

Staff Recommendation Document

Subject: Disapproval of Proposed Revision to IEBC Section 1007.3 – Electrical Service Upgrade Requirement

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To: Minnesota Rule 1311 – Technical Advisory Group

Summary

This document serves as a formal staff recommendation to **disapprove** the proposed code change to Section 1007.3 of the International Existing Building Code (IEBC). The Technical Advisory Group (TAG) approved a revision that replaces the current requirement “electrical service shall meet the requirements of NFPA 70 for the new occupancy” with “electrical service shall be upgraded to meet the requirements of NFPA 70 for the new occupancy.” While the Technical Advisory Group (TAG) has supported the revision, staff concludes that the change would result in unnecessarily restrictive enforcement practices and increased burden on projects.

Recommendation

Staff recommends retaining the existing language in Section 1007.3:

“1007.3 Service upgrade. Where the occupancy of an existing building or part of an existing building is changed, electrical service shall be upgraded to meet the requirements of [NFPA 70](#) for the new occupancy.”

This language allows building officials to determine compliance based on actual electrical load and system condition, providing necessary flexibility for enforcement and maintaining alignment with nationally adopted codes.

Rationale for Disapproval

1. Removes Professional Discretion
 - The proposed revision introduces a mandatory upgrade requirement triggered solely by a change in occupancy—even when the existing service already complies with NFPA 70. This eliminates critical judgment by code officials and inspectors, replacing performance-based evaluation with a categorical mandate.
2. Adds Unnecessary Financial Burden

- Automatic upgrade requirements can result in substantial costs for owners and developers without improving electrical safety—particularly for projects where existing service is adequate for the new occupancy.
 - Impacts tenant improvements and small adaptive reuse projects
 - May discourage investment in existing building stock
3. Creates Enforcement Ambiguity
- The revised language lacks nuance and does not differentiate between minor occupancy changes and substantial ones. This could lead to inconsistent enforcement, elevated disputes, and a rise in appeals—especially in cases where services are fully compliant under current codes.

Closing

Staff acknowledges and appreciates the TAG’s focus on safety and consistency. However, a more measured and performance-based approach better serves the goals of the code. By retaining the current language, code officials preserve enforcement flexibility, support economic feasibility, and ensure alignment with national standards.

Staff Recommendation:

Disapprove the proposed revision to Section 1007.3.