

**SCOTT COUNTY FISCAL COURT
ORDINANCE NO. 03-01**

AN ORDINANCE AMENDING THAT ORDINANCE RELATED TO THE LICENSING OF ELECTRICIANS, INCLUDING THE ESTABLISHMENT OF LICENSE CLASSIFICATIONS, THE CREATION, POWERS AND DUTIES OF THE EXAMINING BOARD OF ELECTRICIANS, EXCEPTIONS TO LICENSING REQUIREMENT, A PERMIT PROCEDURE, ADMINISTRATION AND MISCELLANEOUS PROVISIONS ADOPTED MAY 21, 1990 AND NUMBERED 90-002, AND AMENDED SEPTEMBER 26,1994 AND NUMBERED 94-010.

BE IT ORDAINED BY THE FISCAL COURT FOR SCOTT COUNTY, KENTUCKY, THAT:

Section 1. Repealed by Ordinance 03-01

Section 2. DEFINITIONS:

As used in this Ordinance, the following definitions shall apply

(1) Electrical Contractor means any person other than as stated in Section 11, who proceeds with, or employs others for the construction, alteration, repairs or additions to any electrical wiring used for the purpose of furnishing heat, light or power.

(2) Journeyman Electricians means any person who is employed by an Electrical Contractor and is engaged in the construction, alteration or repair of any electrical wiring used for the purpose of furnishing heat, lights and power.

(3) Apprentice Electrician means any person who is employed by an Electrical Contractor and is in the process of learning the electrical trade. A Licensed Journeyman Electrician or a Licensed Electrical Contractor shall maintain general supervision over a Licensed Apprentice Electrician while installing, altering or repairing residential electrical wiring. General supervision means the Licensed Journeyman Electrician or Licensed Electrical Contractor need not be present on site at all times, but must maintain general awareness of the work performed by the apprentice. A Licensed Journeyman Electrician or a Licensed Electrical Contractor shall maintain direct supervision over a Licensed Apprentice Electrician while installing, altering or repairing commercial or industrial electrical wiring. Direct supervision means the Licensed Journeyman Electrician or Licensed Electrical Contractor must be present on site at all times

the apprentice is engaged in electrical work covered by this Ordinance. At no time shall the number of Apprentice Electricians under the supervision of any one person exceed three (3).

Section 3. EXAMINING BOARD OF ELECTRICIANS:

Pursuant to KRS 227.450 to KRS 227.500, there is created a board to be known as the Examining Board of Electricians. The board shall be composed of seven (7) members appointed by the Mayor and approved by the Council, and shall consist of two (2) Division of Fire and Emergency Services officials, two (2) electrical contractors, two (2) consulting electrical engineers or architects, and one (1) utility company official. Terms of members shall be two (2) years, provided that the initial term of one (1) Division of Fire and Emergency Services official, one (1) electrical contractor and one (1) consulting electrical engineer or architect shall be one (1) year to provide for staggering of terms. Vacancies shall be filled in the same manner as the original appointment, and the successor shall be appointed for the unexpired term. No appointee shall serve more than two (2) consecutive full three year terms. The members of the examining board shall serve without salary.

In the event an Ordinance substantially similar to this one is adopted by the City of Georgetown, in which an Examining Board of Electricians is established, the board described in this section shall be a joint board, serving Georgetown and Scott County. In this event, the Board shall be appointed one (1) Division of Fire and Emergency official, one (1) electrical contractor and one (1) consulting electrical engineer or architect by the Mayor and the Judge/Executive and one (1) utility official to be appointed jointly by the Mayor and Judge/Executive. All appointments to the joint board must be approved by the appropriate legislative body. All other provisions on this section shall be the same whether the Board is for the County, City or joint.

Section 4. ACTIONS OF THE EXAMINING BOARD:

All actions of the examining board pertaining to adoption of rules to govern inspections of electrical installations, inspection fees, the appointment of electrical inspectors, and the adoption of codes to the locality covered by ordinance, shall be subject to approval by a majority vote of the Fiscal Court.

Section 5: EXAMINATION OF APPLICANTS FOR LICENSING:

It shall be the duty of the examining board to require examination of all applicants for an Electrical Contractor or Journeyman Electricians license upon matters relating to the ability and qualifications of the applicant to engage in the business of electrical contracting or wiring and to grant licenses to qualified applicants after a satisfactory examination. All Electrical Contractor and Journeyman Electricians must be examined before being issued a license to engage in their occupation. It shall be the further duty of said board to hear

complaints arising against any licensed Electrical Contractor, Journeyman and Apprentice Electrician. Said board shall have the authority, after a hearing, to warn, revoke or suspend the license of any Electrical Contractor, Journeyman or Apprentice Electrician for a violation of the laws of the Commonwealth of Kentucky or any ordinances of the Scott County-Georgetown Government, relating to electrical construction work; or for incompetence or willful negligence in any electrical work, provided that written notice of a hearing, stating the grounds of complaint, has been given the licensee at least ten (10) days before the hearing.

Section 6. CLASSES OF LICENSES:

Three classes of licenses and certificates therefore shall be issued, which shall be designated, respectively, as Class A, Electrical Contractor's License; Class B, Journeyman's License; Class C, Apprentice's License.

The term of all licenses shall be from January 1 of the year in which they are issued through December 31 of that same year. Renewal of these licenses must occur no later than January 31 of the year following the expiration of a license. Persons failing to renew on or before that date must reapply and qualify.

Section 7. REQUIREMENTS FOR EACH LICENSE:

Class A Electrical Contractor:

- a. The applicant shall show proof of being licensed as a journeyman for a period of not less than two years.
- b. The applicant must pass an Examining Board approved electrical Contractor's examination.

Class B Journeyman's License:

- a. The applicant must have certification from a Licensed Electrical Contractor show four (4) years of on-the-job training; or
- b. Must show a Certificate of Graduation from a State recognized school for Journeyman Electricians and
- c. Must pass an approved journeyman's examination.

In addition to the above requirements, applications for renewal of any class A or class B license shall include proof of compliance with the continuing education requirements contained in section 23. Upon said applicant's complying with the above requirements and upon verification that the applicant is in compliance, or has initiated the process to obtain compliance, with the applicable contractor registration requirements as set forth in this section. A license shall be granted.

Section 8. Repealed by Ordinance 03-01

Section 9. Repealed by Ordinance 03-01

Section 10. Repealed by Ordinance 03-01

Section 11. EXCEPTIONS TO LICENSING REQUIREMENT:

(1) Public Utility companies and corporations engaged in the manufacture or distribution of electrical energy for commercial purposes, or their employees, shall not be required to obtain licenses for the manufacture, transmission, distribution and metering of electrical energy and all repairs and maintenance connected therewith. Communication and related companies shall not be required to obtain licenses to engage in these activities

(2) Any electrical contractor or journeyman who travels into this area and who can document at least five years of experience in the field for which a license is sought shall not be required to be examined prior to being issued a license if the person has been licensed in a jurisdiction which requires an examination as stringent as that required by this Article, except an examination may be required in such instances where the board entertains a substantial doubt as to the nature or quality of the applicant's work.

(3) Any owner/occupant of a single family dwelling may perform his or her own electrical work

(4) In the event of the death of the person carrying the Contractor's License for an Electrical Contracting business, that business shall have 120 days in which to qualify the decedent's successor as a licensed electrical contractor under this ordinance.

Section 12. ANNUAL LICENSE FEES:

(1) The annual license fee for Class A Electrical Contractors shall be One-Hundred Dollars (\$100.00), the annual license fee for Class B Journeyman shall be Fifty Dollars (\$50.00) and the annual license fee for Class C Apprentice shall be Twenty-five (\$25.00). The Class A, Class Band Class C licenses shall expire December 31st of each year and the examining board shall renew the licenses for a one year period. Upon the failure of licensee to apply for renewal on or before the 31 st of January immediately following expiration of the license, the licensee shall be assessed a fee of Fifty Dollars (\$50.00). Upon the failure of the licensee to apply for renewal within One Hundred and Twenty (120) days after the date of expiration, the licensee shall be required to pass the board's required examination before another license is issued.

Section 13. PERMIT FOR INSTALLATION OR ALTERATION:

(1) Electrical wiring or equipment shall not be installed nor shall any alteration be made in any existing installation, without first obtaining a permit from the office of Electrical Inspector Division of Housing, Building and Construction Electrical Inspection. The application and issuance of said permit is governed by all applicable sections of the Kentucky Building Code, including but not limited to Article 27, and by the rules and regulations established by the Division of Building Inspection.

Section 14. ENFORCEMENT OF THIS ORDINANCE:

The Office of the Electrical Inspector shall, as required by this Ordinance, issue permits and licenses and maintain records, as authorized by the Examining Board of Electricians. The Electrical Inspector office shall enforce regulations and conduct on-site inspections to ensure compliance with this Ordinance.

Section 15. MINIMUM INSURANCE FOR CONTRACTORS:

In accordance with KRS 227.480 all Electrical Contractors shall maintain Commercial General Liability Insurance in an amount of not less than Two Hundred Fifty Thousand Dollars (\$250,000.00) and shall place such proof on file with the Office of the Electrical Inspector. Proof of the required minimum insurance coverage shall be filed prior to being issued a Contractor's License. To satisfy this insurance requirement, the policy must specifically reflect coverage for the Contractor and the electricians working for the Contractor.

Section 16. APPEALS BOARD

There is created a board to be known as the Appeals Board of Electricians. The board shall be composed of three (3) members appointed by the County Judge/Executive and approved by the Fiscal Court, each of whom shall be qualified in the electrical field. The appeals Board shall consist of one Division of Fire and Emergency Services Official, one Electrical Contractor, and one Electrical Engineer or Architect. Terms shall be for four (4) years provided that the initial term of one member shall be two (2) years to provide for staggered terms. Vacancies shall be filled in the same manner as the original appointment and the successor shall be appointed for the unexpired term. Any member may be appointed for additional terms.

In the event an Ordinance substantially similar to this one is adopted by the City of Georgetown, in which an Appeals Board is established, the board described in this section shall be a joint board, serving Scott County and Georgetown. In this event, the Board shall consist of one (1) Division of Fire and Emergency official, one (1) electrical contractor, one (1) consulting electrical engineer or architect and one (1) utility official to be jointly

appointed by the Mayor and the Judge/Executive. All appointments to the joint board must be approved by the appropriate legislative body. All other provisions related to the Appeals Board shall be the same whether the Board is for the City, County or joint

Section 17. APPEALS PROCESS:

Any person aggrieved by an order or determination of the Examining Board of Electricians may appeal therefrom to the Appeals Board of Electricians. Said appeal shall be taken by filing written notice thereof with the Examining Board of Electricians within ten (10) days of the entry of the order of determination appealed from. The Appeals Board of Electricians may affirm, reverse or modify any order or determination of the Examining Board of Electricians. Any order or determination of the Examining Board of Electricians shall become final after expiration of time for appeal unless notice of appeal shall have been filed within said time, in which event said order or determination as affirmed, reversed or modified shall become final upon entry of the decision of the Appeals Board of Electricians.

Section 18. AUTHORITY OF ELECTRICAL INSPECTOR AND FIRE CHIEF TO DISCONNECT SERVICE:

Upon complaint by occupant or request by owner, the Electrical Inspector shall inspect existing wiring for conformity with the National Electrical Code. Upon finding a code violation, which creates a threat of bodily injury or property damage, the electrical inspector shall notify the owner that he or she has thirty (30) days in which to correct the violation. The Inspector shall provide reasonable assistance to the owner in effecting the corrections. If at the end of thirty days the owner has not made substantial progress toward the correction of the violations, the Inspector, without further notice, may cause the service to the building to be disconnected until corrections are made.

Upon finding a code violation which creates an imminent threat of serious bodily injury or substantial property damage, the Electrical Inspector may waive the thirty (30) day period for correction and upon notice to the owner, cause the service to the building to be disconnected until corrections are made. The Inspector shall provide reasonable assistance to the owner in effecting the corrections.

The Chief of the Scott County Fire Department, or some other competent person designated by him, shall have the authority, in cases of emergency, to cause the turning off of all electrical currents and to cut or disconnect any wires carrying such electrical currents where there is a danger to life or property or where such wires interfere with the work or progress of the Fire Department in fighting fires.

Section 19. MISCELLANEOUS PROVISIONS:

The following standards for the construction, alteration and repair of any electrical wiring within the County of Scott, Kentucky, shall be required, in addition to the requirements of the National electric Code, which are incorporated into the State Standards of Safety. In the event any of the following provisions have a counterpart in the National electric Code, the code with the strictest standard shall apply. The local standards are as follows:

- (1) All non-metallic electric cable shall be secured with plastic staples.
- (2) Non-metallic electric cable run in the crawlspace of a house shall follow the running boards or be run through holes drilled in the floor joists [pursuant to the standards set out in the Kentucky Building Code.
- (3) The directory on electric panels shall be complete.
- (4) There must be a separate electric disconnect for water heaters, furnaces, air conditioners, garbage disposals and dishwashers. This requirement shall not apply to dishwashers or garbage disposals plugged into a receptacle.
- (5) Repealed by Ordinance 03-01
- (6) Repealed by Ordinance 03-01
- (7) All service poles, service, mast and trailer services must comply with all policies of the applicable utility company.
- (8) All service entrances shall be in: rigid metal, intermediate metal, electrical metallic or rigid P.V.C. conduit.
- (9) Temporary service for construction shall be permitted for a period of 180 days. If construction is incomplete at the conclusion of 180 days, the temporary service may be renewed for an additional (180) days upon showing of good cause. Should construction fail to make substantial progress for 60 days, the permit for temporary service may be revoked and the service disconnected and removed.
- (10) Inspections may be requested by contractors or his or her designee.
- (11) All work to be inspected must be completed before inspections are requested.

(12) Permanent service may be connected only after satisfactory final inspection or a temporary service agreement is executed.

(13) Rough-in inspections shall be completed before wiring method is concealed

(14) Final inspection shall not be requested until after all fixtures and appliances have been installed and connected, except air conditioning units during month of January through March.

(15) Repealed by Ordinance 03-01

(16) In the event an existing building is rewired [existing wire is replaced with new wire], remodeled [remodeling must result in, at least, a thirty (30) ampere increase in the service demand of the building} or is given a service upgrade, all wiring, existing and new, must be in accordance with the provisions of the National Electric Code or this Ordinance.

[Editor's note: This section moved to Section 13 (2).]

(18) Licensed Electrical Contractors shall employ only Licensed Electricians for electrical installations.

Where appropriate, the electrical inspector may waive the above local standards where the manufacturer's specifications and recommendations for a particular material clearly demonstrate that the restriction in the local standards is not necessary.

Section 20. PENALTIES:

Any person who violates this ordinance may be fined as set forth in section 1-13 of the Scott County Code of Ordinances.

Electrical license holders showing recurring patterns of non-compliance may be brought before the board to be re-examined prior to re-issuance of license.

Section 21. NO REDUCTION OR ASSUMPTION OF RESPONSIBILITY:

This article shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling or installing any electrical wiring, devices or equipment for damage to person or property caused by any defect therein; nor shall the Office of the Electrical Inspector be held as assuming any liability by reason of the inspections authorized herein or permits of approval issued as herein provided.

Section 22. Repealed by Ordinance 03-01

Section 23. CONTINUING EDUCATION:

1. Effective January 1, 2004, all licensed Contractors and Journeyman must have completed minimum of six (6) hours of Continuing Education courses approved by the Examining Board and the Commonwealth of Kentucky, Department of Housing, Building and Construction each year prior to the renewal of their license.

2. Failure to show proof of completion of the continuing education by the holder of a Class A or B electrical license shall render that license holder ineligible for the renewal of his or her license until the continuing education hours are completed.

3. A holder of Class A or B electrical license who fails to obtain the required six (6) hours of continuing education and who had not been required to pass an approved test will be ineligible for the renewal of his or her license until the continuing education hours are completed and the Examining Board's approved test is passed.

4. A person holding a Class A or B license may request his or her license be placed into escrow. During the time the license is escrowed, the holder of that license must complete the required six (6) hours of continuing education each year.

Section 24. RECIPROCATATION WITH LEXINGTON, FAYETTE COUNTY, KY:

Section 18. EFFECTIVE DATE: