

# CHAPTER 31

## CITY OF PRESQUE ISLE

### *National Electrical Code Ordinance*



Approved by the City Council: September 4, 1996  
Repassed by the City Council: February 7, 2000  
Amended by the City Council: September 18, 2000  
Amended by the City Council: January 6, 2003  
Repassed by the City Council: January 21, 2004  
Repassed by the City Council: January 7, 2008  
Amended by the City Council: March 3, 2008  
Amended by the City Council: February 2, 2009  
Amended by the City Council: December 7, 2009  
Repassed by the City Council: January 3, 2012  
Repassed by the City Council: January 4, 2016  
Repassed by the City Council: January 8, 2020

Amended by the City Council: September 29, 2021

Attest: \_\_\_\_\_  
Kimberly A. Finnemore, City  
Clerk

City Seal

## **NATIONAL ELECTRICAL CODE**

### **CHAPTER 31**

An Ordinance establishing minimum regulations governing the design, construction, alteration, enlargement, repair and maintenance of electrical wiring in all buildings and structures. Providing for the issuance of permits, collections of fees, making of inspections and providing penalties for the violation thereof; known as the *National Electrical Code*.

**PREAMBLE:** This Ordinance is intended to replace and repeal all prior ordinance(s) dealing with any subject matter dealt with herein, and shall supersede the same, whether specifically repealed or referenced herein:

Be it ordained by the City Council of the City of Presque Isle as follows:

#### **SECTION 1. ADOPTION OF THE NATIONAL ELECTRICAL CODE**

That a certain document, being marked and designated as the most current State of Maine adopted *The National Electrical Code*, as published by the National Fire Protection Association and *Chapter 120 "Electrical Installation Standards"*; be and is hereby adopted as the Electrical Code of the City of Presque in the State of Maine; for the control of electrical wiring as, hereby, provided; and each and all of the regulations, provisions, penalties, conditions and terms as said in the National Electrical Code and *National Fire Protection standard # 70*, are hereby referred to, adopted and made a part hereof as is fully set out in this Ordinance.

#### **SECTION 2. APPOINTMENT AND SALARY**

The Electrical Inspector shall be appointed by the City Council. The Electrical Inspector shall receive a salary set by the same. It shall be unlawful for the Electrical Inspector to engage in the business of the installation and the maintenance of electrical wiring, electric devices and electrical material either indirectly, or directly, and the Electrical Inspector should have no financial interest in any concern engaged in such business at any time while holding office of Electrical Inspector. Any violations of the provisions of this section by said Electrical Inspector shall be sufficient cause for the Electrical Inspector's removal from office, but the Electrical Inspector may be removed by other just cause by the City Council.

#### **SECTION 3. ACCESS TO BUILDINGS**

Said Electrical Inspector shall have the right during reasonable hours to enter any building, in the process or erection or reconstruction or that is being rewired, in the discharge of the Electrical Inspector's official duties, or for the purpose of making any inspection or test of the installation of electrical wiring, electrical devices or electric material contained therein. In the case of new buildings, no power shall be turned on said building until the Electrical Inspector has issued a certificate of inspection. In the case of reconstruction or rewiring, the Electrical Inspector shall have authority to cause the turning off of all electrical currents and cut or disconnect in cases of emergency, any wire where such electrical currents are dangerous to life or property or may interfere with the work of the fire department.



## **SECTION 4. ALTERATIONS**

No alterations or additions shall be made in the existing wiring of any building, nor shall any building be wired for the placing of any electric lights, motor, heating devices, or any apparatus requiring the use of an electrical current, nor shall any alterations be made in the wiring of any building after inspection, without first notifying the Electrical Inspector and securing a permit therefore, except minor repair work, such as repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping bare joints and repairing drop cords.

## **SECTION 5. INSPECTIONS**

Upon the completion of the wiring of any building, it shall be the duty of the person, firm or corporation installing the same to notify the Electrical Inspector, who shall inspect the installation within one day of the time such notice is given when reasonably possible (excluding weekends and holidays); and if it is found to be fully in compliance with this Ordinance and does not constitute a hazard to life and property, he shall issue such person, firm or corporation for delivery to the owner, a certificate of inspection authorizing connection to the electrical service and the turning on of the current.

## **SECTION 6. CONSTRUCTION REQUIREMENTS**

No certificate of inspection shall be issued unless the electrical light, power and heating installation are in strict conformity with the provisions of this Ordinance and the regulation as laid down in the 2008 Edition of the *National Electrical Code*. These certificates shall show the fee charges by the Electrical Inspector, shall be made in duplicate, the original to be issued to the owner and the copy to be filed with the Code Enforcement Officer.

## **SECTION 7. RECORD OF PERMITS AND INSPECTIONS**

The Electrical Inspector shall keep complete records of all permits issued and inspections made and other official work performed under the provisions of this Ordinance.

## **SECTION 8. REVIEW**

When the Electrical Inspector condemns all or parts of any electrical installation, the owner within five days after receiving written notice from the Electrical Inspector, shall file a petition in writing for review of said action of the Electrical Inspector with the State Electrician's Examining Board, asking them for a decision and their ruling upon the application, which ruling shall be final. In case condemned parts do not constitute a menace of life and property or interfere with the work of the Fire Department; the Inspector may at his discretion, issue a temporary permit until said decision is made by the Office Insurance Commissioner State of Maine.

## **SECTION 9. RESPONSIBILITY**

This Ordinance shall not be construed to relieve from or lessen the responsibility of any party owning, controlling, or installing any electrical wiring, electrical devices or electrical material for damages to person or property caused by any defect therein, nor shall be held as assuming any liability by reason of the inspection authorized herein, or certificate of inspection issued as herein provided.



## **SECTION 10. COST OF PERMIT**

Every application for a permit to do work regulated by this Ordinance shall state in writing on the application form provided for that purpose, the character or work proposed to be done and the amount and kind in connection therewith, together with such information, pertinent thereto as may be required.

Such application shall pay for each permit issued at the time of issuance, accompanied by a fee, as may be established from time to time by the Presque Isle City Council.

Any person who shall commence any work for which a permit is required by this Ordinance without first having obtained a permit therefor shall, if subsequently permitted to obtain a permit, shall pay double the permit fee fixed by this section for such work, provided, however, that this provision shall not apply to emergency work shown it shall be proved to the satisfaction of the Electrical Inspector that such work was urgently necessary and that it was not practical to obtain a permit therefor before the commencement of the work. In all such cases a permit must be obtained as soon as practical to do so, and if there be a unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.

Upon written request the Council may waive local fees based on hardship for person(s) who require a permit for construction due to fire loss if they do **NOT** have insurance to cover the cost.

## **SECTION 11. INCONSISTEN ORDINANCE REPEALED**

That Chapter 31 of the City of Presque Isle entitled *National Electrical Code*, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

## **SECTION 12. SAVING CLAUSE**

That nothing in this Ordinance or in the *National Electrical Code* hereby adopted shall be constructed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 11 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. Should any part of this Ordinance or of the Code hereby adopted be declared invalid, the remainder of the Ordinance, or of the Code, shall not be affected thereby.

## **SECTION 13. VIOLATIONS**

It shall be unlawful for an owner, tenant, an electrician, or any person to make alterations or additions to existing wiring or install new wiring for the placing of electrical lights, motors, heating devices, or any apparatus requiring the use of electric current at the location of any building or structure in violation of any provisions of this Code or to cause, permit or suffer any such violation to be committed. Any such person shall be deemed guilty of a violation of this Ordinance and upon conviction shall be punished by a fine of not less than One hundred dollars (\$100.00), or more than Twenty five hundred dollars (\$2,500.00) for each provision of law thus violated. It shall be the responsibility of the offender to abate the violation as expeditiously as possible, and each day such violation is permitted to continue thereafter shall constitute a separate offense. All fines collected hereunder shall inure to the City of Presque Isle.

#### **SECTION 14. DATE OF EFFECT**

That the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law and this Ordinance shall take full force and effect after this date or final passage and approval.

#### **SECTION 15. SUNSET PROVISION**

This Ordinance shall be in force for the term of four (4) years from its effective date noted. This Ordinance shall become null and void upon the expiration of four (4) years from said effective date: unless recommended and required by the City Council to remain effective prior to such expiration date.