

OFFICE OF THE CITY MANAGER
DES MOINES, IOWA

CITY COUNCIL COMMUNICATION 96-509
DECEMBER 2, 1996 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
PROPOSED CHANGES TO CHAPTER 8, MUNICIPAL CODE—ELECTRICAL CODE AND CONTRACTOR LICENSING	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JAMES GRANT COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS —

This includes proposed changes to Chapter 8 of the Municipal Code (Building Construction Codes), specifically, subchapter two (Electrical Code).

These proposed changes are recommended by the Electrical Board of Examiners and include two parts:

- Part "A" (attached) includes the adoption of the most current edition of the National Electrical Code. This is a model electrical code published by the National Fire Protection Association and utilized throughout the country. Presently, the City of Des Moines has adopted the 1993 Edition; the proposed change is to adopt the 1996 Edition.
- Part "B" (attached) includes proposed changes to the electrical contractor licensing procedure. Presently, the City of Des Moines qualifies and licenses electrical contractors, which ends up being only the individual that owns and/or operates the electrical contracting business. Presently, there are no means to qualify the individuals who actually install the electrical equipment. The proposed changes will qualify and/or register those individuals who actually install electrical equipment. There are three classifications proposed: master electrician, journeyman electrician, and apprentice electrician.

FISCAL IMPACT —

It is anticipated that the proposed changes will increase the revenues collected for contractor licensing, as a \$50 biennial fee will be charged for each active master or journeyman certificate issued. This fee is anticipated to offset the effort it will take to administer this additional responsibility. Presently, the Permit and Development Center processes biennial licenses for contractors; therefore, the effects of this proposed change is expected to be minimal. There are some direct expenses that the Center will experience, such as the purchasing and processing of certificates.

RECOMMENDATION —

Approval.

BACKGROUND —

This is an issue that the Electrical Examining Board has been working on for the last one and one-half years. Two public meetings were held in May and June of 1995 to discuss the feasibility and public support of these proposed changes to the electrical contractor licensing procedures. Following those discussions, the Board developed the proposed ordinances and attempted to address most of the concerns raised at these meetings. On November 12, 1995, the Board held another public meeting to

discuss the final draft of this ordinance. The Board answered and addressed the concerns raised at this meeting.

There is some difference of opinion that the proposed ordinance does not qualify apprentice electricians effectively. The proposed ordinance only requires the apprentice to register with the office of the building official, and is limited to do work only under the direct supervision from a licensed or certified master or journeyman electrician. There is some that believe that these apprentices should also be registered in a recognized apprentice training program. The Board discussed this matter and decided that this would be too much of a burden on the small contractor, and there should be some means to allow individuals to receive their training exclusively by *on the job training*. As a result of the Board's review, they found that very similar methods of licensing and certifying already exist in the following communities in Iowa:

- Ames
- Iowa City
- Cedar Rapids
- Fort Dodge
- Marshalltown
- Iowa Falls
- Webster City
- Boone
- Algona
- Waterloo
- Council Bluffs
- Sioux City

SUBCHAPTER 2. ELECTRICAL CODE

8-60. ADOPTION OF NATIONAL CODE.

This subchapter shall consist of the "National Electrical Code, 1993 1996 Edition," published by the National Fire Protection Association, commonly known as and referred to herein as the "National Electrical Code," a copy of which is on file in the office of the city clerk of Des Moines, Iowa, which National Electrical Code is incorporated herein by this reference as fully as though set forth in its entirety and shall further consist of such additional provisions as are set forth in this subchapter. (C62,§18-1; O.7807, 8500; C75, §8-60; O.8999, 9392; C79, §8-60; O.10,012, 10,478; C85,§8-60; O.11,023, 11,459; C91,§8-60; O.11,990)

8-80. APPLICATION FOR LICENSE EXAMINATION.

Any person desiring to take an examination for any of the licenses or certificates required by this code shall make application to the senior electrical inspector on forms furnished by the senior electrical inspector, ~~and each~~. Each application shall be accompanied by a receipt of payment from the city treasurer for the examination fee, as set out hereafter; ~~which~~ This fee shall be paid for each examination, or re-examination. All applications shall be made and the application fee shall be paid at least twenty calendar seven working days prior to the date of the examination. (C54,§18-18; O.5919, 6070; C62, §18-18; O.7807; C62,§18-23; C75, C79,§8-80; O.10,670)

8-81. BOARD RESPONSIBILITY REGARDING LICENSES.

It shall be the responsibility and duty of the board:

- (1) To prescribe rules and regulations for the conduct of examinations of applicants for licenses and certificates and to review prepare the subject matter for examinations suitable to determine the qualifications of applicants.
- (2) To rule upon the qualifications of all applicants and certify qualified applicants, together with their respective examination ratings, to the building official within 30 days after the date upon which the examination is held. The ~~director of building~~ official shall then cause the ~~license or~~ certificate to be issued. No certificate licenses shall be issued without written certification from the board.
- (3) To adopt a responsible method whereby the senior electrical inspector is authorized to conduct qualifying examinations for a home owners' permit as described in this code.
- (4) To revoke or suspend any license or certificate herein prescribed for violations of this code, but only after the person, firm or corporation charged therewith has been given notice and an opportunity to be heard in their his or her own defense as provided herein. A hearing shall be held at the earliest convenience of all parties concerned, but in any case, shall be within five days, excluding Saturdays, Sundays, and holidays, after written notice has been served on the person charged with the violation. The board shall hear all interested parties who have pertinent written or oral evidence or information to present for consideration. Suspensions shall be for any period, up to six months. During the period of suspension, the license or certificate of the offender shall be void, and the offender shall not perform any work for which a license or certificate is required. After the termination of the period of suspension, the license or certificate shall be reactivated by the ~~senior electrical inspector,~~ building official, provided that renewal fees which have become due thereon, as herein set out, have been paid. (C62,§18-24; O.7807; C75, C79,§8-81; C91,§8-81; O.13,010)

8-82. LICENSE FEES.

The fees for examinations, licenses and certificates as shown in the following table are hereby authorized and required, except that any licensee who is subject to the restrictions of section 8-67(d) of this code may be issued an inactive license without a fee.

TYPE OF LICENSE OR CERTIFICATE	EXAMINATION FEE	BIENNIAL FEE	
		ACTIVE*	INACTIVE
<u>MASTER ELECTRICIAN'S CERTIFICATE OF COMPETENCY</u>	<u>\$25.00</u>	<u>\$50.00</u>	<u>\$10.00</u>
<u>JOURNEYMAN ELECTRICIAN'S CERTIFICATE OF COMPETENCY</u>	<u>\$25.00</u>	<u>\$50.00</u>	<u>\$10.00</u>
ELECTRICAL CONTRACTOR'S LICENSE	\$75.00 <u>N/A</u>	\$100.00	\$25.00

~~continued and finished. A licensed contractor who terminates his or her association with a firm or corporation shall notify the senior electrical inspector of the termination. (C54,§18-10; O.5919, 6070; C62,§18-10; O.7807; C62,§18-28; C75, C79,§8-85)~~

8-86. ELECTRICAL CONTRACTOR'S LICENSE- MASTER AND JOURNEYMAN ELECTRICIAN'S CERTIFICATE OF COMPETENCY--INACTIVE STATUS.

~~A licensed electrical contractor~~ **master or journeyman electrician** may maintain an inactive ~~license~~ **certificate of competency** and shall pay a biennial license fee as prescribed in section 8-82 of this code for any period in which inactive status is maintained. ~~A licensed electrical contractor with an inactive license shall not be issued permits for any electrical work within the scope of this subchapter.~~ If the holder of an inactive electrical contractor's license **master or journeyman electrician's certificate of competency** desires to **conducted electrical work with this scope of this chapter** secure permits, he or she must reactivate his or her ~~license~~ **certificate** by making application to the building official and paying the prescribed biennial fee for an active license . (C54,§18-11; O.5919, 6070; C62,§18-11; O.7807; C62,§18-29; C75, C79,§8-86; O.10,221; C85,§8-86; O.10,755; C91,§8-86; O.13,010)

8-87. SAME; CONTRACTOR'S BOND.

To insure the collection of permit fees ~~and the rectification of defective work~~, the applicant shall, before the license is issued, ~~file~~ **deposit** with the city treasurer a cash bond in the sum of \$500.00 or a certificate of deposit in a like amount payable to the city by a bank doing business in the state of Iowa. Such cash bond or certificate of deposit shall remain on deposit with the city for 90 days after the expiration or surrender of the license. Upon the death of licensee, the treasurer may, upon approval of the board and the building official, release the bond or certificate of deposit before the expiration of 90 days. A letter of request must be submitted to the building official for release of the bond or certificate of deposit. (C54,§18-12; O.5919, 6070; C62, §18-12; O.7807; C62, §18-30; O.8526; C75, C79, §8-87; O.10,670; C91, §8-87; O.13,010)