

SCOTT COUNTY FISCAL COURT
ORDINANCE NO. 90-002

AN ORDINANCE RELATED TO THE LICENCING OF ELECTRICIANS, INCLUDING THE ESTABLISHMENT OF LICENSE CLASSIFICATIONS, THE CREATION, POWERS AND DUTIES OF THE EXAMINING BOARD OF ELECTRICIANS, EXCEPTIONS TO LICENSING REQUIREMENT, A PERMIT PROCEDURE, ADMINISTRATION AND MISCELLANEOUS PROVISIONS.

BE IT ORDAINED BY THE FISCAL COURT FOR SCOTT COUNTY, KENTUCKY, THAT:

Section 1. MINIMUM STANDARDS FOR ELECTRICAL WIRING:

Standards for the construction, alteration and repair of any electrical wiring shall be as prescribed by this ordinance provided that in no event shall any standard be less rigid than the requirement of the National Electrical Code which is incorporated into the State Standards of Safety and which is hereby adopted as a minimum standard in Scott County, Kentucky.

Section 2. DEFINITIONS:

As used in this Ordinance the following definitions shall apply.

- (1) Electrical Contractor means any person other than as stated in Section 11, who proceeds with, or employs others for the construction, alteration, repairs or additions to any electrical wiring used for the purpose of furnishing heat, light or power within the limits of Scott County. The provisions in this division shall in no manner be construed to prevent an individual who is the owner and occupant of a single-family residence, to observe the privileges of this Ordinance of Scott County relating to electrical wiring, from installing, altering or repairing, by and for himself, electrical wiring on his said single-family dwelling, as long as said work passes a final inspection.
- (2) Journeyman Electrician means any person who is employed by an Electrical Contractor and is engaged in the construction, alteration or repair of any electrical wiring used for the purpose of furnishing heat, lights and power.
- (3) Apprentice Electrician means any person who is employed by an Electrical Contractor and is in the

process of learning the electrical trade and has not completed four years of on the job training certified by an Electrical Contractor, or has not received a Certificate of Graduation from a State recognized school for Electricians.

Section 3. EXAMINING BOARD OF ELECTRICIANS:

Pursuant to KRS 227.450 to KRS 227.500, there is hereby created a board to be known as the Examining Board of Electricians. The board shall be composed of seven (7) members appointed by the County Judge-Executive and approved by the Fiscal Court, and shall consist of two (2) Division of Fire and Emergency Services officials, two (2) electrical contractors, two (2) consulting electrical engineers or architects, and one (1) utility company official. Terms of members shall be two (2) years, provided that the initial term of one (1) Division of Fire and Emergency Services official, one (1) electrical contractor and one (1) consulting electrical engineer or architect shall be one (1) year to provide for staggering of terms. Vacancies shall be filled in the same manner as the original appointment, and the successor shall be appointed for the unexpired term. No appointee shall serve more than two (2) consecutive years. The members of the examining board shall serve without salary.

In the event an Ordinance substantially similar to this one is adopted by the City of Georgetown, in which an Examining Board of Electricians is established, the board described in this section shall be a joint board, serving Georgetown and Scott County. In this event, the Board shall be appointed one (1) Division of Fire and Emergency official, one (1) electrical contractor and one (1) consulting electrical engineer or architect by the Mayor and the Judge/Executive and one (1) utility official to be appointed jointly by the Mayor and Judge/Executive. All appointments to the joint board must be approved by the appropriate legislative body. All other provisions of this section shall be the same whether the Board is for the City, County or joint.

Section 4. ACTIONS OF THE EXAMINING BOARD:

All actions of the examining board pertaining to adoption of rules to govern inspections of electrical installations, inspection fees, the appointment of electrical inspectors, and the adoption of codes to the locality covered by ordinance, shall be subject to approval by a majority vote of the Fiscal Court. All installations shall be in strict conformance with the provisions of this ordinance, the statutes and laws of the Commonwealth of

Kentucky, and shall be in conformity with the approved standards of contracts for safety to life and property. Conformity with the published regulations as set out in the National Electric Code, its supplements and revisions, (100-Ampere service for each family unit in all housing), shall be prima facie evidence of conformity with such approved standards. In the case of complaint or controversy, the examining board shall have the rules of the National Electric Code, for deciding upon the approval of devices, equipment and materials, and for granting the special permission contemplated in a number of rules of the National Electric Code. The decisions of the examining board shall be made in writing. Where special conditions are mentioned in the National Electric Code and where permission for the approval of devices, equipment and materials is required thereunder, the examining board shall make its rulings covering such conditions or permissions in writing, after due consideration of the facts.

Section 5: EXAMINATION OF APPLICANTS FOR LICENCING:

It shall be the duty of the examining board to examine all applicants for an Electrical Contractor or Journeyman Electricians license upon matters relating to the ability and qualifications of the applicant to engage in the business of electrical contracting or wiring and to grant licenses to qualified applicants after a satisfactory examination. All Electrical Contractors and Journeyman Electricians must be examined before being issued a license to engage in their occupation with the exceptions noted in Section 11. An electrician desiring to become an Electrical Contractor or a Journeyman Electrician may apply for an examination to the examining board in advance of the test date. The board shall require all non-resident Electrical Contractors, Journeyman and Apprentice Electricians to conform to the same standards as Resident Electricians prior to their engaging in their occupation within this jurisdiction. It shall be the further duty of said board to hear complaints arising against any licensed Electrical Contractor Journeyman and Apprentice Electrician. Said board shall have the authority, after a hearing, to warn, revoke or suspend the license of any Electrical Contractor, Journeyman or Apprentice Electrician for a violation of the laws of the Commonwealth of Kentucky or any ordinances of the Georgetown-Scott County Government, relating to electrical construction work; or for incompetency or willful negligence in any electrical work, provided that written notice of a hearing, stating the grounds of complaint, has been given the licensee at least ten (10) days before the hearing.

Section 6. CLASSES OF LICENSES:

Three classes of licenses and certificates therefor shall be issued, which shall be designated, respectively, as Class A, Electrical Contractor's License; Class B, Journeyman's License; Class C, Apprentice's License.

Section 7. REQUIREMENTS FOR EACH LICENSE:

The following requirements shall be met before applying for examination or approval:

Class A Electrical Contractor:

- a. shall show proof of being licensed as a journeyman for a period of not less than two years.

Class B Journeyman's License:

- a. Must have certification from a Licensed Electrical Contractor to show four (4) years of on the job training or
- b. Must show a Certificate of Graduation from a State recognized school for Electricians.

Class C Apprentice Electrician's License: None

Section 8. UNLAWFUL TO ENGAGE IN ELECTRICAL CONTRACTING BUSINESS WITHOUT LICENSE:

It shall be unlawful for any person to engage in the business of installing, altering or repairing, within the limits of Scott County, any electrical wiring, devices or equipment unless such individual is the holder of the Electrical Contractors license or employed as a Journeyman or Apprentice Electrician as provided in Section 9. Application for such license must be made in writing to the Board, stating the name, experience and qualifications of applicant. Upon said applicant's complying with the requirements of Section 7 and passing an examination approved by the Examining Board of Electricians, a license shall be granted to the individual applying for the same.

Section 9. UNLAWFUL TO ENGAGE IN ELECTRICAL WORK WITHOUT LICENSE:

It shall be unlawful for any person to install, alter or repair, within the limits of the Georgetown-Scott County Government, any electrical wiring, devices or equipment unless said individual is the holder of the Journeyman Electrician's

License or Apprentice Electrician's License and only while employed by an Electrical Contractor as provided in Section 8. Application for such license must be made in writing to the board, stating the name, experience and qualifications of applicant. Upon said applicant's complying with the requirements of sections 5-61 and passing any required examination approved by the Examining Board of Electricians, a license shall be granted to the individual applying for the same. A journeyman may perform electrical wiring without the supervision of a Class A licensee if he does not add panels, disturb the ground or alter service.

Section 10. APPRENTICE ELECTRICIAN LICENSE WITHOUT TEST:

Application for the license of Apprentice Electrician shall be made in writing to the board and may be obtained without testing.

Section 11. EXCEPTIONS TO LICENSING REQUIREMENT:

(1) Public Utility companies and corporations engaged in the manufacture or distribution of electrical energy for commercial purposes, or their employees, shall not be required to obtain licenses for the manufacture, transmission, distribution and metering of electrical energy and all repairs and maintenance connected therewith. Telephone, telegraph and related companies shall not be required to obtain licenses to engage in these activities. Full time employees of a manufacturing facility, with 10,000 or more square feet at the site, shall also not be required to obtain licenses to engage in electrical maintenance. Individuals engaged in the installation and/or repair of specialized equipment may connect to the on-site disconnect without first obtaining a license. Specialized equipment shall include water heaters, air conditioners, furnaces, elevators, electrical appliances and other related equipment. This is not to be construed as permitting these individuals to make any electrical connections or do any electrical wiring other than what is necessary to connect to the on-site disconnect or to repair the equipment itself.

(2) Any electrical contractor or journeyman who travels into this area and who can document at least five years of experience in the field for which a license is sought shall not be required to be examined prior to being issued a license if the person has been licensed in a jurisdiction which requires an examination as stringent as that required by this Article, except an examination may be required in such instances where the board entertains a substantial doubt as to the nature or quality of the applicant's work.

(3) Any owner/occupant of a house who desires to perform his or her own electrical work. The work, however, must be performed according to code.

Section 12. ANNUAL LICENSE FEES:

- (1) The annual license fee for Class A Electrical Contractors shall be Fifty Dollars (\$50.00), the annual license fee for Class B Journeyman shall be Twenty Five Dollars (\$25.00), and the annual license fee for Class C Apprentice shall be Ten Dollars (\$10.00). The Class A, Class B and Class C licenses shall expire December 31st of each year and the examining board shall renew the licenses for a one year period. Should the licensee fail to apply for a renewal within a thirty (30) day period after the expiration, the licensee shall be assessed a fee of Fifty Dollars (\$50.00). Should the licensee fail to apply for renewal within One Hundred and Twenty (120) days after the date of expiration, the licensee shall be required to pass another examination before the license is reissued.
- (2) The examining board shall notify each license holder, in advance of the expiration date, that license renewal is necessary. Failure to receive such notice does not exempt anyone from the application of paragraph one (1) of this section.

Section 13. PERMIT FOR INSTALLATION OR ALTERATION:

- (1) Electrical wiring or equipment shall not be installed nor shall any alteration be made in any existing installation, without first obtaining a permit from the Division of Building Inspection. The application and issuance of said permit is governed by all applicable sections of the Kentucky Building Code, including but not limited to Article 27, and by the rules and regulations established by the Division of Building Inspection.
- (2) A permit shall not be required for the execution and use of the classes of work specified in Sections 2704.2.1 through 2704.2.4. of the Kentucky Building Code.
- (3) The Division of Building Inspection shall establish regulations governing the issuance of permits.

Section 14. ENFORCEMENT OF THIS ORDINANCE:

The Office of the Electrical Inspector shall, as required by this Ordinance, issue permits and licenses and maintain records, as authorized by the Examining Board of Electricians. The Electrical Inspector shall enforce regulations and conduct on-site inspections to ensure compliance with this Ordinance.

Section 15. MINIMUM INSURANCE FOR CONTRACTORS:

All Electrical Contractors shall maintain premises and products and completed operation liability insurance covered in an amount of not less than Two Hundred Fifty Thousand Dollars (\$250,000.00) and shall show and place on file with the Office of the Electrical Inspector, proof of same prior to being issued a Contractor's License at the beginning of each year.

- (1) The required liability insurance shall be kept current during the licensing period and shall include coverage for those employed by the contractor.
- (2) Failure to comply with subsection (1) of this section, shall constitute grounds for the revocation of the contractor's license.
- (3) Proof of license and insurance shall be on the person of an Electrical Contractor. Proof of license only shall be required on Journeyman and Apprentice Electricians.
- (4) The insurer of any contractor shall notify the Office of the Electrical Inspector thirty (30) days in advance of any cancellation of the policy.

Section 16. APPEALS BOARD:

There is hereby created a board to be known as the Appeals Board of Electricians. The board shall be composed of three (3) members appointed by the County Judge-Executive and approved by the Fiscal Court, each of whom shall be qualified in the electrical field. The Appeals Board shall consist of one Division of Fire and Emergency Services Official, one Electrical Contractor, and one Electrical Engineer or Architect. Terms shall be for four (4) years provided that the initial term of one member shall be two (2) years to provide for staggered terms. Vacancies shall be filled in the same manner as the original appointment and the successor shall be appointed for the unexpired term. Any member may be appointed for additional terms.

In the event an Ordinance substantially similar to this one is adopted by the City of Georgetown, in which an Appeals Board is established, the board described in this section shall be a joint board, serving Georgetown and Scott County. In this event, the Board shall consist of one (1) Division of Fire and Emergency official, one (1) electrical contractor, one (1) consulting electrical engineer or architect and one (1) utility official to be jointly appointed by the Mayor and the Judge/Executive. All appointments to the joint board must be approved by the appropriate legislative body. All other provisions related to the Appeals Board shall be the same whether the Board is for the City, County or joint.

Section 17. APPEALS PROCESS:

Any person aggrieved by an order or determination of the Examining Board of Electricians may appeal therefrom to the Appeals Board of Electricians. Said appeal shall be taken by filing written notice thereof with the Examining Board of Electricians within ten (10) days of the entry of the order of determination appealed from. The Appeals Board of Electricians may affirm, reverse, or modify any order or determination of the Examining Board of Electricians. Any order or determination of the Examining Board of Electricians shall become final after expiration of time for appeal unless notice of appeal shall have been filed within said time, in which event said order or determination as affirmed, reversed or modified shall become final upon entry of the decision of the Appeals Board of Electricians.

Section 18. AUTHORITY OF ELECTRICAL INSPECTOR AND FIRE CHIEF TO DISCONNECT SERVICE:

Upon complaint by occupant or request by owner, the Electrical Inspector shall inspect existing wiring for conformity with the National Electrical Code. Upon finding a code violation which creates a threat of bodily injury or property damage, the Electrical Inspector shall notify the owner that he or she has thirty (30) days in which to correct the violation. The Inspector shall provide reasonable assistance to the owner in effecting the corrections. If at the end of thirty days the owner has not made substantial progress toward the correction of the violations, the Inspector may cause the service to the building to be disconnected until corrections are made.

Upon finding a code violation which creates an imminent threat of serious bodily injury or substantial property damage, the Electrical Inspector may waive the thirty (30) day period for correction and upon notice to the owner, cause the

service to the building to be disconnected until corrections are made. The Inspector shall provide reasonable assistance to the owner in effecting the corrections.

The Chief of the Scott County Fire Department, or some other competent person designated by him, shall have the authority, in cases of emergency, to cause the turning off of all electrical currents and to cut or disconnect any wires carrying such electrical currents where there is a danger to life or property or where such wires interfere with the work or progress of the Fire Department in fighting fires.

Section 19. Miscellaneous Provisions.

The following standards for the construction, alteration and repair of any electrical wiring within Scott County, Kentucky, shall be required, in addition to the requirements of the National Electric Code which are incorporated into the State Standards of Safety. In the event any of the following provisions have a counterpart in the National Electric Code, the code with the strictest standard shall apply. The local standards are as follows:

- 1) All non-metallic electric cable shall be secured with plastic staples.
- 2) Non-metallic electric cable run in the crawlspace of a house shall follow the running boards or be run through holes drilled in the floor joists [pursuant to the standards set out in the Kentucky Building Code].
- 3) The directory on electric panels shall be complete.
- 4) There must be a separate electric disconnect for water heaters, furnaces, air conditioners, garbage disposals and dishwashers. This requirement shall not apply to dishwashers plugged into a receptacle.
- 5) The wiring to water heaters, furnaces, dishwashers, air conditioners and garbage disposals shall be run in flexible conduit.
- 6) Ground Fault Interrupters [GFI]
 - a) A GFI receptacle may not include more than the master and three downstream receptacles.
 - b) A master GFI receptacle in the kitchen must be located above the counter. A GFI receptacle for the bathroom(s) shall be located in the master bath. The garage GFI receptacle master

shall be located in the garage. An outside GFI master receptacle can be located in the kitchen or garage.

- 7) All service poles, service, mast and trailer services must comply with all policies of the applicable utility company.
- 8) All service entrances shall be in: rigid metal, intermediate metal, electrical metallic or rigid P.V.C. conduit.
- 9) Temporary service for construction shall be permitted for a period of ninety days. If construction is incomplete at the conclusion of ninety days, the temporary service may be renewed for an additional 30 days upon showing of good cause. Should construction fail to make substantial progress for 60 days, the permit for temporary service may be revoked and the service disconnected and removed.
- 10) Inspections may be requested by contractors or electricians performing work on site only.
- 11) All work to be inspected must be completed before inspections are requested. No partial inspections shall be made, except on commercial buildings.
- 12) Permanent service may be connected only after satisfactory final inspection and the receipt of a Certificate of Occupancy from the Building Inspector or upon special permission by OBI.
- 13) Rough-in inspections shall be completed before insulation is installed.
- 14) Final inspection shall not be requested until after all fixtures and appliances have been installed and connected.
- 15) All construction, alteration and repair of wiring, except in houses wired by the owner\occupant, must be performed by an electrician licensed under this Ordinance.
- 16) In the event an existing building is rewired [existing wire is replaced with new wire], remodelled [remodelling must result in, at least, a thirty (30) ampere increase in the service demand of the building] or is given a service upgrade, all wiring, existing and new, must be in accordance with

the provisions of the National Electric Code or this Ordinance.

- 17) No temporary service may be connected until a building permit is obtained and paid for.

Where appropriate, the electrical inspector may waive the above local standards where the manufacturer's specifications and recommendations for a particular material clearly demonstrate that the restriction in the local standards is not necessary.

Section 20. PENALTIES:

Any person who violates any provision of this ordinance shall be fined not less than \$10.00 nor more than \$100.00, or imprisoned not more than thirty (30) days, or both. Each day any violation continues shall be deemed a separate offense.

Section 21. NO REDUCTION OR ASSUMPTION OF RESPONSIBILITY:

This article shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling or installing any electrical wiring, devices or equipment for damage to person or property caused by any defect therein; nor shall the Office of the Electrical Inspector be held as assuming any liability by reason of the inspections authorized herein or permits of approval issued as herein provided.

Section 22. TIME FOR COMPLIANCE.

Compliance with the Miscellaneous Standards for the construction, alteration and repair of any electrical wiring as set out in Section 19 of this ordinance shall be required as of the effective date of this ordinance.

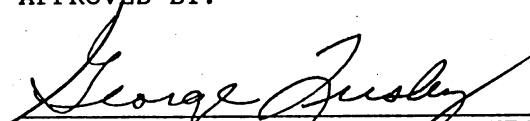
All persons required to be licensed under this ordinance shall have one hundred and eighty (180) days from the examining board's publication notice of the adoption of an approved licensing examination. This notice shall be published in the local newspaper which qualifies under the provision of K.R.S. 424. This notice may not be published prior to the appointment of the full board and the board's formal adoption of the licensing examination.

Section 23. EFFECTIVE DATE:

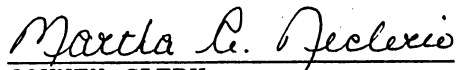
This Ordinance shall become effective on July 1, 1990.

The foregoing Ordinance consisting of twelve (12) pages was, following proper advertisement, was read for the first time on May 14, 1990, for the second time, adopted and approved on May 21, 1990.

APPROVED BY:


GEORGE LUSBY, COUNTY JUDGE-EXECUTIVE

ATTESTED BY:


COUNTY CLERK