

**CITY OF DELANO
WRIGHT COUNTY, MINNESOTA**

ORDINANCE NO. 0-11-042011

THE CITY COUNCIL OF THE CITY OF DELANO, MINNESOTA ORDAINS:

SECTION 1. City Code Chapter 4 is hereby amended by adding Section 416.03 to provide as follows:

SECTION 416.03. Electrical Regulations

Subd. 1. Purpose: The purpose of this Section is to implement the provisions of the Minnesota State Building Code and Minnesota Rules Chapter 1315 which adopts the National Electrical Code.

Subd. 2. Application of this Section: The provisions of this Section shall apply to all installations of electrical conductors, fittings, devices, fixtures hereinafter referred to as "electrical equipment", within or on public and private buildings and premises, with the following general exceptions. The provisions of this Section do not apply to the installations in mines, ships, railway cars, aircraft, automotive equipment or the installations or equipment employed by a railway, electric or communication utility in the exercise of its functions as a utility, except as otherwise provided in this Section.

Subd. 3. As used in this Section, "reasonably safe to persons and property" as applied to electrical installations and electrical equipment means safe to use in the service for which the installation or equipment is intended without unnecessary hazard to life, limb or property.

Subd. 4. For purposes of interpretation of the provisions of this Section, the most recently published edition of the National Electrical Code shall be prima facie evidence of the definitions and scope of words and terms used in this Section.

Subd. 5. Electrical Inspector, Qualifications and Appointment

- A. **Creation; Qualifications.** There is hereby created the office of Electrical Inspector. The person chosen to fill the office of Electrical Inspector shall be of good moral character, shall be possessed of such executive ability as is requisite for the performance of his duties and shall have a thorough knowledge of the standard materials and methods used in the installation of electrical equipment; shall be well versed in approved methods of construction for safety to persons and property; the statutes of the State relating to electrical work and any orders, rules and regulations issued by authority thereof; and the National Electrical Code as approved by the American Standards Association; shall have two (2) years' experience as an electrical inspector or five (5) years' experience in the installation of electrical equipment, or a graduate mechanical or electrical engineer with two (2) years of practical electrical experience.

- B. Licensed Inspector. The Electrical Inspector shall be a licensed master or journeymen electrician as defined under Minnesota Statutes.
- C. Duties of the Electrical Inspector. It shall be the duty of the Electrical Inspector to enforce the provisions of this Section. The Electrical Inspector shall, upon application, grant permits for the installation or alteration of electrical equipment, and shall make inspections of electrical installations, all as provided in this Section. The Electrical Inspector shall keep complete records of all permits issued, inspections and reinsertions made and other official work performed in accordance with the provisions of this Section.
- D. No Financial Interest. It shall be unlawful for the Electrical Inspector to engage in the sale, installation or maintenance of electrical equipment, directly or indirectly, and the Electrical Inspector shall have no financial interest in any concern engaged in any such business.
- E. Authority of Electrical Inspector. The Electrical Inspector shall have the right during reasonable hours to enter any building or premises in the discharge of his official duties, or for the purpose of making any inspection, reinsertion or test of electrical equipment contained therein or its installation. When any electrical equipment is found by the Electrical Inspector to be dangerous to persons or property because it is defective or defectively installed, the person responsible for the electrical equipment shall be notified in writing and shall make any changes or repairs required in the judgment of the Electrical Inspector to place such equipment in safe condition. If such work is not completed within fifteen (15) days or any longer period that may be specified by the Electrical Inspector in said notice, the Electrical Inspector shall have the authority to disconnect or order discontinuance of electrical service to said electrical equipment. In cases of emergency where necessary for safety to persons and property, or where electrical equipment may interfere with the work of the Fire Department, the Electrical Inspector shall have the authority to disconnect or cause disconnection immediately of any electrical equipment.

Subd. 6. Standards for Electrical Equipment Installation

- A. All installations of electrical equipment shall be reasonably safe to persons and property and in conformity with the provisions of this Section and the applicable statutes of the State and all orders, rules and regulations issued by the authority thereof. All electrical equipment shall be listed and labeled by a testing agency.
- B. Conformity of installations of electrical equipment with applicable regulations set forth in the current National Electrical Code as adopted by the Minnesota Rules shall be prima facie evidence that such installations are reasonably safe to persons and property. Noncompliance with the provisions of this Section or the National Electrical Code as adopted by the Minnesota Rules shall be prima facie evidence that the installation is not reasonably safe to persons and property.
- C. The Electrical Inspector may, with approval of the Building Official, authorize installations of special wiring methods other than herein provided for.

- D. Buildings or structures moved from without to within and within the limits of the City shall conform to all of the requirements of this Code for new buildings or structures.
- E. Existing buildings or structures hereafter changed in use shall conform in all respects to the requirements of this Code for the new use.

Subd. 7. Connections to Installations

- A. It shall be unlawful for any person to make connections from a supply of electricity to any electrical equipment for the installation of which a permit is required or which has been disconnected or ordered to be disconnected by the Electrical Inspector.
- B. The public or private utility providing services shall disconnect the same upon a written order from the Electrical Inspector, if the Electrical Inspector considers any electrical installation unsafe to life and property or installed contrary to this Code.

Subd. 8. Permits and Inspectors

- A. Permit Required: An electrical permit is required for each installation, alteration, addition or repair of electrical work for light, heat and power within the limits of the City. Permits for the installation of electrical work in new structures shall only be issued to electrical contractors duly licensed by the State. Permits for the installation, alteration, addition or repair of electrical work in existing structures shall only be issued to electrical contractors duly licensed by the State or to resident owners of property where the work is to be done.
- B. Public Service Corporation Exception: No permit shall be required for electrical installations of equipment owned, leased, operated or maintained by a public service corporation which is used by said corporation in the performance of its function as a utility, except that such electrical installation shall conform to the minimum standards of the National Electrical Safety Code.
- C. Ownership: Ownership of any transmission or distribution lines or appurtenances thereto, including, but not limited to, transformers, shall not be transferred by a public service corporation to any person, except another franchised public service corporation dealing in electric energy for distribution and sale, without a permit first having been issued therefore by the City. Such permit shall be issued only after the facilities to be transferred have been inspected and approved as provided in this Section and upon payment of an inspection fee as set forth in this Section.
- D. Application and Plans: Application for such permit, describing the electrical work to be done, shall be made in writing, to the City by the person so registered to do such work. The application shall be accompanied by such plans, specifications and schedules as may be necessary to determine whether the electrical installation as described will be in conformity with all the legal requirements. The fees for electrical inspection as set forth

in this Section shall accompany such application. If applicant has complied with all of the provisions of this Section, a permit for such electrical installation shall be issued.

- E. Concealment: All electrical installations which involve the concealment of wiring or equipment shall have a "rough-in" inspection prior to concealment, wherein the Electrical Inspector shall be duly notified in advance, excluding Saturday, Sunday and holidays.

Subd. 9. Inspection Fees

- A. Permits Required: Before commencing any installation of any work regulated by this Section, a permit therefore shall be secured from the Building Department and the fee for such permit paid. The fees schedule set forth in Minnesota Statutes § 326B.37 is adopted by reference and incorporated herein. No such permit shall be issued to do any of the work or make any installation regulated by this Section except to persons licensed to do such work under the terms of this Section. Holders of a contractor's license shall not obtain permits for electrical work unless the work is supervised by them and is performed by workers employed by them or their firm.
- B. Fees Double, When: Should any person begin work of any kind, such as set forth in this Section, or for which a permit from the Electrical Inspector is required by ordinance, without having secured the necessary permit therefore from the Electrical Inspector of Buildings either previous to or during the day of the commencement of any such work, or on the next succeeding day where such work is commenced on a Saturday or on a Sunday or a holiday, he shall, when subsequently securing such permit, be required to pay double the fees provided for such permit.
- C. Additional Fees and/or Shortages: Additional fees and/or fee shortages must be received by the City within fourteen (14) days of written notice. If additional fees and/or fee shortages are not received within fourteen (14) days of notice, permits for electrical installations will not be accepted by the City until such time as the additional fees and/or fee shortages are received.

Subd. 10. Electrical Inspections

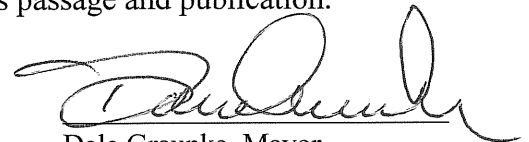
- A. At regular intervals, the Electrical Inspector shall visit all premises where work may be done under annual permits and shall inspect all electrical equipment installed under such a permit since the day of his last previous inspection, and shall issue a certificate of approval for such work as is found to be in conformity with the provisions of this Section, after the fee required has been paid.
- B. When any electrical equipment is to be hidden from view by the permanent placement of parts of the building, the person installing the equipment shall notify the Electrical Inspector and such equipment shall not be concealed until it has been inspected and approved by the Electrical Inspector or until twenty four (24) hours, exclusive of Saturdays, Sundays and holidays, shall have elapsed from the time of such scheduled inspection; provided, that on large installations where the concealment of equipment

proceeds continuously, the person installing the electrical equipment shall give the Electrical Inspector due notice and inspections shall be made periodically during the progress of the work.


- C. If upon inspection, the installation is not found to be fully in conformity with the provisions of this Section, the Electrical Inspector shall at once forward to the person making the installation a written notice stating the defects which have been found to exist.

Subd. 11. Sunset. This ordinance shall be revoked without further action of the City Council once the Department of Labor & Industry is funded for the 2011 fiscal year by legislative enactment of a State budget.

SECTION 2. This ordinance is effective immediately upon its passage and publication.


Dale Graunke, Mayor

ATTEST:


Marlene Kittock, City Clerk

Motion By: DAN VICK
Seconded By: HOLLY SCHRUPP

Graunke: AYE
Stolfa: AYE
Schrupp: AYE
Vick: AYE
Schansberg AYE

: