

Chapter 74

ELECTRICAL INSPECTIONS

[HISTORY: Adopted by the Town Board of the Town of Liberty 5-10-1990 by L.L. No. 3-1990. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction and fire prevention administration — See Ch. 60.

Unsafe buildings — See Ch. 64.

§ 74-1. Title.

This chapter shall be known as the "Electrical Code of the Town of Liberty."

§ 74-2. Purpose.

The purpose of this chapter is to regulate the manner in which wiring is installed for electric light, heat, power and signal systems operating on 50 or more volts in or on all real property within the Town of Liberty.

§ 74-3. Regulations adopted by reference. [Amended 7-8-1996 by L.L. No. 4-1996]

All electrical installations referred to in § 74-2 of this chapter shall be made in conformity with the requirements of the New York State Fire Prevention and Building Code (NYSFPBC) and the National Electrical Code (NEC) as adopted by the 1993 Editions of the National Fire Protection Association, and any amendments thereto. In the event of any conflict between the NYSFPBC and the NEC, the provisions of the NEC shall be recognized as proper compliance with this chapter.

§ 74-4. Permit and inspection required.

- A. It shall be a violation of this chapter for any person to install or cause to be installed or to alter or repair electrical installations referred to in § 74-2 of this chapter until a building permit has been issued and until application for inspection has been written.
- B. It shall be a violation of this chapter for any person to connect or cause to be connected electrical wiring for installations referred to in § 74-2 of this chapter to any source of electrical energy prior to the issuance of a temporary certificate or a certificate of compliance by a qualified electrical inspector.

§ 74-5. Application procedure for electrical inspectors.

- A. Any person or organization may apply to the Town Board for permission to conduct electrical inspections in the Town of Liberty. The application shall be in writing on such forms as may be prescribed by Town Board resolution and shall be accompanied by a

nonrefundable application fee,¹ as set forth by the Town Board from time to time, and an insurance certificate showing statutory workers' compensation coverage for its employees and automobile and public liability coverage for property damage and personal injury, including wrongful death, in an amount of at least \$10,000,000. [Amended 7-8-1996 by L.L. No. 4-1996]

- B. The completed application shall be submitted to the Code Enforcement Officer, who shall review the same for accuracy and completeness and who shall also make an investigation into the business reputation and qualifications of the applicant. The Code Enforcement Officer shall, within 30 days of the receipt of the application, forward the same, together with his or her recommendation as to approval or rejection, to the Town Board. The Town Board shall, within 30 days, either approve or reject the application. In the event that the Town Board fails to act on the application within said time limit, such application shall be deemed to be approved.
- C. Upon approval, the Code Enforcement Officer shall issue a letter to the applicant certifying that the applicant has been found to be a qualified electrical inspector in the Town of Liberty. Such certification shall be valid until such time as it is revoked by the Town Board upon good cause shown after a hearing before the Town Board, at which hearing the electrical inspector shall be given an opportunity to be heard and to present evidence in his or her defense. In the event that the applicant's application is not approved, the electrical inspector shall be given an opportunity to secure approval from the Town Board at a hearing to be conducted by the Town Board within 30 days of such rejection and to present evidence in support of this application.
- D. The Code Enforcement Officer shall at all times maintain a list of qualified electrical inspectors with their current business addresses and telephone numbers.

§ 74-6. Powers and duties of electrical inspectors.

- A. Qualified electrical inspectors may make inspections and reinspections of all electrical installations referred to in § 74-2 of this chapter and, where an installation is found to be in compliance with this chapter, may issue temporary certificates and certificates of compliance. Copies of such certificates shall be filed with the Code Enforcement Officer within one business day after issuance. Such inspections and reinspections shall be at the request and expense of the property owner.
- B. Qualified electrical inspectors shall report, in writing, to the Code Enforcement Officer of the Town of Liberty all violations of the NYSFPBC and NEC insofar as they relate to electrical inspections in the Town as referred to in § 74-2 of this chapter.
- C. Such inspectors shall make inspections and reinspections of electrical installations in the Town, as referred to in § 74-2 of this chapter, upon the written request of the Code Enforcement Officer or, in the event of any emergency, upon the oral request of the Code Enforcement Officer or any other Town official.
- D. No inspector or inspection agency shall knowingly accept an application for any location or

1. Editor's Note: A fee schedule is located in Chapter A152, Fees.

installation that has previously been rejected due to violations by any other inspector or inspection agency.

§ 74-7. Owner responsibilities; liability.

This chapter shall not be construed to relieve or diminish the responsibility of any person owning, leasing, operating, controlling or installing any electrical installations referred to in § 74-2 of this chapter for loss of life or injury or damage to any person or property caused by any defect or negligence therein, nor shall the Town or any of its agents, servants or employees be deemed to have assumed any such liability for any reason, including any inspection, reinspection or the issuance of any certificates pursuant to this chapter.

§ 74-8. Nonapplicability.

The provisions of this chapter shall not apply to the electrical installations in mines, ships, railway cars or automotive equipment or tide installations or equipment employed by a railway, electrical or communication utility in the exercise of its function as a utility and located outdoors or in buildings used exclusively for that purpose. This chapter shall not apply to any work involved in the manufacture, assembly, testing or repair of electrical machinery, apparatus, materials and equipment by a person, firm or corporation engaged in electrical manufacturing as its principal business. It shall not apply to any building which is owned or leased in its entirety by the government of the United States or the State of New York.

§ 74-9. Penalties for offenses. [Amended 7-8-1996 by L.L. No. 4-1996]

Except as provided in Executive Law § 382, any person, firm or corporation who shall violate any of the provisions of this chapter or any rule or regulation made pursuant thereto shall be punished by a fine of not more than \$250 or by imprisonment of not more than 15 days, or both. Each day of such violation shall constitute a separate offense and be subject to a separate punishment thereof.