

## **ORDINANCE NO. 3935**

**AN ORDINANCE TO ADOPT, WITH AMENDMENTS, THE 2002 NATIONAL ELECTRIC CODE BY REPEALING IN ITS ENTIRETY, CHAPTER 15.16 OF THE RAPID CITY MUNICIPAL CODE, ENTITLED ELECTRICAL CODE, AND ADOPTING A NEW CHAPTER 15.16, ENTITLED ELECTRICAL CODE.**

WHEREAS the City of Rapid City has previously adopted an Electrical Code in accordance with state law; and

WHEREAS the City of Rapid City is now required by state law to adopt the 2002 National Electric Code; and

WHEREAS the City of Rapid City deems it in the public interest to adopt the 2002 National Electric Code with amendments as allowed by state law.

**NOW THEREFORE, BE IT ORDAINED** by the City of Rapid City that Chapter 15.16, of the Rapid City Municipal Code, entitled Electrical Code, is repealed in its entirety.

**BE IT FURTHER ORDAINED** by the City of Rapid City that a new Chapter 15.16 of the Rapid City Municipal Code, entitled Electrical Code, is enacted as follows:

### **15.16.010 Adoption**

There is adopted by the City of Rapid City, for the purpose of prescribing regulations for the practical safeguarding of persons and property from hazards arising from the use of electricity, that certain code known as the **NFPA 70, National Electrical Code (NEC)**, as recommended by the National Fire Protection Association (NFPA), specifically the 2002 edition thereof, and the NFPA 73, Residential Electrical Maintenance Code for One and Two Family Dwellings, 2002 Edition, for the inspection of existing commercial and residential buildings and services; and these are adopted by reference as though fully set forth herein.

**BE IT FURTHER ORDAINED** that the National Electrical Code, as adopted, is hereinafter amended as follows:

### **15.16.020 NEC Article 80, Administration and Enforcement – Deleted.**

NEC Article 80, Administration and Enforcement, is deleted in its entirety, and replaced with the following:

## **ARTICLE 80 Administration and Enforcement**

### **80.1 Definitions.**

“Apprentice Electrician” means a person learning the trade under the immediate supervision of a master electrician, journeyman electrician or class B electrician. An apprentice electrician who has more than forty-two consecutive months of experience may work without immediate supervision for a

period not to exceed eight hours, provided no such apprentice shall work more than eight hours without immediate supervision on any one project.

“Board” means the Rapid City Electrical Board provided for in this chapter.

“Chief Electrical Inspector” means the person authorized under this chapter to make inspections of electrical installations and work, and to provide expertise for the Building Official in the area of electrical regulations. For the purposes of this ordinance, the Chief Electrical Inspector/Building Inspector IV” shall be called the Chief Electrical Inspector.

“City of Rapid City or City” means City of Rapid City Building Inspection Department.

“Class B Electrician” means a person who has the necessary qualifications, which shall include training, experience and technical knowledge to contract, install, lay out, alter or repair installations of electrical wiring in residential dwellings and farmsteads.

“Electrical Contractor” means a person, firm or corporation that engages in the business of or contracts for installing, altering, removing, repairing or maintaining any kind of electrical wiring or equipment. The electrical contractor must hold a master electrician license or have a responsible managing employee who holds a master electrician license.

“Electrical Inspector/Building Inspector II, or III” means the person hired by the Building Official to assist the Chief Electrical Inspector in the inspection of electrical installations and work, and to perform other duties in the absence of the Chief Electrical Inspector. For the purposes of this ordinance, the Electrical Inspector/Building Inspector II, or III shall be called the Electrical Inspector.

“Electrical wiring” means a system of conductors to carry electrical energy and includes conduit when included as part of the system.

“Electrical work” means installing, altering, repairing or removing electrical wiring.

“Homeowner wiring” means any electrical wiring done by a person, on that person’s premises, that is presently occupied, or intended to be occupied when completed, providing the premises is a single-family dwelling or accessory building.

“Journeyman Electrician” means a person who has the necessary qualifications, which shall include training, experience and technical knowledge to wire in accordance with local ordinances or other adopted rules and regulations, who shall perform such work under the supervision of ~~a qualified~~ the designated master electrician.

“Master Electrician” means a person who has the necessary qualifications, which shall include training, experience and technical knowledge, to plan, lay out, supervise, install, add, alter and/or repair installations of wiring or equipment for electrical light, heat or power in an approved manner, without supervision. Each electrical contractor shall designate a master electrician under whose supervision electrical work shall be done. The City of Rapid City shall be notified of such designation.

“RME” means responsible managing employee. He or she must be a bona fide employee of the firm. This means that the RME must be regularly employed by the firm and actively involved in the operation of the business at least 32 hours per week or 80 percent of the total business operating hours per week, whichever is less. The RME must hold a valid master electrician license, issued by the Rapid City Finance Department. The RME shall be responsible for any violations of this ordinance.

“Supervision” of any kind thereof, means to look over, inspect, oversee, coordinate, direct and critically evaluate the work of a journeyman electrician or an apprentice electrician. The electrical inspector may request the presence of the supervising master electrician on the job site on twenty-four hours notice. Notice of such request is considered accomplished if left with the business, or with the master electrician as listed on the latest license application on record in the city finance office. In the case of immediate on-site supervision of an apprentice electrician, no journeyman electrician shall supervise more than two apprentice electricians at a time.

“Wiring permit” means electrical wiring permit.

## **80.2 Application.**

A. In order to safeguard life and property from electrical hazards, every person engaged in doing electrical work shall comply with the terms of this chapter.

B. When any new building structure or alteration of a building violates the requirements of this chapter for electrical wiring, not exempt by subsection C of this section, the wiring shall be brought into compliance with this code.

C. This chapter shall apply to the installation of all electrical equipment within or on public and private buildings and premises, with the following general exceptions:

1. Placement of lamps in fixtures already installed by qualified persons in an approved manner, provided only qualified electricians may install or replace lamps in explosion-proof fixtures;
2. Connecting or disconnecting equipment to an approved receptacle by a suitable attachment plug;
3. Maintenance in ~~UL~~ labeled equipment or appliances, where the original installation was affected by a qualified electrician, when any such repair or maintenance work is not detrimental to the original wiring or connection;
4. Installation, alteration or repair of wiring, devices, appliances, or equipment for operation of signals or for transmission of intelligence, where such wiring, devices, appliances, or equipment operate at a voltage not exceeding fifty volts between conductors and which do not include generating or transforming equipment capable of supplying more than fifty watts of energy;
5. Installation of electric wiring, devices, or equipment to be installed by a public utility of such utility in the generation, transmission or sale of electric energy, or for the use of such a utility in the transmission of intelligence;
6. Work performed under any contract led by the State and supervised and inspected by the State;
7. Buildings, structures, or premises owned by the State or Federal Government, including, but not limited to, State owned schools;
8. Existing electrical systems in any building, although a change in use or occupancy has occurred. Such existing electrical system may remain in service only if adequate and suitable for the intended purpose, and in compliance with NFPA 73.

## **80.3 Chief Electrical Inspector/Building Inspector IV and Electrical Inspector/ Building Inspector I, II, or III – Qualifications.**

Qualifications shall be as stated in the job description.

~~The Chief Electrical Inspector/Building Inspector IV and Electrical Inspector/Building Inspector I, II, or III shall be qualified as a master electrician under this chapter and shall hold a valid South Dakota State Electrical Inspector's license. He shall not be financially interested, directly or indirectly, in~~

~~any electrical contract or electrical work in the city during tenure in office. The Chief Electrical Inspector shall enforce the provisions of this chapter.~~

#### **80.4 Electrical Board.**

**A. Creation, Appointments, Terms, Compensation, and Quorum.** There is hereby created the Electrical Board of the City of Rapid City, hereinafter designated as the Board. Such board shall consist of a Master Electrician, a Journeyman Electrician, an Electrical Contractor, all licensed by the City, and a bona fide representative of an electrical utility serving the City. The Chief Electrical Inspector shall be the nonvoting secretary of the Board. The Electrical Inspector shall serve at the board meetings in the absence of the Chief Electrical Inspector. The members of such board shall be appointed for a term of two years. The City Council shall approve appointments at its first regular meeting in May. All members of the Rapid City Electrical Board, except the Chief Electrical Inspector, shall serve without compensation. Three members of the board shall constitute a quorum for transaction of business.

#### **B. Duties.**

1. The Rapid City Electrical Board is authorized to adopt such rules and regulations as shall become necessary, with the approval of the City Council. The Rapid City Electrical Board shall notify all license holding master electricians of such proposed rules and regulations thirty days prior to the delivery of such rules and regulations to the City Council.
2. The board shall hold meetings as necessary to examine applicants for licenses under this chapter as to their knowledge of the rules and regulations for the installation of electrical wiring devices and equipment as provided by this chapter and the National Electrical Code. The board shall grant licenses as applied for and renewals thereof to those applicants who show proper qualifications. The board shall determine the general qualifications ~~and fitness~~ of such applicants for executing the class of work covered by the license applied for and their ability to properly carry on the work authorized under the license applied for in such manner as to regulations and ordinances governing such work.
3. Any applicant who fails to pass the examination shall not be entitled to take another examination until at least thirty days thereafter. If a second examination is failed, the applicant shall not be entitled to take another examination until at least ninety days thereafter. License fees shall not be refunded if the applicant fails to pass any examination. Application for license shall be made on forms provided by the City of Rapid City.
4. Before a license is issued to an applicant, the Rapid City Electrical Board shall have evidence that the applicant is licensed by the State of South Dakota. ~~has complied with the statutes of the state regulating electrical work.~~ Should any licensee, or applicant for license under this chapter be aggrieved by the action of the Rapid City Electrical Board, he may, within ten days, apply to the City Council for a review of such action. Upon such review, the City Council may affirm, modify or reverse the action of the Electrical Board, and may order for good cause the issuance of a license.

#### **C. Appeals.**

1. The appeals board shall consist of the Rapid City Electrical Board and one member from the public appointed by the Mayor. The member shall be a resident of Rapid City. The term of this member shall be until such time as the Mayor shall appoint a replacement.

2. Review of Decisions. Any person, firm, or corporation may register an appeal with the Board for a review of any decision of the City of Rapid City, provided that such appeal is made in writing within fifteen (15) days after such person, firm, or corporation shall have been notified. Upon receipt of such appeal, said Board shall, if requested by the person making the appeal, hold a public hearing and proceed to determine whether the action of the Board, or of the Chief Electrical Inspector, or of the Electrical Inspector complies with this law; and within fifteen (15) days after receipt of the appeal or after holding the hearing, shall make a decision in accordance with its findings.

3. Conditions. Any person shall be permitted to appeal a decision of the authority having jurisdiction to the Board when it is claimed that any one or more of the following conditions exist:

- a. The true intent of the codes or ordinances described in this Code has been incorrectly interpreted.
- b. The provisions of the codes or ordinances do not fully apply.
- c. A decision is unreasonable or arbitrary as it applies to alternatives or new materials.

4. Submission of Appeals. A written appeal, outlining the Code provision from which relief is sought and the remedy proposed, shall be submitted to the authority having jurisdiction within 15 calendar days of notification of violation.

## **80.5 License**

### **A. Homeowner Permits.**

1. A homeowner may install electrical wiring, only in a residence, accessory structure or mobile home which he owns and occupies or will occupy as his home, subject to the following:

2. All electrical wiring installed pursuant to this section shall be installed only by the owner, without compensation or pay to any other person for such labor or installation. Such installation shall comply with the requirements of this code. The homeowner shall file plans, demonstrate to the satisfaction of the City of Rapid City that he possesses sufficient knowledge of code requirements and the ability to make such installation properly, apply for and secure a permit, pay the required permit fees, and call for all inspections in the manner provided in this code. Homeowner permits shall be valid for a period of six months from the date of the last inspection.

3. No portion of the wiring installed under a permit issued pursuant to this section shall be energized until a final certificate of approval is issued by the City of Rapid City.

**B. License Required.** No person shall engage in the business of electrical installation, or perform any electrical work, or offer or agree to perform any electrical work within the City without a current license issued in accordance with this chapter.

### **C. License Application.**

1. Any person desiring to engage in the business of electrical installation, as an electrical contractor, Class B electrician, sign contractor, ~~maintenance electrician~~, master electrician, journeyman electrician or an apprentice electrician, shall make application for a license therefore to the City of Rapid City, on applications furnished by the Rapid City Finance office, and submit the same to the Rapid City Electrical Board. The license applicant must submit a copy of his/her current South Dakota State electrical license with the application.

2. The electrical contractor shall complete and submit license applications and renewals for all employees prior to their presence on any job site.

#### **D. License Type and Qualifications.**

1. Master Electrician. A person must have at least two years experience as a journeyman electrician and possess a current state electrical contractor's license or journeyman electrician's license before making applicant for a master electrician's license. The board requires an examination of all applicants with a score of seventy percent or greater prior to issuance of such license.

Exception: A person may put his master's license under inactive status, per state law; however, during that time, he may not be employed as an electrician within the City.

2. Journeyman Electrician. A person must have at least four years experience as an apprentice electrician under the employment and supervision of a licensed master electrician or class B electrician, and possess a current state journeyman electrician's license before making application for a City journeyman electrician's license. Training, by on-the-job employment or post secondary schooling, shall include, but not be limited to, familiarization and study of the National Electrical Code, commercial wiring, residential or farmstead working, electrical motor installation and controls, and blueprint reading.

3. Class B Electrician. A person must have at least two years experience as a journeymen wiring, installing and repairing electrical apparatus and equipment under the supervision of a master electrician or class B electrician before making application for a class B electrical license. A minimum of one year of that experience shall be in residential or farmstead wiring. The board requires an examination of all applicants with a score of seventy percent or greater prior to issuance of such license.

4. Apprentice Electrician. An apprentice electrician's experience while employed in South Dakota starts on the date the application is received in the State Electrical Commission Office. Type of work and length of experience claimed outside of South Dakota shall be listed on a form provided by the Commission and shall be verified by the Commission. Such verification of experience may be accepted by the board, including units of time allowed for schooling or other experience pursuant to South Dakota State Electrical Commission Rules and Regulations, Section 20:44:03:07. ~~No person with more than sixty months experience, as an apprentice electrician, shall work as an apprentice electrician unless a journeyman examination has been taken.~~

5. Master Electrician. A person must have two years of experience under the employment and supervision of a master electrician in commercial and residential or farmstead wiring. Additional training shall include, but not be limited to, technical knowledge to plan, lay out and supervise the installation of electric light, heat and power in accordance with the National Electrical Code, as adopted by this chapter. An examination is required with a score of 70 percent.

6. Electrical Inspector to Electrical Contractor. Any qualified electrical inspector may obtain a City electrical contractor's license upon the approval of the board.

7. Maintenance Electrician's License. Electrical maintenance to comply with S.D.C.L 20:44:16:21 and 20:44:16:22.

**E. Examination.** If an examination is required prior to the issuance of a license under this chapter, the City of Rapid City shall notify the applicant of the time, place and date thereof. If a journeyman

has a current South Dakota State journeyman license, received by examination, no additional examination shall be required.

**F. Issuance.**

1. The City Finance Officer shall issue licenses applied for under this chapter, and renewals thereof, in accordance with this chapter and the provisions of this code.
2. Each electrical contractor, sign contractor, class B electrician and master electrician shall post the license in a conspicuous place in the business named on the license.
3. Every electrician shall possess the necessary electricians' license and shall carry his license card at all times when doing electrical work within the city.

**G. License Fees.**

1. Fees for licenses under this chapter shall be paid prior to issuance thereof, according to the following schedule:

	<b>Initial Fee</b>	<b>Renewal Fee</b>
Apprentice	\$ 10.00	\$ 7.50
Journeyman	25.00	15.00
Master/Inactive Master	50.00	37.50
Class B	100.00	37.05
Contractor	200.00	75.00

2. When work for which a license is required is started or proceeded with prior to obtaining such license, the fee as set forth herein shall be doubled. Payment of such fee shall not exempt the licensee from the provisions of this chapter.

**H. Renewal.** Each license issued under this chapter shall be for a two-year maximum time frame, beginning January 1, in odd numbered years. If the renewal license is not applied for by January 31<sup>st</sup>, the license shall be considered lapsed, and the initial fee and testing requirements shall apply.

**I. Revocation.** In addition to other penalties imposed, any license issued under this chapter may be revoked by the council for violation of any provision of this chapter.

**80.6 Electrical Work**

**A. General Responsibilities.** Electrical contractors, class B electricians, and individuals wiring their own residence or farmstead, shall secure all required licenses and wiring permits before commencing to do any electrical work not exempt by Article 80.2.C. of this section. ~~Master electricians shall be responsible for any electrical work performed under their supervision.~~

~~**B. Contractors to Designate Master Electrical.** Each electrical contractor shall designate a master electrician under whose supervision electrical work shall be done. The electrical inspector shall be notified of such designation.~~

**B. Contractors to Make Personnel Reports.** Each electrical contractor shall report to the chief electrical inspector all new personnel who are required to hold an electrical license or permit and any new employee who is not properly licensed for the type of work he is to do.

**80.7 Permits.**

**A. Permit Required.** Before commencing any electrical work within the purview of this chapter, the person intending to do such work must first make application to the City of Rapid City for a ~~written~~ permit; provided, however, no permit shall be required for the installation, alteration or removal of a single thirty-amp circuit or less, if such circuit is installed, altered or removed by an Electrical Contractor ~~electrician~~ holding the appropriate license issued pursuant to this chapter. A permit is required for fees equal to or greater than \$10.00.

**B. Permit Application.** Any person desiring a permit required by this section shall make an application for such permit with the City of Rapid City, which application shall be on a form furnished by the City for that purpose.

**C. Permit Fees.**

1. a. Before any permit is granted, the person making application for such permit shall pay to the city finance officer a fee in such amount as specified in the following Tables; provided, however the minimum permit fee shall be thirty-seven dollars, except for mobile home feeders, which permit shall be twenty-seven dollars.

1. b. Prepaid permits ~~Coupons~~ for minimum electrical permits will be available from the City of Rapid City. These ~~coupons~~ prepaid permits may be purchased singularly or in books of ten and will replace the separate electrical permit.

1. c. Before commencing ~~requesting an inspection of~~ an electrical installation for which a general permit was not issued, or issued without the electrical included, a prepaid permit ~~coupon~~ shall be completed and posted in the area of the work. The inspector will pick up the prepaid permit ~~coupon~~, and it will become part of the permanent file. If the fee exceeds the thirty-seven dollar minimum, the electrical contractor will be billed.

**FEE SCHEDULE**

**Table 80.7 (C) (1)**

Inspection fee for new single-family and two-family residences shall be the greater value determined, based on the flat rate or the square footage rate.

<b>Flat Rate</b>	<b>Service Size in Amperes</b>	<b>Inspection Fee</b>
	0 – 200	\$ 75.00
	201 and over	150.00
<b><u>Square Footage</u></b>	<u>5 cents per square foot finished area</u> <u>2.5 cents per square foot unfinished area</u> <u>2.5 cents per square foot garage</u>	

**Table 80.7 (C) (2)**

Inspection fee schedule for service connection (only) for replacement of services for existing homes and all other service installations, including commercial installation. These fees are in addition to the circuit fees required by Table 15.16.090 (C) (3).



<b>Service Size in Amperes</b>	<b>Inspection Fee</b>
0 – 200	\$ 35.00
201 – 400	50.00
401 – 800	75.00
801 – 1600	125.00
1601 and over	250.00

**Table 80.7 (C) (3)**

Inspection fee schedule for circuitry installations or alterations including new work in existing homes, commercial circuitry installations and all other circuitry installation shall be as follows:

<b>Number of Connected Circuits</b>	<b>0-30A CCT</b>	<b>31-60A CCT</b>	<b>61-100A CCT</b>
<b>Each</b>	\$5.00	\$10.00	\$12.00

**Each additional one hundred amperes or fraction thereof: \$8.00.**

**Table 80.7 (C) (4)**

Inspection fee for permanently installed electric signs, outline lighting, and field assembled skeletal neon systems shall be as follows:

**\$40.00** for each sign feeder or branch circuit, or the fee calculated as listed in Table 15.16.020 (C) (2) and Table 15.16.020 (C) (3), whichever is greater.

**Table 80.7 (C) (5)**

Electrical fees for electrical installations associated with remodeling projects.

**First 40 openings or connections:** \$1.00 each.  
**Each additional opening or connection:** \$0.50 each.  
**First 40 lighting fixtures:** \$1.00 each.  
**Each additional lighting fixture:** \$0.50 each.  
**Each motor or special equipment:** \$6.00 each.

**Table 80.7 (C) (6)**

Electrical Fees for electrical installations in apartment buildings.

**First 6 units:** \$35 per unit.  
**Next 10 units:** \$25 per unit.  
**Remaining units:** \$20 per unit.

**Services, feeders and branch circuits serving other apartment building loads shall be per tables (C) (2), (C) (3), and (C) (4).**

**Table 80.7 (C) (7)**

Electrical fees for mobile home service equipment.

**First Service:** \$40.00  
**Each Additional Unit:** \$25.00

**Table 80.7 (C) (8)**

Electrical fees for recreational vehicle parks.

**First Pedestal:** \$10.00  
**Remaining Pedestal:** \$5.00 each  
**Service and Other Wiring shall be per (C)(2), (C)(3), (C)(4)**  
**Table 80.7 (C) (9)**

Electrical fees for swimming pools.

**Bonding fee:** \$125.00  
**Service, feeders, and circuits per tables.**

**Table 80.7 (C) (10)**

Fee for late corrections. If corrections are not completed within the specified time on inspectors report, a **\$100.00** administrative fee may be accessed.

Fee for after hour inspections. There shall be a minimum two hour fee of **\$100.00** charged for inspections done after hours.

**Table 80.7 (C) (11)**

State Electrical Affidavit fees are required by the South Dakota State Electrical Commission. This fee is subject to change. The current fee is \$2.00 per permit.

2. ~~The fees prescribed in Subsection 1 of this section shall be an extra charge whether included in the general permit or not.~~ The building permit includes all electrical work associated with the construction. The fee associated with a building permit shall not waive the requirement of an electrical permit.

3. Where work for which a permit is required is started or proceeded with prior to obtaining the permit, the fee, as set out in this section, shall be doubled. Payment of such fee shall not exempt the permittee from the provisions of this chapter.

4. If by reason of noncompliance with any provision of the code or through use of defective material or due to negligence on the part of workmen, a subsequent inspection becomes necessary, an additional fee of \$50.00 shall be charged for each such inspection.

5. All local inspection fees shall conform to the preceding tables or to the greater of those inspection fees set and from time to time adjusted by the South Dakota State Electrical Commission.

**D. Permit Issuance or Refusal.** Upon the approval of the application for a permit, the City of Rapid City shall issue such permit to the person applying therefore, stating the name of the owner or lessee of the property, the location where the work is to be done, the name of the electrical contractor doing such work and specifically the work authorized to be done there under. In the event that such

application for permit is rejected by the City of Rapid City, the reason for such rejection must be endorsed thereon by the City, and the applicant shall be notified of such rejection within two working days. In such event, should the applicant for such permit be aggrieved by the action of the City of Rapid City, he may apply to the Rapid City Electrical Board for review of the City's action. Should the applicant still feel aggrieved, he may apply to the City Council, who upon review, may affirm, modify or reverse the action of the City of Rapid City and may order, for good cause, the issuance of such permit.

**E. Notice of Changes in Installation Made after Permit Issuance.** Any person doing work pursuant to a permit issued under this chapter shall notify the City of Rapid City before making any changes in the installation from that authorized on the original permit.

**F. Expiration.** Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration the permittee shall pay a new full permit fee.

Any permittee holding an un-expired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days on a written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

**G. Suspension or revocation.** The building official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

**H. Fee Refunds.** The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

## **80.8 Inspection.**

A. Any person doing work under a permit issued pursuant to this chapter shall notify the City of Rapid City when the work is ready for inspection and before it is concealed, giving the location by

providing the permit or prepaid permit number, the street address, the nature of the work and when the work will be accessible to the City. The City of Rapid City shall inspect such work within a period of two working days after notification that such work is ready for inspection.

B. Failure to renew or obtain a final inspection prior to expiration of the permit is a violation of the Rapid City Municipal Ordinance, subject to a \$100 administrative fee.

C. When it is necessary for the City to re-inspect any work, because of defects or because it was not ready for inspection when the notice provided for in subsection A of this section was given, the person holding the permit for such work shall pay a fee of \$50.00 for each re-inspection.

D. When an installation or that portion of a project which the City of Rapid City has been notified as being ready for inspection does not comply with this chapter, the City may write a correction to the permittee, stating the date, location and the specific violations to be corrected or the reason for rejection, the time allowed for making corrections, and if a re-inspection fee is required. Upon receiving all required fees and a written notice that corrections have been made and the work is ready and accessible for re-inspection, the City shall re-inspect the work within two working days and approve or reject it.

E. When the installation or portion being inspected complies with this chapter, the City shall place a tag of acceptance at the service or in a conspicuous place. When the entire installation complies with this chapter, the City shall place a tag of final acceptance at the service equipment as a certificate of approval authorizing the use of the installation and connection to the supply of electricity by the agency supplying the electrical power.

F. If an existing electrical service is disconnected, either for alteration, repair, accident, or by an act of nature, this same service shall meet the minimum standards of NFPA 73, Residential Electrical Maintenance Code for One and Two Family Dwellings, prior to permanent reconnection. A-frame meter bases shall not be reconnected, other than for temporary use.

A minimum electrical permit is required for the inspection of existing services.

In cases where the service is reconnected prior to electrical inspection, the electrical contractor shall notify the City of Rapid City by 8:30 a.m. the following workday.

### **80.9 Electrical Signs.**

Permanently installed electrical signs, outline lighting and field assembled skeletal neon systems shall be listed and labeled by a nationally recognized testing laboratory. Branch circuit wiring and primary electrical connection of the above shall be completed by an electrical contractor, licensed by the City of Rapid City Finance Department. The electrical contractor will be responsible for obtaining the electrical permit and scheduling an inspection when access will be made available to the City of Rapid City. These installations shall not be energized prior to approval by the City of Rapid City.

### **80.10 Unauthorized Connections.**

No person shall make connection from a supply of electricity to any new electrical installation which has been ordered disconnected, or any electrical installation where the service entrance or service equipment has been disconnected, moved or otherwise altered, until authorized by the City; except in an emergency to safeguard life or property, when such connection is made in a safe manner by a

person qualified under this chapter, who shall be responsible for the work and shall notify the City, as soon as possible, and pay any required fee. Prior to authorization, services shall comply with NFPA 73.

#### **80.11 Disconnection.**

When an alteration or addition is made or a condition is apparent which is in violation of this chapter, the City of Rapid City may require that portion which is in violation to be corrected and/or disconnected from the supply, until correction has been effected. Any wiring that becomes hazardous after installation shall be required to be disconnected upon order of the City of Rapid City.

#### **80.12 Temporary Installations.**

Temporary electrical installations must be made so as to safeguard persons and property and shall be inspected and approved by the City of Rapid City. Such temporary installation shall not be allowed for more than one hundred eighty days without re-inspection and approval by the City. Such re-inspection may be had upon request and payment of the fee set out in this section.

#### **80.13 Liability.**

This chapter shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating, controlling or installing any electrical equipment for damages to persons or to property caused by an defect therein or negligence in handling thereof, nor shall the City of Rapid City be held as assuming any such liability by reason of the inspections or re-inspection authorized in this chapter, or the certificates of approval issued as herein provided, or by reason of the approval or disapproval of any equipment authorized herein.

#### **80.14 Violations – Penalty.**

Any person violating any provision of this chapter shall be punished by a fine of not less than one dollar (\$1.00), nor more than one hundred to two hundred dollars (\$100.00 to \$200.00), or by imprisonment in the city jail for not more than thirty (30) days, or by both such fine and imprisonment. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues; provided, that written notice of the original violation has been given to the violator by the City of Rapid City.

#### **15.16.030 NEC Article 200, Section 200.7 (C ) (2) - Deleted.**

NEC Article 200 Use and Identification of Grounded Conductors, Section 200.7 Use of Insulation of a White or Gray Color or with Three Continuous White Stripes. (C) Circuits of 50 Volts or More, paragraph (2) is hereby deleted.

~~(2) Where a cable assembly contains an insulated conductor for single pole, 3-way or 4-way switch loops and the conductor with white or gray insulation or a marking of three continuous white stripes is used for the supply to the switch but not as a return conductor from the switch to the switched outlet. In these applications, the conductor with white or gray insulation or with three continuous white stripes shall be permanently re-identified to indicate its use by painting or other effective means at its terminations and at each location where the conductor is visible and accessible.~~

**15.16.040 NEC Article 210, Section 210.8 (A) (7) - Amended.**

NEC Article 210 Branch Circuits, Section 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel, (A) Dwelling Units, paragraph (7) is hereby amended to read as follows:

(7) ~~Wet bar sinks~~ All sinks – where the receptacles are installed within 1.8 m (6 ft) of the outside edge of the sink.

**15.16.050 NEC Article 210, Section 210.8 (B) – Amended.**

NEC Article 210, Branch Circuits, Section 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel, (B) Other Than Dwelling Units, is hereby amended by adding condition (4) to read as follows:

**(B) Other Than Dwelling Units.** All 125-volt, single phase, 15- and 20-ampere receptacles installed in the locations specified in (1), (2), and (3) shall have ground-fault circuit-interrupter protection for personnel:

- (1) Bathrooms
- (2) Rooftops
- (3) Kitchens
- (4) Within 6 feet of all sinks

**15.16.060 NEC Article 210, Section 210.12 (B) – Amended.**

NEC Article 210 Branch Circuits, Section 210.12 Arc-Fault Circuit-Interrupter Protection, (B) Dwelling Unit Bedrooms, is hereby amended to read as follows:

**(B) Dwelling Unit Bedrooms.** All branch circuits that supply 125-volt, single-phase, 15- and 20-ampere receptacle outlets installed in dwelling unit bedrooms shall be protected by an arc-fault circuit interrupter(s) listed to provide protection of the entire branch circuit.

**15.16.070 NEC Article 210, Section 210.52 (C)(2) – Amended.**

NEC Article 210, Branch Circuits, Section 210.52 Dwelling Unit Receptacle Outlets, (C) Countertops, (2) Island Counter Spaces is hereby amended by adding an exception, as follows:

**(2) Island Counter Spaces.** At least one receptacle outlet shall be installed at each island counter space with a long dimension of 600 mm (24 in.) or greater and a short dimension of 300 mm (12 in.) or greater.

Exception: If the owner does not wish to have receptacle installed below countertop, receptacle may be omitted; however a GFCI protected small appliance circuit shall be extended into island cabinet and terminated into a box equipped with blank cover. NM cable shall be protected within cabinet.

**15.16.080 NEC Article 210, Section 210.52 (H) – Amended.**

NEC Article 210, Branch Circuits, Section 210.52 Dwelling Unit Receptacle Outlets, (H) Hallways, is hereby amended to read as follows:

**(H) Hallways.** In dwelling units, hallways of 3.0 m (10 ft) or more in length shall have at least one receptacle outlet. Hallways and foyers 5 feet or greater in width shall have receptacle space per 210.52 (A).

As used in this subsection, the hall length shall be considered the length along the centerline of the hall without passing through a doorway.

**15.16.090 NEC Article 230, Division VI, Section 230.70 (A) (1) – Amended.**

NEC Article 230, Services, Division VI, Service Equipment – Disconnecting Means, Section 230.70 (A) Location, (1) Readily Accessible Location, is hereby amended to read as follows:

**(1) Readily Accessible Location.** The service disconnecting means shall be installed ~~at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors~~ within 5 feet of the building or structure. Service conductors within rigid metallic conduit shall not exceed 15 feet within building or structure. Other service raceways or cable shall be limited to 5 feet within building or structure.

**15.16.100 NEC Article 320, Section 320.10 – Amended**

NEC Article 320 Armored Cable: Type AC, Section 320.10 Uses Permitted, is hereby amended to read as follows:

**320.10 Uses Permitted.** Where not subject to physical damage, Type AC cable shall be permitted as follows: Hospital grade within patient care areas, for the purpose of redundant grounding.

**15.16.110 NEC Article 330, Section 330.40 – Amended.**

NEC Article 330 Metal-Clad Cable: Type MC, Section 330.40 Boxes and Fitting, is hereby amended to read as follows:

**330.40 Boxes and Fitting.** Fittings used for connecting Type MC cable to boxes, cabinets, or other equipment shall be listed and identified for such use, and be equipped with an insulated throat.

**15.16.120 NEC Article 334, Section 334.12 – Amended.**

NEC Article 334 Nonmetallic-Sheathed Cable: Types NM, NMC, and NMS, Section 334.12 Uses Not Permitted, is hereby amended by adding condition (11), to read as follows:

**334.12 Uses Not Permitted.**

**(A) Types NM, NMC, and NMS.** Types NM, NMC, and NMS cables shall not be used as follows:

(1) As open runs in dropped or suspended ceilings in other than one- and two-family and

- multifamily dwellings.
- (2) As service-entrance cable.
- (3) In commercial garages having hazardous (classified) locations as defined in 511.3.
- (4) In theaters and similar locations, except where permitted in 518.4.
- (5) In motion picture studios.
- (6) In storage battery rooms.
- (7) In hoistways or on elevators or escalators.
- (8) Embedded in poured cement, concrete, or aggregate.
- (9) In hazardous (classified) locations, except where permitted the following:
  - a. 501.4(b), Exception
  - b. 502.4(b), Exception No. 1
  - c. 504.20
- (10) Types NM and NMS. Types NM and NMS cable shall not be used as follows:
  - a. Where exposed to corrosive fumes or vapors.
  - b. Where embedded in masonry, concrete, adobe, fill, or plaster.
  - c. In a shallow chase in masonry, concrete, or adobe and covered with plaster, adobe, or similar finish.
  - d. Where exposed or subject to excessive moisture or dampness.
- (11) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

#### **15.16.130 NEC Article 338 – Amended.**

NEC Article 338 Service-Entrance Cable: Type SE and USE is hereby amended by adding Section 338-15 Uses Not Permitted, to read as follows:

##### **338.15 Uses Not Permitted.**

**(A) Service-Entrance Cable: Types SE and USE shall not be used as follows:**

- (1) In hotels, motel, commercial, mercantile, industrial, institutional, and public buildings.**

#### **15.16.140 NEC Article 340, Section 340.12 – Amended.**

NEC Article 340 Underground Feeder and Branch-Circuit Cable: Type UF, Section 340.12 Uses Not Permitted, is hereby amended by adding condition (12), to read as follows:

**340.12 Uses Not Permitted.** Type UF cable shall not be used as follows:

- (1) As service-entrance cable.
- (2) In Commercial garages.
- (3) In theaters and similar locations.
- (4) In motion picture studios.
- (5) In storage battery rooms.
- (6) In hoistways, or on elevators or escalators.
- (7) In hazardous (classified) locations.
- (8) Embedded in poured cement, concrete, or aggregate, except where embedded in plaster as non-heating leads where permitted in 424.43.
- (9) Where exposed to direct rays of the sun, unless identified as sunlight resistant.
- (10) Where subject to physical damage.



- (11) As overhead cable, except where installed as messenger-supported wiring in accordance with Article 396.
- (12) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.150 NEC Article 352, Section 352.12 – Amended.**

NEC Article 352 Rigid Nonmetallic Conduit: Type RNC, Section 352.12 Uses Not Permitted, is hereby amended by adding paragraph (G), to read as follows:

**352.12 Uses Not Permitted.** RNC shall not be used in the following locations:

**(A) Hazardous (Classified) Locations.**

- (1) In hazardous (classified) locations, except as permitted in 503.3(A), 504.20, 514.8, and 515.8.
- (2) In Class I, Division 2 locations, except as permitted in 501.4(B), Exception.

**(B) Support of Luminaires (Fixtures).** For the support of luminaires (fixtures) or other equipment not described in 352.10(H).

**(C) Physical Damage.** Where subject to physical damage unless identified for such use.

**(D) Ambient Temperatures.** Where subject to ambient temperatures in excess of 50°C (122°F) unless listed otherwise.

**(E) Insulation Temperature Limitations.** For conductors whose insulation temperature limitations would exceed those for which the conduit is listed.

**(F) Theaters and Similar Locations.** In theaters and similar locations, except as provided in Articles 518 and 520.

**(G) Hotels, Motels, Commercial, Mercantile, Industrial, Institutional, and Public Buildings.**  
RNC shall not be used in hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.160 NEC Article 356, Section 356.12 – Amended.**

NEC Article 356 Liquidtight Flexible Nonmetallic Conduit: Type LFNC, Section 356.12 Uses Not Permitted, is hereby amended by adding condition (5), to read as follows:

**356.12 Uses Not Permitted.** LFNC shall not be used as follows:

- (1) Where subject to physical damage.
- (2) Where any combination of ambient and conductor temperatures is in excess of that for which the LFNC is approved.
- (3) In lengths longer than 1.8 m (6 ft), except as permitted by 356.100(5) or where a longer length is approved as essential for a required degree of flexibility.
- (4) Where voltage of the contained conductors is in excess of 600 volts, nominal.
- (5) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.170 NEC Article 358, Section 358.12 – Amended.**

NEC Article 358 Electrical Metallic Tubing: Type EMT, Section 358.12 Uses Not Permitted, is hereby amended by adding condition (7), to read as follows:

**358.12 Uses Not Permitted.** EMT shall not be used under the following conditions:

- (1) Where, during installation or afterward, it will be subject to severe physical damage.
- (2) Where protected from corrosion solely by enamel.
- (3) In cinder concrete or cinder fill where subject to permanent moisture unless protected on all sides by a layer of non-cinder concrete at least 50 mm (2 in.) thick or unless the tubing is at least 450 mm (18 in.) under the fill.
- (4) In any hazardous (classified) location except as permitted by 502.4, 503.3, and 504.20.
- (5) For the support of luminaries (fixtures) or other equipment except conduit bodies no larger than the largest trade size of the tubing.
- (6) Where practicable, dissimilar metals in contact anywhere in the system shall be avoided to eliminate the possibility of galvanic action.
- (7) In concrete below grade or in concrete slab or masonry in direct contact with the earth, nor embedded in earth or fill.

#### **15.16.180 NEC Article 362, Section 362.12 – Amended.**

NEC Article 362 Electrical Nonmetallic Tubing: Type ENT, Section 362.12 Uses Not Permitted, is hereby amended by adding condition (11), to read as follows:

**362.12 Uses Not Permitted.** ENT shall not be used in the following:

- (1) In hazardous (classified) locations, except as permitted by 504.20 and 505.15(A)(1).
- (2) For the support of luminaries (fixtures) and other equipment.
- (3) Where subject to ambient temperatures in excess of 50°C (122°F) unless listed otherwise.
- (4) For conductors whose insulation temperature limitations would exceed those for which the tubing is listed.
- (5) For direct earth burial.
- (6) Where the voltage is over 600 volts.
- (7) In exposed locations, except as permitted by 362.10(1), 362.10(5), and 362.10(7).
- (8) In theaters and similar locations, except as provided in Articles 518 and 520.
- (9) Where exposed to the direct rays of the sun, unless identified as sunlight resistant.
- (10) Where subject to physical damage.
- (11) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings

#### **15.16.190 NEC Article 378, Section 378.12 – Amended.**

NEC Article 378 Nonmetallic Wireways, Section 378.12 Uses Not Permitted, is hereby amended by adding condition (6), to read as follows:

**378.12 Uses Not Permitted.** Nonmetallic wireways shall not be used in the following:

- (1) Where subject to physical damage.
- (2) In any hazardous (classified) location, except as permitted in 504.20.
- (3) Where exposed to sunlight unless listed and marked as suitable for the purpose.

- (4) Where subject to ambient temperatures other than those for which nonmetallic wireway is listed.
- (5) For conductors whose insulation temperature limitations would exceed those for which the nonmetallic wireway is listed.
- (6) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.200 NEC Article 388, Section 388.12 – Amended.**

NEC Article 388 Surface Nonmetallic Raceways, Section 388.12 Uses Not Permitted, is hereby amended by adding condition (8), to read as follows:

**388.12 Uses Not Permitted.** Surface nonmetallic raceways shall not be used in the following:

- (1) Where concealed, except as permitted in 388.10(2).
- (2) Where subject to severe physical damage.
- (3) Where the voltage is 300 volts or more between conductors, unless listed for higher voltage
- (4) In hoistways.
- (5) In any hazardous (classified) location except Class I, Division 2 locations as permitted in 501.4(B)(3).
- (6) Where subject to ambient temperatures exceeding those for which the nonmetallic raceway is listed.
- (7) For conductors whose insulation temperature limitations would exceed those for which the nonmetallic raceway is listed.
- (8) In hotels, motels, commercial, mercantile, industrial, institutional, and public buildings.

**15.16.210 NEC Article 410, Section 410.8 – Amended.**

NEC Article 410 Luminaires (Lighting Fixtures), Lampholders, and Lamps, Section 410.8 Luminaires (Fixtures) in Clothes Closets, is hereby amended to read as follows:

**410.8 Luminaires (Fixtures) in Clothes Closets, Pantries, and Storage Rooms.** All references in this section shall apply to clothes closets, pantries, and storage rooms.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: