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ORDINANCE NO. 75-2

AN ORDINANCE ADOPTING THE NATIONAL ELECTRICAL CODE 1975 EDITION AS THE ELECTRICAL CODE APPLICABLE TO ELECTRICAL SYSTEMS AND RELATED ACTIVITIES IN THE UNINCORPORATED AREAS OF LIBERTY COUNTY; PROVIDING FOR THE POWERS AND DUTIES OF THE ELECTRICAL OFFICIAL; PROVIDING APPLICATION FOR PERMIT; PROVIDING FOR FEES; PROVIDING FOR INSPECTIONS; PROVIDING CERTIFICATE OF APPROVAL; PROVIDING FOR VIOLATIONS AND PENALTIES; PROVIDING FOR VALIDITY; AND PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE AS PROVIDED BY LAW.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS LIBERTY COUNTY:

Section 1. SHORT TITLE. This ordinance shall be known as and may be referred to as the "Liberty County Electrical Code."

Section 2. CODE ADOPTION. Minimum standards, provisions and requirements regulating the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances thereto, within the unincorporated areas of Liberty County shall be the specifications, rules and regulations promulgated by the National Fire Protection Association and entitled "National Electrical Code, 1975 Edition", said code being adopted by reference and made a part of this ordinance as fully as if set forth herein.

Section 3. ELECTRICAL INSTALLATION OR MAINTENANCE BY HOMEOWNER. Nothing in this ordinance shall prevent any homeowner from installing or maintaining electrical systems within his own property boundaries provided such electrical work is done by himself and is used exclusively by him or his family. Such privilege does not convey the right to violate any of the provisions of this ordinance, nor is it to be construed as exempting any such property owner from obtaining a permit and paying the required fees therefor.

Section 4. ORGANIZATION.

(A) There is hereby established a department to be called the Electrical Inspection Department, which shall be in charge of the Electrical Official designated by the Board of

County Commissioners.

(B) The Electrical Official, with approval of the Board of County Commissioners, may appoint such number of officers, inspectors, assistants and other employees as shall be authorized from time to time. No person shall be appointed as Electrical Official or inspector of electrical systems who is not qualified, in the opinion of the Board of County Commissioners of Liberty County, by way of education and/or experience in electrical systems to fairly and effectively perform the inspections and other related duties required by this Ordinance. Provided, however, that the Electrical Official may make such inspections.

(C) No officer or employee connected with the Department, except one whose only connection is as a member of the Board established by this Ordinance, shall be financially interested in the furnishing of labor, material or appliances for the construction, alteration or maintenance of electrical systems or in the making of plans and specifications therefor, unless he is the owner of such building. No such officer or employee shall engage in any work which is inconsistent with his duties or with the interest of the Department.

(D) The Electrical Official shall keep, or cause to be kept, a record of the business of the Department. The records of the Department shall be open to public inspection at reasonable times.

Section 5. POWERS AND DUTIES OF ELECTRICAL OFFICIAL.

(A) The Electrical Official shall enforce the provisions of this Ordinance and he or his duly authorized representative may enter any building, structure or premises to perform any duty imposed upon him by this Ordinance.

(B) Upon notice from the Electrical Official that work on any electrical installation is being done contrary to the provisions of this Ordinance or in a dangerous or unsafe manner, such work shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of such property, or to his agent, or to the person doing the work, and

(H) The Electrical Official shall annually submit a report to the Board of County Commissioners covering the work of the Electrical Department during the preceding year.

Section 6. APPLICATION FOR PERMIT.

(A) Any person who desires to perform any work on any electrical system or installation or to install fixtures or appliances in any new or existing systems, structures or premises or repair or add to any existing electrical system, shall first make application to the Electrical Official and obtain the required permit therefor. Ordinary minor repairs may be made with the approval of the Electrical Official without a permit provided that such repair shall not violate any of the provisions of this Ordinance.

(B) Application for a permit shall be made in person. The applicant shall furnish information as may be required to complete the application form furnished by the Electrical Official.

(C) Whenever in the opinion of the Electrical Official, drawings and specifications are needed to show definitely the nature and character of the work for which the application is made, the applicant shall furnish such drawings and specifications. These drawings and specifications shall be drawn to scale and submitted in duplicate. If approved one set shall be returned to the applicant marked approved and one set shall be retained and filed in a permanent record of the Department. The applicant's approved set shall remain at all times on the job. Such information or drawings and specifications shall be specific and this Ordinance shall not be cited as a whole or in part nor shall the term "legal" or its equivalent be issued as a substitute for specific information.

(D) The Electrical Official shall examine or cause to be examined each application for a permit and the drawings and specifications which may be filed therewith and shall ascertain by such examination whether the electrical installation indicated and described is in accordance with the requirements of this Ordinance and all other applicable laws or Ordinances.

Section 7. PERMITS.

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(A) If the Electrical Official is satisfied that the work described in an application for permit and the drawings and specifications which may be filed therewith conform to the requirements of this Ordinance and other applicable laws and Ordinances, he shall issue a permit therefore to the applicant upon payment of the appropriate fee. If the application for permit and the drawings and specifications which may be filed therewith described work which does not conform to the requirements of this Ordinance or other applicable laws or Ordinances, the Electrical Official shall not issue a permit but shall return any drawings and specifications to the applicant with his refusal to issue such a permit. Such refusal shall, when requested, be in writing and shall contain the reasons therefor.

(B) The Electrical Official shall act upon an application for a permit with plans as filed, or as amended, without unreasonable or unnecessary delay. A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of this Ordinance nor shall such issuance of a permit prevent the Electrical Official from thereafter requiring correction of errors in plans or in construction or of violations of this Ordinance. Any permit issued shall become invalid unless the work authorized by it shall have been commenced within six (6) months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one year after the time the work is commenced; provided that, for cause, one or more extensions of time for periods not exceeding ninety (90) days each may be allowed in writing by the Electrical Official.

(C) No permit or amendment thereof shall be valid until the fees prescribed by this Ordinance shall have been paid.

(D) If any person commences any work for which a permit is required by this Ordinance before obtaining the necessary permit, he shall be subject to the penalty prescribed herein.

Section 8. FEES. All permit and inspection fees required to be paid by an applicant for the issuance of necessary

permits or the conducting of necessary inspections shall be in such reasonable amounts as are recommended to the Board of County Commissioners by the Electrical Official and approved by the Board of County Commissioners and set forth in full in the official minutes of said Board. After approval, a schedule of all such fees shall be posted in a conspicuous manner in the office of the Electrical Official and shall be available for distribution to the public. All such fees shall be effective when approved by the Board of County Commissioners and shall continue effective thereafter until such time as the Board of County Commissioners shall approve different fees.

Section 9. INSPECTIONS.

(A) All new electrical work, and such portions of existing systems as may be effected by new work, or by changes, shall be inspected to insure compliance with all of the requirements of this Ordinance and to insure that the installation and construction of the electrical system is in accordance with approved plans.

(B) It shall be the duty of the electrician to give reasonable advance notice to the Electrical Official when electrical work is ready for test or inspection. It shall be the duty of the electrician to make sure that the work will stand the test prescribed before giving the above notice. If the Electrical Official finds that the work will not pass the test, the electrician shall be required to make necessary corrections and the work shall then be resubmitted for inspection. Where additional inspections are necessary for retesting there shall be an additional fee of Five Dollars (\$5.00) for each such inspection.

(C) The equipment, material, power and labor necessary for the inspection and test shall be furnished by the electrician.

(D) All tests or inspections conducted by the Electrical Official shall be in accordance with National Electrical Code adopted as the Liberty County Electrical Code.

Section 10. CERTIFICATE OF APPROVAL.

(A) Upon the satisfactory completion of the roughing-in inspection, an approval shall be so noted on the electrical permit card. This approval shall give the date of the roughing-in inspection and the initials of the inspector.

(B) Upon the satisfactory completion and final test of the electrical system, a certificate of approval shall be issued by the Electrical Official to be delivered to the owner and the building shall not be occupied prior to completion of said system and/or issuance of certificate of approval.

Section 11. VIOLATIONS AND PENALTIES. Any person, firm or corporation or agent who shall violate a provision of this Ordinance or fail to comply therewith or with any of the provisions thereof, or violate a detailed statement or plan submitted and approved thereunder, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or a portion thereof during which any violation of any of the provisions of this Ordinance is continued and upon conviction shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) or by imprisonment in the County jail not to exceed sixty (60) days or by both such fine and imprisonment.

Section 12. VALIDITY. If any sections, subsections, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining portions of this Ordinance.

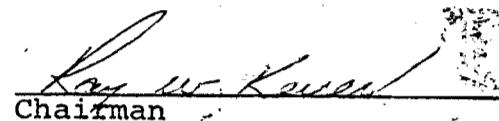
Section 13. CODE REVISIONS. Such revisions or replacements of the National Electrical Code, 1975 Edition, as may from time to time be promulgated by the National Fire Protection Association, its successors or assigns, shall replace the National Electrical Code, 1975 Edition, as the Liberty County Electrical Code unless the Board of County Commissioners of Liberty County, shall, within thirty (30) days after receipt of such revisions or replacing editions, pass a motion at a lawfully called meeting of the Board of County Commissioners rejecting such revision or replacing editions or portions thereof.

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Section 14. CONFLICT. In the event of a conflict between the provisions of this Ordinance and the provisions of any general or special laws of the State of Florida, the provisions of the general or special law shall prevail.

Section 15. EFFECTIVE DATE. This Ordinance shall take effect as provided by law.

PASSED AND ADOPTED IN REGULAR SESSION OF THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA, ON THE 2nd DAY OF September, 1975.


Ray W. Kiser
Chairman

ATTESTED:


W.A. Woodward
Clerk of Circuit Court
Liberty County, Florida