CHAPTER 16

ELECTRICAL CODE

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16.01 DEFINITIONS. As used in this chapter, the following terms are defined as follows unless the context clearly requires otherwise:

(1) "Contractor" means a person holding an electrical contractor's license from the State of Wisconsin Department of Safety and Professional Services.

(2) "Electrical Work" means the installation, modification, or superintending of electrical wiring or equipment within the scope of Wis. Adm. Code Ch. SPS 316.

(3) "Industrial Firm" means a person engaged in business at a fixed location in the City.

(4) "Inspector" means the Electrical Inspector for the City of West Bend.

(5) "Journeyman" means a person holding a current, valid license from the Wisconsin Department of Safety and Professional Services as a journeyman electrician.

(6) "Master" means a person holding a current, valid license from the Wisconsin Department of Safety and Professional Services as a master electrician.

16.02 STATE REGULATIONS ADOPTED. Except as otherwise specifically provided in this chapter, the provisions of Wis. Adm. Code Ch. SPS 316 and any Wisconsin Statutes governing matters within the scope of said chapter SPS 316 are adopted and by reference made a part of this chapter as if fully set forth herein. Any future amendments, revisions or modifications of the statutes and administrative code provisions incorporated herein are also made part of this chapter upon their effective dates.

16.03 FEES. The fees for permits and inspections under this chapter shall be determined from time to time by the Common Council. A schedule of such fees shall be kept on file in the office of the Inspector.

16.04 PERMITS.

(1) PERMIT REQUIRED. No person shall perform any electrical work in the City without obtaining a permit from the Inspector.

(2) APPLICATION.

(a) Any application for a permit shall be completed on a form furnished by the Inspector, describe the electrical work to be performed, include payment of the permit fee and include such other information as the Inspector may require.

(b) The Inspector may require submission of plans, drawings, data, specifications, schedules, literature, information, material samples or tests as the Inspector deems necessary to determine the fitness of equipment for safe installation.

(c) REFUNDS. No fees paid under this chapter shall be refunded unless the Electrical Inspector determines that the fees were not owed to the City. Any related costs incurred by the City, including the cost of making the refund, may be deducted from a refund made under this section if the Inspector determines that the person to whom the refund is made bears some fault in creating the conditions of the refund.

(3) LATE PERMITS.

(a) Electrical work made necessary by emergency conditions may be commenced prior to application for or issuance of a permit provided that all of the following conditions are met:

1. The work conforms to the requirements of this chapter,
2. The work is necessary to protect the public health or safety, and
3. The person performing the work reports the work to the Inspector and submits a sufficient application for a permit by the next business day.

(b) Except as provided in par.(a), if electrical work is started before a permit is issued, the fee for the permit shall be double the usual fee charged. Issuance of a permit after work is started shall not relieve the owner or the person performing the work from liability for penalties for commencing the work without a permit.

(4) EXPIRATION.

(a) Permits shall expire twenty-four (24) months after being issued. No work shall be performed after a permit has expired unless a new permit is obtained.

(b) An application for a permit for temporary work shall specify a period of time not to exceed ninety (90) days during which the work will remain in service. Service to the work shall be terminated at the end of the specified period and shall not again be connected without written permission from the Inspector.

(5) TO WHOM ISSUED. Permits shall be issued only to the following persons:

(a) A contractor;

(b) A business holding a valid Annual Plant Permit for work on the premises covered by the Permit; or

(c) The owner of a single-family residence as provided in sec. 16.09(2).

16.05 ANNUAL PLANT PERMIT. An Annual Plant Permit may be issued to licensed electrical contractors or businesses or industries employing a Master Electrician a minimum of twenty (20) hours per week for maintenance and repair of existing wiring and equipment for commercial/industrial establishments.

(1) APPLICATION. Application for an Annual Plant Permit shall be made to the Inspector and shall include the following:

(a) A completed application on a form provided by the Inspector;

(b) A description of the premises on which work is to be done under the permit; and

(c) Payment of the permit fee.

(2) WORK PERMITTED. An Annual Plant Permit shall only apply to electrical work meeting all of the following requirements:

(a) Work described pursuant to (1) of this section, and

(b) Work consisting of maintenance or repair of existing wiring or equipment or replacement, alteration, or installation involving less than 200 amps and not more than 600 volts.

(3) INSPECTION REQUIRED. Electrical work performed under an Annual Plant Permit is not exempt from the requirements of sec. 16.07.

(4) TERM. Annual Plant Permit shall be effective from January 1 to December 31.

(5) GRANT.

(a) The Board of Electrical Examiners may grant, deny or grant with conditions or restrictions any application for a Annual Plant Permit as the Board determines to be in the best interests of the public health, safety, and welfare.

(b) The Inspector may amend the description of the premises covered by an Annual Plant Permit upon receipt of documentation deemed adequate by the Inspector.

(c) The Inspector may issue renewals of Annual Plant Permits upon receipt of the documents and fees set forth in sub. (1) provided there are no changes other than in the description of premises.

16.06 RENEWAL, SUSPENSION AND REVOCATION OF ANNUAL PLANT PERMITS.

(1) RENEWAL. All Annual Plant Permit shall expire on December 31 next after the date of issuance unless sooner revoked. Annual plant permits may be renewed upon application and payment of the renewal fee not later than thirty-one (31) days after date of expiration.

(2) REVOCATION. When an annual plant permit is revoked as provided in sec. 16.11(2)(b), a new permit shall not again be granted to the same contractor or firm for a period of thirty (30) days nor until the contractor or firm shall have made application and paid the fees as required for the initial permit.

(3) SUSPENSION OF ANNUAL PLANT PERMIT.

(a) The Inspector may suspend an Annual Plant Permit for substantially or repeatedly creating a hazardous condition or otherwise violating this chapter. During any suspension, the permit holder shall not obtain any permits or perform any electrical work other than as authorized by the Inspector to correct the hazardous conditions or

violations. The suspension shall not be terminated until all hazards and violations have been corrected.

(b) If at any time an Annual Plant Permit holder is without a master electrician employed twenty (20) hours per week as required in sec. 16.05, the Annual Plant Permit and any permits issued to the permit holder are automatically suspended for the period of time a master electrician is not a employed for twenty (20) hours per week.

1. No electrical work shall be performed while the Annual Plant Permit is suspended except as specifically permitted by the Board of Electrical Examiners.

2. Both the Annual Plant Permit holder and the master shall inform the Inspector within one (1) work day if a master ceases to be a twenty (20) hour per week employee of an Annual Plant Permit holder.

3. In the event of an emergency, the Electrical Inspector may permit the Annual Plant Permit holder of a permit suspended under this paragraph to do electrical work for a period not to exceed sixty (60) days under such restrictions, conditions and limitations as it determines reasonably appropriate to protect the public health and safety and achieve the purposes of this chapter.

16.07 INSPECTION.

(1) GENERAL. The Inspector shall be notified upon the completion of any electrical work and before any wiring or equipment is hidden from view and the Inspector shall inspect the wiring and equipment within two (2) business days of receiving notice. If the Inspector finds that such wiring and equipment is fully in compliance with this chapter and does not constitute a hazard to life or property, the Inspector shall approve and authorize concealment of the wiring or equipment. If the wiring or equipment is incomplete or not installed strictly in accordance with this chapter or otherwise creates a hazard, the Inspector shall issue orders to remove all hazards and make other necessary changes or additions. Concealment of wiring or equipment before inspection or failure to comply with an order of the Inspector is a violation of this chapter.

(2) CERTIFICATE OF INSPECTION. No electrical installation shall be energized until a Certificate of Inspection has been issued by the Inspector. No Certificate of Inspection shall be issued unless the electric installation and all other electrical apparatus connected with it are in strict conformity with the provisions of this chapter. Any person who performs electrical work shall be responsible for the same. Any person who makes any additions, corrections, alterations or connections to the installation thereafter shall be responsible for the correct operation of the installation.

16.08 LIABILITY OF OTHER CRAFTS. No person shall in any way alter the approved character of wiring or equipment by the placement of materials or equipment proximity, by concealment, by making inaccessible, or in any way affecting the approved wiring or equipment so as to render it in violation of this chapter.

16.09 WHO MAY DO ELECTRICAL WORK. Except as otherwise provided in this section, only journeymen and master electrician may perform electrical work in the City. The following persons may perform electrical work without being a journeymen or master electrician:

(1) CONTRACTOR EMPLOYEES. Employees of a contractor may perform electrical work provided they are licensed with the Wisconsin Department of Professional Services.

(2) HOMEOWNER. A homeowner may perform electrical work on a single-family dwelling, if he or she owns and occupies it as his or her permanent residence, except that the homeowner may not repair or replace the electrical service to the dwelling or install electrical wiring to hot tubs, spas or swimming pools. Any electrical work must be permitted, inspected and approved according to this chapter. In addition, if requested by the Inspector, a homeowner must demonstrate his or her ability to conform the work to all applicable rules and regulations by furnishing drawings or plans of proposed work.

(3) ANNUAL PLANT PERMIT. An employee of a valid Annual Plant Permit holder may perform electrical work authorized by the Annual Plant Permit. Employees other than a master electrician shall be under direct supervision of the master electrician employed.

16.10 INSPECTOR.

(1) ENFORCEMENT. The Inspector shall be under the supervision of the Superintendent of the Division of Building Inspection and shall enforce all the provisions of this chapter. He/She shall prepare suitable forms for applications, permits and other reports.

(2) RIGHT OF ACCESS TO BUILDING. The Inspector and his/her assistants shall have the right to enter any public or private building or premises during reasonable hours. Failure by the owner or person in charge to permit prompt access to any premises is a violation of this chapter.

(3) AUTHORITY TO DISCONTINUE ELECTRICAL OPERATIONS. The Inspector shall have the authority to turn off of all electric power to any equipment which he/she finds it to be in an unsafe condition, and cut or discontinue electrical service in case of emergency where such electric power is dangerous to life or property or may interfere with the work of the Fire Department. No person shall reconnect any equipment thus disconnected until permission is given by the Inspector in writing.

(4) PERIODIC INSPECTION.

(a) The Inspector may periodically make thorough examinations of any electrical wires and equipment installed within the City. When such wires or equipment are found to be in a dangerous or unsafe condition, or not in conformity with the requirements of this chapter, the Inspector shall notify the person installing, operating, using or owning the wires or equipment to repair, replace or remove the wires or equipment. Any such person failing or refusing to do so within the time specified by the Inspector is in violation of this section.

(b) The Inspector shall make annual or more frequent inspections of premises for which an Annual Plant Permit has been issued.

16.11 BOARD OF ELECTRICAL EXAMINERS.

(1) MEMBERSHIP. The Board of Electrical Examiners shall consist of five (5) members and one (1) alternate member who shall be appointed by the Mayor for staggered three (3) year terms.

(a) The five (5) members shall be:

1. A member of the Council;
2. An electrical engineer or technician from the electric utility operating in the City; and
3. Two master electricians; and
4. A person employed to do electrical work under an Annual Plant Permit.

(b) The alternate member may be selected from any of the above groups.

(c) The Inspector shall be the secretary of the Board.

(2) POWERS AND DUTIES.

(a) ANNUAL PLANT PERMITS. All applications for Annual Plant Permit shall be referred by the Inspector to the Board of Electrical Examiners and the Board shall grant Annual Plant Permit to qualified and competent applicants licensed with the Wisconsin Department of Professional Services.

(b) REVOCATIONS. Following a hearing, the Board of Electrical Examiners may revoke any permit issued under this chapter for:

1. Any violation of this chapter or other laws which creates a hazard to life or property,
2. Any false statement on any application, or
3. If any statement or condition of any application or permit is violated or does not continue to be true.

(c) Appeals. Any person aggrieved by a decision of the Inspector not appealable under Wis. Adm. Code sec. SPS 316.07 may appeal the decision or action to the Board of Electrical Examiners.

1. Any appeal shall be in writing and shall state specifically how the Inspector has incorrectly interpreted or applied this chapter.
2. An appeal of an order to discontinue electrical service shall be filed within five (5) days of the order and the Board shall issue a written decision within five (5) days thereafter.
3. All other appeals shall be filed within fifteen (15) days of the action appealed, and the Board shall issue a written decision within thirty (30) days thereafter.
4. The Board shall hold such hearings and take such other actions as it reasonably determines necessary to find facts and reach a decision.
5. Failure of the Board to issue a decision within the time specified constitutes an affirmance of the decision or action of the Inspector.
6. The decision of the Board shall be final.

(d) Upon application and being provided with such information as it deems necessary, the Board of Electrical Examiners may permit electrical work during a period of suspension as provided in sec. 16.06(3)(b)3.

(3) MEETINGS. The Board of Electrical Examiners shall meet as necessary for purposes of this chapter.

16.12 LIABILITY OF CITY. This chapter shall not be construed as imposing any liability on the City for injury or damage to any person or property resulting from any electrical work or any defect in any electrical wiring or equipment or by reason of any inspection made or not made by any City official or employee.

16.13 PENALTY. Any person that violates the provisions of this chapter shall be subject to a municipal citation at the current bond schedule. Each day the violation continues shall constitute a new violation."