

ORDINANCE NO. 44

AN ORDINANCE AMENDING
CHAPTER 5 to ADOPT NORTH CAROLINA
STATE ELECTRICAL CODE AND TO
ESTABLISH AMENDMENTS AND
ADMINISTRATION PROCEDURE FOR THIS
CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

That the City Code of the City of Charlotte, Chapter 5, be, and the same is hereby amended by adding Article III entitled Electrical, reading as follows:

SECTION 5-200 TITLE. This Ordinance shall be known and may be cited as The Electrical Code of the City of Charlotte, North Carolina, hereinafter referred to as this Code.

SECTION 5-201 SCOPE. The provisions of this Code shall apply to the installation, erection, alteration, repairs, use and maintenance of electrical systems and appurtenances thereof under the jurisdiction of this Code.

SECTION 5-202 - ELECTRICAL ADVISORY BOARD: APPOINTMENT AND DUTIES

- (1) An Electrical Advisory Board shall be appointed by the City Manager. The Board shall consist of 7 members. The Board is to be constituted as follows: Two representatives of the electrical workers, holding a journeyman electrician's certificate, to serve for a term of 2 years. Two representatives of the electrical contractors, holding a North Carolina Electrical Contractors' License to serve for a term of 2 years. One representative of the architects, being a licensed architect to serve for a term of 3 years. One a representative of the engineers being a registered engineer whose primary field is electrical engineering to serve for a term of 3 years. One a representative of the public utility company, serving electricity to the city, to serve for a term of 4 years. The Chief City Electrical Inspector, by virtue of his position, shall be an ex-officio member of this Board and shall also be named as Secretary-Treasurer of said Board. Five members of the Board shall constitute a quorum at meetings thereof, but it shall require the affirmative vote of a majority of all the Board to license a candidate. Members of the Electrical Advisory Board shall be reputable citizens of Charlotte or Mecklenburg County whose principal occupation or business is in the City of Charlotte. No two members shall be employees of, or members of the same company, firm or corporation.
- (2) The Electrical Advisory Board shall formulate rules to govern its actions and may take testimony and proof concerning all matters within its jurisdiction. Before entering upon the performance of their duties, each member of the Board shall take and file with the City Clerk an oath in writing to properly perform the duties of his office as a member of said Board and to uphold; the Charter of the City of Charlotte, the Constitution of the State of North Carolina and Constitution of the United States.
- (3) It shall be the duty of the Electrical Advisory Board to furnish information pertaining to all electrical matters when called upon by the City Governing Body or its authorized representatives.
- (4) The Electrical Advisory Board shall review and consider qualifications of applicants for the position of Chief Electrical Inspector or Assistant Inspectors and make recommendations to the Supt. of Building Inspection and the City Manager for appointment.
- (5) It shall be the duty of the Electrical Advisory Board to receive all applications for certificates filed by persons or representatives of firms or corporations seeking to enter upon or continue in the business of electrical installations within the City of Charlotte, as such business is hereinafter defined, and upon qualification of such applicant to issue the certificate applied for; to prescribe the conditions of examination and, subject to the provisions of this Ordinance, to give examinations to all persons who are required to take such examination under the provisions of this Ordinance.
- (6) The Secretary-Treasurer of the Electrical Advisory Board shall keep a record in his office of all meetings of the Board and shall account to the Board for all fees collected and disbursed, and any other records as may be instructed by the Board.
- (7) The Electrical Advisory Board shall hear any appeals for relief from action of the Chief Electrical Inspector or his Assistants and shall make rulings pertaining to the appeals in the best interests of the public.

- (8) Subject to the limitations hereinafter set forth, the said Electrical Advisory Board is authorized and empowered to establish and adopt reasonable and suitable rules regulating electrical wiring, devices, appliances and equipment and to publish such rules, standards, regulations or restrictions as may be necessary to safeguard life and property, in the City of Charlotte, subject to the approval by the City governing Body and the State Building Code Council.

SECTION 5-203 ELECTRICAL INSPECTORS, QUALIFICATIONS, APPOINTMENTS, DUTY AND AUTHORITY.

- (1) There is hereby created the office of Chief Electrical Inspector. The Chief Electrical Inspector shall be a competent electrician of good moral character, shall be possessed of such executive ability as is required for the faithful performance of his duties and shall have a thorough knowledge of the standard materials and methods used in the installation of electrical wiring, devices, appliances, and equipment; shall be well versed in approved methods of electrical construction for safety to life and property, the Statutes of the State of North Carolina relating to electrical work, the rules and regulations of the National Electrical Code as approved by the American Standards Association, and the National Electrical Safety Code as approved by the American Standards Association.
- (2) The Assistant Electrical Inspectors shall be competent electricians of good moral character and shall have a thorough knowledge of electrical materials and methods of installation, and shall be well versed in all Statutes, Rules and Codes concerning electrical work as required for the Chief Electrical Inspector.
- (3) The Chief Electrical Inspector and the Assistant Electrical Inspector shall be recommended to the Supt. of Bldg. Inspection and the City Manager by the Electrical Advisory Board for appointment by the City Manager. The salary to be paid the Chief Electrical Inspector and his assistants shall be determined by the City Council and the City Manager. Before entering upon the discharge of their duties, they shall file a bond in the sum of one thousand (\$1,000.00) dollars payable to the City of Charlotte, and said bond to be approved by the City Council and the City Manager, and conditioned upon the faithful performances of their individual duties.
- (4) The Chief Electrical Inspector shall also take and subscribe an oath, which, together with the certificate of his appointment, shall be filed with the City Clerk. He shall be removed from office by the Supt. of Bldg. Inspection with the approval of the City Manager for cause. Any violation of the provisions of any section of this Ordinance by the Chief Electrical Inspector or his assistants shall be sufficient cause for his removal from office, but they may be removed for other just cause.
- (5) It shall be the duty of the Chief Electrical Inspector to see that the provisions of this Ordinance are enforced, and to enforce within the City of Charlotte the Statutes of the State of North Carolina relating to the installation and sale of electric wiring devices, appliances, and equipment. He shall upon proper and legal application grant permits for the installation or alteration of electrical wiring, devices, appliances and equipment, and shall have inspections made of all electrical installations. He shall keep complete records of all permits issued, inspection and re-inspections made and other office work performed. He shall also keep on file a list of inspected electrical appliances issued for public reference.
- (6) It shall be unlawful for the Chief Electrical Inspector or any of his assistants to engage in the business of the sale, installation, or maintenance of electrical wiring, devices, appliances, or equipment, either directly or indirectly, and they shall have no financial interest in any concern engaged in such business in the City of Charlotte at any time while holding such office as herein provided for.
- (7) The Chief Electrical Inspector shall have the right during reasonable hours to make an inspection of any building in the discharge of his official duties, or for the purpose of making any inspection, re-inspection, or test of the installation of electrical wiring, devices, appliances, and equipment contained therein, and shall have the authority to cut or disconnect, or have others cut or disconnect any electrical wiring or equipment in case of emergency where necessary for safety to life or property, or where such wiring and equipment may interfere with the work of the fire department, said Chief Electrical Inspector is hereby authorized to disconnect or order the discontinuance of the use of electrical wiring, devices, appliances or equipment found to be dangerous to life or property because they are defective or defectively installed until such wiring, devices, appliances, or equipment and their installations have been made safe and approved by said Chief Electrical Inspector.
- (8) The Chief Electrical Inspector may delegate any of his powers or duties to any of his assistants.

SECTION 5-211 LIABILITY FOR DAMAGES.

This Ordinance shall not be construed to relieve from or lessen the responsibility of liability of any party owning, operating, controlling or installing any electric wiring, devices, appliances or equipment for damages to person or property caused by any defect therein, nor shall the City of Charlotte be held as assuming any such liability by reason of the inspection authorized herein or the certificate of approval issued as herein provided.

SECTION 5-212 LIABILITY

If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

The City of Charlotte hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrases thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

SECTION 5-213.

This Ordinance shall be in full force and effect from and after it's adoption.

APPROVED AS TO FORM:

John T. Morrisey, Sr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 28th day of August, 1961, the reference having been made in Minute Book 40, at Page 475, and recorded in full in Ordinance Book 13, beginning at Page 92.

Lillian R. Hoffman
City Clerk