

SIMPSON COUNTY, KENTUCKY

ORDINANCE NO. 910.3

AN ORDINANCE RELATING TO ELECTRICAL REGULATIONS

WHEREAS, the City of Franklin, Kentucky passed Ordinance No. 950.3-9-2002 relating electrical regulations; and,

WHEREAS, it is necessary for the County of Simpson to adopt similar uniform electrical regulations so as to work in conjunction with the City of Franklin, Kentucky in the electrical inspection program contemplated by said regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF SIMPSON, COMMONWEALTH OF KENTUCKY, after the passage, approval, and publication of this ordinance as follows:

SECTION 1. DEFINITIONS. For purposes of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (a) "APPRENTICE ELECTRICIAN." Any person licensed and/or registered with the County as an employee of an electrical contractor who is in the process of learning the electrical trade who assists and is under the supervision of a licensed master electrician and/or a licensed journeyman electrician.
- (b) ("CEU" shall mean continuing education units relating to electrical codes or electrical safety and are approved by the Commonwealth of Kentucky, the National Fire Protection Association and/or the County by and through the Electrical Inspector.
- (c) "CITY" shall mean the City of Franklin, Kentucky.
- (d) "COMMERCIAL BUSINESS." All buildings other than dwelling occupancies, but not buildings used in connection with dwelling occupancies. However, dwelling occupancies attached to commercial buildings will be considered as a commercial building.
- (e) "COUNTY" shall mean the County of Simpson, Kentucky.
- (f) "ELECTRICAL CONTRACTOR." Any individual, partnership, or corporation

that engages in the business of or employs others for the construction, alteration, or repair of any electrical wiring used for the purpose of furnishing light, heat, or power.

- (g) "ELECTRICAL EQUIPMENT." Conductors and equipment installed for the utilization of electricity supplied for light, heat or power, but does not include radio apparatus or equipment for wireless reception of sound or signals, and does not include apparatus, conductors and other equipment installed for or by an Electric Service Provider.
- (h) "ELECTRICAL INSPECTOR." A person certified by the Commissioner of Housing, Buildings and Construction pursuant to KRS 227.489 who is designated or appointed by and on behalf of the County and County Judge Executive, to perform all inspections within the County and outside the City limits of Franklin and/or outside the service area of the Electric Plant Board to inspect the construction and installation of electrical conductors, fittings, devices and fixtures for light, heat or power service equipment to ascertain the compliance with the National Electrical Code incorporated in the Uniform State Building Code promulgated pursuant to KRS 198B.050 or the standards of safety of the Commonwealth of Kentucky or the County.
- (i) "ELECTRIC SERVICE PROVIDER" shall mean the Electric Plant Board, Warren Rural Electric Cooperative Corporation or any other provider of electricity.
- (j) "P & Z", "PLANNING & ZONING COMMISSION" or "FRANKLIN-SIMPSON PLANNING & ZONING COMMISSION" shall mean the Franklin-Simpson Planning & Zoning Commission of Franklin, Simpson County, Kentucky.
- (k) "JOURNEYMAN ELECTRICIAN." Any person licensed and/or registered by the County who has three (3) or more years' experience performing electrical work under the supervision, direction, and responsibility of a licensed and registered master electrician.
- (l) "LICENSE" shall mean a valid County electrician's or electrical contractor's license.
- (m) "MASTER ELECTRICIAN." A person or entity licensed and/or registered by the County with five (5) or more years' experience or a certificate or diploma from a certified school accredited by the Department of Labor, in the discretion of the Electrical Inspector, or a combination of the two. A vocational school diploma will count as two years' experience for the purpose of this definition.

(n) "PLACES OF ASSEMBLY." Places of assembly shall be defined as the following structures:

- (a) Armories;
- (b) Assembly halls;
- (c) Auditoriums;
- (d) Auditoriums within:
 - (a) Business establishments;
 - (b) Mercantile establishments;
 - (c) Other occupancies; and
 - (d) Schools.
- (e) Bowling lanes;
- (f) Church chapels;
- (g) Club rooms;
- (h) Conference rooms;
- (i) Court rooms;
- (j) Dance halls;
- (k) Dining facilities;
- (l) Exhibit halls;
- (m) Gymnasiums;
- (n) Mortuary chapels;
- (o) Multipurpose rooms;
- (p) Museums;
- (q) Place of awaiting transportation;
- (r) Pool rooms;
- (s) Restaurants;
- (t) Skating rinks; or,
- (u) All buildings or portions of buildings or structures designed or intended for the assembly of 25 or more persons.

SECTION 2. NATIONAL ELECTRICAL CODE ADOPTED BY REFERENCE.

There is hereby adopted pursuant to KRS 198B.060 and Article 15 of the Kentucky Building Code, for the purpose of establishing rules and regulations for the installation, maintenance and repair of electrical wiring, apparatus, or equipment for light, heat or power inside or attached to buildings within the jurisdiction of the county, or attached to the service company's lines, a certain code known as the National Electrical Code, 1999 Edition, sponsored by the National Fire Protection Association of which three copies shall be on file in the office of the Building Inspector. In the event that this edition of the National Electrical Code is revised subsequent to the adoption of this Ordinance, the County hereby adopts the most recent publication or edition of the National Electrical Code. Further, all structures shall be inspected by the Electrical Inspector using the edition of the National Electrical Code that was in existence as of the date the

permit for the structure to be inspected was obtained.

SECTION 3. LIABILITY OF INDIVIDUALS, COUNTY, ELECTRIC SERVICE PROVIDER AND FRANKLIN- SIMPSON PLANNING AND ZONING COMMISSION. This chapter shall not be construed to relieve from nor lessen the responsibility of any person, owning, operating, or installing any electrical wires, appliances, apparatus, construction or equipment for damages to anyone injured by the defect therein, nor shall the county, any Electrical Service Provider, Franklin-Simpson Planning and Zoning Commission, or any agent thereof be held as assuming any such liability by reason of inspection authorized in this chapter or the certificate of approval issued by the Electrical Inspector.

SECTION 4. REVOCATION OF LICENSE AND REGISTRATION FOR NONCOMPLIANCE. The license and registration of an electrical contractor or electrician who consistently does work which is not in accordance with this chapter may be rescinded and revoked by the Fiscal Court of the County, upon recommendation by the Electrical Inspector.

SECTION 5. LICENSED AND REGISTERED CONTRACTOR REQUIRED. The Electrical Inspector shall approve only work done by electrical contractors or electricians who are licensed and registered by the county or the property owner as set forth in Section 6(d) to do business in the county and/or outside the service area of the Electric Plant Board. Effective January 1, 2003, all electrical contractors, employees or agents of electrical contractors or independent electricians shall be registered with the Franklin-Simpson Planning and Zoning Commission. In order to maintain a valid registration, the electrical contractor/independent electrician or their/his/her agents and employees must provide the following to the Franklin-Simpson Planning and Zoning Commission on an annual basis:

(A) A "Master Electrician" (as that term is defined) must provide and/or comply with the following:

- (1) Proof of liability insurance or proof of adequate self-insurance;
- (2) Proof of workers' compensation insurance (where applicable);
- (3) Proof of 6 hours of approved CEU per year for continuing education;
- (4) Pay an annual registration fee of \$100.00;
- (5) Provide a physical address and phone number;
- (6) Proof of County electrician's or electrical contractor's license; and,
- (7) Meet and/or provide proof of compliance with the requirements of a "master electrician" set forth in Section 1 of this ordinance.

(B) A "Journeyman Electrician" (as that term is defined) must provide and/or comply with the following:

- (1) Meet and/or provide proof of compliance with the requirements of a "journeyman electrician" set forth in Section 1 of this ordinance;
- (2) Proof of 6 hours of approved CEU per year for continuing education;
- (3) Pay an annual registration fee of \$50.00;

(C) An "Apprentice Electrician" (as that term is defined) must provide and/or comply with the following:

- (1) Meet and/or provide proof of compliance with the requirements of an "apprentice electrician" set forth in Section 1 of this ordinance;
- (2) Proof of 6 hours of approved CEU per year for continuing education; and
- (3) Pay an annual registration fee of \$25.00.

All requirements for registration must be completed before the registration is initially issued. However, electrical contractors/electricians and their agents or employees shall have one (1) year from the date of the adoption of this ordinance to complete the continuing education requirements. Thereafter, all requirements for the registration must be provided to the Planning and Zoning Commission prior to the renewal registration being issued. All requirements for registration shall be paid/provided no later than January 31st of each calendar year. The Planning and Zoning Commission shall maintain files on all electrical contractors/independent electricians and their/his/her agents and employees and shall be responsible for the issuance and enforcement of the registrations as set forth in this ordinance. In addition, the Planning and Zoning Commission shall retain the registration fees for the administration of this ordinance.

SECTION 6. INSPECTIONS. (a) The County shall appoint, designate, and/or provide an electrical inspector to perform all inspections within the County and outside the service area of the Electric Plant Board to assure compliance with the County's electrical regulations/ordinances. Prior to connecting to any electrical service from any electrical provider on new constructions/wiring and/or for all wiring/electrical modifications to existing electric service within the county and outside the service area of the Electric Plant Board, the person or entity to whom the permit(s) is/are issued shall pay all fees required by this ordinance and be required to allow the county's designated electrical inspector to perform all inspections within the county and outside the service area of the Electric Plant Board. The Electrical Inspector shall not allow any new constructions/wiring and/or wiring/electrical modifications to existing wiring to pass a final inspection unless and until said new construction/wiring and/or wiring/electrical modifications to existing wiring complies with all applicable provisions of this ordinance including, but limited to payment of all required license, registration, and/or permit fees.

(b) The County authorizes the Franklin-Simpson Planning and Zoning Commission (hereinafter referred to as "P & Z") to be the agency to make or provide for all electrical inspections and collect fees, as provided herein, for electrical inspections in the County and outside Electric Plant Board's service area. All fees and compensation for said inspections shall be paid by the electrical contractor or electrician who installed the electrical wiring or by the owner of the property in which the inspections shall be made and no part thereof shall be paid by the County, the Electrical Inspector, or P & Z. All electrical inspection fees shall be assessed and remitted to P & Z as provided herein, who shall forward the fees generated from inspections within the County and outside the Electric Plant Board service area to the County Treasurer at

least monthly except as provided in this Ordinance.

(c) All fees for electrical inspections shall be paid at the office of the P & Z. Any notices to the Electrical Inspector may be delivered to the same office.

(d) Applications for inspections must be on forms furnished by the Electrical Inspector, which may be obtained from P & Z. The completed applications shall be taken to the applicable electric provider (i.e. WRECC or EPB) by the applicant and should be returned to P & Z by the Electrical Inspector once the inspection is completed. Inspection fees must accompany the application. Only licensed and registered electrical contractors/electricians that are also "master electricians" (as that term is defined) or the property owner can sign an application. However, if the application is signed by the property owner, the work shall be completed by the property owner, his or her designee pre-approved by the Electrical Inspector, or a licensed and registered contractor(s)/electrician(s) that are also "master electricians" (as that term is defined).

(e) All fees paid for electrical inspections shall inure to the benefit of the County, except as provided in this Ordinance. The inspector shall be an employee of the County for inspections within the County and outside the Electric Plant Board service area. Further, the County shall provide the Electrical Inspector with a motor vehicle to facilitate his duties. The County shall also pay one-half of all education and training costs necessary for the Electrical Inspector to maintain his/her certification.

(f) All inspection notices and permits and wiring permits are nontransferable and can only be used by those persons or entities to whom issued. Written releases shall be obtained from electrical contractors who fail to complete a project before another electrical contractor can complete the project.

SECTION 7. CERTIFICATION OF ELECTRICAL INSPECTORS. All Electrical Inspectors are to be certified as required by KRS 227.450 et seq.

SECTION 8. PREPARATION FOR INSPECTION; CONCEALED WORK. The electrical contractor or electrician installing electrical wiring for which inspection is required shall notify the Electrical Inspector when the project is ready for inspection.

No electrical contractor or electrician or individual shall conceal electrical wiring or other electrical apparatus which is required to be inspected until after it has been inspected and approved. Concealed work which will not permit full inspection shall not be accepted.

All electrical work shall be finished and ready for service before final inspection.

SECTION 9. INSPECTION FEES. The following fee schedule for electrical service is adopted:

(A) Residential (includes change of service and new service). All new houses will require a minimum of two inspections, the rough-in inspection and the final inspection. Fees for both inspections are the same.

New service (rough-in and final inspection)	
Up to and including 400 amp.....	\$50 per trip
Over 400 amps.....	Same as commercial in Section 9(B) below
Change of service.....	\$50 per trip
Mobile homes.....	\$50 per trip
Temporary pole.....	\$50 per trip
Rewire and remodel.....	\$50 per trip
Reinspection.....	Same as above fees

(B) Commercial and industrial. Commercial fees shall be the same as residential for 400 amp service or less. For greater than 400 amp service, the fees shall be 1.3% of the electrical contract.

(C) A wiring permit shall be required to be issued for any wiring job. For the purposes of this section, "wiring job" shall mean any change to existing wiring or new wiring requiring an inspection under any provision of the ordinance. The wiring permit fee shall be \$10.00 and shall be retained by the Franklin-Simpson Planning and Zoning Commission for administration costs. Only licensed and registered electricians and/or contractors that are also "master electricians" (as that term is defined), or property owners may apply for a wiring permit.

SECTION 10. VOLUNTARY INSPECTIONS. A customer, at his request, may have inspected any change of existing wiring for which inspection is not required. The fee for this inspection shall be \$50 per trip, and shall be paid by the customer. If the inspector finds that this change of wiring does not meet the requirements of the National Electrical Code and/or this ordinance, the electrical contractor/electrician shall be required by the electrical inspector to rework the wiring until it complies with all of the requirements of the National Electrical Code and this Ordinance, and the cost of reinspection shall be borne by the electrical contractor/electrician.

SECTION 11. MISCELLANEOUS ELECTRICAL PROVISIONS.

- (1) All electrical contractors and/or electricians, when making a request for temporary or construction power, shall provide the electric service provider evidence that they have complied with all provisions of this ordinance.
- (2) Special permission shall be obtained from the superintendent of the electric service provider or his designated agent prior to the breaking of any seal of any metering equipment for the disconnecting of any conductor on the line of the metering equipment.
- (3) All commercial buildings as defined in Section One shall be wired in conduit unless otherwise specified in this Ordinance or the National Electrical Code.
- (4) Under emergency conditions, subject to the discretion of the superintendent of the Electric service provider and the Electrical Inspector, a temporary service connection may be granted where sufficient load is connected for commercial buildings needing 3 phase power until a final inspection can be made.
- (5) Electrical contractors and electrical installers shall feed, temporarily, new meter installations, load size, from existing metered conductors until a permanent service drop can be made.
- (6) If the Electrical Inspector finds, after an inspection, that the electrical wiring of a commercial building or dwelling is a hazard, in the discretion of the Electrical Inspector applying all applicable codes and/or ordinances, the Electrical Inspector shall submit a detailed report of his inspection to the superintendent of the Electric service provider who shall have the authority to disconnect the electrical service of the building or dwelling until the hazard is abated.
- (7) All electrical service connections are to be made by the Electric service provider only after inspection and approval of the installation is given by the Electric service provider for location and the electrical inspector for compliance with this Ordinance.
- (8) Non-metallic sheathed cable shall not be used in the following structures:
 - (a) Any dwelling or structure exceeding three floors above grade or ground level;

- (b) As service entrance cable; and,
 - (c) In Places of Assembly.
- (9) Metal raceway shall be used in the following locations and/or structures:
- (a) In a Fire Zone, as fire zone is defined in this ordinance;
 - (b) In commercial garages;
 - (c) In motion picture structures;
 - (d) In storage battery rooms;
 - (e) In hoist ways;
 - (f) In any "hazardous location" as that term is defined in the National Electrical Code; and
 - (g) In any location that the National Electrical Code requires metal raceway.
- (10) All risers shall be a minimum 2 ½ inch rigid metal or intermediate metal conduit.
- (11) The location of the service entrance to any building, structure or dwelling shall be determined and set by the Electric service provider prior to beginning construction.
- (12) All trenches for the installation of underground secondary conductor electrical service entrance lines shall be the following minimum depths:
- | | |
|--------------------------|--------------------|
| Commercial (city/county) | 48 inches of cover |
| Residential (city) | 48 inches of cover |
| Residential (county) | 24 inches of cover |
| Agricultural (city) | 48 inches of cover |
| Agricultural (county) | 24 inches of cover |

For underground electrical service entrance lines and high voltage service lines, trench depth can be reduced 12 inches for each 1 ½ inches of concrete encasing said electrical service and/or high voltage service lines.

- (13) For underground services, the following guidelines shall apply:
- (a) There shall be no more than three (3) 90° elbows per service.
 - (b) Schedule 40 conduit - 2 ½ inch shall be used for services up to 400 amp single phase.
 - (c) If an electrical contractor is installing a service larger than 400 amp

single phase services, the electrical contractor must contact the Electrical Inspector, or his designee, for sizing, and said electrical contractor must obtain written approval from Electrical Inspector prior to installation.

- (d) Electrical contractors shall connect the load side of the meter base and furnish connectors.
 - (e) All trenches, conduit, and pull rope installed by a customer or electrical contractor must be inspected before the trench is covered and prior to final electrical inspection. Any pull rope used must be a rope which is tested to hold a minimum of 150 pounds.
 - (f) All conduits beneath roads, driveways, porch areas, or other areas subject to physical damage shall be Schedule 80 or encased in concrete.
- (14) No building, patio, or any other structure may be set over the service or in front of meter(s).
 - (15) No meter shall be installed inside a building or structure.
 - (16) Any change of electrical service which requires an inspection by the Electrical Inspector shall require the installation of an electrical smoke detector with a backup battery system.
 - (17) For oil insulated transformers, the following minimum standards shall apply:
 - (1) For oil insulated transformers of 75 KVA or less, the oil insulated transformer shall be located not less than three (3) feet from any building and, in addition, said transformer must be not less than three (3) feet vertically and three (3) feet horizontally from any opening to the building.
 - (2) For oil insulated transformers from 76 KVA to 500 KVA, the oil insulated transformer shall be located not less than fifteen (15) feet from a building and/or fifteen (15) feet from a required exit.
 - (3) For oil insulated transformers 501 KVA and above, the oil insulated transformer shall be located a minimum of 25 feet from buildings and required exits.
 - (4) Exceptions may be granted for a lesser distance only after on-site inspection is made and permission is granted in writing by Electrical Inspector, with electrical contractor specifically

following all alternate safeguards and/or conditions required by an Electrical Inspector.

- (18) In the event Electrical Inspector determines the electrical service to a structure makes the structure uninhabitable or unsafe for use, in Electrical Inspector's discretion, Electrical Inspector shall have the right to complete a full and thorough inspection of said structure. Electrical Inspector shall be empowered to issue any and all citations for violations of this ordinance.
- (19) Any structure which has more than one electrical meter or a multi-metering point must have a separate disconnect switch at each point of metering which opens all ungrounded conductors.
- (20) Any person(s) or entity aggrieved by a decision of the Electrical Inspector shall have a right to appeal said decision to the Franklin-Simpson Planning & Zoning Board of Adjustments. Said appeal must be submitted to the Franklin-Simpson Planning & Zoning office, in writing, within ten (10) days of the date of the decision of the Electrical Inspector. The Board of Adjustments shall conduct a hearing on the Electrical Inspector's decision as soon as practicable after the filing of the written notice of appeal.

SECTION 12. PENALTY. Any person who violates any provision of this chapter for which no penalty is otherwise provided shall be guilty of a misdemeanor and shall be subject to be fine of not less than \$25 nor more than \$500 or imprisoned for 60 days or both.

Any person violating or failing to conform to any of the provisions of Sections 1 through 11 or failing to execute any order of the Electrical Inspector issued pursuant to Sections 1 through 12 shall, upon conviction, be guilty of a misdemeanor and shall be fined not more than \$500 or imprisoned for not more than 60 days or both. Anywhere such violation is of a continuing nature, each day such person violates any such provision or fails to conform to any such order, or fails to comply with any of the provisions of this chapter shall be deemed a separate offense.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such provision, and such holdings shall not affect the validity of the remaining portions hereof.

All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

December 2, 2002 FIRST READING

December 16, 2002 SECOND READING

At a meeting of the Fiscal Court of the County of Simpson, Commonwealth of Kentucky held December 16, 2002, on motion made by Honorable Jim Brown, and seconded by Honorable Charles McCutchen, Sr., the foregoing ordinance was adopted, after full discussion, by the following vote:

Yes LARRY RANDOLPH

Yes JIM BROWN

Yes KENNETH UTLEY


Yes CHARLES McCUTCHEN

APPROVED:

BY:


JIM HENDERSON, COUNTY JUDGE EXECUTIVE
COUNTY OF SIMPSON, COMMONWEALTH OF KENTUCKY

ATTEST:


JULIE FREEMAN, Fiscal Court Clerk,
County of Simpson, Commonwealth of Kentucky

(COATTYORDINANCE.2002 Electrical)