

ORDINANCE NO. 24,281

AN ORDINANCE RELATING TO THE ELECTRICAL CODE; REPEALING SECTIONS 18-1 THROUGH 18-228, ARTICLES I THROUGH V OF CHAPTER 18 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2007 IN ITS ENTIRETY; ENACTING NEW SECTIONS 18-1 THROUGH 18-145, ARTICLES I THROUGH V PROVIDING FOR THE ADOPTION OF THE 2008 EDITION OF THE NATIONAL ELECTRICAL CODE, AS AMENDED BY RESOLUTION OF COUNCIL; PROVIDING FOR PUBLICATION BY SUMMARY; PROVIDING FOR AN AMENDMENT FOR THE ELECTRICAL INSPECTOR TO INSPECT FOR UNSAFE OR HAZARDOUS CONDITIONS AS MAY BE NECESSARY FOR PUBLIC SAFETY; PROVIDING FOR AMENDMENTS TO PERMITS REQUIRED FOR ELECTRICAL SERVICES OF 600 VOLTS AND/OR CIRCUITS OF 1000 AMPERES OR GREATER; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY. FK

—**EMERGENCY ORDINANCE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION I. That Section 18-1 through 18-228, Article I through Article V of Chapter 18 of the Oklahoma City Municipal Code, 2007, is hereby repealed in its entirety.

SECTION II. That Section 18-1 through 18-145, Article I through Article V of Chapter 18 of the Oklahoma City Municipal Code, 2007, is hereby amended to read as follows:

Chapter 18

ELECTRICAL CODE

Article I. In General*

DIVISION I. TITLE*

§ 18-1. Title.

Provisions of this chapter shall be known and may be cited as the “Oklahoma City Electrical Code”, “Electrical Code” or “this Code”.

DIVISION II. NATIONAL ELECTRICAL CODE*

§ 18-2. Intent.

National Electrical Code, NFPA 70, adopted. For the purpose of providing for basic minimum provisions considered necessary to protect health, safety and general welfare of the citizens of the City of Oklahoma City, a electrical Code known as the National Electrical Code, NFPA 70, being more specifically the 2008 Edition thereof, as amended by Resolution of the Council of the City, duly adopted and signed by the Mayor on June 14, 2011, three copies of

which, each together with said resolution, having been and now filed in the office of the City Clerk, and the same as so amended and changed is hereby adopted and incorporated and considered as a part of this Code.

§ 18-3. Summary.

Pursuant to the authority granted by Section 26, Article II of the Charter of the City of Oklahoma City, the title and a brief gist or summary of the provisions of the National Electrical Code, NFPA 70 as amended are hereby ordered published in conformance with the provisions of said Section 26, Article II of the Charter, and for the purpose of such publication a summary of the provisions of said Code is hereby given as follows:

TABLE INSET:

<u>Article 90.</u>	<u>Introduction (as amended).</u>
<u>Chapter 1.</u>	<u>General (as amended).</u>
<u>Chapter 2.</u>	<u>Wiring design and protection (as amended).</u>
<u>Chapter 3.</u>	<u>Wiring methods and materials (as amended).</u>
<u>Chapter 4.</u>	<u>Equipment for general use (as amended).</u>
<u>Chapter 5.</u>	<u>Special occupancies (as amended).</u>
<u>Chapter 6.</u>	<u>Special equipment (as amended).</u>
<u>Chapter 7.</u>	<u>Special conditions.</u>
<u>Chapter 8.</u>	<u>Communications systems (as amended).</u>
<u>Chapter 9.</u>	<u>Tables and examples (as amended).</u>

DIVISION III. NATIONAL ELECTRICAL SAFETY CODE*

§ 18-4. Intent.

The National Electrical Safety Code, issued by the Institute of Electrical and Electronics Engineers, Inc., and approved by the American National Standards Institute as ANSI C2, is hereby adopted as the minimum standards for the safeguarding of persons during the installation, operation, or maintenance of electric supply and communication lines and associated equipment, and compliance therewith shall constitute the minimum standards for protecting the safety of employees and the public.

§ 18-5. Compliance with requirements of Building Code.

The requirements of the Building Code as last adopted by the Oklahoma Uniform Building Code Commission and as adopted by the City pertaining to electric wiring and equipment are a part of this Code, and as such, all electrical contractors shall comply with said requirements, and the Chief Electrical Inspector and assistants shall enforce said requirements.

§ 18-6. Summary.

Pursuant to the authority granted by Section 26, Article II of the Charter of the City of Oklahoma City, the title and a brief gist or summary of the provisions of the National Electrical Safety Code, are hereby ordered published in conformance with the provisions of said Section 26, Article II of the Charter, and for the purpose of such publication a summary of the provisions of said Code is hereby given as follows:

TABLE INSET:

<u>Section 1.</u>	<u>Introduction to the National Electrical Safety Code.</u>
<u>Section 2.</u>	<u>Definitions of special terms.</u>
<u>Section 3.</u>	<u>References.</u>
<u>Section 9.</u>	<u>Grounding methods for electric supply and communications facilities.</u>
<u>Part 1.</u>	<u>Rules for the Installation and Maintenance of Electric Supply Stations and Equipment.</u>
<u>Part 2.</u>	<u>Safety Rules for the Installation and Maintenance of Overhead Electric Supply and Communication Lines.</u>
<u>Part 3.</u>	<u>Safety Rules for the Installation and Maintenance of underground Electric Supply and Communication Lines.</u>
<u>Part 4.</u>	<u>Rules for the Operation of Electric Supply and Communication Lines and Equipment.</u>
<u>Appendix A.</u>	<u>Uniform system of clearances.</u>
<u>Appendix B.</u>	<u>Uniform clearance calculations for conductors under ice and wind conditions.</u>
<u>Appendix C.</u>	<u>Example applications for Rule 250C Tables 205-2 and 250-3.</u>
<u>Appendix D.</u>	<u>Determining maximum anticipated per-unit overvoltage factor (T).</u>

ARTICLE II. ADMINISTRATION AND ENFORCEMENT*

DIVISION I. ADMINISTRATION*

§ 18-21. Generally.

The administration and enforcement of this Code shall be the responsibility of the Chief Electrical Inspector, who is supervised by the Development Services Director, or designated representative. The Construction Services Superintendent is designated as the representative within the scope of this Code.

§ 18-22. Appointments; Chief Electrical Inspector and assistants.

(a) There is hereby created the office of Chief Electrical Inspector.

(b) The Chief Electrical Inspector shall be a resident of the State of Oklahoma and shall have at least five years experience as a licensed electrical contractor in a municipality of 20,000 or larger population or have at least five years experience as a electrical inspector in a municipality

of 20,000 or larger population, prior to his appointment. The Chief Electrical Inspector shall hold a current State electrical contractor license and a City registration. The holding of such State electrical license and City registration shall not be construed as authorization to perform electrical work within the City of Oklahoma City. The Chief Electrical Inspector shall possess a current State electrical inspector license, and possess a current national certification in electrical plan review. The Chief Electrical Inspector shall give his/her entire time to the duties of said office, and shall not be interested directly or indirectly in any way with any contractor engaged in the electrical business within the City. The Chief Electrical Inspector shall not perform any electrical work within the City.

(c) Assistant Electrical Inspectors and plan reviewers, as may be necessary to carry out the duties of this office maybe assigned. Assistant Electrical Inspectors shall have at least five years experience as a licensed electrical contractor or journeymen in a municipality of 20,000 or larger population or have at least five years experience as an electrical inspector in a municipality of 20,000 or larger population. Assistant Electrical Inspectors shall hold at least a current State electrical journeyman license and possess a current State electrical inspector license. Assistant Electrical Inspectors shall not be interested directly or indirectly in any electrical business within the City. Assistant Electrical Inspectors shall not perform any electrical work within the City. Plan reviewers shall be nationally certified in electrical plan review.

(d) Should the inspectors be a licensed contractor, they may continue to carry an active contractor license but shall not be actively engaged in the electrical business within the State.

(e) The Chief Electrical Inspector and assistants shall be reimbursed all monies expended to obtain, renew or maintain their State electrical contractor, journeyman, inspector licenses and national certification in electrical plan review. In addition, the Chief Electrical Inspector and assistants shall be issued all required City licenses and license registrations or renewals thereof, without charge by the Supervisor of Licenses.

§ 18-23. Duties of Chief Electrical Inspector.

(a) The Chief Electrical Inspector shall be charged with the duty of enforcing all sections of this Code relating to any installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, appurtenances and maintenance of electrical systems including inspections. The Chief Electrical Inspector or assistants shall inspect, or reinspect as authorized in this Code, all overhead, underground, and interior wires and apparatus conducting electrical current within the City or outside the City that is regulated by this Code in either new or existing buildings, to ensure that the terms and provisions of this Code, and any amendments are complied with in full.

(b) The Chief Electrical Inspector shall institute by and with the advice of the Municipal Counselor, or delegated assistants, such prosecution as may be necessary against any violators of any ordinance with the enforcement for which he is charged. In the event the violation pertains to a defective electrical installation for which a permit may or may not have been obtained by the electrical contractor and the electrical contractor fails to commence proper corrections within 48 hours and/or complete the necessary corrections within a timely manner after receiving notice from the Chief Electrical Inspector or assistant, the Chief Electrical Inspector shall take remedial action. The Chief Electrical Inspector shall maintain files on electrical contractors violating any provisions of this Code.

(c) The Chief Electrical Inspector shall notify, in writing the service company, firm or individual furnishing the electrical current to disconnect when such conductors, wiring, or apparatus are found to be unsafe or hazardous to life or property. Upon receipt of such notice, the service company, firm or individual furnishing electrical current to such defective wiring or equipment shall, within 24 hours disconnect the service or feed wires and cease to supply current to the defective installation until the Chief Electrical Inspector shall give notice that the defects

have been corrected. The Chief Electrical Inspector shall notify in writing the person, firm or corporation owning, using or operating the same to place them in a safe condition before electrical current will be restored.

(d) The Chief Electrical Inspector shall inspect for unsafe or hazardous conditions as may be necessary for public safety relative to any electrical system and/or wiring in or on any building or structure used for public, educational, religious, entertainment, and commercial purposes. Said categories of buildings are described as auditorium buildings, schools, churches, theaters, private clubs and nightclubs, motels, hotels, apartment buildings, hospitals, assisted living centers, rest homes, office buildings, stores and shops, garages and service stations, restaurants and cafeterias, factories and processing or fabricating plants, warehouses and storage buildings or a building having a combination of two or more of said categories. At least one assistant Electrical Inspector shall be assigned full-time to perform the duties of this subsection.

(1) When any portion or all of the electrical system in or on any building, structure or premises is ordered changed for any reason, the Electrical Inspector shall leave attached to the main switch or service equipment a tag or label showing the date of the order and a memorandum of the correction to be made, and the signature of the inspector making the order.

(2) The Electrical Inspector, in the discharge of his duties, may enter any building or premises as provided for in Chapter 2 of this Code.

(e) The Chief Electrical Inspector shall render a decision on plans and specifications submitted for review within three working days after receiving same. At least one full-time person, subordinate to the Chief Electrical Inspector, shall be employed to perform the duties of this subsection.

(f) The Chief Electrical Inspector or assistant shall check the workers performing electrical, mechanical, gas, boiler and plumbing work to assure that each worker possesses a valid license and/or registration.

(g) Copies of notices of violations, refusals of permits or refusals of certificates of inspections shall be filed in the office of the Chief Electrical Inspector.

§ 18-24. Notices and orders.

The Chief Electrical Inspector shall issue all necessary notices or orders to remove illegal or unsafe conditions, to require necessary safeguards during construction, and to ensure compliance with all Code requirements for the safety, health and general welfare of the public.

§ 18-25. Penalties.

(a) Any person who shall violate any of the provisions of this chapter shall severally, for each and every such violation, be deemed guilty of a Class "a" offense. Each day that a violation continues shall be deemed a separate offense. The imposition of a penalty for any violation shall not excuse the violation nor permit it to continue. The application of such penalty shall not be held to prevent the removal of prohibited conditions. For any second or subsequent offense and upon proof of prior conviction, said person shall be guilty of a Class "b" offense against the City. Any person who is required by any provision of this chapter or by any other law to obtain a license or to register with a City department or official prior to engaging in conduct that is regulated by this chapter, and who fails to obtain such a license or registration, or who fails to exhibit such a license or registration upon request by a City official, shall be guilty of a Class "b" offense against the City.

(b) Failure of owner to correct defects; violations; penalty. Any owner of any premises who shall fail to promptly cause any defective electrical system, equipment or work to be corrected after having been notified of such defect shall be deemed guilty of a violation of this chapter, and shall be subject to the penalty specified in Section 18-25(a) of this chapter.

§ 18-26. Inspection.

The Chief Electrical Inspector or assistants shall make all required inspections, or may accept reports of inspections by authorized and recognized services or individuals; and all reports of such inspections shall be in writing and certified by a responsible officer of such authoritative service or by the responsible individual; or may engage such expert opinion as deemed necessary to report upon unusual technical issues that may arise, subject to the approval of the Director of Development Services, or designated representative. After inspecting any electrical work, the electrical inspector shall leave notice in the form of a sticker, tag or label attached to the service entrance switch or branch cabinet. It shall be unlawful for any person other than an Oklahoma City inspector to remove, alter or damage any sticker, tag, label or notice left by the electrical inspector. The notice shall state whether the electrical work is approved or what corrections need to be made. No person shall seal or in any manner conceal any electrical wiring until such work has been approved. Proper conveniences such as ladders shall be provided for inspectors on work to be inspected for the firm, corporation or individual desiring inspection. The Chief Electrical Inspector and assistants shall keep an up-to-date file of all registered and licensed electrical contractors, supplied by the Information Technology Department. The Chief Electrical Inspector and assistants shall be responsible to ensure that all inspections are made as needed including, but not limited to, ground work, rough-in and final inspections. The electrical contractor or authorized representative shall call for final inspection within ten days after completion of electrical work performed under any electrical permit. No structure shall be occupied prior to the final electrical inspection without approval by the authority having jurisdiction.

- (1) In all cases, on completion of the "rough-in", a final "rough-in" inspection must be called for.
- (2) The "rough-in" of each job shall include the installation of the service, main and branch circuits, and all boxes, transformers, disconnects, door bell wiring, furnace and heater control, low voltage signal wiring, cables, and wires. All "rough-in" wiring shall be tested after the circuits are made and the splices insulated. From each active outlet box, one set of wires (two or more as required) not less than eight inches long shall be left for the fixture connection.
- (3) In one, two, and multifamily dwellings, the temporary electric system shall remain energized until after the final inspection.
- (4) Address listed on the permit must be posted on all building sites for location purposes.

§ 18-27. Inspection or Plan review no relief from responsibility.

Inspections and/or Plan review shall not be construed to relieve or lessen the responsibility of any person, partnership, LLC or corporation owning, operating or installing, designing or constructing electric wiring, appliances, apparatus, or equipment, from the minimum requirements of the Code, damage to property or injury to persons by any defect in design, materials or workmanship therein. Nor shall the City or any agent thereof be deemed to assume any such liability by reason of the inspection and/or plan review made by the Chief Electrical Inspector, assistants and/or any plan reviewer.

§ 18-28. Service Release

Electric service companies shall not make connection to buildings for which a service release has not been issued. It shall be unlawful for any electrical utility company, or supplier of electricity for light, heat or power, to make any electrical connection to any building or electric wiring or apparatus until a release stating that the electric wiring has been approved. All firms, corporations or individuals, whether operating under a regular franchise granted by the City or

not, shall, upon written notice by the Chief Electrical Inspector, disconnect from any such circuit including main service wires, branch feeder wires or distribution, as designated by said notice, within 24 hours, and shall not reconnect to said installation except upon written notice from the Chief Electrical Inspector.

§ 18-29. Credentials.

The Chief Electrical Inspector and assistants shall carry proper credentials, City ID, City commission card, current State inspector and trade licenses of the office for the purpose of inspecting any and all buildings, structures and premises in the performance of their duties.

§ 18-30. Records.

The Development Services Director, or designated representative, shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued under this Code. Such records shall be retained as the official records as required by State law.

DIVISION II. PERMIT*

§ 18-35. Applications and permits.

The Development Services Department shall receive applications and issue permits for electrical installations and/or alterations. The Chief Electrical Inspector or assistants shall inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Code.

§ 18-36. Permits required.

No permit shall be issued under this division except in the name of the building/property owner through a State licensed, City registered electrical contractor by whom such electrical work is to be performed, provided however; meter base permits may be purchased by the resident of the property, where no electrical work is required. Permits shall be required for any interior or exterior electrical wiring, or any electrical construction, electrical installation, or alteration of any electrical wiring, equipment apparatus or fixtures. Prior to commencement of any electrical installation, the electrical contractor shall contact the Development Services Department and obtain a permit. The permit shall be numbered, listing the name of the contractor, job address, building permit number, and scope of the electrical installation proposed. When the permit is requested electronically, by telephone, or fax, the contractor's copy shall be sent electronically or mailed to the business address. The permit covers only that work listed thereon. Any additions or changes shall be reported to the Development Services Department and additional inspection fees may be assessed prior to requesting final inspection.

(1) Relocated buildings. When a building or portion of a building containing electric wiring is moved from its foundation, the owner shall have the electrical wiring and equipment in the building inspected and repaired where necessary, including proper grounding. In addition, the electrical contractor shall obtain a wiring permit and request inspections.

(2) Temporary construction power permit. Permits for temporary construction power shall be issued for a time period not to exceed two years for dwelling construction projects. Upon expiration of such permits, a written disconnect order shall be issued by the Chief Electrical Inspector to the serving electrical utility company to cease to supply electrical current to same.

(3) Third party inspections. Prior to the approval of a prefabricated construction assembly having concealed electrical work and the issuance of an electrical permit, the Chief

Electrical Inspector shall require the submittal of an evaluation report on each prefabricated construction assembly, indicating the complete details of the electrical system, including a description of the system and its components, the basis upon which the system is being evaluated, test results and similar information, and other data as necessary for the Chief Electrical Inspector or assistants to determine conformance with this Code.

§ 18-37. Permit not required for certain work.

Permits shall not be required under this article for maintenance work or for repair work if the maintenance and repair work does not require alteration or rearrangement of electrical installation.

Exception. Repair of meter base or service equipment which requires a service release to the utility company shall require a permit.

§ 18-38. Form of application.

Before installing any electrical installation, alterations, or additions to existing wiring, electrical fixtures or appliances, except as specifically exempt in this Code, an authorized contractor shall apply for a permit with the Development Services Department either in person, or if he has qualified for contractor's option, by telephone, electronically or fax, and provide the following information: street address of the premises where electrical work is to be done; building permit number; name of electrical contractor; kind of building; etc.; list of work to be done; and any other information specified by the Director of Development Services or designated representative.

§ 18-39. Plans and specifications.

The Chief Electrical Inspector is authorized to require the submission and approval of plans and specifications showing the nature and extent of the proposed work before a permit is issued under this division. Plans and specifications, prior to the issuance of a permit for electrical wiring for other than one and two family dwelling single phase services which requires over 600 volts or services and/or circuits of 1,000 amperes, or greater, complete detailed plans and specifications including computations and other technical data shall be submitted to the Chief Electrical Inspector for review for compliance with this Code. The plans and specifications shall bear the seal of an electrical engineer registered in the State of Oklahoma.

§ 18-40. Action on application.

The Chief Electrical Inspector, or designated representative, shall examine or cause to be examined all applications for permits under this division, and amendments thereto, within a reasonable time after filing. If the application or the plans do not conform to the requirements of all pertinent laws, such application shall be rejected. If the Chief Electrical Inspector, or designated representative, is satisfied that the proposed work conforms to the requirements of this chapter and all laws and ordinances applicable thereto, a permit shall be issued as soon as practicable. Electrical permits shall be transferable.

§ 18-41. Permits required in advance.

Prior to commencement of any electric installation, the electrical contractor shall secure a permit and pay the City Treasurer the inspection fee in full. Any person who commences any work on a electrical system before obtaining the necessary permits shall be subject to a penalty as established in sec. 18-25. Under emergency conditions, at times when the City offices are not open, permit requests may be delayed until the City's offices are reopened.

§ 18-42. Prepaid permits.

Contractors shall have the option of establishing a prepaid permit account for permits required by this division or applying for permits on an individual basis with the Development Services Department. Prepaid permit accounts will not preclude the submitting of any required plans.

§ 18-43. Payment in advance.

A prepaid permit account as provided for in Section 18-42 may be established by making application to the Development Services Department and the payment, in advance, of a minimum sum to the City Treasurer of not less than \$40.00 with all future deposits to be at least the sum of \$40.00.

§ 18-44. Electronic request.

With the establishment of a prepaid account as provided for in this division, the individual contractor may then electronically request for a specific permit and will not be required to appear at the office of the Director of Development Services, or designated representative, personally, provided that sufficient funds are on hand in the contractor's prepaid account to cover the cost of the permit.

§ 18-45. Cutoff procedures for prepaid account.

Normal cutoff procedures shall be observed on prepaid account under this division in that the City Treasurer will advise the Director of Development Services or designated representative, of the last receipt number and the date of cutoff. The contractor shall keep accurate records on his prepaid account balance. The prepaid account shall not allow work to be started prior to a request for a permit.

§ 18-46. Signature on permit.

The signature of the Chief Electrical Inspector or an authorized representative shall be attached to every permit issued under this division.

§ 18-47. Revocation of permit.

The Chief Electrical Inspector, Development Services Director or designated representative shall revoke a permit or approval issued under the provisions of this chapter in case of any false statement or misrepresentation of fact in the application or plans on which the permit or approval was based. Any person aggrieved by said decision may appeal pursuant with sec. 18-106.

§ 18-48. Refusal to issue permit.

The Chief Electrical Inspector may refuse to issue a permit for the installation of electric wiring, as herein provided, or for any additions or extensions to any electric wiring in or on any building where, in his/her judgment, the wiring done or proposed to be done is unsafe or not in accordance with the provisions of this Code.

§ 18-49. Unlawful continuance of work.

No person shall continue any electrical work in or about a structure after having been served with a stop work order, except such work as that person shall be directed to perform by the Chief Electrical Inspector or assistant in order to correct a violation or unsafe condition.

DIVISION III. FEES

§ 18-66. Fee required.

No permit to begin work for new construction or alteration shall be issued under this article until the application and permit fees prescribed have been paid. Nor shall any amendment to a permit necessitating an additional fee because of the additional work involved be issued until the additional fee has been paid.

§ 18-67 Fee schedule.

The schedule of fees for the permits and inspections required herein shall be as established in Chapter 60, the General Schedule of Fees.

ARTICLE III. APPRENTICES, JOURNEYMEN AND CONTRACTORS*

§ 18-75. Electrical apprentice.

Electrical apprentice shall mean any person whose principal occupation is learning and working at the electrical trade to assist an electrical journeyman, in the work of installing or repairing electrical systems. Electrical apprentices shall be registered with the Construction Industries Board of the State and at all times while working, shall have the registration on his/her person. An apprentice, at all times while working, shall be under the direct supervision of an appropriately licensed electrical journeyman or electrical contractor. No more than two apprentices shall work under the direct supervision of an electrical journeyman or electrical contractor at any time.

§ 18-76. Electrical journeyman.

An electrical journeyman shall, at all times while working, shall have on his/her person a valid State license in the appropriate categories, and be in the employment of a person who is licensed and registered under the terms of this Code as an Electrical contractor.

§ 18-77. Prerequisites for engaging in electrical work.

(a) No person shall engage in the business of electrical contractor, or advertise any title or description tending to convey the impression that he/she is in said business within the City, unless that person possesses a State license as a electrical contractor as required by State law. Electrical contractor's shall register the license with the Supervisor of Licenses and obtained the appropriate City registration.

(b) Anyone holding a electrical journeyman license in the categories listed on their license who is a full-time employee of anyone owning any electrical equipment shall be permitted to maintain and repair such equipment without a electrical contractor's license; provided that any installation, alteration or changes made by the journeyman are such that permits and inspections would not be required under the terms of this Code.

(c) Only licensed electrical contractors shall be issued permits and receive inspections.

§ 18-78. Electrical contractor defined.

An electrical contractor shall mean any person who is skilled in the planning, superintending and practical installation of electrical systems, and who is licensed and otherwise qualified under the requirements of State laws and this Code, to engage in the electrical business or act as an electrical contractor. An electrical contractor may operate as an individual, a firm,

partnership, LLC or corporation and the term "electrical contractor" may apply jointly or separately to the electrical contractor and/or such firm, partnership, LLC or corporation engaged in the electrical business under the terms of this Code.

(a) An electrical contractor's license does not in any way constitute authority for practicing or offering to practice professional engineering as defined by statutes of the State of Oklahoma.

(b) Contractor's shall have on his/her person a valid State license and City registration, while performing electrical work within the City of Oklahoma City.

(c) City registration issued to an applicant shall be issued only in the same category as the State license possessed by the applicant. It shall further be subject to all limitations, conditions, or restrictions imposed on the State license possessed by the applicant. The categories of the City registration shall be indicated on the face of the registration.

§ 18-79. Partnerships, firms, or corporations.

A partnership, firm, corporation, LLC or business trust may only engage in the electrical business within the City through one bona fide member of the partnership or firm, LLC or an officer of the corporation or business trust, who has legal authority to act for such partnership, firm, LLC, corporation or business trust and who carries and holds a license under State law as an electrical contractor and who has registered his license as required by this Code. If the person or member holding the license and registration should leave or sever connection with, or lose his/her status as a member or officer of the partnership, firm, LLC, corporation or business trust which is operating under the license and registration, the authority of the firm, partnership, corporation, LLC or business trust, of the electrical business shall immediately cease and it must again fully qualify under and comply with the terms of this Code before any further business is conducted. If the holder of the license and registration dies or is serving in the armed forces of the United States, the firm, partnership, corporation, LLC or business trust may continue to engage in the electrical business with the City for a period not to exceed six months from such death or call to service, provided that all fees required by this chapter shall be paid and kept in full force and provided that a duly registered electrical contractor assumes in writing the supervision of such work.

§ 18-80. Place of business.

Every person engaged in the electrical business and operating under a license and registration as an electrical contractor within the City shall maintain a regular place of business and shall maintain a telephone in the Oklahoma City telephone exchange or a toll free number listed with the telephone company as a business phone.

§ 18-81. Signs and license number on vehicles.

All persons operating an electrical business shall display the firm name and the State electrical contractor license number on all vehicles used in the operation of the business. The signs and license numbers shall be printed on both sides or in other conspicuous places on the vehicle in letters of not less than two inches in height.

§ 18-82. Workers employed to be licensed or registered.

No electrical contractor shall employ any person to work in the electrical trade unless the person employed is licensed or registered to do such work under the terms of this Code. Any journeyman employed by an electrical contractor shall only perform electrical work in the category or categories listed on his/her valid State license.

§ 18-83. Compliance by electrical businesses.

No person operating an electrical business shall install, repair or replace electrical equipment, wiring, fixtures or appliances or otherwise engage in the business of an electrical contractor, until he has complied with applicable State laws and is registered as an electrical contractor with the Supervisor of Licenses, and has otherwise complied with this Code. Nothing in this article shall be construed as regulating the sale of electrical wiring, fixtures or appliances.

(a) No electrical contractor shall hold a license for more than one electrical business at any one time, nor shall the City issue a registration to a license holder for another electrical business until the prior registration is returned to the Supervisor of Licenses. In the event a person, partnership, firm, LLC or corporation has two or more business locations and/or operates under two or more different firm names within Oklahoma City, each business location and/or firm name shall obtain a separate license issued to separate holders.

(b) Contractor's shall have on his/her person a valid State license and City registration, while performing electrical work within the City of Oklahoma City.

§ 18-84. Eligibility for contractor's registration; changes to registration.

An electrical contractor's registration shall be issued by the Supervisor of Licenses, only to an individual who holds a State electrical contractor's license issued and in effect under State law, and who has paid the required fees and otherwise complied with the requirements of this Code. The registration shall show on it the individual's business address, firm name and the connection with the firm. If the licensee or person holding the registration changes address, telephone number or his business connection, association or employment, he shall, within five days after the change, notify the Chief Electrical Inspector of the change and present his registration to the Supervisor of Licenses who shall enter into the registration any such change together with the date and note the changes in the records of the City.

§ 18-85. Transfer, assignment, loaning of license or registration prohibited.

No registration issued under this article shall be transferred or assigned. No holder of a license or registration shall loan the license or registration, or shall obtain permits for any other person to do electrical work.

§ 18-86. Suspension or revocation of registration.

A registration issued pursuant to this Code may be suspended or revoked for cause.

(1) Action by Chief Electrical Inspector. The Chief Electrical Inspector may suspend any registration authorized by this Code if he/she finds that the licensee has failed to perform his/her work in accordance with the requirements of the Electrical Code and such violation or violations are such that property and the public health, safety and welfare are in imminent peril. Notice of such action shall be given to the licensee by certified mail, return receipt requested. The notice will contain information on how such action may be appealed. The registration shall remain suspended until a hearing is held before the Electrical Code Review and Appeals Commission. Such hearing shall be held in conformance with the provisions of this Code.

(2) Recommendation of the Chief Electrical Inspector. If the Chief Electrical Inspector finds that a licensee persistently fails to perform his/her work in accordance with the requirements of this Code, but such violations do not pose an imminent peril to property or the public health, safety and welfare, he/she may recommend to the Electrical Code Review and Appeals Commission that said registration be suspended or revoked. The Chief Electrical Inspector shall give notice of such action to the licensee by certified mail, return receipt requested. The registration shall remain in effect until a hearing before said Commission as provided in this Code.

§ 18-87. No work to be performed during suspension of a license and/or registration.

No person whose license and/or registration has been suspended under this Code shall, for the duration of the suspension, attempt to install, alter or repair any electrical system except as specifically authorized by the Chief Electrical Inspector.

§ 18-88. Reinstatement of registration.

Unless otherwise ordered by the Electrical Code Review and Appeals Commission, no registration, which has been revoked under the provisions of this Code, shall be reinstated for a period of six months after such revocation.

§18-89. Registration Fee.

Persons obtaining a City registration in accordance with the provisions of this article shall pay to the City the fee established in Chapter 60, the General Schedule of Fees.

§ 18-90. Registration Renewal Fee.

A valid electrical contractor registration may be renewed annually upon the payment of the fee required in Chapter 60, the General Schedule of Fees, and the presentation of a valid Oklahoma State electrical contractor license. If said registration is not renewed within 30 days after its expiration, it is no longer valid.

ARTICLE IV. ELECTRICAL CODE REVIEW AND APPEALS COMMISSION*

DIVISION I. MEMBERSHIP, POWERS AND DUTIES, ETC.

§ 18-96. Created.

There is hereby created within and for the City an Electrical Code Review and Appeals Commission, with the powers and duties as hereinafter set forth.

§ 18-97. Membership.

The Electrical Code Review and Appeals Commission shall consist of nine members to be appointed by the Mayor with the consent and approval of the City Council. All members shall be residents of the State of Oklahoma and shall serve without compensation, and shall hold no other municipal office. Each member shall have a minimum of ten years experience in the electrical industry, and shall be familiar with this Code, as well as the State Electrical Code. Nothing contained herein shall affect the present appointments or terms of appointment. The membership of the Commission shall be constituted as follows:

- (1) one member shall be an electric utility representative selected from a list of names submitted by electric utilities operating within the City.
- (2) two members shall be electrical engineers selected from a list of names submitted by the Oklahoma Society of Professional Engineers.
- (3) one member shall be an electrical contractor selected from a list of names submitted by the Western Oklahoma Chapter of the National Electrical Contractors Association.
- (4) one member shall be an electrical contractor selected from a list of names submitted by the Independent Electrical Contractors Association.
- (5) one member shall be a journeyman wireman selected from a list of names submitted by the International Brotherhood of Electrical Workers.
- (6) one member shall be a journeyman wireman selected from a list of names submitted by the electrical construction industry.
- (7) one member shall be an electrical manufacturers' representative selected from a list of names submitted.

(8) one member shall be a public member and shall not be affiliated with any of the other groups represented on the Commission.

§ 18-98. Term of office.

The term of office for each commissioner of the Electrical Code Review and Appeals Commission shall be for three years or until a successor is appointed.

§ 18-99. Vacancies.

Vacancies on the Electrical Code Review and Appeals Commission shall be filled for the remainder of the unexpired terms in the manner in which the original appointments were made.

§ 18-100. Consecutive absences.

A member of the Electrical Code Review and Appeals Commission shall be considered to have resigned if he/she fails to attend three consecutive meetings unless the other members of the Commission notify the Mayor in writing that they believe the member to have been absent for a good cause and recommend the appointment be continued.

§ 18-101. Removal from office.

Members of the Electrical Code Review and Appeals Commission may be removed by the Mayor with the consent of the Council after notice to the member and a public hearing.

§ 18-102. Alternate members.

The Mayor may appoint two alternate members to the Electrical Code Review and Appeals Commission with the approval of the Council, who shall be called by the Commission chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for commission membership, and shall be appointed for three years or until a successor has been appointed.

§ 18-103. Meetings.

The Electrical Code Review and Appeals Commission shall adopt rules in accordance with the provisions of this Code. The Commission shall have at least one meeting annually at the call of the Chairperson and at such other times as the Commission may determine. At the first meeting and annually thereafter the Commission shall elect a Chairperson and a vice-chairperson to serve for a period of one year or until their successor is elected. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its meetings showing the vote of each member upon each question or, if a member is absent or fails to vote, indicating such act, and shall keep records of its official actions, all of which shall be immediately filed in the office of the Development Services Director, or designated representative and shall be a public record.

§ 18-104. Six votes required.

A concurring vote of six members of the Commission shall be necessary to reverse any order, requirement, decision or determination of the Commission, or to modify or reverse any interpretation of the Chief Electrical Inspector or assistants, or of any board created under the authority of this Code, or to decide in favor of the applicant in any matter which it may pass.

§ 18-105. Exemption of members from voting.

A member of the Commission shall abstain on any question in which that member is engaged as contractor or material dealer, or in the preparation of plans or specifications, or in

which that member has personal interest.

§ 18-106. Powers and duties.

(a) Review of Electrical Code. The Commission shall, from time to time, review the Electrical Code and all resolutions and ordinances pertaining thereto and consider any changes which may be required due to the introduction of new materials, equipment or technology or which may be requested by the Chief Electrical Inspector, members of technical trades, contractors or the general public. Such changes as the Commission deems appropriate shall be recommended to the Council in writing.

(b) Appeal of application of the Electrical Code. Any person aggrieved may appeal to the Commission a decision of the Chief Electrical Inspector interpreting any of the provisions of this Code covering the manner of construction or materials to be used in the erection, alteration or repair of an electrical system. Application for appeal may be made when it is claimed that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of this Code do not fully apply, or that an equally good or better form of construction can be used.

(c) Appeal of denial of license and/or registration. The Commission shall hear appeals from any person whose application for a license and/or registration was denied under the authority of this Code.

(d) Appeal of revocation or suspension of license and/or registration. The Commission shall hear appeals from a person whose license and/or registration has been suspended or recommended for suspension or revocation by the Chief Electrical Inspector.

(e) Other duties. The Commission shall have such other powers and duties as are provided by ordinance.

DIVISION II. APPEALS PROCEDURE

§ 18-121. Time, notice and effect.

(a) Deadline for filing. An appeal to the Electrical Code Review and Appeals Commission shall be filed no later than 15 days after receipt of notice by the appellant of the action of which he/she is aggrieved or no later than 15 days after the date of the decision or interpretation of the Chief Electrical Inspector which the appellant wishes to appeal.

(b) Notice of appeal; filing fee. Written notice of an appeal must be given to the Construction Services Superintendent, or designated representative. Such notice shall specify the grounds for the appeal and shall be accompanied by a filing fee. The amount of such fee shall be as established in Chapter 60, the General Schedule of Fees.

(c) Records to be furnished. The Chief Electrical Inspector shall forward to the Commission all the papers constituting the record of the action from which the appeal was taken, including the report substantiating the position the Chief Electrical Inspector has taken in the matter.

(d) Effect of appeal. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Chief Electrical Inspector certifies to the Commission after a notice of appeal has been filed, that by reason of the facts stated in the certificate a stay would, in his/her opinion, cause imminent peril to life or property. The proceedings then shall not be stayed otherwise than by a restraining order issued by a court of record of competent jurisdiction or a restraining order granted by the Commission.

(e) Notice and date of appeals; who may appear. On application and notice to the Chief Electrical Inspector and upon good cause shown, the Commission shall fix a reasonable time for the hearing of the appeal, giving public notice thereof, and shall decide the matter within a reasonable time. The appellant, his/her representative, and any other person whose interest may

be affected by the matter on appeal shall be given an opportunity to be heard.

§ 18-122. Action of Commission.

The Commission, when appealed to and after a public hearing, has the following powers:

(1) Modification; reversal. The Commission may modify or reverse any decision or order of the Chief Electrical Inspector or assistants in the interpretation or enforcement of this Code in any particular case, when and only when, in its opinion strict application and enforcement would result in peculiar and exceptional practical difficulties to, or exceptional undue hardships upon, or manifest injustice to, an appellant, and would be contrary to the spirit and purpose of this Code, or the public interest, or when it is determined that the true intent has been incorrectly interpreted. Mere economic hardship or a hardship, which is self-created, shall not be considered a valid or sufficient basis for granting a reversal or modification of the decision or order.

(2) Suspension or revocation of registration; hearing. The Commission is empowered to suspend or revoke a registration. A license and registration holder against whom a complaint has been filed or whose registration has been suspended or revoked by the Chief Electrical Inspector shall be given not less than ten days notice of the date, time and place of the hearing and shall have the right to be present and represented by counsel. The Commission shall have available the services of the Municipal Counselor or designated representative at the hearing and shall have the authority to swear witnesses, administer oaths and conduct a hearing as deemed proper.

(3) Grounds for suspension and revocation of registration. The following grounds shall be sufficient reason to justify suspension or revocation of a registration by the Commission.

- a. making a material misstatement in the application for such registration or renewal;
- b. loaning or illegally using a license or registration;
- c. demonstrating incompetence to act as an electrical journeyman or electrical contractor as the case may be;
- d. failing to properly correct materials or workmanship, which is found to be defective or inadequate due to acts of the licensee;
- e. wilfully violating a second time any provision of the Electrical Code;
- f. wilfully or unreasonably failing to perform normal business obligations for which he/she is licensed and registered without justifiable cause;
- g. having three or more complaints within a 12-month period, provided any alleged violations overruled by the Commission shall not be counted.
- h. The grounds listed above shall not be considered to be an exclusive or exhaustive list and other grounds may be considered sufficient for suspension or revocation.

(4) Reinstatement of registration. No registration, which has been revoked under the provisions of this division, shall be reinstated for a period of six months after such revocation. The Commission may reinstate the registration, which has been revoked only after a hearing. The rules and conditions of this hearing shall be the same as those for the hearing on the revocation of the registration.

(5) Rulings to be accompanied by findings of fact; decision to be filed. Every ruling upon any appeal to the Commission shall be accompanied by a written finding of fact based upon the evidence and testimony received at the hearing by the Commission. The ruling shall specify the reason for granting, denying, or modifying the appeal and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Chief Electrical Inspector and shall be open to public inspection.

§ 18-123. Chief Electrical Inspector to enforce decisions.

The Chief Electrical Inspector shall take immediate action in accordance with the

decision of the Commission.

§ 18-124. Appeal to District Court.

Any person aggrieved by a decision of the Commission, whether or not a previous party to the decision, or any officer or official board of the jurisdiction, may appeal to the District Court as provided by State statute.

ARTICLE V. MISCELLANEOUS PROVISIONS

§ 18-142. Electric service and meter location.

The point of delivery for electric service and meter location shall be in conformance with the existing rules and regulations as established by the State Corporation Commission.

§ 18-143. Fire, storm or emergency.

Every company, firm, partnership, corporation or individual owning or controlling electrical wires for the transmission of light, heat or power, shall, in time of fire or in case of severe storm or any other emergency wherein lives or property of the citizens of the City may be endangered by the operation of such wires and apparatus, upon notice by either the Chief Electrical Inspector, the Mayor, City Manager, Chief of the Fire Department or Chief of Police, disconnect such dangerous wires from current or service as designated by said official.

§ 18-144. Sealing of service cabinets.

No person, other than an authorized employee of the electric service company, the Chief Electrical Inspector, assistants or authorized member of the Fire Department shall break any seal or security locking device of any electrical meter or current transformer cabinet. In case of emergency, an authorized employee of a licensed electrical contractor may break a seal when necessary to replace fuses. In all such cases, the electric service company shall be notified by the party breaking the seal within 24 hours, in order that the equipment may be resealed.

§ 18-145. Poles, wires and cables.

The Chief Electrical Inspector shall notify the owner, contractor and/or the communications or electric service companies of any poles, wires, cables or apparatus so placed as not to meet the requirements of the National Electrical Safety Code, and all such wires, lights, cables, poles or electrical apparatus now existing as well as those hereafter constructed and placed shall be maintained to meet the said requirements. The owner, contractor and/or communications company or electric service company shall be given reasonable time in which to correct such conditions after being notified of a violation by the Chief Electrical Inspector; provided, any lines, cables or apparatus dangerous to life or property may be corrected pursuant to Section 18-143.

ARTICLE VI. RESERVED

SECTION III. EFFECTIVE DATE. This ordinance shall take effect on

July 14, 2011.

~~SECTION IV. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of peace, health, safety, and public good of The City of Oklahoma City and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect, and be in full force from and after the effective date provided herein, as provided by law.~~

INTRODUCED and CONSIDERED in open meeting of the Council of The City of Oklahoma City on the 17th day of May, 2011.

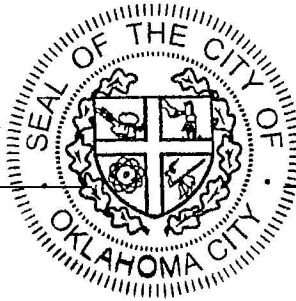
PASSED by the Council of The City of Oklahoma City on this 14th day of June, 2011.

SIGNED by the Mayor of The City of Oklahoma City this 14th day of June, 2011.

ATTEST:



City Clerk





MAYOR

REVIEWED for form and legality.



Assistant Municipal Counselor