY REFERENCE"; REPEALING SECTION 13.16.025 "ELECTRICAL STANDARDS"; RETITLING SECTION 13.16.310 "REPLACE-VERTICAL CLEARANCE FROM GROUND"; REPEALING SECTION 13.16.330 "ARTICLE 230.79(C)"; AND AMENDING AND RETITLING SECTION 13.16.485 "FENCE, ELECTRICALLY CHARGED SECURITY".

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Chapter 13.16, Electrical Code of the 2020 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending the following sections to read as follows:

13.16.010 Adoption

That a certain document being designated as the National Electrical Code, 2020 Edition, as published by National Fire Protection Association of Quincy, Massachusetts, including the Electrical Standards referenced herein, are hereby adopted as the Electrical Code of the City of Council Bluffs, Iowa, one copy of which is on file and open for inspection by the public in the office of the building official, is hereby referred to, adopted, and made part hereof as if fully set out in this chapter.

The City of Council Bluffs Electrical Code shall coincide with the state of Iowa Electrical Code, as amended and mandated by the State of Iowa Public Safety Department as described in the Iowa Admin. Code 661, Chapter 301.5(103A) entitled "Electrical requirements."

13.16.310 Vertical Clearance From Ground

Article 230.24(B)(2) shall be deleted and replaced to read as follows:

2) Twelve (12) feet over residential occupancies, sixteen (16) feet over driveways and those commercial areas not subject to truck traffic where the voltage is limited to three hundred volts to ground.

(Ord. No. 6104, § 2, 11-8-2010)

13.16.485 Fence, Electrically Charged

The construction and use of electrically charged fencing shall be installed within the corporate limits of the City of Council Bluffs as provided in this chapter, subject to the following:

- A. Installation. Unless otherwise specified herein, electrically charged fences shall be constructed or installed in conformance with the specifications set forth in the International Electro Technical Commission (IEC) Standard No. 60335-2-76, 2018 3rd Edition, and in compliance with the zoning regulations of the City of Council Bluffs.
- B. Electrification.
 - 1. The energizer for electrically charged security fencing must be driven by a commercial storage battery not to exceed twelve (12) volts DC. The storage battery shall be charged

- primarily by a solar panel, however, the solar panel may be augmented by a commercial trickle charger.
2. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 as depicted in figure 102 of the IEC Standard No. 60335-2-76, 2018 3rd Edition.
 3. Non-low voltage electrical components (e.g. controllers, transformers) of the electric fencing system shall be approved and listed by an Occupational Safety and Health Act (OSHA) Nationally Recognized Testing Laboratory (NRTL).
- C. Warning Signs. An electrically charged security fence shall be clearly identified with warning signs that read, "Warning-Electric Fence-High Voltage" at intervals not to exceed sixty (60) feet in developed spacing with a minimum of two per longitudinal length of fencing and within ten (10) feet of any means of ingress/egress through the fencing barrier. Signage shall be provided in both English and Spanish. Additionally, symbolic icon signage shall be provided at each required location as established in the IED Standard 60335-2-76 2018 3rd Edition, depicting electrified fencing.
- D. Means of Disconnection. Access to means of disconnection must be provided to the Council Bluffs Fire Department either through a readily accessible route or by providing an approved Knox Box. Signage shall be posted stating the means of disconnection location.
- E. Permit Fees. All electric fences shall require a permit fee as established in CBMC 2.08 "Schedule of Fees."

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

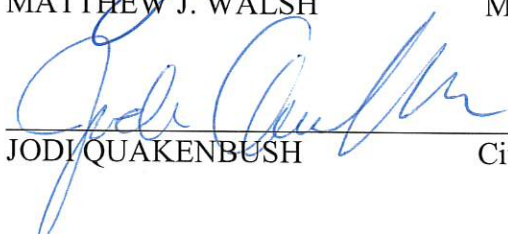
SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED

July 25, 2022.


MATTHEW J. WALSH Mayor

Attest: 
JODIQUAKENBUSH City Clerk

First Consideration: 7-11-22
Second Consideration: 7-25-22
Public Hearing: 7-25-22
Third Consideration: Waived

Proof Of Publication

State of Iowa

Pottawattamie County

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on ordinances amending Title 13-Building and Construction of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Chapter 13.09, "Mechanical Code"; Chapter 13.12, "Plumbing Code" and Chapter 13.16, "Electrical Code".

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 25th day of July, 2022, in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush, City Clerk
2022 (7) 17-1 Sunday

I, (the undersigned) on my oath do solemnly that I am an authorized representative of CBN Daily Nonpareil, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 17th day of July, 2022.


Brenda Buren
Billing Representative

Sworn to and subscribed before me this 17th day
of July, A.D. 2022.


Notary Public

State of Virginia
County of Hanover
My Commission expires _____

CITY OF COUNCIL BLUFFS
209 PEARL ST.
COUNCIL BLUFFS, IA 51503

Publication Cost: \$15.34
Customer Number: 1003258
Order Number: 0000318161

E-mail

jquakenbush@councilbluffs-ia.gov

Proof Of Publication

State of Iowa

Pottawattamie County

I, (the undersigned) on my oath do solemnly that I am an authorized representative of CBN Daily Nonpareil, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

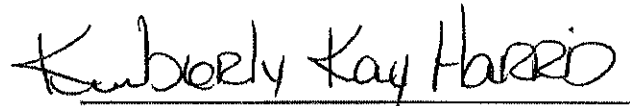
The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 30th day of July, 2022.



Billing Representative

Sworn to and subscribed before me this 30th day
of July, A.D. 2022.



Notary Public

State of Virginia
County of Hanover

My Commission expires _____

Kimberly Kay Harris
NOTARY PUBLIC
Commonwealth of Virginia
Reg. No. 356753

Commission Exp. Jan. 31, 2025

CITY OF COUNCIL BLUFFS
209 PEARL ST.
COUNCIL BLUFFS, IA 51503

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13.16.025 "ELECTRICAL STANDARDS";
REPEALING SECTION 13.16.310 "REPLACE-
VERTICAL CLEARANCE FROM GROUND";
REPEALING SECTION 13.16.330 "ARTICLE
230.79(C)"; AND AMENDING AND RETITLING
SECTION 13.16.485 "FENCE, ELECTRICALLY
CHARGED SECURITY";**

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE**

CITY OF COUNCIL BLUFFS, IOWA
SECTION 1. That Chapter 13.16, Electrical
Code of the 2020 Municipal Code of Council
Bluffs, Iowa, be and the same is hereby
amended by amending the following sections
to read as follows:

13.16.010 Adoption

That a certain document being designated as
the National Electrical Code, 2020 Edition, as
published by National Fire Protection Associa-
tion of Quincy, Massachusetts, including the
Electrical Standards referenced herein, are
hereby adopted as the Electrical Code of the
City of Council Bluffs, Iowa, one copy of which
is on file and open for inspection by the public
in the office of the building official, is hereby
referred to, adopted, and made part hereof as
if fully set out in this chapter.

The City of Council Bluffs Electrical Code shall
coincide with the state of Iowa Electrical
Code, as amended and mandated by the State
of Iowa Public Safety Department as descri-
bed in the Iowa Admin. Code 661, Chapter
301.5(103A) entitled "Electrical requirements."

13.16.310 Vertical Clearance From Ground
Article 230.24(B)(2) shall be deleted and re-
placed to read as follows:

2) Twelve (12) feet over residential occupan-
cies, sixteen (16) feet over driveways and
those commercial areas not subject to truck
traffic where the voltage is limited to three
hundred volts to ground.

(Ord. No. 6104, § 2, 11-8-2010)

13.16.485 Fence, Electrically Charged

The construction and use of electrically charg-
ed fencing shall be installed within the corpo-
rate limits of the City of Council Bluffs as pro-
vided in this chapter, subject to the following:

A. Installation. Unless otherwise specified
herein, electrically charged fences shall be
constructed or installed in conformance with
the specifications set forth in the International
Electro Technical Commission (IEC) Standard
No. 60335-2-76, 2018 3rd Edition, and in com-
pliance with the zoning regulations of the City
of Council Bluffs.

B. Electrification.

1. The energizer for electrically charged se-
curity fencing must be driven by a commercial
storage battery not to exceed twelve (12)
volts DC. The storage battery shall be charged
primarily by a solar panel, however, the solar
panel may be augmented by a commercial
trickle charger.

2. The electric charge produced by the fence
upon contact shall not exceed energizer char-
acteristics set forth in paragraph 22.106 as de-
picted in figure 102 of the IEC Standard No.
60335-2-76, 2018 3rd Edition.

3. Non-low voltage electrical components
(e.g. controllers, transformers) of the electric
fencing system shall be approved and listed
by an Occupational Safety and Health Act
(OSHA) Nationally Recognized Testing Labora-
tory (NRTL).

C. Warning Signs. An electrically charged se-
curity fence shall be clearly identified with
warning signs that read, "Warning-Electric
Fence-High Voltage" at intervals not to ex-
ceed sixty (60) feet in developed spacing with
a minimum of two per longitudinal length of

fencing and within ten (10) feet of any means of ingress/egress through the fencing barrier. Signage shall be provided in both English and Spanish. Additionally, symbolic icon signage shall be provided at each required location as established in the IED Standard 60335-2-76 2018 3rd Edition, depicting electrified fencing.

D. Means of Disconnection. Access to means of disconnection must be provided to the Council Bluffs Fire Department either through a readily accessible route or by providing an approved Knox Box. Signage shall be posted stating the means of disconnection location.

E. Permit Fees. All electric fences shall require a permit fee as established in CBMC 2.08 "Schedule of Fees."

SECTION 2. REPEALER . All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE . If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE . This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

Passed and Approved July 25, 2022.
MATTHEW J. WALSH, Mayor
Attest: JODI QUAKENBUSH, City Clerk
2022 (7) 30 - 1 Saturday

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Legal on behalf of Jim Sherman in
Bldg.

Ordinances 6512, 6513 and 6514
ITEM 4.A.

Council Action: 7/25/2022

Description

Ordinances 6512, 6513 and 6514 to amend Title 13-Buildings and Construction, by updating the adopted Plumbing Code, Mechanical Code and Electrical Code.

Background/Discussion

The three (3) trade codes used for construction within Council Bluffs are determined by the State of Iowa as to what edition and year to be adopted by a jurisdiction. Presently Title 13 of the CBMC is not in alignment with the State of Iowa. By adopting these three (3) trade codes, this will bring Title 13 into compliance with the State of Iowa and assist those seeking to use the correct code and edition. The newer editions are:

2021 Uniform Plumbing Code

2021 International Mechanical Code

2020 National Electrical Code

Staff has taken this opportunity to make the necessary adjustments to older language no longer relevant to the Building Division operation and the relation these trade code have with the other adopted model codes as well as a few other cleanup edits.

Recommendation

Approval is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Public Hearing Notice	Notice	7/5/2022
Ordinance 6512	Ordinance	7/6/2022
Ordinance 6512-red line version	Other	7/5/2022
Ordinance 6513	Ordinance	7/6/2022
Ordinance 6513-red line version	Other	7/5/2022
Ordinance 6514	Ordinance	7/6/2022
Ordinance 6514-red line version	Other	7/5/2022

Chapter 13.16 - ELECTRICAL CODE

13.16.010 Adoption ~~By Reference~~

13.16.020 Administrative Provisions

~~13.16.025 Electrical Standards~~

13.16.030 General Provisions

13.16.090 Compensation

13.16.200 Electrical Standards

13.16.310 ~~Replace~~—Vertical Clearance From Ground

~~13.16.330 Article 230.79(C)~~

13.16.485 Fence, Electrically Charged ~~Security~~

Editor's note— Ord. No. 6104, § 1, adopted November 8, 2010, repealed the former CBMC 13.16.010—CBMC 13.16.480, and enacted a new CBMC 13.16 as set out herein. The former CBMC 13.16 pertained to similar subject matter and derived from Ord. No. 5279, 1996; Ord. No. 5560, 2001; Ord. No. 5680, 2002 and Ord. No. 5992, 2008.

13.16.010 Adoption ~~By Reference~~

That a certain document being designated as the National Electrical Code, 2020 Edition, as published by National Fire Protection Association of Quincy, Massachusetts, including the Electrical Standards referenced herein, are hereby adopted as the Electrical Code of the City of Council Bluffs, Iowa, one copy of which is on file and open for inspection by the public in the office of the building official, is hereby referred to, adopted, and made part hereof as if fully set out in this chapter.

The City of Council Bluffs Electrical Code shall coincide with the state of Iowa Electrical Code, as amended and mandated by the State of Iowa Public Safety Department as described in the Iowa ~~Admin.~~Administrative Code, § 661-301.5(103A) entitled "Electrical Requirements."

(Ord. No. 6104, § 1, 11-8-2010)

13.16.020 Administrative Provisions

The administrative provisions for this electrical code shall be as provided for in CBMC 13.01.

(Ord. No. 6104, § 2, 11-8-2010)

13.16.025 Electrical Standards

~~The following electrical standards shall be adopted and made a part of the Council Bluffs Electrical Code:~~

- ~~A. The Electrical Service Manual as published by Midwestern Energy;~~
- ~~B. The Standards For Safety For Electrical Signs as published by Underwriters Laboratories, Inc.;~~
- ~~C. The NFPA 496 Purged and Pressurized Enclosures for Electrical Equipment;~~
- ~~D. The NFPA 820 Fire Protection in Wastewater Treatment & Collection Facilities;~~
- ~~E. The NFPA 30 Flammable and Combustible Liquids Code;~~
- ~~F. The NFPA 99 Health Care Facilities;~~
- ~~G. The NFPA 20 Standard for the Installation of Centrifugal Fire Pumps;~~
- ~~H. The NFPA 101 Life Safety Code;~~
- ~~I. The NFPA 73 Electrical Inspection Code for Existing Dwellings;~~

~~J. The NESC National Electrical Safety Code.~~

~~(Ord. No. 6104, § 2, 11-8-2010)~~

13.16.030 General Provisions

This electrical code shall regulate the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacements, additions to, use of maintenance of electrical systems that are permanently installed and utilized to provide control of electrical systems and electrical equipment within buildings, structures, and facilities.

This electrical code shall be enforced within the city limits of Council Bluffs, Iowa, which provides for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, conditions and terms of the National Electrical Code as published by the NFPA.

(Ord. No. 6104, § 2, 11-8-2010)

13.16.090 Compensation

Article 80.15(D) deleted.

(Ord. No. 6104, § 2, 11-8-2010)

13.16.200 Electrical Standards

These additional electrical standards are also adopted in full in their most current published edition as follows:

- A. The Electric Service Manual as published by MidAmerican Energy;
- B. The Standards for Safety for Electric Signs by Underwriters Laboratories, Inc.;
- C. The NFPA 496 Purged and Pressurized Enclosures for Electrical Equipment;
- D. The NFPA 820 Fire Protection in Wastewater Treatment & Collection Facilities;
- E. The NFPA 30 Flammable and Combustible Liquids Code;
- F. The NFPA 99 Health Care Facilities;
- G. The NFPA 20 Standard for the Installation of Centrifugal Fire Pumps; and
- H. The NFPA 101 Life Safety Code;
- I. The NFPA 73 Electrical Inspection Code for Existing Dwellings; and
- J. The NESC National Electrical Safety Code;

The above standards shall serve as additional rules and requirements where applicable for electrical construction work. The provisions set forth in these regulations shall govern when requiring a higher minimum standard than set out in the National Electrical Code as adopted.

(Ord. No. 6104, § 3, 11-8-2010)

13.16.310 Vertical Clearance From Ground

Article 230.24(B)(2) shall be deleted and replaced to read as follows:

2) Twelve (12) feet over residential occupancies, sixteen (16) feet over driveways and those commercial areas not subject to truck traffic where the voltage is limited to three hundred volts to ground.

(Ord. No. 6104, § 2, 11-8-2010)

13.16.330 Article 230.79(C)

~~Deleted in its entirety.~~

~~(Ord. No. 6104, § 2, 11-8-2010)~~

13.16.485 Fence, Electrically Charged ~~Security~~

The construction and use of electrically charged ~~security~~ fencing shall be ~~installed~~ within the corporate limits of the City of Council Bluffs as provided in this chapter, subject to the following:

- A. Installation. Unless otherwise specified herein, electrically charged ~~security~~ fences shall be constructed or installed in conformance with the specifications set forth in the International Electro Technical Commission (IEC) Standard No. 60335-2-76, ~~2018 3rd Edition~~, and in compliance with the zoning regulations of the City of Council Bluffs.
- B. Electrification.
 - 1. The energizer for electrically charged security fencing must be driven by a commercial storage battery not to exceed twelve (12) volts DC. The storage battery shall be charged primarily by a solar panel, however, the solar panel may be augmented by a commercial trickle charger.
 - 2. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 as depicted in figure 102 of the IEC Standard No. 60335-2-76, ~~2018 3rd Edition~~.
 - 3. Non-low voltage electrical components (e.g. controllers, transformers) of the electric fencing system shall be approved and listed by an Occupational Safety and Health Act (OSHA) Nationally Recognized Testing Laboratory (NRTL).
- ~~C. Perimeter Fence or Wall. No electrically charged security fence shall be installed or used unless it is completely surrounded by a non-electrical fence or wall that is not less than eight feet in height.~~
- ~~D. Height. Electrically charged security fences shall not exceed ten (10) feet in developed height.~~
- E. Warning Signs. An electrically charged security fence shall be clearly identified with warning signs that read, "Warning-Electric Fence-High Voltage" at intervals not to exceed sixty (60) feet in developed spacing with a minimum of two per longitudinal length of fencing and within ten (10) feet of any means of ingress/egress through the fencing barrier. Signage shall be provided in both English and Spanish. Additionally, symbolic icon signage shall be provided at each required location as established in the IED Standard 60335-2-76 ~~2018 3rd Edition~~, depicting electrified fencing.
- ~~F. Means of Disconnection of Electrical Components at Primary Entrance; Emergency Access. A Knox Box shall be installed for emergency access by Council Bluffs Fire Department. A means to disconnect the electrical power to the fence shall be readily accessible for the fire department. Disconnect switches and controls shall be in an accessible location on the property and shall not be obscured in any manner from the street/private ingress/egress access. Approved signage stating the identification of such switches and controls in addition to informational instructions as to how to disable the electrical system shall be installed to the satisfaction of the Council Bluffs Fire Marshal. In the event that access by the city of Council Bluffs Fire Department and/or Police Department personnel to where a permitted electrical fence has been installed and is operating is required due to an emergency or urgent circumstance, and the Knox Box~~

~~device referenced above is absent or nonfunctional, and the owner, manager, employee or custodian, or any other individual with control over the property is not present to disable the electric fence, fire and police personnel shall be authorized to disable the electric fence in order to gain access to the property. As a condition of permit issuance, all applicants issued permits to install and use an electric fence as provided in this chapter will agree to waive any and all claims for damage to the electric fence against the City of Council Bluffs and/or city personnel directly responding to an alarm, notice or threat under such circumstances.~~

~~All applicants for electrically charged security fencing shall provide the Council Bluffs Police Department with an "emergency access plan" which shall outline, in detail, how police personnel will be able to safely access the property during an emergency. This plan must be approved by the Chief of Police or his designee prior to the issuance of a permit for said fence. Means of Disconnection. Access to means of disconnection must be provided to the Council Bluffs Fire Department either through a readily accessible route or by providing an approved Knox Box. Signage shall be posted stating the means of disconnection location.~~

- ~~G. Registration. All fences defined as "fence, electrically charged security" shall require an initial permit with the fee established in CBMC 2.08, "Schedule of Fees." Additionally, all electrically charged security fence installations and their associated electrical components shall be inspected annually by the permits and inspections division and the fire marshal for adequacy and compliance based on the initial approval of said fencing. An annual registration shall be required and the fee shall be established in CBMC 2.08, "Schedule of Fees."—Permit Fees. All electric fences shall require a permit fee as established in CBMC 2.08 "Schedule of Fees."~~

(Ord. No. 6256, § 1, 1-11-2016)