

ARTICLE 1709
National Electrical Code

- 1709.01 Adoption and file copies.
- 1709.02 Scope.
- 1709.03 Electrical Inspector and
Electrical Appeal Board.
- 1709.04 Enforcement.
- 1709.05 Duties of Electrical Inspector.
- 1709.06 Electrical permit: conditions
and fee.
- 1709.07 Inspections.
- 1709.08 Notices and appeals.
- 1709.09 Saving clause.
- 1709.10 Enforcement powers.
- 1709.99 Penalty.

CROSS REFERENCES

- Adoption by reference - see 3rd Class Charter Law §608(a) (53 P.S. §41608(a)); 3rd Class §2403(67) (53 P.S. §37403(67))
- Underground wires required - see 3rd Class §2403(50) (53 P.S. §37403(50))
- Poles and wires - see S.U. & P.S. Art. 915
- Underground conduits - see S.U. & P.S. Art. 917

1709.01 ADOPTION AND FILE COPIES.

There is hereby adopted by the City for the purposes of establishing rules and regulations for the construction, alteration, removal, repair, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as the National Electrical Code, 1999 edition, of the National Fire Protection Association, except such portions that are hereinafter deleted, modified or amended. Not less than three copies have been and are now filed in the offices of the City Clerk and the same is hereby adopted and incorporated as fully as if set out at length herein. From the date on which this section takes effect, the provisions thereof shall be controlling in the construction of all buildings and other subjects therein contained within the corporate limits of the City.

This article together with the National Electrical Code, 1999 edition, as adopted herein, shall be known as the "Electrical Code".
(Ord. 1-2000. Passed 1-18-00.)

1709.02 SCOPE.

(a) "Electrical wiring systems" include all electrical apparatus, electrical wiring, electrical fixtures and electrical supplies used as a part of any installation for the transmission or utilization of electrical energy. This shall include all equipment necessary to operate the physical plant, ventilating, heating, air conditioning, refrigerating and water heating systems provided such term does not include portable lamps, electrical appliances and special manufacturing equipment separable from permanently fixed plug-in receptacles.

(b) All electrical wiring systems installed in new buildings, additions to existing buildings and remodeling work where removal of the flooring or wall or ceiling covering exposes the studding, joists or rafters and in yards and parking lots shall be installed in conformity with the National Electrical Code as amended.
(Ord. 6-1977 §2. Passed 3-1-77.)

(c) All other electrical additions or renovations, where removal of the surface building construction is not required, other than the minimum opening necessary to make the installations, shall comply with the National Electrical Code as amended, subject to the discretion of the Department of Fire/Rescue Services, insofar as methods and materials are concerned.

(d) Rules and Regulations. The Director of the Department of Fire/Rescue Services is hereby empowered to promulgate such rules and regulations in accordance with the provisions of the National Electrical Code as may be required, and any rule or regulation so promulgated shall have the same force and effect as the Code, but no person shall be bound thereby until such rule or regulation has been posted in a conspicuous place at the main office of the Department and in the Codes Administration office, for a period of not less than five business days except that presentation to any person of a written copy of any rule or regulation shall be in lieu of the above stated posting requirement as to that person.
(Ord. 18-1988 §2. Passed 10-4-88.)

1709.03 ELECTRICAL INSPECTOR AND ELECTRICAL APPEAL BOARD.

The office of Electrical Inspector in the Department of Fire/Rescue Services is hereby created and the executive official in charge shall be known as the Electrical Inspector.
(Ord. 18-1988 §3. Passed 10-4-88; Ord. 1-2000. Passed 1-18-00.)

1709.04 ENFORCEMENT.

Enforcement provisions of the Electrical Code shall rest with the Electrical Inspector or his duly authorized representative.
(Ord. 6-1977 §4. Passed 3-1-77.)

1709.05 DUTIES OF ELECTRICAL INSPECTOR.

(a) The Electrical Inspector shall enforce all provisions of the Electrical Code. He shall receive applications for permits and issue permits. To enforce compliance with law he shall issue such notices or orders as may be necessary and shall require the production of such books, records and compliance certificate of a certified inspection agency from applicants for permits or the holders of permits as may be necessary to insure compliance with respect to permits and fees.
(Ord. 18-1988 §4. Passed 10-4-88.)

(b) Inspections to insure compliance with this Electrical Code shall be made by the Electrical Inspector or his duly appointed assistant. Persons owning industrial or manufacturing facilities requiring large and complex electrical wiring systems may make application for annual permit, as further defined in Section 1709.06(i), which permit shall relieve them from the inspection requirements of this section. If firms or corporations can demonstrate to the satisfaction of the Electrical Inspector that such firm or corporation regularly employ competent personnel qualified to make such installations, alterations and extensions, and that it is the policy of such firm or corporation that all electrical wiring systems conform to the standards of the Electrical Code, the Electrical Inspector shall issue such annual permit. The Electrical Inspector may, at reasonable times, inspect the electrical wiring of such facilities to determine whether they are in conformity with the Electrical Code.

(c) The Electrical Inspector shall keep comprehensive records of applications, of permits issued, of inspections made, or reports rendered and of all notices or orders issued. He shall retain on file copies of required plans and all documents relating to electrical work so long as any part of the building or structure to which they relate may be in existence.

(d) All records shall be open to public inspection for good and sufficient reasons at the stated office hours, but shall not be removed from the office of the Electrical Inspector without his written consent.

(e) The Electrical Inspector shall make written reports annually to the members of Council, including statements of inspections made, permits issued or orders promulgated. (Ord. 6-1977 §5. Passed 3-1-77.)

1709.06 ELECTRICAL PERMIT: CONDITIONS AND FEE.

(a) A permit as required by the Electrical Code shall be issued by the Electrical Inspector or his agent for the installation, construction, alteration or extension of an electrical wiring system or component thereof to the firm or individual who intends to do the actual electrical work.

(b) The application for an electrical job permit shall be accompanied by a sketch, wiring diagram, or written description of the work to be done, depending upon the complexity of the job. The information presented shall be in sufficient detail to enable the Electrical Inspector to determine that the proposed work will conform to the requirements of the Electrical Code. If, in the course of the work, it is found necessary to make any changes from the plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted and a supplementary permit, subject to the same conditions applicable to the original application for permit, shall be issued to cover the change. (Ord. 6-1977 §6. Passed 3-1-77.)

(c) Fees for the construction, alteration or extension of electrical wiring systems shall be in accordance with the fee schedule established by the BOCA National Building Code, 1999 edition, Section 112.3.1, as is otherwise adopted and amended by resolution of Council, and this fee shall be in addition to and separate from the required building permit fees. (Ord. 1-2000. Passed 1-18-00.)

(d) All required permit applications shall be filed before starting work. On installations of any emergency nature only, this requirement may be waived providing that on the next working day, a permit must be obtained for this emergency work. A brief explanation of the emergency work to be performed shall also be forwarded to the Electrical Inspector for his approval.

(e) An amendment to the original permit shall be required if the scope of the work covered by the original permit is changed. Any additional fee required because of a change in the estimated cost of the work or an amendment to the work as originally proposed shall be submitted to the Electrical Inspector not later than one week after the completion of the work. (Ord. 6-1977 §6. Passed 3-1-77.)

(f) Before any permit is issued, the applicant shall designate an inspection agency using inspectors certified by the International Association of Electrical Inspectors through Educational Testing Services testing that shall provide the final certificate of approval. The applicant may change the inspection agency only with the written approval of the Electrical Inspector. (Ord. 18-1988 §5. Passed 10-4-88.)

(g) A permit shall not be required for the replacement of existing sockets, lamps, controls, motors or fuses where no additional wiring is involved.

(h) If after issuance of a permit, the work has not been started within ninety days, or subsequent to the starting thereof has been discontinued for a period of six months, such permit shall become void. (Ord. 6-1977 §6. Passed 3-1-77.)

(i) Persons owning industrial or manufacturing facilities requiring large and complex electrical wiring systems may make application for an annual permit relieving them from the requirements of Sections 1709.06 and 1709.07. If the Electrical Inspector is satisfied that such person employ full-time competent personnel, skilled in electrical maintenance work to make such installations, alterations and extensions, and that all electrical wiring systems conform to the standards of the Electrical Code, he shall issue an annual permit. This permit shall be considered a company permit and there shall be a flat fee of one hundred dollars (\$100.00) payable on or before January 1 of each year. It is not the intent of an annual company permit to cover work done by any part-time or outside electrical contractor retained by an industrial or manufacturing concern. (Ord. 18-1988 §5. Passed 10-4-88.)

1709.07 INSPECTIONS.

(a) Electrical inspections on work over one hundred dollars (\$100.00) in value shall be made and approved by the Electrical Inspector. (Ord. 18-1988 §6. Passed 10-4-88.)

(b) Inspections shall not be required for the replacement of existing sockets, lamps, controls, motors or fuses where no additional wiring is involved.

(c) In order to safeguard persons and property against the hazards incident to defective electrical wiring and apparatus that are or may now be in existence within the City, the Electrical Inspector is hereby given the duty to inspect such existing wiring when public interest so requires. Should the existing electrical wiring system be found defective or unsafe, the system or portion of the system shall be disconnected until it is corrected and made to comply with the provisions of the Electrical Code and in accordance with this article.

(d) The Electrical Inspector, or his duly authorized City representative, may inspect any electrical construction, installation, addition or extension, regardless of value.

(e) When the premises to be inspected is not regularly inhabited during normal working hours, it shall be the Electrical Contractor's responsibility to arrange for entry of the authorized inspector.

(Ord. 6-1977 §7. Passed 3-1-77.)

1709.08 NOTICES AND APPEALS.

(a) It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove or demolish any electrical wiring system in conflict with or in violation of the provisions of the Electrical Code.

(b) The Electrical Inspector shall serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, removal or demolition of any electrical wiring system in violation of the provisions of the Electrical Code, or in violation of a detailed statement or a plan approved thereunder, or in violation of a permit issued under the provisions of the Electrical Code. Such order shall direct the discontinuance of illegal action or condition and the abatement of the violation.

(c) Upon notice from the electrical official that work on any electrical wiring system is in violation of the Electrical Code, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work; and shall state the conditions under which work will be permitted to continue.

(Ord. 1-2000. Passed 1-18-00.)

(d) Any person who shall continue any work in or about an electrical wiring system after being served with a stop work order, except such work as that which the person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000) and the costs of prosecution. (Ord. 1-2009. Passed 1-6-09.)

(e) Any person shall have the right to appeal a decision by the Code Official to the Construction Board of Adjustment and Appeals as is otherwise provided for by ordinances of the City. (Ord. 1-2000. Passed 1-18-00.)

1709.09 SAVING CLAUSE.

Nothing in this article or in the Electrical Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this article. (Ord. 6-1977 §9. Passed 3-1-77.)

1709.10 ENFORCEMENT POWERS.

(a) The Chief of the Department of Fire/Rescue Services or his designee shall have the authority to institute summary criminal proceedings as a means of enforcement of this article, and shall, when acting within the scope of his employment hereinunder, have the powers of a police officer of the City; provided, however, that under no circumstances shall he have the power of arrest.

(b) The Chief of the Department of Fire/Rescue Services or his designee shall be authorized to enter the structure or premises at any reasonable time to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Chief of the Department of Fire/Rescue Services or his designee is authorized to pursue recourse as provided by law.
(Ord. 1-2000. Passed 1-18-00.)

1709.99 PENALTY.

Any person who shall violate a provision of the Electrical Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair an electrical wiring system in violation of an approved plan or directive of the Chief of the Department of Fire/Rescue Services or his designee, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a summary offense, punishable by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000) for the first two continual and uncorrected violations and not exceeding five thousand dollars (\$5,000) for the third and any subsequent continual and uncorrected violation and the costs of prosecution, and in default of the payment thereof, shall be imprisoned for not more than ninety days (90 days). Each day that a violation continues after due notice has been served shall be deemed a separate offense.
(Ord. 1-2009. Passed 1-6-09.)