

ORDINANCE NO. 2390

AN ORDINANCE TO ADOPT BY REFERENCE A COMPLETE ELECTRICAL CODE REGULATING THE PRACTICE, MATERIALS AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION AND ALTERATION OF ALL WIRING, FIXTURES, APPLIANCES AND APPURTENANCES IN CONNECTION WITH VARIOUS ELECTRICAL SYSTEMS, TO PROVIDE FOR THE APPOINTMENT OF AN ELECTRICAL INSPECTOR AND/OR A DESIGNEE, THE ISSUANCE OF PERMITS FOR ELECTRICAL INSTALLATION AND THE COLLECTION OF FEES, TO ESTABLISH AN ELECTRICAL APPEAL BOARD AND TO PROVIDE PENALTIES FOR VIOLATIONS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA:

SECTION I. SHORT TITLE

This ordinance shall be known as the "Fort Dodge, Iowa, Electrical Ordinance" and may be so cited.

SECTION II: PURPOSE AND SCOPE

- (1) It is the purpose of this ordinance to adopt a complete electrical code, including provisions for the inspection and regulation of electrical installations, issuance of permits and collection of fees and to provide penalties for violations of this ordinance in order to protect the public safety, health and welfare.
- (2) The provisions of this ordinance shall apply to and govern the supply of electricity and all sales, rentals, leases, uses, installations, alterations, repairs, removals, renewals, replacements, disturbances, connections, disconnections and maintenance of all electrical equipment. For the purposes of this ordinance, the term "electrical equipment" means all materials, wiring, conductors, fittings, devices, appliances, fixtures, signs and apparatus or parts thereof.
- (3) The following activities are exempt from the provisions of this chapter:
 - (a) The installation, alteration or repair of electrical generation, transmission or distribution equipment, but no utilization equipment, owned and operated by an electrical public utility company or the City;
 - (b) The installation, alteration or repair of electrical signal or communication equipment owned or operated by a public utility company or the City;
 - (c) Any work on or in boats, railway cars, trackless trolleys, buses, aircraft and motor vehicles;
 - (d) Any work in connection with electrical equipment used for radio and television transmission, but not including supply wire 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:
 - (i) The repair of plug-connected electrical appliances or devices,
 - (ii) Permanently connected electrical appliances or devices that have been electrically and mechanically disconnected and separated from all sources of electrical supply. The opening of switches or the blowing or removal of fuses shall not be considered an electrical or mechanical disconnection or separation;
 - (g) The installation or replacement of approved fuses;
 - (h) The installation or replacement of pin-type lamps, screw base lamps or plug-connected portable appliances.

SECTION III. ADOPTION OF ELECTRICAL CODE

The National Electrical Code of 2020(NFPA no. 70-2014) or current code adopted by the State of Iowa with adopted amendments as recommended by the National Fire Protection Association, is adopted in full except for the portions that are deleted, modified or amended by this ordinance. From the effective date of this ordinance, all electrical work as defined in Section II shall be performed in accordance with the provisions of the Fort Dodge Municipal Code as modified by this ordinance.

SECTION IV. AMENDMENTS, MODIFICATION, ADDITIONS, AND DELETIONS

The following amendments, modifications, additions and deletions to the National Electrical Code are made:

(1) Services.

- (a) In all installations where there is more than one meter grouped, each meter shall be permanently identified.
- (b) All new services shall be a minimum of one hundred amperes, one hundred twenty to two hundred forty volts, unless approved by the enforcing authority before installation is made. Exceptions may be made for such services as, but not limited to, outdoor lighting, fixed loads and security systems. For multiple dwellings, the above-established minimum shall be applied per dwelling unit.
- (c) Overhead services shall be of rigid conduit, intermediate metallic tubing, electrical metallic tubing, or approved duct.
- (d) All new and replacement services on buildings shall have an intersystem bonding termination as described in NEC Sec. 250.94 located on the exterior of the structure on or in the immediate vicinity of the metering equipment enclosure.

(2) Except as otherwise provided in this ordinance, all electrical equipment installed, used or made available to the public shall be in conformity with the provisions of this ordinance, and with approved electrical standards for safety to persons and property. Unless by this ordinance a specific type or class of electrical equipment is disapproved for installation and use, conformity with the standards of Underwriter's Laboratories, Inc., or other nationally-recognized testing laboratory as approved by the American Standards Association is required. The electrical provisions of other standards approved by the American Standards Association shall be prima facie evidence of conformity with approved standards for safety to persons and property provided, however, that the provisions of this section shall not apply to equipment owned or used by an electric supply or communications agency in the generation, transmission or distribution of electricity or for the operation of signals for the transmission of intelligence.

(3) All references in the aforesaid 2020 National Electric Code or current state code shall be deemed a reference to the building code currently adopted by the City of Fort Dodge.

SECTION V. ADMINISTRATION AND ENFORCEMENT

It shall be the duty of the Electrical Inspector and/or a designee to administer and enforce the provisions of this ordinance. He shall keep records of all permits issued, inspections and reinspections made and other official work performed in accordance with the provisions of this ordinance pursuant to established City recordkeeping procedures.

SECTION VI. PERMIT REQUIREMENTS

- (1) No electrical work as defined in Sections II and III of this ordinance shall be done unless the Electrical Inspector and/or a designee has issued a permit authorizing the work. A permit shall be issued if the electrical work, as proposed in the application for a permit, meets all the requirements of this ordinance. If the Electrical Inspector and/or a designee requests plans and specifications, they must meet the requirements of this ordinance.
- (2) Permits shall be issued only to electrical contractors registered in the City of Fort Dodge, Iowa, holders of a State of Iowa Class A Masters Electrician's license. However, any permit required by this ordinance may be issued to the owner of a single-family dwelling (or mobile home) used exclusively for living purposes, to do any work regulated by this ordinance in that dwelling, including the usual accessory buildings and quarters; provided, that the dwelling will be occupied by the owner, and that the owner personally shall purchase all materials and perform all labor in connection with the work. In order to qualify for this exception a residence shall qualify for the Iowa Homestead Tax Exemption. All work done in accordance with this exception must meet all the requirements of this ordinance and shall be inspected like other work.

SECTION VII. REGISTRATION

Every person holding a valid state of Iowa Electrical Contractor's License/Class A Master Electrician's License shall register with City Treasurer of the City of Fort Dodge prior to performing any electrical work within the corporate limits of the City of Fort Dodge. Each registrant shall:

- (1) Place on file a copy of his/her state of Iowa license(s).
- (2) Supply verification of his/her contractor registration as required by Iowa Code 91C.
- (3) Supply other information as may be required by the City Treasurer such as but not limited to business name, business address, telephone contact number, etc.
- (4) Pay a \$50.00 per year registration fee to the City Treasurer.
- (5) Execute and deposit with the City Treasurer a bond in the sum of five thousand dollars with sureties approved by the City Treasurer and Mayor. This bond is to be held as surety that the registered contractor will fulfill these conditions:
 - (a) All electrical work performed by them or under their supervision shall be performed in accordance with the provisions of the Fort Dodge Electrical Ordinance.
 - (b) They will pay all fines and penalties properly imposed upon them for violation of the Electrical Ordinance.
 - (c) They shall hold the City of Fort Dodge free from any liability sustained by reason of negligence or incompetence of any such registrant or other person working under his/her supervision.

State of Iowa Class B Master's Licenses will be honored as a Class B Journeyman's License.

SECTION VIII. APPLICATION FOR PERMIT

Applicants for permits shall be made to the Electrical Inspector and/or a designee, on forms provided by the City Treasurer's Office, prior to beginning the particular work, except for emergency work. The applicant shall include the name and business address of the person, firm, corporation or other association that is to do the work, a description of the property where the work is to be done, the name of the owner of the property, the name of the occupant and a general description of the materials to be used, and shall specify the particular part or parts of the work that must be inspected as required by this ordinance. The application shall be accompanied by fees in accordance with the schedule of fees set out in Section XI. Every permit issued by the Electrical Inspector and/or a designee or under the provisions of this ordinance shall expire by limitation and become null and void if the work authorized by such permit is not commenced within ninety 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 ninety days. Before such work can be recommenced, a new permit shall be first obtained therefore. A permittee may apply for an extension of time within which to commence or complete such work for good and satisfactory reason.

- (1) Permit.

- a. It is the permit holder's responsibility to schedule the required inspections and obtain final approvals.
- (2) Work without a Permit.
- (a) Whenever any work for which a permit is required by this ordinance has been commenced without first obtaining a said permit, a special investigation shall be made before a permit may be issued for such work or may cause Revocation of Permit.
- (b) Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this ordinance. The minimum investigation fee shall be the same as the minimum fee set forth in this ordinance. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this ordinance nor from any penalty prescribed by law.
- (3) Revocation of Permit.
- (a) Failure to schedule the required inspections and received approval of work authorized by the permit before covering said work or at completion shall result in revocation of the permit and void any associated approvals granted by the City. This failure shall also equate to working without a permit in violation of City ordinance and no future permits shall be issued to any person or company who has outstanding violations of this code or any other laws or ordinances of the City. Failure to contact the City for any inspection or follow-up prior to expiration of a permit shall be deemed a violation of this code section. Failure to contact the City for any inspection or follow-up prior to expiration of a temporary certificate of occupancy shall also be deemed a violation of this code section. Allowing occupancy of a structure, for which a person or company holds a building permit, prior to or without a valid certificate of occupancy (temporary or final) shall be deemed a violation of this code section and no future permits shall be issued to any person or company who has outstanding violations of this code or any other laws or ordinances of the City.

SECTION IX. PLANS AND SPECIFICATIONS

Plans and specifications showing the proposed work in the necessary detail shall be submitted if requested by the Electrical Inspector and/or a designee. If a permit is denied, the applicant may submit revised plans and specifications without payment of any additional fee. If, in the course of the work, it is found necessary to make any substantial change from the plans and specifications on which a permit was issued, amended plans and specifications shall be submitted. Fees in the amount of half the fees originally required shall be paid. A supplementary permit, subject to the same conditions applicable to the original permit, shall be issued to cover the change.

SECTION X. EMERGENCY WORK

In emergency situations, work can be initiated and completed by licensed electricians without first obtaining a permit. However, a permit must be obtained within a reasonable time after the passage of the critical period. With this exception, all emergency work must be done in conformity with the provisions of this ordinance and shall be inspected by the Electrical Inspector and/or a designee for full compliance.

SECTION XI. SCHEDULE OF FEES

Fees will be as established by resolution of the City Council.

SECTION XII. INSPECTIONS

Upon the completion of the electrical work, and at such other times as specified by the Electrical Inspector and/or a designee, that has been done under a permit, the person, firm, corporation or other association doing the work shall notify the Electrical Inspector and/or a designee. The Electrical Inspector and/or a designee shall inspect the work within twenty-four hours, exclusive of Saturdays, Sundays and holidays, after receipt of notice, or as soon thereafter as practicable pursuant to rules and regulations subject to Council approval.

SECTION XIII. RIGHT OF ENTRY

- (1) The Electrical Inspector and/or a designee shall have the right, during reasonable hours and upon consent of the occupant, to enter any building or premises in the discharge of his official duties to make any inspection, reinspection or test of electrical equipment that is reasonably necessary to protect the public health, safety and welfare.
- (2) Where the building or premises is unoccupied, the consent of the owner shall be obtained. If the Electrical Inspector and/or a designee has reasonable cause to believe that electrical installations or equipment within the building or premises constitute an extreme hazard to persons or property, he shall have the right to immediately enter and inspect such installations or equipment, and may use any reasonable means required to effect such entry and make such inspection, whether such property be occupied or unoccupied and whether or not permission to inspect has been obtained.

SECTION XIV. SHUTTING OFF SUPPLY

If the Electrical Inspector and/or a designee finds that any electrical equipment or installation is defective or that it has been installed in conflict with the provisions of this ordinance, he shall notify the person, firm, corporation or other association responsible for the electrical equipment or installation by certified mail of his findings and orders. If the necessary changes or repairs are not completed within fifteen days (or longer period as specified in the notice), the Electrical Inspector and/or a designee shall have the authority to disconnect or order the discontinuance of electrical service to the equipment or installation in question. No disconnection shall be made during the dependence of appeal.

to the Electrical Appeal Board. In cases where maintenance of electrical service to electrical equipment or installation constitutes an extreme hazard to persons or property, the Electrical Inspector and/or a designee shall have authority to cause immediate discontinuance of such service. If fires have damaged the wiring of any building or structure, reconnection to electrical supply shall not be made until authorized in writing by the Electrical Inspector and/or a designee.

SECTION XV. APPROVAL OF MATERIALS

The Electrical Inspector and/ or a designee may approve in advance electrical materials inspected and approved by the Underwriter’s Laboratories, Inc., and other materials of equal or higher quality.

SECTION XVI. BOARD OF APPEALS

Any person aggrieved by a decision of the Electrical Inspector and/or a designee pursuant to this ordinance may appeal to the Board of Appeals pursuant to and in the manner provided for in ~~Chapter 14.56~~ Ordinance 2255 of the Fort Dodge Municipal Code.

(1) The Board of Appeals for the Electrical Code shall be the same Board of Appeals which serves for the Building Code (herein “Board” or “Board of Appeals”), and persons who are appointed to the Board of Appeals are hereby concurrently appointed to this Board without further action or specific citation. The Building Official shall be an ex officio member and shall act as secretary to the Board, but shall have no vote upon any matter before the Board.

(2) The Board shall have no authority relative to interpretation of the administrative provisions of this Code, and the Board shall not be empowered to waive requirements of this Code.

(3) The rules of procedure, powers and obligations of the Board shall be the same as those set forth in the Building Code, including but not limited to rendering all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

(F) Violations. Any violation of any of the terms or conditions of this Code, or any failure to comply with any of its requirements, shall constitute a civil infraction or misdemeanor and shall be accordingly subject to fines or imprisonment in accordance with the provisions of the Code of Iowa. Each day a violation exists may be considered to be a new and separate infraction or misdemeanor.

SECTION XVII. ELECTRICAL POWER SUPPLY

It shall be unlawful for any person, firm, corporation or other association to make connection from a supply of electricity or to supply electricity to any electrical equipment for the installation of which a permit is required unless such connection has been authorized by the Electrical Inspector and/or a designee. It is unlawful to make connections to equipment that has been disconnected or ordered to be disconnected by the Electrical Inspector and/or a designee.

SECTION XVIII. VIOLATION – PENALTY

Anyone violating any of the provisions of this ordinance shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

SECTION XIX. REPEALER

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed specifically Ordinance No. 2255.

SECTION XX. EFFECTIVE DATE

This Ordinance shall be in full force and effect following its passage and publication as provided by law.

SECTION XXI. SEVERABILITY CLAUSE

If any section, provision or part of this ordinance shall be adjudged invalid 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 or unconstitutional.

Passed and approved by the City Council of the City of Fort Dodge, Iowa, this 12th day of August, AD, 2024.

Passed on first consideration by the City Council of the City of Fort Dodge, Iowa this 8th day of July, 2024.

AYE: Flattery, Nelson, Secor, Alstott, Crimmins and Schuur

NAY: None

ABSENT: McCaleb

Passed on second consideration by the City Council of the City of Fort Dodge, Iowa this 22nd day of July, 2024.

AYE: Flattery, Nelson, Secor, Alstott, and Crimmins

NAY: None

ABSENT: McCaleb and Schuur

Passed on third consideration by the City Council of the City of Fort Dodge, Iowa this 12th day of August, 2024.

AYE: Flattery, Nelson, Secor, McCaleb, Alstott, Crimmins and Schuur

NAY: None

OTHER: None

City of Fort Dodge, Iowa



Matt Bemrich, Mayor

ATTEST:



Dawn Siebken, City Clerk

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