

ORDINANCE NO. 2004-7

COPY

AN ORDINANCE OF THE CITY OF BEASLEY, TEXAS ESTABLISHING AN ELECTRICAL CODE; REGULATING ELECTRICAL WORK AND PERFORMANCE OF ELECTRICAL WORK; DEFINING TERMS; ADOPTING THE NATIONAL ELECTRICAL CODE; ESTABLISHING PERMIT, INSPECTION AND REVIEW PROCEDURES; ESTABLISHING MINIMUM STANDARDS AND SPECIFICATIONS FOR LICENSES AND BONDS AND FEES; CREATING AN ELECTRICAL BOARD; ESTABLISHING TECHNICAL AND EQUIPMENT STANDARD AND APPROVAL PROCEDURES; PROVIDING FOR SEVERABILITY; AND PENALTIES FOR VIOLATIONS.

WHEREAS, the City Council for the City of Beasley declares it necessary to regulate electrical work and the performance of electrical work to protect and benefit the health, safety and welfare of the citizens of Beasley;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS:

That the City Council of the City of Beasley adopts this Electrical Code to regulate electrical work and the performance of electrical work in the City of Beasley.

DIVISION 1. GENERALLY

Section 1.

Electrical work defined; exceptions; adoption of national standards.

(a) Electrical work defined. The term "electrical work" as used in this article, means the installing, maintaining, altering, repairing or erecting of any electrical wiring apparatus, device, appliance, fixture or equipment for which a permit is required under the terms and provisions of this article, except poles and guy anchors installed by an electric, telephone, telegraph, signal or public service company as a part of its distribution system.

(b) Excepted work. The provisions of this article shall not apply to:

(1) Communications systems. Electrical work, equipment and installations made by or for communications agencies in the actual furnishings of communications service nor to employees and to those doing electrical work and making installations in and on the lead side of the connecting switch on the communication agency's communication power switchboard, but the electrical work, installation and equipment shall comply with the provisions of the National Electrical Safety code and the National Electrical Code.

- (2) Home owners doing own work. Homeowners doing their own electrical installation work on residences for their own occupancy providing sections of this article pertaining to permits, inspections, materials, workmanship standards and fees are strictly complied with.
- (c) By or under licensed electrician. Except as provided in (b) of this section, it shall be unlawful for any person to do electrical work within the city unless such person is a licensed master electrician, licensed under the provisions of this article, or unless such person does such electrical work under the supervision, direction and control of a licensed master electrician.

Section 2. Liability for damages.

This article shall not be construed to relieve or lessen the responsibility of any party owning, operating or controlling any electric wiring, apparatus, device, appliance, fixture or equipment for damages to person or property caused by any defect therein, nor shall the city be held as assuming any such liability by reason of the inspection authorized herein or otherwise.

Section 3. Adoption of national electrical standards.

- (a) Adopted. The current issue of the National Standard Electrical Code, as recommended by the National Fire Protection Association and the current issue of the National Electrical Safety Code, authentic copies of which are filed with the city secretary, are hereby adopted and incorporated by reference as part of this chapter as if fully and completely set out herein and shall govern and be observed and followed in all electrical wiring and in the construction, installation, repair, alteration, operation and maintenance of electrical wiring, apparatus and fixtures, except insofar as may conflict with the provisions of this chapter.

In case of conflict between the National Electrical Code and the National Electrical Safety Code, the provisions of the National Electrical Code shall prevail.

DIVISION 2. ELECTRICAL INSPECTORS.

Section 4. Electrical Inspectors. General duties.

- (a) The office of electrical inspector in and for the city is hereby created. Such inspector shall be appointed by the mayor and confirmed by the city council. The electrical inspector shall serve at the pleasure of the council.

- (b) The electrical inspector shall, upon application, cause to be issued permits for the installation and alteration of electrical wiring, devices, appliances, fixtures, apparatus and equipment, and certificates of final approval therefor, and shall be responsible for inspection of all new electrical installations, and reinspections of all electrical installations, as provided in this article. The inspector shall keep complete records of all permits issued, inspections and reinspections made, and other official work performed in accordance with the provisions of this article.

Section 5. Right of entry.

The electrical inspector shall have the right, to enter any building or premises, whenever necessary for the purpose of making any inspection, reinspection or test of the installation of electrical wiring, apparatus, devices, appliances, fixtures or electrical equipment contained therein.

Section 6. Cutting off current; disconnecting wires.

The electrical inspector shall have the authority to cause the turning off of all electric currents and to cut or disconnect, in cases of emergency, any wire where such electric currents are dangerous to life or property or where such wires may interfere with the work of the fire department.

Section 7. Emergency powers; defective, dangerous installations.

The electrical inspector is hereby empowered in emergencies to disconnect and to order the discontinuance of electrical service to any electric wiring, apparatus, device, appliance, fixture or equipment found to be dangerous to life and property because of its being defective or defectively installed or otherwise not in conformity with the provisions of this article until such wiring apparatus, device, appliance, fixture or equipment and its installation has been made safe as directed by the electrical inspector in conformity with this article.

Section 8. Engaging in business.

It shall be unlawful for the electrical inspector to engage in the business of the sale, installation or maintenance of electrical wiring apparatus, devices, appliances, fixtures or equipment, either directly, or indirectly and they shall have no financial interest in any concern engaged in such business in the city at any time while holding the office of electrical inspector for the city.

DIVISION 3. PERMITS.

Section 9. Required.

No wiring, poles, duct lines, guy anchors, apparatus, devices, appliances, fixtures or equipment for the transmission, distribution or utilization of electric energy for any purpose shall be installed within the city, nor shall any alteration or addition be made in any such existing wiring, poles, duct lines, guy anchors, apparatus, devices, appliances, fixtures or equipment without first securing a permit from the city, except as stated in section 9.

Section 10. When not required.

- (a) No permit shall be required for the following:
- (1) Replacements. Replacing fuses or lamps or the connection of portable devices to suitable receptacles which have been permanently installed for repairs to portable appliances.
 - (2) Minor repairs. Minor repair work such as repairing or replacing flush and snap switches, receptacles and lamp sockets, or minor repairs of permanently connected electrical apparatus, appliances, fixtures or equipment or the installation of light globes.
 - (3) Communications systems. Poles and guy anchors for the installation, maintenance or alteration of electric wiring, apparatus, devices, appliances or equipment for telegraph, telephone, signal service or central station protective service used in conveying signals or intelligence, except where electrical work is done on the supply or line side of the power switchboard but excluding the connecting switch on the power switchboard.
 - (4) Public service companies. Poles and guy anchors for the installation, maintenance or alteration of electric wiring, apparatus, devices, appliances or equipment to be installed by an electric public service company for the use of such company in the generation, transmission, distribution, sale or utilization of electrical energy. However, an electric public service company shall not do any wiring on a customer's premises other than wiring which is a part of the company's distribution system, including metering equipment wherever located and transformer vaults in which the company's transformers are located, nor shall any of its employees do any work other than that done for the company as hereinbefore provided for, by virtue of this provision.

- (5) Temporary installations used in teaching. The installation of temporary wiring, apparatus, devices, appliances or equipment used by a recognized school in teaching electricity.
- (b) No permit or inspection. No permit or inspection shall be required for the following:
 - (1) Dwelling outlets. The installation of three (3) or less 110-volt outlets installed in dwellings.
 - (2) Specified established companies. An established refrigeration, air conditioning, heating, motor repair firm or company for the replacement or installation of motors, solenoid valves, controls that are an established part of the system, provided the work conforms to the National Electrical Code and this article, and the electrical supply has been installed by a licensed electrician.
- (c) Conformity. Where no permit is required for the installation or repair of wiring, apparatus, devices or equipment for the transmission, distribution or utilization of electric energy for any purpose, the wiring, apparatus, devices or equipment shall be installed or repaired in conformity with the provision of this article.

Section 11. Application; description; plans.

- (a) Description of work. The application for a permit required by this division shall describe the work to be done and shall be made in writing by a person holding the proper electrician's license.
- (b) Plans, specifications and schedules. The application shall be accompanied by such other plans, specifications and schedules as may be necessary to determine whether or not the installation as described will be in conformity with the requirements of this article as may be requested by the electrical inspector. No such plans, specifications and schedules shall be submitted and no such plans, specifications and schedules will be examined under the provisions of this division unless submitted by the holder of the proper electrician's license.

Section 12. Additional work; changes in original; additions to existing installations.

- (a) Required. Any changes or additions to work performed under this article must be covered by additional permits issued before the changes are made.
- (b) Delivery or posting before changes started. On all installations where wiring, apparatus, devices appliances, fixtures or equipment are added to previous

installations or where changes are made on wiring, apparatus, devices, appliances, fixtures or equipment, the permit for such installations or changes shall be delivered to the one person for whom the installation is to be made or posted on the building or structure as directed by the electrical inspector before the installation or change is started.

Section 13. Issuance of a license.

- (a) License required. No permit to perform any electrical work shall be issued to any person who is not the holder of the proper electrician's license.
- (b) Except homeowners doing their own electrical installation work on residences for their own occupancy do not need an electrician license, nor a licensed electrician to perform the work, however the proper permit must be obtained.
- (c) Agreement with application and plans. The permit when issued shall be issued to the applicant to cover the work described in the application and detailed in the plans filed with the application.
- (d) Compliance. If it is found that the installation described will in general conform to the requirements of this article, and if the applicant has complied with all provisions of the ordinances of the city, a permit for such installation shall be issued. The issuance of a permit shall not be construed as permission or as a license to violate any of the requirements of this article or any other ordinance of the city.

Section 14. Display.

On all new installations, the permit for electrical work shall be displayed in a readily accessible location, as directed by the electrical inspector, throughout the time such installation covered by the permit is being made.

Section 15. Emergency.

The electrical inspector may issue and enforce any rules or regulations deemed necessary covering the granting of emergency permits where real emergencies exist.

Section 16. Permit fees- schedules.

No permit to perform any electrical work shall be issued to any person until the scheduled fee for the specified electrical work to be performed is paid to the city.

The scheduled fees for electrical work is on file with the City Secretary.

DIVISION 4. INSPECTIONS.

Section 17. Notice of completion of work; inspection.

- (a) Notifying. Upon the completion of the work which has been authorized by the issuance of a permit, it shall be the duty of the licensed electrician to whom the permit has been issued to immediately notify the electrical inspector.
- (b) Time. The electrical inspector shall inspect, or cause to be inspected, such installation within three (3) days, exclusive of Saturdays, Sundays and holidays, of the time such notice is given.

Section 18. Concealed work, continuous inspections.

When any part of a wiring installation is to be hidden from view by the permanent placement of parts of a building, the licensed electrician to who the permit has been issued shall notify the electrical inspector and such installation shall not be covered until inspected and approved by the electrical inspector. On installations where concealment of parts of the wiring must, in the discretion of the electrical inspector, necessarily proceed continuously, the permit holder shall give the electrical inspector due notice and inspections shall be made periodically during the progress of the work.

Section 19. Posting notice of approval; disapproval.

- (a) Notice as to approval or disapproval. When it is necessary, in the discretion of the electrical inspector, notice shall be posted upon the premises stating that work is approved and may be covered, or it is not approved and may not be covered until such further inspection as is necessary has been made.
- (b) Unauthorized removal. Any person removing, destroying, altering or defacing a notice without the consent of the electrical inspector shall be deemed guilty of an offense under this section, and any work described in the notice shall be stayed pending the further necessary inspection.

Section 20. Strict conformance required.

No approval of electrical work shall be issued unless the installation is in strict conformity with the provisions of this article, the statutes of the state and the rules and regulations issued by the industrial commission of the state under the authority of the state statutes.

Section 21. Final approval before connection; issued to utility company.

DIVISION 5. STANDARDS.

Section 24. Standards for material.

- (a) No electrical materials, apparatus, devices, appliances, fixtures or equipment shall be sold or installed in the city unless they are in conformity with the provisions of this division, the statutes of the state and the rules and regulations issued by the industrial commission of the state under the authority of the state statutes. The maker's name, trademark or other identification symbol shall be placed on all electrical materials, apparatus, devices, appliances, fixtures and equipment used or installed under this article.

Section 25. Installations on street; franchise holders only.

- (a) Franchise required. No person or public service company which does not operate under a franchise granted by the city shall have the right to install any electrical conduits, wires, ducts, poles or equipment of any character for the transmission, distribution or utilization of electric energy or for the operation of signals for the transmission, distribution or utilization of electric energy or for the operation of signals for the transmission of intelligence on, over or under the streets in the city without first obtaining from the city council a franchise right or grant for the particular installation so desired to be made and any such installation so made under such franchise or grant shall be in strict conformity with all rules and regulations and ordinances of the city.
- (b) Under streets. Any installation of duct tubes, conduits or wires under the public streets shall be in accordance with this article and other city ordinances covering the use of public places and streets.

Section 26. Distribution system limited to property of owner.

For the purpose of this article, the distribution system of any person furnishing electric power shall not extend to any property which such person does not own in fee simple or control be easement.

Section 27. Installations-Connecting to current.

- (a) Work done under permit. It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring, apparatus, devices, appliance, fixture and equipment for the installation of which a permit is required until final approval has been issued by the electrical inspector authorizing such connection and the use of such wiring, apparatus, devices, appliances, fixtures and equipment.

If electrical work is found to be in compliance with the provisions of this ordinance, the electrical inspector, subject to any other applicable laws, regulations, or rules, shall issue final approval to the public utility company furnishing the electrical service, or the person supplying the energy, which certification shall authorize connection of such approved work to the source of energy of the electrical service, the turning on of current and the use of installation. No connection shall be made until such authorization is issued.

Section 22. Failure to pay permit fee; suspending license; reinstatement requirements.

- (a) Automatic suspension. Upon the failure of the holder of an electrician's license to pay the city in full the fees required by this ordinance within thirty (30) days after the final certificate of approval is granted on the installation or alteration of electric wiring, apparatus, devices, appliances, fixtures or equipment, the license of such electrician shall be automatically suspended without action on the part of the electrical board.
- (b) Reinstatement requirements. The electrician's license suspended under (a) above shall be of no force and effect and shall remain suspended and nullified until such time as such fees are paid in full. No license which shall have been suspended under the terms and provisions of this section for as much as six (6) months time shall be renewed except upon reexamination upon the same terms and conditions as provided for in the case of original examination.

Section 23. Reinspection; correction of unsafe conditions.

- (a) Reinspection. The electrical inspector, upon information or belief that faulty conditions exist, shall make a thorough reinspection of any electrical wiring, apparatus, devices, appliances, fixtures or equipment now installed or that may hereafter be installed within the city.
- (b) Order to correct. When the installation of such wiring, apparatus, devices, appliances, fixtures or equipment is found to be at variance with the original permit issued, in a dangerous or unsafe condition, or that the electrical measuring device has been tampered with so as to create a condition dangerous to the continuance of the electrical service or to life or property the person owing, using or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place such wiring, apparatus, devices or equipment in safe condition so as to entirely relieve the hazards created by such unauthorized conditions.
- (c) Time. The work shall be completed within fifteen (15) days or any reasonably longer period specified by the electrical inspector in the notice.

(b) Disconnected by electrical inspector. It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring, apparatus, devices, appliances, fixtures and equipment which have been disconnected by an electrical inspector to be discontinued until final approval has been issued by the electrical inspector.

(c) Turned off for other reasons. Any electrical service turned off within the fire zone or in buildings other than dwellings outside of the fire zone by the electrical company at the request of the owner, customer, electrical inspector or fire department shall not be restored until inspected and notified by the electrical inspector.

Section 28. Interference and change.

(a) Prohibited. It shall be unlawful for any person, in any manner, to interfere with any electrical wiring installed or being installed in, on, within or without any structure or building.

(b) During construction, authorized person. If in the course of erection of a building or structure the wiring is in such position as to interfere with the erection or completion of the building or structure as called for by the plans, notice shall immediately be given the person installing the wiring and the needed change shall be made by such person.

(c) Panel boards; main switches; circuit breakers; permits. It shall be unlawful for any person to bridge, tamper with or change from its original installation, except upon the approval of the electrical inspector, and then only after a proper permit for alteration has been issued, any fuse of the plug, cartridge or link type, installed in panel boards, main switches or switchboards, or to alter or change circuit breakers so that the original calibration will be affected or to tie down or secure any circuit breaker so that it will not function properly.

Section 29. Abandoned wire and equipment.

In all repair, remodeling or rewiring installations all abandoned wire or electrical equipment shall be removed or made inaccessible.

Section 30. Technical provisions.

(a) Wiring standard, generally. Any type of wiring or wiring system may be used in the city limits, as approved in the national codes adopted by this ordinance, except where specifically prohibited herein.

(b) Armored cable, type AC. Armored cable, type AC, shall not be used under any conditions except when approved by the electrical inspector.

- (c) Flexible metallic conduit. Flexible metallic conduit shall not be used except for motor connections not over five (5) feet long where flexibility is necessary, except where longer lengths are necessary for a particular installation to obtain the flexibility necessary for that installation.

Section 31. Meters.

- (a) Location. The meter cabinets and electrical motoring equipment through which service is rendered by the electric public service company to domestic establishment and buildings combining domestic establishments with commercial or industrial usage shall be installed where readily accessible on the exterior of the building.
- (b) Where exterior installation impractical. Where not practical in the opinion of the electrical inspector to place metering devices on the exterior of the building the location shall be at a point convenient to the electric public service company as determined by the electrical inspector.
- (c) Relocation of meter loops; expense. Where meters are installed in inaccessible places in houses or building, and the electric public service company desires to relocate meter loops for convenience in the rendering of its service, it may upon request to the electrical inspector, have a licensed electrician reinstall meter loops to a point where the same would be located if the house or building were having a new system of wiring installed. All such work so done at the request of the electric public service company shall be performed without cost to the owner unless relocation is the result of wiring having been condemned by the electrical inspector for practices in violation of the ordinances of the city.

DIVISION 6. LICENSES.

Section 32. Licenses and certificates; required; nonassignable.

- (a) Required. No electrical work shall be performed by any person not the holder of the license or certificate required in this ordinance. No person shall employ any other person for doing electrical work unless such person proposed to be employed is the holder of the proper license or certificates.
- (b) Nonassignable. No license or certificate issued in accordance with the provisions of this article shall be assignable or transferable.
- (c) License from other city. The City of Needville will accept licenses issued by other incorporated cities, for Master Electricians, Journeyman, Electrical Sign Contractor, and Maintenance Electrician, if the license was issued for passing

the Southern Building Code Congress International, Inc.'s Examination and payment of all required fees.

Section 33. Licenses and certificates; issuance; expiration date.

When an applicant for a license or certificate has complied with the applicable provisions of this ordinance, the city shall issue a license or certificate to such applicant forthwith and the license or certificate shall expire on December the thirty first following the date of issue or renewal.

Section 34. Review, suspension and revocation; grounds.

- (a) Any license or certificate applied for or granted under this ordinance may, after hearing by the electrical board, be denied, cancelled, revoked or suspended by the electrical board for any of the following reasons, but not limited to:
- (1) Physical and mental impairment while on the job site resulting from drug or alcohol abuse.
 - (2) Conviction of a crime involving moral turpitude.
 - (3) Adjudication of insanity.
 - (4) Fraud in obtaining a license.
 - (5) Knowing violating on more than one occasion any provision of this ordinance.
 - (6) Defrauding any person for whom he has rendered or contracted to render service.
 - (7) Securing a permit for an installation not to be performed by permittee.
 - (8) Securing permit under any pretext for an installation concerning which applicant has no valid contract.
 - (9) Repeated instances of incompetent or slipshod workmanship resulting in dangerous conditions.
- (b) In determining if grounds exist for denial, cancellation, revocation or suspension, the electrical board shall proceed upon sworn information furnished by an official of the city or by any person aggrieved. Such information shall be duly verified by the person familiar with the facts.
- (c) The electrical board, if it deems the information sufficient to support further action on its part, shall make an order setting the reasons or grounds for a hearing at a specified time and place, and the secretary of the board, shall cause a copy of the board's order and of the information to be served upon the applicant or licensee by registered mail at least thirty (30) days before the date appointed in the order for the hearing. The accused may appear in person or by counsel, or both, at the time and place named in the order and make his defense to the same. The city attorney shall provide counsel for the board. If,

upon a hearing the board, by a majority vote of its members, shall find such reasons for denial, cancellation, revocation, or suspension exists, it may enter an order denying, canceling, revoking, or suspending a license or certificate.

- (d) When the board has completed such hearing, it shall cause a record of its findings and decision to be filed with the city secretary and shall cause a copy thereof to be forwarded to the applicant or licensee.
- (e) The electrical board shall, in reciting its decision after a hearing under this section, make provisions for reinstatement based upon written notice by the electrical board at the expiration of a specified period. The order of reinstatement shall be filed as part of the record and a copy shall be made and given or mailed to the person so reinstated.

Section 35. Appeals; procedure.

- (a) Time; letter to city council; contents. Persons dissatisfied with a decision of the electrical board shall have the right of appeal therefrom to the city council by addressing a letter to the city secretary within ten (10) days after the action appealed from, stating their desire to appeal from such action.
- (b) Hearing. Upon receipt of notice of such appeal, the city council shall set a date for hearing. The city secretary shall notify the appellant and the chairman of the electrical board of the date set for the hearing. The electrical board, as well as the applicant, shall have the right to be heard at the hearing.
- (c) Powers of city council. The city council shall have the right to confirm, modify or reverse the action or decision complained of. The action of the city council shall be final.
- (d) When electrical board ruling is final. If no appeal be taken within the time and in the manner hereinbefore provided, the ruling of the electrical board shall be final.

DIVISION 7. ELECTRICAL BOARD

Section 36. Created; composition; organization; appointment; residence requirements.

There is hereby created an electrical board which shall consist of three (3) members. The mayor shall appoint each member.

- (a) Removal. Any member of the board shall be subject to removal at the will and pleasure of the city council.
- (b) Compensation. Members of the board shall not receive any compensation.

DIVISION 8. MASTER ELECTRICIAN.

Section 37. Construed.

The holders of the licenses provided for in this article shall be known as master electricians.

Section 38. Application; examination; certificate; granting license; fee.

- (a) Required information. Application for a license as a master electrician, shall give the name and address of the applicant, a statement as to the active and practical experience of the applicant and such other relevant information as may be required by the electrical board. The master electricians, in their application for any license or the renewal of any license, shall state the firm name under which they do business, the business address and the names of the partners or officers of the corporation.
- (b) Examination. An applicant who successfully completes and passes the Southern building Code Congress International, Inc.'s Joint Master Electrician Examination meets the necessary testing requirement for licensing only.
- (c) License; contents. The master electrician's license issued by the city shall show the name of the master electrician, the name of the firm under which business will be transacted, the address, the date issued and the date of expiration.

Section 39. License fees.

Before a master electrician's license is granted or renewed a fee shall be paid to the city. A fee schedule shall be on file with the City Secretary and made available upon request.

Section 40. Renewal of license.

A master electrician's license shall be reneweded by the city upon application and payment of the required fee; provided, however, that no license which shall have

lapsed for as much as (6) six months shall be renewed except upon reexamination upon the same terms and conditions as provided for herein, in the case of original examination.

Section 41. Insurance required.

No permit shall be issued under any master electrician's license until he shall have arranged to carry the following insurance:

- (1) Worker's compensation. Worker's compensation insurance on each and every one of their employees, in accordance with the provisions of the worker's compensation act of the state.
- (2) Public liability. Public liability insurance to the extent of fifty thousand dollars (\$50,000.00) for any one accident, and twenty-five thousand dollars (\$25,000.00) for any one person.
- (3) Property damage. Property damage insurance to the extent of ten thousand dollars (\$10,000.00) for any one accident and one thousand dollars (\$1,000.00) for any one piece of property.
- (4) Authorized writers. Such insurance shall be written by an accredited company under the supervision of the board of insurance commissioners of the state, approved by the city council.
- (5) Evidence. Evidence of compliance with the above insurance requirements shall be considered as having been met when the policy, a copy thereof, or a certificate of insurance has been filed with the city at the time a license is issued.

Section 42. Company to notify board of cancellation or expiration.

The insurance policy required by this division shall include an endorsement thereon that the electrical board will be notified at least ten (10) days in advance in the event the policy is cancelled or will expired before the expiration date of the license.

Section 43. Ownership of business.

Nothing in this chapter shall be construed as preventing or requiring a master electrician to be an owner or part owner in any firm or corporation engaging in or transacting electrical business. A person may employ on a full-time permanent basis a master electrician and the master electrician may list the person, firm or corporation as the firm name under which the master electrician is transacting business and this article shall not be considered as being violated.

DIVISION 9. JOURNEYMAN AND APPRENTICE.

Section 44. Journeyman defined.

Except as otherwise provided herein, those persons undertaking electrical work as defined in section 1, under the supervision, direction and control of a licensed electrician who have been properly registered with the city as provided in this division, shall be known as journeyman electricians. The term journeyman electrician shall not include an apprentice electrician, and nothing herein shall be construed as prohibiting an apprentice electrician from doing electrical work under the direct, constant personal supervision and control of either a licensed master electrician or journeyman electrician.

Section 45. Application for certificate; required information.

- (a) Required. No person shall undertake any work as a journeyman electrician, unless such person shall have first registered with the city and received his certificate from the city as a journeyman electrician.
- (b) Contents. Applicants, for such certificates shall give the name and address of the applicant, a statement as to the actual and practical experience of the applicant and furnish a letter from a master electrician licensed by the city, recommending the applicant for certificate and also stating that the licensed electrician has employed the applicant as a journeyman electrician.

Section 46. Fee; wearing certificates.

Fee. Before a certificate as journeyman electrician is granted or renewed a fee shall be paid to the city. A fee schedule shall be on file with the City Secretary and made available upon request.

Wearing certificates. Holders of such certificates shall wear their certificate upon or about their person while performing the act which such certificate entitles them to perform.

Section 47. Apprentices defined.

Except as otherwise provided herein, those persons undertaking electrical work as defined in this code, under the direct, constant, personal supervision and control of either a licensed electrician or a journeyman electrician, who have been properly

registered with the city as provided in this division shall be known as apprentice electricians.

Section 48. Application; information required; letter of master electrician.

- (a) Required. No person shall undertake any work as an apprentice, unless such person shall have first registered with the city and received a certificate from the city as an apprentice electrician.
- (b) Contents. Applicants, for such certificates shall give the name and address of the applicant, and such other relevant information as may be required by the city. The applicant shall furnish a letter from a master electrician licensed by the city, recommending the applicant for certificate and also stating that the licensed electrician has employed the applicant as an apprentice.

Section 49. Fee; wearing certificate.

Fee. Before a certificate as an apprentice electrician is granted or renewed a fee shall be paid to the city. A fee schedule shall be on file with the City Secretary and made available upon request.

Wearing certificate. All holders of such apprentice's certificate shall wear their certificate upon or about their person while performing the acts which such certificate entitles them to perform.

DIVISION 10. MAINTENANCE ELECTRICIAN.

Section 50. Definition, application and examination.

- (a) Definition. A "maintenance electrician" is a person who maintains electrical equipment and conductors, or installs new equipment and conductors, only on the premises of his employer.
- (b) No person shall perform the work of maintenance electrician, unless he is currently licensed under this ordinance.
- (c) Examination. An applicant, who successfully completes and passes the Southern Building Code Congress International, Inc.'s Maintenance Electrician Examination meets the necessary testing requirement.
- (d) Application information. An application for maintenance electrician's license, shall be in writing, and shall give the name and address of the applicant.

Section 51. License fee; expiration date.

- (a) License fee; renewals. In no case shall a license be granted until after payment by the applicant of a fee of twenty-five dollars (\$25.00) or a renewal fee of fifteen dollars (\$15.00) for the maintenance electrician's license.
- (b) Expiration date. The maintenance electrician's license shall expire on December the thirty-first following the date of issue.

Section 52. License certificate; information; limited; duty of holder to notify city of change in employer.

- (a) Information. Each license issued to a maintenance electrician shall specify the name and address of the person to whom the license is issued, the location of the premises in or on which the maintenance work is to be done, the date of the issuance thereof and such other information as may be deemed necessary by the board.
- (b) Limited to designated location. No electrical work shall be done by the holder of a maintenance electrician's license off the premises specified by the license granted.
- (c) Notice of change of employer. Holders of a maintenance electrician's license shall notify the city immediately when such holders make any change in their employment, giving notice as to the name of their new employer and the location of the premises in and on which they are to be employed to perform maintenance work.

Section 53. Wearing; specified duties; work permitted.

- (a) Wear certificate on person. Holders of a maintenance electrician's license shall wear their certificate upon or about their person while performing the acts which such license entitles them to perform.
- (b) Specific duties. The maintenance electrician shall keep a record of all maintenance work done, take out the required permits, call for inspections and pay required fees.
- (c) Maintenance electrician shall be allowed to maintain all electrical equipment and conductors and install new equipment and conductors. He will be under the same working regulations as a master electrician as set forth herein.

DIVISION 11. VIOLATION; PENALTY.

Section 54. Violation of this ordinance.

- (a) Any person who violates any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$2,000.00 or less than \$1.00.
- (b) Each day of the occurrence of any such violation or failure to perform such act shall constitute a separate offense.
- (c) The imposition of a fine under this ordinance shall not prevent the revocation or suspension of any permits and or license issued or granted by the City of Beasley, nor shall it be deemed to prevent impede or delay the rights of the city to proceed in any other court of competent jurisdiction to secure equitable relief, including but not limited to, injunctions or to file suits in the name of the city or as a member of a class for damages or other relief as provided for by law.
- (d) Any person, corporation or association who permits, aids, assist or employs another person, corporation or association in doing any prohibited act or failing to do any act as shall be required in this ordinance shall be deemed in violation of the ordinance, as if such person, corporation or association had actually committed such act or failed to actually perform such act as herein required.
- (e) In addition to the penalty hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance shall be deemed a public nuisance and may be abated by the city as provided by law.

Section 55. Severability clause.

If any provision of this ordinance or application thereof to any person or circumstance, shall be held invalid. such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect with the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Section 56. Conflict.

Any ordinances of the City of Beasley, which are in any manner in conflict with or inconsistent with this ordinance, shall be and are hereby repealed to the extent of such conflict or inconsistency.

PASSED AND APPROVED this 6th day of July 2004

ATTEST:

A. P. Mitchell
City Secretary

APPROVED:

James Smith
Mayor