



CITY OF RAPID CITY

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MEMORANDUM

TO: Legal and Finance Committee
FROM: Brad Solon, Building Official *BS*
DATE: May 20, 2010
SUBJECT: Ordinance Amendment – Rapid City Electrical Code

City staff was recently made aware of an Attorney General's opinion requiring an amendment to the Rapid City Municipal Code.

The Rapid City Electrical Code currently states that a person must occupy in, or will occupy a new home to be eligible for a homeowner permit to wire the new home. This local amendment was based on the State Electrical Commission's interpretation allowing a person to wire a home which he or she occupies or will occupy as his or her home.

Recently the attorney for the State Electrical Commission made a determination that a prospective owner of a new home does not occupy the new home; therefore, a wiring permit can not be issued to a prospective owner to wire a new home.

Based on the new opinion, staff recommends that Section 15.60.020 (80.5) of the Rapid City Municipal Code be amended to eliminate the provisions currently allowing a prospective owner of a new home to obtain a permit and wire their new home. By amending the Rapid City Municipal Code, the City of Rapid City would be in compliance with the State Wiring Bulletin.

Recommendation: That Section 15.60.020 (80.5) of the Rapid City Municipal Code be amended as attached to comply with the State Wiring Bulletin.



EQUAL OPPORTUNITY EMPLOYER

ORDINANCE NO. 5616

AN ORDINANCE TO AMEND THE HOMEOWNER PERMITS EXEMPTION ESTABLISHED BY THE RAPID CITY ELECTRICAL CODE BY AMENDING SUBSECTION 80.5 OF SECTION 15.16.020 OF CHAPTER 15.16 OF THE RAPID CITY MUNICIPAL CODE.

WHEREAS, the City of Rapid City has previously adopted an electrical code; and

WHEREAS the electrical code addresses homeowner permits; and

WHEREAS, the City of Rapid City deems it in the best interest of the City to amend the previously adopted electrical code as it relates to homeowner permits;

NOW, THEREFORE, BE IT ORDAINED by the City of Rapid City that Subsection 80.5 of Section 15.16.020 of the Rapid City Municipal Code be and hereby is amended to read as follows:

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:

a. 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 chapter. 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.

b. 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, master electrician, or journeyman electrician shall make
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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 and class B electrical contractors shall complete and submit license applications and license renewals for all employees (other than apprentices) 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 or her 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.

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

6. Maintenance Electrician's License. Electrical maintenance to comply with South Dakota State Electrical Commission Rules and Regulations, Section 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:

	Initial Fee	Renewal Fee
Journeyman Electrician	\$50.00	\$50.00
Class B Electrician	200.00	100.00
Master/Inactive Master	100.00	50.00
Electrical Contractor	300.00	200.00

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 31st, 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.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: