

## ARTICLE IV

### Electrical Standards

#### **64-14. Adoption of standards by reference.**

A certain code known as the "National Electrical Code, 2008 Edition (NFPA 70)," and the whole thereof, of which not fewer than three copies have been and are now filed in the office of the Clerk of the City of Hagerstown, be and the same is hereby adopted and incorporated as fully as if set out at length herein.

**64-15. Title.** The National Electrical Code, 2008 Edition (NFPA-70) along with the additions included in §64-16 and the revisions included in §64-17, shall be known as the "Electrical Code of the City of Hagerstown" hereafter referred to as the "Electrical Code" or "this code".

#### **64-16. Additions.**

The following article in its entirety is added to the aforesaid National Electric Code, 2008 Edition (NFPA – 70) to read as follows:

#### **Article 89 – Administration and Enforcement**

**89.1 Title.** These regulations shall be known as the "Electrical Code of the City of Hagerstown," herein referred to as "this code."

**89.2 Scope.** These regulations shall control all matters concerning the construction, alteration, addition, repair, removal, use, location and maintenance of electrical systems of all buildings and structures and shall apply to existing or proposed buildings and structures, except as such matters are otherwise provided for in other ordinances or statutes or in the rules and regulations authorized for promulgation under the provisions of this code.

**89.3 Application of References.** Unless otherwise specifically provided in this code, all references to Article or section numbers or to provisions not specifically identified by number shall be construed to refer to such article, section or provision of this code.

**89.4 Code Remedial.** This code shall be construed to secure its expressed intent, which is to ensure public safety, health and welfare insofar as they are affected by the installation of the electrical system through sanitary equipment, light, ventilation and fire safety and in general to secure safety to life and property from all hazards incident to design and installation.

**89.5 Matters Not Provided For.** Any requirement essential for fire or sanitary safety of an existing or proposed building or structure or for the safety of the occupants thereof and which is not specifically covered by this code shall be determined by the code official.

**89.6 Continuation of Unlawful Use.** The continuation of occupancy or use of a building or structure or of a part thereof contrary to the provisions of this code shall be deemed a violation and subject to the penalties as enumerated.

**89.7 Other Regulations.** When the provisions herein specified for safety and welfare are more restrictive than other regulations, this code shall control; but in any case, the most rigid requirements of either the Building Code, Electrical Code, Property Maintenance Code, or the Maryland Fire Prevention Code shall apply whenever they conflict.

**89.8 Invalidity.** In the event that any part of the provisions of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions thereof, which were determined to be legal; and, it shall be presumed that this code would have been passed and shall be interpreted without such illegal or invalid parts or provisions.

**89.9 Special Professional Services.** Where applications for unusual design or magnitude are filed or where code reference standards require special engineering inspections, the code official is authorized to require full-time project representation by an engineer. This requirement shall be determined prior to the issuance of a permit and shall be a requisite for permit issuance. All fees and costs related to the performance of special professional services shall be borne by the owner.

**89.10 Duties and Powers of the Code Official.** This code shall be administered by the Department of Engineering & Code Administration. The executive official in charge thereof or his designee(s) shall be known as the "code official". The code official will enforce all the provisions of this code and shall act on any question relative to the mode or manner of electrical installation, materials used or installation of service equipment in all buildings and structures except as otherwise specifically provided for elsewhere. The code official is hereby granted the authority to cease or cause to be ceased the flow of electricity to any building, structure, dwelling, dwelling unit, rooming unit or housing unit or group of units if, in the opinion of the code official, the continued flow of electricity poses a threat of hazard to the health, safety or welfare of the tenants or the general public. The code official shall serve notice to the owner of the property where such electricity has been discontinued, stating the reason or reasons for said discontinuance of electricity and the conditions under which the same may be restored. Notice shall be served as soon as practicable after unsafe condition is found to exist, but shall not be deemed a prerequisite to the termination of the flow of electricity.

**89.11 When Permit is Required.** It shall be unlawful to install or alter any wiring or equipment or engage in the installation of any electrical system which is regulated by this code without first making application to the Electrical Inspector and obtaining the required permit for the work. All applicable fees must be paid at the time of application.

**Exemption:** repairs, as defined in this code, which can be effected without implicating the restrictions and requirements of this code shall be exempted from this provision.

**89.12 Expiration.** Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Work shall be considered abandoned if no valid request for inspection is received by the Department of Engineering & Code Administration for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained 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 construction documents for such work, and provided further that such suspension or

abandonment has not exceeded one year. Work shall be considered abandoned and the permit expired if no inspection is requested for a period of 180 days.

**89.13 Extensions.** Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. No permit shall be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work.

**89.14 Suspension or Revocation of Permit.** The code official shall revoke a permit or approval issued under the provisions of this code in case of any false statement or misrepresentation of fact in the application or on the construction documents upon which the permit or approval was based.

**89.15 Fee Schedule.** Fees for electrical permits shall be as follows:

Application Fee (all permits)	\$20.00 residential, \$50.00 commercial
Technology Fee (All permits)	\$15.00
Services not over 225 amps – up to 600 volts	\$20.00 each
Services over 225 amps to 400 amps – up to 600 volts	\$25.00 each
Services over 400 amps to 1000 amps – up to 600 volts	\$30.00 each
Services over 1000 amps – up to 600 volts	\$35.00 each
Sub-Panels (any size) – up to 600 volts	\$15.00 each
Transformers, generators, pumps, & motors	\$15.00 each
Temporary construction services	\$20.00 each
Outlets including switches, convenience receptacles, & lights	\$15.00 for first 50, \$5.00 for each add. 50
Equipment including ranges, cooktop ovens, dryers, water heaters, dishwashers, garbage disposals, exhaust fans, paddle fans	\$ 4.00 each
Welders, special purpose receptacles & other fixed equipment	\$ 5.00 each
Oil, gas, & electric furnaces, boilers, & AC equipment	\$10.00 each
Electric heating units, thermostats included	\$ 4.00 each
Heat pumps auxiliary heat included	\$20.00 each
Above ground swimming pools and hot tubs	\$20.00 each
Inground swimming pools	\$50.00 each
Site lighting	\$15.00 per 25
Smoke detectors	\$ 3.00 each
Control panels including those for fire, burglar, pumps, fans, motors, & lighting	\$15.00 each
Low voltage control wiring & devices (each system)	\$25.00 each
Signs	\$25.00 each
Residential code violation corrections	\$25.00 per unit

The electrical permit fee shall be double the amount calculated above when the work to be permitted has begun prior to the issuance of the permit.

**89.16 Inspection.** The code official shall make all the required inspections or, if previously approved, shall accept reports of inspection by approved agencies or individuals, and all reports of inspections shall be in writing and certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise subject to established policy requirements.

**89.17 Re-inspection fees** In the event that the premises are not ready for a requested inspection or the premises is not safely accessible, the code official may impose a re-inspection fee of \$50.00 for each additional visit for the same inspection.

**89.18 Unlawful Continuance.** Any person who shall continue any work in or about a structure after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a municipal infraction and be subject to the penalty as described in Section 64-18.

**89.19 License Requirements.**

- A. All master electricians who desire to engage or work in the business of electrical installation within the City of Hagerstown, are required to procure a master electrician license from the Department of Engineering & Code Administration. It shall be unlawful for any person to do electrical work that requires a permit in the City of Hagerstown unless first licensed to do so.
- B. Prior to being issued a license, each master electrician shall file with the Department of Engineering & Code Administration proof of liability insurance coverage or surety in the amount as specified by the Maryland Statewide Master Electrical Licensing Board conditioned to keep and save the City of Hagerstown harmless and free from any damages or expenses in connection with any work or act by a licensed master electrician performing electrical work in the City of Hagerstown.
- C. All master electricians desiring to obtain a license from the City must present their Maryland State or Washington County master license together with their certificate of insurance as required by the state, a photo I.D., and payment of fees. The license period shall be for a maximum period of two (2) years and expire December 31 of the even calendar year.
- D. License fees shall be as follows:

Master Electricians	\$85.00/for a two year period
Restricted Master Electricians	\$85.00/for a two year period

An additional \$25.00 application fee is required for each new license and for any existing license not renewed within 30 calendar days of its expiration.

- E. Technology fee. In addition to the bi-annual license fee required herein, each licensee is required to pay a thirty dollar (\$30) technology fee in connection with the issuance of each license.

- F. Any electrical firm, association or corporation may apply for and receive a master electrician license in the City of Hagerstown, provided that only one master electrician be authorized to secure permits for that firm, association, or corporation.
- G. No electrician, electrical firm, association or corporation shall allow his/her or its name or license to be used by any other person, firm, association or corporation for the purpose of obtaining electrical permits.
- H. The code official may suspend or revoke any master electrician's license for failure to correct faulty or improper work, performing electrical work without proper permits or for lending his/her name or license to others for the purpose of obtaining electrical permits. The holder of said master electrician license may appeal the suspension or revocation to the Board of Technical Appeals.

**64-17. Amendments. The following sections of the National Electrical Code, 2008 Edition (NFPA-70) are amended to read as follows:**

Article 210, Branch Circuits, Section 210.52, Subsection G, is amended to read as follows:

**210.52. Dwelling Unit Receptacle Outlets, Subsection (G) Basements and Garages.** For a one-family dwelling, at least one receptacle outlet, in addition to any provided for the laundry equipment, shall be installed in each attached garage, and in each detached garage with electrical power. The receptacle outlets and all electrical equipment located in each attached and each detached garage with electrical power shall be installed at minimum height of 450 mm (18") above the finished garage floor. See Section 210.8(A)(2) and (A)(5). Where a portion of the basement is finished into one or more habitable rooms, each separate unfinished portion shall have a receptacle outlet installed in accordance with this section.

Article 250, Grounding and Bonding, Section 250.53, subsection A, is amended to read as follows:

**250.53. (A) Rod, Pipe, and Plate Electrodes.** Where practical, rod, pipe, and plate electrodes shall be embedded below permanent moisture level. Rod, pipe, and plate electrodes shall be free from nonconductive coatings such as paint or enamel. The use of two 2.5 m x 16 mm (8 ft. x 5/8") galvanized ground rods spaced a minimum of 1.8 m (6 ft.) apart shall be required for all new and upgraded residential electrical services. In addition to the two ground rods, the use of footing grounds will be left to the discretion of the electrician.

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**64-18. Violations and penalties.**

A. Any person who shall violate any of the following sections of this code shall be guilty of a municipal infraction and subject to the following fines. Each day the violation continues shall be considered a separate offense.

89.6 Continuation of Unlawful Use: \$200.00

89.11 When Permit is Required: \$200.00

89.18 Unlawful Continuance: \$500.00

89.19 (A) License Requirements (working without a license): \$200.00

89.19 (G) License Requirements (allowing use of one's license by another): \$500.00

B. Misdemeanor violation penalties. Except those items specifically referenced in Subsection A as municipal infraction violation penalties, any person or firm who shall violate any other provision of this code or who shall fail to comply with any of the requirements thereof shall be guilty of a misdemeanor punishable by a fine of not more than \$500 or by imprisonment not exceeding 90 days, or by both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

**64-19. Right to appeal.**

A. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

B. Any reference to a board of appeals in this code shall be construed to mean the City of Hagerstown Board of Technical Appeals as established by Code of the City of Hagerstown, Chapter 10, Article XIV.