

ORDINANCE NO. 222

AN ORDINANCE ADOPTING THE NATIONAL ELECTRICAL CODE PROVIDING FOR ELECTRIC WIRING, AND REGULATIONS GOVERNING THE CONSTRUCTION, INSTALLATION, ALTERATION, EQUIPMENT, MATERIAL AND USE AND THE ENFORCEMENT

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE BOROUGH OF FREEPORT, AND IT IS HEREBY ORDAINED AND ENACTED BY AUTHORITY OF THE SAME.

SECTION 1. Adoption of Electrical Code. There is hereby adopted by the Borough of Freeport, that certain Electrical Code known as the National Electrical Code, 1968 a U.S.A. Standard, published by the National Fire Protection Association together with its amendments, appendices and supplements, save and except such portions as are hereinafter deleted, modified or amended, of which not less than three (3) copies have been and now are filed in the office of the Secretary of the Borough of Freeport, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling in wiring of all buildings and other structures within the corporate limits of the Borough of Freeport.

SECTION 2. Establishment of Office of Electrical Official.

(a) The office of Electrical Official is hereby created and the executive official in charge shall be known as the Electrical Inspector.

(b) The Electrical Inspector shall be appointed by the council of the Borough of Freeport to serve at its pleasure.

(c) During temporary absence or disability of the Electrical Inspector, the appointing authority shall designate an acting Electrical Inspector.

SECTION 3. Definitions.

(a) Whenever the word "Municipality" is used in the National Electrical Code, it will be held to mean the Borough of Freeport.

(b) Wherever the term "Corporation Counsel" is used in the National Electrical Code, it shall be held to mean the Solicitor for the Borough of Freeport.

SECTION 4. Right of Entry. The Electrical Inspector, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.

SECTION 5. Permits.

(a) Issuance of Permit. No electrical work, unless excepted in this section, shall be undertaken prior to the issuance of a permit therefor by the Electrical Inspector.

(b) Exception. Any permit required by this Code may be issued to any person to do any work regulated by this Code.

(c) Application for Permit. Application for permit shall be made on suitable forms provided by the Borough Secretary. The application shall be accompanied by fees in accordance with the schedule of fees.

(d) Schedule of Fees. The fee for every permit shall be established by council by resolution.

(e) Plans and Specifications. No permit shall be issued until plans and specifications showing the proposed work in necessary detail have been submitted to the Electrical Inspector and he has determined from examination of such plans and specifications that they give assurance that the work will conform to the provisions of this Code. If a permit is denied, the applicant may submit revised plans and specifications without payment of an additional fee. If, in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted and a supplementary permit, subject to the same conditions applicable to the original application for permit, shall be issued to cover the change.

(f) Repairs. Routine maintenance and repairs of electrical installations and equipment may be made without a permit provided no changes are made in the installation or equipment.

(g) Enforcement. It shall be the duty of the Electrical Inspector to enforce the provisions of this Code and to make the inspection and tests required thereunder. He shall determine whether or not a permit shall require an inspection.

SECTION 6. In order to safeguard persons and property against the hazards and perils incident to defective electric wiring and apparatus that are or may now be in existence within the corporate limits of the township, the Building Official is hereby given the duty to inspect with his agents and the representative or representatives of the "Underwriter" or similar organizations when requested by proper authority, or when public interest so requires, any premise within the township at reasonable times to insure that the existing electric wiring system and apparatus is not defective and unsafe.

SECTION 7. Appeals. Whenever the proper official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the official to the Borough of Freeport Council within thirty (30) days from the date of the decision of the appeal.

SECTION 8. Penalties. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Borough of Freeport or by a court of competent jurisdiction, within the time fixed herein shall severally, for each and every violation and non-compliance respectively, be guilty of a summary offense, punishable by a fine of not more than \$100.00 or by imprisonment for not more than thirty (30) days. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

SECTION 9. Saving Clause. Nothing in this Ordinance or in the National Electrical Code 1968 hereby adopted, shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued, or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 10. Ordinance No. 209 adopting by reference the National Electrical Code, 1965 Edition, recommended by the National Fire Protection Association, together with its amendments and appendices is hereby repealed.

SECTION 11. Date of Effect. This Ordinance shall take effect immediately upon the approval of the Mayor.

Alfred A. Atkinson  
President of Council

ATTEST:

Elizabeth J. Cantone  
Borough Secretary

EXAMINED AND APPROVED this 25 day of Sept., 1969.

James N. Wolf  
Mayor