

## CHAPTER 23

### ELECTRICAL CODE

#### Article

- 23-01 Licensing Electricians--Repealed.
- 23-02 Inspection, §§ 23-0201 to 23-0214.
- 23-03 Fees and Wiring, §§ 23-0301 to 23-0307--Repealed.
- 23-04 Electric Space Heating, §§ 23-0401 to 23-0412--Repealed.
- 23-05 Liability for Damages, § 23-0501.

#### ARTICLE 23-01

##### LICENSING ELECTRICIANS

Note: Article 23-01 of chapter 23, Licensing Electricians, of the Revised Ordinances of 1965 was repealed by Ord. No. 2009 (1981).

#### ARTICLE 23-02

##### INSPECTION

#### Section

- 23-0201 Supervisory powers of building official.
- 23-0202 Duties of building official and inspectors--Issuance of permits--Records--Expenses.
- 23-0203 Fee required before permit granted.
- 23-0204 Assistant inspectors.
- 23-0205 Powers of the building official and inspectors.
- 23-0206 Building official and inspectors not to engage in electrical business.
- 23-0207 Existing installations subject to inspection.
- 23-0208 Other installations subject to inspection.
- 23-0209 Inspection prior to completion when installations are to be concealed.
- 23-0210 Notice to inspect--Certificate of approval, when issued.
- 23-0211 Installations must conform to certain regulations before certificate issued.
- 23-0212 Condemning work--Petition for review filed with board of appeals.
- 23-0213 Connection to installations--Certificate of approval required.
- 23-0214 Re-inspection.
- 23-0215 Violations.

23-0201. Supervisory powers of building official.--Inspection and tests of electrical installations shall be under the supervision of the building official. The building official shall be the inspections administrator of the inspections division of the planning department.

Source: 1952 Rev. Ord. 23-0201, 4103 (2001), 4130 (2001).

23-0202. Duties of building official and inspectors--Issuance of permits--Records--Expenses.--It shall be the duty of the building official and inspectors to see that

the provisions of this chapter are enforced. He shall, upon application, grant permits for the installation of electric wiring and shall make inspections of all new installations and re-inspection of all electrical installations as provided in this chapter. He shall keep records of all permits issued and inspections made and other official work performed under the provisions of this chapter.

All expense in connection with such activities shall be charged against the receipts of the department in the form of permits and licenses.

Source: 1952 Rev. Ord. 23-0202, 4103 (2001), 4130 (2001).

23-0203. Fee required before permit granted.--Before any permit is granted for the constructing, extending, or altering of an electrical installation, the master electrician making an application shall pay to the city a fee in such amounts as specified in article 3 of this chapter.

A permit shall be required for all electrical work as defined in this chapter (whether done by the property owner or otherwise) except for minor repairs, and except as follows:

- A. Work of public utilities engaged in the manufacture and distribution of electrical energy when such work pertains directly to the manufacture and distribution of electrical energy.
- B. Work of public utilities engaged in telephone, telegraph, and radio communication service when said work pertains directly to such service.

Source: 1952 Rev. Ord. 23-0203, 4103 (2001), 4130 (2001).

23-0204. Assistant inspectors.--The building official is empowered to employ, after receiving the approval of the board of city commissioners, an electrical inspector and any assistant inspectors and clerical assistants necessary for the proper conduct of his office and the inspection of electrical installations as provided for in this chapter, the salary of such assistants to be determined by the board of city commissioners.

Source: 1952 Rev. Ord. 23-0204, 4103 (2001), 4130 (2001).

23-0205. Powers of the building official and inspectors.--The building official and the electrical inspector and any assistant inspectors shall have the right during reasonable hours to enter any building in the discharge of their duties or for the purpose of making any inspection or test of the electrical installation or electrical equipment contained therein, and shall have the authority to cause the turning off of all electrical currents and to cut or disconnect in cases of emergency any wire where such electrical currents are dangerous to life or property, or where such wires may interfere with the work of the fire department.

The building official and the electrical inspector are hereby empowered to disconnect or order the discontinuance of electrical service to any electric wiring or equipment found to be defectively installed or otherwise not in conformity with the provisions of this chapter until such wiring, or equipment shall have been made safe as directed by him.

Source: 1952 Rev. Ord. 23-0205, 4103 (2001), 4130 (2001).

23-0206. Building official and inspectors not to engage in electrical business.--It shall be unlawful for the building official, or the electrical inspector, or any of their assistants to engage in the business of the sale or installation of electric wiring or appliances and they shall have no financial interest in any concern engaged in such business in the city at any time while holding such offices.

Source: 1952 Rev. Ord. 23-0206, 4103 (2001), 4130 (2001).

23-0207. Existing installation subject to inspection.--All existing electrical installations in the city of Fargo shall be subject to inspection if reported to be in hazardous condition by any master electrician of the city of Fargo, any member of the state electrical board, any member of the fire underwriters, any member of the fire insurance companies, any taxpayer of the city of Fargo, and if, in the opinion of the building official or electrical inspector, a hazard exists, the owner shall be so notified, with a request that the fault be corrected. It shall be left to the board of appeals to determine whether or not such correction be made compulsory.

Source: 1951 Rev. Ord. 23-0207, 4103 (2001), 4130 (2001).

23-0208. Other installations subject to inspection.--Every electrical installation or addition to or alteration of any electrical installation hereinafter installed or made shall be subject to inspection and test as elsewhere provided in this chapter.

Source: 1952 Rev. Ord. 23-0208.

23-0209. Inspection prior to completion when installations are to be concealed.--When any part of a wiring installation is to be hidden from view by the permanent placement of parts of the building, the person, firm, or corporation installing the work shall notify the building official or the electrical inspector, and such parts of the installation shall not be concealed until they have been inspected or until 24 hours (exclusive of Sundays and legal holidays) shall have elapsed from the time of such notice; providing, that on large installations, where the concealment of parts of the wiring proceeds continuously, the person, firm, or corporation installing the work shall give the electrical inspector due notice and inspections shall be made periodically during the progress of the work.

Source: 1952 Rev. Ord. 23-0209, 4103 (2001), 4130 (2001).

23-0210. Notice to inspect--Certificate of approval, when issued.--Upon the completion of the electrical installation or part thereof which has been authorized by issuance of a permit, it shall be the duty of the person, firm, or corporation installing same to notify the building official or electrical inspector, who shall inspect the installation within 24 hours of the time such notice is given and if it is found to be fully in compliance with the provisions of this chapter, he shall issue to such person, firm, or corporation a final certificate of approval, authorizing connecting to the electric service, the turning on of the electric current, and the use of the installation; and he shall send written notice of such authorization to the power company furnishing the electric service. When a certificate is issued authorizing the connection and use of temporary work, such a certificate shall be issued to expire at a stated time and shall be revocable by the building official or electrical inspector at his discretion.

If, upon inspection, the installation is not found to be fully in compliance with this chapter, the building official or electrical inspector shall at once forward to the person, firm, or corporation installing the work a written notice stating the defects that have been found to exist.

Source: 1952 Rev. Ord. 23-0210, 4103 (2001). 4130 (2001).

23-0211. Installations must conform to certain regulations before certificate issued.--No certificate of approval shall be issued for electric light, power, and heating installations unless such installations are in strict conformity with the provisions of this chapter, the statutes of the state of North Dakota, the North Dakota State Wiring Standards, the rules and regulations issued by the board of city commissioners of the city of Fargo, under authority of the state statutes, and unless they are in conformity with approved methods of construction for safety to life and property. The

regulations as laid down in the 2002 edition of the National Electrical Code as currently adopted by the State of North Dakota, as approved by the American Standards Association and in the National Electrical Safety Code, as approved by the American Standards Association, and other installation and safety regulations approved by the American Standards Association, together with the current standards as published by the National Fire Protection Association, shall be prima facie evidence of such approved methods.

Source: 1965 Rev. Ord. 23-0211, 1293 (1969), 1334 (1969), 1418 (1972), 1992 (1980), 2296 (1986), 4103 (2001), 4130 (2001), 4246 (2002).

23-0212. Condemning work--Petition for review filed with board of appeals.-- When the building official or the electrical inspector has condemned all or part of any electrical installation, the owner may, within five days after receiving written notice from the building official or electrical inspector, file a petition in writing for review of said action of the building official or electrical inspector with the board of appeals, upon receipt of which said board of appeals shall at once proceed to determine whether said electrical installation complies with this chapter and within three days shall make a decision with its findings.

Source: 1952 Rev. Ord. 23-0212, 4103 (2001), 4130 (2001).

23-0213. Connection to installations--Certificate of approval required.--It shall be unlawful for any person, firm, or corporation to make connection from a source of electric energy to any electric wiring or equipment for the installation of which a permit is required until a certificate of approval has been issued by the building official or electrical inspector authorizing such connection and the use of such wiring or equipment.

It shall be unlawful for any person, firm, or corporation to make connection from a source of electrical energy to any wiring or equipment that has been disconnected or ordered to be disconnected by the building official or electrical inspector until a certificate of approval has been issued by him authorizing the reconnection and use of such wiring or equipment. The building official or electrical inspector shall seal, lock, and tag such installations so that any person asked to make such connection can readily see such tag.

Source: 1952 Rev. Ord. 23-0213, 4103 (2001), 4130 (2001).

23-0214. Re-inspection.--The building official or electrical inspector is empowered to make a re-inspection of the installation of electric wiring and equipment installed within the city of Fargo and within the scope of this chapter at any time there is reason to believe that any changes or additions have been made to the existing installations or equipment or when there is reason to believe that an unsafe condition exists as a result of the continued use of any electrical wiring or equipment. When the installations of any such wiring or equipment is found not to comply with the requirements of this chapter, the owner of such wiring or equipment shall be notified in writing and shall make the necessary repairs or changes as required and shall have same completed in 15 days, or a longer period if so allowed by the building official or electrical inspector in the written notice.

The building official or electrical inspector is hereby empowered to disconnect or order the discontinuance of electric service to such wiring or equipment until such time as such wiring or equipment has been changed or repaired as required in the building official's or electrical inspector's notice.

Source: 1952 Rev. Ord. 23-0214, 4103 (2001), 4130 (2001).

23-0215. Violations.-- Every person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be guilty of an infraction, and be punished by a fine not to exceed \$500.00; the court to have the power to suspend said sentence and to revoke the suspension thereof.

Source: 4103 (2001), 4130 (2001).

## ARTICLE 23-03

### FEES AND WIRING

Note: Article 23-03 of chapter 23 of the Revised Ordinances of 1965 (§§ 23-0301 to 23-0307) was repealed by Ord. No. 1418, § 2, 1972.

Section 23-0301 as amended by Ord. No. 1517, 1973 was repealed by Ord. No. 1531, 1973.

## ARTICLE 23-04

### ELECTRIC SPACE HEATING

Note: Article 23-04 of chapter 23 of the Revised Ordinances of 1965 (§§ 23-0401 to 23-0412) was repealed by Ord. No. 1418, § 2, 1972.

## ARTICLE 23-05

### LIABILITY FOR DAMAGE

#### Section

23-0501      Liability for damages.

23-0501. Liability for damages.--This chapter shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling, or installing any electric wiring, electric devices, or electric equipment for damage to any person or property caused by any defect therein, nor shall the city of Fargo, the building official, the electrical inspector, or the assistant inspectors be held as assuming any such liability by reason of the inspection authorized herein or certificate of approval issued as herein provided.

Source: 1952 Rev. Ord. 23-0401 and 23-0413, 1105 (1961), 4103 (2001), 4131 (2001).

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