

STATE BUILDING CODE INTERPRETATION NO. I-18-04

December 7, 2004

The following is offered in response to your November 30, 2004 letter to me in which you seek a formal interpretation of the provisions of Article 210.25 of the 2002 National Electrical Code portion of the 1999 State Building Code.

Question: "Is a residential structure of two dwelling units required by Article 210.25 of the 2002 National Electrical Code (NEC) to have a house meter when one of the dwelling units is occupied by the owner?"

Answer: The 1999 State Building Code in its entirety makes no distinction between owner occupied and tenant occupied when setting forth its various requirements. The requirement for a house meter stems from the existence of common areas in the structure and is not dependant on whether or not one of the dwelling units is owner occupied. By definition, a two-family dwelling must have independent exits, so there can be no commonality with respect to means of egress. If the two units are constructed such that there are no common areas (ie: no shared basement; no shared laundry facilities; no shared heating or water pump system, etc.) there is no requirement for a house meter. When any facility within the structure that is powered by electricity is shared between the dwelling units, such shared or common facility must be on a separate meter so that it meets the code requirement of not being supplied from equipment that supplies an individual dwelling unit. This is regardless of who lives in the units.

Note: Since the electrical requirements of the 2003 International Residential Code (IRC) apply to two-family dwellings (use of the 2002 NEC is permitted as an alternative to the IRC under Section E3301.2.1), this interpretation also applies to the requirements of Section E3602.13 of the 2003 IRC.