

# CHAPTER 12

## ELECTRICAL CODE

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# **ELECTRICAL CODE**

## **12.01 TITLE.**

**This Chapter shall be known as the Electrical Code of the City of Middleton, Wisconsin.**

## **12.02 PURPOSE.**

**The purpose of this Code is the practical safe-guarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power and other purposes.**

## **12.03 STATE ELECTRICAL CODE ADOPTED**

**The provisions of the State of Wisconsin Administrative Code, SPS 316, Electrical Code, effective March 1, 2009, including all subsequent amendments and recodifications thereto exclusive of any penalty, enforcement or abatement procedures, are hereby adopted by reference and incorporated in this code as if fully set forth. Violations of the provisions hereby adopted shall be deemed a violation of this Chapter and are subject to the penalties, enforcement and abatement procedures as set forth in Section 12.15 of this code. In the event of any conflicts between this Chapter and the State Electrical Code, the State Electrical Code shall control.**

## **12.04 INTENT.**

- (1) The intent of this Code is to provide the minimum regulations for the installation of electrical systems and to provide safe and stable design, good workerlike methods and for the uses of materials and equipment.**
- (2) To provide for licensing of qualified persons, the issuing of permits, interpretation of codes, inspection of installations, enforcement of this Code, and to provide penalties for violation thereof.**
- (3) The sections contained in this Code shall be binding alike upon the owner of a building or premises, every person in charge of or responsible for, or who causes the construction, repair, alteration, or improvement of any electrical system devices, fixtures, or equipment, and upon every person licensed under the provisions of this Code.**
- (4) This Code is not intended as a design specification nor an instruction manual for untrained persons.**

## **12.05 SCOPE.**

**(1) The provisions of this Code shall apply to all electrical work and installations in the City.**

**(2) This Code provides for the administration and enforcement, permit and fees, licenses, approval of materials, minimum installation standards, interpretation, and the correction of defective or obsolete installations.**

#### **12.06 RULES AND DEFINITIONS.**

**(1) In the construction of this chapter the rules contained in this section shall be observed and applied except when the context clearly indicates otherwise.**

**(a) Words used in the present tense shall include the future.**

**(b) Words used in the singular tense shall include the plural number, and the plural the singular.**

**(c) The word "shall" is mandatory and not discretionary.**

**(d) The word "may" is permissive.**

**(e) The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for".**

**(2) All definitions as set forth in the State of Wisconsin Administrative Code, Chapter SPS 316 Electrical Code, effective December 1, 2013, including all subsequent amendments and recodifications thereto, shall apply.**

#### **12.08 ELECTRICAL INSPECTION.**

##### **(1) Administration.**

**(a) To enforce the provisions of this chapter there is hereby created the Electrical Inspection Section of the Building Inspection Department and the positions of Chief Electrical Inspector and an adequate number of Electrical Inspectors required to make the necessary inspections and investigations within a reasonable time.**

**(b) The Electrical Inspectors, under the supervision of the Chief Electrical Inspector and the direction of the Building Inspector, shall be responsible for the inspection of all electrical wiring as prescribed by this Code.**

##### **(2) Chief Electrical Inspector.**

(a) The Chief Electrical Inspector shall be appointed by the Common Council. The person chosen to fill the office of Chief Electrical Inspector shall possess such executive ability as is requisite for the performance of the duties of the office.

(b) The Chief Electrical Inspector shall be certified by the State of Wisconsin as a Commercial Electrical Inspector and as a UDC electrical inspector. The Chief Electrical Inspector shall be responsible for the enforcement of this Chapter.

(c) The Chief Electrical Inspector shall hold membership in the International Association of Electrical Inspectors and the National Fire Protection Association and, with the Consent of the Building Inspector, may serve on any electrical committee of these associations to which he or she may be appointed and shall be allowed all necessary expenses in connection with such activities.

(d) The Chief Electrical Inspector or any of the Electrical Inspectors shall not engage in the business of the sale, installation, or maintenance of electrical wiring or equipment, either directly or indirectly, and they shall have no financial interest in any business firm, corporation, or other business concern engaged in such business in the City, at any time while holding such office as herein provided for.

(e) The Chief Electrical Inspector may delegate any of his or her powers or duties to any of the Electrical Inspectors.

### **(3) Electrical Inspectors.**

(a) The Electrical Inspectors shall be certified UDC Electrical Inspectors by the State of Wisconsin.

(b) The electrical inspectors (together with the Chief Inspector) shall make inspections of all electrical wiring and equipment, shall have the right to enter any building during reasonable hours in the discharge of their duties, and shall have the authority to cause the disconnection of any wiring or equipment that in their judgment is dangerous to life or property.

(c) When any electrical wiring or equipment is found by the Electrical Inspectors to be dangerous to persons or property because it is defective or defectively installed, the person, firm, or corporation responsible for the electrical wiring or equipment shall be notified in writing and shall make any changes, alterations, or repairs required, in the judgment of the electrical inspector, to place such wiring or equipment in safe condition, and if such work is not completed within 15 days or any longer period that may be specified by the Electrical Inspector in the notice, the Electrical Inspector shall have the authority to disconnect or order the disconnection of electrical service, and said wiring or

equipment shall not be reenergized until written permission is obtained from the Electrical Inspector.

**12.09 (repealed section 12.09 4/5/16 O1409)**

**12.10 PERMIT REQUIRED.**

**(1) It shall be unlawful for a person to enter upon the erection, construction, alteration or change of any electrical installation, work or wiring, except minor repair work as defined in paragraph (2) of this section, until a permit has been obtained from the City of Middleton. The application for permit shall describe the proposed installation or work and give the location of the premises where the same is to be placed. No permit shall be issued unless satisfactory proof is furnished to the City of Middleton that the work will be performed by an electrician licensed by the State of Wisconsin. The fees for such permits shall be paid in full prior to commencement of work.**

**(2) Minor repair work shall be construed to mean the replacement of broken or defective sockets, snap, push or toggle switches, convenience outlets or lighting fixtures.**

**(3) Any public or private institution employing a person carrying a license may elect to take out an annual permit in lieu of regular permits required by this Code for the purpose of repair or alteration of equipment in or on building structures or premises owned or occupied by said institution or plant. Said annual permit shall be issued upon payment of an annual fee in the amount set forth in the Fee Schedule under Section 3.12. Increases in electrical load shall be considered as new installations and separate additional permits shall be obtained for such alteration, addition or new installation that would increase the electrical load and the permit fee for the work shall be paid as set forth in the Fee Schedule under Section 3.12.**

**(4) Any public or private institution or industrial plant electing to employ an electrical contractor in lieu of full-time maintenance personnel to perform repairs and maintenance of electrical equipment in or about buildings or structures owned or occupied by said institution or plant shall be allowed the same election for annual permits as provided above, provided that the name of the electrical contractor providing such service is on file with the Building Inspection Department. In the event of the termination of the employment of said contractor, the Inspection Department shall be notified of the name of the new contractor or properly licensed employee prior to any additional work being performed under the annual permit.**

**(5) Work performed under annual permits shall be inspected at regular intervals. It shall be the responsibility of the person, firm or corporation to provide the inspector with a list of all new installations, alterations, or repairs which may have affected the electrical system.**

**(6) Exception:** In the event of an emergency when the immediate initiation of work is necessary for the protection of life, health or property, such necessary work may be done without previously obtaining a permit, provided the required permits are obtained on the first business day following the start of such work.

#### **12.11 PENALTY FOR FAILURE TO TAKE OUT PERMITS.**

**(1)** In addition to the penalty hereinafter provided for violations of this Chapter, a penalty equal to the permit fee will be charged for failure to take out a permit before work is started, except in case of emergency, and such penalty, together with the permit fee, shall be paid to the City Treasurer before any further permit may be issued to the person doing such work.

**(2)** The payment of such doubled fees shall not relieve any person from fully complying with all of the regulations of this Chapter, nor from any other penalties prescribed in this Code.

**(3)** In case of repeated failure to take out permits, the penalty shall be equal to triple the permit fee, and the Chief Electrical Inspector may revoke the contractor's license. any such determination to revoke made under this section shall be reviewable pursuant to the provisions of Wis. Stats. Chapter 68.

#### **12.12 INSPECTION.**

**(1)** It shall be unlawful to connect up to the electrical wiring and equipment of any building to any electrical supply lines or to turn on the current, unless a certificate of inspection has been issued by the Electrical Inspector, and it shall be the duty of the electrical utility supplying electrical service to any building to secure a copy of the certificate of inspection from the electrical inspector before supplying service to such building.

**(2)** Upon the completion of the construction of installation of the electrical wiring and equipment of any building, it shall be the duty of the firm, person, or corporation doing the same to notify the electrical inspector who shall inspect the installation within 48 hours of the time such notice is given, and if the installation is found to be in compliance with the provisions of this Chapter he or she shall issue a certificate of inspection authorizing connection to the electrical service and the turning on of the electrical service and the turning on of the current. All wires which are to be concealed shall be inspected before the concealment, and no other craft shall cover up or conceal such wires until the installation has been inspected and approved and officially tagged to this effect by the Electrical Inspector.

**(3) All notifications for inspections must be made to the Public Works office. Failure to make notification of a required inspection may result in an assessment not to exceed \$40.00.**

**(4) No certificate of inspection shall be issued by the electrical inspector unless the electrical wiring and equipment for light, power, heat, or other similar purposes is safe both with respect to life and fire hazard, and is in strict conformity with the ordinances of the City, the statutes of the State of Wisconsin and the general or special orders of the Department of Commerce of the State of Wisconsin.**

**(5) A copy of the final electrical inspection shall be kept on file by the electrical inspector.**

#### **12.13 NUMBER OF INSPECTIONS ALLOWED ON PERMIT.**

**(1) Each permit shall entitle the holder to as many inspections as are necessary to ensure all work is done according to applicable codes and ordinances.**

**(2) Any developer/contractor who calls for an inspection and the work is not ready for inspection may be assessed forty dollars (\$40.00) per inspection.**

#### **12.14 PENALTY.**

**Whoever shall fail to comply with any of the provisions of this Chapter shall be subject to a penalty as prescribed by s. 30.04 of this Code.**