

Gen. Ord. No. 58 - 13 - 14. By Alderperson Carlson. March 17, 2014.

AN ORDINANCE amending Article III of Chapter 26 of the City of Sheboygan Municipal Code so as to update the city electrical code to conform with changes to the state statutes and administrative code.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Article III of Chapter 26 of the City of Sheboygan Municipal Code, entitled "Electrical" is hereby repealed and re-created to read as follows:

"ARTICLE III. ELECTRICAL

DIVISION 1. GENERALLY

Sec. 26-196. Penalties for violation of article.

Any violation of, or noncompliance with, any of the provisions of this article shall subject the violator to a forfeiture of not less than \$150.00 nor more than \$750.00, together with the costs of prosecution; and in default of payment thereof, to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed 90 days. Each day of violation or noncompliance shall constitute a separate offense.

Sec. 26-197. Code adopted.

- (a) Chapters SPS 305 and SPS 316 of the Wisconsin Administrative Code, as well as § 101.862, Wisconsin Statutes, are adopted by reference and made a part of this article; any future amendments, revisions or modifications of such laws or codes incorporated in this section are intended to be made part of this article in order to secure uniform statewide regulation and enforcement of law relating to electricity.
- (b) Repairs and/or installations existing on the effective date of the ordinance from which this article is derived may be required to be brought into compliance with this article (current state electrical code) by the city, and within the time period determined by the city.

Sec. 26-198. Liability of other crafts.

Persons associated with crafts other than electrical and functioning in their native pursuits shall in no way alter the approved character of an electrical installation by the replacement of materials or equipment in too close proximity, by concealment, by making inaccessible or in any way affecting said approved electrical installation so as to render it in

violation of this chapter. Exception to the provision of this section shall be permitted where special written approval is obtained from the electrical inspector and the person owning or occupying the affected premises. Violation of this section shall also subject the offender to liability for construction costs incurred in remedying the electrical installation.

Sec. 26-199. Required.

No person shall alter, install or repair electrical wires and apparatus for the utilization of electrical current for light, heat or power in the city except in the usual operations of the public utility company, without first having obtained a license therefor as required pursuant to SPS 305, Wisconsin Administrative Code."

Sec. 26-200. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Electrical work means the installation, supervision or inspection of electrical wiring and equipment for the production, modification, regulation, control, distribution, utilization or safeguarding of electrical energy for mechanical, chemical, heating, lighting or similar purposes.

Estimated cost is electrical contractor bid price plus actual costs of any materials that are required for the electrical installation that is not provided for by the electrical contractor. Time and material jobs shall be based on estimated total cost. Upon completion of bid projects and/or time and material jobs, an additional permit shall be taken out to cover any extras that were in excess of the original permit.

Owner occupied is where the owner of a residential property has resided therein for no less than the previous three consecutive months.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Subdivision I. In General

Sec. 26-221. Right of access.

The electrical inspector and/or his assistants shall have the right during reasonable hours to enter any public or private buildings, or premises in

the discharge of their official duties or for the purpose of making any inspections or tests of electrical wires or appliances. They shall be given prompt access to any premises upon notification to the owner, occupant or other person in charge.

Sec. 26-222. Enforcement of article.

The electrical inspector shall enforce the provisions of this article.

Sec. 26-223. Inspectors not to engage in business.

The electrical inspector shall have no financial interest in any concern engaged in the installation of electrical wiring in the city at any time while holding the office of electrical inspector. Any violation of the provisions of this section shall be sufficient cause for his dismissal.

Sec. 26-224. Disconnections.

The electrical inspector shall have the authority to cause the disconnection of any wiring or equipment where such wiring or equipment in his judgment is dangerous to life or property or may interfere with the work of the fire department. No person shall reconnect any equipment thus disconnected without written permission from the electrical inspector.

Sec. 26-225. Arbitration.

Whenever the electrical inspector condemns all or part of an electrical installation in any building, the owner, within five days after receiving notice from the electrical inspector, may file a petition in writing with the chairman of the electrical examining board for review of the actions of the inspector. Upon receipt of such petition, the board shall at once proceed to determine whether the electrical construction complies with the requirements of this article; and shall, within three days, make a decision in accordance with its findings.

Sec. 26-226. Records.

The electrical inspector shall keep and maintain complete records of all permits issued, inspections made and other official work performed under the provisions of this article so as to afford full and prompt information concerning electrical installations.

Sec. 26-227. Re-inspection and/or no show fees.

Re-inspection fee shall be \$40.00.

No Show fee shall be \$40.00.

Maximum of one fee per inspection.

Sec. 26-228. Temporary installations.

The electrical inspector may grant special permission, for a limited period of time, for the installation or use of temporary electrical wiring or equipment which does not conform with the regulations of this article. The person installing such wiring or equipment shall be directly and legally responsible and accountable for the safe condition of the installation at all times and its complete removal at the end of the fixed temporary period as set by the inspector, or any time sooner when ordered by the inspector. Carnivals, circuses, theatrical acts, and exhibitions and all places of temporary outdoor assembly are included in the provisions of this section, and all electric wiring and equipment associated therewith shall be installed, maintained and operated in a safe and workmanlike manner.

Sec. 26-229. Emergency work.

In emergency work, the person doing or causing work to be done shall immediately, following commencement of the work, report the work to the electrical inspector on forms furnished by the inspector. Such work shall be performed in accordance with the provisions of this article.

Sec. 26-230. Electrical inspection for work requiring a permit under §26-257.

Upon completion of the wiring of any building or before any wiring is hidden from view, the person performing the work shall notify the electrical inspector, who shall inspect the installation within 48 hours of the time such notice is received. If it is found that such installation is fully in compliance with this article and does not constitute a hazard to life or property, the inspector shall approve the work and authorize concealment of the wiring or connection for electrical service. If the installation is incomplete or not strictly in accordance with the provisions of this article, the inspector shall issue orders to the person making such installation to remove all hazards and make the necessary changes or additions within ten days of such notice. Concealment of electrical work before inspection or failure to comply with the orders of the inspector shall constitute a violation punishable in accordance with

the provisions of this article. A contractor or employee or owner doing his own work as permitted by section 26-261 shall be present for the final and all required inspections.

Sec. 26-231. Responsibility for installation.

Any person who shall install electric wires or appliances shall be responsible for such installation until approved by the electrical inspector. Any person who shall make any additions, corrections, alterations or connections to the installation, after approval, shall be responsible for the correct functioning of the installation.

Subdivision II. Permits

Sec. 26-256. Unlawful use.

It shall be unlawful for any person licensed under the provisions of this article to obtain a permit for work to be done by any person not connected with such licensee or in the employ of such licensee; or to allow his name to be used by any other person for the purpose of doing any work coming under the provisions of this article.

Sec. 26-257. Required.

- (a) The electrical inspector shall issue permits for the execution of electrical installations for light, heat or power upon the filing of proper applications, which shall be made on forms furnished by the inspector and shall describe the nature of the work, as well as such other information as may be required for inspection. In no case shall any electrical work be done unless a permit therefor has been obtained, except as provided in sections 26-258 and 26-259. It shall be the responsibility of the property owner, as well as the electrician, to determine that a proper permit has been issued.
- (b) When any electrical work for which a permit has been issued is not started within six months from the date of the issuance of the permit, or if, after starting, there is a cessation of such work of more than six months, the permit shall lapse and be void, and no electrical work shall begin or resume until a new permit is obtained and fees paid.
- (c) Before any electrical permit for an interactive energy installation may be issued pursuant to this article, the person applying for the permit shall provide written approval for such installation from the respective electrical utility company. An interactive energy

installation is defined as an electrical system that operates in parallel with and may deliver power to an electrical production and distribution network.

Sec. 26-258. Annual plant permits.

- (a) In lieu of an individual permit for each installation or alteration, an annual permit may be issued to any person regularly employing one or more electricians for the installation, alteration and maintenance of electrical equipment in or on buildings or premises owned or occupied by the permit applicant. Application for an annual permit shall be made in writing to the electrical inspector and shall contain a description of the premises on which work is to be done under the permit. The annual permit shall be applicable only to work done by the plant electricians.
- (b) The person issued an annual permit shall keep a record of all electrical equipment installed under the permit, and the electrical inspector shall have access to such records. Each annual permit shall expire on June 30 next after the date of issuance, unless sooner revoked.

Sec. 26-259. Exemptions.

- (a) No permit shall be required by the provisions of this article for:
 - (1) The usual operations of the local electric utility company.
 - (2) The manufacturing, assembling, repairing, installation or testing of electrical equipment, for which no license is required under section 26-199.
 - (3) Minor repair work such as repairing cords, switches, replacing fuses or changing lamp sockets.
 - (4) Repairs made necessary for the proper maintenance of an existing installation.
 - (5) All electrical work, not requiring a service inspection, where the cost of materials is less than \$500.00. For purposes of this section, the term "materials" shall include all items necessary for complete installation, with used materials priced as new. Upon request of the building inspection department, the person performing such electrical work shall provide a complete list of materials being installed and the costs of said materials.

- (b) All work performed under the exceptions provided in subsections (a)(2), (a)(3), (a)(4) and (a)(5) of this section shall be performed in full compliance with this article.

Sec. 26-260. Plans and specifications.

At the time of the issuance of a permit required by the provisions of this article, the electrical inspector may require the manufacturer, owner, installer or user of electrical equipment to submit plans (drawings), data, specifications, schedules, literature, information, materials, samples or tests as may be necessary to determine the fitness of equipment for safe installations and use.

Sec. 26-261. Issuance restricted.

Permits required by the provisions of this article shall be issued only to a licensed electrical contractor or to a property owner to personally install an electrical system in an owner-occupied residential property comprised of not more than one dwelling unit. All new electrical services, service upgrades or service repairs shall be performed by a licensed electrical contractor.

Sec. 26-262. Fees.

The fees for permits and inspections required by the provisions of this article shall be as follows:

- (a) Standard fee.

- (1) Up to \$1,000.00 estimated cost of job\$ 75.00
 - (2) Each additional \$1,000.00 or fraction thereof20.00

- (b) Exceptions.

- (1) New one and two family residences, per unit\$200.00
 - (2) Renewable energy installations:
 - a. For one and two family residences, per unit.....\$300.00
 - b. For all other installations:
 - 1. Up to \$1,000.00 estimated cost of job\$75.00
 - 2. Each additional \$1,000.00 or fraction thereof10.00

- (c) Additional fee for inspections requested outside of normally scheduled hours\$100.00

Sec. 26-263. Failure to obtain permit and/or falsification of information on permit application.

For work started without a permit, except as provided in section 26-229, the fees shall be calculated as follows, per calendar year:

- (1) First incident, double regular fee, plus \$100.00.
- (2) Second and subsequent incidence, double regular fee, plus \$250.00.
- (3) Third and subsequent incidence, double regular fee, plus \$500.00.
- (4) Falsification of information on a permit application, \$250.00.

Sec. 26-264. Payment of fees.

All permit fees shall be paid to the building inspection department and credited to the general fund, and no permit shall be issued or held valid unless approved by the electrical inspector and fee paid to the building inspection department in the amount required for such permit.

Sec. 26-265. Arrearages.

No further permits shall be issued and/or inspections made to any licensee until all arrears in fees have been paid; and/or all lawful orders of the electrical inspector have been complied with.

DIVISION 3. BOARD OF ELECTRICAL AND HEAT EXAMINERS

Sec. 26-291. Composition.

The board of electrical and heating examiners shall consist of the following five members: One alderperson who shall be the chairperson of the board. The other four members appointed by the mayor shall be: One electrical contractor who shall be actively established in the electrical contracting business in the city; one licensed journeyman electrician; one licensed master or regular plant electrician; and one licensed heating contractor.

Sec. 26-292. Qualifications.

All members of the board of electrical and heating examiners shall have qualified in accordance with the requirements governing their classifications before confirmation by the council.

Sec. 26-293. Terms.

The alderperson member shall be appointed by the mayor, subject to confirmation by the council, at the first regular meeting of the council year, for a one-year term. The other four members shall be appointed on the third Tuesday in April for two-year terms, subject to confirmation by the council; provided, however, that the initial appointment of the electrical contractor member and the heating contractor member shall be for one-year terms.

Sec. 26-294. Vacancies.

Vacancies on the board of electrical and heating examiners shall be filled by appointment by the mayor, subject to confirmation by the council, except that the person appointed to fill a vacancy shall, if qualified, hold office for the unexpired term only.

Sec. 26-295. Secretary.

The electrical inspector shall act as secretary of the board of electrical and heating examiners.

Sec. 26-296. Meetings.

The board of electrical and heating examiners shall meet as required for the consideration of applications for license and such other business as may be before it.

Sec. 26-297. Quorum; required votes.

Three members of the board of electrical and heating examiners shall constitute a quorum for the transaction of business, but no recommendations for the issuance, suspension or revocation of a license shall be adopted except by an affirmative vote of four members of the board."

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor