

## Chapter 4-05

### ELECTRICAL CODE

#### Sections:

4-05-01	TITLE
4-05-02	PURPOSE
4-05-03	SCOPE
4-05-04	DEFINITIONS
4-05-05	ADMINISTRATION AND ENFORCEMENT
4-05-06	ADOPTION
4-05-07	ELECTRICAL INSPECTOR
4-05-08	DUTIES OF ELECTRICAL INSPECTORS
4-05-09	INTERPRETATIONS
4-05-10	BOARD OF APPEAL (Electrical)
4-05-11	DUTIES OF BOARD OF APPEAL
4-05-12	APPEAL PROCEDURE
4-05-13	RIGHT OF APPEAL TO CITY COUNCIL FOR ADMINISTRATIVE ACTIONS
4-05-14	CODE PRIORITY
4-05-15	LICENSE REQUIRED
4-05-16	PROPERTY OWNER'S EXEMPTION
4-05-17	UNLAWFUL ELECTRICAL PROCEDURES
4-05-18	ELECTRICAL PERMIT REQUIRED
4-05-19	QUALIFIED PERMIT APPLICANT
4-05-20	PERMIT
4-05-21	PERMIT REQUIREMENTS
4-05-22	ISSUANCE OF ELECTRICAL PERMIT
4-05-23	UNLAWFUL TO CONCEAL
4-05-24	INSPECTION REQUIRED
4-05-25	ROUGH-IN INSPECTION
4-05-26	TRIM-OUT (FINAL) INSPECTION
4-05-27	TEMPORARY SERVICE CONNECTION
4-05-28	ENFORCEMENT THROUGH DISCONNECTION OF POWER
4-05-29	RESPONSIBILITY
4-05-30	SCHEDULE OF FEES
4-05-31	SPECIAL CODE REQUIREMENTS
4-05-32	CODE VIOLATION NOT TO BE RETAINED
4-05-33	APPROVAL OF PRODUCTS AND MATERIALS
4-05-34	STOP WORK ORDER
4-05-35	PENALTIES
4-05-36	APPEAL PROCUDURES
4-05-37	APPEAL OF BOARD DECISIONS

#### Section 4-05-01 TITLE

All ordinances of a general and permanent character about and showing rules for the installation, and maintenance of electrical wiring, equipment, apparatus or fixtures and other similar work, as hereinafter set out, shall be known and appointed as the "Boise City Electrical Code," is cited as such, and will be referred to herein as "this Code."

#### **Section 4-05-02 PURPOSE**

This Code shall provide:

- A. The practical safeguarding of persons and buildings and their contents from hazards arising from the use of electrical energy for light, heat, power, communications, signaling, signs, electrical equipment installations, elevators, dumbwaiters, moving walks and other purposes.
- B. The administration and enforcement of this Code through permits and inspections; for interpretation of the rules.

(6338, Repealed & Replaced, 08/03/2004; 5900, Repealed and Replaced, 03/02/1999, OVERALL UPDATE)

#### **Section 4-05-03 SCOPE**

This Code shall cover all electrical installations not under the direct control and regulation of the Idaho Public Utilities Commission or an agency of the Federal Government.

- A. Covered. The regulations of this Code shall apply to all electrical wiring, equipment, apparatus and fixtures installed, used, maintained, rented, leased or offered for sale or distribution within or on public and private buildings and other premises, including yards, carnival and parking lots and industrial substations; also conductors that connect the installations to a supply of electrical energy; also mobile homes, motorhomes, recreational vehicles and mobile home and recreational vehicle parks; also investigation of fires caused by electrical installations.
- B. Not Covered. This Code does not cover the following:
  - 1. Installations in ships, watercraft other than floating buildings, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles;
  - 2. Installations under ground in mines and self-propelled mobile surface mining machinery and its attendant electrical trailing cable;
  - 3. Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communications purposes;
  - 4. Installations of communications equipment under the exclusive control of communications utilities located outdoors or in building spaces used exclusively for such installations; and
  - 5. Installations under the exclusive control of an electric utility where such installations:

- a. Consist of service drops or service laterals, and associated metering, or
- b. Are located in legally established easements, rights-of-way, or by other agreements either designated by or recognized by public service commissions, utility commissions, or other regulatory agencies having jurisdiction for such installations, or
- c. Are on property owned or leased by the electric utility for the purpose of communications, metering, generation, control, transformation, transmission, or distribution of electric energy.

(6338, Repealed & Replaced, 08/03/2004; 5900, Repealed and Replaced, 03/02/1999, OVERALL UPDATE)

#### **Section 4-05-04 DEFINITIONS**

**Authority Having Jurisdiction.** Planning and Development Services Department, its Director and designees.

**Chief Electrical Inspector.** An electrical inspector employed by the City responsible for administering the requirements of this Code.

**Electrical Inspector.** An individual meeting the requirements of this chapter and authorized to perform electrical inspections.

**Person.** A person, firm, association or corporation.  
(6338, Repealed & Replaced, 08/03/2004; 5900, Repealed and Replaced, 03/02/1999, OVERALL UPDATE)

#### **Section 4-05-05 ADMINISTRATION AND ENFORCEMENT**

The administration, interpretation and enforcement of this Code shall be under the jurisdiction and control of the Boise City Planning & Development Service Department. The Director hereby appoints and designates the Chief Electrical Inspector to administer the interpretations and or applications of this Code as necessary.

- A. The Director shall be responsible for a complete record of all electrical work done, permits issued, examinations given and all other official work to be required by this Code.

(6338, Repealed & Replaced, 08/03/2004; 5900, Repealed and Replaced, 03/02/1999, OVERALL UPDATE)

#### **Section 4-05-06 ADOPTION**

Except as otherwise herein required, the "2008 National Electrical Code" is adopted as the minimum standard for all electrical wiring within Boise City.

From and after the effective date of this act, all installations in Boise City of wires and equipment to convey electric current and installations of apparatus to be operated by such current, except as hereinafter provided, shall be made in accordance with the National Electrical Code (NEC), as approved by the

American National Standards Institute and as amended, revised, compiled and published from time to time and as such revisions are approved by the State of Idaho Electrical Board and the Boise City Electrical Board of Appeal. The National Electrical Code shall take effect as of July 1<sup>st</sup> of the following year of adoption by said boards. All Boise City amendments to the Electrical Code as well as all Electrical policies and Board minutes shall be posted by the City. The posting shall state the effective date of the amendment or policy.

(6624, Amended, 12/11/2007; 6338, Repealed & Replaced, 08/03/2004; 5900, Repealed and Replaced, 03/02/1999, OVERALL UPDATE)

#### **Section 4-05-07 ELECTRICAL INSPECTOR**

The Chief Electrical Inspector and/or all assistant Electrical Inspectors hereinafter appointed shall be skilled in electrical installations with not less than four (4) years experience as a journeyman electrician and State of Idaho Journeyman's license.

- A. Inspectors employed by the department shall take and pass, before the end of their probationary period, the inspector's test, which as designated and selected by the Idaho State Electrical Board.
- B. No inspector employed by the department and assigned to the enforcement of the provisions of this chapter shall be engaged or financially interested in an electrical business, trade, practice or work, or the sale of any supplies connected therewith, nor shall he act as an agent, directly or indirectly, for any person, firm, partnership, association or corporation so engaged, within Boise City Limits.
- C. This does not relieve the inspector from abiding by any code, rule or policy of Boise City.

(6338, Repealed & Replaced, 08/03/2004; 5900, Repealed and Replaced, 03/02/1999, OVERALL UPDATE)

#### **Section 4-05-08 DUTIES OF ELECTRICAL INSPECTORS**

Electrical Inspectors are hereby authorized, empowered and required to enforce the provisions of this Code.

- A. Electrical Inspectors are hereby authorized and it shall be their duty to inspect the installations and alterations of electrical wiring, equipment, apparatus and fixtures covered by this Code.

(6338, Repealed & Replaced, 08/03/2004; 5905, Amended, 03/16/1999; 5900, Repealed and Replaced, 03/02/1999, OVERALL UPDATE)

#### **Section 4-05-09 INTERPRETATIONS**

When questions about the interpretation and/or application of this Code arise, final decision will rest with the Board of Appeals under procedures hereinabove set forth. No board member shall participate in an appeal proceeding in which he or his employer, employee, business partner, business associate, or any person related to him may have an economic interest in any manner in the particular appeal.

Technical and administrative rulings of the Chief Electrical Inspector, Building Official, or the Electrical

Board shall be appealed directly to City Council.

(6624, Amended, 12/11/2007; 6338, Repealed & Replaced, 08/03/2004; 5900, Repealed and Replaced, 03/02/1999, OVERALL UPDATE; 5811, Amended, 09/09/1997; 5787, Amended, 03/11/1997; 5782, Amended, 02/18/1997)

#### **Section 4-05-10 BOARD OF APPEAL (Electrical)**

The Board of Appeal shall consist of seven (7) members appointed by the Mayor and confirmed by the Council, who, by experience and training, shall be qualified in the Electrical Industry Administrative Authority enforcing the provisions of this Code and upon the safety of installations and equipment regulated by this Code. Boise City residency of at least four (4) of the members is required. Members not residing in Boise City must reside in Ada County and transact business in Boise City. To transact business, the board member must own or work at a business in Boise City.

- A. Appointment. The members of the Board shall be appointed to serve a four (4) year term. No member of the Board shall sit on a hearing in which he has a conflict of interest. Any member of the Board may be removed by the Mayor for malfeasance in office, incapacity or neglect of duty.
- B. Vacancies. Vacancies occurring on the Board shall be filled by the Mayor and confirmed by the Council for the unexpired term for which the vacancy occurs.
- C. Board to Organize. At the first meeting of the Board, after the adoption of this Code, and every term, the Board shall elect a chairperson from their members who shall preside at all meetings. At meetings where a chairperson is elected, a vice-chairperson shall also be elected by a majority vote of members present. The vice-chairperson shall assume all the duties of the chairperson in the absence of the chairperson. The term of office for the vice-chairperson shall be the same as that of the chairman. At the end of the chairperson's term, a vote shall be taken to determine if the vice-chair shall succeed the Chairperson.

They shall adopt such rules needed for the proper and efficient discharge of their official duties. The Director of the Planning and Development Services shall provide a secretary for the Board. The Board shall meet: (1) to hear appeals, (2) at the discretion of the Chairperson and/or (3) for the adoption of a new edition of the National Electrical Code.

- D. MINUTES. All meetings shall be taped, further the secretary shall cause minutes to be taken. Minutes shall be approved by the Board. Minutes and tapes shall be posted and maintained for at least one year.

(Ord 16 13, 06/04/2013; 6624, Amended, 12/11/2007; 6338, Repealed & Replaced, 08/03/2004; 5900, Repealed and Replaced, 03/02/1999, OVERALL UPDATE)

#### **Section 4-05-11 DUTIES OF BOARD OF APPEAL**

- A. The Board shall meet at the call of the chairperson or notice from the Chief Electrical Inspector of any charge, complaint or appeal. The quorum of the Board may, by majority vote, affirm or annul, whichever may, in the exercise of its discretion seem appropriate, the charges in the complaint or the action of the Electrical Inspector.
- B. The City Electrical Appeals Board shall also render advisory technical opinions regarding potential code amendments and/or changes.

(6624, Amended, 12/11/2007; 6338, Repealed & Replaced, 08/03/2004; Ord. 5900, Repealed and Replaced, 03/02/1999, OVERALL UPDATE)

## **Section 4-05-12 APPEAL PROCEDURE**

Any charge, complaint or appeal shall be brought before the Board of Appeal as follows:

- A. Any person who has been ordered by an Electrical Inspector to repair, change or correct any electrical wiring, equipment, apparatus or fixture, may within fifteen (15) days thereafter, appeal there from by giving to the Chief Electrical Inspector a notice in writing of such appeal and shall attach to the written appeal a check for one hundred and fifty dollars (\$150.00), made payable to Boise City. Such notice shall immediately be sent to the chairperson of the Board who shall set the time and place for hearing and instruct the secretary of the Board to notify the appellant of the time and place set for the hearing. Notice to the appellant shall be contacted at least ten (10) days prior to the hearing date. Appearance by appellant at the hearing shall be deemed a waiver of notice. The Chief Electrical Inspector shall set up a hearing as soon as possible after receiving a charge, complaint or appeal, but in no instance shall an appeal be scheduled longer than 30 days after receipt.
- B. Decisions of the administrative authority enforcing this Code or interpretations of the rules, the disapproval of equipment, materials or wiring methods, or the denial of the "special permission" contemplated in several of the rules, may, within fifteen (15) days thereafter, be appealed, by giving to the Chief Electrical Inspector, notice in writing of such appeal. Such written notice shall be accompanied by a check for one hundred and fifty dollars (\$150.00) made for Boise City. Such notice shall immediately be sent to the chairperson of the Board who shall set the time and place for hearing and instruct the secretary of the Board to notify the appellant of the time and place set for the hearing. Notice to the appellant shall be contacted at least ten (10) days prior to the hearing date. Appearance by appellant at the hearing shall be deemed a waiver of notice.
- C. The Electrical Board may receive all evidence on appeal, in accordance with the following procedure:
  1. The Chief Electrical Inspector or designee shall present background information on the project in question, relevant code sections and justification for the City's interpretation. The Board may ask questions during or after each presentation.
  2. Appellant shall present his/her grounds, reasoning and applicable code sections to support a reversal of the Chief Electrical Inspectors decision. The appellant shall have up to 20 minutes to present such evidence.
  3. The Chair shall open the hearing for public testimony. Each person wishing to provide public testimony shall be given up to five minutes to to do so.
  4. Following the close of public testimony, the Chief Electrical Inspector or designee shall be allowed up to ten (10) minutes for rebuttal.
  5. The Applicant then shall have up to ten minutes for rebuttal and any final comments.
  6. The chairman of the board may allocate equivalent additional time to the applicant and the Chief inspector or his designee if the clarity of the issue at hand can be enhanced by receiving additional testimony.
  7. The board may request more information before a final decision is made. Also the Board

may take the matter under advisement and reconvene in a reasonable time not to exceed fifteen (15) days to make their final decision.

8. Thereafter, the board may deliberate and render a final decision by a role call vote, may request more information before a final decision is made, or may take the matter under advisement and reconvene at a reasonable time not to exceed fifteen days to make their final decision. The final decision shall be in writing and a copy provided to the Applicant and any parties of record. The decision by the Board may be appealed to the City (10) calendar days following the date of issuance of a written decision.

(6624, Amended, 12/11/2007; 6338, Added, 08/03/2004)

#### **Section 4-05-13 RIGHT OF APPEAL TO CITY COUNCIL FOR ADMINISTRATIVE ACTIONS**

If the Board of Appeal affirms and/or changes the administrative action of an Electrical Inspector, the licensee aggrieved or the appellant may, within ten (10) days thereafter, appeal to the Boise City Council.

(6624, Amended, 12/11/2007; 6338, Added, 08/03/2004)

#### **Section 4-05-14 CODE PRIORITY**

Whenever the requirements of this Code are of a higher, more stringent standard than other related codes as adopted and amended by the City of Boise, then the standards of this Code shall take precedence.

(6338, Added, 08/03/2004)

#### **Section 4-05-15 LICENSE REQUIRED**

It shall be unlawful for any person to engage in, carry on or represent himself, the business of electrical contractor or specialty contractor, or to supervise or labor at the trade of journeyman electrician or specialty journeyman electrician within Boise City without being in possession of an electrical contractor's license or journeyman electrician license or specialty contractor's license or specialty journeymen license issued by State of Idaho Electrical Bureau. The specialty contractor's license and specialty journeymen license shall be limited to the particular trade involved as required by the State of Idaho Electrical Bureau.

- A. A journeyman electrician or specialty journeyman shall not engage in or represent himself as an electrical contractor.

(6338, Added, 08/03/2004)

#### **Section 4-05-16 PROPERTY OWNER'S EXEMPTION**

A property owner of a one-family or two-family dwelling, including accessory buildings and grounds about such dwellings may install, alter, or replace electrical wiring, equipment, apparatus or fixtures in or on said property or structures, provided the proper electrical permit has been issued for the work and inspections are made as required by this Code.

- A. The property owner's exemption is void, and all work must be done by a Licensed Electrical Contractor when:

1. A property owner securing an electrical permit hires or asks for the assistance of another person, with or without pay.
  2. A licensed electrical or specialty contractor lends his or her license to a property owner for securing an electrical permit or when a licensed journeyman electrician or specialty journeyman electrician performs work with or without pay under another person's property owner's permit.
- B. Voiding Property Owner Permit. The Electrical Section/Chief Electrical Inspector is hereby authorized to void a homeowner electrical permit if: 1- person taking out permit is not Owner of Record on the Deed of said Property, 2- Property owner has two (2) or more reinspection, and/or 3- Property owner receives physical assistance from other(s).  
(6624, Amended, 12/11/2007; 6338, Added, 08/03/2004)

**Section 4-05-17 UNLAWFUL ELECTRICAL PROCEDURES**

It shall be unlawful for any person, as principal, agent, officer, servant or employee thereof, regardless of whether they are receiving compensation for performing the act or not, to perform any of the following:

- A. Install or alter any electrical wiring, equipment, apparatus or fixture, without first securing an electrical permit.
- B. Maintain, permit to be maintained or permit to exist upon premises which are owned or controlled by any of the above, any electrical wiring, equipment, apparatus or fixture which does not conform to the requirements of this Code.
- C. Hinder, impede or interfere with an Electrical Inspector in the discharge of his authority or duty, or to refuse, fail or neglect to follow or conform to any provision(s) or requirement(s) of this Code.
- D. To energize any electrical wiring, equipment, apparatus or fixtures which have been installed, altered or repaired, until the inspection approval has been posted.  
(6338, Added, 08/03/2004)

**Section 4-05-18 ELECTRICAL PERMIT REQUIRED**

Before any person installs or alters any electrical wiring, equipment, apparatus or fixture, they shall file a permit application with the Electrical Section.

Exception: Emergency Work. If immediate alteration or installation of electrical wiring, equipment, apparatus or fixtures is necessary for reasons of public safety and/or welfare and an electrical permit cannot first be obtained without further endangering the public safety and/or welfare, such alteration or installation may be made without first obtaining the electrical permit therefore but the required electrical permit shall be obtained during the next business day after such alteration or installation shall have been made.  
(6338, Added, 08/03/2004)



**Section 4-05-19 QUALIFIED PERMIT APPLICANT**

No electrical permit shall be issued to any person to do or cause to be done any electrical work regulated by this Code, except to a person holding a valid contractor's license as required by this Code.

Exception: Electrical permits may be issued to property owners as provided by this Code.  
(6338, Added, 08/03/2004)

**Section 4-05-20 PERMIT**

Any person legally entitled to apply for and receive an electrical permit shall file a permit application with the Planning & Development Services Department.  
(6338, Added, 08/03/2004)

**Section 4-05-21 PERMIT REQUIREMENTS**

Permitee shall meet the following requirements:

- A. Shall inform the department prior to beginning work by submitting a permit application.
- B. Any person who commences any work on an electrical system before obtaining the necessary permit, shall be subject to a special investigation fee. The investigation shall be completed and the investigation fee shall be paid before a permit may be issued for such work. The investigation fee shall be required regardless of whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The payment of such investigation fee shall not exempt any person from compliance with all provisions of this code nor shall payment of this fee serve as an exemption from any penalty prescribed by law.

(6338, Added, 08/03/2004)

**Section 4-05-22 ISSUANCE OF ELECTRICAL PERMIT**

Upon the receipt of a properly completed electrical permit application containing all required information and upon payment of the proper permit fee, the Electrical Section shall issue the electrical permit.

Permits could be voided or expired if:

- A. Expiration of Permit. If the work authorized by the permit is not started within one hundred eighty (180) days from the date of issuance of the permit or if work is suspended or abandoned for one hundred eighty (180) days after work is started, such permit shall thereupon become expired and no electrical wiring, equipment, apparatus or fixtures shall thereafter be installed or altered in or on the premises specified in the original permit until and unless a new application shall have been made, the fee paid and a new permit issued. The one hundred eighty (180) days of suspension or abandonment shall be measured from the last required inspection that was requested by the permit applicant and approved/failed by inspector.

- B. Denial of Permits. An electrical permit may be denied to any person when corrections with the installation or alteration of electrical wiring, equipment, apparatus or fixtures installed, altered or repaired by such person under a previously issued electrical permit for work at this location has not been made within the requirements of this Code after a correction notice has been posted. The Electrical Section shall notify the person by mail at least five (5) days before denial of a permit and shall list the permit number(s) involved. Notice shall be considered given upon delivery of the mail to the last known address.

(6338, Added, 08/03/2004)

#### **Section 4-05-23 UNLAWFUL TO CONCEAL**

It shall be unlawful for any person, to cover up or in any way conceal any electrical wiring, cables, conduits or other equipment until the same has been inspected and approved by an Electrical Inspector.

(6338, Added, 08/03/2004)

#### **Section 4-05-24 INSPECTION REQUIRED**

- A. It shall be the duty of the permittee to notify the Electrical Section when the electrical work is ready for inspection or reinspection.
- B. When the Electrical Inspector finds the work to be in compliance with this Code, he shall post on the front window or where the work is being done, his inspection approval thereof. The notice shall contain date and permit number.
- C. When the Electrical Inspector finds that the work does not comply with this Code, he shall post his correction notice on the front window of the structure or where the work is being done; such notice shall clearly show by Code section number the violation(s) to be corrected. It shall be the duty of the permittee to notify the Electrical Section when the work is ready for reinspection.
- D. When the Electrical Inspector cannot gain access to the work that is being done, he will post a no access notice at front of structure / job and a re-inspection fee will be required.
- E. If an electrical installation is found to have been made without an electrical inspection the person, firm, association or corporation responsible shall be required to expose as much of the concealed work as the Electrical Inspector deems necessary to verify compliance with this Code.

(6338, Added, 08/03/2004)

#### **Section 4-05-25 ROUGH-IN INSPECTION**

All electrical wiring, equipment, apparatus or fixtures shall be inspected for compliance with this Code. Rough-in inspections shall include all mechanical installation(s), application or use of wiring methods, grounding and circuit protection, service equipment, distribution and protection, conductor capacity, general and special use equipment.

- A. When only part of the work is ready for inspection, a partial rough-in inspection may be requested to allow the work of other crafts to proceed without delay. Only that part of the electrical work inspected under a partial rough-in inspection may be covered or concealed thereafter. It shall be the duty of the permittee to schedule partial rough-in inspections so that the work may proceed without delay.

(6338, Added, 08/03/2004)

#### **Section 4-05-26 TRIM-OUT (FINAL) INSPECTION**

When the electrical work documented in the permit is ready to be placed in service the completed system shall be inspected and/or tested for compliance with this Code. Trim-out inspections shall cover the installation and/or connection of devices, cover plates, fixtures, utilization equipment (ranges, water heater, etc.), heating and/or cooling equipment, service equipment and distribution panels.

(6338, Added, 08/03/2004)

#### **Section 4-05-27 TEMPORARY SERVICE CONNECTION**

It shall be unlawful for any person, firm, association or corporation to use, cause or permit to be used, a temporary service connection for carnivals, displays, holiday decorative lighting, firework stands, experimental or developmental work, demolition work, construction, remodeling and similar purposes, without first following the requirements of this Code and National Electrical Code.

(6338, Added, 08/03/2004)

#### **Section 4-05-28 ENFORCEMENT THROUGH DISCONNECTION OF POWER**

It shall be unlawful for any person, firm, association or corporation to install electrical wiring, equipment, apparatus or fixtures in violation of any rule or provision of this code or to use, cause or permit to be used any electrical installation that is hazardous to life or property within Boise City.

- A. If the Electrical Inspector shall find any part of any electrical wiring, equipment, apparatus or fixture in, on or about any building or premise in Boise City to have been installed or altered without an electrical permit or not in compliance with the rules of this Code or if any electrical wiring, equipment, apparatus or fixture is found to be immediate hazardous to life and property, the Electrical Inspector shall have the right and authority to cause such installation to be disconnected and to place a written correction notice upon the disconnected installation. The Inspector shall, at the same time, give notice of such disconnection to the owner or occupant of the building or premise and/or to the person(s) using electric current carried by the disconnected installation that the disconnection has been made.

Such notice shall be made by the most reasonably effective means and a written notice shall be posted at the primary entrance of each affected occupant.

- B. It shall be unlawful for any person, firm, association or corporation to use, cause or permit to be used any electric current in or through electrical wiring, equipment, apparatus or fixtures ordered disconnected by the electrical inspector in accordance with section of this code. It will be unlawful to attach other wires for the supply of the electrical current to such disconnected

installation. It shall also be unlawful to remove, break, or deface any written correction placed by the inspector on a disconnected installation as ordered by the inspector in section of this code.  
(6338, Added, 08/03/2004)

#### **Section 4-05-29 RESPONSIBILITY**

Regardless of any approval issued by the City of Boise, the owner or authorized agent shall have ultimate responsibility to comply with all articles of this Code. Boise City officials, employees or agent, shall not be held liable by reason of the issuance of any permit, inspection or by reason of any final inspection approval issued by the Electrical Inspector.  
(6338, Added, 08/03/2004)

#### **Section 4-05-30 SCHEDULE OF FEES**

The Boise City Electrical fee schedule will be kept on file at the Planning and Development Services front counter, Boise City Clerks office or on the Planning and Development Services web site. All electrical fees shall be reviewed by the Electrical Board and then be set and approved only by Boise City Council.  
(6624, Amended, 12/11/2007; 6417, Amended, 09/20/2005; 6338, Added, 08/03/2004)

#### **Section 4-05-31 SPECIAL CODE REQUIREMENTS**

In addition to the provisions specified in this Section, the Director of the Planning & Development Services Department may require other safeguards based on special conditions that may be present in a particular installation. These safeguards include but are not limited to the following:

- A. Disconnect and Panel Locations. Main Circuit disconnecting switches and/or distribution panels shall not be installed in a bathroom, shower room, toilet room or next to a washbasin, laundry tub, janitor's tub or other location thought unsafe by the inspector.
- B. Electric Fences. No electric fence wires shall hereafter be erected, constructed, maintained or allowed to remain as part of any fence within the present or future corporate limits of Boise City.
- C. Unfused Conductors. All unfused conductors shall be installed in a raceway (Rigid Metal Conduit or IMC) when inside a building or structure for underground service(s) only. Raceway shall not be longer than four (4) feet. All meter bases shall be between five and one-half feet (5 1/2') and six feet (6') measured from grade. Multimetered base measurements shall be from the top meter base to grade.
- D. Commercial, educational, institutional and industrial buildings shall be wired in a raceway(s) approved from the current edition of the NEC or metal clad interlocking armored cables (not to include apartments of nine (9) or more units).

(6338, Added, 08/03/2004)

**Section 4-05-32 CODE VIOLATION NOT TO BE RETAINED**

When altering a pre-existing electrical wire, equipment, apparatus or fixture, or adding any new wiring, the existing electrical wiring in close proximity shall be in accordance with the present code.

(6338, Added, 08/03/2004)

**Section 4-05-33 APPROVAL OF PRODUCTS AND MATERIALS**

All materials, devices, fittings, equipment, apparatus and fixtures installed or used in the installations covered by this Code or which are supplied with electric energy by attachment to such installations shall be approved as hereinafter defined.

- A. Accepted Testing Laboratory. Materials, devices, fittings, equipment, apparatus, fixtures and appliances tested, examined and certified (listed) by an accepted testing laboratory and so labeled, shall be accepted by the Planning & Development Services Department as approved. The Planning & Development Services Department shall maintain up-to-date listings of the products and equipment approved by such testing laboratories as well as an updated list of accepted testing laboratories.
- B. Uncertified Products. Products which are not certified (listed) but are considered safe by the Electrical Inspector, may be approved provisionally and such approval shall apply only to the stock or products inspected, or a third party testing laboratory shall give the product a field evaluation or a field inspection. Such approval shall not be given for types of products which are regularly certified (listed) or when such certification (listing) does not include the proposed use. The above mentioned products shall be inspected before installation.
- C. Assembled Equipment or Products. Equipment and/or products assembled from materials, devices, fittings, equipment, apparatus, etc. (which are approved listed), may be provisionally approved by the Electrical Inspector, on a limited basis for testing purposes and/or submission for certification and listing, provided such equipment or product is installed (for testing purposes) under an electrical permit issued by the Planning & Development Services Department.
- D. Special Built-To-Order Equipment. The Director of the Planning & Development Services Department may approve special built-to-order equipment provided that:
  - 1) The equipment is not to be displayed or offered for sale.
  - 2) The equipment is inspected during the construction phase and installed only after an electrical permit is obtained pursuant to the provisions of this Code.
  - 3) Each unit must be inspected and approved under this provision.

(6338, Added, 08/03/2004)

**Section 4-05-34 STOP WORK ORDER**

- A. Issuance. Upon notice from the code official that any electrical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. If the parties are not present at the time, the STOP WORK ORDER shall be posted on the front of the building or at the job site. The notice shall state the conditions under which work is authorized to resume.
  - B. Emergencies. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.
  - C. Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.
- (6624, Amended, 12/11/2007; 6338, Added, 08/03/2004)

**Section 4-05-35 PENALTIES**

The City has the authority to file a complaint for criminal or civil penalties or both for any violation of this chapter. Criminal and civil penalties are designed to serve different purposes in this chapter. If both criminal and civil penalties are filed regarding a same or similar wrong doing on the same site or by the same person, such action shall not be considered to be double jeopardy. These penalties shall apply to any person who performs or authorizes another to perform any electrical work in violation of this code. The filing of criminal or civil charges in no way relieves anyone who performs or authorizes another to perform electrical work from complying with this code.

- A. CRIMINAL PENALTIES: Any person violating or authorizing another to violate any of the provisions of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof may be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. A new violation may be filed for each day the violation continues.
- B. CIVIL PENALTIES: Any person or its agent violating any provision of this Code may have civil penalties assessed against them. Notice of said penalties shall be served upon the violator or service may be effectuated by Certified Mail to the last known business address or residential address of the violator. A new violation may be filed for each day the violation continues. The violation will have a date when the violation shall be paid by, if it is not paid by that date, the City shall pursue collections through court and will ask the court to reimburse for all costs associated with collecting the penalty.

Civil penalties shall be issued pursuant to the following guidelines:

- (a). If the violation does not create a serious life safety hazard, the City shall send a warning to the person violating the code.
- (b). If the violation continues or a subsequent violation is discovered, the City may issue civil penalties.
- (c). If the violation creates a serious life safety hazard, than a civil penalty may be imposed even though a prior warning was not given.

A civil penalty shall be issued in the following cases:

- 1) **Electrical Contractor.** Any person who acts, or purports to act as an electrical contractor, as defined by Section 4-05-16, Boise City Electrical Ordinance, without a valid Idaho State Electrical Contractor's license shall be subject to a civil penalty of not more than five hundred dollars (\$500) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter.
- 2) **Employees.** Any person who knowingly employs a person who does not hold valid Idaho State Electrical license as required by Section 4-05-16 of this Code, Boise City Electrical Ordinance, to perform electrical installations, shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter.
- 3) **Journeyman to Apprentice Ratio.** Any electrical contractor employing electricians in violation of the journeyman to apprentice ratio established by the State board shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter.
- 4) **Supervision.** Any contractor failing to provide constant and continuous on-the-job supervision of apprentice electricians by a qualified journeyman electrician shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter.
- 5) **Performance outside Scope of License.** Any specialty electrical contractor or specialty electrical journeyman, as defined in the State Electrical Code, performing electrical installations, alterations or maintenance outside the scope of the specialty electrical license shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter.
- 6) **Corrections.** Any person who fails to make corrections in the time allotted in the notice on any electrical installation and where no extension has been requested or granted, shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter.
- 7) **Fees and Permits.** Any person failing to acquire a permit and/or to pay applicable fees or properly post an electrical permit shall be subject to a civil penalty of not more than five hundred dollars (\$500) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter.

(6624, Amended, 12/11/2007; 6338, Added, 08/03/2004)

#### **Section 4-05-36 APPEAL PROCUDURES**

Upon notice of a civil penalty, the notified party shall within ten (10) days comply with the penalty or file a written request for a hearing for appeal with the Boise City Electrical Board. Such written notice shall be accompanied by a check for one hundred and fifty dollars (\$150) made payable to

Boise City. When determining if a civil penalty is warranted, the Board shall consider the following:

- a. If the violation does not create a serious life safety hazard, did the City send warning to the person or his agent violating the code prior to issuing a civil penalties.
- b. Did the violation continue or was a subsequent violation discovered, that warranted the City to issue a civil penalty.
- c. Did the violation create a serious life safety hazard, so that the City was warranted in issuing a civil penalty even though a prior warning was not given?
- d. Did the person or his agent regularly take out permits, and thus should have had knowledge of what the code required.
- e. Did the person or his agent receive adequate warning notice of the code violation or a similar code violation.
- f. Does the person or his agent regularly violate the code.

(6624, Added, 12/11/2007)

#### **Section 4-05-37 APPEAL OF BOARD DECISIONS**

The decision by the Electrical Board may be appealed to City Council within ten calendar (10) days following the date of issuance of a written decision. If the City Council renders a final decision imposing the civil penalty against the Appellant, the Appellant shall have fourteen (14) calendar days from such decision within which to pay the civil penalty.

(6624, Added, 12/11/2007)