

ORDINANCE NO. 06-25-09-Z1

**AN ORDINANCE ADOPTING BY REFERENCE AND PROVIDING AMENDMENTS TO THE
2008 NATIONAL ELECTRICAL CODE, INCLUDING ANNEX H**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JOHNSON COUNTY, IOWA

SECTION I. PURPOSE. The purpose of this ordinance is to adopt by reference and provide certain amendments to the 2008 National Electrical Code, including Annex H, as published by the National Fire Protection Association; and to provide for the protection of the health, welfare and safety of the citizens of Johnson County, Iowa, and to provide for the enforcement of this code.

SECTION II. APPLICABILITY OF CODE. The 2008 National Electrical Code, shall apply as adopted and amended herein.

SECTION III. EXEMPTION OF FARM STRUCTURES. No provisions of the National Electrical Code, as adopted and amended herein, shall apply to land, farm houses, farm barns, farm outbuildings or other buildings, structures, or erections which are primarily adapted, by reason of nature and area, for use for agricultural purposes on a farm. For purposes of this exemption, a “farm” is defined as no less than forty (40) contiguous acres of land, or a 1/4 of a 1/4 of a Section, as legally described and recorded, while used for agricultural purposes. Residential structures occupied by persons engaged in farm operations shall be included in the term farming as are roadside stands for the sale of farm products.

SECTION IV. ADOPTION OF UNIFORM CODES. Subject to the amendments described below, the 2008 National Electrical Code, including Annex H, as published by the National Fire Protection Association is hereby adopted and along with said amendments shall be known as the Johnson County Electrical Code.

SECTION V. AMENDMENTS TO NATIONAL ELECTRICAL CODE. The following sections of the 2008 edition of the National Electrical Code, including Annex H, are amended as follows:

AA. Section 80.1: Amend Section 80.1 by deleting subsection 80.1 (2).

A. Sec. 80.1A: Add a new Section 80.1A as follows:

80.1A Uniform Administration. In order to ensure administration of this National Electrical Code is uniform to the several other uniform codes adopted by Johnson County, to the extent the Building Official determines any provisions contained in “Annex H Administration and Enforcement” in any way conflict with the administrative provisions of the International Building Code, those provisions found in the International Building Code shall control.

B. Sec. 80.1B: Add a new Section 80.1B as follows:

80.1B Violations. It shall be unlawful for any person, firm or corporation to construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain an electrical system or equipment or cause the same to be done in violation of this code. Any violation of any provision of this ordinance is considered a separate infraction.

C. Sec. 80.2: Delete Section 80.2 and insert in lieu thereof the following:

80.2 Definitions.

Authority Having Jurisdiction. The organization, office, or individual responsible for approving equipment, materials, an installation, or a procedure.

Chief Electrical Inspector. A Building Inspector who either is the authority having jurisdiction or is designated by the authority having jurisdiction and is responsible for administering the requirements of this code.

Electrical Inspector. A Building Inspector who is authorized to perform electrical inspections.

D. Sec. 80.9: Amend Section 80.9 by adding part (D) and (E) to the end of the section as follows:

80.9 Application.

(D) Maintenance: All electrical systems and equipment, both existing and new, and all parts thereof shall be maintained in a proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards which are required by this code shall be maintained in conformance with this code. The owner or designated agent shall be responsible for the maintenance of the electrical system. To determine compliance with this subsection, the building official may require any electrical system to be re-inspected.

(E) Moved Buildings. Electrical systems and equipment which are part of buildings or structures moved into or within this jurisdiction shall comply with the provisions of this code for new installations.

E. Sec. 80.13: Amend Section 80.13 by deleting Subsection 80.13(16) and inserting in lieu thereof the following (16), and by adding new subsections (17), (18) and (19):

(16) Waiver application. Each application for a waiver of a specific electrical requirement shall be filed with the authority having jurisdiction and shall be accompanied by such evidence, letters, statements, results of tests, or other supporting information as required to justify the request. The authority having jurisdiction shall keep a record of actions on such applications, and a signed copy of the authority having jurisdiction's decision shall be provided for the applicant. Expenses for test verification required by the Building Inspector shall be made at no expense to this jurisdiction.

(17) Stop Work Orders. When work is being done contrary to the provisions of this code, the Building Official may order the work stopped by notice in writing served on persons engaged in doing or causing such work to be done, and such persons shall immediately stop such work until authorized by the Building Official to proceed with the work.

(18) Connection after Order to Disconnect. Persons shall not make connections from any energy or power supply nor supply power to an electrical system or equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and the use of the electrical system or equipment.

(19) Unsafe electrical systems or equipment. Electrical systems or equipment regulated by this code which are unsafe, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, considered unsafe. Use of electrical systems or equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Unsafe electrical systems or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with any applicable procedures adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

F. Sec. 80.15: Delete Section 80.15 and insert in lieu thereof the following:

80.15 Appeals. Any appeals relative to this Electrical Code shall be dealt with by and through the Johnson County Board of Appeals.

G. Sec. 80.18: Add new Section 80.18 as follows.

80.18 Licenses.

(A) **Master Electrician.** No person shall plan for, layout, or supervise electrical work, with or without compensation, unless the person holds:

- (1) A master electrician's Class A license issued by the State of Iowa, or
- (2) A master electrician's Class B license issued by the State of Iowa and has performed permitted electrical work in Johnson County after December 1, 2000.

(B) **Journeyman Electrician.** No person shall work as a journeyman electrician, unless the person holds:

- (1) A journeyman electrician's Class A license issued by the State of Iowa, or
- (2) A journeyman electrician's Class B license issued by the State of Iowa and has performed permitted electrical work in Johnson County after December 1, 2000.

(C) **Permitting Work by Unlicensed Individuals.** No person shall knowingly employ or permit an unlicensed person to perform electrical work within Johnson County if the work is required by this code to be performed by a licensed electrician.

(D) **Licensed Electrician to be On-Site.** There shall be a properly licensed electrician present at all locations and at all times where electrical work is being performed. At least one licensed electrician shall be present for every three apprentices or laborers. Such licensed electrician must be an employee of the Permit Holder.

(E) **Licenses.** Licenses shall be secured, renewed, revoked, reissued, etc., pursuant to Chapter 661—502 of the Iowa Administrative Code.

H. Sec. 80.19: Delete Section 80.19 and insert in lieu thereof the following:

80.19 Permits.

(A) **Permits Required.** Except as specified in subsection B of this Section, no electrical work regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a building permit or an electrical permit for each building or structure has first been obtained from the Building Official.

(B) **Exempt Work.** An electrical permit shall not be required for the following:

- (1) Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this code.
- (2) Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
- (3) Temporary decorative lighting.
- (4) Repair or replacement of current-carrying parts of any switch, contactor, control device or contact device of the same type and/or rating.
- (5) Replacement of any overcurrent device of the required ampacity and interrupt rating in the same location.
- (6) Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
- (7) Temporary wiring for experimental purposes in suitable experimental laboratories.
- (8) The wiring for temporary theater, motion picture or television stage sets.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

(C) Application for Electrical Permit.

(1) Application: To obtain an electrical permit, the applicant shall first file a written application on a form furnished by the Building Official for that purpose. Every such application shall:

- (a) Identify and describe the work to be covered by the permit for which application is made.
- (b) Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
- (c) Indicate the use or occupancy for which the proposed work is intended.
- (d) Provide plans, diagrams, computations and specifications and other data as required in subsection 2 of this Section.
- (e) The permittee, or authorized agent, must sign the application.
- (f) Give such other data and information as may be required by the Building Official.

(2) Submittal Documents: Plans, Diagrams, etc.: Plans, specifications, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such. Exception: The Building Official may waive the submission of plans, calculations, etc., if the Building Official finds that the nature of the work applied for is such that review of plans is not necessary to obtain compliance with this code.

(3) Information on Plans and Specifications:

- (a) Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.
- (b) Plans for buildings more than two stories in height of other than Groups R, Division 3 and M Occupancies shall indicate how required structural and fire-restrictive integrity will be maintained where a penetration will be made for electrical and communication conduits, pipes and similar systems.

(D) Permittee.

(1) An electrical permit may be issued to any person holding a valid master electrician license issued by the State of Iowa, or to any company who employs a duly licensed master electrician on a full-time basis who supervises the work of the electricians during the company's normal business hours.

(2) A permit may be issued to the owner of an existing owner-occupied single-family dwelling, pursuant to a valid certificate of occupancy and used exclusively for residential purposes, to do any work regulated by this Article in connection with said dwelling and accessory buildings. The owner must personally purchase all material and perform all labor in connection with the permit. All work shall comply with this Article. Applicants for a homeowner's permit shall pass an exam administered by Johnson County before a permit may be issued.

Exception: The homeowner's test may be waived if the applicant is a duly licensed electrician in the Johnson County area with a minimum of a journeyman status.

(E) Electrical Permits Issued.

(1) Issuance:

(a) The Building Official shall review the application, plans and specifications, and other data, filed by an applicant for a permit. Other departments of this jurisdiction may review the plans to verify compliance with any applicable laws under their jurisdiction. When the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that all pertinent fees specified as set forth in the building permit fee schedule as

established by resolution of the Board of Supervisors have been paid, the Building Official shall issue a permit to the applicant.

(b) When the Building Official issues a permit, the plans and specifications shall be endorsed in writing or stamped "REVIEWED FOR CODE COMPLIANCE". Such approved plans and specifications shall not be changed, modified or altered without authorization from the Building Official, and all work regulated by this code shall be done in accordance with the approved plans.

(c) The Building Official may issue a permit for the construction of part of an electrical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. However, the holders of such permits shall proceed at their own risk without assurance that the permit for the entire building, structure or building service will be granted.

(2) Retention of Plans: One set of approved plans, specifications and computations shall be retained by the Building Official until final approval of the work is given. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times while the work authorized thereby is in progress.

(3) Validity of Permit:

(a) The issuance of a permit or the approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

(b) The issuance of a permit based upon plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of these codes or of any other ordinances of this jurisdiction.

(4) Expiration:

(a) 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 one hundred eighty (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 one hundred eighty (180) days. Before such work can be recommenced, the permittee shall obtain a new permit and shall pay a new full permit fee as set forth in the building permit fee schedule as established by resolution of the Board of Supervisors.

(b) A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced 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 one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

(5) Suspension or Revocation: The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this code if the permit was issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the jurisdiction.

(F) Insurance. Before any permit to perform electrical work may be issued, the applicant shall have on file with the Building Official a copy of a certificate of insurance stating the liability amounts of no less than three hundred thousand dollars (\$300,000.00) property damage and five hundred thousand dollars (\$500,000.00) bodily injury. The County shall be named as additional insured. The policy shall also provide for at least ten days notice by the insurer to the County of termination of the policy by the insured or insurer. Electrical permits issued under subsection 80.19(D) (2) of this Article shall be exempted from this insurance requirement.

(G) Fees.

(1) Permit Fees: The fee for each electrical permit shall be as set forth in the building permit fee schedule as established by resolution of the Board of Supervisors.

(2) Work Commencing before Permit Issuance: Any person who commences work on an electrical system before obtaining the necessary permit shall be subject to a fee equal to the amount of the permit if a permit were issued. This fee shall be collected whether or not a permit is issued. The payment of such fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law. Only the Building Official may reduce this fee when it is demonstrated that an emergency existed that required the work to be done without a permit.

(3) Fee Refunds: The Building Official may authorize the refunding of any fee paid, minus and hourly charge for work done on the permit. The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee within one hundred eighty (180) days from the date of fee payment hereunder which was erroneously paid or collected.

(H) Inspections.

(1) General:

(a) All electrical systems and equipment for which a permit is required by this code shall be subject to inspection by the Building Official, and the electrical system shall remain accessible and exposed for inspection purposes until approved by the Building Official.

(b) It shall be the duty of the permit applicant to cause the electrical system to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for the expense of removing or replacing any material to permit inspection. When the installation of an electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this code shall not be connected to the energy source until authorized by the Building Official.

(c) Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

(2) Inspection Requests: It shall be the duty of the person doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. The Building Official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the Building Official. It shall be the duty of the person requesting inspections required by this code to provide access to and means for inspection of such work.

(3) Operation of Electrical Equipment: The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment. The request for inspection of such equipment must have been filed with the Building Official not more than forty-eight hours after such replacement work is completed and before any portion of such electrical system is concealed by any permanent portion of the building.

(4) Other Inspections: In addition to the called inspections required by this code, the Building Official may make or require other inspections of any work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency or its successor.

(5) Re-inspections:

(a) **Incomplete Work:** A re-inspection fee may be assessed as set forth in the building permit fee schedule as established by resolution of the Board of Supervisors for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This provision is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspections.

(b) **Failure To Provide Plans, Access:** Re-inspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date, for which inspection is requested, for not completing the corrective actions from original inspections, or for deviating from plans requiring the approval of the Building Official.

(c) To obtain a re-inspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose, and pay the re-inspection fee as set forth in the building permit fee schedule as established by resolution of the Board of Supervisors. When re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

I. Sec. 80.23: Amend Section 80.23 by deleting Subsection 80.23 (B) (3).

J. Sec. 80.25: Amend Section 80.25 by deleting Subsection 80.25 (C).

K. Sec. 80.25 (E): Delete Section 80.25 (E) and insert in lieu thereof the following:

80.25 (E) Disconnection. Where a connection is made to an installation that has not been inspected, as outlined in the preceding paragraphs of this section, the supplier of electricity shall immediately report such connection to the chief electrical inspector. If upon subsequent inspection, it is found that the installation is not in conformity with the provisions of article 80, the chief electrical inspector shall notify the person, firm, or corporation making the installation to rectify the defects and, if such work is not completed within fifteen business days, or a longer period as may be specified by the chief electrical inspector, the chief electrical inspector shall have the authority to cause disconnection of that portion of the installation that is not in conformity.

L. Sec. 80.27: Delete Section 80.27.

M. Sec. 80.29: Delete Section 80.29 and insert in lieu thereof the following:

80.29 Liability.

(A) The Building Official, or an authorized representative charged with the enforcement of this code, acting in good faith and without malice in the discharge of duties, shall not be personally liable for any damage that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of duties.

(B) This code shall not be construed to relieve or lessen the responsibility of a person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspections authorized by this code or approvals issued under this code.

N. Sec. 80.31: Delete Section 80.31.

O. Sec. 80.33: Delete Section 80.33.

P. Sec. 80.35: Delete Section 80.35.

Q. Sec. 210.8: Delete Section 210.8, paragraph (A) and insert in lieu thereof the following:

(A) Dwelling Units. All 125-volt, single-phase 15 and 20 ampere receptacles installed in the locations specified in (1) through (8) shall have ground-fault circuit-interrupter protection for personnel.

(1) Bathrooms.

(2) Garages. And also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use.

Exception No. 1 to (2): Receptacles that are not readily accessible.

Exception No. 2 to (2): A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(2) shall not be considered as meeting the requirements of 210.52(G).

(3) Outdoors.

Exception to (3): Receptacles that are not readily accessible and are supplied by a dedicated branch circuit for electric snow-melting or deicing equipment shall be permitted to be installed in accordance with 426.28.

(4) Crawl spaces--at or below grade level.

(5) Unfinished basements—for purposes of this section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage areas, work areas, and the like.

Exception No. 1 to (5): Receptacles that are not readily accessible.

Exception No. 2 to (5): A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).

Exception No. 3 to (5): A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection.

Receptacles installed under the exceptions to 210.8(A) (5) shall not be considered as meeting the requirements of 210.52(G).

(6) Kitchens—where the receptacles are installed to serve the countertop surfaces.

(7) Laundry, utility, and wet bar sinks—where the receptacles are installed within 6ft of the outside edge of the sink.

(8) Boathouses.

SECTION VI. REPEALER. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed, including but not limited to Ordinance No. 06-01-06-Z1 and Ordinance No. 01-31-08-Z5, Chapter 27 of the 2006 International Building Code, and Chapters 33 through 42 of the International Residential Code.

SECTION VII. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid, illegal or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid, illegal or unconstitutional.

SECTION VIII. EFFECTIVE DATE. This ordinance shall become effective after its passage and publication as part of the proceedings of the Board of Supervisors.