

NATIONAL ELECTRICAL CODE ADOPTION ORDINANCE
Ord. No. 180; Date of Adoption: September 1997

An Ordinance to adopt the 1996 edition of the National Electrical Code to establish a Board of Appeals, to set expiration of permits, and to establish permit fees for electrical permits.

THE CHARTER TOWNSHIP OF FRENCHTOWN ORDAINS:

Section 1. Title.

This Ordinance shall be known as the "Frenchtown Charter Township Electrical Code Adoption Ordinance."

Section 2. Adoption of National Electrical Code.

The Charter Township of Frenchtown hereby adopts the 1996 Edition of the National Electrical Code as promulgated and published by the National Fire Protection Association and International Conference of Building Officials.

Section 3. Administration & Enforcement.

The administration and enforcement of this Ordinance shall be and hereby is vested in the Building Official of Frenchtown Charter Township, Monroe County, Michigan and his designees. Further, the administrative authority shall be the Building Official of Frenchtown Charter Township and his designees.

Section 4. Permit Required.

It shall be unlawful for any person, firm or corporation to construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure regulated by the 1996 Edition of the National Electrical Code except in compliance with the provisions of such code. It shall likewise be unlawful for any person, firm or corporation to construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure regulated by the 1996 Edition of the National Electrical Code without first obtaining a separate electrical permit for each building or structure from the Building Official of Frenchtown Charter Township.

Section 5. Board of Appeals.

In order to determine the suitability of alternate materials and methods of installation, and to provide for reasonable interpretations of the 1996 Edition of the National Electrical Code, appeals arising from actions of the Building Officials are hereby referred to the Building Code Board of Appeals, established pursuant to Frenchtown Charter Township Ordinance No. 171-1.

Section 6. Expiration.

Every permit issued by the Building Official under the provisions of this Ordinance shall expire by limitation, and become null and void, if the building or work authorized by such permit is not started within six (6) months, or is not completed within one year from the date of such permit. Any permittee holding an unexpired permit, who is unable for good and satisfactory reason to complete work within the time limitations imposed by this Section, may apply for an extension of that permit. The Building Official may extend the time for completion by the permittee for a period not exceeding six (6) months upon written request by the permittee explaining the circumstances which have prevented completion of the project. No permit shall be extended more than once. In order to extend a permit per this Section of the Ordinance, the permittee shall pay a new, full permit fee.

Section 7. Permit Fees.

Electrical permits shall be issued only to a person, firm or corporation having an Electrical Contractors License issued by the State of Michigan Electrical Administration Board, or if applicable, to a person, firm or corporation having a license issued pursuant to a local ordinance providing standards for examination and licensing of licensed electricians, electrical or specialty contractors, electrical journeyman, sign specialists and fire alarm specialty technicians pursuant to Act No. 217 of 1956 as amended, except electrical permits for a single family dwelling may be issued to owners who do their own work and occupy said single family dwelling. Fees for electrical permits shall be established by resolution of the Township Board.

Section 8. Maintenance of Existing Wiring.

Section 90-10 of the National Electrical Code is hereby added to read as follows:

90-10. Maintenance of existing wiring. Every building, structure, or part thereof shall be kept in good electrical repair by the owner.

Section 9. Code Conformity Required.

Section 90-11 of the National Electrical Code is hereby added to read as follows:

90-11. Code conformity required. A person shall not install, alter, maintain, service, or repair, or cause or permit the installation, altering, maintaining, servicing or repairing of electrical equipment in or on any building, structure, or part thereof, or on any premises, if by the person's action the work does not conform to the provisions of the code.

Section 10. Disconnection of Dangerous Electrical Equipment.

Section 90-12 of the National Electrical Code is hereby added to read as follows:

90-12. Disconnection of dangerous electrical equipment. When the use of any electrical equipment is found imminently dangerous to human life or property, the administrative authority is hereby empowered to condemn it or disconnect it from its source of electric

supply, except that the service entrance equipment or utility service drop wires shall not be disconnected unless such entrance or utility wires in themselves constitute a hazard to life or property. When such equipment is so condemned or disconnected, a red tag shall be placed thereon listing the causes for the condemnation or disconnection and the penalty under the act or disconnection, and the causes therefore, shall be given to the owner or the occupant of the building, structure, or premises. A person shall not remove the tag or reconnect the electrical equipment to its source of electric supply, or use or permit to be used, electrical current in any such electrical equipment, until such causes for the condemnation or disconnection are remedied and a permit for the electrical repairs thereof is obtained from the administrative authority.

Section 11. Permits and Certificates.

Section 90-13, 90-14, 90-15, 90-16, 90-17, 90-18, 90-19, 90-20 and 90-21 are added to read as follows:

90-13. Permits and certificates. A person shall not equip a building with electrical equipment or make an alteration of, change in, or addition to, electrical equipment without receiving a written permit to do the work described. When such electrical equipment or alterations of, changes in, or additions to, electrical equipment are found to be in compliance with the provisions of the code and when the work has passed the inspection of the administrative authority, the administrative authority shall, upon the request of the permit holder to whom the permit was issued, issue a certificate of final electrical inspection. The certificate certifies that the provisions of the code have been complied with. This section does not apply to installations that are excepted from license requirement in Section 7 of Act No. 217 of the Public Acts of 1956, as amended, being Section 338.887 of the Michigan Compiled Laws.

90-14. Persons to whom permits shall be issued.

- (1) A holder of an electrical contractor license.
- (2) A person, firm or corporation who employs a licensed master electrician to actively supervise the new installation of electrical equipment on premises owned or occupied and used by the applicant in the conduct of his or her business, and at which premises the licensed electrician performs his or her duties in those instances where business or industrial procedures require the regular employment of a licensed master electrician. However, an affidavit form furnished by the administrative authority shall be signed by both the employer and the licensed master electrician. The affidavit shall be kept on file in the offices of the administrative authority and shall contain all of the following:
 - (a) The name and address of the person who employs the licensed master electrician.
 - (b) The name, address, and current license number of the licensed master electrician.

(c) The license number for two (2) previous years, and the name of the licensing authority in order to establish the holding of a license for not less than two (2) years.

(d) A statement to the effect that the employer and the licensed master electrician will comply with the provisions of the code regulating the installation of electrical equipment in the state. A new affidavit shall be filed before permits are issued if the licensed master electrician terminates his or her employment.

- (3) A homeowner who occupies or will occupy a single family dwelling for which the permit is obtained and who shall install the electrical equipment as certified by the homeowner on the permit application under the jurisdiction of the code.
- (4) To obtain a permit for a fire alarm system, as defined in Section 1 (A)(1) of Act No. 217 of the Public Act of 1956 as amended, an applicant shall be either of the following:
 - (a) A holder of an electrical contractor license.
 - (b) A holder of a fire alarm specialty contractor license.
- (5) To obtain a permit for an electrical sign or outline lighting, as to Section 1 (B)(1) and (2) of Act No. 217 of Public Acts 1956 as amended, an applicant shall be either of the following:
 - (a) A holder of an electrical contractor license.
 - (b) A holder of a sign specialty contractor license.
- (6) To obtain a permit for electrical wiring associated with the installation, removal, alteration, or repair of a water well pump on a commercial, industrial or agricultural structure to the first point of attachment from the well, an applicant shall be either of the following:
 - (a) A holder of an electrical contractor license.
 - (b) A registered pump installer under part 127 of Act No. 368 of Public Act 1978 as amended.
- (7) To obtain a permit for wiring on a commercial or industrial structure associated with telecommunications, an applicant shall be either of the following:
 - (a) A holder of an electrical contractor license.
 - (b) A person, firm or corporation primarily engaged in the telecommunications and related information systems industry.

90-15. Permit application forms. An application for a permit under the code shall be on a form which is furnished by the administrative authority, shall include a description of the proposed electrical work, and shall be signed by the electrical contractor.

90-16. Revocation of permits. A permit that is issued in violation of the laws of this state or as a result of false or fraudulent information or misinterpretation of conditions is subject to revocation at the direction of the administrative authority. The person holding the permit shall be notified to appear and show cause why the permit should not be revoked. Failure to appear shall be deemed sufficient grounds for revocation of the permit.

90-17. Lapsed and expired permits. If work for which a permit is issued is to start within six (6) months of the date of permit issue, or if work is abandoned for a period of six (6) months, the permit shall lapse and cease to be in effect.

90-18. Permit holder quitting installation. If a person to whom a permit is issued for the installation and inspection of electrical equipment quits the installation for any reason, that person shall notify the administrative authority.

90-19. Partial completion of work. If an installation is partially completed, a permit holder, upon quitting the installation, shall notify the administrative authority and shall request an inspection. Acceptance of, or violations against, the work installed shall be recorded by the inspector on the permit record according to the findings of the inspector. A refund shall not be granted to the permit holder of the permit fee covering electrical equipment installed and inspected.

90-20. Owner hiring another licensed contractor to complete work. If a permit holder quits an installation after the electrical equipment is installed and fails to notify the administrative authority, the building owner or his or her agent may notify the administrative authority and request inspection. Upon inspection, the permit holder shall be sent a notice of any violation. The owner may then secure another licensed contractor to proceed with the work, when properly covered by a permit.

Section 12. Repeal of Relevant Section of Previous Ordinance.

Frenchtown Charter Township Ordinance No. 165, is hereby repealed and all other ordinances or parts of ordinances in conflict with this Ordinance to the extent of such conflict are hereby repealed.

Section 13. Severability.

Should any section, subdivision, sentence, clause or phrase of this Ordinance, or of the code adopted by this Ordinance, be declared invalid by any Court, such declaration shall not affect the validity of the remainder of the Ordinance or Code, standing apart from the portion so invalidated.

Section 14. Penalty.

Any person, entity, firm or corporation who or which fails to comply with any of the provisions of this Ordinance or of the codes hereby adopted shall be, upon conviction thereof, subject to a fine of not more than Five Hundred Dollars (\$500.00), or imprisonment in the Monroe County Jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the Court. Each day that a violation continues to exist shall constitute a separate violation.

Section 15. Copies Available.

Complete copies of the code adopted by this Ordinance are available at the Clerk's and Building Official's office at Frenchtown Charter Township, 2744 Vivian Road, Monroe, Michigan, 48162 for inspection by the public and for public distribution at a reasonable charge, to be determined by the Frenchtown Charter Township Board.

Section 16. Effective Date.

This Ordinance shall become effective ninety (90) days after final passage and publication in a newspaper having general circulation in Frenchtown Charter Township, Monroe County, Michigan. A further requirement for this Ordinance to take effect is the expiration of ninety (90) days after a certified copy of this Ordinance is delivered to the Michigan State Construction Code Commission. Both of the requirements must be met pursuant to Michigan Compiled Laws, Section 125.1508, before this Ordinance shall take effect.

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I, Peggy L. Barton, Clerk of the Charter Township of Frenchtown, do hereby certify that the above is a true and exact copy of an ordinance adopted by the Frenchtown Charter Township Board, at a regular meeting of said Board held September 23, 1997, at the Township Hall, 2744 Vivian Road, Monroe, Michigan.

Peggy L. Barton, C.M.C.
Frenchtown Charter Township

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