



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 63538

File ID: 63538

File Type: Ordinance

Status: Passed

Version: 1

Reference:

Controlling Body: Attorney's Office

Lead Referral: BUILDING CODE, FIRE
CODE, CONVEYANCE
CODE AND
LICENSING APPEALS
BOARD

Cost:

File Created Date : 12/28/2020

File Name: Chapter 19 Repeal and Replace Electrical Code

Final Action: 03/16/2021

Title: Repealing and recreating Chapter 19, Electrical Code, of the Madison General Ordinances.

Notes: 6453ch19revisions
MAYOR APPROVAL DATE 3/22/2021

Code Sections:

CC Agenda Date: 03/16/2021

Indexes:

Agenda Number: 9.

Sponsors: Michael E. Verveer

Effective Date: 03/27/2021

Attachments: 63538 Body.pdf

Enactment Number: ORD-21-00026

Author: Amber McReynolds

Hearing Date:

Entered by: jphelps@cityofmadison.com

Published Date: 03/26/2021

Approval History

Version	Date	Approver	Action
1		Michael Haas	Approved as to Form
1		Ryan Pennington	Delegate
1		Brent Sloat	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	12/28/2020	Referred for Introduction				
Notes: Building Code, Fire Code, Conveyance Code and Licensing Appeals Board							

1	COMMON COUNCIL	01/05/2021	Referred	BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD	02/02/2021	
Notes:						
1	BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD	01/19/2021	Refer	BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD	02/02/2021	02/02/2021
1	BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD	02/02/2021	RECOMMEND TO COUNCIL TO ADOPT WITH THE FOLLOWING RECOMMENDATION S - REPORT OF OFFICER			
Notes: Recommendation: Adopt the proposed fee structure changes for Ch. 19 of the MGO and defer other possible changes in Ch. 19 of the MGO to a future sub-committee of the Building Board of Appeals.						
1	COMMON COUNCIL	02/23/2021	Re-refer	BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD	03/09/2021	Pass
Notes:						
1	BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD	03/09/2021	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER			Pass
Ayes: 3 Louis J. Olson; Randall V. Baldwin and Gail A. Rutkowski						
Abstentions: 1 John P. Starkweather						
Excused: 4 Alissa M. Jenne; Sam J. Breidenbach; Richard A. Riphon and Craig E. Brown						
Non Voting: 1 James I. Glueck						
1	COMMON COUNCIL	03/16/2021	Adopt			Pass
Notes:						

Text of Legislative File 63538

Fiscal Note

The proposed ordinance is a series of ordinances updating to the City's building code and includes fee changes for building permits. The fee changes are pursuant to the 2021 Adopted Operating Budget, which assumed approximately \$350,000 in additional revenue from building permit fee increases. The fee changes comply with State requirements that fees collected are intended to equal the cost of administering and maintaining the Building Inspection program.

Title

Repealing and recreating Chapter 19, Electrical Code, of the Madison General Ordinances.

Body

DRAFTER'S ANALYSIS: This ordinance makes numerous changes to Chapter 19 of the Madison General Ordinances to update the City's electrical code. To simplify the changes, the

entire chapter is being repealed and recreated. The notable changes are as follows:

1. Adjusting and increasing permit fees as part of the budget proposal to account for the recent and projected decrease in departmental revenue.
 - Broadly, adjusted fees are intended to primarily impact large commercial type construction. Impact on fees for residential housing and remodel work will be limited.
 - Fees adjustments are projected to account for a decrease in revenue stemming from a slowdown in overall project growth.
 - Fees have not been adjusted in over a decade as the continued rapid rate of growth in the City has offset the devaluation of fees during this time.
 - The projected adjustment will comply with State requirements that fees collected are intended to equal the cost of administering and maintaining the Building Inspection program.
2. Adjusting text and formatting to create an easier and more streamlined ordinance with more user-friendly design.
3. Aligning and establishing clear and consistent program administration language to more plainly define valid permit timeframes, expiration dates, and renewal procedures.

The Common Council of the City of Madison do hereby ordain as follows:

Chapter 19 entitled "Electrical Code" of the Madison General Ordinances (MGO) is hereby repealed and recreated to read as follows:

See Legistar File No. 63538 "Body" in Attachments.

AN ORDINANCE _____

Repealing and recreating Chapter 19, Electrical Code, of the Madison General Ordinances.

PRESENTED	<u>January 5, 2021</u>
REFERRED	<u>Building Code, Fire Code, Conveyance Code and Licensing Appeals Board</u>

Drafted by: Amber McReynolds

Date: March 26, 2021

SPONSOR: Alder Verveer

DRAFTER'S ANALYSIS: This ordinance makes numerous changes to Chapter 19 of the Madison General Ordinances to update the City's electrical code. To simplify the changes, the entire chapter is being repealed and recreated. The notable changes are as follows:

1. Adjusting and increasing permit fees as part of the budget proposal to account for the recent and projected decrease in departmental revenue.
 - Broadly, adjusted fees are intended to primarily impact large commercial type construction. Impact on fees for residential housing and remodel work will be limited.
 - Fees adjustments are projected to account for a decrease in revenue stemming from a slowdown in overall project growth.
 - Fees have not been adjusted in over a decade as the continued rapid rate of growth in the City has offset the devaluation of fees during this time.
 - The projected adjustment will comply with State requirements that fees collected are intended to equal the cost of administering and maintaining the Building Inspection program.
2. Adjusting text and formatting to create an easier and more streamlined ordinance with more user-friendly design.
3. Aligning and establishing clear and consistent program administration language to more plainly define valid permit timeframes, expiration dates, and renewal procedures.

The Common Council of the City of Madison do hereby ordain as follows:

Chapter 19 entitled "Electrical Code" of the Madison General Ordinances (MGO) is hereby repealed and recreated to read as follows:

**"CHAPTER 19
ELECTRICAL CODE**

19.01 - TITLE.

This chapter shall be known as the Electrical Code of the City of Madison, Wisconsin.

19.02 - PURPOSE.

The purpose of this Code is the practical safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, and for other purposes.

19.03 - STATE ELECTRICAL CODES.

This code does hereby incorporate, adopt and enforce, by reference, Wis. Admin. Code ch. SPS 316 (Electrical Code), Wis. Admin. Code ch. SPS 324 (Uniform Dwelling Code—Electrical Standards) and all subsequent amendments, additions and recodifications thereto. Wis. Admin. Code ch. SPS 324 shall apply to all new one- and two-family residential buildings as well as alterations and additions to all

Approved as to form:

existing one- and two-family residential buildings, to accessory buildings, and to new portions of moved buildings.

19.04 - INTENT.

- (1) The intent of this Code is to provide the minimum regulations for the installation of electrical systems and to provide safe and stable design, good skillful methods and for the uses of materials and equipment.
- (2) To provide for licensing of qualified persons, the issuing of permits, interpretation of codes, inspection of installations, enforcement of this Code, and to provide for penalties for violation thereof.
- (3) The sections contained in this Code shall be binding alike upon the owner of a building or premises, every person in charge of or responsible for or who causes the construction, repair, alteration or improvement of any electrical system devices, fixtures, or equipment, and upon every person licensed under the provisions of this Code.
- (4) This Code is not intended as a design specification nor an instruction manual for untrained persons.

19.05 - SCOPE.

- (1) The provisions of this Code shall apply to all electrical work and installations in the City of Madison.
- (2) This Code provides for the administration and enforcement, permits, and fees, licenses, approval of materials, minimum installation standards, interpretations, and the correction of defective or obsolete installations.

19.06 - RULES AND DEFINITIONS.

- (1) In the construction of this ordinance, the rules contained in this section shall be observed and applied except when the context clearly indicates otherwise.
 - (a) Words used in the present tense shall include the future.
 - (b) Words used in the singular form shall include the plural number, and the plural the singular.
 - (c) The word "shall" is mandatory and not discretionary.
 - (d) The word "may" is permissive.
 - (e) The phrase "used for" shall include but not be limited to the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for".
- (2) All definitions as set forth in the 2017 NFPA 70 - National Electrical Code and Wis. Admin. Code ch. SPS 316, Electrical Code shall apply.

19.07 - ELECTRICAL INSPECTION.

- (1) Administration.
 - (a) To enforce the provisions of this chapter there is hereby created the Electrical Inspection subsection of the Mechanical Inspection section of the Building Inspection Division of the Department of Planning and Community and Economic Development and shall consist of an adequate number of Electrical Inspectors required to make the necessary inspections and investigations within a reasonable time.

- (b) The Electrical Inspectors, under an Inspection Supervisor and the Director of the Building Inspection Division, shall be responsible for the inspection of all electrical wiring as prescribed by the City ordinances.
- (c) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed seventy-five dollars (\$75) per compliance inspection, as defined in Section 27.03(2), MGO, that does not result in compliance with the order. A thirty-five dollar (\$35) charge may be assessed when an inspector fails to gain entry to carry out a compliance inspection.
- (d) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the Finance Director, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.

(2) Electrical Inspectors.

- (a) The Electrical Inspectors shall be Wisconsin Department of Safety and Professional Services Certified Commercial Electrical persons who are familiar with layout and inspection of electrical wiring and equipment and who shall have had at least two (2) years of practical experience as wireman, or trainee inspector or a combination of both. They shall be well versed in approved methods of electrical construction for safety to life and property, and the laws and ordinances pertaining thereto.
- (b) The Electrical Inspectors shall make inspections of all electrical wiring and equipment, shall have the right to enter any building during reasonable hours in the discharge of their duties, and shall have the authority to cause the disconnection of any wiring or equipment where such wiring or equipment in their judgment is dangerous to life or property, or may interfere with the work of the Fire Department.
- (c) When any electrical wiring or equipment is found by an Electrical Inspector to be dangerous to persons or property because it is defective, defectively installed, or not installed according to applicable codes, the person, firm, or corporation responsible for the electrical wiring or equipment shall be notified in writing and shall make any changes, alterations, or repairs required, in the judgment of an Electrical Inspector, to place such wiring or equipment in safe condition, and if such work is not completed within the period specified by an Electrical Inspector in said notice, an Electrical Inspector shall have the authority to order the disconnection of electrical service, and said wiring or equipment shall not be reenergized until written permission is obtained from an Electrical Inspector or their supervisors.
- (d) The Plan Review and Building Inspection Division Supervisor may hold membership and represent the City of Madison in the International Association of Electrical Inspectors and the National Fire Protection Association with the consent of the Director of the Building Inspection Division, and may serve on any electrical committee or administrative office of these associations to which they may be appointed or elected.
- (e) Inspectors shall not engage in the business of the sale, installation, or maintenance of electrical wiring, or equipment, either directly or indirectly, and

they shall have no financial interest in any business firm, corporation, copartnership or concern licensed by or engaged in such business in the City of Madison, Wisconsin, at any time while holding such office as herein provided for.

19.08 - LICENSE REQUIRED.

- (1) No person may work as an electrician or as an electrical contractor unless the person is licensed by or registered with the State of Wisconsin. No person may engage in the business of installing, repairing, or maintaining electrical wiring unless the person is licensed or registered as an electrical contractor by the State of Wisconsin.
- (2) No person may install, repair, or maintain electrical wiring unless the person is licensed as an electrician by the State of Wisconsin or unless the person is registered as a beginning electrician by the State of Wisconsin.
- (3) No person who is not a master electrician may install, repair, or maintain electrical wiring unless a master electrician is at all times responsible for the person's work.
- (4) Subsections (1) to (3) do not apply to any of the following:
 - (a) A residential property owner who installs, repairs, or maintains electrical wiring on premises that the property owner owns and occupies as a single-family residence, provided that the Division may issue a permit to the residential property owner only if the person desiring such permit shows that the person is competent to do such work in conformity with all rules and regulations governing installation of electrical wiring in residences, and such person pays the same fee as required of electrical contractors under Section 19.11 of this chapter.
 - (b) A person engaged in maintaining or repairing electrical wiring within a facility or on premises owned or leased by the person or by an entity for which the person is an agent.
 - (c) A person engaged in installing, repairing, or maintaining electrical wiring, apparatus, or equipment for elevators and escalators.
 - (d) A person engaged in installing, repairing, or maintaining equipment or systems that operate at one hundred (100) volts or less.
 - (e) A person engaged in installing, repairing, or maintaining an electronic system designed to monitor a premise for the presence of an emergency, to issue an alarm for an emergency, or to detect and summon aid for an emergency.
 - (f) A person engaged in installing, repairing, or maintaining electrical wiring of transmission facilities.
 - (g) A person engaged in installing, repairing, or maintaining manufactured equipment or a manufactured system that is designed to provide a function that is not primarily electrical in nature if the installation, repair, or maintenance does not involve the modification or installation of conductors beyond the disconnecting point or beyond the last junction, pull, or device box, whichever is nearer to the point where the person is performing the installation, repair, or maintenance.

19.09 - PERMIT REQUIRED.

- (1) It shall be unlawful for a person to enter upon the erection, construction, alteration or change of any electrical installation, work or wiring, except minor repair work as defined in Subsection (2) of this section, until a permit has been obtained from the Building Inspection Division of the Department of Planning and Community and Economic

Development by a person properly licensed for the category of work to be performed as set forth in Section 19.08 of this Code. The application for permit shall describe 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 Building Inspection Division of the Department of Planning and Community and Economic Development 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 ordinance and by law. The fees for such permit shall be paid in full at the time of submitting the permit application. An amended permit shall be used to correct any permit fees due for work that was performed and was not listed on the original permit. All applications for permits shall be signed by the license holder.

- (2) Minor repair work shall be construed to mean the replacement of broken or defective sockets, snap, push or toggle switches, convenience outlets, lighting fixtures and portable electric appliances.
- (3) The Building Inspection Division of the Department of Planning and Community and Economic Development shall furnish the license holder with application forms to be submitted upon application for the permit and payment of fees.
- (4) Exception: In the event of an emergency occurring at night or days when the Building Inspection Division of the Department of Planning and Community and Economic Development office is closed, when the immediate initiation of work is necessary for the protection of fire, health or property, such necessary work may be done without previously obtaining a permit number provided required number is obtained on the morning of the first business day following the start of such work and application and fees follow within ten (10) days.
- (5) The license holder responsible for the work shall complete any supplemental permit mailed to them and return it to the Director of the Building Inspection Division prior to commencing work. Failure to return the supplemental permit prior to commencing work shall be deemed to be working without a permit.
- (6) Electric permits shall lapse and be void unless the work authorized thereby is commenced within six (6) months from, and completed within twenty four (24) months of the date issued. Electric permits shall be eligible for an extension of a period of twelve (12) months from the date of expiration. Electric permits shall be eligible for a maximum of two extensions. The fees for such extension shall be one-half (1/2) of the original permit inspection fee. Upon lapse of a permit a new permit must be obtained pursuant to all the requirements of the code then in force.

19.10 - INSPECTIONS.

- (1) It shall be unlawful to connect up the electrical wiring and equipment of any building to any electrical supply lines or to turn on the current, unless a certificate of service inspection has been issued by an 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 service inspection from the Electrical Inspector before supplying service to such building.
- (2) Upon the completion of the construction and installation of the electrical wiring and equipment of any building, it shall be the duty of the firm, person, or corporation doing same to notify the Building Inspection Division of the Department of Planning and Community and Economic Development, who shall dispatch an Inspector to inspect the installation within two working days after the notice is given; and if the installation is found to be in compliance with the provisions of this chapter, they shall issue a certificate of service inspection authorizing connection to the electrical service and the turning on of the electrical service and the turning on of the current. All wires which are to be concealed shall be inspected before the concealment, and no other craft shall cover up or

conceal such wires until the installation has been inspected and approved and officially tagged to this effect by the Electrical Inspector.

- (3) Notifications for inspections may be made at the Building Inspection Division of the Department of Planning and Community and Economic Development office at any time during the working day. An electrical contractor who calls for an inspection and the work is not completed may be assessed twenty-five dollars (\$25) per inspection. Pursuant to Section 29.11, MGO, it is unlawful to occupy a building or permit a building to be occupied until final inspections have been made and a Certificate of Occupancy has been issued.)
- (4) A copy of the final certificate of service inspection shall be kept on file by the office of the Electrical Inspectors.

Commented [MA1]: Delete all of (5)

19.11 – ELECTRIC PERMIT FEE SCHEDULE.

Fee Schedule. Penalty for failure to obtain a permit before starting work shall be double the fees. This shall be in addition to any other penalties provided elsewhere in this ordinance; in addition, a penalty of one hundred dollars (\$100) shall be assessed for each day that any work requiring a permit progresses without a permit, calculated from the date the stop work notification is delivered to either the property owner or the contractor performing the work, until the date a permit is obtained.

When an application is submitted for a property where only the shell of the property is to be completed, the fee will be calculated at 50% of the total fee for that particular fee group. When an application is submitted for construction of the interior of a building where the shell of the building has been previously granted a permit, the fees shall be based on the square footage of that space as a percentage of the entire square footage of the subject building and that fee shall be calculated at 50% of the total fee for that particular fee group.

Project Type	Fees (Round up all fees to the next highest dollar)	
Group I – New Residential	\$.09 per sq. ft. Minimum Fee \$25.00	The use group shall include new construction and any additions to all single or two family residential buildings and to all commercial building space classified as R-2, R-3, or R4.
Group II – New Commercial Non Residential	\$.11 per sq. ft. Minimum Fee \$25.00	The use group shall include new construction and any additions to all commercial building space classified as A-1, A-2, A-3, A-4, A-5, B, E, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, or R-1.
Group III – New Industrial	\$.06 per sq. ft. Minimum Fee \$25.00	The use group shall include new construction and any additions to all commercial building space classified as F1, F2, S-1, S-2, or U and other buildings not classified in Groups I, II and IV.
Group IV – Alterations And Special Fees	\$25.00 first ten (10) openings \$1.00 each additional	The use group shall include all alterations and repairs to existing structures. Openings include switches, convenience outlets,

	opening	fixtures, and fixed appliance connections.
Electric Service Replacement	\$50.00 per service panel	The fees for a change of location or replacement of equipment on the same premises shall be the same as that for a new installation.

19.12 - REGULATION OF SALE OF ELECTRICAL APPLIANCES.

It shall be unlawful for any contractor, dealer, individual, firm or corporation to offer for sale in the City of Madison any electrical appliance, apparatus, or materials which do not bear the seal, stamp, or identification of a testing firm or laboratory recognized by the City of Madison, which tests to published standards.

19.13 - UNDERGROUND UTILITY ENTRANCE FACILITIES.

- (1) Purpose. The Common Council of the City of Madison does hereby declare it to be the public policy of the City of Madison to favor underground electrical and communications facilities. The exercise of police power to implement this public policy is based on the public benefit received including (but not limited to) the following reasons:
 - (a) Clearing scenic views;
 - (b) Improving civic appearance;
 - (c) Removing safety hazards which are a danger to pedestrians and motorists;
 - (d) Overcoming the threat of temporary loss of service due to high winds and ice conditions;
 - (e) Eliminating damage to overhead equipment by wildlife;
 - (f) Eliminating damage to wildlife by overhead equipment;
 - (g) Eliminating trimming of street trees required to prevent damage to overhead wires.

This ordinance is adopted to facilitate the orderly replacement and/or transfer from overhead facilities consistent with desirable aesthetic goals and sound economic practices. The Common Council of the City of Madison finds the utilities and other entities furnishing major utility services and other services transmitted by wire or coaxial cable have previously adopted policies of converting from overhead service to underground service.

- (2) Definitions. In this section the following definitions shall apply:
 - (a) The term "underground entrance facilities" shall mean the conductors, cable, conduit and/or equipment necessary to transmit electrical or communications energy from the aerial or underground distribution system of the supplier to the main disconnect, junction or protector panel in or on the customer's premises and shall include all electric, communications, signal and CATV facilities.

- (b) The term "electrical services" as used in this section shall mean the conductors and equipment for delivering energy from the electrical supply system to the wiring system of the premises served.
- (c) The term "permanent electrical service" as used in this section shall mean electrical services which are anticipated to remain in place or actually remain in place for more than a 90-day period of time, provided however that the term "permanent electrical service" shall not include overhead services of a temporary nature which are installed to provide electrical service during construction, remodeling, renovation, repair or demolition of bridges, structures, equipment or similar activities, or during emergencies or for tests or experiments relating to the public safety.

(3) Areas of Application.

- (a) Central City Area. The requirements of Subsection (4) shall apply in that part of the City of Madison lying between Lake Monona and Lake Mendota bounded by the Yahara River on the northeast, and the line comprising the intersecting centerlines of Drake Street, Garfield Street, Monroe Street, Breese Terrace, University Avenue and Babcock Drive on the southwest. The reason for such application is because it is recognized that within this area the present overhead electric distribution system and telephone system are old by comparison with most of the rest of the distribution systems. Such systems are inadequate in capacity to supply new buildings which will ultimately replace old existing buildings and, because it is further recognized that the buildings in this area are the oldest in the City and are being replaced by new buildings on a gradual basis.
- (b) Major Street Area. The provisions of this section shall also apply to buildings situated on property fronting on the following major streets, excepting those properties receiving utility or communication services from rear or side streets:
 - 1. John Nolen Drive - Blair Street to Beltline;
 - 2. Gammon Road - Mineral Point Road to Old Sauk Road;
 - 3. Milwaukee Street - Walter Street to Stoughton Road;
 - 4. Milwaukee Street - Stoughton Road to I-90;
 - 5. Old Sauk Road - Old Middleton Road to Gammon Road;
 - 6. University Avenue - Bassett Street to westerly city limits;
 - 7. South Gammon Road - Seybold Road to Park Ridge Drive;
 - 8. Fish Hatchery Road - Wingra Drive to Greenway Cross;
 - 9. Mineral Point Road - Racine Road to West Beltline Highway;
 - 10. Raymond Road - McKenna Boulevard to westerly city limits.
- (c) Underground Utility Districts. The requirements of Subsection (4) shall apply to properties located in Underground Utility Districts, as determined under Subsection (6).

(4) General.

- (a) Any new building, sign, signal or structure requiring a separate permanent electrical service constructed in the areas described in Subsection (3) above

after the effective date of this section shall be constructed with underground entrance facilities.

- (b) Every existing building, sign, signal or structure requiring permanent electrical service in the area described in Subsection (3) above, which is being remodeled, and where the cost of such remodeling is estimated to exceed or actually exceeds fifty percent (50%) of the Assessor's full market value of said building, shall be constructed with underground entrance facilities. Except for properties located in an Underground Utility District, where the utilities' verified estimated costs to the customer of installing underground entrance facilities exceeds five percent (5%) of the total remodeling cost, the underground entrance facilities requirement of this subdivision (b) will be waived upon request to and the furnishing of written proof of qualification to the Building Inspection Division of the Department of Planning and Community and Economic Development. Said estimated customer costs must be verified with written estimates from the utilities which have been furnished to the Building Inspection Division of the Department of Planning and Community and Economic Development.
 - (c) Every existing building, sign, signal or structure in the area described in Subsection (3) above requiring permanent electric service, which has received or is eligible to receive a subdivision (b) waiver or in which electrical remodeling includes replacement of the entrance equipment, shall be constructed or reconstructed with entrance equipment sufficient to enable said building, sign, signal or structure to be connected with underground entrance facilities without further modification.
 - (d) Installation of underground entrance facilities for all other services transmitted by wires, coaxial cable, or any other conductors shall be made at the same time as any required electrical service modifications made pursuant to this Section.
- (5) Throughout the City of Madison, when the total estimated electrical demand exceeds fifty (50) kw in any new building or any building which is being remodeled, and when the cost of remodeling is estimated, or exceeds fifty percent (50%) of the Assessor's full market value of said building, the owner shall provide vault space or space for pad-mounted transformers in accordance with applicable provisions of the Wisconsin Electrical Code and all applicable service rules of the electric utility providing service for such building.
- (6) Underground Utility Districts.
- (a) Declaration of Policy. Pursuant to the adopted Policy for Funding the Undergrounding of Overhead Utility Lines (RES-11-00256), or said policy as it is amended from time-to-time, the City may pursue the undergrounding of utility services in designated districts in combination with other capital improvement projects. While some properties in a district may already be served underground or have the facilities needed to accept underground service, some buildings in a district that are being served overhead will not be ready for underground service without a modification of the entrance facilities or internal wiring of the building. The purpose of this Subsection is to establish a mechanism that will give property owners sufficient time to ensure that their property can accept underground service, and provide these property owners with a portion of the funding for the necessary service modifications. The establishment of Underground Utility Districts under this Subsection represents an exercise of the police power of the City of Madison.
 - (b) Establishment of Underground Utility District.
 - 1. To establish an Underground Utility District, the Common Council shall adopt a resolution declaring the boundaries of the District and its intention to place overhead utility services underground in the District.

This resolution shall describe the undergrounding project, the limits of the proposed District, a list of all the properties affected by the undergrounding project, and the estimated number of affected properties that are served overhead and are not ready to receive underground service.

2. Before adopting this resolution, a notice shall be published in the official newspaper stating that the Board of Public Works will hold a public hearing on the creation of the Underground Utility District. Such notice shall be published as a Class I notice, under Wis. Stat. ch. 985, and mailed to every interested person whose post office address is known or can be ascertained with reasonable diligence, along with a summary of the requirements of property owners in Underground Utility Districts under this Subsection. The hearing shall commence not less than ten (10) days and not more than forty (40) days after such publication and mailing.
 3. The Board of Public Works shall hold a public hearing on the resolution and at the conclusion of the public hearing shall make a recommendation to the Common Council to take an action on the resolution.
 4. Upon adoption of the resolution by the Common Council, the Underground Utility District shall be deemed established. A copy of the resolution adopted by the Common Council shall be mailed to every interested person whose post office box is known or can be ascertained with reasonable diligence, along with a summary of the requirements of property owners in Underground Utility Districts under this Subsection.
- (c) Requirement to Modify Service. Every property owner in an Underground Utility District must modify the property's electrical services to accept underground service within twenty-four (24) months of the establishment of the District, unless the property owner is granted a modification deadline extension by the City Engineer under Subdivision (d), in which case the property owner has until the deadline established by the City Engineer to modify the property's electrical service. Any person who fails to modify the property's electrical service to accept underground service within this time period shall be subject to a forfeiture of not less than twenty-five (\$25) dollars and no more than one-hundred dollars (\$100). Each day a violation continues shall be considered a separate offense.
- (d) Modification Deadline Extension. A property owner may apply to the City Engineer for an extension of the time in which to modify electrical service as required under Subdivision (c). This application must be made within the twenty-four (24) month period and no extension will be granted if the application is made after this period. The City Engineer may grant an extension of time for compliance with the requirements of this Subsection if either of the following conditions are met:
1. The property owner meets the criteria for eligibility for loans for payment of special assessments or special charges as set forth in Sections 4.082(2)(a)-(c) and (e), MGO.
 2. The cost of service modification is greater than three (3) times the maximum amount that the City will reimburse the property owner under Subdivision (e).
- (e) Reimbursement for Undergrounding Service Modifications.
1. Reimbursement. The City will reimburse an eligible property owner for fifty percent (50%) of all costs incurred by the property owner to modify

the entrance facilities or internal wiring of the building to comply with the requirements of this Subsection, up to one-thousand dollars (\$1,000) adjusted annually on January 1 in accordance with the Construction Cost Index as published by the Engineering New Record or a similar index if the Engineering New Record index does not exist. The City Engineer shall maintain the annual maximum reimbursement amount.

2. Eligibility. All properties in the Underground Utility District that, upon creation of the District, are served by overhead electrical service and are not ready to accept underground service without a modification of the entrance facilities or internal wiring of the building are eligible for reimbursement of the service modification costs under Paragraph 1, provided the modifications are made and completed, and an approved inspection is made, within twenty-four (24) months of the creation of the District, unless the City Engineer grants an extension under Subdivision (d), in which case the property owner has until the end of the extension period to make and complete the service modifications to be eligible for reimbursement under Paragraph 1.
3. Application Requirements. An application for reimbursement under Paragraph 1 must include, as documentation of replacement and cost, a payment receipt from a licensed electrician for modifying the entrance facilities or internal wiring of the building to comply with the requirements of this Subsection, as well as documentation of an approved inspection by a City Electrical Inspector. Disputes regarding eligibility for a reimbursement may be appealed to the Board of Public Works.

19.14 - SIGNS ON VEHICLES.

Every electrical contractor vehicle in use for the sale of electrical services in the City of Madison shall display a sign of 225 square inches. The company name letters shall be at least two inches high. Failure to comply will subject the company to penalties in Section 19.15, MGO.

19.15 - PENALTY.

Any person who shall violate any of the provisions of this chapter or fail to comply with any of its requirements or who shall neglect or refuse to comply with a lawful order of the Director of the Building Inspection Division or their designee, issued pursuant to the provisions of this chapter, shall be subject to a forfeiture of not less than ten dollars (\$10) nor more than one thousand dollars (\$1,000) for each and every violation thereof. Each day or portion thereof such violation continues shall be considered a separate offense."