

ORDINANCE NO.: 4852

AN ORDINANCE to amend portions of Article V in Sections 103-134 to 103-142 of the Municipal Code of Ordinances relating to the Electrical Code so it conforms with recent changes in the state electrical code.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Sections 103-103 through 103-142 is hereby amended to read as follows:

ARTICLE III. ELECTRICAL CODE\*

FOOTNOTE(S) :

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**State Law reference**— Electrical regulations, Wis. Stat. § 101.80 et seq.; municipal authority relative to electricity, Wis. Stat. § 101.86.

**Sec. 103-134. - Enforcement, penalties and review.**

(a) *Unsafe or illegal electrical equipment.* When the Fire Department - Division of Fire Prevention and Building Safety finds any electrical equipment to be unsafe or dangerous to persons or property, the person owning or using such electrical equipment shall be notified in writing to remove, or cause to be removed, or to make any changes or repairs, so as to restore such electrical equipment to a safe condition. Failure to comply with such notice, within the time specified in such notice, shall be sufficient cause for Fire Department - Division of Fire Prevention and Building Safety to order the removal of, or disconnection of power to, such electrical equipment. In any case of emergency affecting the safety of persons or property, or where electrical equipment interferes with the work of the Fire Department, or where electrical equipment is not installed in conformity with the regulations of this article, the Fire Department - Division of Fire Prevention and Building Safety shall have the authority to order the immediate removal of, or disconnection of power to, such electrical equipment. When the Fire Department - Division of Fire Prevention and Building Safety orders the disconnection of power to electrical equipment an official notice, tag, lock, or seal shall be attached to such electrical equipment to prevent the use of electricity. It shall be unlawful for any unauthorized person to attach such official notice, tag, lock, or seal, or to break open, change, remove, destroy, tear, alter, mutilate, cover, or otherwise deface or injure any such official notice, tag, lock or seal.

(b) *Penalties.* Except as otherwise provided in this article, violations of this article, including those provisions of the Wisconsin Statutes, State Electrical Code or other materials which are incorporated by reference, are a Class C offense as provided in section 1-7. In addition:

- (1) Any license granted hereunder may be suspended by the Board of Electrical Examiners for not more than 30 days without hearing or for more than 30 days after a hearing or may be revoked after a hearing.
- (2) Any license granted hereunder may be suspended or revoked by a court of competent jurisdiction.

(c) *Review.* Any person may appeal any decision of the Fire Department - Division of Fire Prevention and Building Safety to the Board of Electrical Examiners, by filing a written appeal with a fee in the amount established by resolution within five days of such decision. The Board shall promptly conduct a hearing, and determine whether the decision of the Fire Department - Division of Fire Prevention and Building Safety complied with this article. Only if the appeal is successful will the fee be returned to the appellant.

(Code 1980, § 17.10)

**Sec. 103-135. - Scope.**

This article shall apply to all installations, alterations, repairs and replacement of electrical wiring, material, fittings, devices, appliances, fixtures, apparatus and machinery, hereinafter referred to as "electrical equipment," and fire alarm systems in addition to the requirements of article IV of section 14.

(Code 1980, § 17.01)

**Sec. 103-136. - Board of Electrical Examiners.**

The Board of Electrical Examiners shall consist of five members appointed by the Mayor and confirmed by the Council as follows: One licensed Master or Journeyman Electrician, one licensed Electrical Contractor regularly engaged in business, one professional engineer, one resident property owner, and one representative of commercial or industrial management. Terms shall be three years expiring at different times, with two of the first appointees appointed for three years, two for two years, and one for one year. The Board of Electrical Examiners shall make its own rules of procedure. The Board of Electrical Examiners may examine applicants for licenses, grant licenses to qualified applicants, suspend or revoke licenses for cause, and shall in accordance with section 103-134(c), review decisions of the Fire Department - Division of Fire Prevention and Building Safety. Three members of the Board present at any meeting shall constitute a quorum for the suspension or revocation of licenses and the transaction of other business; and a majority vote of such quorum shall prevail. All members shall serve until their successors are appointed and qualified.

(Code 1980, § 17.02)

**Cross reference—** Boards and commissioners generally, ch. 2, art. X.

**Sec. 103-137                      *Credentials.***

(a) No person, firm or corporation shall install, alter, repair or replace electrical equipment or fire alarm systems, or engage in the business of said installations, alterations, repairs or replacements, for any purpose whatsoever in the City of La Crosse without first having procured the required license, registration or enrollment as prescribed in this section.

(b) *State and municipal requirements.*

(1) *Electrical Contractor.* The Electrical Contractor is a person, firm or corporation who will engage in the business of the installation, alteration, repair and replacement of electrical equipment. The Electrical Contractor shall:

- a. Provide proof of licensing as an Electrical Contractor as prescribed in the Wisconsin Administrative Code.
  - b. Provide proof of licensing as a Master Electrician, or prove employment of a regular full-time Master Electrician. The Master Electrician shall be responsible for all work performed.
  - c. Employ licensed, registered or enrolled electricians and apprentices as prescribed in this section.
  - d. Provide the Fire Department - Division of Fire Prevention and Building Safety with a current certificate of insurance at a level not less than the minimum liability limits prescribed in section 103-140.
- (2) *Master Electrician, Journeyman Electrician, Residential Master Electrician and Residential Journeyman Electrician.* The Master Electrician, Journeyman Electrician, Residential Master Electrician or Residential Journeyman Electrician is a person employed by an Electrical Contractor to perform the installation, alteration, repair and replacement of electrical equipment. The Master *Electrician, Journeyman Electrician, Residential Master Electrician and Residential Journeyman Electrician* shall:
- a. Provide proof of licensing as a Master Electrician, Journeyman Electrician, Residential Master Electrician or Residential Journeyman Electrician as prescribed in the Wisconsin Administrative Code.
- (3) *Electrical Apprentice, Residential Electrical Apprentice and Registered Electrician.* The Electrical Apprentice, Residential Electrical Apprentice or Registered Electrician is a person employed by an Electrical Contractor to perform the installation, alteration, repair and replacement of electrical equipment. The Electrical Apprentice, Residential Electrical Apprentice and Registered Electrician shall:
- a. Provide proof of registration as an Electrical Apprentice, Residential Electrical Apprentice or enrollment as a Registered Electrician as prescribed in the Wisconsin Administrative Code.
  - b. Be restricted as prescribed in subsection (d) of this section.
- (4) *Fire Alarm Contractor.* The Fire Alarm Contractor is a person, firm or corporation who will engage in the business of the installation, alteration, repair and replacement of fire alarm systems. The Fire Alarm Contractor shall:

- a. Submit license application for approval by the Board of Electrical Examiners on forms provided by Fire Department - Division of Fire Prevention and Building Safety
- b. Submit to the Fire Department - Division of Fire Prevention and Building Safety both the application fee and the license fee made payable to the Director of Finance/Treasurer.
- c. Employ licensed Fire Alarm Installers as prescribed in this section. A person who is a Fire Alarm Contractor may apply for a Fire Alarm Installer license.
- d. Provide the Fire Department - Division of Fire Prevention and Building Safety with a current certificate of insurance at a level not less than the minimum liability limits prescribed in section 103-140.
- e. Be restricted to systems operating at 100 volts or less.

(5) The fire alarm installer is a person employed by a Fire Alarm Contractor to perform the installation, alteration, repair and replacement of fire alarm systems. The fire alarm installer shall:

- a. Submit license application for approval by the Board of Electrical Examiners on forms provided by the Fire Department - Division of Fire Prevention and Building Safety. Application shall include the notarized affidavit from the applicant's employer or employer's authorized agent that the applicant is competent to perform such work.
- b. Submit to the Fire Department - Division of Fire Prevention and Building Safety both the application fee and the license fee made payable to the Director of Finance/Treasurer.
- c. Provide proof of licensing as a Fire Alarm Installer as prescribed in this section.
- d. Be restricted to systems operating at 100 volts or less.

(c) *Application and renewal.* The Board of Electrical Examiners shall prescribe the form of application, requirements as to experience, and the written examination, if any, for each type of license administered by said Board. Applicants may also be summoned for interview or oral examination by said Board. During the license renewal period the City Electrical Inspector may approve new license applications for Fire Alarm Installers. Renewal application for a license shall be made on forms provided by the Fire Department - Division of Fire Prevention and Building Safety. The applicant shall include at the time of renewal the proper fee in the amount established by resolution. All licenses, administered by said Board, as prescribed in this section shall be issued for one year commencing on January 1 and expiring on December 31 following. The fees for such licenses shall be as established by resolution and shall be paid in the Fire Department - Division of Fire Prevention and Building Safety and checks made payable to the Director of Finance/Treasurer in the amount required.

(d) *Restrictions.* The registered Electrical Apprentice, Residential Electrical Apprentice and enrolled Registered Electrician shall work under the direct supervision of a licensed Master, Journeyman, Residential Master or Residential Journeyman Electrician. At no time shall there be more than one registered apprentice and two enrolled electricians on a job site for each licensed electrician as aforementioned. The Residential Electrical Apprentice may work without continuous supervision on residential electrical equipment after no less than two full years of supervised work experience in the installation, alteration, repair and replacement of residential electrical equipment. At no time shall a registered apprentice or enrolled electrician supervise a licensed, registered or enrolled electrician or apprentice.

(e) *Suspension and revocation.* The Board of Electrical Examiners or the City Electrical Inspector may investigate any charges or complaints filed which may be brought against the holder of any license, which said Board administers, for noncompliance with any provision of this article on the part of the licensee or any person performing any work under their direction. Any license granted herein may be suspended or revoked as prescribed in section 103-134(b). Any Fire Alarm Contractor who knowingly and willfully procures a permit for any fire alarm system work which is to be performed by anyone without the required license, as prescribed in this section, shall be subject to the maximum penalty, as prescribed in section 103-134(b), and the Fire Alarm Contractor's license shall be presented for review by the Board of Electrical Examiners for suspension or revocation.

(Code 1980, § 17.03)

**Cross reference—** Persons indebted to City not to be issued permit, license or lease, § 2-292; businesses, ch. 10; fire alarm systems, ch. 14, art. IV.

**State law reference—** Local licensing of electricians, Wis. Stat. § 101.861.

**Sec. 103-138. - Permits.**

(a) *Electrical permits.* No electrical equipment or fire alarm system shall be installed, altered, repaired or replaced in the City of La Crosse without the licensed Electrical Contractor or licensed Fire Alarm Contractor first securing an electrical permit therefore from the Fire Department - Division of Fire Prevention and Building Safety. The application for such permit shall be on forms provided by Fire Department - Division of Fire Prevention and Building Safety and shall include such plans, specifications, and other information as are requested by the Fire Department - Division of Fire Prevention and Building Safety. All later deviations from such plan shall first be approved in writing .

(b) *Expiration.* Electrical permits shall expire two years from date of approval, unless there is continuous performance of the work for which issued. Permits shall also expire when work does not commence within six months from date of approval, or work ceases for a period of sixty days.

(c) *Demolition permits.* When a building or structure is to be razed, removed or remodeled the demolition permit, as prescribed in section 103-34, shall not be issued until all feeder and branch circuits are disconnected by the Electrical Contractor, or the service is disconnected by the electric utility.

(d) *Excavation permits.* No person shall make any excavation or opening in any street, alley, highway, sidewalk or other public way for the purpose of installing, altering, repairing or replacing any electrical raceways, conductors or cables, or for any other purpose, without first having obtained a permit as prescribed in section 40-33.

(e) *Permit fees.*

- (1) *Permit fees* shall be based on the physical value of the work to be done, as determined by Fire Department - Division of Fire Prevention and Building Safety on the basis of current costs in the amount established by resolution.
- (2) Additional permit fees for fire alarm systems components are required as established by resolution.
- (3) The above permit fees shall be doubled when work is commenced before a permit is obtained. Other penalties provided by this Code may also be invoked.
- (4) In addition to the above permit fees, for all additions, alterations and services to existing buildings and structures, record fees are required as established by resolution.

(Code 1980, § 17.04)

**Cross reference**— Persons indebted to City not to be issued permit, license or lease, § 2-292.

**Sec. 103-139. - Inspections.**

(a) *Service inspections.* The service inspection by the Fire Department - Division of Fire Prevention and Building Safety shall occur within two business days after notification by the Electrical Contractor that the service is installed, altered, repaired or replaced.

(b) *Rough inspections.* The rough inspection by the Fire Department - Division of Fire Prevention and Building Safety shall occur within two business days after notification by the Electrical Contractor or Fire Alarm Contractor that the electrical equipment or fire alarm system is roughed in and before such work is covered up.

(c) *Final inspections.*

- (1) *Electrical.* The final inspection by Fire Department - Division of Fire Prevention and Building Safety shall occur within two business days after notification by the Electrical Contractor that the job is complete.
- (2) *Fire alarm.* The final inspection by the Fire Department - Division of Fire Prevention and Building Safety shall occur within two business days after notification by the Electrical

Contractor or Fire Alarm Contractor that the job is complete. In addition to the final inspection it is the responsibility of the Electrical Contractor or Fire Alarm Contractor to schedule an acceptance test with the Chief of Inspections for the Fire Department. Certification that the fire alarm system and all related components have been installed, altered, repaired or replaced in accordance with all applicable codes and tested shall be presented to the Chief of Inspections for the Fire Department or City Electrical Inspector prior to the acceptance test.

(d) *Certificate of compliance.* If the Fire Department - Division of Fire Prevention and Building Safety determines that the work conforms to this code a certificate of occupancy shall be issued. No person shall use any electrical equipment before such certificate is issued.

(e) *Reinspection.* When the Electrical Contractor or Fire Alarm Contractor notifies the Fire Department - Division of Fire Prevention and Building Safety that all code corrections are completed and it is found that violations still exist there shall be a fee, as established by resolution for each additional inspection.

(f) *Disclaimer on inspections.* The disclaimer prescribed in section 103-68 shall apply to and include the installation, alteration, repair or replacement of electrical equipment or fire alarm systems by the Electrical Contractor or Fire Alarm Contractor. (Code 1980, § 17.05)

**Sec. 103-140. - Public liability insurance and completed operations insurance.**

The Electrical Contractor, with the application for permit, and the Fire Alarm Contractor, with the application for license or renewal thereof, shall file a certificate of insurance with the Fire Department - Division of Fire Prevention and Building Safety showing that complies with section 2-2.

(Code 1980, § 17.06)

**Sec. 103-141. - Standards for the installation of electrical equipment.**

(a) *Adoptions by reference.* Except as otherwise regulated by this article, all installations of electrical equipment shall conform to and comply with the applicable provisions of Wis. Admin. Code chs. SPS 305 and 316, the statutes of the State of Wisconsin, and any orders, rules and regulations issued by authority thereof, and with approved electrical standards for safety to persons and property. Where no specific standards for safety are prescribed by this article or by the State Electrical Code, conformity with the regulations set forth in the National Electrical Code and in the National Electrical Safety Code shall be prima facie evidence of conformity with approved standards for safety to persons and property. One- and two-family dwellings the initial construction of which was commenced on or after June 1, 1980, and additions, alterations or services to all one- and two-family dwellings, and manufactured, modular or mobile homes, shall comply with the provisions of the Wis. Admin. Code ch. SPS 324, which is adopted by reference and made a part hereof.

(b) *Municipal requirements.*

- (1) Electrical equipment shall be installed as prescribed in sections 40-10 and 103-330. All service conductors and service-entrance conductors shall be installed in listed raceway systems.
- (2) When a raceway is used as a service drop conductor support a minimum of two inch listed rigid metal conduit shall be installed.
- (3) All new or replaced electrical distribution and service facilities related thereto, other than the transformer and meter shall be underground in the fire limits, as prescribed in section 103-4, unless the Board of Public Works, after due notice and hearing waives such requirement. Any such decision by the Board of Public Works may be appealed to the Common Council within 30 days thereafter.
- (4) The Electrical Contractor and Fire Alarm Contractor shall install all listed fire alarm systems, as required by National, State and Municipal Codes, in listed raceway systems, except that listed fire alarm cable may be installed for continuously monitored low voltage fire alarm systems in fully sprinkled buildings or structures unless prohibited in other applicable codes.
- (5) In addition to the requirements of National, State and Municipal Codes the telephone lines or any hard wired systems, serving the remote dialer or any notification equipment, connected to any fire alarm reporting station shall be installed in listed raceway systems from the demarcation point to the remote dialer or notification equipment.

(Code 1980, § 17.07)

**Sec. 103-142. - Standards for electrical equipment.**

Only that equipment which has been expressly manufactured for electrical purposes shall be installed for electrical purposes. All electrical equipment shall be installed or used in the exact manner and for the exact purpose indicated by the manufacturer's instructions, listing and labeling. Old or second-hand electrical equipment shall not be installed, nor shall existing electrical equipment be reused, unless such electrical equipment complies with the original manufacturer's instructions, listing and labeling which thereon shall not be changed nor altered in any manner. Repairs and replacements made to electrical equipment shall comply with the original manufacturer's instructions, listing and labeling.

(Code 1980, § 17.08)

**Secs. 103-143–103-167. - Reserved.**

SECTION II: This ordinance shall take effect and be in force from and after its passage and publication.

\_\_\_\_\_/s/\_\_\_\_\_  
 Timothy Kabat, Mayor  
 \_\_\_\_\_/s/\_\_\_\_\_  
 Teri Lehrke, City Clerk

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