

ORDINANCE NO. 2020-782

An ordinance amending, repealing, and recreating certain portions of Chapter 15.01 Building Code and 15.03 Electrical Code of the Janesville Code of General Ordinances, with penalties and other relief for violations thereof as set forth respectively, as applicable, in JGO Sec. 15.03.110 and Ch. 15.80.

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

SECTION I. Section 15.01.250 D. of the Code of General Ordinances of the City of Janesville is hereby amended to read as follows:

Section 15.01.250.D

D. Floor surface. The floor in all private garages shall be of concrete construction. No openings or pits in the floor shall be permitted, except for drainage to the sanitary sewer system. Discharge to grade is prohibited per Wisconsin Administrative Code Chapter SPS 382.38-1 note b. which is adopted and incorporated verbatim as if fully set forth herein, as from time to time amended or renumbered.

SECTION II. Chapter 15.03 of the Code of General Ordinances of the City of Janesville is hereby repealed and recreated to read as follows:

CHAPTER 15.03

ELECTRICAL CODE

| | |
|------------------|--|
| 15.03.010 | Janesville Electrical Code |
| 15.03.020 | Electrical Inspector |
| 15.03.030 | Electrical Inspections |
| 15.03.040 | Permits |
| 15.03.050 | Electrical Licenses and permit application requirements |
| 15.03.060 | Electrical Construction Requirements |
| 15.03.070 | Street Lighting and Traffic Lights |
| 15.03.080 | Invalidity |
| 15.03.090 | Liability of City |
| 15.03.100 | Appeals |
| 15.03.110 | Penalty |

Section 15.03.010 - JANESVILLE ELECTRICAL CODE.

The Janesville Electrical Code dated 2015 on file in pamphlet form with the City Clerk is hereby adopted and by reference and otherwise made a part of this chapter and ordinance. Every act, requirement, condition, obligation, regulation, standard, prohibition, rule, provision, and mandate set forth therein shall have the same force and effect as if fully set forth herein. Every act required or prohibited therein shall be required or prohibited by this chapter. This section adopts such modifications, changes and amendments thereto as may be made from time to time.

Section 15.03.020 - ELECTRICAL INSPECTOR - CREATION OF OFFICE - TERM - SALARY

A. There is hereby created the office of Electrical Inspector. Such inspector shall be appointed by the City Manager and shall hold office until removed by the City Manager or until his successor shall have been duly appointed and qualified. He shall receive such salary as prescribed by the City Manager, subject to the approval of the City Council.

B. Qualifications-Powers and Duties.

The person appointed to fill the office of the Electrical Inspector shall be a State of Wisconsin Licensed Master Electrician.

C. It shall be unlawful for the Electrical Inspector to engage in the business of the installation or maintenance of electrical wiring and appliances, either directly or indirectly and he shall

have no financial interest in any concern engaged in such business in the City of Janesville at any time while holding office of Electrical Inspector.

D. It shall be the duty of the Electrical Inspector to see that all electrical light, power and all other electrical apparatus connected with the same, are in strict conformity with provisions of this ordinance, the National Electric Code, and the Wisconsin State Electrical Code, issued by the Department of Safety and Professional Services, under authority of the State Statutes.

E. Said Electrical Inspector shall have the right, during reasonable hours to enter any public or private buildings in the discharge of his official duties, or for the purpose of making any inspections or test of the electrical wires and appliances contained therein, and shall have the authority to cause the turning off of all electrical currents and to cut or disconnect, in cases of emergency, any wire where such electrical currents are dangerous to life or property or may interfere with the work of the Fire Department.

Section 15.03.030 - INSPECTIONS

A. It shall be unlawful to connect up the equipment of a any building or areas specified in Wisconsin State Statute 101.875, to any electrical supply lines or to turn on the current, unless a certificate of inspection has been issued by the Electrical Inspector, and it shall be the duty of the electrical utility supplying electrical service to any building to secure a copy of the certificate of inspection from the Electrical Inspector, before supplying service to such building.

B. Upon the completion of the construction and installation of the electrical wiring and equipment of any building, including fire alarm systems, area of refuge systems, and other such emergency and life safety systems, it shall be the duty of the person, firm or corporation doing the same, to notify the Electrical Inspector, who shall inspect the installation. If the installation is found to be in compliance with the provisions of this chapter, the Inspector shall issue a certificate of inspection authorizing connection to the electrical service and the turning on of the current. If the Electrical Inspector, at the time of the inspection, finds any fault with the electrical wiring or equipment, the Inspector shall notify the person, firm or corporation of such fault. All electrical wiring and equipment which is to be concealed, shall be inspected before concealment and no other craft shall cover up or conceal such wires unless the installation has been inspected and approved by the Electrical Inspector. The licensed Electrician and/or licensed Electrical Contractor shall provide any necessary equipment to perform the inspection.

C. Persons, firms or corporations associated with crafts other than electrical and functioning in their trades shall in no way alter the approved installation of any electrical equipment by the placement of materials or equipment in too close proximity, by concealment, by making inaccessible, or in any way affecting the approved installation so as to make it in violation of this code.

D. Before a certificate of occupancy will be issued by the Building Inspector, it shall be the duty of the person, firm or corporation doing the installation of the electrical system to call the electrical inspector for a final inspection and to have all work conform to this code.

E. It shall be the duty of the State of Wisconsin Licensed Electrical Contractor who has obtained the electrical permit to contact the Electrical Inspector for all inspections, including the final inspection. The Wisconsin Licensed Electrical Contractor and/or the Wisconsin Licensed Master Electrician on record for the Contractor shall meet the Electrical Inspector for inspections when requested.

F. When electrical wiring and equipment is removed from a building for demolition purposes, the Wisconsin Licensed Electrician shall call for inspection when such wiring has been removed and all remaining wiring is installed in a safe condition.

G. Procedures when unsafe or illegal electrical equipment is discovered:

1. Notice to Owner; Failure to Comply. When the Electrical Inspector finds any electrical equipment to be unsafe or dangerous to persons or property, the person owning or using such electrical equipment shall be notified in writing by the Electrical Inspector to remove or cause to be removed or to make any changes or repairs as determined by the Electrical Inspector so as to restore such electrical equipment to a safe condition. Failure to comply with such notice within the time specified in such notice shall be sufficient cause for the Electrical Inspector to disconnect or order the discontinuance of electrical service to said electrical equipment or to cause the arrest and/or cause issuance of a citation to such person owning or using such electrical equipment.

2. In Emergency Situations, the Electrical Inspector shall have the authority to immediately disconnect or cause the removal or disconnection of any such electrical equipment in any of the following instances:

a. In any case of emergency, affecting the safety of persons or property, or where electrical equipment interferes with the work of the Fire Department.

b. Where electrical equipment is not installed in conformity with the regulations of this Chapter and in the professional opinion of the Electrical Inspector poses an immediate safety or fire risk.

3. Inspector to Attach Official Notice to Disconnect Equipment. When the Electrical Inspector disconnects or causes to be disconnected electric current from electrical equipment, the Inspector shall attach an official notice, tag, lock or seal to such electrical equipment to prevent the use of electricity. It shall be unlawful for any unauthorized person to detach such official notice, tag, lock, seal or to break open, change, remove, destroy, tear, alter, mutilate, cover, or otherwise deface any such official notice, tag, lock or seal.

H. Electrical Inspections required to be completed after normal business hours, such as, but not limited to emergencies, electrical service changes, and emergency lighting inspections will be assessed a special inspection fee determined by the adopted fee schedule. This fee shall be paid in full before the final electrical inspection will be approved and occupancy may occur.

Section 15.03.040 - PERMITS

A. Before any electrical wires or electrical apparatus shall be installed for lighting or power purposes, including fire alarm, area of refuge, and other such emergency and life safety systems, or any electrical construction work done, except minor electrical work, an electrical permit shall be obtained from the Electrical Inspector by a State of Wisconsin licensed Electrical Contractor as defined in SPS 305. The licensed Electrical Contractor shall be or shall employ a State of Wisconsin Licensed Master Electrician or a Residential Licensed Master Electrician as defined in SPS 305.

~~Permits obtained by industrial facilities exempted by the State of Wisconsin are required to obtain permits as outlined within this Code section, the permit is allowed to be obtained by the facility owner and signed by the employee responsible for the wiring.~~

1. The electrical permit application shall describe in detail the proposed installation or work and give the location of the premises where same is to be placed. No permit shall be issued unless satisfactory proof is furnished to the Electrical Inspector upon his request, that the applicant has been employed to perform the work or installation and will be responsible for the performance thereof in the manner required by the City ordinance or by the State laws; nor unless proof be submitted that the applicant has paid to the Electrical Inspector the fees herein required.

2. Any electrical wiring qualifying as "minor electrical work" as defined in section 15.03.060 B. shall not require an electrical permit.

B. A permit shall also be required for the installation of any outlet and any electrical wiring for use on any circuit including wiring for low voltage wiring (50 volts and below) for control of heating, ventilating, cooling, lighting, signal and communication equipment, excepting signal systems, operated by, and/or in conjunction with communications systems installed and maintained by a public utility. A State Electrical license is not required to obtain these low voltage permits.

C. Demolition or removal of electrical wiring and equipment, such as panelboards, transformers, luminaries, conduits, wires and similar electrical equipment within buildings shall require an electrical permit. Wiring shall always be left in a safe condition, with all wiring enclosed in proper enclosures.

D. In cases of emergency, work may be started before the permit has been issued, provided the Electrical Inspector is notified the same day such work is started. If the emergency occurs on a day the Building & Development Services Division is closed, the Division shall be notified the next business day.

E. Electrical permits shall expire 24 12 months after the date of issuance of the permit. If such permit expires, a new permit shall be issued at the regular fee rate.

F. ~~It shall be unlawful for any person with a State of Wisconsin Electrical Contractor license and/or a licensed Master Electrician to allow the use of his license, directly or indirectly, for the~~

purpose of obtaining local permits for others not directly employed as an employee by the licensed individual or company.

F.G. City of Janesville Electrical permits shall be signed by the State of Wisconsin Licensed Electrical Contractor and by the licensed Master Electrician of record for the Contractor if different.

Section 15.03.050 – LICENSES AND PERMIT APPLICATION REQUIREMENTS

A. State of Wisconsin Licensed Electrical Contractors shall submit the following information to the City of Janesville annually, at a date determined by the City of Janesville, or with the electrical permit application. Electrical permits shall not be issued unless such information is submitted to the City of Janesville Building and Development Services Division. The information shall be submitted by the applicant of the Electrical permit.

1. Copy of State of Wisconsin Electrical Contractor license.
2. Mailing and street address of the State of Wisconsin Licensed Electrical Contractor.
3. Phone number(s), fax number and e-mail address of the State of Wisconsin Licensed Electrical Contractor.
4. Name of the State of Wisconsin Master Electrician employed by the Licensed Electrical Contractor.
5. Copy of the State of Wisconsin Master Electrician license.
6. Mailing and street address of the State of Wisconsin Master Electrician.
7. Phone number(s), fax number and e-mail address of the State of Wisconsin Master Electrician.
8. No person shall be listed as the State of Wisconsin Master Electrician for an electrical permit who is not physically supervising any person or Company found to violate said requirement shall be subject to the penalty provisions of Section 15.03.110 of this chapter.

B. All persons installing wiring within the City of Janesville shall be licensed by the State of Wisconsin Master, Journeyman, Registered Electrician or other electrical licensed categories as defined in SPS 305. These licensed persons shall comply with the regulations set forth by SPS 305 requirements of Wisconsin State Statute 101.862 for their respective electrical licenses.

C. Unlicensed persons performing electrical wiring, whether or not for compensation, shall be in violation of this section and subject to the penalties set forth in section 15.03.120 of this chapter.

D. Homeowners are required to be properly licensed as a State of Wisconsin Residential Master Electrician or a State of Wisconsin Master Electrician for any electrical wiring associated with the electrical service or feeders within their single family home or on their residential property. Homeowners are allowed to install branch circuit wiring only.

D. Homeowners Test

1. The Homeowner's Test shall be given to persons who occupies their personal, single-family residence who wish to do their own electrical work. Identification shall be provided at the time of testing, in the form of a driver's license or other Government issued picture identification to assure the homeowner is the person taking the test. The address on the picture identification address shall correspond to the property address indicated by City of Janesville land records for which the person is applying to take the homeowners test. The passing score for the test shall be 70% or above in order for the homeowner to receive an electrical permit. If the homeowner does not pass the test, they will be allowed to retake the test 30 days from the date of the previous test. This test is to assure that the homeowner is qualified and competent to do electrical wiring in a safe and code complying manner.

2. The homeowners test shall be valid up to 1 year after such test is taken. The electrical permit shall be obtained for the same type of work for which the test was taken.

3. Homeowners who have installed wiring without 1st properly obtaining an electrical permit will only be allowed to take the homeowners test once, if the homeowner does not pass the test the 1st time, then the homeowner must hire a licensed Electrical Contractor to obtain an electrical permit and complete the electrical wiring.

Section 15.03.060 - ELECTRICAL CONSTRUCTION REQUIREMENTS

A. The current National Electrical Code (NEC), as adopted by the State Electrical Code, Department of Safety and Professional Services, Chapter SPS 316 and SPS 305 of the Wisconsin Administrative code, which changes and alterations are hereby adopted, is hereby adopted by reference. A copy of the current NEC and a copy of the Wisconsin Administrative Code SPS Chapter 316 and 305 are kept on file in the office of the Department of Public Works, Building & Development Services Division

B. Minor electrical work shall be defined as, repairing for the purpose of maintaining the existing electrical system only, such as replacing an existing light fixture, a receptacle, a motor, a lighting ballast and similar such item which are broken or not functioning properly. Minor electrical work does not include such items as replacing existing conduits, replacing multiple lights, receptacles or switches, relocating of electrical devices and similar type electrical wiring.

C. Where electrical services are upgraded or service equipment is replaced, the following work will be required:

1. All grounding shall be brought up to existing code requirements according to the current NEC, State Electrical Code, and the rules in this chapter.

2. All wiring in the basement must be brought up to existing electrical codes as stated in (a) above. Any wiring that is visible and is a safety hazard shall be corrected according to all current electrical codes. A minimum of 1 ground fault circuit interrupter protected receptacle shall be installed in existing unfinished basements. New receptacle outlets added shall comply with current electrical codes.

3. Panelboards installed for new electrical services shall have a minimum of 20 spaces for branch circuit breakers.

4. All electrical service equipment and associated electrical wiring shall be replaced, partial replacement of electrical service equipment and wiring shall only be allowed if specifically approved by the Electrical Inspector.

D. All temporary services and permanent services installed on poles or on the surface of any type of building shall have service conductors installed in rigid metal conduit, intermediate metal conduit, and electrical metallic tubing and PVC conduit.

E. All temporary wiring used in the construction of the building shall be taken out before buildings are given final inspection.

F. Raceways installed for the purpose of communication systems, fiber optic systems or similar systems located in Chapters 7 and 8 in the NEC, shall be installed in accordance with the Chapter 3 of the NEC.

C.G. Mobile Home Parks. Wiring from the utility company to the mobile home panel board shall be the responsibility of the mobile home park owner. All wiring, except inside the mobile home, shall be done by a licensed electrician and shall be the responsibility of the park owner.

H. Remodeling of existing dwelling units, electrical outlets (receptacles, switches, lighting outlets, smoke and carbon monoxide detectors, and similar type devices) shall be installed in accordance with present Code requirements when walls, ceiling and floor coverings are removed. Wall coverings include but are not limited to drywall, plaster, plywood, paneling and similar covering materials.

D. I. All occupancies where remodeling and/or renovations are taking place, the existing electrical wiring in such areas shall be in compliance with all applicable Electrical Codes. Existing wiring may remain as installed, if such electrical wiring was installed in accordance with applicable Codes at the time of the initial installation.

E. J. All electrical wiring and equipment shall be in compliance with this Code when installed, whether such electrical wiring and equipment is energized or de-energized.

Section 15.03.070 - STREET LIGHTING AND TRAFFIC LIGHTS

A. Unless otherwise specifically provided by ordinance or resolution of the Council all electrical work performed on City projects, whether street lighting or traffic signals, or otherwise, shall be constructed and all work done directly by the City without submitting the same for bids.

B. All work done except repair work on City owned traffic signals and street lights are required to have permits as defined in 15.03.040 of this chapter.

Section 15.03.080 - INVALIDITY OF PART

If any section, subsection, paragraph, clause or provisions of this code shall be adjudged invalid, such adjudication shall apply only to the provisions so adjudged, and the rest of this code shall remain valid and effective.

Section 15.03.090 - LIABILITY OF CITY

This ordinance shall not be construed to relieve or lessen the responsibility or liability of any party owning, operating, controlling or installing any electrical equipment for damages to anyone injured or any property destroyed by any defect herein nor shall the City be held as assuming any such liability by reason of the inspection authorized herein or certificate of inspection herein provided.

Section 15.03.100 - APPEALS

All appeals for variance of the NEC & SPS Chapter 316 shall be made to the State of Wisconsin. Any variance to Chapter 15 of the Code of Ordinances of the City of Janesville shall be made to the City of Janesville Zoning Board of Appeals.

Section 15.03.110 - PENALTY

A. Any person, firm or corporation, or any officer of any corporation, who violates or causes to be violated any provision of the building code or any order issued under the provisions of the building code shall, upon conviction thereof, be fined not less than twenty-five (\$25) dollars, nor more than five hundred (\$500) dollars, together with the costs of prosecution and in default of payment thereof shall be committed to the Rock County Jail for a term of not less than five (5) days nor more than sixty (60) days.

B. It shall be the responsibility of the offender to abate the violations as expeditiously as possible.

C. Each and every day that a violation continues constitutes a separate offense.

D. The city, in addition to the above penalties, may institute injunction, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove the violation, and/or the common council may revoke any license or permit.

E. If, in any action, a permit was issued, it shall not constitute a defense, or shall any error, oversight, or dereliction of duty on the part of the Electrical Inspector constitute a defense.

SECTION III. This ordinance shall take effect immediately upon adoption by the Common Council, the public health, welfare, peace, tranquility, good order, public benefit, and police power so requiring.