



AMENDED RESOLUTION NO. U-11179

1 A RESOLUTION relating to revisions of Title 12 of the Tacoma Municipal Code
2 ("TMC") regarding water and power regulations.

3 WHEREAS, the City of Tacoma, Department of Public Utilities, Water
4 Division (d.b.a. "Tacoma Water") and the City of Tacoma, Department of Public
5 Utilities, Power Division (d.b.a. "Tacoma Power") have requested proposed
6 changes to Chapter 12.06 ("Electric Energy – Regulations and Rates"), Chapter
7 12.06A ("Electrical Code"), and Chapter 12.10 ("Water – Regulations and
8 Rates") of Title 12 ("Utilities") of the Tacoma Municipal Code ("TMC"), and
9

10 WHEREAS, the proposed changes are needed in relation to the
11 implementation of the Advanced Metering Infrastructure ("AMI") Project, to
12 provide clarity around demand meter billing for applicable electric meters, to
13 clarify physical disconnects related to unauthorized water use, and updates in
14 compliance with the 2020 edition of the National Electric Code, and
15

16 WHEREAS, the AMI Project requires a significant effort across Tacoma
17 Public Utilities to implement new processes, applications, technologies and
18 integrations needed to fully enable the functions and features of the system, and

19 WHEREAS, Tacoma Public Utilities' staff has reviewed existing utility
20 policies, procedures, and practices for essential changes required to implement
21 advanced metering and to make other updates as needed, and
22

23 WHEREAS, the proposed changes to subsections 215C, 225C, 260C
24 and 371E of TMC 12.06 are to remove four references to the demand meter
25 being reset monthly in order to more accurately reflect metering capabilities of
26



advanced metering which uses a more granular interval data for billing
calculations, and

WHEREAS, the proposed changes to subsections 030, 035B, 240A, 240B, 250A, 250C and 380F of TMC 12.06A are proposed to update references and bring the code into compliance with the 2020 National Electric Code, and

WHEREAS, the proposed revision to TMC 12.10.110B adds specificity that unauthorized water use is describing a physically disconnected service in order to account for the future state of advanced metering when a water meter may be virtually disconnected, meaning turned off for billing purposes but left physically connected in the field, and

WHEREAS, Tacoma Water's and Tacoma Power's proposed changes to the Tacoma Municipal Code are attached as Exhibit A, and

WHEREAS, revisions to the Tacoma Municipal Code applicable to Tacoma Public Utilities require approval by the Public Utility Board and the Tacoma City Council, and

WHEREAS, the recommend changes are just, fair and reasonable and in the best interests of the citizens of Tacoma and the customers of Tacoma Water and Tacoma Power, and Tacoma Water and Tacoma Power request the Board approve the changes; Now, Therefore,

BE IT RESOLVED BY THE PUBLIC UTILITY BOARD OF THE CITY OF TACOMA:

The proposed changes to Tacoma Water's and Tacoma Power's regulations are hereby approved, and the Council of the City of Tacoma is requested to pass an ordinance approving such revisions by amending Chapter



12.06, 12.06A, and 12.10 of the Tacoma Municipal Code as set forth in the
attached Exhibit "A."

Approved as to form:

Chair

Chief Deputy City Attorney

Secretary

Clerk

Adopted



AMENDED RESOLUTION NO. U-11179

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attached Exhibit "A."

Approved as to form:

Chair

Chief Deputy City Attorney

Secretary

Clerk

Adopted



Board Action Memorandum

TO: Jackie Flowers, Director of Utilities
COPY: Charleen Jacobs, Director and Board Offices
FROM: Chris Robinson, Power Superintendent/COO
Scott Dewhirst, Water Superintendent/COO
MEETING DATE: August 12, 2020
DATE: July 31, 2020

SUMMARY: Tacoma Public Utilities requests a resolution to adopt proposed revisions to the Tacoma Municipal Code, Title 12-Utilities. These revisions are essential for implementation of the Advanced Metering Infrastructure Project, provide clarity around demand meter billing for applicable electric meters, clarify physical disconnects related to unauthorized water usage, and include updates to TMC Chapter 12.06A for compliance with the 2020 edition of the National Electric Code.

BACKGROUND: Tacoma Public Utilities (TPU) plans to deploy Advanced Metering Infrastructure (AMI) across its entire water and electric service territories, replacing or upgrading all non-communicating power and water meters with advanced two-way communicating technology. Advanced metering is a foundational element of Tacoma Public Utilities' Utility Modernization Strategy and will deliver customers new key benefits over time related to their power and water usage. Advanced metering technology will capture interval data, enable two-way communications, include remote capabilities, and provide advanced outage/issue detection, and verification. Advanced metering will modernize utility operations and be a cornerstone to deliver customers improved services and benefits.

As a transformative initiative, the Advanced Metering Project has and continues to require a significant effort across TPU to implement the new processes, applications, technologies, and integrations needed to fully enable the functions and features of the solution. As part of this initiative, TPU has reviewed existing utility policies, procedures, and practices for essential changes required to implement advanced metering or to make other essential updates as needed.

Proposed revisions to the Tacoma Municipal Code, Title 12-Utilities (attached, with explanatory comments) include removing four references in TMC Chapter 12.06 to a demand meter being reset monthly. This reflects the more accurate metering capabilities of advanced metering, which uses more granular interval data for billing calculations. In addition, numerous revisions within TMC Chapter 12.06A are proposed to update references and bring the code into compliance with the 2020 National Electric Code. Lastly, the proposed revision to 12.10.110 B adds specificity that unauthorized water use is describing a physically disconnected service. This proposed addition is required to account for the future state of advanced metering when a water meter will be virtually disconnected; turned off for billing purposes but left physically on in the field.



Board Action Memorandum

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED?

N/A.

IF THE EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED.

N/A.

IF THE ACTION REQUESTED IS APPROVAL OF A CONTRACT, INCLUDE LANGUAGE IN RESOLUTION AUTHORIZING \$200,000 INCREASE IN ADMINISTRATIVE AUTHORITY TO DIRECTOR?

N/A.

ATTACHMENTS: Proposed Tacoma Municipal Code Revisions and Explanatory Comments

CONTACT: Andre' Pedefferri, Utility Technology Services, Advanced Meter Program Manager, (253) 502-8997



TO: Elizabeth Pauli, City Manager
FROM: Matt Hubbard, Power Engineer, Tacoma Public Utilities
Jackie Flowers, Utilities Director, Tacoma Public Utilities
COPY: City Council and City Clerk
SUBJECT: Request for Ordinance to Adopt Revisions to TMC Title 12 in Support of the Advanced Metering Project and Compliance with the 2020 National Electric Code / First Reading
August 25, 2020
DATE: July 31, 2020

SUMMARY AND PURPOSE:

Tacoma Public Utilities requests an ordinance to adopt proposed revisions to the Tacoma Municipal Code, Title 12-Utilities. These revisions are essential for implementation of the Advanced Metering Infrastructure Project, provide clarity around demand meter billing for applicable electric meters, clarify physical disconnects related to unauthorized water usage, and include updates to TMC Chapter 12.06A for compliance with the 2020 edition of the National Electric Code.

BACKGROUND:

Tacoma Public Utilities (TPU) plans to deploy Advanced Metering Infrastructure (AMI) across its entire water and electric service territories, replacing or upgrading all non-communicating power and water meters with advanced two-way communicating technology. Advanced metering is a foundational element of Tacoma Public Utilities' Utility Modernization Strategy and will deliver customers new key benefits over time related to their power and water usage. Advanced metering technology will capture interval data, enable two-way communications, include remote capabilities, and provide advanced outage/issue detection, and verification. Advanced metering will modernize utility operations and be a cornerstone to deliver customers improved services and benefits.

As a transformative initiative, the Advanced Metering Project has and continues to require a significant effort across TPU to implement the new processes, applications, technologies, and integrations needed to fully enable the functions and features of the solution. As part of this initiative, TPU has reviewed existing utility policies, procedures, and practices for essential changes required to implement advanced metering or to make other essential updates as needed.

Proposed revisions to the Tacoma Municipal Code, Title 12-Utilities (attached, with explanatory comments) include removing four references in TMC Chapter 12.06 to a demand meter being reset monthly. This reflects the more accurate metering capabilities of advanced metering, which uses more granular interval data for billing calculations. In addition, numerous revisions within TMC Chapter 12.06A are proposed to update references and bring the code into compliance with the 2020 National Electric Code. Lastly, the proposed revision to 12.10.110 B adds specificity that unauthorized water use is describing a physically disconnected service. This proposed addition is required to account for the future state of advanced metering when a water meter may be virtually disconnected; turned off for billing purposes but left physically on in the field.



COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

The Advanced Metering Project will provide new benefits to residential and commercial utility customers. Before commencing on the project, market research was conducted across all customer groups and showed strong interest in new, modernized benefits, such as a web portal to view granular daily/hourly usage data, alert notifications, PrePay, and monthly billing. In addition, TPU continues ongoing community outreach with Tacoma's Neighborhood Council Meetings, Black Collective, Neighborhood Block Groups, Community Organizations (such as the Sunrise Rotary Club), Franchise Cities, Pierce County, and the Joint Municipal Action Committee.

ALTERNATIVES:

The alternative to this recommendation would be to **make no code changes**. Impacts of this alternative are that:

- Select sections of TMC Title 12 – Utilities would not reflect the updated operational state of TPU following implementation of advanced meters
- TMC 12.06A would not be in compliance with the 2020 National Electric Code

EVALUATION AND FOLLOW UP:

As the Advanced Meter program progresses, TPU will review necessary policy/code changes to ensure consistency between the TMC and TPU's new operational state. Recommended code revisions will be brought forward as needed.

TMC Chapter 12.06A, Electrical Code, will be compared to future editions of the National Electric Code and revisions will be recommended as needed.

STAFF/SPONSOR RECOMMENDATION:

TPU recommends adoption of the proposed revisions to the Tacoma Municipal Code Title 12 – Utilities. It is recommended that the proposed revisions be effective 9/1/2020, or as soon as reasonably feasible after adoption. These revisions include:

- Removing four references in TMC Chapter 12.06 to a demand meter being reset monthly. This reflects the more accurate metering capabilities of advanced metering, which uses more granular interval data for billing calculations.
- Numerous revisions within TMC Chapter 12.06A to update references and bring the code into compliance with the 2020 National Electric Code.
- Revise 12.10.110 B to add specificity that unauthorized water use is describing a physically disconnected service. This proposed addition is required to account for the future state of advanced metering when a water meter may be virtually disconnected; turned off for billing purposes but left physically on in the field.



FISCAL IMPACT:

None.

What Funding is being used to support the expense?

N/A

Are the expenditures and revenues planned and budgeted in this biennium's current budget?

N/A

Are there financial costs or other impacts of not implementing the legislation?

YES

Other impacts if not implemented:

- Select sections of TMC Title 12 – Utilities would not reflect the updated operational state of TPU following the implementation of advanced meters
- TMC 12.06A would not be in compliance with the 2020 National Electric Code

Will the legislation have an ongoing/recurring fiscal impact?

No

Will the legislation change the City's FTE/personnel counts?

No

ATTACHMENTS:

Proposed Tacoma Municipal Code Revisions and Explanatory Comments



Advanced Meter Program Policies Package 1 Proposed Changes

Tacoma Municipal Code Title 12-Utilities Explanatory Comments for Proposed Changes July 31, 2020

1. **Revision Date:** The final code as implemented following adoption will be updated to reflect the correct revision date. Placeholders are currently used.
2. **Sections 12.06.215 C, 12.06.225 C, 12.06.260 C, and 12.06.371 E:** References to a demand meter being reset monthly have been removed from the TMC. This reflects the more accurate metering capabilities of advanced metering, which uses more granular interval data for billing calculations. This is a required change for moving to advanced meters.
3. **Chapter 12.06A:** The references to the 2017 Edition of the National Electric Code (NEC) have been updated to reference and be in compliance with the 2020 Edition of the NEC. TPU is required to stay up to date and consistent with the NEC.
4. **Section 12.10.110 B:** This section references unauthorized use of water service but does not account for the future state when a water meter will be virtually disconnected; turned off for billing purposes but left physically on in the field. Language has been added to clarify that this section of the TMC will apply when there is unauthorized use of a physically disconnected water service. Virtual disconnect and reconnect is a new benefit TPU can utilize with advanced metering.

TITLE 12

Utilities

Selected Sections Showing Proposed Revisions:

- Electric Energy - Regulations and Rates: Sections 12.06.215 C, 12.06.225 C, 12.06.260 C, and 12.06.371 E
- Electrical Code: Chapter 12.06A
- Water - Regulations and Rates: Section 12.10.110 B

12.06.215 General service – Schedule G. *Effective April 1, 2019.*

A. Availability. For general power use where a demand meter is installed, for standby capacity to customers generating all or a part of their electric power requirements, and for intermittent use. The customer's actual demand as determined by Tacoma Power must exceed 50 kilovolt amperes or total connected load as estimated by Tacoma Power must exceed 65 kilowatts upon initial service energization.

For customers providing all their own transformation from Tacoma Power's distribution system voltage, a discount for transformer investment and maintenance will be provided by reducing the monthly bill by 0.8 percent. For customers metered on the primary side of a transformer, a discount for transformer losses will be provided by reducing the monthly bill by 1 percent. These discount percentages are additive, and not compounded.

B. Monthly Rate. The sum of the following energy, delivery, and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.047317 per kWh.

2. Delivery: All kilowatts of Billing Demand delivered at \$8.43 per kW.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$78.00 per month.

4. Exceptions:

(a) Within the City of Fife:

(1) Energy: All energy measured in kilowatt-hours at \$0.047317 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$8.43 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$78.00 per month.

(b) Within the City of Fircrest:

(1) Energy: All energy measured in kilowatt-hours at \$0.047317 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$8.43 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$78.00 per month.

(c) Within the City of Lakewood:

(1) Energy: All energy measured in kilowatt-hours at \$0.047317 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$8.43 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$78.00 per month.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at \$0.047317 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$8.43 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$78.00 per month.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.047317 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$8.43 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$78.00 per month.

C. Billing Demand. Determined by means of a demand meter, 30-minute interval, ~~reset monthly~~. The Billing Demand shall be the highest of:

1. The highest measured demand for the month adjusted for power factor;

2. 60 percent of the highest measured demand occurring during any of the preceding 11 months after adjustment for power factor; or
3. 100 percent of the standby capacity.

For purposes of the determination of Billing Demand in subsection 2 above, the 11 months of history shall be carried forward from the customer's previous account(s).

D. Standby Capacity. That amount of power requested by written application or estimated by the Director to be made continuously available for exclusive use of the customer.

E. Service Conditions.

1. At the option of Tacoma Power, primary metering may be installed where the service transformers aggregate 500 kVA or more.
2. At the option of Tacoma Power, a customer may be transferred to a non-demand metered rate if the customer's actual demand has not exceeded 50 kilovolt amperes in the prior 24-month period.
3. Power factor provision applicable.
4. Applicable provisions of the Tacoma Municipal Code, General Provisions, and Customer Service Policies governing the sale of electric energy shall apply.

(Ord. 28665 Ex. A-1 and Ex. B-1; passed Mar. 31, 2020; Ord. 28551 Ex. A; passed Nov. 20, 2018; Ord. 28489 Ex. A, passed Feb. 13, 2018; Ord. 28422 Ex. A and Ex. B; passed Apr. 4, 2017; Ord. 28285 Ex. A; passed Mar. 17, 2015; Ord. 28134 Ex. A and Ex. B; passed Feb. 26, 2013; Ord. 27976 Ex. A and Ex. B; passed Mar. 29, 2011; Ord. 27332 § 4; passed Mar. 22, 2005; Ord. 27150 § 3; passed Oct. 7, 2003; Ord. 27058 § 4; passed Mar. 18, 2003; Ord. 26848 § 12; passed Sept. 18, 2001; Ord. 26628 § 1; passed May 16, 2000; Ord. 25681 § 11; passed Mar. 21, 1995; Ord. 25460 § 7; passed Mar. 22, 1994; Ord. 25076 § 4; passed Mar. 24, 1992; Ord. 24584 § 7; passed Mar. 20, 1990; Ord. 24050 § 5; passed Mar. 29, 1988)

12.06.220 Primary general service – Agencies – Schedule E-2. *Repealed by Ord. 24584.*

(Ord. 24584 § 8; passed Mar 20, 1990; Ord. 24050 § 6; passed Mar. 29, 1988; Ord. 23372 § 5; passed Apr. 16, 1985; Ord. 22951 § 5; passed Jul. 5, 1983; Ord. 22878 § 5; passed Mar. 1, 1983; Ord. 22460 § 5; passed Jul. 7, 1981; Ord. 21917 § 5; passed Dec. 11, 1979; Ord. 21566 § 5; passed Dec. 19, 1978; Ord. 20267 § 10; passed Dec. 17, 1974; Ord. 19320 § 2; passed Apr. 6, 1971)

12.06.225 High voltage general service – Schedule HVG. *Effective April 1, 2019.*

A. Availability. For general power use where a demand meter is installed and where a customer served does not require the use of Tacoma Power's distribution facilities other than substation transformation. Customers over 8 Megawatts who do not have a Power Service Agreement (Contract) with Tacoma Power will take service under TMC 12.06.215, General service. A Power Service Agreement (Contract) with Tacoma Power is required for customers who begin taking service under TMC 12.06.225 High voltage general service after April 16, 2017. For customers who provide all of their own transformation from Tacoma Power's transmission system voltage, a credit of 20.00 percent will be applicable to the delivery charge.

B. Monthly Rate. The sum of the following energy, delivery, and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.042915 per kWh.
2. Delivery: All kilowatts of Billing Demand delivered at \$4.89 per kW.
3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,590.00 per month.

4. Exceptions:

(a) Within the City of Fife:

- (1) Energy: All energy measured in kilowatt-hours at \$0.042915 per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$4.89 per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,590.00 per month.

(b) Within the City of Fircrest:

- (1) Energy: All energy measured in kilowatt-hours at \$0.042915 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$4.89 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,590.00 per month.

(c) Within the City of Lakewood:

(1) Energy: All energy measured in kilowatt-hours at \$0.042915 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$4.89 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,590.00 per month.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at \$0.042915 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$4.89 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,590.00 per month.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.042915 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$4.89 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,590.00 per month.

C. Billing Demand. Determined by means of a demand meter, 30-minute interval, ~~reset monthly~~. The billing demand shall be the higher of:

1. The highest measured demand for the month adjusted for power factor, or
2. 60 percent of the highest measured demand occurring during any of the preceding 11 months after adjustment for power factor.

For purposes of the determination of Billing Demand in subsection 2 above, the 11 months of history shall be carried forward from the customer's previous account(s).

D. Service Conditions.

1. Power factor provision applicable.
2. Applicable provisions of the Tacoma Municipal Code, General Provisions, and Customer Service Policies governing the sale of electric energy shall apply.

(Ord. 28665 Ex. A-1 and Ex. B-1; passed Mar. 31, 2020: Ord. 28551 Ex. A; passed Nov. 20, 2018: Ord. 28489 Ex. A, passed Feb. 13, 2018: Ord. 28422 Ex. A and Ex. B; passed Apr. 4, 2017: Ord. 28285 Ex. A; passed Mar. 17, 2015: Ord. 28134 Ex. A; passed Feb. 26, 2013: Ord. 27976 Ex. A; passed Mar. 29, 2011: Ord. 27332 § 5; passed Mar. 22, 2005: Ord. 27150 § 4; passed Oct. 7, 2003: Ord. 27058 § 5; passed Mar. 18, 2003: Ord. 26848 § 13; passed Sept. 18, 2001)

12.06.240 Primary general service – Schools – Schedule E-3. *Repealed by Ord. 24584.*

(Ord. 24584 § 9; passed Mar 20, 1990: Ord. 24050 § 7; passed Mar. 29, 1988: Ord. 23372 § 6; passed Apr. 16, 1985: Ord. 22951 § 6; passed Jul. 5, 1983: Ord. 22878 § 6; passed Mar. 1, 1983: Ord. 22460 § 6; passed Jul. 7, 1981: Ord. 21917 § 6; passed Dec. 11, 1979: Ord. 21566 § 6; passed Dec. 19, 1978: Ord. 20267 § 12; passed Dec. 17, 1974: Ord. 19320 § 2; passed Apr. 6, 1971)

12.06.250 Temporary general service – Schedule L. *Repealed by Ord. 24584.*

(Ord. 24584 § 10; passed Mar 20, 1990: Ord. 19320 § 2; passed Apr. 6, 1971)

12.06.260 Contract industrial service – Schedule CP. *Effective April 1, 2019.*

A. Availability. For major industrial power use upon the execution of a written Power Service Agreement (Contract) with Tacoma Power, which shall require among other conditions:

1. A minimum Contract Demand (as set forth in the Contract) of not less than 8,000 kilowatts;
2. Delivery of power at one primary voltage;
3. Metering at primary voltage but in no case at less than nominal 4,160 volts;
4. Power factor adjustment to 95 percent lagging or better; and
5. Service is subject to curtailment and certain notice provisions are applicable.

B. Monthly Rate. The sum of the following power service, delivery, customer and other charges:

1. Power Service Charges:

- (a) Energy: All Contract Energy (as set forth in the Contract) measured in kilowatt-hours at \$0.033038 per kWh.
- (b) Demand: All kilowatts of Billing Demand delivered at \$4.68 per kW.
- (c) Minimum Charge: The Demand Charge.
- (d) Contract Energy Overrun: All energy measured in excess of the Contract Energy (as set forth in the Contract) is subject to a Contract Energy Overrun charge, pursuant to the following formula:

Contract Energy Overrun Charge = (MWh + Losses) x (THI + Tx) x 120%.

Where: MWh = the aggregate MWh over the day the customer's total measured daily load was above the Contract Energy amount; Losses = MWh x 1.9%; THI = the highest hourly price observed on the Tacoma Hourly Index within the day of overrun; Tx = applicable BPA or successor organization, transmission rate in \$ per MWh.

- (e) Contract Demand Overrun: A Contract Demand Overrun charge shall be imposed when the total measured demand (highest 30-minute integrated demand) exceeds the Contract Demand (as set forth in the Contract). Said charge is pursuant to the following formula:

Contract Demand Overrun Charge = MW x 300% x DC

Where: MW = MW of metered Demand in excess of the Contract Demand; DC = Demand Charge.

2. Delivery: All kilowatts of Billing Demand delivered at \$4.22 per kW.
3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$3,980.00 per month.
4. Exceptions:

- (a) Within the City of Fife:

(1) Power Service Charges:

- (i) Energy: All Contract Energy (as set forth in the Contract) measured in kilowatt-hours at \$0.033038 per kWh.
- (ii) Demand: All kilowatts of Billing Demand delivered at \$4.68 per kW.
- (iii) Minimum Charge: The Demand Charge.
- (iv) Contract Energy Overrun: All energy measured in excess of the Contract Energy (as set forth in the Contract) is subject to a Contract Energy Overrun charge, pursuant to the following formula:

Contract Energy Overrun Charge = (MWh + Losses) x (THI + Tx) x 120%

Where: MWh = the aggregate MWh over the day the customer's total measured daily load was above the Contract Energy amount; Losses = MWh x 1.9%; THI = the highest hourly price observed on the Tacoma Hourly Index within the day of overrun; Tx = applicable BPA or successor organization, transmission rate in \$ per MWh.

- (v) Contract Demand Overrun: A Contract Demand Overrun charge shall be imposed when the total measured demand (highest 30-minute integrated demand) exceeds the Contract Demand (as set forth in the Contract). Said charge is pursuant to the following formula:

Contract Demand Overrun Charge = MW x 300% x DC

Where: MW = MW of metered Demand in excess of the Contract Demand; DC = Demand Charge.

- (2) Delivery: All kilowatts of Billing Demand delivered at \$4.22 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$3,980.00 per month.

C. Billing Demand. Determined by means of a demand meter, 30-minute interval, ~~reset monthly~~.

1. The Billing Demand shall be the highest of:

(a) The highest measured demand for the month, adjusted for power factor;

(b) 60 percent of the highest measured demand occurring during any of the preceding 11 months after adjustment for power factor;

(c) A demand level equal to the Contract Energy, in average megawatt (as set forth in the Contract); or

(d) 60 percent of the highest Contract Demand (as set forth in the Contract) during any of the preceding 11 months.

D. Service Conditions.

1. Power factor provision applicable; and

2. Applicable provisions of the Tacoma Municipal Code, General Provisions, and Customer Service Policies governing the sale of electric energy and delivery services shall apply.

(Ord. 28665 Ex. A-1 and Ex. B-1; passed Mar. 31, 2020: Ord. 28551 Ex. A; passed Nov. 20, 2018: Ord. 28489 Ex. A, passed Feb. 13, 2018: Ord. 28422 Ex. A and Ex. B; passed Apr. 4, 2017: Ord. 28285 Ex. A; passed Mar. 17, 2015: Ord. 28134 Ex. A and Ex. B; passed Feb. 26, 2013: Ord. 27976 Ex. A and Ex. B; passed Mar. 29, 2011: Ord. 27332 § 6; passed Mar. 22, 2005: Ord. 27150 § 5; passed Oct. 7, 2003: Ord. 27058 § 6; passed Mar. 18, 2003: Ord. 26848 § 14; passed Sept. 18, 2001: Ord. 26628 § 1; passed May 16, 2000: Ord. 25681 § 12; passed Mar. 21, 1995: Ord. 25460 § 8; passed Mar. 22, 1994: Ord. 25076 § 5; passed Mar. 24, 1992: Ord. 24584 § 11; passed Mar. 20, 1990: Ord. 24050 § 8; passed Mar. 29, 1988: Ord. 23372 § 7; passed Apr. 16, 1985: Ord. 22951 § 7; passed Jul. 5, 1983: Ord. 22878 § 7; passed Mar. 1, 1983: Ord. 22460 § 7; passed Jul. 7, 1981: Ord. 21917 § 7; passed Dec. 11, 1979: Ord. 21566 § 7; passed Dec. 19, 1978: Ord. 20267 § 13; passed Dec. 17, 1974: Ord. 19320 § 2; passed Apr. 6, 1971)

12.06.270 General time of day/off-peak service – Schedule TODG. *Repealed by Ord. 25681.*

(Ord. 25681 § 13; passed Mar 21, 1995: Ord. 25460 § 9; passed Mar. 22, 1994: Ord. 25076 § 6; passed Mar. 24, 1992: Ord. 24584 § 12; passed Mar. 20, 1990: Ord. 24050 § 9; passed Mar. 29, 1988: Ord. 23737 § 1; passed Nov. 25, 1986)

12.06.280 Interruptible power service – Schedule IP. *Repealed by Ord. 26848.*

(Ord. 26848 § 15; passed Sept. 18, 2001: Ord. 26628 § 1; passed May 16, 2000: Ord. 24050 § 10; passed Mar. 29, 1988: Ord. 22460 § 8; passed Jul. 7, 1981: Ord. 21917 § 8; passed Dec. 19, 1978: Ord. 20267 § 14; passed Dec. 17, 1974: Ord. 19320 § 2; passed Apr. 6, 1971)

12.06.290 Street lighting and traffic signal service – Schedule H-1. *Effective April 1, 2019.*

A. Availability: Available for:

1. Public street lighting service where the lighting system is in operation during hours of darkness and where the street light system and equipment is owned by the customer, or there have been other suitable prior written arrangements agreed to by Tacoma Power and the applicant; and

2. Traffic controllers, signal lights, warning lights, danger lights, pedestrian lights and similar uses, where the traffic control system and equipment is owned and maintained by the customer.

B. Monthly Rate. Rates stated herein are for (1) unmetered installations [items 1 and 2] where charges are per fixture and shall be applied to the number of installed units on the system as determined by Tacoma Power at the time the billing is rendered, and (2) metered installations [item 3].

1. Street Lighting Units (Unmetered):

(a) Incandescent Lamps:

12.06.371 Electric Vehicle Fast Charge – Schedule FC. *Effective January 1, 2019 to December 31, 2031.*³

A. Definitions. The following definitions will apply:

1. Electric Vehicle – A vehicle that uses at least one method of propulsion that is capable of being reenergized by an external source of electricity, is designed to have the capability to drive at a speed of more than 35 miles per hour, and is licensed to drive on state and federal highways.

2. Electric Vehicle Charging Site – A site that hosts the equipment used to deliver electricity to an Electric Vehicle. Hosted equipment must meet all applicable electrical requirements for interconnection and nationally recognized testing laboratory standards.

3. Direct Current (DC) Fast Charger – Electric Vehicle charging equipment with a Direct Current connection that is designed to recharge the battery of an Electric Vehicle.

B. Availability. No more than 25 installations may concurrently participate in this schedule, which will be available for a period of 13 years. Participation in this schedule will be on a first-come, first-served basis.

C. Applicability. Service under this schedule is applicable to non-residential Electric Vehicle Charging Sites supplied through one point of delivery and measured separately from all other commercial loads through one meter. Electric Vehicle Charging Sites must be broadly available to the general public and must include at least one Direct Current (DC) Fast Charger. Ancillary uses, limited to no more than 5 kilovolt amperes (5 kVA) and specifically related to the provision of Electric Vehicle charging (such as lighting), are permitted under this schedule. Actual demand, as determined by Tacoma Power, must not exceed 1 megavolt-amperes (1 MVA).

For customers providing all their own transformation from Tacoma Power's distribution-system voltage, a discount for transformer investment and maintenance will be provided by reducing the monthly bill by 0.8 percent. For customers metered on the primary side of a transformer, a discount for transformer losses will be provided by reducing the monthly bill by 1 percent. These discount percentages are additive, and not compounded.

Unless extended by City Council resolution or ordinance, this schedule will conclude on December 31, 2031. On this date, customers enrolled in Schedule FC will transition their service in accordance with the applicable published rate schedules set forth in Chapter 12.06. Nothing shall prevent the City from adjusting this schedule as it may determine necessary or appropriate.

D. Monthly Rate: The sum of the following energy, delivery, and customer charges:

1. Energy: All energy, measured in kilowatt-hours, charged per kWh at:
all Energy charges of the otherwise applicable published rate schedule set forth in Chapter 12.06 + Energy Adder Discount x Energy Adder.

Where Energy Adder Discount is applied in the year shown:

Effective Year	Energy Adder Discount
2019	1.0
2020	1.0
2021	1.0
2022	0.9
2023	0.8
2024	0.7
2025	0.6
2026	0.5
2027	0.4
2028	0.3
2029	0.2
2030	0.1
2031	0.0

³ Code Reviser's Note: Section 12.06.371 is effective from January 1, 2019, through December 31, 2031.

And where Energy Adder is calculated per kWh at:

all applicable Energy charges of Section 12.06.170 + all applicable Delivery charges of Section 12.06.170 - all Energy charges of the otherwise applicable published rate schedule set forth in Chapter 12.06

2. Delivery: All Billing Demand, measured in kilowatts, charged per kW at:

Delivery Charge Discount x all Delivery charges of the otherwise applicable published rate schedule set forth in Chapter 12.06.

Where Delivery Charge Discount is applied in the year shown:

Effective Year	Delivery Charge Discount
2019	0.0
2020	0.0
2021	0.0
2022	0.1
2023	0.2
2024	0.3
2025	0.4
2026	0.5
2027	0.6
2028	0.7
2029	0.8
2030	0.9
2031	1.0

3. Customer Charge: Customer Charge of the otherwise applicable published rate schedule set forth in Chapter 12.06.

E. Billing Demand. Determined by means of a demand meter, 30-minute interval, ~~reset monthly~~. The Billing Demand shall be the highest of:

1. The highest measured demand for the month adjusted for power factor; or
2. Sixty percent of the highest measured demand occurring during any of the preceding 11 months after adjustment for power factor.

F. Service Conditions.

1. Upon reasonable notice, customers participating in this schedule shall allow Tacoma Power access to the site in order to inspect, install, maintain, upgrade, replace, or remove Tacoma Power equipment, or to confirm compliance with the applicability conditions set forth hereinabove. If, upon inspection, Tacoma Power discovers any one of the applicability conditions are not met, service will be immediately transferred in accordance with the applicable published rate schedules set forth in Chapter 12.06.

3. Customers participating in this schedule retain the right to cancel service under this rate schedule and transfer to another applicable published rate schedule set forth in Chapter 12.06. The customer may not subsequently elect service under this rate schedule for at least one year after the effective date of cancellation.

4. An Electric Vehicle Charging Site is considered broadly available to the general public for the purposes of eligibility on this rate schedule if it is accessible by any driver. Eligibility and acceptance of a customer for service under this rate schedule is subject to review and approval by Tacoma Power.

G. Reporting and Limitation on Use of Customer Usage Information: Tacoma Power may publish reports related to this schedule, except when the report would result in publication of information attributable to a single individual customer.

(Ord. 28552 Ex. A; passed Nov. 20, 2018)

CHAPTER 12.06A ELETRICAL CODE

Sections:

- 12.06A.010 Title.
- 12.06A.020 Purpose.
- 12.06A.030 Scope of chapter.
- 12.06A.035 Adoption.
- 12.06A.040 Standards for installations.
- 12.06A.050 Severability.
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- 12.06A.300 Protection of electrical workers.
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- 12.06A.360 Appeal process.
- 12.06A.370 Additional rules may be made by Director.
- 12.06A.380 Classification of occupancies and wiring methods.
- 12.06A.400 Violations – Notification – Penalties.

12.06A.010 Title.

This Chapter shall be known as the Electrical Code of the City of Tacoma or alternatively the Tacoma Electrical Code.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.020 Purpose.

The purpose of this Code is the practical safeguarding of persons and property from electrical hazards arising from the use of electricity. This Code contains provisions that are considered necessary for safety. Compliance with this chapter and proper maintenance will result in an installation that is reasonably free from hazard, but not necessarily the most efficient, convenient, or adequate for good service or future expansion of electrical use. Additional guidance for efficient and convenient future expansion of electrical use and systems is found in the National Electric Code (“NEC”).

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.030 Scope of chapter.

The provisions of this chapter shall apply to all electrical conductors and equipment installed, used, rented, offered for sale, or distributed for use in areas served by the City, by and through its Department of Public Utilities, Light Division, and its franchised entities, except as shown in Article 90.2(B) of the ~~2017~~2020 Edition of the NEC and as such exemptions for installations under the exclusive control of an electric utility may be identified in future published editions of the NEC.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.035 Adoption.

A. RCW and WAC adoption and incorporation by reference. Except as otherwise specified in this chapter, the City hereby adopts and incorporates into this chapter, the Tacoma Electrical Code, those provisions of the Revised Code of Washington ("RCW") contained in Chapter 19.28, and the Washington Administrative Code ("WAC"), Chapter 296 46B, that relate to electrical installations including, but not limited to, methods of construction, repair, maintenance, use of materials, and approval of such installations intended to insure the safety of life and property.

B. NEC adoption. Except as otherwise stated herein ~~The City hereby adopts and incorporates into this chapter, the Tacoma Electrical Code, the provisions of the then current~~2017 Edition of the NEC in its entirety. Enforcement of the most current edition of the NEC shall begin June 1st of the year in which the latest edition is published.

C. In the event any NEC, RCW or WAC provision adopted pursuant to this section is hereafter amended, said amended provision shall be deemed adopted and incorporated into this chapter as of the effective date of such amendment unless the amended provision establishes standards of electrical installations that are not equal to, higher, or better than that required by any other NEC, RCW or WAC provision then in effect. It is the intent of this section that, except as otherwise expressly required or provided under this chapter, the highest standard of electrical installations specified in the NEC, RCW and/or WAC is adopted and shall be enforced per the Tacoma Electrical Code.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.040 Standards for installations.

A. All electrical installations shall be in conformity with the provisions of this Code and with approved electrical standards for safety to life and property. Where no specific standards are prescribed by this Code, conformity with the requirements or rules set forth in the current edition of the NEC, as amended by the WAC, shall be prima facie evidence of conformity with approved standards for safety to life and property. If any requirements or rules in this chapter are found to be not at an equal, higher, or better standard of materials, devices, appliances, and equipment than of those of the WAC, the requirements of the WAC will prevail. The current edition of the NEC shall mean the current edition of the NEC, as adopted by the City in Section 12.06A.035.

B. Additional City requirements applicable to the provisions of this Code are stated in the:

1. Tacoma Power Customer Service Policies, as promulgated or revised from time to time, on file with the Clerk of the Public Utility Board,
2. Tacoma Power Electric Service Handbook, as the same may be amended from time to time by the Light Division Superintendent or his/her designee, on file with Tacoma Power's Electrical Inspection Office, and
3. Tacoma Power Transmission and Distribution Construction Standards, as the same may be amended from time to time by the Light Division Superintendent or his/her designee, on file with Tacoma Power's Electrical Inspection Office.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.050 Severability.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this chapter and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.060 Enforcement of chapter.

The Chief Electrical Inspector of the Light Division of the Department of Public Utilities, hereinafter called the Chief Electrical Inspector, shall be responsible for the enforcement of this chapter.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.070 Definitions.

“Building” means the structure, of any type or designation, at which work under the Electrical Permit will be performed and which is located at the Premises identified by site address on the application for the Permit.

“City” means the City of Tacoma, Department of Public Utilities, Light Division, doing business as Tacoma Power.

“Code” means this chapter of the Tacoma Municipal Code.

“Contractor” means the person, firm, or corporation performing the installation of electrical work pursuant to an Electrical Permit and licensed by the State of Washington. Also referred to herein as electrical contractor.

“Electrical Inspection Office” means the office within Tacoma Power charged with administration and enforcement of this Code under the immediate supervision of the Chief Electrical Inspector.

“Electrical Permit” or “Permit” means a fully paid, and neither expired nor terminated permit issued by Tacoma Power.

“Occupying” means moving furnishings, material, merchandise, or persons into a Building or Premises.

“Owner” means the legal owner of the Premises on which electrical work is installed or is to be installed.

“Permit Holder” means the person or entity that applies for and is issued an Electrical Permit. The Permit Holder shall be responsible for full compliance with the requirements of this chapter. When the Permit Holder is not the Owner of the Premises identified in the Permit application, but performs electrical work at the Premises for such Owner, the Permit Holder shall be deemed to be the authorized agent of the Owner for purposes of enforcement of this chapter and, therefore, such Owner shall be responsible for the acts or omissions of the Permit Holder including, but not limited to, correction of Code violations and the payment of fees or penalties arising under the Permit.

“Premises” means real property and all Buildings and other improvements located thereon.

“Service Point” means the point where the customer’s service conductors are connected to Tacoma Power’s service utility conductors.

“Stop Work Order” means a written notice posted by the electrical inspector ordering the electrical work to be suspended until the electrical inspector removes the notice.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.080 Duties of Chief Electrical Inspector.

It shall be the duty of the Chief Electrical Inspector to see that the provisions of this chapter are enforced. The Chief Electrical Inspector shall, upon application, issue Permits for the installation or alteration of electrical wiring, devices, appliances, and equipment, and shall make inspections of electrical installations as provided in this chapter. The Chief Electrical Inspector may delegate appropriate inspection and enforcement duties prescribed by this chapter to electrical inspectors, assistants, and other persons duly qualified and regularly employed by the City.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.090 Effective date of chapter.

Any electrical work for which a Permit was obtained before the date on which this chapter becomes effective may be installed and completed in accordance with the laws and regulations which were in effect at the time of issuance of any such Permit.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.100 Inspection of new electrical installations.

A. Rough-in wiring or installation of electrical equipment not listed for use in wet locations shall only be installed in a structure or area of a structure that is completely free of exposure to the elements.

B. Requests for inspection must be made by the Permit Holder that installed electrical equipment no later than three business days after completion of the electrical/telecommunication installation or one business day after any part of the installation has been energized, whichever occurs first.

C. Electrical wiring shall not be covered or concealed until such wiring has been approved by Tacoma Power’s Electrical Inspection Office. Where an electrical installation is covered or concealed before approval, it shall be exposed for inspection. The City shall bear no liability for damages or costs resulting from exposing the electrical installation.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.110 Inspection of existing electrical installations.

A. The Chief Electrical Inspector is hereby empowered to inspect all existing wiring, appliances, devices, and equipment coming within the scope of this chapter. When the installation of any such wiring, appliance, device, or equipment is determined to be in a dangerous or unsafe condition, the person, firm, or corporation owning, using, or operating the same shall be notified and shall make the necessary repairs or changes required to place such wiring, appliances, devices, or equipment in a safe condition, and have such work completed within 48 hours after notification thereof, or within such further reasonable time as may be allowed by Tacoma Power upon request.

B. The Chief Electrical Inspector is hereby empowered to disconnect or order the discontinuance of electrical service to such conductors or apparatus found to be in a dangerous or unsafe condition, or to have been installed without a Permit. He or she shall thereupon attach a notice, which states that such conductors or apparatus have been disconnected due to violation of the provisions of this chapter. It shall be unlawful to remove a notice of disconnect or to reconnect electrical equipment to an electrical power source without authorization from the Chief Electrical Inspector. Any person removing the notice, or reconnecting the equipment or wiring before approval to do so has been given, will be subject to the penalties outlined in this chapter.

C. Abandoned conductors, conduits, and electrical equipment shall be removed from structures unless it is de energized, supported, capped, and enclosed or terminated by an acceptable method and tagged "For Future Use" at every accessible location.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.120 Final inspection and service approval.

A. Final inspections are required on all Buildings before occupancy. Each unit of a multiple occupancy Building or complex must have a separate final electrical inspection approval before it is occupied. The Permit Holder is required to request a final inspection at the time the electrical installation is completed. A Permit Holder not complying with the requirements of this section shall be subject to the penalties outlined in this chapter.

B. Final approval will not be given until all fees owed on the project or Permit(s) are paid. When all fees are paid, and the electrical installation is complete and in compliance with this chapter the electrical inspector will sign and/or post a final inspection approval notice. Building permits requiring an electrical inspector's signed approval shall be posted in a conspicuous location.

C. The Chief Electrical Inspector is hereby authorized to disconnect any electrical installation or equipment which has been connected before the approval for service has been given. He or she shall thereupon attach a notice which shall state that the wiring or apparatus has been disconnected due to violation of the provisions of this chapter. Any person removing the notice, or reconnecting the equipment or wiring before approval to do so has been given, will be subject to the penalties outlined in this chapter.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.130 Temporary wiring.

Limited use of electricity for emergency or construction purposes may be granted. An Electrical Permit must be purchased and inspection approval must be given before energizing the electrical installation, except as provided in this chapter. Emergency installations shall be limited to a 30-day period. Temporary wiring for construction use is limited to the duration of construction. All use of electricity shall be metered.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.135 Metering installations and labeling.

A. Meter height. No meter shall be installed at a height greater than six feet from the front working surface or grade to the mid-point of the meter glass and no lower than five feet from the front working surface or grade to the mid-point of meter glass, except as stated in subsections 1-4 below and as provided in the Tacoma Power Electric Service Handbook and in the Tacoma Power Transmission and Distribution Construction Standards shall apply to all electric meter installations.

1. Commercial multi-metering installed in a vertical configuration shall not be installed below 36 inches from the front working surface or grade to the mid-point of the meter.

2. Residential multi-metering installed in a vertical configuration shall not be installed below 28 inches from the front working surface or grade to the mid-point of the meter.

3. Listed service pedestals and packages containing integral meter sockets, installed according to the manufacturer's instructions, are allowed to be at the height for which they are designed.

4. Special permission is granted by the Chief Electrical Inspector.

B. All meters in a multiple occupancy Building shall be accurately marked to identify the units they serve. Labels must be of sufficient durability to withstand removal from rubbing, fading, or environmental exposure. Label characters must be a minimum 1/2 inch tall and of a contrasting color or shade from the surface to which they are affixed so that they are easily readable.

C. No customer meter sockets will be placed on a pole owned and maintained by Tacoma Power. Meters shall be located on the first customer owned structure which will be the Service Point from Tacoma Power as further specified in the customer requirements found in the Tacoma Power Electric Service Handbook and Tacoma Power Transmission & Distribution Construction Standards.

D. The meter location shall not be concealed by materials, structures or vegetation of any kind and must be readily accessible. A level workspace, measuring no less than 3 feet by 3 feet, must be maintained in front of the meter location at all times. Failure to meet these requirements may result in termination of service.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.140 New electrical installations.

All new or altered services, feeders, circuits, circuit extensions, and installations must meet requirements of this chapter.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.145 Overhead service drops.

Overhead service drop clearances are the Owner's responsibility. These clearances must be free of any vegetation obstructions as further specified in the Tacoma Power Electric Service Handbook.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.150 Unlawful to alter existing wiring.

It shall be unlawful for any person to alter in any way any electrical wiring, or to permit such electrical wiring to be altered, unless done in conformity with the provisions of this chapter.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.155 Variance from Code requirements.

A variance from the electrical installation requirements of this chapter may be granted by the Chief Electrical Inspector when it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety. The variance request must be made in writing by the Permit Holder or designer, using a form provided by Tacoma Power's Electrical Inspection Office. A variance which has been granted shall be for a specific site and time and will not be considered as a precedent for other installations. All variances must be granted in writing.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.160 Move-on housing.

In addition to the requirements of WAC 296 46B-010, any structure which has been moved shall have its service upgraded to meet the requirements of this chapter and the NEC. Kitchen, bath, and laundry circuits shall comply with the NEC. AFCI protection, in compliance with the NEC, will be required, on all bedroom circuits.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.170 Fusing and equipment protection.

Fusing and equipment protection shall be in compliance with NEC Article 240.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.180 Explanation of chapter requirements.

A Tacoma Power electrical inspector may answer relevant questions concerning interpretation or application of adopted regulations and rules outlined in this Code. No electrical inspector shall lay out work or act in the capacity of an electrical installation consultant.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.190 Right of entry.

A Tacoma Power electrical inspector shall have the right to enter any and all Buildings and Premises which contain electrical wiring or apparatus, at any reasonable hour, for the purpose of inspecting or testing the installation of electrical wiring, electrical devices, and/or electric materials to determine Code compliance. Consent to such entry and inspection is a condition of continued electrical service.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.200 Non-liability of City for damages.

This chapter shall not be construed to alter the responsibility or liability of any person owning, designing, operating, controlling, or installing any electrical wires, appliances, apparatus, construction, or equipment for damages to persons or property caused by a defect therein, nor shall the City, or any employee or agent thereof, be held as assuming any such liability by reason of the inspection or other examination authorized herein or the notice of approval issued by the electrical inspector.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.210 Permits required.

An Electrical Permit shall be applied for and purchased before electrical equipment may be installed, altered, or repaired. An Electrical Permit is required for the installation, alteration, or maintenance of all electrical systems or equipment, including, but not limited to, when removal of a Tacoma Power owned electric meter is necessary to perform any electrical work.

Exceptions:

A. Like-in-kind replacement of a contactor, relay, timer, starter, electronic circuit board, or similar control component, household appliance, circuit breaker, fuse, residential luminaire, lamp, snap switch, dimmer, receptacle outlet, thermostat, heating element, luminaire ballast with an exact same ballast, component(s) of electric signs, outline lighting, skeleton lighting or skeleton neon tubing where the electrical system is not modified, 10 horsepower or smaller motor;

B. Induction detection loops described in WAC 296-46B-300(2) and used to control gate access devices;

C. Heat cable repair; and

D. Embedding pre-manufactured heat mats in tile grout where the mat is listed by an approved testing laboratory and comes from the manufacturer with pre-connected lead-in conductors. All listing marks and lead-in conductor labels must be left intact and visible for evaluation and inspection by the installing electrician and the electrical inspector.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.220 Permits and inspections.

A. An Electrical Permit application shall be filled in completely and accurately before it will be accepted by Tacoma Power's Electrical Inspection Office. An application for an Electrical Permit signed by an electrical contractor or its representative shall serve as a certification by the electrical contractor, made under penalty of perjury, that said Contractor is the duly authorized agent of the Premises Owner where the electrical work is to be performed.

B. Electrical Permits shall expire one year after the date of issue or one year after the most recent inspection, whichever is later. The re-issuance of a Permit, if granted, may require additional fees.

C. The scheduling and timing of inspections shall be according to provisions set forth in the Tacoma Power Electric Service Handbook.

D. The Permit Holder is responsible for providing or arranging access to the work to be inspected.

E. The inspection site address shall be clearly visible from the street.

F. Electrical Code violations identified by the electrical inspector shall be posted at the work location. Violations shall be corrected within 15 days of notification unless a written request for extension is granted by the Chief Electrical Inspector.

G. Electrical Permits shall be required for each Building at which electrical work will be performed.

H. Electrical Permits are transferable, provided the original scope of work for the Permit has not changed and there has been no electrical work or inspection activity. The Permit transferee must present a statement and authorizing signature of approval from the Permit transferor. The transfer must take place at Tacoma Power's Electrical Inspection Office within one year of the original Permit issuance.

I. Electrical Permits may be canceled by the Permit Holder. Upon such cancellation, Permit Holder shall be refunded the Electrical Permit fee prorated based on prior inspection activity, and less an administrative process fee. Tacoma Power may cancel an Electrical Permit if it determines the Permit Holder is not qualified to perform the Permitted work.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.230 Permit to owner – conditions and affidavit.

A. Electrical permits to perform electrical work on a new or existing Building owned by the Permit applicant and not intended for rent, sale, or lease may be issued to the applicant, provided that:

1. The applicant provides documentation that he or she is the Owner of the Building where electrical work is to be performed, such as a copy of a deed, along with evidence of identity;
2. The applicant signs an affidavit under penalty of perjury affirming the Building where the electrical work is to be performed is not for rent, sale or lease at the time of Permit application and that he or she does not intend to rent, sell or lease all or any part of the Building for at least twenty-four months after the final electrical inspection;
3. If the Building where the electrical work is to be performed is used as a residence by any person other than the applicant at the time of Permit application, or will be so used at any time during the twenty-four months following final electrical inspection, the applicant's affidavit must further affirm the applicant's residence at such Building and his or her intent to reside therein for at least two years after final inspection; and
4. The electrical work shall be done by the applicant and he or she, as well as any person(s) who gave assistance with the electrical installation, must be present during all inspections.

B. If it is apparent from the character of electrical work performed by or with the knowledge of the Owner, whether performed prior to or after Permit issuance, that the Owner and/or person assisting the Owner are not qualified to do the work under the Permit applied for or issued, an electrical inspector may require the work that is in violation of this chapter be changed, altered, or repaired by a licensed electrical contractor.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.240 Filing of drawings and specifications.

A. A completed plan review application shall be submitted with information required to complete the review process including, but not limited to, documentation specified in the Plan Review Application Instructions. Submitted plans for projects identified in subsection (B)(1) and (2) of this Section shall be in accordance with WAC 296 46B 900 and must be stamped by a Professional Electrical Engineer registered with the State of Washington.

B. Electrical Permit applicants are required to submit electrical plans, load calculations, and specifications for work to be performed on:

1. Schools, hospitals, institutions, and other projects as specified in the WAC;
2. All systems that have emergency generators (NEC Articles 517, 700, 701);
3. Downtown network services and feeders over 200 amps;
4. Systems operating over 600 volts;
5. Commercial and industrial services greater than 400 amps; and downtown network services and feeders over 200 amps;
6. Commercial projects with a scope that covers more than 2,500 square feet; or
7. Residential services and feeders over 400 amps;
3. ~~Commercial projects with a scope that covers more than 2,500 square feet;~~
4. ~~All systems that have emergency generators (NEC Articles 517, 700, 701);~~

~~5. Systems operating over 600 volts; or~~

~~6. Schools, hospitals, institutions, and other projects as specified in the WAC.~~

C. Electrical plans must be submitted to Tacoma Power's Electrical Inspection Office for review, giving sufficient time to complete the review prior to beginning electrical construction. A Tacoma Power approved set of drawings must be on the job site for the electrical inspector's use. No inspection will be performed unless the approved plans are on the job site or special written permission is granted by the Chief Electrical Inspector or his designee. Where inspections are performed by Tacoma Power prior to plan approval, electrical materials or equipment may be required to be re-installed to meet the requirements of this chapter once plan review is complete. Electrical service will not be provided unless approved plans are on site and the electrical service equipment installation is approved.

D. Plan review fees are included in the commercial Permit fees. When no Permit has been purchased and the project has been canceled, or excessive time is required to review plans submitted with incomplete information or extensive errors, a fee of \$80 per hour will be charged. Shipping and handling fees of \$25 will be charged on all plans requested to be mailed back to the submitter.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.250 Permit fees.

Current standard fees for connecting electrical services to the Tacoma Power system, as well as the Permit fees and any penalties previously assessed, must be paid before an Electrical Permit application will be processed. The Permit applicant is responsible to arrange for payment. Permit applications for which insufficient or no payment has been received will not be processed. Unpaid Permit applications will be discarded by Tacoma Power if payment has not been received within 10 business days of receipt of application. Unless otherwise noted, when multiple inspections are required, the Permit fee shall not be less than \$40 per 1/2 hour of inspection time. No inspection will be performed until the Permit application process is completed.

Current standard fees for Electrical Permits and inspections by Tacoma Power are as follows:

A. Residential.

1. Table A. Single-family dwelling and mobile home services, service changes, service upgrades, and solar photovoltaic (PV) system fees are set forth in Table A below, and include branch circuit wiring from the service(s) or feeder(s). All wiring by the same Permit Holder on single family dwellings of 400 amps/4000 sq. ft. or less is included under the fees from Table A unless otherwise noted below.

TABLE A			
Service/PV System/Feeder Ampacity and Square Footage	Permit Fees		
	Column 1	Column 2	Column 3
	Overhead Service or PV installation - up to 2 trips	Underground to Pole and Underground Service or PV installations with underground wiring - up to 4 trips	Feeder Only up to 2 trips
1-200A and up to 2500 sq. ft.	\$80	\$160	\$60
Up to 400A or up to 4000 sq. ft.	\$120	\$200	\$70
Over 400A or over 4000 sq. ft.	Use TABLE B		

2. Branch circuit alterations and repairs. The fee for 1 to 4 new circuits, circuit extensions, or alterations where the service or feeder is not modified, increased, relocated, or replaced..... \$50

Use Table A if service or feeder work is included.

Each additional circuit..... \$5

Fee includes two inspections.

3. Service and PV system alterations and repairs. Minor alterations and repairs to an electrical service or PV system, including, but not limited to, the repair or replacement of one of the following: ~~the~~ service mast, service entrance conductors, weather head, service attachment bracket, meter socket, main breaker, PV array, ~~or~~ production meter socket, or other service/PV system components..... \$40

~~See~~Use Table A Column 1 if more than one item listed above is altered or replaced, or if service panel, PV AC disconnect, or utility disconnect is repaired or replaced in combination with any of the above listed items.

Use Table A Column 2 if underground work is part of the repair or replacement work described above.

Fee includes one inspection.

4. Hardwired Low voltage.

Single-family Dwellings—Fees for low voltage control panels and devices, such as fire alarm systems, data systems, intrusion alarms, HVAC systems, thermostats, and similar systems..... \$40

Fee includes one inspection.

5. Temporary services 1-200 amps single phase \$40

Fee includes one inspection.

Temporary services over 200 amps or three phase and systems with feedersTable B

Temporary services are permitted for use up to 90 days or the duration of a permitted construction project.

6. Residential swimming pool (In addition to any other fees listed). \$120

Fee includes three inspections.

7. Generator transfer panel and equipment..... \$60

Fee includes one inspection.

B. Commercial and industrial.

1. Table B. The Permit fee for all commercial and industrial work, multifamily dwelling installations, and single family dwellings exceeding 400 amps or 4000 square feet shall be derived from Table B. Proof of electrical work value must be submitted at the time of application. Proof may be established by presenting a signed contract or a priced itemization of the work to be performed. The electrical work value shall be the reasonably documented value of all labor, material, fittings, apparatus, and the like, whether actually paid for or not, supplied by the Permit Holder and/or installed by the Permit Holder as a part of, or in connection with, a complete electrical system, but which does not include the cost of utilizing equipment connected to the electrical system. If a signed contract or other substantial proof of value is not submitted at the time of Permit application, the value may be established by Tacoma Power's Electrical Inspection Office using modern construction cost-estimating techniques. If the reported work value is determined by Tacoma Power's electrical inspection office to be significantly less than what was reported at the time the Permit was purchased, the Permit fee amount will be increased to reflect the corrected actual value and a charge for the time to determine such value will be assessed to the Permit fee. A fee adjustment shall be made for all change orders and field changes that increase the value. All fees must be paid before final electrical inspection approval of the project.

TABLE B	
Value of Electrical Construction	Permit Fees
\$0-\$1,000	\$100 for the first \$1,000 or fraction thereof.
\$1,001-\$5,000	\$100 for the first \$1,000 plus \$4 for each additional \$100 or fraction thereof.
\$5,001-\$50,000	\$260 for the first \$5,000 plus \$2 for each additional \$100 or fraction thereof.
\$50,001-\$100,000	\$1,160 for the first \$50,000 plus \$1.50 for each additional \$100 or fraction thereof.
\$100,001-\$250,000	\$1,910 for the first \$100,000 plus \$9 for each additional \$1,000 or fraction thereof.
\$250,001-\$500,000	\$3,260 for the first \$250,000 plus \$8 for each additional \$1,000 or fraction thereof.
\$500,001-\$750,000	\$5,260 for the first \$500,000 plus \$7 for each additional \$1,000 or fraction thereof.
\$750,001-\$1,000,000	\$7,010 for the first \$750,000 plus \$6 for each additional \$1,000 or fraction thereof.
\$1,000,001-\$2,000,000	\$8,510 for the first \$1,000,000 plus \$5.50 for each additional \$1,000 or fraction thereof.
\$2,000,001-\$3,000,000	\$14,010 for the first \$2,000,000 plus \$5 for each additional \$1,000 or fraction thereof.
\$3,000,001-\$4,000,000	\$19,010 for the first \$3,000,000 plus \$4.50 for each additional \$1,000 or fraction thereof.
\$4,000,001-\$5,000,000	\$23,510 for the first \$4,000,000 plus \$4 for each additional \$1,000 or fraction thereof.
\$5,000,001-\$50,000,000	\$27,510 for the first \$5,000,000 plus \$3.50 for each additional \$1,000 or fraction thereof.
\$50,000,001-\$100,000,000	\$185,010 for the first \$50,000,000 plus \$3 for each additional \$1,000 or fraction thereof.
\$100,000,001 and up	\$335,010 for the first \$100,000,000 plus \$2.50 for each additional \$1,000 or fraction thereof.

2. Lighting retrofit projects limited to the exchange of fixtures and/or ballasts.

Minimum fee per 5,000 sq. ft. of Building \$80

Each additional 1,000 sq. ft. or fraction of \$8

3. Traffic signals.

Traffic signal and street lighting service only

(If street lighting is inspected by authorized cities or WSDOT) \$80

All others Table B

4. Signs.

Each sign or first field installed neon transformer \$40

Each additional sign or field installed neon transformer \$15

Fee includes one inspection.

5. Carnival, circus, fair, trade shows, or similar events.

First ten of rides, generators, concessions, gaming shows, displays, or booths \$100

Each additional \$5

C. **Hardwired** Low voltage – Commercial/Industrial. Fees for low voltage control panels and devices, such as fire alarm systems, data systems, intrusion alarms, HVAC systems, thermostats, communication systems, emergency control systems, and similar systems are as follows:

Minimum fee per 10,000 sq. ft. of Building \$80

Each additional 1,000 sq. ft. or fraction of \$8

D. Overtime: Overtime inspections including, but not limited to, call outs, weekend inspections, and after hours work must be scheduled with Tacoma Power's Electrical Inspection Office a minimum of three business days in advance. In addition to the regular Permit fee, a fee for an overtime inspection is required as follows:

1. **Unscheduled:** Outside of an electrical inspector's regular working hours, the minimum fee for an inspection shall be \$480 for the first two hours, portal to portal, plus \$160 for each hour thereafter. The fee must be paid the next business day.

2. **Scheduled:** Outside of an electrical inspector's regular working hours, the minimum fee for an inspection shall be \$320 for the first two hours, portal to portal, plus \$160 for each hour thereafter. The fee of \$320 must be paid 48 hours in advance of the scheduled inspection, and any remaining fee must be paid the next business day.

3. Requested inspections that extend beyond the electrical inspector's regular working hours shall be at the minimum rate of \$160 per hour, portal to portal.

E. Annual Permit. Pursuant to section 12.06A.350, annual Permits are available to commercial and industrial customers employing their own electrical maintenance staff. An annual Permit may be purchased in lieu of individual Permits for maintenance on each job performed. Annual Permits may be purchased by an electrical contractor to perform maintenance work at a commercial and industrial location if, at the time of application, a valid copy of the electrical contractor's yearly maintenance contract with the customer is submitted to Tacoma Power and the term and nature of work under such contract is consistent, as determined in the sole discretion of Tacoma Power, with the term and purpose of the annual Permit.

Applications for annual Permits submitted without proof of required employment status or a valid maintenance contract will not be accepted. Work performed under an annual Permit is limited to the installation of not more than two new feeders or circuits rated 100 amps or less, and the maintenance, repair, retrofit, or replacement of conductors and equipment. Annual Permits do not include the installation of new, exchanged, or upgraded service equipment, electrical work installed as part of new or added square footage, facility expansion, remodel, or where, except as noted above, load is increased. The annual Permit fee is calculated per Table C.

TABLE C	
Number of one-hour Inspection units	Fee
12	\$960
13-24	\$1,920
25-36	\$2,880

37-52	\$4,160
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F. Miscellaneous fees.

1. Wrong meter address or location.

A Permit is required to correct or inspect incorrect meter addressing by the
Owner or Owner's agent \$40 per 1/2 hour

Overtime rates may apply.

2. Miscellaneous inspection (other)..... \$40 per 1/2 hour

3. Variance.

A processing fee for granting an electrical installation as outlined in Section 12.06A.155
of this chapter \$140

4. Required inspection on services off for one year or more..... \$40

Fee includes one inspection.

An additional Permit, fees, and inspections may be required if electrical deficiencies exist on the Premises.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.260 Penalty fees and fee adjustments.

The following-described penalties may be assessed, or the described fee adjustments may be determined appropriate, by order of the Chief Electrical Inspector:

A. Trip fee (per trip) when permit holder notifies Electrical Inspections Office that work is ready
for inspection when it is not, \$40

B. The Permit Holder gives an incorrect inspection site address \$40

C. Inspections required as a result of carelessness, neglect, faulty workmanship, or materials \$40

D. Failing to complete corrections within 15 days as required by this chapter \$40

E. Removal of Stop Work Order \$40

F. Tampering with Stop Work Order penalty fee \$40

G. Occupying a Building, living unit, or business space without final electrical approval \$275

H. Work performed without a Permit..... 4X regular Permit fee

This provision does not pertain to emergency work where a permit is purchased the next business day.

I. Failure to provide or arrange access for requested inspection \$40

J. Late charge for nonpayment of penalty fees \$25

K. Permit cancellation administrative process fee \$40

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.270 Penalty and adjustment fee appeals.

Penalty and Permit adjustment fees are due at the time of assessment unless the assessed party makes an appeal to the Chief Electrical Inspector within 15 business days pursuant to Section 12.06A.360. If payment or appeal is not made within the 15 days, an additional \$25 late fee will be assessed and inspection activity will be stopped until the fee and late charges are paid.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.300 Protection of electrical workers.

All clearances per the State of Washington rules contained in WAC 296-155-428 must be maintained while working around overhead electrical lines.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.350 License requirements.

A. Subject to subsections B and C, and except as otherwise provided in RCW 19.28.091 or in section 12.06A.230, no person or entity shall in any manner undertake to perform any electrical work involving the installation, maintenance, alteration, or repair of any electrical wiring, devices, appliances, or equipment for which a Permit is required by this chapter unless such person or entity has an unrevoked, unsuspended, and unexpired electrical contractors license issued by the State of Washington.

B. Employers with employee(s) that perform electrical work are exempt from the license requirements of this section, provided that:

1. The work performed is on the employer's Premises or other property; and
2. The work is not on the construction or remodel of a Building or other property intended for rent, sale, or lease.

C. Employees performing electrical work on the Premises or other property of their employer are exempt from the license requirements of this section, provided that:

1. The work is not on the construction or remodel of a Building or property intended for rent, sale, or lease; and
2. The employee performing the work is a regular, full time employee of the Owner of such Building or property.

D. A licensed electrical contractor will be required to perform any electrical work for, or on behalf of, any person or entity that does not satisfy the licensing requirements of this section. If it is apparent from the character of the work performed that the person or entity performing work under any exemption in this section is not qualified to do the work under the Permit issued, or that the work is otherwise in violation of this chapter, an electrical inspector may require the work to be changed, altered, or repaired by a licensed electrical contractor.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.360 Appeal process.

A. Any decision of an electrical inspector regarding the requirements of, or fees and penalties imposed under this chapter, may be appealed in writing to the Chief Electrical Inspector. The appeal must be made within 15 business days of the initial decision. The Chief Electrical Inspector shall respond in writing within ten business days.

B. Any decision of the Chief Electrical Inspector may be appealed to the Light Division Superintendent or his/her designee. The appeal must be made in writing and within ten business days of the Chief Electrical Inspector's decision. The Light Division Superintendent or his/her designee shall make a decision on the appeal request within a reasonable time, which decision shall be in writing. Except for criminal and civil penalties imposed pursuant to section 12.06A.400 of this chapter, the written decision of the Light Division Superintendent or his/her designee is final and conclusive unless appropriate legal action is filed with the Pierce County Superior Court within 30 days of the issuance of said decision.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.370 Additional rules may be made by Director.

The Director of Utilities may make such rules and regulations governing the operation of this chapter as are not inconsistent with its provisions. The Director may grant reasonable minor adjustments in cases where the terms of this chapter place an injustice upon a customer if after written evidence has been presented to the Director it is shown that irregular circumstances of the customer's load, service and/or other conditions warrant such adjustment.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.380 Classification of occupancies and wiring methods.

A. 200 ampere service capacity shall be required for all new single-family and duplex residential units of 500 square feet or more. An entire service upgrade shall not be required when only replacing a meter base, or mast, or panel, unless the load requirement is greater than the rating of the existing service and/or specific electrical safety concerns associated with said equipment are detected.

B. Service entrance conductors for commercial occupancies shall have an ampacity not less than the rating of the service equipment they supply. For multiple-dwelling occupancies, the minimum service conductor ampacity shall not be less than the calculated service load.

C. Commissioning of all new Emergency Legally Required Standby, and/or Health Care systems fed by a 150 kw or larger generator shall be in compliance with NEC Sections 700, 701 and 517, respectively. A copy of the commissioning report shall be presented to the electrical inspector prior to the final electrical inspection.

D. Customer-owned systems that are metered at 12.5 kV or higher, known as primary metered systems, shall be installed as outlined in NEC 215.2(B)(3) and Tacoma Power's Transmission & Distribution Construction Standards. Such systems must be designed and certified by a Washington State Registered Electrical Engineer and reviewed by Tacoma Power's Electrical Inspection Office. These systems must be tested per manufacturers' published instructions and certified as free of short circuits and ground faults prior to approval for energizing.

E. Each newly constructed or remodeled dwelling unit, as defined in NEC 100, shall be independently metered by Tacoma Power.

~~F. Use of Type SE cable is limited to feeders and branch circuits.~~

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.06A.400 Violations – Notification – Penalties.

A. Any person, firm, or corporation that violates, disobeys, neglects, or refuses to comply with or resists or opposes the enforcement of any of the provisions of this chapter, or who persists in Occupying any building or structure, and/or maintaining operation of any equipment or appliances, in which the electrical wiring has been declared to be in violation of this chapter, after having been notified of such violation, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine not to exceed \$1,000, together with the cost of prosecution, or by imprisonment of not more than 90 days, or by both such fine and imprisonment. Each day such violation, disobedience, neglect, or refusal continues after notification of violation shall be deemed a separate offense and shall be subject to the penalty of this section. Such person, firm, or corporation shall be deemed to have been duly notified by posting of notification on the premises, equipment, or appliances by the electrical inspector or by the sealing out of the service, of circuits, of equipment, and/or of appliances by the electrical inspector, or by notification in writing by the electrical inspector, mailed to the Owner and/or occupant at the Premises involved.

B. At the option of the City, in lieu of proceeding with criminal sanctions, violations of this chapter may result in a civil penalty of up to \$1,000 for each violation. A civil penalty may be imposed by written notice issued by the Chief Electrical Inspector or his or her designated assistant. The civil penalty shall be paid prior to final approval of the premises involved. Appeals of the civil penalty may be made by a party or firm adversely affected by filing a notice of appeal with the City Hearing Examiner within ten days of receipt of the notice of civil penalty. The decision of the Hearing Examiner is final and conclusive, and is only subject to review by the Pierce County Superior Court by filing appropriate legal action within 30 days of the issuance of the Hearing Examiner's final decision. If such fine or civil penalty remains unpaid more than 60 days after said amount has been imposed and all appeals thereof have been exhausted, or the time has expired for an appeal, then said amount may be transferred to the electric utility bill account for said person or firm, and the remedies for collection for electric utility shall apply.

(Ord. 28443 Ex. A; passed Aug. 1, 2017)

12.10.060 Billing.

The Director shall cause a bill to be rendered to each customer for water services rendered during the preceding period. The utility bill shall become due and payable at the City Treasurer's office or at such other places designated by the Director, within 15 days from the date an invoice is issued per TMC 12.01.030 and shall become delinquent thereafter. The Water Division shall compute any amounts due under TMC 12.10 by carrying the computation to the third decimal place and rounding to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four. Any invoice that becomes delinquent shall be subject to a late payment fee as set forth in TMC 12.01.030.

(Ord. 28160 Ex. A; passed July 9, 2013; Ord. 28133 Ex. A; passed Feb. 26, 2013; Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27522 § 4; passed Aug. 29, 2006; Ord. 26800 § 4; passed Apr. 10, 2001; Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.110 Turn-on and/or Unauthorized use.

A. If water service, with an established service account, is turned off by the Division for cause and later the water service to said premises is turned on without Division approval, upon discovery, a penalty of \$100 shall be assessed and said water service may be disconnected by the Division at the water main in the street.

B. Unauthorized use of a physically disconnected water service and/or tampering with any division appurtenance (except for fire hydrants which are covered in Section 12.10.305) may result in, a penalty of \$500 being assessed. If unauthorized use or tampering involves a physically disconnected water service and/or meter then said service may be disconnected by the Division at the water main in the street. Penalty is in addition to any fees for repair of damages as noted in Section 12.10.125.

Water service will not be reconnected in either subsection A or subsection B above until: (1) payment for all water consumed to date and the monthly meter charges as established or estimated by the division are made to the City; (2) the Division costs incurred related to disconnecting and reconnecting the service pipe are paid; and (3) the Division costs incurred related to repairing customer-caused damages are paid per Section 12.10.125.

(Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27570 § 2; passed Dec. 19, 2006; Ord. 27522 § 5; passed Aug. 29, 2006; Ord. 26800 § 5; passed Apr. 10, 2001; Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.115 Turn-off, turn-on – Responsibility and liability.

The City shall not be liable for any damage to any person or property that may result from the turn-off or turn-on of the water service or from the service being left on when the premises may be unoccupied.

By requesting water service from the City, the customer assumes the responsibility for the flow and use of the water on his or her premises. Therefore, if water is desired to be turned off during remodeling, periods of freezing, or for other reasons, the customer agrees to turn off the water at the valve on his or her premises and the Division's turn-off valve shall not be relied upon for said purposes.

A customer's unpaid water service charges, penalties, and any cost to repair customer-caused damages to the water meter and appurtenances shall be paid at the time of application for turn-on, or a satisfactory arrangement for payment made with the City before water service to the premises is turned on.

(Ord. 26800 § 6; passed Apr. 10, 2001; Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.120 Turn-off, turn-on – condemned buildings.

Whenever a premises supplied with water has been found by the appropriate authorities to be unsafe, dangerous to human life or unfit for human habitation, and notice of such finding has been received by the Division from said authorities, the Superintendent shall cause the domestic water service to such premises to be turned off. Water service to such premises shall not be restored until the owner and/or agent has secured a release or clearance from said authorities.

(Ord. 27570 § 3; passed Dec. 19, 2006; Ord. 26048 § 1; passed Mar. 25, 1997; Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.125 Damage of water service installation or Division facilities.

The contract business partner will be liable to the Division for damages to the water service installation and any damages that are caused directly or indirectly as a result of its actions.