

PROPOSED LOCAL LAW NO. 14 FOR THE YEAR 2015
ENACTING CHAPTER 66 OF THE TOWN OF WEST SENECA CODE
ENTITLED "ELECTRICAL LICENSING"

ARTICLE I. ELECTRICIAN LICENSING AND EXEMPTIONS; FEES.

§ 66-1. License Required.

- A. No person, firm or corporation shall do any electrical work on any premises in the Town of West Seneca as a contractor or subcontractor unless licensed as a master electrician or residential electrician in the manner provided by this chapter.
- 1.) A licensed master electrician shall be authorized to perform electrical work subject to the New York State Codes.
 - 2.) A licensed residential electrician shall be authorized to perform electrical work subject to the Residential Code of New York State.

§ 66-2. Form of License.

The license shall be printed on a form determined by the Town Clerk Said form shall contain the date of issuance, the license number, the fee paid and the name of the person licensed. All licenses shall expire on December 31 following the date of issuance. All licenses shall be signed by the Town Clerk.

§ 66-3. Application for License.

- A. Any person, firm or corporation who shall desire a license to conduct electrical work in the Town of West Seneca shall apply in person, or, in the case of a corporation or limited liability company, by a duly authorized individual, at the office of the Town Clerk and registers its name and address with the Town Clerk upon application forms provided by the Town Clerk.
- B. Said application shall contain the name, age and address of the applicant, a statement of the kind of work the applicant has been engaged in for the past five years, together with the names of employers and locations of various projects that he has worked upon, a statement of the experience and qualifications of the applicant in doing some electrical

work, together with such other information that the Town Clerk, Town Board and Board of Electrical Examiners shall deem desirable.

§ 66-4. Conditions for Issuance of License.

The Town Clerk shall issue a license authorizing said applicant to conduct such business in the Town of west Seneca upon having been satisfied that the applicant has met the following conditions:

- A. **Obtaining Certificate.** A certificate from the Board of Electrician Examiners stating that such person has satisfactorily passed the examination held by said Board for such license and upon receipt of the license fee.
- B. **Proof of Financial Responsibility.** The applicant shall file with the Town Clerk certificates of insurance naming the Town of West Seneca and protecting the same to the extent of the following limits: \$1,000,000 for each occurrence for bodily injury liability; \$500,000 for each occurrence of property damage liability.
- C. **License Fee.** The annual fee for a license shall be \$175 for a master electrician and \$75 for a residential electrician.
- D. **Upon the adoption of this licensing requirement for electricians,** any electrician who produces a valid electrician's license from another municipality within New York State shall be deemed to be qualified as a licensed electrician within the Town and shall be provided with a license as either a master electrician or a residential electrician as determined by the Senior Code Enforcement Officer and the Electrical Inspector of the Town. Any appeal of this determination shall be made in writing to the Board of Electrician Examiners. The determination of the Board of Electrical Examiners shall be final. Licenses from other municipalities shall be considered acceptable only if the license is based upon a written examination.
- E. **The applicant for examination for qualification as a master electrician shall have a minimum of two years' experience of active engagement in the trade or business of electrical work.**
- F. **The applicant for examination for qualification as a residential electrician shall have a minimum of one year's experience of active engagement in the trade or business of residential electrical work. Proof of satisfactory experience shall be submitted to the Board of Electrician Examiners before being admitted to the examination.**

- G. Each person holding a valid certificate of competency or license as a master electrician or residential electrician shall register with the Town Clerk each year prior to January 31 by securing a master electrician or residential electrician license. The fee for a renewal shall be increased by \$25 if renewed subsequent to January 31.
- H. The requirements for licensing of a master electrician or a residential electrician shall not be applicable to electrical work in the following exempt categories:
- a. Work being performed by the owner-occupant of a single- or two-family dwelling unit or a townhouse regulated by the Residential Code of New York State.
 - b. Heating, ventilating or air-conditioning (HVAC) systems limited to branch circuit wiring only.
 - c. Low voltage wiring associated with:
 - i. Circuits operating at 50 volts or less.
 - ii. Fire alarm systems.
 - iii. Fiber optic systems.
 - iv. Communication circuits.
 - v. Class 1, 2, and 3 remote control, signaling and power-limited circuits as regulated by Section 725 of the National Electrical Code (NEC).

ARTICLE II. BOARD OF ELECTRICIAN EXAMINERS

§ 66-5. Establishment.

The Board of Electrician Examiners, heretofore established shall consist of four members: the Senior Code Enforcement Officer, the Electrical Inspector of the Town, and two persons who have been actively engaged in the electrical business for at least 10 years preceding their membership in such Electricians Board. The last two members shall be appointed by the Town Supervisor. The last two members shall be residents of the Town of West Seneca and shall have terms of office for two years. The term of office of the first two members shall be permanent while they are employed by the Town. The last two members shall serve as volunteers and shall receive no compensation as Electrician's Board members.

§ 66-6. Powers.

The Board of Electrician Examiners shall have jurisdiction and examination authority over all persons desiring or intending to engage in the trade, business or calling of electrical contracting or construction in the Town, with the power to examine and certify persons applying for certificates of competency as a master electrician or a residential electrician to determine their fitness and qualification for acting as such and to issue certificates of competency to all such persons who shall have satisfactorily passed examinations before such Board and shall be by it deemed qualified for such certificate.

§ 66-7. Examinations; fees.

- A. The Board shall hold examinations annually to examine persons applying for such certificates of competency. The entrance fee for applicants to be certified as a master electrician or residential electrician shall be \$100. A double fee shall be charged if there is only one applicant for any given examination.
- B. Before an applicant shall be admitted to a regular scheduled examination, he shall file his application therefor, in writing, with the Town at least 30 days before the examination date and shall pay to the Clerk the required examination fee.
- C. The Town, at least 10 days prior to the examination, shall publish in the Town newspaper a notice of the date and place where each regular scheduled examination shall be held.

ARTICLE III. LICENSE RESTRICTIONS

§ 66-8. Restrictions.

- A. No person, firm or corporation holding a license provided for in this part shall allow the use of his, her or its name or license by any unlicensed person, firm or corporation.
- B. Any person, firm or corporation doing work regulated under this part shall exhibit his, her or its license upon request to any peace officer, Town Board member, member of the Board of Electrician Examiners, Code Enforcement Officer, or their representative.
- C. The dissolution of a firm or corporation shall operate as a cancellation of the license of such firm or corporation.
- D. Licenses shall not be transferable.
- E. The Board of Electrician Examiners may revoke any license issued pursuant to this part or suspend it for such term as it may deem proper if it finds that the holder thereof, if a person, or a member, officer, agent or employee, if the holder is a firm or corporation, has violated any provision of this chapter or has made a false statement in connection with a material fact in an application for any license required under this chapter. The Board having jurisdiction may further revoke any such license if it finds that the holder is performing unacceptable workmanship of the trade licensed. The Board having jurisdiction may take the foregoing action at any regular meeting thereof or at a special meeting called for that purpose. The holder of the license shall be given notice, in writing, setting forth the charge and the date, time and place of the

hearing. The notice shall either be served personally upon the holder not less than five days prior to the meeting or hearing at which the charge is to be heard or shall be mailed to the holder of the license at the last known address thereof at least 10 days prior thereto. The Board having jurisdiction may adopt such general rules and regulations for the conduct of such hearings as it shall deem appropriate. A majority vote of the Board having jurisdiction shall be required to either revoke or suspend a license. Action taken by the Board having jurisdiction either to revoke or suspend a license shall be in addition to any other punishment authorized by this chapter or other provision of law.