AGENDA
Boise City Electrical Code Board
September 22, 2020
2:00 pm - 4:00 pm
Hybrid Meeting
Boise City Hall, 4th Floor, Ancell Conference Room (Jason Blais, Daryl DeGrange
Rob Lockward, Ashley Hocken, Tom Betty)
Zoom Video Conference Call (Remaining Board Members or other attendees)

Virtual attendance is strongly encouraged. Please visit:
www.cityofboise.org/virtual-meetings

1. Call to Order/Roll Call

2. Agenda Items:

   *a. Nominate/Appoint New Chairman
   *b. Meeting minutes from May 29, 2019
   *c. Review draft Electrical Code Ordinance

This Board will review and discuss the proposed ordinance with amendments.
The Board may take final action on the above listed action items at this meeting
recommending approval, denial, or other action to the Boise City Council.

3. Other Items or New Business

4. Adjournment

*Pursuant to Idaho Code Section 74-204(4), all items on the Agenda marked with an asterisk * are action items that require a vote. Identifying an item as an action item on the Agenda does not require that a vote be taken.
Jason Blais welcomed the Board Members requested self-introductions around the table.

Mark Lorimor, Chairman
Pat Paz, Board Member
Ray Friend, Board Member
Tom Brown, Board Member
John Edwards, Board Member

Jason Blais (Boise City, PDS Building Official)
Rob Lockward (Boise City, PDS Legal Representative)
Daryl DeGrange (Boise City, PDS Electrical Inspection Supervisor)
Bob Archibald (Boise City, PDS Building Inspection Supervisor)
Debbie Sanine (Boise City, PDS Administrative Specialist)

Acknowledgement of Absence:

Geoff Johnson, Board Member
Vern Chitwood, Board Member

1. The Chairman called the meeting to order at 10:32 am.

Handouts were provided to the Board:

1) Boise Electrical Code Fee Schedule – Strikes-Underlines 4-22-19
2) Boise Electrical Code Fee Schedule – Clean 4-22-19

2. The Chairman reviewed agenda items for the Board meeting.

3. The Chairman outlined the rules for the public meeting.

4. City Electrical Inspection Supervisor, Daryl DeGrange, introduced the proposed Electrical Code Fee Schedule for discussion/consideration:

City Electrical Inspection Supervisor, Daryl DeGrange, introduced the new proposed Boise City Electrical Code Fee Schedule. Daryl talked through the changed items in Tables 2-b and 3-a, by clarifying the proposed verbiage in each section. Board member John
Edwards brought up a small discussion stating that this all seemed to be what the City was already doing before, except that it lacked the verbiage. Daryl confirmed this and added that the City either added language to help clarify or took out some wording to simplify and make it less confusing. Daryl continued to talk through all the items in Tables 5-a, 6-b, and 7-a. Building Official Jason Blais added that the fees in Table 7-a are miscellaneous fees that are more for out of the ordinary type of circumstances or work and are desired to be consistent across all fee schedules.

Board member John Edwards asked a question regarding the verbiage in Table 7-a for Other Inspection, Plan Review and Administrative Fees, that states “per hour” after the fee of $55. Jason Blais explained that this amount came from a previous cost of survey study that the City did. A short discussion continues, and John Edwards and Chairman Mark Lorimar brought up the example of a contractor doing work for an inspection for three quarters of an hour, and how much would they be charged then. Daryl confirms that it’s more of an average inspection trip fee, so they would be charged $55 even if they were there for three quarters of an hour or for an hour and a half. They suggest adding the wording of “Minimum charge of one hour” to the Table to clarify it more and leave no grey area. Jason Blais suggests adding this in as a footnote to Table 7-a. The rest of the board agreed on this. Daryl talks through the rest of the fee proposal.

Chairman Mark Lorimar asked the board if anyone has any further questions. No one has any questions and the board feels the proposal looks reasonable.

5. The City of Boise Electrical Code of Appeals recommends the Boise City Council approve and adopt the proposed fee schedule with the following changes: Adding the footnote in Table 7-a “Minimum charge of one hour” to clarify the hourly fees.

Chairman Lorimor asks if there are any further questions from the Board and if there is any public testimony. There are none on both accounts. He continues to ask if there are any motions from Board Members and reviews the actions allowed by the Board.

John Edwards offered a motion recommending adopting the proposed City Electrical Code Fee Schedule with the exception of adding in the footnote of “Minimum charge of one hour” into Table 7-a.

Pat Paz seconded the motion.

All present were in favor.

6. Other Items

Chairman, Mark Lorimor asked if there were any other items to discuss. A short discussion by board member Tom Brown is brought up about how much he appreciates the City of Boise Electrical Inspection team, their approach to service and problem solving and that he and his company really enjoys working with City of Boise staff. The board also expressed thanks to the City for involving them in the discussion and for feedback on proposals. No other items to discuss.
7. Close and adjourn the meeting

Chairman, Mark Lorimor motioned to adjourn meeting.

Tom Brown motioned.
John Edwards seconded the motion.

All present were in favor.

The meeting was adjourned at 10:52 am.
Chapter 9-5 (DRAFT 7/14/20)

ELECTRICAL CODE

Sections:

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9-5-2 CODE ADOPTED
9-5-3 APPLICATION AND SCOPE
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9-5-37 CONNECTION OF SERVICE UTILITIES
9-5-38 TEMPORARY EQUIPMENT, SYSTEMS AND USES
9-5-39 UNLAWFUL ACTS
9-5-40 NOTICE OF VIOLATION
9-5-41 CRIMINAL PENALTIES
Section 9-5-1 PURPOSE

The purpose of this Chapter is to provide minimum standards in order to safeguard life or limb, health, property, and the public welfare by regulating and controlling the design, construction, installation, and materials of all electrical systems and equipment, within Boise City limits, and to provide for the authority to verify the qualifications and licensing of persons engaged in the business or installation of electrical, or performing work within the electrical trade.

Section 9-5-2 CODE ADOPTED

All the rules, regulations and ordinances of a general and permanent character relating to and governing the qualifications and licensing of persons engaged in the business of electrical, or performing work within the trade of electrical, as such rules, regulations and ordinances are adopted and contained within the most current edition of the National Electrical Code, published under the authority of the National Fire Protection Association, as adopted by the State of Idaho in Title 54, Chapter 10 of Idaho Code, together with rules and regulations, as adopted by the State of Idaho, are adopted except to the extent that such rules and regulations are hereby changed, altered, or amended by this Chapter and together these shall be known as the "Electrical Code" of Boise City and shall constitute the rules, regulations, and ordinances governing the installation or alteration of electrical systems and equipment, and the qualifications and licensing of persons engaged in the business of electrical or performing work within the trade of electrical. This Chapter is adopted in accordance with Idaho Code Title 54, Chapter 10.

One (1) copy of the current edition of the "National Electrical Code" together with such rules and regulations adopted by the State of Idaho, shall be filed for use and examination by the public in the office of the City Clerk.

Section 9-5-3 APPLICATION AND SCOPE

The provisions of this Chapter shall apply to all new construction, relocated buildings, and to any additions, alterations, repairs, or reconstruction of existing buildings. This Chapter shall provide for the practical safeguarding of persons and buildings and their contents from hazards arising from the use of electrical energy for light, heat, power, communications, signaling, signs, electrical equipment installations, elevators, escalators, dumbwaiters, moving walks, lifts, and other similar purposes.

This Code shall apply to all electrical installations not under the direct ownership and regulation of the Idaho Public Utilities Commission, an agency of the Federal Government, or a property owned by the State of Idaho.
A. **Covered.** The regulations of this code shall apply to all electrical wiring, equipment, apparatus and fixtures installed, used, maintained, rented, leased, or offered for sale or distribution within or on public and private buildings and other premises, including yards, carnival and parking lots, industrial substations, and conductors that connect the installations to a supply of electrical energy to: manufactured homes, mobile home parks, and recreational vehicle parks. The regulations of this code also apply to the investigation of fires caused by electrical installations.

B. **Not Covered.** This code does not cover the following:

1. Installations in ships, watercraft other than floating buildings, railway rolling stock, aircraft, automotive vehicles, and recreational vehicles;

2. Installations underground in mines and self-propelled mobile surface mining machinery and its attendant electrical trailing cable;

3. Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for the operation of rolling stock or installations used exclusively for signaling and communications purposes;

4. Installations of communications equipment under the exclusive control of communications utilities located outdoors or in building spaces used exclusively for such installations.

5. Installations under the exclusive control of an electric utility where such installations:
   a. Consist of service drops or service laterals, and associated metering, or
   b. Are on property owned or leased by an electrical utility for the purpose of communication, metering, generation, control, transformation, transmission, energy storage, or distribution of electric energy, or;
   c. Are located in legally established easements or rights-of-way, or;
   d. Are located as specified within a written agreement or otherwise designated by or recognized by a public service commission, utility commission, or other regulatory agency having jurisdiction. These written agreements shall be limited to installations for the purpose of communications, metering, generation, control, transformation, transmission, energy storage, or distribution of electric energy where legally established easement or right-of-way cannot be obtained. These installations shall be limited to federal lands, Native American reservations through the U.S. Department of the Interior Bureau of Indian Affairs, military bases, lands controlled by port authorities and state agencies and departments, and land owned by railroads.

**Section 9-5-4 TITLE**

These regulations shall be known as the Electrical Code of Boise City, hereinafter referred to as “this code” and “this Chapter”.

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Section 9-5-5 SEVERABILITY

If a section, subsection, article, sentence, clause, or phrase of this code is, for any reason, held to be unconstitutional or unlawful, then such determination shall not affect the validity of the remaining portions of this code. The provisions of this code shall not be construed to nullify any provision of local, state, or federal law.

Section 9-5-6 APPLICABILITY

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in a specific case, different sections or articles of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Whenever the requirements of this code are of a higher, more stringent standard than other related codes adopted and amended by Boise City, then the provisions of this code shall take precedence.

Section 9-5-7 EXISTING INSTALLATIONS

Except when dangerous or as otherwise provided for in this Chapter, this code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, an electrical system or equipment lawfully in existence at the time of the adoption of this code.

Exception: When altering pre-existing electrical wiring, equipment, apparatus or fixtures, and/or adding new wiring, the existing electrical wiring method connected to the new or altered installation, shall be in accordance with the most current code adopted.

Section 9-5-8 AUTHORITY HAVING JURISDICTION, CODE OFFICIAL

The administration, interpretation and enforcement of this Chapter shall be under the jurisdiction and control of the Boise City Department of Planning & Development Services, Building Division. The Director of the Department of Planning and Development Services hereby designates the chief electrical inspector of the Electrical Section as the code official to administer and interpret this Chapter and shall report to the Building Official for Boise City. The code official shall be authorized to administer and enforce this Code through permits, plan reviews, inspections, policies, procedures and including interpretation of the rules and regulations. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of the code.

Section 9-5-9 DEPUTIES

The code official shall have the authority to designate deputy code officials or assistant electrical inspectors as necessary. The chief electrical inspector, deputies, or assistant electrical inspectors shall be knowledgeable in electrical installations and hold a valid Journeyman license or Master Electrician license issued by the State of Idaho. All inspectors shall be skilled in electrical installations with not less than four (4) years of experience as a journeyman electrician and shall be familiar with the provisions of this Chapter. Such deputies shall have powers as delegated by the code official including the following:

A. Inspectors employed by the department shall take and pass, before the end of their probationary period, the Electrical General Inspector’s exam, designated and selected by the State of Idaho Division of Building and Safety.
B. No deputy or inspector employed by the City shall be permitted to be engaged in or possess a financial interest in an electrical business, trade, practice, or work related to this Chapter, or to sell any supplies in conjunction with an electrical business, or act as an agent, directly or indirectly, for any person, firm, co-partnership, association, or corporation engaged in an electrical business within the jurisdiction of Boise City.

C. Electrical Inspectors are hereby authorized to administer provisions of this Chapter and it shall be their duty to inspect the installations and alterations of electrical wiring, equipment, apparatus, and fixtures covered by this Chapter.

Section 9-5-10 LIABILITY

The code official, member of the board of appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not personally be deemed civilly or criminally liable, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of their official duties. Regardless of any approval issued by the City, the owner, owner’s authorized agent, permit holder or person(s) conducting the work shall have ultimate responsibility to comply with all sections and articles of this Chapter and code.

Section 9-5-11 DUTIES OF THE AUTHORITY HAVING JURISDICTION, CODE OFFICIAL

The City and code official shall maintain public office hours as necessary for the efficient administration of the provisions of this Chapter and perform the following duties:

A. Require the submission of applications and perform the review of specifications, drawings, descriptions, or diagrams necessary to show clearly the character, kind, and extent of work for any application required to obtain a permit under this Chapter.

B. Maintain permanent and accurate accounts of all permit fees and other monies collected and received as provided by this Chapter, including the names of the account or permit holder, the date, and the amount paid, together with the location or premises governed by the permit.

C. Administer and enforce the provisions of this Chapter, issue electrical permits, and inspect all electrical work, or accept reports of inspections by approved agencies authorized by any permit in order to assure compliance with provisions of this Chapter, and approving or rejecting said work in whole or in part.

D. Upon request, issue a Certificate of Completion for any work that has been permitted and approved under this Chapter.

E. Reject all work performed or being performed (including any materials used or being used in association with the work) which do not comply with the provisions of this Chapter.

F. Order changes in workmanship or materials necessary to obtain compliance with all this Chapter.

G. Investigate any construction or work regulated by this Chapter and issue any notices and orders, to ensure compliance with this code, as provided in this Chapter.
H. Keep a complete record of all the essential transactions of the office.

Section 9-5-12 RIGHT OF ENTRY

Where it is necessary to make an inspection to enforce the provisions of this Chapter, or where the code official has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code that make the building or premises unsafe, dangerous, or hazardous, the code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the code official by this code. If such building or premises is occupied, the code official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner, the owner’s authorized agent or other person having charge or control of the building or premises and request entry. If entry is refused, the code official has recourse to any remedy provided by law to secure entry.

Where the code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner’s authorized agent or occupant or person having charge, care, or control of the building or premises shall not fail or neglect, after proper request is made to promptly permit entry by the code official for the purpose of inspection and examination pursuant to this code.

Section 9-5-13 MODIFICATIONS

Where there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases upon application of the owner or owner’s authorized agent, provided that the code official shall first find that the special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of the code and does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered into the files of the electrical section.

Section 9-5-14 ALTERNATIVE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method of work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. The details of action granting alternative materials, design and methods of construction or equipment shall be recorded and entered into the files of the electrical section. Where the alternative material, design or method of construction is not approved, the code official shall respond in writing, stating the reasons why the alternative was not approved.

Section 9-5-15 TESTING AND RESEARCH REPORTS

When necessary to assist in the approval of materials, methods of construction, or equipment not specifically provided for in this code, the code official shall have the authority to require tests or inspections as evidence of compliance or valid research reports from approved sources, to be made at no expense to the jurisdiction. Test methods shall be as specified in the code or by other recognized test standards, unless otherwise approved by the code official. Tests or inspections shall be performed by an
approved third-party testing agency. Reports of tests or inspections shall be retained and entered into the files of the electrical section.

Section 9-5-16 APPROVAL OF PRODUCTS AND MATERIALS

All materials, devices, fittings, equipment, apparatus, and fixtures installed or used in the installations covered by this code or which are supplied with electric energy by attachment to such installations shall be approved as defined below.

A. Accepted Testing Laboratory. Materials, devices, fittings, equipment, apparatus, fixtures and appliances tested, examined and certified (listed) by an accepted testing laboratory and so labeled, shall be accepted by the code official as approved. The Planning & Development Services Department shall maintain an updated list of accepted testing laboratories.

B. Uncertified Products. Products which are not certified (listed) but are considered safe by the code official, may be approved provisionally and such approval shall apply only to the stock or products inspected, or a third-party testing laboratory shall give the product a field evaluation or a field inspection. Such approval shall not be given for types of products which are regularly certified (listed) or when such certification (listing) does not include the proposed use. The above-mentioned products shall be inspected before installation.

C. Assembled Equipment or Products. Equipment and/or products assembled from materials, devices, fittings, equipment, apparatus, etc. (which are approved listed), may be provisionally approved by the code official, on a limited basis for testing purposes and/or submission for certification and listing, provided such equipment or product is installed (for testing purposes) under an electrical permit issued by the Planning & Development Services Department.

D. Special Built-To-Order Equipment. The Director of the Planning & Development Services Department and/or the code official may approve special built-to-order equipment provided that:

1. The equipment is not to be displayed or offered for sale.

2. The equipment is inspected during the construction phase and installed only after an electrical permit is obtained pursuant to the provisions of this code.

3. Each unit must be inspected and approved under this provision.

Section 9-5-17 LICENSING

Unless exempted by Idaho Code, Title 54, Chapter 10, no permit shall be issued to any person, partnership, company, firm, association, or corporation to act, to perform or cause to be performed any work regulated by this Chapter, within Boise City, without a valid license issued by the State of Idaho as established under Idaho Code, Title 54, Chapter 10. No person or entity shall engage in work beyond that specifically authorized by said license. A journeyman electrician or limited electrical installer shall not engage in or represent themselves as an electrical contractor.

The code official, deputies, or assistant inspectors shall have the authority to request verification of any license required under this Chapter. The code official shall have the authority to void permits where licensing requirements or exemptions are in violation of this Chapter or Idaho Code.
Section 9-5-18 PROPERTY OWNER EXEMPTION

Pursuant to Idaho Code, Title 54, Chapter 10, any property owner performing noncommercial electrical work in the owner’s primary or secondary residence of a one-or-two-family dwelling, including associated accessory outbuildings or land associated with the entire property on which those buildings sit, may install, alter, or replace electrical wiring, equipment, apparatus, or fixtures in or on said property or structures when the proper electrical permit has been issued for the work and inspections are made as required by this Chapter. An owner’s primary or secondary residence may be verified by a deed showing that the property is personally owned by the person performing the work, or by a family trust or non-commercial entity controlled by the person performing the work. Homeowner installations of renewable power generation connected to the community power grid shall be subject to a pre-plan review in accordance with policies or procedures prior to obtaining a permit. This exemption does not apply to:

1. A property owner who obtains an electrical permit but hires or obtains the assistance of another person, whether licensed to perform electrical work or not, and with or without pay.

Section 9-5-19 PERMITS REQUIRED

It shall be unlawful for any person, firm or corporation to install, remove, alter, repair, replace, or cause to be installed, removed, altered, repaired, or replaced any electrical system or equipment regulated by this Chapter, except where exempted from this Chapter, in any building or premises without first obtaining a permit to perform such work. A separate permit shall be obtained for each separate building or structure.

Exception: Emergency Work. If immediate alteration or installation of electrical wiring, equipment, apparatus, or fixtures is necessary for reasons of public safety or welfare and an electrical permit cannot first be obtained without further endangering the public safety or welfare, such alteration or installation may be made without first obtaining the electrical permit therefore but the required electrical permit shall be obtained during the next business day, or a time as required by the code official, after such alteration or installation has been made.

Section 9-5-20 WORK EXEMPT FROM PERMIT

Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the jurisdiction.

In one-and two-family dwellings, permits shall not be required for the following:

1. Listed cord-and-plug connected temporary decorative lighting.
2. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
3. Electrical wiring, devices, appliances, apparatus, or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
4. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
In other than one-and-two family dwellings, permits shall not be required for the following:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, excluding the equipment and wiring for a power supply and the installations of towers and antennas which does require a permit.

3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Section 9-5-21 APPLICATION FOR PERMIT

To obtain a permit, the applicant shall first file an application on a form furnished by the Planning and Development Services Building Division for that purpose. Such application shall:

1. Identify and describe the work to be performed under the requested permit.
2. Describe the premises where the proposed work is to be done by parcel number, street address, or similar description that readily identifies and with sufficient specificity to locate the proposed building or work.
3. State the use or occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information when required. The City may require such plans be stamped and signed by an engineer licensed by the State of Idaho.
5. State the valuation of the proposed work.
6. Contain the signature of the applicant or the authorized agent of the applicant.
7. Provide such other data and information as required by the code official.

Section 9-5-22 CONSTRUCTION DOCUMENTS

Any person legally entitled to apply for and receive a permit shall make such application on forms provided for that purpose. A description of the proposed work shall be provided in accordance with Boise City Code. The City may require plans, specifications, or drawings and such other information as deemed necessary by the code official or as required by Boise City submittal checklists. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature, and extent of the proposed work and shall show in detail that the work conforms to the provisions of this Chapter. The City may require such plans to be stamped and signed by an engineer licensed by the State of Idaho. Engineers that stamp electrical drawings for review by the City must have a valid and registered stamp that complies with the most current provisions of Idaho Code, Title 54, Chapter 12 (Engineers and Surveyors). The requirement for engineered drawings shall be in compliance with Boise City submittal checklists for the type of construction proposed or as deemed necessary by the code official. If the City determines that the plans, fees, specifications, drawings, description, and information furnished by the applicant are in compliance with this Chapter, then a permit may be issued.

Exception: The code official shall have the authority to waive the submission of construction documents, calculations, or other data if the nature of the proposed work is such that the reviewing of construction documents is not necessary to determine that the proposed work is in compliance with this Chapter.
Section 9-5-23 TIME LIMITATION OF APPLICATION

An application for a permit for any proposed work shall be deemed to have been abandoned 180 calendar days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding 180 calendar days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 9-5-24 PERMIT ISSUANCE

The application, construction documents, and other data filed by an applicant for a permit shall be provided to the code official. Upon receipt of such documents, and where a review is required and the code official finds that the proposed work conforms to the requirements of this Chapter and all laws and ordinances applicable thereto, and that the applicable fees have been paid, a permit shall be issued to the applicant.

Section 9-5-25 APPROVED CONSTRUCTION DOCUMENTS

When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped “APPROVED”. Such approved construction documents shall not be changed, modified, or altered without authorization from the code official. Work shall be done in accordance with the approved construction documents.

The code official shall have the authority to issue a permit for the construction of part of an electrical system or equipment before the construction documents for the entire system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire electrical system will be granted.

Section 9-5-26 VALIDITY

The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of other ordinances of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of this code shall be invalid.

The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter requiring the correction of errors in said construction documents and other data or from preventing building operations from being carried on thereunder where in violation of this code or of other ordinances of this jurisdiction.

Section 9-5-27 EXPIRATION

Every permit issued under the provisions of this Chapter shall expire and become null and void if the work authorized is not commenced within 180 calendar days from the date of issuance of the permit, or if the work authorized by the permit is suspended or abandoned at any time after the work is commenced with and no inspection has occurred within 180 calendar days from the date of issuance of the permit, or if the work authorized by the permit is suspended or abandoned at any time after the work is commenced for a period of 180 calendar days from the date of the last required inspection.
Before any work recommences after expiration, a new permit shall be obtained with a fee of one-half the amount required for a new permit for such work, provided that no changes have been made or will be made to the original construction documents for the work, and provided further that the suspension or abandonment has not exceeded one year.

Section 9-5-28 EXTENSIONS

Any holder of an unexpired permit may apply for an extension of time within which work may commence under that permit, when the permittee is unable to commence work within the time required by this Chapter. The code official may extend the time to request an extension for a period not exceeding 180 calendar days on written request by the permittee demonstrating a good faith effort to complete the project has been made and that reasons beyond the control of the permittee have resulted in delay. Under no condition shall a permit be extended more than three times, for a total maximum of three 180-day extensions. Each 180-day extension must be approved individually by the code official.

Section 9-5-29 PERMIT TRANSFER

A permit may be transferred to another party if that party provides written authorization signed by the original permit holder expressly consenting to the transfer of the permit along with all agreements and conditions incorporated into the original permit. A permit may also be transferred to the property owner or property owner’s designated agent in cases where the property owner has terminated their legal or professional relationship with their contractor or owner’s designated agent. An administrative fee for the transfer of the permit will be assessed for the work performed by City staff.

Section 9-5-30 SUSPENSION OR REVOCATION OF PERMIT

The code official shall have the authority to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code or as otherwise provided by this Chapter.

Section 9-5-31 RETENTION OF CONSTRUCTION DOCUMENTS

One set of approved construction documents shall be retained by the code official for a period of not less than 180 calendar days from the date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be returned to the applicant and said set shall be kept on the site of the building or job at all times during which the work authorized thereby is in progress.

Section 9-5-32 WORK COMMENCING BEFORE PERMIT ISSUANCE

Any person who commences work on an electrical system or equipment before obtaining the necessary permits shall be subject to a special investigation fee equivalent to 100% of the usual electrical permit fees, in addition to the required permit fees. The investigation shall be completed, and the special investigation fee shall be paid before a permit may be issued for such work. The investigation fee shall be required regardless of whether or not a permit is subsequently issued. The payment of such investigation fee shall not exempt any person from compliance with all provisions of this code nor shall payment of this fee serve as an exemption from any penalty prescribed by law.
Section 9-5-33 FEE SCHEDULE, PERMIT FEES

Fees shall be assessed in accordance with the provisions of the adopted Boise City Electrical Code Fee Schedule which will be kept on file at the Planning and Development Services permit counter, Boise City Clerk’s office, or on the Planning and Development Services website. All electrical fees shall be reviewed by the Electrical Board prior to adoption by the Boise City Council.

Section 9-5-34 FEE REFUNDS

The code official may authorize the refunding of fees as follows:

1. The code official shall not authorize the refund of any fee, except upon written request by the original permittee made not later than 180 days after payment.
2. The full amount of any fee paid under this Chapter which was erroneously paid or collected.
3. A refund of the entire permit fee when the proposed work never commenced under a permit issued in accordance with this Chapter. An administrative fee may be charged, at the discretion of the code official, where complex or an inordinate amount of time is spent processing the refund.
4. A refund of the entire plan review fee when the review never commenced.
5. Third-party processing fees shall not be refunded.

Section 9-5-35 INSPECTIONS AND TESTING

The code official is authorized to conduct such inspections as are deemed necessary to determine compliance with the provisions of this Chapter. Construction or work for which a permit is required shall be subject to inspection by the code official or designees, and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Chapter or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Chapter or of other ordinances of the jurisdiction shall not be valid.

The code official, upon notification from the permit holder or the permit holder’s agent, shall make the following inspections and other such inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or permit holder’s agent of violations that must be corrected. The holder of the permit shall be responsible for requesting and scheduling of such inspections. It shall be the duty of the permit holder to provide access to and means for inspection of such work required under this Chapter. As applicable to the permitted scope of work, inspections required include:

1. Temporary service inspection.
2. Conference inspection for residential homeowner permits.
3. Rough-in inspection shall be made after trenches or ditches are excavated and bedded, conduit installed, and before acceptable backfill is put in place or after the roof, framing, fireblocking and bracing are in place and all rough-in electrical components to be concealed are complete, and prior to the installation of the wall or ceiling membranes.
4. Rough-in permanent service.
5. Elevator, escalator, dumbwaiter, moving walk, platform lift and stairway chairlift inspection.
6. Temporary Occupancy inspection.
7. Final inspection shall be made upon completion of the electrical system.
8. Permanent service inspection.
9. Aging or other inspections, as required by the code official, to ascertain compliance with the provisions of this Chapter.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or permit holder’s agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the code official. It shall be unlawful to cover up or in any way conceal any electrical work until inspection and approval has occurred by the code official or designee. Covered or concealed work without inspection approval may be required to be exposed, to the extent determined by the code official or designee, in order to inspect and verify compliance with the provisions of this Chapter. A reinspection fee, as specified in the fee schedule, may be assessed at the discretion of the code official or designee, under circumstances such as where no access is provided, for covered or concealed work, where such portion of the work called for reinspection is not complete or where required corrections have not been made upon reinspection.

The code official may require testing of the electrical system or equipment to ascertain compliance with the provisions of this Chapter. Tests shall be made by the permit holder and observed by the code official. The code official may also accept tests or inspections from an approved third-party agency.

Section 9-5-36 TEMPORARY CONNECTION

The code official shall have the authority to authorize the temporary connection of an electrical system to the sources of energy for the purposes of testing the electrical system or equipment or for the use under a temporary certificate of occupancy for a specified time period determined by the code official.

Section 9-5-37 CONNECTION OF SERVICE UTILITIES

A person shall not make connection from a utility, source of energy, fuel source, or power to any building or system that is regulated by this Chapter for which a permit is required, until authorized by the code official.

Exception: Where a life-safety emergency exists and connection of service utilities remedies the condition for reasons of public safety or welfare, however, any required electrical permit and/or inspection shall be obtained during the next business day, or a time as required by the code official, after such connection has been made.

Section 9-5-38 TEMPORARY EQUIPMENT, SYSTEMS AND USES

The code official is authorized to issue a permit for temporary equipment, systems, and uses, such as for temporary service for carnivals, festivals, displays, holiday decorative lighting, fireworks stands, experimental or developmental work, demolition work, construction, remodeling, and similar purposes. Such permits shall be limited as to time of service but shall not be permitted for more than 180 calendar days, however, for the purposes of significant development construction projects, temporary service may be permitted and installed for a time period of up to one (1) year. The code official is authorized to grant time extensions for demonstrated cause.

Temporary equipment, systems, and uses shall conform to the provisions of this Chapter as necessary to
ensure the public health, safety, and general welfare. The code official is authorized to terminate the permit for temporary equipment, systems, and uses and require disconnection or removal of the temporary equipment, systems, or uses.

**Section 9-5-39 UNLAWFUL ACTS**

It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize an electrical system or equipment, or cause same to be done, in conflict with or in violation of any of the provisions of this Chapter including:

A. Install or alter any electrical wiring, equipment, device, apparatus, or fixture, without first obtaining an electrical permit.

B. Maintain, permit to be maintained, or permit to exist upon any electrical wiring, equipment, apparatus, or fixture that does not conform to the requirements of this code.

C. Hinder, impede, or interfere with the code official or designee in the discharge of authority or duty, or to refuse, fail, or neglect to follow or conform to any provisions or requirements of this Chapter.

D. To energize any electrical wiring, equipment, apparatus, or fixture which have been installed, altered or repaired, without inspection and approval under this Chapter.

**Section 9-5-40 NOTICE OF VIOLATION**

The code official may serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal, or demolition of electrical work in violation of the provisions of this Chapter, or in violation of the approved construction documents, or in violation of any permit or certificate issued under the provisions of this Chapter.

**Section 9-5-41 CRIMINAL PENALTIES**

Any person, firm, or corporation violating the provisions of this Chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars ($1,000.00), by imprisonment for not more than one hundred eighty (180) days, or by both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

A. In the discretion of the Division Manager of the Building Division, the City may charge the offender with an infraction in lieu of a misdemeanor. The infraction shall be payable by a fine of three hundred dollars ($300.00). There shall be no right to a trial by jury for an infraction citation or complaint.

B. For purposes of trial by court or jury, the infraction described within this section shall not constitute a lesser included offense for any misdemeanor citation or complaint.

C. A prosecuting attorney may reduce a misdemeanor charge under this chapter to an infraction as described herein, payable by a $300 fine, if the defendant engages in corrective actions resulting in fully completed and permitted work.
**Section 9-5-42 STOP WORK ORDERS**

Upon notice from the code official that work is being done contrary to the provisions of this Chapter or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner’s agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, may be subject to penalties prescribed within this Chapter.

**Section 9-5-43 ABATEMENT OF VIOLATION**

The imposition of any available penalty shall not preclude the jurisdiction from instituting appropriate action in order to restrain, correct, or abate a violation of this Chapter, or to prevent the illegal occupancy of a building, structure, or premises.

**Section 9-5-44 UNSAFE ELECTRICAL SYSTEMS OR EQUIPMENT**

An electrical system or equipment that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this Chapter, is hereby declared as an unsafe electrical system or equipment. Use of an electrical system or equipment regulated by this Chapter constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe systems or equipment are hereby declared to be a public nuisance and may be abated by repair, rehabilitation, demolition, or removal.

**Section 9-5-45 AUTHORITY TO CONDEMN ELECTRICAL SYSTEMS OR EQUIPMENT**

Whenever the code official determines that any electrical system or equipment, or portion thereof, regulated by this Chapter is hazardous or is a life-safety concern, the code official may order that such system or equipment either be removed or restored to a safe condition. The order shall specify the nature of the hazard or violation and provide a time period in which the matter must be resolved. A person shall not use or maintain a defective electrical system or equipment after receiving such notice.

Where such electrical system or equipment is to be disconnected, a written notice of violation shall be given. In cases of immediate danger to life or property, such disconnection may be made immediately without such notice.

**Section 9-5-46 AUTHORITY TO ORDER DISCONNECTION OF ENERGY SOURCES**

The code official shall have the authority to order disconnection of any energy sources supplied to a building, structure, electrical system, or equipment regulated by this Chapter, where it is determined that the electrical system or equipment or any portion thereof is unpermitted or has become hazardous or unsafe. Written notice of such order to disconnect service and the causes therefor shall be given within 24 hours to the owner, the owner’s authorized agent and/or occupant of such building, structure or premises, provided, however, that in cases of immediate danger to life or property, such disconnection shall be made immediately without such notice. Where energy sources are provided by a public utility, the code official shall immediately notify the serving utility in writing of the issuance of such order to disconnect.
Section 9-5-47 CONNECTION AFTER ORDER TO DISCONNECT

A person shall not make energy source connections to electrical systems or equipment regulated by this Chapter which have been disconnected or ordered to be disconnected by the code official, or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such electrical system or equipment.

Where an electrical system or equipment is maintained in violation of this Chapter, and in violation of a notice issued pursuant to the provisions of this section, the code official may institute appropriate action to prevent, restrain, correct or abate the violation.

Section 9-5-48 ELECTRICAL BOARD

There is hereby created an Electrical Board hereinafter referred to as “the Board” which shall be composed of seven (7) members and shall be appointed by the Mayor by and with the advice and consent of the Council. Members of the Board shall include at least one (1) Idaho licensed engineer, three (3) Idaho licensed electrical contractors and three (3) members in any combination as an Idaho licensed engineer, Idaho licensed electrical contractor or qualified electrical industry representative. Any member of the Board that fails to maintain a valid Idaho license for their respective profession, shall be disqualified from serving on the Board. Boise City residency of at least four (4) of the members is required. Members not residing within Boise City must reside within Ada County and conduct business in Boise City. The terms of office shall be four (4) years and if a vacancy occurs during an unexpired term, then the Mayor with the consent of the Council shall appoint a member to fill the unexpired term. The Board shall select one of its members as Chairman. Members of the Board shall serve and act without compensation except that their actual and necessary expenses may be allowed by the Council. The Secretary, who is hereby designated to be the code official or designated representative, shall keep a record of all meetings, appeals, hearings, and proceedings of the Board and shall perform all services that may otherwise be required.

A. BOARD DUTIES

It shall be the responsibility and duty of the Board:

1. To recommend and submit to the Mayor and Council any proposed amendments to this Chapter which may govern the design, construction, installation, improvement, expansion, and alteration of electrical systems.

2. To recommend and submit to the Mayor and Council any proposed standards for the quality and weight of materials, fixtures, appliances, and devices used in, design or construction of electrical systems.

3. To recommend and submit to the Mayor and Council any proposed amendments to this Chapter, prescribing the standards and procedures for inspecting electrical systems.

4. To review upon written request, the administration and enforcement of the minimum standards, codes, regulations, procedures, and fees required by this Chapter including appeals of any interpretations of this Chapter or decisions made by the code official under this Chapter.
B. APPEAL PROCESS

Any permit applicant, whose application has been rejected, or any person who has been ordered to modify, alter, remove, or install any electrical system as required by this Chapter may appeal that decision by filing notice in writing with the City within ten (10) calendar days. The appeal hearing shall be held within thirty (30) calendar days of receipt of the notice of appeal or as otherwise agreed upon by parties to the appeal and the City. At the hearing the Board may, by a majority vote, affirm, reverse, or modify the action of the City. If the actions of the City are modified or reversed, a permit shall be issued in accordance with the decision of the Board.

C. STANDARD OF REVIEW

The Board may: (1) modify or impose alternative to requirements to those contained within this Chapter only when the appellant demonstrates that the requirements of this Chapter are impracticable and demonstrates that the modification or alternative provides at least an equivalent level of safety as required under this Chapter, or (2) determines that the City erred in its interpretation or application of the code provisions.

D. APPEAL FEE

Any person appealing a decision of the City shall include payment of an appeal fee in an amount specified in the fee schedule. In the event the decision of the code official is reversed, then the appeal fee shall be returned to the Appellant.

E. APPEAL TO CITY COUNCIL

Any order, decision or ruling of the Board may be appealed, by filing notice in writing to the City Council within ten (10) calendar days of such order, decision, or ruling.

Section 9-5-49 APPEAL PROCEDURE

The Electrical Board may receive all evidence on appeal, in accordance with the following procedure:

A. The code official or designee shall first present background information on the appeal, including relevant code sections and their interpretation and other information related to the activities or work performed related to the appeal. The Board may ask questions during or after each presentation.

B. The Appellant may then present any information relevant to the appeal. The Appellant shall have up to twenty (20) minutes to present such evidence.

C. The Chair shall next open the hearing to receive public testimony. Each person wishing to provide public testimony shall be given up to five (5) minutes to do so.

D. Following the close of public testimony, the code official or designee shall be allowed up to ten (10) minutes for rebuttal and any final comments.

E. The Appellant then shall have up to ten (10) minutes for rebuttal and any final comments.
F. The Chair may grant additional time to the Appellant and the code official or designee if the additional time would aid the Board in its decision provided that both the Appellant and the code official receive an equal amount of time each.

G. Following the hearing, the Board may deliberate and render a final decision by a roll call vote, may request more information before a final decision is made, or may take the matter under advisement and reconvene at a reasonable time within fifteen (15) calendar days in order to render a final decision. The final decision shall be in writing with a copy provided to the Appellant within ten (10) calendar days of rendering a final decision on the appeal. The decision by the Board may be appealed to the City Council within ten (10) calendar days following the date of issuance of a written decision.

Section 9-5-50 SPECIAL CODE REQUIREMENTS

In addition to the provisions in this Chapter, the code official may require other provisions and safeguards based on special conditions that may be present in a particular installation. These include, but are not limited to, the following:

A. Disconnect and Panel Locations. Main Circuit disconnecting switches and/or distribution panels shall not be installed in a bathroom, shower room, toilet room, clothes closet or within 36 inches of a wash basin, laundry tub, janitor's tub or other location thought unsafe by the code official.

B. Electric Fences. No electric fence wires shall hereafter be erected, constructed, maintained or allowed to remain as part of any fence within the present or future corporate limits of Boise City.

C. Unfused Conductors. All unfused conductors shall be installed in a raceway (Rigid Metal Conduit or Intermediate Metal Conduit) when inside a building or structure for underground service(s) only. Raceway shall not be longer than four feet (4’). All meter bases shall be between five and one-half feet (5-1/2’) and six feet (6’) measured from grade. Multi-metered base measurements shall be from the top meter base to grade.

D. Educational, institutional and industrial buildings shall be wired in a raceway(s) approved from the current edition of the National Electrical Code or metal clad interlocking armored cables.

E. All non-listed panelboards shall not have any modifications, branch circuits added or upgrades to the service equipment (with the exception of service mast) without requiring the replacement with a listed panelboard.

F. Residential garages, for the purposes of vehicle parking, of one-and-two-family dwellings and townhouses in new construction, require at least one 240-volt, 40 ampere dedicated branch circuit terminating at a receptacle, junction box, or electric vehicle supply equipment, to be provided that may be used for electric vehicle charging, located in close proximity to the parking spaces. The branch circuit shall be identified as “EV Ready” in the service panel or subpanel directory and the termination at the receptacle location shall be marked as “EV Ready”. Installation shall comply with applicable provisions of the National Electrical Code.
CURRENT ORDINANCE TO REPEALED

Title 9 Chapter 5

Electrical Code

Sections

- 9-5-1: Title
- 9-5-2: Purpose
- 9-5-3: Scope
- 9-5-4: Definitions
- 9-5-5: Administration And Enforcement
- 9-5-6: Electrical Code Adopted
- 9-5-7: Electrical Inspector
- 9-5-8: Duties Of Electrical Inspectors
- 9-5-9: Interpretations
- 9-5-10: Board Of Appeal (electrical)
- 9-5-11: Duties Of Board Of Appeal
- 9-5-12: Appeal Procedure
- 9-5-13: Right Of Appeal To City Council For Administrative Actions
- 9-5-14: Code Priority
- 9-5-15: License Required
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- 9-5-18: Electrical Permit Required
- 9-5-19: Qualified Permit Applicant
- 9-5-20: Application For Permit
- 9-5-21: Permit Requirements
- 9-5-22: Issuance Of Electrical Permit
- 9-5-23: Unlawful To Conceal
- 9-5-24: Inspection Required
- 9-5-25: Rough-in Inspection
9-5-1: Title

All ordinances of a general and permanent character about and showing rules for the installation and maintenance of electrical wiring, equipment, apparatus or fixtures and other similar work, as hereinafter set out, shall be known and appointed as the Boise City Electrical Code, is cited as such, and will be referred to herein as "this Code". (1952 Code § 4-05-01)

9-5-2: Purpose

This Code shall provide:

A. The practical safeguarding of persons and buildings and their contents from hazards arising from the use of electrical energy for light, heat, power, communications, signaling, signs, electrical equipment installations, elevators, dumbwaiters, moving walks and other purposes.

B. The administration and enforcement of this Code through permits and inspections; for interpretation of the rules. (1952 Code § 4-05-02)

9-5-3: Scope
This Code shall cover all electrical installations not under the direct control and regulation of the Idaho Public Utilities Commission or an agency of the Federal government.

A. Covered: The regulations of this Code shall apply to all electrical wiring, equipment, apparatus and fixtures installed, used, maintained, rented, leased or offered for sale or distribution within or on public and private buildings and other premises, including yards, carnival and parking lots and industrial substations; also conductors that connect the installations to a supply of electrical energy; also mobile homes, motor homes, recreational vehicles and mobile home and recreational vehicle parks; also investigation of fires caused by electrical installations.

B. Not Covered: This Code does not cover the following:

1. Installations in ships, watercraft, other than floating buildings, railway rolling stock, aircraft or automotive vehicles other than mobile homes and recreational vehicles;

2. Installations underground in mines and self-propelled mobile surface mining machinery and its attendant electrical trailing cable;

3. Installations of railways for generation, transformation, transmission or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communications purposes;

4. Installations of communications equipment under the exclusive control of communications utilities located outdoors or in building spaces used exclusively for such installations; and

5. Installations under the exclusive control of an electric utility where such installations:

   a. Consist of service drops or service laterals, and associated metering; or

   b. Are located in legally established easements, rights of way, or by other agreements either designated by or recognized by public service commissions, utility commissions or other regulatory agencies having jurisdiction for such installations; or

   c. Are on property owned or leased by the electric utility for the purpose of communications, metering, generation, control, transformation, transmission or distribution of electric energy.

(1952 Code § 4-05-03)

9-5-4: Definitions
The following words and phrases used in this chapter shall have the following meanings unless a different meaning clearly appears from the context:

AUTHORITY HAVING JURISDICTION: Planning and Development Services Department, its Director and designees.

CHIEF ELECTRICAL INSPECTOR: An electrical inspector employed by the City responsible for administering the requirements of this Code.

ELECTRICAL INSPECTOR: An individual meeting the requirements of this chapter and authorized to perform electrical inspections.

PERSON: A person, firm, association or corporation. (1952 Code § 4-05-04)

9-5-5: Administration And Enforcement

A. The administration, interpretation and enforcement of this Code shall be under the jurisdiction and control of the Planning and Development Services Department. The Director hereby appoints and designates the chief electrical inspector to administer the interpretations and/or applications of this Code as necessary.

B. The Director shall be responsible for a complete record of all electrical work done, permits issued, examinations given and all other official work to be required by this Code. (1952 Code § 4-05-05)

9-5-6: Electrical Code Adopted

A. Except as otherwise herein required, the 2008 National Electrical Code is adopted as the minimum standard for all electrical wiring within the City.

B. From and after the effective date hereof, all installations in the City of wires and equipment to convey electric current and installations of apparatus to be operated by such current, except as hereinafter provided, shall be made in accordance with the National Electrical Code (NEC), as approved by the American National Standards Institute and as amended, revised, compiled and published from time to time and as such revisions are approved by the State Electrical Board and the City Electrical Board of Appeal. The National Electrical Code shall take effect as
of July 1 of the following year of adoption by said boards. All City amendments to the Electrical Code as well as all electrical policies and board minutes shall be posted by the City. The posting shall state the effective date of the amendment or policy. (1952 Code § 4-05-06)

9-5-7: Electrical Inspector

The chief electrical inspector and/or all assistant electrical inspectors hereinafter appointed shall be skilled in electrical installations with not less than four (4) years experience as a journeyman electrician and possess a State journeyman’s license.

A. Inspectors employed by the department shall take and pass, before the end of their probationary period, the inspector’s test, which is designated and selected by the State Electrical Board.

B. No inspector employed by the department and assigned to the enforcement of the provisions of this chapter shall be engaged or financially interested in an electrical business, trade, practice or work, or the sale of any supplies connected therewith, nor shall he act as an agent, directly or indirectly, for any person, firm, partnership, association or corporation so engaged, within the City limits.

C. This does not relieve the inspector from abiding by any Code, rule or policy of the City. (1952 Code § 4-05-07)

9-5-8: Duties Of Electrical Inspectors

A. Enforcement: Electrical inspectors are hereby authorized, empowered and required to enforce the provisions of this Code.

B. Inspections: Electrical inspectors are hereby authorized and it shall be their duty to inspect the installations and alterations of electrical wiring, equipment, apparatus and fixtures covered by this Code. (1952 Code § 4-05-08)

9-5-9: Interpretations
A. Final Decision With Board Of Appeal: When questions about the interpretation and/or application of this Code arise, final decision will rest with the Board of Appeal under procedures specified in this Code. No Board member shall participate in an appeal proceeding in which he or his employer, employee, business partner, business associate, or any person related to him may have an economic interest in any manner in the particular appeal.

B. City Council Appeal: Technical and administrative rulings of the chief electrical inspector, building official or the Electrical Board shall be appealed directly to City Council. (1952 Code § 4-05-09)

9-5-10: Board Of Appeal {electrical}

A. Membership; Residency: The Board of Appeal shall consist of seven (7) members appointed by the Mayor and confirmed by the Council, who, by experience and training, shall be qualified in the electrical industry, administrative authority enforcing the provisions of this Code and upon the safety of installations and equipment regulated by this Code. City residency of at least four (4) of the members is required. Members not residing in the City must reside in Ada County and transact business in the City. To transact business, the Board member must own or work at a business in the City.

B. Appointment: The members of the Board shall be appointed to serve a four (4) year term. No member of the Board shall sit in on a hearing in which he has a conflict of interest. Any member of the Board may be removed by the Mayor for malfeasance in office, incapacity or neglect of duty.

C. Vacancies: Vacancies occurring on the Board shall be filled by the Mayor and confirmed by the Council for the unexpired term for which the vacancy occurs.

D. Organization:

1. At the first meeting of the Board, after the adoption of this Code, and every term, the Board shall elect a Chairperson from their members, who shall preside at all meetings. At meetings where a Chairperson is elected, a Vice Chairperson shall also be elected by a majority vote of members present. The Vice Chairperson shall assume all the duties of the Chairperson in the absence of the Chairperson. The term of office for the Vice Chairperson shall be the same as that of the Chairperson. At the end of the Chairperson's term, a vote shall be taken to determine if the Vice Chairperson shall succeed the Chairperson.
2. They shall adopt such rules needed for the proper and efficient discharge of their official duties. The Director of the Planning and Development Services shall provide a Secretary for the Board. The Board shall meet: a) to hear appeals; b) at the discretion of the Chairperson; and/or c) for the adoption of a new edition of the National Electrical Code.

E. Minutes: All meetings shall be taped. Further, the Secretary shall cause minutes to be taken. Minutes shall be approved by the Board. Minutes and tapes shall be posted and maintained for at least one year. (Ord. 16-13, 6-4-2013)

9-5-11: Duties Of Board Of Appeal

A. Meetings: The Board shall meet at the call of the Chairperson or notice from the chief electrical inspector of any charge, complaint or appeal. The quorum of the Board may, by majority vote, affirm or annul, whichever may, in the exercise of its discretion, seem appropriate, the charges in the complaint or the action of the electrical inspector.

B. Advisory Technical Opinions: The City Electrical Appeals Board shall also render advisory technical opinions regarding potential Code amendments and/or changes. (1952 Code § 4-05-11)

9-5-12: Appeal Procedure

Any charge, complaint or appeal shall be brought before the Board of Appeal as follows: (1952 Code § 4-05-12)

A. Orders: Any person who has been ordered by an electrical inspector to repair, change or correct any electrical wiring, equipment, apparatus or fixture may, within fifteen (15) days thereafter, appeal therefrom by giving to the chief electrical inspector a notice in writing of such appeal and shall attach to the written appeal a check in such amount as established by the City Council, made payable to the City. Such notice shall immediately be sent to the Chairperson of the Board who shall set the time and place for hearing and instruct the Secretary of the Board to notify the appellant of the time and place set for the hearing. Notice to the appellant shall be contacted at least ten (10) days prior to the hearing date. Appearance by appellant at the hearing shall be deemed a waiver of notice. The chief electrical inspector shall set up a hearing as soon as possible after receiving a charge, complaint or appeal, but in no instance shall an appeal be scheduled longer than thirty (30) days after receipt.
B. Administrative Decisions: Decisions of the administrative authority enforcing this Code or interpretations of the rules, the disapproval of equipment, materials or wiring methods, or the denial of the "special permission" contemplated in several of the rules, may, within fifteen (15) days thereafter, be appealed, by giving to the chief electrical inspector, notice in writing of such appeal. Such written notice shall be accompanied by a check in such amount as established by the City Council, made payable to the City. Such notice shall immediately be sent to the Chairperson of the Board, who shall set the time and place for hearing and instruct the Secretary of the Board to notify the appellant of the time and place set for the hearing. Notice to the appellant shall be contacted at least ten (10) days prior to the hearing date. Appearance by appellant at the hearing shall be deemed a waiver of notice. (1952 Code § 4-05-12; amd. 2019 Code)

C. Evidence: The Electrical Board may receive all evidence on appeal, in accordance with the following procedure:

1. The chief electrical inspector or designee shall present background information on the project in question, relevant Code sections and justification for the City's interpretation. The Board may ask questions during or after each presentation.

2. Appellant shall present his/her grounds, reasoning and applicable Code sections to support a reversal of the chief electrical inspector's decision. The appellant shall have up to twenty (20) minutes to present such evidence.

3. The Chair shall open the hearing for public testimony. Each person wishing to provide public testimony shall be given up to five (5) minutes to do so.

4. Following the close of public testimony, the chief electrical inspector or designee shall be allowed up to ten (10) minutes for rebuttal.

5. The applicant then shall have up to ten (10) minutes for rebuttal and any final comments.

6. The Chairperson of the Board may allocate equivalent additional time to the applicant and the chief inspector or his designee if the clarity of the issue at hand can be enhanced by receiving additional testimony.

7. The Board may request more information before a final decision is made. Also, the Board may take the matter under advisement and reconvene in a reasonable time not to exceed fifteen (15) days to make their final decision.

8. Thereafter, the Board may deliberate and render a final decision by a roll call vote, may request more information before a final decision is made, or may take the matter under advisement and reconvene at a reasonable time not to exceed fifteen (15) days to make their final decision.
The final decision shall be in writing and a copy provided to the applicant and any parties of record. The decision by the Board may be appealed to the City Council ten (10) calendar days following the date of issuance of a written decision. (1952 Code § 4-05-12)

9-5-13: Right Of Appeal To City Council For Administrative Actions

If the Board of Appeal affirms and/or changes the administrative action of an electrical inspector, the licensee aggrieved or the appellant may, within ten (10) days thereafter, appeal to the City Council. (1952 Code § 4-05-13)

9-5-14: Code Priority

Whenever the requirements of this Code are of a higher, more stringent standard than other related codes as adopted and amended by the City, then the standards of this Code shall take precedence. (1952 Code § 4-05-14)

9-5-15: License Required

A. It shall be unlawful for any person to engage in, carry on or represent himself, the business of electrical contractor or specialty contractor, or to supervise or labor at the trade of journeyman electrician or specialty journeyman electrician within the City without being in possession of an electrical contractor's license or journeyman electrician license or specialty contractor's license or specialty journeyman license issued by the State Electrical Bureau. The specialty contractor's license and specialty journeyman license shall be limited to the particular trade involved as required by the State Electrical Bureau.

B. A journeyman electrician or specialty journeyman shall not engage in or represent himself as an electrical contractor. (1952 Code § 4-05-15)

9-5-16: Property Owner's Exemption

A. Specified: A property owner of a one-family or two-family dwelling, including accessory buildings and grounds about such dwellings, may install, alter or replace electrical wiring, equipment, apparatus or fixtures in or on said property or structures, provided the proper
electrical permit has been issued for the work and inspections are made as required by this Code.

B. When Contractor Required: The property owner's exemption is void, and all work must be done by a licensed electrical contractor when:

1. A property owner securing an electrical permit hires or asks for the assistance of another person, with or without pay.

2. A licensed electrical or specialty contractor lends his or her license to a property owner for securing an electrical permit or when a licensed journeyman electrician or specialty journeyman electrician performs work with or without pay under another person's property owner's permit.

C. Voiding Property Owner Permit: The electrical section/chief electrical inspector is hereby authorized to void a homeowner electrical permit if:

1. The person taking out the permit is not the owner of record on the deed of said property;

2. The property owner has two (2) or more reinspections; and/or

3. The property owner receives physical assistance from others. (1952 Code § 4-05-16)

**9-5-17: Unlawful Electrical Procedures**

It shall be unlawful for any person, as principal, agent, officer, servant or employee thereof, regardless of whether they are receiving compensation for performing the act or not, to perform any of the following:

A. Install or alter any electrical wiring, equipment, apparatus or fixture, without first securing an electrical permit.

B. Maintain, permit to be maintained or permit to exist upon premises which is owned or controlled by any of the above, any electrical wiring, equipment, apparatus or fixture which does not conform to the requirements of this Code.
C. Hinder, impede or interfere with an electrical inspector in the discharge of his authority or duty, or to refuse, fail or neglect to follow or conform to any provisions or requirements of this Code.

D. To energize any electrical wiring, equipment, apparatus or fixtures which have been installed, altered or repaired, until the inspection approval has been posted. (1952 Code § 4-05-17)

9-5-18: Electrical Permit Required

A. Permit Required: Before any person installs or alters any electrical wiring, equipment, apparatus or fixture, they shall file a permit application with the electrical section.

B. Exception For Emergency Work: If immediate alteration or installation of electrical wiring, equipment, apparatus or fixtures is necessary for reasons of public safety and/or welfare and an electrical permit cannot first be obtained without further endangering the public safety and/or welfare, such alteration or installation may be made without first obtaining the electrical permit therefor, but the required electrical permit shall be obtained during the next business day after such alteration or installation shall have been made. (1952 Code § 4-05-18)

9-5-19: Qualified Permit Applicant

A. Required: No electrical permit shall be issued to any person to do or cause to be done any electrical work regulated by this Code, except to a person holding a valid contractor's license as required by this Code.

B. Exception: Electrical permits may be issued to property owners as provided by this Code. (1952 Code § 4-05-19)

9-5-20: Application For Permit

Any person legally entitled to apply for and receive an electrical permit shall file a permit application with the Planning and Development Services Department. (1952 Code § 4-05-20)

9-5-21: Permit Requirements
Permittee shall meet the following requirements:

A. Shall inform the department prior to beginning work by submitting a permit application.

B. Any person who commences any work on an electrical system before obtaining the necessary permit, shall be subject to a special investigation fee. The investigation shall be completed and the investigation fee shall be paid before a permit may be issued for such work. The investigation fee shall be required regardless of whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this Code. The payment of such investigation fee shall not exempt any person from compliance with all provisions of this Code, nor shall payment of this fee serve as an exemption from any penalty prescribed by law. (1952 Code § 4-05-21)

9-5-22: Issuance Of Electrical Permit

A. Issuance: Upon the receipt of a properly completed electrical permit application containing all required information and upon payment of the proper permit fee, the electrical section shall issue the electrical permit.

B. Void, Expiration: Permits could be voided or expired if the work authorized by the permit is not started within one hundred eighty (180) days from the date of issuance of the permit or if work is suspended or abandoned for one hundred eighty (180) days after work is started, such permit shall thereupon become expired and no electrical wiring, equipment, apparatus or fixtures shall thereafter be installed or altered in or on the premises specified in the original permit until and unless a new application shall have been made, the fee paid and a new permit issued. The one hundred eighty (180) days of suspension or abandonment shall be measured from the last required inspection that was requested by the permit applicant and approved/failed by the inspector.

C. Denial Of Permit: An electrical permit may be denied to any person when corrections with the installation or alteration of electrical wiring, equipment, apparatus or fixtures installed, altered or repaired by such person under a previously issued electrical permit for work at this location has not been made within the requirements of this Code after a correction notice has been posted. The electrical section shall notify the person by mail at least five (5) days before denial of a permit and shall list the permit numbers involved. Notice shall be considered given upon delivery of the mail to the last known address. (1952 Code § 4-05-22)
9-5-23: Unlawful To Conceal

It shall be unlawful for any person to cover up or in any way conceal any electrical wiring, cables, conduits or other equipment until the same has been inspected and approved by an electrical inspector. (1952 Code § 4-05-23)

9-5-24: Inspection Required

A. Notification: It shall be the duty of the permittee to notify the electrical section when the electrical work is ready for inspection or reinspection.

B. Approval Notice: When the electrical inspector finds the work to be in compliance with this Code, he shall post on the front window or where the work is being done, his inspection approval thereof. The notice shall contain date and permit number.

C. Correction Notice: When the electrical inspector finds that the work does not comply with this Code, he shall post his correction notice on the front window of the structure or where the work is being done; such notice shall clearly show by Code section number the violations to be corrected. It shall be the duty of the permittee to notify the electrical section when the work is ready for reinspection.

D. No Access Notice: When the electrical inspector cannot gain access to the work that is being done, he will post a no access notice at front of structure or job and a reinspection fee will be required.

E. Installations Without Inspection: If an electrical installation is found to have been made without an electrical inspection, the person, firm, association or corporation responsible shall be required to expose as much of the concealed work as the electrical inspector deems necessary to verify compliance with this Code. (1952 Code § 4-05-24)

9-5-25: Rough-in Inspection

A. Required: All electrical wiring, equipment, apparatus or fixtures shall be inspected for compliance with this Code. Rough-in inspections shall include all mechanical installations,
application or use of wiring methods, grounding and circuit protection, service equipment, distribution and protection, conductor capacity, general and special use equipment.

B. Partial Inspection: When only part of the work is ready for inspection, a partial rough-in inspection may be requested to allow the work of other crafts to proceed without delay. Only that part of the electrical work inspected under a partial rough-in inspection may be covered or concealed thereafter. It shall be the duty of the permittee to schedule partial rough-in inspections so that the work may proceed without delay. (1952 Code § 4-05-25)

9-5-26: Trim-out (final) Inspection

When the electrical work documented in the permit is ready to be placed in service, the completed system shall be inspected and/or tested for compliance with this Code. Trim-out inspections shall cover the installation and/or connection of devices, cover plates, fixtures, utilization equipment (ranges, water heater, etc.), heating and/or cooling equipment, service equipment and distribution panels. (1952 Code § 4-05-26)

9-5-27: Temporary Service Connection

It shall be unlawful for any person, firm, association or corporation to use, cause or permit to be used, a temporary service connection for carnivals, displays, holiday decorative lighting, firework stands, experimental or developmental work, demolition work, construction, remodeling and similar purposes, without first following the requirements of this Code and the National Electrical Code. (1952 Code § 4-05-27)

9-5-28: Enforcement Through Disconnection Of Power

A. Violation Unlawful: It shall be unlawful for any person, firm, association or corporation to install electrical wiring, equipment, apparatus or fixtures in violation of any rule or provision of this Code, or to use, cause or permit to be used any electrical installation that is hazardous to life or property within the City.

B. Disconnection: If the electrical inspector shall find any part of any electrical wiring, equipment, apparatus or fixture in, on or about any building or premises in the City to have been installed or altered without an electrical permit or not in compliance with the rules of this Code or if any electrical wiring, equipment, apparatus or fixture is found to be immediately hazardous to life and property, the electrical inspector shall have the right and authority to cause such
installation to be disconnected and to place a written correction notice upon the disconnected installation. The inspector shall, at the same time, give notice of such disconnection to the owner or occupant of the building or premises and/or to the person using electric current carried by the disconnected installation that the disconnection has been made.

C. Notice: Such notice shall be made by the most reasonably effective means and a written notice shall be posted at the primary entrance of each affected occupant.

D. Use Prohibited After Disconnect: It shall be unlawful for any person, firm, association or corporation to use, cause or permit to be used any electric current in or through electrical wiring, equipment, apparatus or fixtures ordered disconnected by the electrical inspector in accordance with this section. It will be unlawful to attach other wires for the supply of the electrical current to such disconnected installation. It shall also be unlawful to remove, break or deface any written correction placed by the inspector on a disconnected installation as ordered by the inspector in accordance with this section. (1952 Code § 4-05-28)

9-5-29: Responsibility

Regardless of any approval issued by the City, the owner or authorized agent shall have ultimate responsibility to comply with all articles of this Code. The City officials, employees or agents shall not be held liable by reason of the issuance of any permit, inspection or by reason of any final inspection approval issued by the electrical inspector. (1952 Code § 4-05-29)

9-5-30: Schedule Of Fees

The electrical fee schedule will be kept on file at the Planning and Development Services front counter, City Clerk’s Office or on the Planning and Development Services website. All electrical fees shall be reviewed by the Electrical Board and then be set and approved only by the City Council. (1952 Code § 4-05-30)

9-5-31: Special Code Requirements

In addition to the provisions specified in this section, the Director of the Planning and Development Services Department may require other safeguards based on special conditions that may be present in a particular installation. These safeguards include, but are not limited to, the following:
A. Disconnect And Panel Locations: Main circuit disconnecting switches and/or distribution panels shall not be installed in a bathroom, shower room, toilet room or next to a washbasin, laundry tub, janitor’s tub or other location thought unsafe by the inspector.

B. Electric Fences: No electric fence wires shall hereafter be erected, constructed, maintained or allowed to remain as part of any fence within the present or future corporate limits of the City.

C. Unfused Conductors: All unfused conductors shall be installed in a raceway (rigid metal conduit or IMC) when inside a building or structure for underground service only. Raceway shall not be longer than four feet (4’). All meter bases shall be between five and one-half feet (5½’) and six feet (6’) measured from grade. Multi-metered base measurements shall be from the top meter base to grade.

D. Commercial Type Buildings: Commercial, educational, institutional and industrial buildings shall be wired in a raceway approved from the current edition of the NEC or metal clad interlocking armored cables (not to include apartments of 9 or more units). (1952 Code § 4-05-31)

9-5-32: Code Violation Not To Be Retained

When altering a pre-existing electrical wire, equipment, apparatus or fixture, or adding any new wiring, the existing electrical wiring in close proximity shall be in accordance with the present Code. (1952 Code § 4-05-32)

9-5-33: Approval Of Products And Materials

All materials, devices, fittings, equipment, apparatus and fixtures installed or used in the installations covered by this Code or which are supplied with electric energy by attachment to such installations, shall be approved as hereinafter defined:

A. Accepted Testing Laboratory: Materials, devices, fittings, equipment, apparatus, fixtures and appliances tested, examined and certified (listed) by an accepted testing laboratory and so labeled, shall be accepted by the Planning and Development Services Department as approved. The Planning and Development Services Department shall maintain up to date
listings of the products and equipment approved by such testing laboratories as well as an updated list of accepted testing laboratories.

B. Uncertified Products: Products which are not certified (listed) but are considered safe by the electrical inspector, may be approved provisionally and such approval shall apply only to the stock or products inspected, or a third party testing laboratory shall give the product a field evaluation or a field inspection. Such approval shall not be given for types of products which are regularly certified (listed) or when such certification (listing) does not include the proposed use. The above mentioned products shall be inspected before installation.

C. Assembled Equipment Or Products: Equipment and/or products assembled from materials, devices, fittings, equipment, apparatus, etc. (which are approved listed), may be provisionally approved by the electrical inspector, on a limited basis for testing purposes and/or submission for certification and listing, provided such equipment or product is installed (for testing purposes) under an electrical permit issued by the Planning and Development Services Department.

D. Special Built To Order Equipment: The Director of the Planning and Development Services Department may approve special built to order equipment; provided, that:

1. The equipment is not to be displayed or offered for sale.

2. The equipment is inspected during the construction phase and installed only after an electrical permit is obtained pursuant to the provisions of this Code.

3. Each unit must be inspected and approved under this provision. (1952 Code § 4-05-33)

9-5-34: Stop Work Order

A. Issuance: Upon notice from the Code official that any electrical work is being done contrary to the provisions of this Code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s agent, or to the person doing the work. If the parties are not present at the time, the stop work order shall be posted on the front of the building or at the job site. The notice shall state the conditions under which work is authorized to resume.

B. Emergencies: Where an emergency exists, the Code official shall not be required to give a written notice prior to stopping the work.
C. Unlawful Continuance: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law. (1952 Code § 4-05-34)

9-5-35: Criminal And Civil Penalties

The City has the authority to file a complaint for criminal or civil penalties, or both, for any violation of this chapter. Criminal and civil penalties are designed to serve different purposes in this chapter. If both criminal and civil penalties are filed regarding a same or similar wrongdoing on the same site or by the same person, such action shall not be considered to be double jeopardy. These penalties shall apply to any person who performs or authorizes another to perform any electrical work in violation of this Code. The filing of criminal or civil charges in no way relieves anyone who performs or authorizes another to perform electrical work from complying with this Code. (1952 Code § 4-05-35)

A. Criminal Penalty: Any person violating or authorizing another to violate any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, may be subject to penalty as provided in section 1-4-1 of this Code. A new violation may be filed for each day the violation continues. (1952 Code § 4-05-35; amd. 2019 Code)

B. Civil Penalty:

1. Authorized: Any person or its agent violating any provision of this Code may have civil penalties assessed against them. Notice of said penalties shall be served upon the violator or service may be effectuated by certified mail to the last known business address or residential address of the violator. A new violation may be filed for each day the violation continues. The violation will have a date when the violation shall be paid by, if it is not paid by that date, the City shall pursue collections through court and will ask the court to reimburse for all costs associated with collecting the penalty.

2. Guidelines: Civil penalties shall be issued pursuant to the following guidelines:

a. If the violation does not create a serious life-safety hazard, the City shall send a warning to the person violating this Code.

b. If the violation continues or a subsequent violation is discovered, the City may issue civil penalties.
c. If the violation creates a serious life safety hazard, then a civil penalty may be imposed even though a prior warning was not given.

3. Scope Of Penalty: A civil penalty shall be issued in the following cases:

a. Electrical Contractor: Any person who acts or purports to act as an electrical contractor, as defined by section 9-5-15 of this chapter, without a valid State electrical contractor’s license shall be subject to a civil penalty of not more than five hundred dollars ($500.00) for the first offense and a civil penalty of not more than one thousand dollars ($1,000.00) for each offense thereafter.

b. Employees: Any person who knowingly employs a person who does not hold valid State electrical license as required by section 9-5-15 of this chapter, to perform electrical installations, shall be subject to a civil penalty of not more than two hundred dollars ($200.00) for the first offense and a civil penalty of not more than one thousand dollars ($1,000.00) for each offense thereafter.

c. Journeyman To Apprentice Ratio: Any electrical contractor employing electricians in violation of the journeyman to apprentice ratio established by the State board shall be subject to a civil penalty of not more than two hundred dollars ($200.00) for the first offense and a civil penalty of not more than one thousand dollars ($1,000.00) for each offense thereafter.

d. Supervision: Any contractor failing to provide constant and continuous on the job supervision of apprentice electricians by a qualified journeyman electrician shall be subject to a civil penalty of not more than two hundred dollars ($200.00) for the first offense and a civil penalty of not more than one thousand dollars ($1,000.00) for each offense thereafter.

e. Performance Outside Scope Of License: Any specialty electrical contractor or specialty electrical journeyman, as defined in the State Electrical Code, performing electrical installations, alterations or maintenance outside the scope of the specialty electrical license, shall be subject to a civil penalty of not more than two hundred dollars ($200.00) for the first offense and a civil penalty of not more than one thousand dollars ($1,000.00) for each offense thereafter.

f. Corrections: Any person who fails to make corrections in the time allotted in the notice on any electrical installation and where no extension has been requested or granted, shall be subject to a civil penalty of not more than two hundred dollars ($200.00) for the first offense and a civil penalty of not more than one thousand dollars ($1,000.00) for each offense thereafter.

g. Fees And Permits: Any person failing to acquire a permit and/or to pay applicable fees or properly post an electrical permit shall be subject to a civil penalty of not more than five hundred dollars ($500.00) for the first offense and a civil penalty of not more than one thousand dollars ($1,000.00) for each offense thereafter. (1952 Code § 5-4-05-35)

9-5-36: Appeal Of Civil Penalty
Upon notice of a civil penalty, the notified party shall within ten (10) days comply with the penalty or file a written request for a hearing for appeal with the Electrical Board. Such written notice shall be accompanied by a check for one hundred fifty dollars ($150.00) made payable to the City. When determining if a civil penalty is warranted, the board shall consider the following:

A. If the violation does not create a serious life safety hazard, did the City send warning to the person or his agent violating the Code prior to issuing a civil penalty?

B. Did the violation continue or was a subsequent violation discovered, that warranted the City to issue a civil penalty?

C. Did the violation create a serious life safety hazard, so that the City was warranted in issuing a civil penalty even though a prior warning was not given?

D. Did the person or his agent regularly take out permits, and thus should have had knowledge of what the Code required?

E. Did the person or his agent receive adequate warning notice of the Code violation or a similar Code violation?

F. Does the person or his agent regularly violate the Code? (1952 Code § 4-05-36)

**9-5-37: Appeal Of Board Decisions**

The decision by the Electrical Board may be appealed to the City Council within ten (10) calendar days following the date of issuance of a written decision. If the City Council renders a final decision imposing the civil penalty against the appellant, the appellant shall have fourteen (14) calendar days from such decision within which to pay the civil penalty. (1952 Code § 4-05-37)