

Ordinance No. 6192

**AN ORDINANCE TO ADOPT THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE AND TO AMEND LOCAL PROVISIONS BY AMENDING CHAPTER 15.16 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City has adopted the 2014 edition of the National Electrical Code (NEC) in Chapter 15.16 of the Rapid City Municipal Code; and

WHEREAS, R.C.M.C. Chapter 15.16 the City has adopted local amendments to the NEC and has incorporated state regulations concerning electrical permits and licenses;

WHEREAS, the South Dakota Electrical Commission adopted new rules effective July 1, 2017 adopting the 2017 edition of the NEC and amending provisions concerning non-compliant installations; and

WHEREAS, the City wishes to amend its electrical code provisions in RCMC Chapter 15.16 to adopt the 2017 edition of the NEC and to amend its local provisions to ensure compliance with state administrative regulations adopted by the South Dakota Electrical Commission; and

WHEREAS, the Common Council believes it to be in the best interest of the health, safety, and welfare of the City to amend Chapter 15.16 of the Rapid City Municipal Code to adopt the 2017 edition of the National Electrical Code and to update its local amendments to the NEC.

**NOW THEREFORE, BE IT ORDAINED by the City of Rapid City, that Chapter 15.16 of the Rapid City Municipal Code be and is hereby amended to read in its entirety as follows:**

**CHAPTER 15.16 ELECTRICAL CODE**

- 15.16.010 Adoption.
- 15.16.020 Administration and Enforcement–Added.
- 15.16.030 NEC Article 210, Section 210.52(C)(2)–Amended.
- 15.16.040 NEC Article 230, Division VI, Section 230.70(A)(1)–Amended.
- 15.16.050 NEC Article 320, Section 320.10–Amended.
- 15.16.060 NEC Article 330, Section 330.1–Amended.
- 15.16.070 NEC Article 334, Section 334.12– Amended.
- 15.16.080 NEC Article 338, Section 334.12–Amended.
- 15.16.090 NEC Article 340, Section 340.12–Amended.
- 15.16.100 NEC Article 352, Section 352.12–Amended.
- 15.16.110 NEC Article 356, Section 356.12–Amended.
- ~~15.16.120 NEC Article 358, Section 358.12–Amended.~~
- 15.16.130 120 NEC Article 362, Section 362.12–Amended.
- 15.16.140 130 NEC Article 378, Section 378.12–Amended.

15.16.150140 NEC Article 388, Section 388.12–Amended.

15.16.160150 Limits on permanent installation of wiring methods in certain structures.

### **15.16.010 Adoption.**

There is adopted by the City of Rapid City, for the purpose of prescribing regulations for the practical safeguarding of persons and property from hazards arising from the use of electricity, that certain code known as the National Electrical Code (NEC), as recommended by the National Fire Protection Association (NFPA), specifically the ~~2014~~2017 edition thereof, also known as NFPA 70, and NFPA 73, Residential Electrical Maintenance Code for One and Two Family Dwellings, ~~2011~~2012 Edition, for the inspection of existing commercial and residential buildings and services; and these are adopted by reference as though fully set forth herein.

### **15.16.020 Administration and Enforcement–Added.**

Administration and Enforcement, is added to read as follows:

#### **Administration and Enforcement**

##### 80.1 Definitions.

“City of Rapid City” or “City” means City of Rapid City Building Inspection Department or the Building Official or his or her designee.

“Class B Electrician” means a person who has the necessary qualifications, which shall include training, experience and technical knowledge to contract, install, lay out, alter or repair installations of electrical wiring in residential dwellings and farmsteads.

“Electrical Contractor” means a person, firm or corporation that engages in the business of or contracts for installing, altering, removing, repairing or maintaining any kind of electrical wiring or equipment. The electrical contractor must employ a qualified RME who has the necessary qualifications, which shall include training, experience and technical knowledge; to plan, lay out, supervise, install, add, alter, and repair installations of wiring or equipment for electrical light, heat or power in an approved manner, without supervision.

“Electrical wiring” means a system of conductors to carry electrical energy and includes conduit when included as part of the system.

“Electrical work” means installing, altering, repairing or removing electrical wiring.

“Homeowner wiring” means any electrical wiring done by a person, on real property that is owned by the person and a structure that is presently occupied by the person providing the premises is a single-family dwelling or accessory building.

“RME” means responsible managing electrician. He or she must be a bona fide employee of the firm. This means that the RME must be regularly employed by the firm and actively involved in

the operation of the business at least 32 hours per week or 80 percent of the total business operating hours per week, whichever is less. Each electrical contractor shall designate an RME under whose supervision electrical work shall be done; the eCity shall be notified of such designation. The RME shall hold a valid state electrical contractor's license. The RME shall be responsible for any violations of this eChapter. The RME shall have the necessary qualifications, which shall include training, experience and technical knowledge; to plan, lay out, supervise, install, add, alter, and repair installations of wiring or equipment for electrical light, heat or power in an approved manner, without supervision.

“Supervision” of any kind thereof, means to look over, inspect, oversee, coordinate, direct and critically evaluate the work of a journeyman electrician or an apprentice electrician. The electrical inspector may request the presence of the supervising RME on the job site on twenty-four hours notice. Notice of such request is considered accomplished if left with the business, or with the RME as listed on the latest license application on record in the City Finance Office.

“Wiring permit” means electrical wiring permit.

## **80.2 Application.**

A. In order to safeguard life and property from electrical hazards, every person engaged in doing electrical work shall comply with the terms of this eChapter and with the provisions in Chapter 15.04.

B. When any new building structure or alteration of a building violates the requirements of this eChapter for electrical wiring, the wiring shall be brought into compliance with this code unless an exception found in this code or in Chapter 15.04 applies.

C. This eChapter shall apply to the installation of all electrical equipment within or on public and private buildings and premises, unless an exception found in this code or in Chapter 15.04 applies.

## **80.3 Chief Electrical Inspector and Electrical Inspector/Building Inspector I, II, or III Qualifications.**

A. Qualifications shall be as stated in the job descriptions on file at the City of Rapid City.

B. Duties.

1. The City Building Official shall designate the Chief Electrical Inspector to examine applicants for licenses under this eChapter as to their knowledge of the rules and regulations for the installation of electrical wiring devices and equipment as provided by this eChapter, the National Electrical Code, and Chapter 15.04. The Chief Electrical Inspector shall grant licenses as applied for those applicants who show proper qualifications and renewals of licenses to those applicants who maintain their qualifications and who are in compliance with this eChapter and Chapter 15.04. The Chief Electrical Inspector shall determine the general qualifications of such applicants for executing the class of work covered by this license applied for and their

ability to properly carry on the work authorized under the license applied for in such manner as to regulations and ordinances governing such work.

2. Before a license is issued to an applicant, the Chief Electrical Inspector shall have evidence that the applicant is licensed by the State of South Dakota for the same license.

#### **80.4 License.**

##### **A. Homeowner Permits.**

1. A homeowner may install electrical wiring in a residence, accessory structure or mobile home only when he or she owns and occupies both the structure and the real property, subject to the following:

a. All electrical wiring installed pursuant to this section shall be installed only by the owner, without compensation or pay to any other person for such labor or installation. Such installation shall comply with the requirements of this code. The homeowner shall file plans, demonstrate to the satisfaction of the City of Rapid City that he or she possesses sufficient knowledge of code requirements and the ability to make such installation properly, apply for and secure a permit, pay the required permit fees, and call for all inspections in the manner provided in this code. Homeowner permits shall be valid for a period of six months from the date of the last inspection.

b. No portion of the wiring installed under a permit issued pursuant to this section shall be energized until a final certificate of approval is issued by the City of Rapid City.

2. ~~If a homeowner refuses to make corrections for life or safety violations, the inspector shall give the homeowner a correction notice that requires compliance with the wiring requirements within a specified number of days, but not more than 30. The inspector shall check the installation at the end of the time specified and either approve the corrections, final void the installation with notice of non-compliance to owner or installer, provide an inspection report to the owner, or order the service disconnected under the authority of SDCL 36-16-31. The correction notice may be hand delivered, mailed, emailed, left at the structure, or delivered by phone or message.~~

**B. License Required.** No person shall engage in the business of electrical installation, or perform any electrical work, or offer or agree to perform any electrical work within the eCity without a current license issued in accordance with Chapter 15.04, except as discussed in Section A.

##### **C. License Application.**

1. Any person desiring to engage in the business of electrical installation, as an electrical contractor or Class B electrician shall make application for a license pursuant to Chapter 15.04.

2. The electrical contractor and class B electrical contractors shall complete and submit license applications and license renewals for all employees, as applicable, prior to their presence on any job site and shall be responsible to ensure that all employees have the licenses required by the state and city.

#### **D. License Type and Qualifications.**

1. **Electrical Contractor.** A person must have at least two years' experience as a journeyman electrician and possess a current state electrical contractor's license or journeyman electrician's license before making an application for an electrical contractor's license. The Building Official will require an examination of all applicants. However, if as of September 19, 2016, a person licensed by the eCity as a master electrician wishes to obtain an electrical contractor's license, that person is not required to take or pass an examination if he or she has already passed an examination for his or her previous license.

2. **Class B Electrician.** A person must possess a current State Class B license and must have at least two years' experience as a journeymen wiring, installing and repairing electrical apparatus and equipment under the supervision of a master electrician or class B electrician before making application for a class B electrical license. A minimum of one year of that experience shall be in residential or farmstead wiring. The Building Official will require an examination of all applicants.

**E. Examination.** If an examination is required prior to the issuance of an electrical contractor or a Class B electrician license under this eChapter or Chapter 15.04. The City of Rapid City shall notify the applicant of the time, place and date thereof. However, if as of September 19, 2016, a person licensed by the eCity as a master electrician wishes to obtain an electrical contractor's license, that person is not required to take or pass an examination if he or she has already passed an examination for his or her previous license.

#### **80.5 Electrical Work.**

**A. General Responsibilities.** Electrical contractors, class B electricians, and individuals wiring their own residence or farmstead shall secure all required licenses and wiring permits before commencing to do any electrical work not exempt by this title or Chapter 15.04.

**B. Contractors to Make Personnel Reports.** Each electrical contractor shall report to the chief electrical inspector all new personnel who are required to hold an electrical license or permit and any new employee who is not properly licensed for the type of work he or she is to do.

**C. Supervision of Apprentice Electricians.** In the case of immediate on-site supervision of an apprentice electrician, no journeyman electrician, electrical contractor, or Class B electrician shall supervise more than two apprentice electricians at a time. No journeyman electrician, electrical contractor, or Class B electrician shall supervise more than twelve apprentice electricians as part of an approved educational project for an electrical training program meeting the requirements of a Wiring School as stated in South Dakota State Electrical Commissions

Rules and Regulations, Section 20:44:16:12 at a time. Prior City approval must be given for educational projects that fall within this Section.

**D. Maintenance Electrician.** Maintenance electricians shall be licensed by the State, and electrical maintenance work shall comply with South Dakota State Electrical Commission Rules and Regulations, Section 20:44:16:21 and 20:44:16:22.

## **80.6 Permits.**

**A. Permit Required.** Before commencing any electrical work within the purview of this eChapter, the person intending to do such work must first make application to the City of Rapid City for a permit pursuant to Chapter 15.04; provided, however, no permit shall be required for the installation, alteration or removal of a single thirty-amp circuit or less, if such circuit is installed, altered or removed by an Electrical Contractor holding the appropriate license issued pursuant to this eChapter. A permit is required for fees equal to or greater than \$10.00 or as otherwise provided by resolution of the Common Council.

## **80.7 Inspection.**

A. When the installation or portion being inspected in accordance with Chapter 15.04 complies with this eChapter, the eCity shall place a tag of acceptance at the service or in a conspicuous place. When the entire installation complies with this eChapter, the eCity shall place a tag of final acceptance at the service equipment as a certificate of approval authorizing the use of the installation and connection to the supply of electricity by the agency supplying the electrical power.

B. If an existing electrical service is disconnected, either for alteration, repair, accident, or by an act of nature, this same service shall meet the minimum standards of NFPA 73, Residential Electrical Maintenance Code for One and Two Family Dwellings, prior to permanent reconnection. A-frame meter bases shall not be reconnected, other than for temporary use.

C. A minimum electrical permit is required for the inspection of existing services.

D. In cases where the service is reconnected prior to electrical inspection, the electrical contractor shall notify the City of Rapid City by 8:30 a.m. the following workday.

~~E. If an owner or installer refuses to make corrections or fails to pay any fees owed, the inspector may shall give the owner a correction order that requires compliance within a specified number of days, but not more than 30. The inspector shall check the installation at the end of the time specified and either approve the corrections, final void the installation with notice of non-compliance to installer, or order a disconnect under the authority of SDCL 36-16-31. The correction notice may be hand delivered, mailed, emailed, left at the structure, or delivered by phone or message.~~

## **80.8 Electrical Signs.**

Permanently installed electrical signs, outline lighting and field assembled skeletal neon systems shall be listed and labeled by a nationally recognized testing laboratory. Branch circuit wiring and primary electrical connection of the above shall be completed by an electrical contractor, licensed by the City of Rapid City ~~Finance Department~~. The electrical contractor will be responsible for obtaining the electrical permit and scheduling an inspection when access will be made available to the City of Rapid City. These installations shall not be energized prior to approval by the City of Rapid City.

### **80.9 Unauthorized Connections.**

No person shall make connection from a supply of electricity to any new electrical installation which has been ordered disconnected, or any electrical installation where the service entrance or service equipment has been disconnected, moved or otherwise altered, until authorized by the eCity; except in an emergency to safeguard life or property, when such connection is made in a safe manner by a person qualified under this eChapter, who shall be responsible for the work and shall notify the eCity, as soon as possible, and pay any required fee. Prior to authorization, services shall comply with NFPA 73.

### **80.10 Disconnection.**

When an alteration or addition is made or a condition is apparent which is in violation of this eChapter or this title, the City of Rapid City may require that portion which is in violation to be corrected and/or disconnected from the supply, until correction has been effected. Any wiring that becomes hazardous after installation shall be required to be disconnected upon order of the City of Rapid City.

### **80.11 Temporary Installations.**

Temporary electrical installations must be made so as to safeguard persons and property and shall be inspected and approved by the City of Rapid City. Such temporary installation shall not be allowed for more than one hundred eighty days without re-inspection and approval by the eCity. Such re-inspection may be had upon request and payment of the fee set out in this section.

### **80.12 Liability.**

This eChapter shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating, controlling or installing any electrical equipment for damages to persons or to property caused by any defect therein or negligence in handling thereof, nor shall the City of Rapid City be held as assuming any such liability by reason of the inspections or re-inspection authorized in this eChapter, or the certificates of approval issued as herein provided, or by reason of the approval or disapproval of any equipment authorized herein.

### **15.16.030 NEC Article 210, Section 210.52(C)(2)–Amended.**

NEC Article 210, Branch Circuits, Section 210.52 Dwelling Unit Receptacle Outlets, (C) Countertops, (2) Island Countertop Spaces is hereby amended to read as follows:

(2) **Island Countertop Spaces.** At least one receptacle outlet shall be installed at each island countertop space with a long dimension of 600 mm (24 in.) or greater and a short dimension of 300 mm (12 in.) or greater.

Exception: If the owner does not wish to have receptacle installed below countertop, receptacle may be omitted; however a GFCI protected small appliance circuit shall be extended into island cabinet and terminated into a box equipped with blank cover. NM cable shall be protected within cabinet.

**15.16.040 NEC Article 230, Division VI, Section 230.70(A)(1)–Amended.**

NEC Article 230, Services, Division VI, Service Equipment–Disconnecting Means, Section 230.70(A) Location, (1) Readily Accessible Location, is hereby amended to read as follows:

(1) **Readily Accessible Location.** The service disconnecting means shall be within 5 feet of the building or structure. Service conductors within rigid metallic conduit shall not exceed 15 feet within building or structure. Other service raceways or cable shall be limited to 5 feet within building or structure.

**15.16.050 NEC Article 320, Section 320.10–Amended.**

NEC Article 320, Armored Cable: Type AC, Section 320.10 Uses Permitted, is hereby amended to read as follows:

**320.10 Uses Permitted.** Where not subject to physical damage, Type AC cable shall be permitted as follows: Hospital grade within patient care areas, for the purpose of redundant grounding.

**15.16.060 NEC Article 330, Section 330.1–Amended.**

NEC Article 330 Metal-Clad Cable: Type MC, Section 330.1 Scope, is hereby amended to read as follows:

**330.1 Scope.** This article covers the use, installation, and construction specifications of metal-clad cable, Type MC. All MC cable must include a full-size equipment ground conductor.

**15.16.070 NEC Article 334, Section 334.12– Amended.**

NEC Article 334 Nonmetallic-Sheathed Cable: Types NM, NMC, and NMS, Section 334.12 Uses Not Permitted, (~~4~~A) Types NM, NMC, and NMS is hereby amended to read as follows:

**334.12 Uses Not Permitted.**

(A) **Types NM, NMC, and NMS.** Types NM, NMC, and NMS cables shall not be used as follows:



- (1) In any dwelling or structure not specifically permitted in 334.10(1), (2), (3), and (5).
- (2) Exposed within a dropped or suspended ceilings cavity in other than one- and two-family and multifamily dwellings.
- (3) As service-entrance cable.
- (4) In commercial garages having hazardous (classified) locations as defined in 511.3.
- (5) In theaters and similar locations, except where permitted in 518.4(B).
- (6) In motion picture studios.
- (7) In storage battery rooms.
- (8) In hoistways or on elevators or escalators.
- (9) Embedded in poured cement, concrete, or aggregate.
- (10) In hazardous (classified) locations, except where specifically permitted by other articles in this Code.

~~(B)(41)~~ **Types NM and NMS.** Types NM and NMS cable shall not be used as follows:

- ~~(1)a-~~ Where exposed to corrosive fumes or vapors.
- ~~(2)b-~~ Where embedded in masonry, concrete, adobe, fill, or plaster.
- ~~(3)e-~~ In a shallow chase in masonry, concrete, or adobe and covered with plaster, adobe, or similar finish.
- ~~(4)d-~~ ~~Where exposed or subject to excessive moisture or dampness~~In wet or damp locations.

~~(C)(42)~~ **Type NM.** Type NM cable shall not be used as follows: In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.080 NEC Article 338, Section 334.12–Amended.**

NEC Article 334 Nonmetallic-Sheathed Cable: Types NM, NMC, and NMS, Section 334.12 Uses Not Permitted, ~~(4A)~~ Types NM, NMC, and NMS is hereby amended to read as follows

NEC Article 338 Service-Entrance Cable: Type SE and USE, Section 338.12 Uses Not Permitted, is hereby amended by adding Section 338.15 Uses Not Permitted, is hereby amended to read as follows:

**338.1512 Uses Not Permitted.**

**(A) Service-Entrance Cable.** ~~Types SE and USE shall not be used as follows:~~ Service-entrance cable (SE) shall not be used under the following conditions or in the following locations:

(1) Where subject to physical damage unless protected in accordance with 230.50(B).

(2) Underground with or without a raceway.

(3) For exterior branch circuits and feeder wiring unless the installation complies with the provisions of Part I of Article 225 and is supported in accordance with 334.30 or is used as messenger-supported wiring as permitted in Part II of Article 396.

~~(4) In hotels, motel, commercial, mercantile, industrial, institutional, and public buildings.~~

**(B) Underground Service-Entrance Cable.** Underground service-entrance cable (USE) shall not be used under the following conditions or in the following locations:

(1) For interior wiring.

(2) For aboveground installations except where USE cable emerges from the ground and is terminated in an enclosure at an outdoor location and the cable is protected in accordance with 300.5(D).

(3) As aerial cable unless it is a multiconductor cable identified for use aboveground and installed as messenger-supported wiring in accordance with 225.10 and Part II of Article 396.

(4) In hotels, motel, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.090 NEC Article 340, Section 340.12–Amended.**

NEC Article 340, Underground Feeder and Branch-Circuit Cable: Type UF, Section 340.12 Uses Not Permitted, is hereby amended to read as follows:

**340.12 Uses Not Permitted.** Type UF cable shall not be used as follows:

(1) As service-entrance cable.

(2) In ~~C~~commercial garages.

(3) In theaters and similar locations.

(4) In motion picture studios.

- (5) In storage battery rooms.
- (6) In hoistways, or on elevators or escalators.
- (7) In any hazardous (classified) location except as otherwise permitted in the Code.
- (8) Embedded in poured cement, concrete, or aggregate, except where embedded in plaster as non-heating leads where permitted in 424.43.
- (9) Where exposed to direct rays of the sun, unless identified as sunlight resistant.
- (10) Where subject to physical damage.
- (11) As overhead cable, except where installed as messenger-supported wiring in accordance with Part II of Article 396.
- (12) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.100 NEC Article 352, Section 352.12—Amended.**

NEC Article 352, Rigid Polyvinyl Chloride Conduit: Type PVC, Section 352.12 Uses Not Permitted, is hereby amended to read as follows:

**352.12 Uses Not Permitted.** PVC conduit shall not be used under the conditions specified below:

**(A) Hazardous (Classified) Locations.**

- ~~—(1) In hazardous (classified) locations, except as permitted by other articles of this Code.~~
- ~~—(2) In Class I, Division 2 locations, except as permitted in 501.4(B), Exception.~~

**(B) Support of Luminaires (Fixtures).** For the support of luminaires (fixtures) or other equipment not described in 352.10(H).

**(C) Physical Damage.** Where subject to physical damage unless identified for such use.

**(D) Ambient Temperatures.** Where subject to ambient temperatures in excess of 50°C (122°F) unless listed otherwise.

~~—(E) Insulation Temperature Limitations.~~ For conductors whose insulation temperature limitations would exceed those for which the conduit is listed.

**(FE) Theaters and Similar Locations.** In theaters and similar locations, except as provided in Articles 518.4 and 520.5.

**(GF) Hotels, Motels, Commercial, Mercantile, Industrial, Institutional, and Public Buildings.** PVC shall not be used in hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.110 NEC Article 356, Section 356.12—Amended.**

NEC Article 356, Liquidtight Flexible Nonmetallic Conduit: Type LFNC, Section 356.12 Uses Not Permitted, is hereby amended to read as follows:

**356.12 Uses Not Permitted.** LFNC shall not be used as follows:

- (1) Where subject to physical damage.
- (2) Where any combination of ambient and conductor temperatures is in excess of that for which the LFNC is approved.
- (3) In lengths longer than 1.8 m (6 ft.), except as permitted by 356.100(5) or where a longer length is approved as essential for a required degree of flexibility.
- (4) In any hazardous (classified) location, except as permitted by other articles in this Code.
- (5) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

~~**15.16.120 NEC Article 358, Section 358.12 Amended.**~~

~~—NEC Article 358, Electrical Metallic Tubing: Type EMT, Section 358.12 Uses Not Permitted, is hereby amended to read as follows:~~

~~**358.12 Uses Not Permitted.** EMT shall not be used under the following conditions:~~

- ~~—(1) Where, during installation or afterward, it will be subject to severe physical damage.~~
- ~~—(2) Where protected from corrosion solely by enamel.~~
- ~~—(3) In cinder concrete or cinder fill where subject to permanent moisture unless protected on all sides by a layer of non-cinder concrete at least 50 mm (2 in.) thick or unless the tubing is at least 450 mm (18 in.) under the fill.~~
- ~~—(4) In any hazardous (classified) location except as permitted by other articles in this Code.~~
- ~~—(5) For the support of luminaries (fixtures) or other equipment except conduit bodies no larger than the largest trade size of the tubing.~~
- ~~—(6) Where practicable, dissimilar metals in contact anywhere in the system shall be avoided to eliminate the possibility of galvanic action.~~

~~—(7) In concrete below grade or in concrete slab or masonry in direct contact with the earth, nor embedded in earth or fill.~~

~~—Exception: Aluminum fittings and enclosures shall be permitted to be used with steel EMT where not subject to severe corrosive influences.~~

**15.16.130~~120~~ NEC Article 362, Section 362.12—Amended.**

NEC Article 362, Electrical Nonmetallic Tubing: Type ENT, Section 362.12 Uses Not Permitted, is hereby amended to read as follows:

**362.12 Uses Not Permitted.** ENT shall not be used in the following:

- (1) In hazardous (classified) locations, except as permitted by other articles in this Code.
- (2) For the support of luminaries (fixtures) and other equipment.
- (3) Where subject to ambient temperatures in excess of 50°C (122°F) unless listed otherwise.
- (4) For direct earth burial.
- ~~—(5) Where the voltage is over 600 volts.~~
- (6~~5~~) In exposed locations, except as permitted by 362.10(1), 36~~7~~2.10(5), and 362.10(7).
- (7~~6~~) In theaters and similar locations, except as provided in 518.4 and 520.5.
- (8~~7~~) Where exposed to the direct rays of the sun, unless identified as sunlight resistant.
- (9~~8~~) Where subject to physical damage.
- (10~~9~~) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.140~~130~~ NEC Article 378, Section 378.12—Amended.**

NEC Article 378, Nonmetallic Wireways, Section 378.12 Uses Not Permitted, is hereby amended to read as follows:

**378.12 Uses Not Permitted.** Nonmetallic wireways shall not be used in the following:

- (1) Where subject to physical damage.
- (2) In any hazardous (classified) location, except as permitted by other articles in this Code.

(3) Where exposed to sunlight unless listed and marked as suitable for the purpose.

(4) Where subject to ambient temperatures other than those for which nonmetallic wireway is listed.

(5) For conductors whose insulation temperature limitations would exceed those for which the nonmetallic wireway is listed.

(6) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.150140 NEC Article 388, Section 388.12–Amended.**

NEC Article 388 Surface Nonmetallic Raceways, Section 388.12 Uses Not Permitted, is hereby amended to read as follows:

**388.12 Uses Not Permitted.** Surface nonmetallic raceways shall not be used in the following:

(1) Where concealed, except as permitted in 388.10(2).

(2) Where subject to severe physical damage.

(3) Where the voltage is 300 volts or more between conductors, unless listed for higher voltage.

(4) In hoistways.

(5) In any hazardous (classified) location except ~~Class I, Division 2 locations~~ as permitted by other articles in this Code.

(6) Where subject to ambient temperatures exceeding those for which the nonmetallic raceway is listed.

(7) For conductors whose insulation temperature limitations would exceed those for which the nonmetallic raceway is listed.

(8) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.160150 Limits on permanent installation of wiring methods in certain structures.**

A. The terms of this provision apply only to the following building types and conditions:

1. One and two family dwellings and their accessory structures;

2. Building Type R2 classification with a construction type of III, IV, V and their accessory structures; or

3. An area of a structure with an environment that is not suitable for a standard metallic wiring method.

B. The following wiring methods may be installed in a permanent manner in the structures in subsection A. above:

1. Article 334: Nonmetallic-Sheathed Cable: Types NM, NMC, and NMS;
2. Article 338: Service-Entrance Cable: Types SE and USE;
3. Article 340: Underground Feeder and Branch-Circuit Cable: Type UF;
4. Article 352: Rigid Polyvinyl Chloride Conduit: Type PVC;
5. Article 356: Liquidtight Flexible Nonmetallic Conduit: Type LFNC;
6. Article 362: Electrical Nonmetallic Tubing: Type ENT;
7. Article 378: Nonmetallic Wireways;
8. Article 382: Nonmetallic Extensions; and
9. Article 388: Surface Nonmetallic Raceways.

C. If using the wiring method found in Article 334 Nonmetallic-Sheathed Cable: Types NM, NMC, and NMS in Building Type R2 classification with a construction type of III, IV, V and their accessory structures, the cables shall be concealed within walls, floors, or ceiling that provide a thermal barrier of material with at least a 15-minute thermal finish rating as identified in listing of fire-rated assemblies.

CITY OF RAPID CITY

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Mayor

Attest

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Finance Officer

(seal)