

**AN ORDINANCE TO AMEND CERTAIN PROVISIONS
IN THE RAPID CITY ELECTRICAL CODE BY AMENDING
SECTION 15.16.020 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City of Rapid City has adopted regulations concerning buildings and construction in Title 15 of the Rapid City Municipal Code; and

WHEREAS, Rapid City has adopted an electrical code in R.C.M.C. Chapter 15.16 and has set forth administrative provisions in R.C.M.C. 15.16.020; and

WHEREAS, currently the City licenses both master electricians and electrical contractors pursuant to R15.16.020 Section 80.4.D; and

WHEREAS, these dual licenses are duplicative and burdensome and, therefore, the City wishes to eliminate the master electrician licenses, recognizing that to obtain an electrical contractor license an entity must employ an experienced, qualified electrician who is licensed by the State of South Dakota and who is found to be acceptable to the City; and

WHEREAS, the City wishes to eliminate the trade licenses for journeyman electricians and apprentice electricians who are already licensed and regulated by the State, eliminating an unnecessary duplicative process requiring dual licensure; and

WHEREAS, the City wishes to clarify the requirements concerning supervision of apprentice electricians in educational and non-educational settings; and

WHEREAS, the Common Council believes it to be in the best interests of the health, safety, and general welfare of its citizens to amend certain provisions in R.C.M.C. Chapter 15.16 to eliminate unnecessary licenses and to streamline the licensing process for electrical contractors.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 15.16.020 of the Rapid City Municipal Code is hereby amended to read in its entirety as follows:

15.16.020 Administration and Enforcement–Added.

Administration and Enforcement, is added to read as follows:

Administration and Enforcement

80.1 Definitions.

~~“Apprentice Electrician” means a person learning the trade under the immediate supervision of a master electrician, journeyman electrician or class B electrician. An apprentice electrician who has more than forty two consecutive months of experience may work on a residential project~~

~~without immediate supervision for a period not to exceed eight hours, provided no such apprentice shall work more than eight hours without immediate supervision on any one project.~~

“Chief Electrical Inspector” means the person authorized under this Chapter to make inspections of electrical installations and work, and to provide expertise for the Building Official in the area of electrical regulations. For the purposes of this chapter, the designated Chief Electrical Inspector/Building Inspector shall be called the Chief Electrical Inspector.

“City of Rapid City” or “City” means City of Rapid City Building Inspection Department or the Building Official or his or her designee.

“Class B Electrician” means a person who has the necessary qualifications, which shall include training, experience and technical knowledge to contract, install, lay out, alter or repair installations of electrical wiring in residential dwellings and farmsteads.

“Electrical Contractor” means a person, firm or corporation that engages in the business of or contracts for installing, altering, removing, repairing or maintaining any kind of electrical wiring or equipment. The electrical contractor must employ a qualified RME who has the necessary qualifications, which shall include training, experience and technical knowledge; to plan, lay out, supervise, install, add, alter, and repair installations of wiring or equipment for electrical light, heat or power in an approved manner, without supervision~~hold a master electrician license or have a responsible managing employee who holds a master electrician license.~~

“Electrical wiring” means a system of conductors to carry electrical energy and includes conduit when included as part of the system.

“Electrical work” means installing, altering, repairing or removing electrical wiring.

“Homeowner wiring” means any electrical wiring done by a person, on real property that is owned by the person and a structure that is presently occupied by the person providing the premises is a single-family dwelling or accessory building.

~~“Journeyman Electrician” means a person who has the necessary qualifications, which shall include training, experience and technical knowledge to wire in accordance with local ordinances or other adopted rules and regulations, who shall perform such work under the supervision of the designated master electrician.~~

~~“Master Electrician” means a person who has the necessary qualifications, which shall include training, experience and technical knowledge; to plan, lay out, supervise, install, add, alter, and repair installations of wiring or equipment for electrical light, heat or power in an approved manner, without supervision. Each electrical contractor shall designate a master electrician under whose supervision electrical work shall be done. The City of Rapid City shall be notified of such designation.~~

“RME” means responsible managing ~~employee~~electrician. He or she must be a bona fide employee of the firm. This means that the RME must be regularly employed by the firm and

actively involved in the operation of the business at least 32 hours per week or 80 percent of the total business operating hours per week, whichever is less. Each electrical contractor shall designate an RME under whose supervision electrical work shall be done; the City shall be notified of such designation. The RME shall hold a valid state electrical contractor's license. The RME must hold a valid master electrician license, issued by the Rapid City Finance Department. The RME shall be responsible for any violations of this chapter. The RME shall have the necessary qualifications, which shall include training, experience and technical knowledge; to plan, lay out, supervise, install, add, alter, and repair installations of wiring or equipment for electrical light, heat or power in an approved manner, without supervision.

“Supervision” of any kind thereof, means to look over, inspect, oversee, coordinate, direct and critically evaluate the work of a journeyman electrician or an apprentice electrician. The electrical inspector may request the presence of the supervising ~~master electrician~~ RME on the job site on twenty-four hours notice. Notice of such request is considered accomplished if left with the business, or with the ~~master electrician~~ RME as listed on the latest license application on record in the ~~eCity Finance Office~~. ~~In the case of immediate on-site supervision of an apprentice electrician, no journeyman electrician shall supervise more than two apprentice electricians at a time.~~

“Wiring permit” means electrical wiring permit.

80.2 Application.

A. In order to safeguard life and property from electrical hazards, every person engaged in doing electrical work shall comply with the terms of this eChapter and with the provisions in Chapter 15.04.

B. When any new building structure or alteration of a building violates the requirements of this chapter for electrical wiring, the wiring shall be brought into compliance with this eCode unless an exception found in this eCode or in Chapter 15.04 applies.

C. This eChapter shall apply to the installation of all electrical equipment within or on public and private buildings and premises, unless an exception found in this eCode or in Chapter 15.04 applies.

80.3 Chief Electrical Inspector and Electrical Inspector/ Building Inspector I, II, or III Qualifications.

A. Qualifications shall be as stated in the job descriptions on file at the City of Rapid City.

B. Duties.

1. The City Building Official shall designate the Chief Electrical Inspector to examine applicants for licenses under this eChapter as to their knowledge of the rules and regulations for the installation of electrical wiring devices and equipment as provided by this chapter, the National Electrical Code, and Chapter 15.04. The Chief Electrical Inspector shall grant licenses

as applied for those applicants who show proper qualifications and renewals of licenses to those applicants who maintain their qualifications and who are in compliance with this chapter and Chapter 15.04. The Chief Electrical Inspector shall determine the general qualifications of such applicants for executing the class of work covered by this license applied for and their ability to properly carry on the work authorized under the license applied for in such manner as to regulations and ordinances governing such work.

2. Before a license is issued to an applicant, the Chief Electrical Inspector shall have evidence that the applicant is licensed by the State of South Dakota for the same license.

80.4 License.

A. Homeowner Permits.

1. A homeowner may install electrical wiring in a residence, accessory structure or mobile home only when he or she owns and occupies both the structure and the real property, subject to the following:

a. All electrical wiring installed pursuant to this ~~s~~Section shall be installed only by the owner, without compensation or pay to any other person for such labor or installation. Such installation shall comply with the requirements of this code. The homeowner shall file plans, demonstrate to the satisfaction of the City of Rapid City that he or she possesses sufficient knowledge of code requirements and the ability to make such installation properly, apply for and secure a permit, pay the required permit fees, and call for all inspections in the manner provided in this code. Homeowner permits shall be valid for a period of six months from the date of the last inspection.

b. No portion of the wiring installed under a permit issued pursuant to this section shall be energized until a final certificate of approval is issued by the City of Rapid City.

2. If a homeowner refuses to make corrections for life or safety violations, the inspector shall give the homeowner a correction notice that requires compliance with the wiring requirements within a specified number of days, but not more than 30. The inspector shall check the installation at the end of the time specified and either approve the corrections, final void the installation with notice of non-compliance to installer, or order the service disconnected under the authority of SDCL 36-16-31. The correction notice may be hand delivered, mailed, emailed, left at the structure, or delivered by phone or message.

B. License Required. No person shall engage in the business of electrical installation, or perform any electrical work, or offer or agree to perform any electrical work within the City without a current license issued in accordance with Chapter 15.04, except as discussed in Section A.

C. License Application.

1. Any person desiring to engage in the business of electrical installation, as an electrical contractor ~~or~~, Class B electrician, ~~master electrician, or journeyman electrician~~ shall make application for a license pursuant to Chapter 15.04.

2. The electrical contractor and class B electrical contractors shall complete and submit license applications and license renewals for all employees, as applicable, (other than apprentices) prior to their presence on any job site and shall be responsible to ensure that all employees have the licenses required by the State and City.

D. License Type and Qualifications.

1. ~~Master Electrician~~Electrical Contractor. A person must have at least two years experience as a journeyman electrician and possess a current state electrical contractor's license or journeyman electrician's license before making an applicant for an ~~master electrician~~electrical contractor's license. The Building Official will requires an examination of all applicants. However, if upon passage of this ordinance a person licensed by the City as a Master Electrician wishes to obtain an Electrical Contractor's license, that person is not required to take or pass an examination if he or she has already passed an examination for his/her previous license.

~~Exception: A person may put his or her master's license under inactive status, per state law; however, during that time, he or she may not be employed as an electrician within the city.~~

2. ~~Journeyman Electrician~~. A person must have at least four years experience as an ~~apprentice electrician under the employment and supervision of a licensed master electrician or class B electrician, and possess a current state journeyman electrician's license before making application for a city journeyman electrician's license. Training, by on the job employment or post secondary schooling, shall include, but not be limited to, familiarization and study of the National Electrical Code, commercial wiring, residential or farmstead working, electrical motor installation and controls, and blueprint reading.~~

32. Class B Electrician. A person must have at least two years' experience as a journeymen wiring, installing and repairing electrical apparatus and equipment under the supervision of a master electrician or class B electrician before making application for a class B electrical license. A minimum of one year of that experience shall be in residential or farmstead wiring. The Building Official will requires an examination of all applicants.

~~4. Apprentice Electrician. An apprentice electrician's experience while employed in South Dakota starts on the date the application is received in the State Electrical Commission Office. Type of work and length of experience claimed outside of South Dakota shall be listed on a form provided by the Commission and shall be verified by the Commission. Such verification of experience may be accepted by the Building Official, including units of time allowed for schooling or other experience pursuant to South Dakota State Electrical Commission Rules and Regulations, Section 20:44:03:07.~~

~~5. Electrical Inspector to Electrical Contractor. Any qualified electrical inspector may obtain a city electrical contractor's license upon the approval of the Building Official.~~

~~—6. Maintenance Electrician's License. Electrical maintenance to comply with South Dakota State Electrical Commission Rules and Regulations, Section 20:44:16:21 and 20:44:16:22.~~

E. Examination. ~~If a~~ An examination is required prior to the issuance of an electrical contractor or a Class B electrician license under this eChapter or Chapter 15.04;. ~~†The City of Rapid City shall notify the applicant of the time, place and date thereof. If a journeyman has a current South Dakota State journeyman license, received by examination, no additional examination shall be required. However, if upon passage of this Ordinance a person licensed by the City as a Master Electrician wishes to obtain an Electrical Contractor's license, that person is not required to take or pass an examination if he or she has already passed an examination for his/her previous license.~~

80.5 Electrical Work.

A. General Responsibilities. Electrical ~~e~~Contractors, ~~e~~Class B electricians, and individuals wiring their own residence or farmstead, shall secure all required licenses and wiring permits before commencing to do any electrical work not exempt by this title or Chapter 15.04.

B. Contractors to Make Personnel Reports. Each ~~e~~Electrical ~~e~~Contractor shall report to the ~~e~~Chief ~~e~~Electrical ~~i~~nspector all new personnel who are required to hold an electrical license or permit and any new employee who is not properly licensed for the type of work he or she is to do.

C. Supervision of Apprentice Electricians. In the case of immediate on-site supervision of an apprentice electrician, no journeyman electrician, electrical contractor, or Class B electrician shall supervise more than two apprentice electricians at a time. No journeyman electrician, electrical contractor, or Class B electrician shall supervise more than twelve apprentice electricians as part of an approved educational project for an electrical training program meeting the requirements of a Wiring School as stated in South Dakota State Electrical Commissions Rules and Regulations, Section 20:44:16:12 at a time. Prior City approval must be given for educational projects that fall within this Section.

D. Maintenance Electrician. Maintenance electricians shall be licensed by the State, and electrical maintenance work shall comply with South Dakota State Electrical Commission Rules and Regulations, Section 20:44:16:21 and 20:44:16:22.

80.6 Permits.

A. Permit Required. Before commencing any electrical work within the purview of this ~~e~~Chapter, the person intending to do such work must first make application to the City of Rapid City for a permit pursuant to Chapter 15.04; provided, however, no permit shall be required for the installation, alteration or removal of a single thirty-amp circuit or less, if such circuit is installed, altered or removed by an Electrical Contractor holding the appropriate license issued pursuant to this chapter. A permit is required for fees equal to or greater than \$10.00 or as otherwise provided by resolution of the Common Council.

80.7 Inspection.

A. When the installation or portion being inspected in accordance with Chapter 15.04 complies with this eChapter, the eCity shall place a tag of acceptance at the service or in a conspicuous place. When the entire installation complies with this eChapter, the eCity shall place a tag of final acceptance at the service equipment as a certificate of approval authorizing the use of the installation and connection to the supply of electricity by the agency supplying the electrical power.

B. If an existing electrical service is disconnected, either for alteration, repair, accident, or by an act of nature, this same service shall meet the minimum standards of NFPA 73, Residential Electrical Maintenance Code for One and Two Family Dwellings, prior to permanent reconnection. A-frame meter bases shall not be reconnected, other than for temporary use.

C. A minimum electrical permit is required for the inspection of existing services.

D. In cases where the service is reconnected prior to electrical inspection, the eElectrical eContractor shall notify the City of Rapid City by 8:30 a.m. the following workday.

E. If an owner refuses to make corrections, the inspector shall give the owner a correction order that requires compliance within a specified number of days, but not more than 30. The inspector shall check the installation at the end of the time specified and either approve the corrections, final void the installation with notice of non-compliance to installer, or order a disconnect under the authority of SDCL 36-16-31. The correction notice may be hand delivered, mailed, emailed, left at the structure, or delivered by phone or message.

80.8 Electrical Signs.

Permanently installed electrical signs, outline lighting and field assembled skeletal neon systems shall be listed and labeled by a nationally recognized testing laboratory. Branch circuit wiring and primary electrical connection of the above shall be completed by an electrical contractor, licensed by the City of Rapid City Finance Department. The electrical contractor will be responsible for obtaining the electrical permit and scheduling an inspection when access will be made available to the City of Rapid City. These installations shall not be energized prior to approval by the City of Rapid City.

80.9 Unauthorized Connections.

No person shall make connection from a supply of electricity to any new electrical installation which has been ordered disconnected, or any electrical installation where the service entrance or service equipment has been disconnected, moved or otherwise altered, until authorized by the city; except in an emergency to safeguard life or property, when such connection is made in a safe manner by a person qualified under this chapter, who shall be responsible for the work and shall notify the city, as soon as possible, and pay any required fee. Prior to authorization, services shall comply with NFPA 73.

80.10 Disconnection.

When an alteration or addition is made or a condition is apparent which is in violation of this chapter or this title, the City of Rapid City may require that portion which is in violation to be corrected and/or disconnected from the supply, until correction has been effected. Any wiring that becomes hazardous after installation shall be required to be disconnected upon order of the City of Rapid City.

80.11 Temporary Installations.

Temporary electrical installations must be made so as to safeguard persons and property and shall be inspected and approved by the City of Rapid City. Such temporary installation shall not be allowed for more than one hundred eighty days without re-inspection and approval by the city. Such re-inspection may be had upon request and payment of the fee set out in this section.

80.12 Liability.

This eChapter shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating, controlling or installing any electrical equipment for damages to persons or to property caused by any defect therein or negligence in handling thereof, nor shall the City of Rapid City be held as assuming any such liability by reason of the inspections or re-inspection authorized in this eChapter, or the certificates of approval issued as herein provided, or by reason of the approval or disapproval of any equipment authorized herein.

CITY OF RAPID CITY

Mayor

ATTEST

Finance Officer

(seal)

First Reading:
Second Reading:
Published:
Effective: