

AN ORDINANCE FOR SAFEGUARDING PERSONS AND PROPERTY AND PROMOTING THE WELFARE OF THE PUBLIC; CREATING THE OFFICE OF ELECTRICAL INSPECTOR, AND PRESCRIBING HIS DUTIES, RIGHTS, AND AUTHORITY; ESTABLISHING STANDARDS FOR ELECTRICAL EQUIPMENT AND FOR ITS INSTALLATION AND REQUIRING CONFORMITY THEREWITH; MAKING IT UNLAWFUL TO UNDERTAKE THE INSTALLATION OF ELECTRICAL EQUIPMENT WITHOUT A PERMIT THEREFORE, EXCEPT AS OTHERWISE PROVIDED; ESTABLISHING LICENSE AND PERMIT FEES; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

THE CITY COUNCIL OF THE CITY OF OAK PARK HEIGHTS, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

307.01 Adoption of National Electrical Code.

The National Electrical Code, administered by the Minnesota State Board of Electricity, and hereinafter referred to as "NEC", is hereby adopted by the City of Oak Park Heights as set forth within Chapter 301 hereof.

307.02 Application of Provisions of this Ordinance.

The provisions of this Ordinance shall apply to all installations of electrical conductors, fittings, devices and fixtures, hereinafter referred to as "electrical equipment", within or on public and private buildings and premises, with exceptions as provided in Sections 307.06 and 307.07 and with the following general exceptions:

- A. The provisions of this Ordinance shall not apply to installations in mines, ships, or railway cars, or to automotive equipment.
- B. The provisions of this Ordinance shall not apply to installations used for electrical supply and communication agencies in the generation, transmission or distribution of electricity, or for the operation of signals or the transmission of intelligence, and located within or on buildings or premises used exclusively by such an agency or on public thoroughfares. The provisions of this Ordinance shall apply to service drops and entrances of utility companies.

- C. The provisions of this Ordinance shall not apply to the installations of equipment employed by a railway utility in the exercise of its functions at a utility and located outdoors or in buildings used exclusively for that purpose.
- D. The provisions of this Ordinance shall apply to electrical equipment used for radio transmission in amateur radio transmitting stations and shall apply to all electrical equipment used for power supply to radio transmitting equipment, but shall not apply to other electrical equipment used for radio transmission.
- E. As used in this Ordinance, "reasonably safe to persons and property", as applied to electrical installations and electrical equipment, means safe to use in the service for which the installation or equipment is intended without unnecessary hazard to life, limb, or property.

307.03

Electrical Inspector - Qualifications and Appointment.

There is hereby created the office of Electrical Inspector. The City Council shall establish such qualifications and education requirements for the electrical inspector, as they deem necessary.

- A. The Electrical Inspector shall be appointed by the Mayor, by and with the consent of the City Council.
- B. The salary of the Electrical Inspector shall be determined by the City Council by resolution. The electrical inspector shall be appointed for a term to be established by the City Council. He may be removed from office for cause only.

307.04

Duties of Electrical Inspector.

- A. It shall be the duty of the Electrical Inspector to enforce the provisions of this Ordinance. He shall, upon application, grant permits for the installation or alteration of electrical equipment and shall make inspections of electrical installations as provided in this Ordinance. He shall keep complete records of all permits issued, inspections and re-inspections made, and other official work performed in accordance with the provisions of this Ordinance.
- B. It shall be unlawful for the Electrical Inspector to engage in any activity which would require inspection under this Ordinance or use the position of electrical inspector to further the sale of electrical equipment for his own profit in Washington County.

307.05

Authority of Electrical Inspector.

- A. The Electrical Inspector shall have the right, during reasonable hours, to enter any building or premises in the discharge of his official duties, or for the purpose of making any inspection, re-inspection, or its installation. When any electrical equipment is found by the electrical inspector to be dangerous to persons or property because it is defective or defectively installed, the person, firm, or corporation responsible for the electrical equipment shall be notified in writing and shall make any changes or repairs required in the judgment of the Electrical Inspector to place such equipment in safe condition, and if such work is not completed within fifteen (15) days or any longer period that may be specified by the Electrical Inspector in said notice, the Electrical Inspector shall have the authority to disconnect or order the discontinuance of electric service to said electrical equipment.
- B. In cases of emergency, where necessary for safety to persons or property, or where electrical equipment may interfere with the work of the fire department, the Electrical Inspector shall have the authority to disconnect or cause the disconnection immediately of any electrical equipment.

307.06

Standards for the Installation of Electrical Equipment.

- A. All installations of electrical equipment shall be reasonably safe to persons and property and in conformity with the provisions of this Ordinance and the applicable statutes of the State of Minnesota, and all orders, rules, and regulations issued by authority thereof.
- B. Conformity of installations of electrical equipment with applicable regulations set forth in the National Electrical Code shall be prima facie evidence that such installations are reasonably safe to persons and property.
- C. The Electrical Inspector may, with the approval of the City Council, authorize installations of special wiring methods and make rules and regulations in conformity with good wiring standards.

307.07

Standards for Electrical Equipment.

- A. All electrical equipment installed, sold, or used shall be reasonably safe to persons and property and in conformity with the provisions of this Ordinance, the applicable statutes of the State of Minnesota, and any orders, rules, or regulations issued by authority thereof.
- B. Conformity of electrical equipment with applicable standards of Underwriters Laboratories, Inc., shall be prima facie evidence that such equipment is reasonably safe to persons and property.

- C. This Section shall not apply to equipment owned and used by an electricity supply or communication agency in the generation, transmission, or distribution of electricity or for the operation of signals or the transmission of intelligence.

307.08

Permits.

Applications for permits shall be made to the Electrical Inspector by the person, firm, or corporation installing the work. The Electrical Inspector may require plans and specifications of any electrical installation. All installations must be in conformity with the National Electrical Code.

307.09

Annual Permits.

In lieu of an individual permit for each installation or alteration, an annual permit shall, upon application therefore, be issued to any person, firm, or corporation regularly employing one or more licensed electricians for the installation, alteration, and maintenance of electrical equipment in or on buildings or premises owned or occupied by the applicant for the permit. The application for this annual permit shall be made in writing to the electrical inspector and shall contain a description of the premises on which work is to be done under the permit. The person, firm, or corporation to which an annual permit is issued shall keep a record of all electrical equipment installed under said permit, and the electrical inspector shall have access to such records. Each annual permit shall expire on December 31 of the year in which it was issued.

307.10

Fees for Permits, Inspection, Certificates and Supervision.

- A. Electrical permits may be issued to qualified licensed master electrical contractors. Permit numbers shall be entered under the contractor's name, firm, or corporation, and a service charge as determined by Council resolution from time to time shall be paid at time of issue.
- B. On or before the end of each month the person, firm, or corporation shall complete and return to the electrical inspector all permits for the month's work and pay to the City Treasurer all fees due for said permits.
- C. Fees for new residences, service charges, or extension to existing electrical circuits, commercial and industrial, annual permit fees, and license fees shall be established by Council resolution from time to time.

307.11

Inspection and Certificates.

- A. Upon the completion of any installation of electrical equipment which has been made under a permit, other than an annual permit, it shall be the duty of the person, firm, or corporation making the installation to notify the electrical inspector, who shall inspect the installation within twenty-four (24) hours,

exclusive of Saturdays, Sundays, and holidays, of the time such notice is given or as soon thereafter as is practicable.

- B. When any electrical equipment is to be hidden from view by the permanent placement of parts of the building, the person, firm, or corporation installing the equipment shall notify the electrical inspector, and such equipment shall not be concealed until it has been inspected and approved by the electrical inspector, or until twenty-four (24) hours, exclusive of Saturdays, Sundays, and holidays, shall have elapsed from the time of such notification; provided that on large installations where the concealment of equipment proceeds continuously, the person, firm, or corporation installing the electrical equipment shall give the electrical inspector due notice, and inspections shall be made periodically during the process of the work.
- C. If, upon inspection, the installation is not found to be fully in conformity with the provisions of this Ordinance, the electrical inspector shall at once forward to the person, firm or corporation making the installation a written notice stating the defects which have been found to exist.

307.12 Connections to Installations.

Except where work is done under an annual permit, it shall be unlawful for any person, firm or corporation to make connection from a supply of electricity or to supply electricity to any electrical equipment for the installation of which permit is required or which has been disconnected or ordered to be disconnected by the electrical inspector, until such connection has been authorized by the electrical inspector.

307.13 Penalties.

Any person, firm, or corporation who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00) or imprisoned for not more than ninety (90) days, or both. Each day that any violation is continued shall constitute a separate offense.

307.14 Liability for Damages.

This Ordinance shall not be construed to affect the responsibility or liability of any party owning, operating, controlling, or installing any electrical equipment for damages to persons or property caused by any defect therein, nor shall the City of Oak Park Heights be held as assuming any such liability by reason of the inspection or re-inspection authorized herein or the certificate of approval issued as herein provided, or by reason of the approval or disapproval of any equipment authorized herein.

307.15 Validity.

If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Oak Park Heights hereby declares that they would have passed this ordinance and each section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

307.16

Ordinances Repealed.

All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed.