



ADMINISTRATIVE REPORT

Report Date: February 2, 2016
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VanRIMS No.: 08-2000-25
Meeting Date: March 8, 2016

TO: Vancouver City Council
FROM: Chief Building Official / City Electrician
SUBJECT: Electrical By-law Housekeeping Revision

RECOMMENDATION

THAT Council adopt the changes to the Electrical By-law presented in Appendix A;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law to amend the Electrical By-law generally in accordance with Appendix A.

REPORT SUMMARY

The BC Government per Ministerial Order M392, the Electrical Regulations (BC Reg. 100/2004) has been amended to adopt CAN/CSA C22.1-15, the 23rd Edition of the Canadian Electrical Code. It is recommended by staff that Council amend By-law 5563 the Electrical By-law to adopt CAN/CSA C22.1-15 to ensure the safety of the public.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Under Section 306(1)(a) of the Vancouver Charter, Council may make By-laws to regulate the construction of buildings, and, under section 306(w), may adopt by reference in whole or in part and with any change Council considers appropriate, any code relating to fire safety or energy conservation or affecting the construction, alteration, or demolition of buildings.

Under Section 314(1)(e) of the Vancouver Charter, Council may, subject to the Safety Standards Act and the regulations under that Act, provide for adopting, in whole or in part or with such modification as may be provided in the by-law, the rules and provisions of the Canadian Electrical Code promulgated by the Canadian Standards

Association with respect to electrical works, and constituting as regulations under the by-law the rules and provisions so adopted or modified.

On July 13, 1982 Council adopted the By-law No. 5563 the “Electrical By-law” a by-law to regulate electrical works in the city of Vancouver and its subsequent amendments.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The Acting City Manager and Acting General Manager of Planning and Development Services recommend approval of the foregoing.

REPORT

Background/Context

As previously identified, the City has the legal authority under Section 306(1)(a) of the Vancouver charter to make by-laws and amendments to ensure the safety, health, and protection of persons and property.

This extends to the adoption of the By-law 5563, the “Electrical By-law”, which under Article 7.1 adopts CAN/CSA 22.1-12, the 22nd edition of the Canadian Electrical Code, subject to any variations adopted pursuant to the provincial Safety Standards Act as permitted under Section 314(1)(e) of the Vancouver Charter.

Per Ministerial Order M392 (deposited December 2, 2015), the Electrical Regulations (BC Reg. 100/2004) has been amended to adopt CAN/CSA C22.1-15, the 23rd Edition of the Canadian Electrical Code effective February 29, 2016

Strategic Analysis

As previously identified, Council has for the protection of the general public and consistence with existing legislation, previously adopted CAN/CSA 22.1-12, the 22nd edition of the Canadian Electrical Code through the Electrical By-law as adopted by the *Safety Authority Act*.

Since governance of the electrical safety is required to conform with the provincial *Safety Authority Act*, staff recommend that the Electrical By-law be amended as provided in Attachment A, to adopt CAN/CSA C22.1-15, the 23rd Edition of the Canadian Electrical Code effective February 29, 2016 for consistency with the *Safety Authority Act*.

Implications/Related Issues/Risk (if applicable)

Financial

There are no financial implications.

Legal

The City has the legal authority under Section 314(1)(e) of the Vancouver charter to adopt the Canadian Electrical Code, in whole or in part or with such modification as may be provided in the by-law, and is subject to the Safety Standards Act and the regulations under that Act.

Consequently, staff recommend that the Electrical By-law be amended in order to avoid conflict with provincial legislation, and ensure the safety of the public through uniform enforcement of electrical regulations throughout the province.

CONCLUSION

Staff recommend that Council adopt the changes to the electrical by-law presented in Appendix A.

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BY-LAW NO. _____

**A By-law to amend the Electrical By-law No. 5563
regarding adoption of the Canadian Electrical Code, 23rd Edition and housekeeping**

THE COUNCIL OF THE CITY OF VANCOUVER, in regular council meeting, enacts as follows:

1. This By-law amends the indicated provisions of Electrical By-law No. 5563.
2. In Article 7.1, Council:
 - (a) strikes out “22nd”, and substitutes “23rd”; and
 - (b) strikes out “2012”, and substitutes “2015”.
3. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
4. This By-law is to come into force and take effect on _____, 2016.

ENACTED by Council this _____ day of _____, 2016

Mayor

City Clerk