

ORDINANCE NO. 343

An ordinance establishing the Municipal Electrical Inspection and Licensing Division; establishing the Municipal Electrical Board; providing for the powers and duties of said Board; establishing the Electrical Inspection and Licensing Division Fund; providing for classification of electrical licenses; providing for a procedure to obtain an electrical license; providing for renewal of said licenses; providing for inspection of electrical work; providing for fees; providing for unlawful conduct; providing a penalty; and providing an effective date.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA.

SECTION I. There is hereby established within the City of Gothenburg, a Municipal Electrical Inspection and Licensing Division, which shall be under the administrative control of the City Administrator and under the operative control of the Chief Building Inspector. The division shall include a four (4) member Municipal Electrical Board, appointed by the Mayor, with the consent of the City Council, which members shall be residents of the City of Gothenburg. The Board shall direct the duties of the Chief Building Inspector and set the policy of the Division. One of such members shall be a state licensed master electrician, one shall be a state certified electrical inspector, one shall be a general building contractor, and one shall be a representative of the municipal electric system in the municipality. The original members of the Board shall be appointed within thirty (30) days of the effective date of this ordinance, one member for a term of one (1) year, one for a term of two (2) years, one for a term of three (3) years and one for a

term of four (4) years, as determined by the Mayor at the time of original appointments, and all appointments thereafter shall be for a term of four (4) years. Any vacancy occurring in the membership of the Board shall be filled by the Mayor for the unexpired term. The Chief Building Inspector shall be the executive secretary of the Board and shall be responsible for all books, records and minutes of proceedings of the Board.

SECTION II. Existing rules, regulations, forms, policies, and classifications of electricians not in conflict with this ordinance shall continue until lawfully modified or repealed.

SECTION III. The Board shall have the following powers and duties, not inconsistent with the Gothenburg Municipal Code, to-wit:

- a) Elect its own officers;
- b) Engage and fix the compensation of such officers, inspectors, and employees as may be required in the performance of its duties;
- c) Provide, upon request, such additional voluntary inspections and reviews as it may deem appropriate;
- d) Adopt and revise rules and regulations necessary to enable it to carry into effect the provisions of this ordinance;
- e) Revoke, suspend, or refuse to renew any license granted pursuant to this Ordinance when the holder of such license:

1. Violates any provision of this Ordinance or any rule or regulation adopted pursuant to this Ordinance;
2. Fails or refuses to pay any examination or license renewal fee required;

3. Is a Licensed Electrical Contractor Class

A electrician and fails or refuses to provide and keep in force a public liability insurance policy as required by the Board.

- f) Provide for the amount and collection of fees for inspection and other services; and
- g) Provide procedures for appeal if contractor or owner feels action of inspector was in error; and
- h) Provide for making records of inspections and maintaining these records; and
- i) Provide means of enforcement such as penalty of law, disconnection of electrical service, stop work order, or revocation of license; and
- j) Provide forms for electrical city licenses, electrical inspection forms, electrical permit applications, and electrical field correction notices.

SECTION IV. There is hereby established in the

Municipal Treasury the Electrical Inspection and Licensing Division Fund. All money received under the provisions of this Ordinance shall be deposited in the Municipal Treasury by the City Treasurer and credited to the Electrical Inspection and Licensing Division Fund. Each member and employee of the Board shall receive the actual and necessary expenses incurred in the performance of his duties to be paid out of the Electrical Inspection and Licensing Fund.

SECTION V. Except as provided in SECTION VII, of this Ordinance, no person shall, for another, plan, lay out, or supervise the installation of wiring apparatus, or equipment for electrical light, heat, and other purposes unless he is licensed by the Board as an Electrical Contractor Class A or B.

SECTION VI.

- a) An applicant for an Electrical Contractor Class A license shall either :

1. be a graduate of a four (4) year electrical course in an accredited college or university;  
or
2. have had at least three (3) years experience, acceptable to the Board, as a licensed journeyman;  
or
3. have had at least five (5) years experience, acceptable to the Board, in planning for, laying out, supervising and installing wiring apparatus or equipment for electrical light, heat, and power; or
4. possess a state Class A master license.

b) An applicant for an Electrical Contractor Class B license shall either:

1. have had at least three years experience, acceptable to the Board, in electrical work; or
2. possess a state Class B master license.

No Class B Electrical Contractor License shall be valid except in regard to systems not over four hundred (400) amperes in capacity in structures used and maintained in the municipality.

c) An applicant for a Journeyman License shall either:

1. have had at least two (2) years experience acceptable to the Board, in wiring for and installing electrical wiring apparatus, or equipment; or
2. possess a state Journeyman License.

No Journeyman's License shall be valid except for electrical systems of not over four hundred (400) amperes in capacity in structures used and maintained as residential dwellings, but not larger than two (2) family units located in the municipality.

SECTION VII. The Board shall by rule or regulation, provide for the issuance of a special electrician license empowering the licensee to engage in a limited class of electrical work, which class shall be specified on the license. Each licensee shall have experience acceptable to the Board, in each such limited class of work for which he is licensed.

SECTION VIII. Any person may work as an apprentice to a licensed electrician, but shall do no electrical wiring except under the personal on-the-job supervision of such licensed electrician.

SECTION IX. Licenses shall be required for all types of work specified in this Ordinance, provided, however, that nothing in this Ordinance shall be construed to require licenses of employees of municipal corporations, public power districts, public power and irrigation districts, railroads, electric membership or cooperative associations, public utility corporations, petroleum companies, petro-chemical companies, pipe line companies, telephone or telegraph systems, or employees of affiliated companies performing manufacturing, installation, and repair work for such employers while acting within the scope of their employment.

SECTION X. Every applicant for a license shall fill out a form provided by the Municipal Electrical Inspection and Licensing Division and shall pay an application fee at the time of filing. Such fee shall not be refundable. If the applicant has any certification or a certified supervisor, the name or names thereof shall appear on the license application. The application shall be approved or disapproved by the Chief Building Inspector and the applicant shall be notified accordingly. If the application for license is disapproved, the applicant may appeal from such adverse decision to the Board in the manner provided.

SECTION XI. All licenses issued under this Ordinance shall expire on December 31 of each year. The Division shall have the authority to reissue a license without examination, provided such reissuance shall be accomplished prior to December 31. If such license is not reissued prior to December 31 in each year, the license shall be declared null and void and a new application shall be filed and examination given. Any work performed after expiration and prior to obtaining such new license shall be a violation of this Ordinance. The following fees shall be payable for examination, issuance and renewal, to-wit:

For Examination:

- a) Contractor Class A--\$15.00
- b) Contractor Class B--\$10.00
- c) Journeyman or Special--\$5.00

For Renewal or Reissuance:

- a) Contractor Class A--\$10.00
- b) Contractor Class B--\$ 5.00
- c) Journeyman or Special--\$3.00

SECTION XII. All licensees shall be responsible for work requiring a permit under this Ordinance, including, without limitation, the following, to-wit:

- a) Observing any City, State or Federal laws prescribing measures for the safety of workmen and of the general public.
- b) Presenting his license card when requested by the electrical inspector or his authorized representative.
- c) Obtaining inspection service when the same is required by the Municipal Electrical Inspection and Licensing Division.
- d) Obtaining an electrical permit when the same is required.
- e) Paying any fees assessed under authority of the Municipal Electrical Inspection and Licensing Division.

SECTION XIII. At or before commencement of any installation required to be inspected by the Municipal Electrical Inspection and Licensing Division, the licensed electrician, or owner making such installation, shall submit a request for inspection, on a form prescribed by the Board, together with the inspection fees required for such installation.

SECTION XIV. If the inspector finds that any installation is not in compliance with the minimum standards set forth in the National Electrical Code of 1975, he shall by written order condemn the installation or noncomplying portion thereof, or order service to such installation disconnected, and shall send a copy of his order to the Board, and such other persons as the Board, by rule or regulation, may direct.

SECTION XV. Inspections shall be made within one (1) week of the appropriate request. When necessary, circuits may be energized by the licensed installer prior to inspection, but the installation shall remain subject to condemnation and disconnection.

SECTION XVI. All municipal electrical inspection fees shall be due and payable to the Electrical Inspection and Licensing Division, and shall be paid with the request for inspection. Fees shall be paid according to the following schedule; to-wit:

- a) 0-100 Amp. Capacity--\$4.00
- b) 100-200 Amp. Capacity--\$5.00
- c) Over 200 Amp. Cap--\$5.00 plus \$2.00 for each additional 100 Amp. Capacity.

When more than one inspection is required for an installation, or when an inspection is requested by the owner, the minimum fee per inspection shall be \$4.00.

SECTION XVII. Any person aggrieved by a condemnation or disconnection order issued may appeal therefrom by filing a written notice of appeal with the Board within ten (10) days after the date the order was served upon the owner.

SECTION XVIII. Upon receipt of a notice of appeal, the chairman of the Board shall set the matter for hearing before the full Board at its next regular meeting. A majority of all Board members shall decide the issue.

SECTION XIX. It shall be unlawful to knowingly and willfully commit, or to order, instruct, or direct another to commit, any of the following acts:

- a) To make a false statement in any license application, request for inspection, service permit, or other lawfully authorized or required form or statement provided by this Ordinance;
- b) To perform electrical work for another without a proper license for such work;
- c) To fail to file a request for inspection when required;
- d) To interfere with, or refuse entry to, an inspector lawfully engaged in the performance of his duties; or
- e) To violate any lawful rule, regulation, or order of the Electrical Board.

Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not less than \$10 nor more than \$100, for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.



SECTION XX. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 4 day of April, 1978.

CITY OF GOTHENBURG,

BY: John H. Gallagher  
MAYOR.

ATTEST:

Conrad Stull  
City Clerk.

APPROVED AS TO FORM:

Steve Wiseman  
City Attorney.