

CITY OF MUSKEGO
CHAPTER 15 - ELECTRICAL CODE
(Ord. #935 - 07-03-97)

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15.01 OBJECT AND PURPOSE

The object and purpose of THIS CODE is to safeguard persons and property from hazards arising from the use of electrical energy by establishing minimum standards for the installation and maintenance of electrical systems. The licensing of electrical contractors does not certify competency or reliability.

15.02 SCOPE

- (1) Regulations, when applicable. Except as regulated in 15.021(4), the regulations of THIS CODE shall apply to the supply of electricity and to all sales, rentals, leases, uses, installations, alterations, repairs, connections, and maintenance of all electrical material, wiring, conductors, fittings, devices, appliances, fixtures, signs and apparatus, or parts thereof, or attachments therefore, hereafter referred to as electrical equipment, which are intended to be, or are, within, on, under, or near all buildings, structures, equipment and premises.

15.021 APPLICABILITY

- (1) Application. THIS CODE is applicable to all new installations, reconstructions, alterations and extensions of electrical wiring on the load side of the electric service point of any building, structure, or other, utilizing electrical service.
- (2) Existing Installations. An existing installation may be required to be brought into compliance with THIS CODE and within a specified time period if the electrical inspector determines there is a risk to life or property or the installation is not being used as originally installed.
- (3) Change of Occupancy, Alterations or Damage. If the occupancy class or above ceiling wiring of an existing premise is changed, the electrical wiring shall be made to conform to the requirements of THIS CODE for the new type of occupancy and all unused wiring above any suspended ceiling system shall be removed. Any alterations to an electrical system shall conform to the requirements for a new installation. Any electrical system damaged by fire, lack of maintenance or other, shall be repaired/replaced to the requirements for a new installation.
- (4) Exceptions. The electrical license and permit regulations of THIS CODE shall not apply to the following:
 - (a) The installation, alterations, or repair of electrical generation, transmission, or distribution equipment, but not utilization equipment, owned and operated by an electrical public utility company.
 - (b) The installation, alterations, or repair of signal or communication equipment where such equipment is owned and operated by a public utility company.
 - (c) Any work in ships, railway cars, trackless trolleys, buses, aircraft, automobiles, trailers, mobile homes and prefab assemblies.

- (d) Any work in connection with electrical equipment used for radio and television transmission, telephone and/or communication equipment, but not including supply wires to such equipment.
- (e) Any work involved in the manufacturing or testing of electrical equipment or apparatus, but not including any permanent wiring or equipment.
- (f) Any work associated with:
 - 1. The repair of plug-connected electrical appliances or devices.
 - 2. Permanently connected electrical appliances or devices which have been electrically and mechanically disconnected and separated from all sources of electrical supply by an electrical licensee. The opening of switches or the blowing or removal of fuses shall not be considered as electrical or mechanical disconnection or separation.
- (g) The installation or replacement of approved fuses which are not oversize for the circuit involved.

15.025 CODE ADOPTED

The provisions of THIS CODE shall adopt and supplement all the laws and regulations of the State of Wisconsin related to electrical installations and include any future amendments, revisions or modifications thereto. By this section, these laws and regulations are made a part of THIS CODE as if fully set forth herein. Where the requirements of the State Code and the provisions of THIS CODE conflict, the stricter requirements shall govern. The following subsections reference, but are not limited to, specific State of Wisconsin Administrative Codes that are a part of THIS CODE and the laws and regulations of the State of Wisconsin.

- (1) Wisconsin State Electrical Code, Volume 2. Wis. Administrative Code, Chapter COMM 16 titled: Wisconsin State Electrical Code, Volume 2 is hereby adopted.
- (2) Wisconsin Administrative Code, Chapter COMM 5. Wis. Administrative Code, COMM 5 titled: Electrical Inspection and Certification of Electrical Inspectors and Master Electricians is hereby adopted.
- (3) Uniform Dwelling Code. Wis. Administrative Code Chapter ILHR 24 titled: Electrical Standards applicable to one and two family new residential buildings, is hereby adopted and is hereby applicable to alterations and additions to all existing one and two family residential buildings and their accessory buildings.
- (4) National Electrical Code. Wis. Administrative Code Section COMM 16.12, which adopts with amendments and incorporates by reference the National Electrical Code as adopted by the National Fire Protection Association, is hereby adopted.
- (5) Lighting Power Code. Wis. Administrative Code Sections ILHR Tables 63.45-1 through 63.45-6 titled Lighting Power is hereby adopted.

15.03 ENFORCEMENT

The inspector of buildings or his duly authorized representatives shall enforce the regulations of THIS CODE.

The inspector of buildings in special cases shall have the authority and he is hereby empowered and directed to waive any of the regulations of THIS CODE, the enforcement of which, in his judgment, would create an unsafe or dangerous condition.

It shall be the duty of the Muskego Police and Fire Departments to assist the inspector of buildings or any of his duly authorized representatives in the enforcement of THIS CODE, and to permit and allow the inspector of buildings or his representatives inside fire and police lines.

It shall be unlawful for any person to impersonate the inspector of buildings or his duly authorized representative, to enforce or try to enforce any of the regulations of THIS CODE.

It shall be the duty of every person who furnishes electric current to, or who owns, sells, leases, or lets for hire, uses, designs, installs, repairs, operates, maintains, or grants possession of any electrical equipment or materials, wiring, or apparatus in the City to comply with the regulations of THIS CODE.

The inspector of buildings or his duly authorized representative shall have the right and authority to issue citations and/or cause the arrest, on direct evidence or on information and belief, of any person who has violated or who is suspected of having violated any of the regulations of THIS CODE.

15.04 INTERPRETATIONS

Pursuant to THIS CODE the inspector of buildings shall have the authority to render interpretations of the regulations of THIS CODE.

15.05 RIGHT OF ENTRY

The inspector of buildings or his duly authorized representative shall have the authority to enter all buildings and premises and all parts thereof, in order to make an inspection, re-inspection, observation, examination, or test of electrical equipment or wiring contained therein or thereon to enforce the regulations of THIS CODE.

The inspector of buildings or his duly authorized representatives shall have the authority, and they are hereby empowered, to order the removal of any and all obstructions including lathe, plaster, lumber, boards and partitions, for the purpose of gaining access to and inspection of electrical equipment or wiring.

15.06 INSPECTIONS

- (1) Upon the completion of any installation, alteration, or replacement of electrical equipment which requires a permit, it shall be the duty of the licensee making the installation, alteration, or replacement, to notify the inspector of buildings, who shall inspect the installation, alteration, or replacement as soon thereafter as practicable. When any electrical equipment, requiring a permit, is to be concealed by the permanent placement of parts of the building, the licensee installing the electrical equipment shall notify the inspector of buildings to that effect, and such equipment shall not be concealed by the person installing such parts of the building until it has been inspected and approved by the inspector of buildings. On installations where the concealment of electrical equipment proceeds continuously, the licensee installing the electrical equipment shall give the inspector of buildings due notice and inspection shall be made periodically during the progress of work.

- (a) Failure to request required inspections in a timely manner and/or allowing work to be covered or put into use prior to receiving an approved inspection, shall result in the assessment of a penalty fee against the permit holder and/or property owner; said penalty fee to be as from time to time established by resolution of the Common Council and listed in Table #3.

15.07 CITY NOT LIABLE

THIS CODE shall not be construed to relieve from or lessen the responsibility or liability of any person supplying electricity to, or selling, renting, leasing, owning, using, operating, controlling, installing, altering, repairing, removing, replacing, disturbing, connecting, disconnecting, or maintaining, any electrical equipment, for damages to persons or property caused by any defect therein or therefrom; nor shall the city be held as assuming any such responsibility or liability by reason of the issuance or revocation of any license, permit or certificate, or the inspection or reinspection authorized by this code, or by reason of the approval or disapproval of any electrical equipment, sales, rentals, drawings, plans, specifications, materials, samples, test reports, literature, information or schedules, authorized in THIS CODE. Nor shall the city be held liable for any damages resulting from the enforcement of THIS CODE.

15.08 INSPECTOR NOT LIABLE

In all cases where any action is taken by the inspector of buildings to enforce the regulations of this code, such action or act shall be considered as done in the name of and on behalf of the city, and the said inspector of buildings shall not be judged as liable for any damage that may accrue to persons or property as the result of any such action or act committed in the discharge of his duties, and any lawsuit or action brought against said inspector of buildings shall be defended by the city attorney until final termination of the proceedings contained therein.

15.09 (Reserved for future use)

15.10 INFORMATION

All requests for information pertaining to and involving an interpretation of THIS CODE shall be submitted in detail to the inspector of buildings. The inspector of buildings shall not design or lay out any electrical installation or act in the capacity of a consulting (electrical) engineer.

15.11 RECORDS

The inspector of buildings shall keep a record of all electrical permits and other electrical matters. The inspector of buildings may destroy such records other than permits at any time after such records become ten years old.

15.12 LICENSES AND CERTIFICATES

- (1) License Required. No person, firm or corporation, shall install, alter, repair, remove, replace, disturb, connect, disconnect, or maintain any electrical equipment or accept any payments therefore in the City without first having procured an electrical license from the State of Wisconsin, except any person who is performing such work as a bona fide employee of and for the holder of a license and any persons performing work on electrical equipment exempt by Section 15.021(4). (Ord. # 1370 – 04-18-2013)

15.13 PLANS AND SPECIFICATIONS

At the time of the issuance of a permit the inspector of buildings may require the manufacturer, owner, installer or user of electrical equipment to submit plans (drawings), data, and specifications, schedules or literature, information, materials, samples or tests as may be necessary to determine the fitness of equipment for safe installation and use.

The approval of general buildings plans and specifications by the inspector of buildings shall not be considered as including electrical plans and specifications or electrical equipment.

15.14 PERMITS

(1) Permit Required. Except as regulated in Section 15.021(4), no electrical equipment shall be installed, altered, renewed, replaced, or connected without first procuring a permit therefore. No permit shall be required for the replacement of switches and receptacles for maintenance purposes.

(a) Industrial Maintenance Permit. Industrial Plants, Factories, Large Manufacturing facilities, etc., which regularly employ one or more qualified individuals for in house maintenance, may qualify for a special Industrial Maintenance Permit. The Industrial Maintenance Permit allows normal maintenance of existing equipment.

In no case shall any holder of an Industrial Maintenance Permit be permitted to install or construct any additional electrical equipment.

(2) Application for Permits. Any holder of a license desiring a permit as required by THIS CODE shall file with the inspector of buildings an application for such permit in writing on a form furnished for such purpose. Such application shall be signed by the licensee.

Such application shall describe and enumerate the electrical equipment to be installed and shall give other reasonable information as may be required by the inspector of buildings and, when required, shall be accompanied by further information as regulated in other sections of THIS CODE.

(3) Issuance of Permits.

(a) If upon examination it is found that the information on the application is complete, the inspector of buildings shall issue a permit; provided that the licensee agrees and expressly states that he is fully capable, and in possession of knowledge and ability to design, lay out, install, alter, or replace the work designated in the application in accordance with the regulations of THIS CODE and all other laws and ordinances pertinent thereto and will install electrical equipment as described in the application for permit in a safe, legal and workmanlike manner.

(b) The issuance of any permit or the serving of any notice shall not preclude compliance with all ordinances or other laws relating to occupancy and use, construction, or zoning.

(c) No other electrical work shall be done except work as described in the application for permit.

(3) No permits to violators. Applicants having outstanding orders, notices, unpaid fees or forfeitures relative to this chapter or other chapters enforced by the City, shall not be issued any additional permits, prior to such orders, notices, unpaid fees or forfeitures being corrected and/or paid to the Inspection Departments satisfaction.

- (a) Exception; The inspector or other authorized individual may issue permits to applicants with outstanding orders, notices, unpaid fees or forfeitures, when the permit is required to comply with an outstanding order or notice.
- (4) Work without permit. When any work is begun on the installation, alteration, or replacement of any electrical equipment without first obtaining a permit therefore, the inspector of buildings shall have the power and authority to disconnect or order the disconnection immediately of any such equipment and to stop such work until a permit has been procured. See also 15.15(3). . .
- (5) Lapse of Permit.
 - (a) Any permit issued hereunder shall expire one (1) year from date of issuance.
 - (b) When any electrical work for which a permit has been issued is not started within ninety (90) days from the date of the issuance of the permit, or if there is cessation of such work which has been started of more than six months, then said permit shall lapse and be void, and no electrical work shall be begun or resumed until a new permit is obtained and the fees prescribed in Section 15.15 are paid therefore.
 - (c) Requests for refund shall be subject to a refund processing fee, as from time to time established by resolution of the Common Council and listed in Table #3. In no event shall monies be refunded if any inspections have been made.

15.15 PERMIT FEES

- (1) Applicable fee rates; See Table #3.
- (2) Permit Fees. The fees required by THIS CODE, shall be as from time to time established by resolution of the Common Council and listed in Table #3. Such resolution shall remain on file with the Clerk-Treasurer and in the office of the Building Inspector.
 - (a) City of Muskego Municipal Projects. Fees are waived.
- (3) Penalty Fees. Penalty fees shall be charged when work is started before permit is applied for and issued, said penalty fees shall be established by resolution of the Common Council and be listed on Table #3.

15.16 INSTALLATION STANDARDS

All methods and materials shall conform to and comply with all laws, rules, orders and regulations of the State of Wisconsin.

15.17 CONNECTIONS TO INSTALLATIONS

It shall be unlawful for any person to make any connection from any source to supply electricity to any electrical equipment for which a permit is required, or which has been disconnected or ordered disconnected by the inspector of buildings, until a certificate of authorization has been issued by the inspector of buildings, authorizing the connection and use of such equipment.

15.18 APPROVAL OF ELECTRICAL EQUIPMENT

It shall be unlawful for any person to install or use any type or kind of electrical equipment in the City which has not been approved by the authority enforcing THIS CODE.

It shall be the policy of the inspector of buildings to approve, subject to the regulations of THIS CODE, any type or kind of electrical equipment which has been approved by the national bureau of standards, or any NEC recognized testing laboratory, or the State of Wisconsin, or the authority having jurisdiction.

15.19 INSTALLATION OF ELECTRICAL EQUIPMENT

Only that equipment which has been expressly made for electrical purposes shall be installed for electrical purposes. Except as otherwise regulated in THIS CODE, all electrical equipment which has been expressly made for electrical purposes shall be installed or used in the exact manner and for the exact purpose indicated by the manufacturer's instructions, markings, or labels. Old or secondhand equipment shall not be installed unless such equipment is in a safe condition and approved by the authority having jurisdiction. Approved electrical equipment and the original manufacturer's ratings, markings, or labels thereon shall not be changed or altered in any manner, except that normal replacements and repairs may be made to such equipment if the replacements and repairs do not change the original characteristics or design.

15.20 SALE OF ELECTRICAL EQUIPMENT

It shall be unlawful for any person to advertise, sell, offer for sale, expose for sale, grant possession of, offer to grant possession of, or dispose of in any manner any type or kind of electrical equipment in the City which has not first been approved, (see Section 15.18) by the inspector of buildings.

The regulations of this section shall not apply to a sale made by a person to any person doing business outside of the City for delivery to such person outside of the City, whether such delivery be made by vendor or vendee provided, however, that such electrical equipment or materials are not offered or exposed for sale in the City to the general public.

The sale, rental, installation, or repair of electrical equipment in the City shall by implication warrant that the manufacturer, seller, installer, repairer, or person receiving payment for rental thereof, guarantees that such electrical equipment is of merchantable quality and not defective to the extent that it will be dangerous to persons or property when put to the use for which it was designed.

15.21 UNSAFE OR ILLEGAL ELECTRICAL EQUIPMENT

When the inspector of buildings finds any electrical equipment to be unsafe or dangerous to person or property, the person owning or using such electrical equipment shall be notified in writing by the inspector of buildings to remove or cause to be removed or to make any changes or repairs as determined by the inspector of buildings so as to restore such electrical equipment to a safe condition. Failure to comply with such notice within the time specified in such notice shall be sufficient cause for the inspector of buildings to disconnect or order the removal of, or order the discontinuance of electric service to said electrical equipment, or to cause the arrest of such person owning or using such electrical equipment.

In any case of emergency affecting the safety of person or property, or where electrical equipment interferes with the work of the fire department, or where electrical equipment is not installed in conformity with the regulations of THIS CODE, the inspector of buildings shall have

the authority to disconnect immediately or cause the removal or disconnection of any such electrical equipment.

When the inspector of buildings disconnects or causes to be disconnected electric current from electrical equipment, he shall attach an official notice, tag, lock, or seal to such electrical equipment to prevent the use of electricity. It shall be unlawful for any unauthorized person to attach such official notice, tag, lock, or seal, or to break open, change, remove, destroy, tear, alter, mutilate, cover, or otherwise deface or injure any such official notice, tag, lock, or seal.

15.22 SEIZURE OF ELECTRICAL EQUIPMENT

The inspector of buildings shall have the power and authority and he is hereby authorized to seize and take possession of any electrical equipment or materials or parts thereof or attachments therefore which in his opinion are dangerous to life or property or which are suspected or found by him to have been the cause of any fire, accident, injury, or fatality, and to retain possession of same for the purpose of making an investigation, examination or for official evidence. After such electrical equipment or materials, in the possession of the inspector of buildings have served their purposes, and an official report and record thereof have been made, such electrical equipment or materials shall be returned to the owner, provided said owner requests in writing their return within 90 days from the date of their seizure. If no such request is made, such equipment or materials may be destroyed or disposed of.

15.23 UNDERGROUND WIRING

All overhead electric services may be re-installed overhead. New electrical services shall be installed underground. Temporary electric service used for construction purposes only, may be installed overhead providing such service will be terminated within ninety (90) days. (Ord. #1021 - 04-06-2000)

15.24 APPEAL

Whenever the inspector of buildings shall determine that all or part of the electrical work of any building is not in strict compliance with the provisions of THIS CODE, he shall in cases where the construction is in progress, give five (5) days written notice thereof to the contractor on the job; in all other cases he shall give five (5) days notice thereof to the owner or his authorized agent or attorney. Such contractor or owner may, within five (5) days after receiving such notice, file a petition in writing for a review of said action of the inspector of buildings. Said petition may be filed either with the chairman or with any one of the members of the Board of Appeals of the City of Muskego, created under the provision of the Municipal Code, Section 1.05 (3) and pursuant to Wisconsin Statute 62.23 (7)(e). Upon receipt thereof the board shall meet and forthwith determine whether said electrical construction complies with the requirements of this code and the State and National electrical codes; thereupon the chairman of said Board of Appeals shall cause written findings and decision to be filed, reflecting the action of said Board of Appeals and shall further cause a copy thereof to be mailed or delivered to such contractor or owner.

15.25 VIOLATIONS & PENALTIES

- (1) Violations. It shall be unlawful for any person, firm or corporation to erect, construct, install, alter, repair, move, demolish, convert, equip, use, occupy or maintain any building, structure or premise in the City, contrary to or in violation of any provisions of THIS CODE or to cause, permit or support the same to be done.

- (2) Penalties. Any person, firm or corporation that shall violate any of the provisions of THIS CODE shall forfeit not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00) for each violation, together with the costs of prosecution, and in default of payments of such forfeiture and costs shall be confined in the Waukesha County House of Correction until such forfeiture and costs are paid, for not more than the number of days set forth in sec. 800.095(4) of the Wisconsin Statutes. Each and every day during which any such violation continues shall constitute a separate offense.
- (3) Injunctive Action and Abatement. In addition to the penalties provided in subsection (2), appropriate legal or equitable action may be commenced to obtain compliance or enjoin any person, firm or corporation from violating any of the sections of THIS CODE.