

ARTICLE III. ELECTRICIANS**DIVISION 1. GENERALLY***

***Editor's note:** Ord. No. 38571, § 2, adopted Nov. 10, 2009, amended div. 1 in its entirety to read as herein set out. Former div. 1, §§ 44-51--44-70, pertained to similar subject matter, and derived from §§ 44-51--44-70 of the 1980 Code; Ord. No. 32967, § 1(44-54), (44-55), (44-60), (44-61), (44-66), (44-67), (44-69), and (44-70), adopted April 20, 1993; Ord. No. 33183, § 1, adopted Feb. 15, 1994; Ord. No. 32898, § 1, adopted June 4, 1996; Ord. No. 34008, §§ 1--4, adopted Oct. 1, 1996; Ord. No. 34922, §§ 1--7, adopted June 15, 1999; Ord. No. 35472, § 1, adopted Feb. 6, 2001; Ord. No. 35911, §§ 1--5, adopted April 2, 2002; and Ord. No. 37242, §§ 3--8, adopted Dec. 13, 2005.

Sec. 44-51. License required.

(a) No person shall represent himself or herself as an electrical contractor, master electrician, journeyman electrician or residential journeyman without first having obtained a license from the state electrical board for such position. Apprentice electricians must be registered by the city.

(b) No person shall, for another, wire or install electrical wiring, apparatus, or electrical equipment without a permit and the proper license issued by the State of Nebraska and a proper registration issued by the city.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-52. Issuance of permits restricted to electrical contractors and master electricians.

(a) No person shall be issued a permit for the installation or repair of wiring, apparatus and equipment for electric light, heat, power and other purposes unless said person holds an electrical contractor's license or a master electrician's license issued by the state electrical board and a certificate of registration issued by the electrical board of the city. Persons so licensed and registered shall not allow their name to be used by any other person, directly or indirectly, whether to obtain a permit or to do any work under his/her license.

(b) An electrical contractor's or master's license shall only be valid and in effect for one company, firm, or corporation for whom the license holder is a full-time employee, and shall not be assignable to, or be available for use by any other company, firm, or corporation; provided, that if the license holder owns 50 percent or more of another company, firm, or corporation, he/she may use the license for that company, firm, or corporation.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-53. Registration required.

Any person performing electrical work within the jurisdictional limits of the city must first be

registered with the city permits and inspections division. A copy of his/her current state license must be submitted with each registration. Apprentice electricians must also register with the city and may perform work as provided in section 44-57 of this Code.

Exception: Homeowners performing work in accordance with section 44-122 of this Code.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-54. Contractor responsibility.

It shall be the responsibility of every electrical contractor and master electrician to verify that his/her employees, when performing electrical work within the jurisdictional limits of the city, are first registered with the city permits and inspections division. Any electrical contractor or master electrician who allows unregistered employees to work within the jurisdictional limits of the city shall be subject to possible suspension or revocation of his/her registration in accordance with section 44-61 of this Code.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-55. Application and issuance of certificate of registration.

Applications for registration shall be submitted on a form provided by the city. Registration fees must be submitted with the application. The city shall review all applications and shall issue a certificate of registration upon approval. Registrations for electrical contractors and master electricians must also include a copy of the bond required in section 44-63 of this Code.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-56. Duration of certificate of registration.

Any registration issued to a contractor, master electrician, journeyman electrician or residential journeyman under the provisions of this article shall be valid from the date of issuance until the next December 31st of an even-numbered year unless sooner suspended or revoked.

Any registration issued to an apprentice electrician shall be valid from the date of issuance until December 31st of the same year unless sooner suspended or revoked.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-57. Fees.

Fees for certificates of registration are not pro-rated. Fees are due and payable by December 31st of the year in which the registration expires. Renewal fees submitted after December 31st but no later than March 31st of the following year shall be double the required fee. Renewal fees submitted after April 1st of the following year shall be quadruple the required fee. The fee for new and renewal certificates of registration shall be as follows:

Electrical contractor or master electrician . . . \$85.00

Journeyman electrician or residential journeyman electrician . . . 30.00

Apprentice electrician . . . 10.00

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-58. Delinquency.

If a person fails to renew his/her certificate by December 31st of the even-numbered year, he/she shall not be permitted to perform any electrical work until his/her certificate is renewed.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-59. Penalty for not registering.

Any person failing to register under the provisions of this article shall be required to pay quadruple the amount of the regular fee.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-60. Suspension or revocation of certificate of registration.

The electrical board, upon recommendation of the chief electrical inspector or assignee, shall have the power to suspend or revoke any registration with just cause. A certificate of registration may be suspended or revoked for the following reasons:

- (1) If the certificate was obtained by error or fraud.
- (2) If the holder no longer qualifies under this Code.
- (3) If the holder fails to comply with the provisions of this Code.
- (4) If the holder is shown to be willfully negligent or incompetent.

The electrical board shall render a decision which shall be recorded in the meeting minutes. Any person having their registration revoked shall not be granted a new registration for a period of one year after the date of revocation. Any previous permits issued to an electrical contractor or master electrician shall be cancelled without refund. Any suspension shall be for such term or conditions judged appropriate by the board.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-61. Reinstatement of certificate of registration.

The holder of any certificate of registration which has been revoked may, after the expiration of one year from the date of such revocation, make application for a new certificate of registration as provided in section 44-55 of this Code. The electrical board shall have full discretionary power to either accept or reject such application. If such application is rejected, the tendered application fee shall be returned to the applicant.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-62. Bond.

- (a) Before an electrical contractor's or a master electrician's certificate of registration may be issued under the provisions of this article, the applicant therefore shall furnish a corporate surety bond, said bond to be approved under the provisions of this code, in the sum of not less than \$12,500.00, to secure the city and the public against damages that may arise by virtue of

carelessness or neglect of such person to properly execute and protect the work, or for any penalties that may be imposed under the provisions of this chapter.

(b) The bond shall be executed by a qualified surety company licensed to do business in the state.

(c) The bond shall further be conditioned among other things to indemnify the city against any lawsuits brought or judgments obtained against the city or any of its officials, employees or the electrical board, and to hold the same harmless from any cost or expenses occasioned by an injury or casualty happening to any person, persons, or property, real or personal, either directly or indirectly by any act performed by any person or persons employed by the master electrician or electrical contractor as governed by this chapter at any and all places under the jurisdiction of the city.

(d) The bond shall further be conditioned that the applicant shall install all things, by him or his firm or corporation furnished and installed, in strict compliance with the terms of this chapter.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-63. Identification of business vehicles.

All motor vehicles utilized by licensed electrical contractors or master electricians engaging in the electrical contracting business shall, while being so utilized, be conspicuously marked with the individual, firm or corporate name and telephone number under which said business is conducted.

(Ord. No. 38571, § 2, 11-10-09)

Sec. 44-64. Apprentice electricians.

(a) *Supervision* . No apprentice electrician shall perform any electrical work unless he is on the job with and under the direct supervision of a licensed journeyman electrician, electrical contractor or master electrician.

(b) *Registration required* . No electrical contractor or master electrician shall employ any apprentice who is not registered with the city electrical examining board or the state electrical board.

(c) *Annual registration with electrical board* . Every apprentice electrician shall register his name and address with the electrical board annually.

(d) *Fees* . The fee for the original registration for apprentice electricians shall be the sum of \$15.00. All renewal fees for apprentice electricians shall be the sum of \$10.00.

(e) *Definition* . An apprentice shall mean any person who has entered into a written indentured apprenticeship agreement through a program which is certified by the city's electrical board and which provides for training through employment and classroom related instruction.

(f) *Certification exception* . Apprentice electricians may register without being in an apprenticeship program one full year prior to annual registration. If the same is registered after January 1st, one renewal will be allowed.

(g) *Certification of apprenticeship programs* . The electrical board shall use guidelines established by the B.A.T. to establish standards for certification of apprenticeship programs and shall certify apprenticeship programs annually. Any certified apprenticeship program in the city must conform with the following minimum requirements:

(1) An organized written plan shall include the following minimum provisions:
qualifications for apprenticeship entry, classroom instruction, safety, apprenticeship

agreement, certificate of completion, credit for previous experience, equal opportunity, term, probationary period, tentative work schedule, and annual review.

(2) A specific affirmative action plan, stating methods to recruit members of minority groups and women into apprenticeship positions and including measurable performance objectives.

(3) Not less than four years with not less than 6,400 hours of practical employment experience for each apprentice.

(4) An outline of the work process in which the apprentice will receive supervised on-the-job training or classroom instruction and the approximate time on each process.

(5) Provision for a minimum of 576 hours of organized related instruction in technical subjects related to the electrical trade.

(6) A numeric ratio of apprentices to licensed electricians, which may not be greater than three apprentices for each licensed electrician. The ratio language shall be specific and clear as to application in terms of job site and work force, and may specify conditions for temporary exceptions, as determined by the electrical board.

(7) Periodic review and evaluation of each apprentice's progress in job performance and related instruction.

(8) The grading of advanced standing or credit for experience, training or skills acquired outside a city-certified apprenticeship program.

(9) Any program which is certified by the United States Department of Labor's Bureau of Apprenticeship and Training shall be automatically certified by the city.

(h) *Expiration of registration* . All registrations under the provisions of this division shall expire on December 31 after issuance.

(Ord. No. 38571, § 2, 11-10-09)

Secs. 44-65--44-80. Reserved.

DIVISION 2. ELECTRICAL BOARD*

***Editor's note:** Ord. No. 38571, § 2, adopted Nov. 10, 2009, changed the title of div. 2 from "Examining Board" to "Electrical Board."

Cross references: Boards, commissions and authorities, § 2-161 et seq.

Sec. 44-81. Created.

There is hereby created a board to be known as the electrical board.

(Code 1980, § 44-81; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-82. Composition.

(1) *Generally.* The electrical board shall be composed of six members, all of whom shall be

residents of or live within the zoning jurisdiction of the city. The journeyman electricians, electrical contractors and master electricians shall hold a valid registration as issued by the city, shall have not less than five years' active and continuous experience as such, and shall be actively engaged as an electrical contractor, master electrician or journeyman electrician as their primary source of income. Notwithstanding the fact that members are appointed as representatives of groups which may have differing interests, all electrical board members shall ultimately protect and serve in the public interest.

(2) *Membership.*

(a) One member shall be an electrical engineer, currently registered as a professional engineer in this state.

(b) One member shall be a master electrician or an electrical contractor engaged in business as an electrical contractor within the city's jurisdiction, and currently affiliated with a union shop.

(c) One member shall be a journeyman electrician who has been regularly employed as a journeyman on construction in the installation of electrical wiring systems within the city's jurisdiction, and currently affiliated with a union shop.

(d) One member shall be a master electrician or an electrical contractor engaged in business as an electrical contractor within the city's jurisdiction, and currently affiliated with a merit or open shop.

(e) One member shall be a journeyman electrician who has been regularly employed as a journeyman on construction in the installation of electrical wiring systems within the city's jurisdiction, and currently affiliated with a merit or open shop.

(f) One member shall be an electrical engineer currently registered as a professional engineer in this state, and an employee of the local utility company.

(Code 1980, § 44-82; Ord. No. 32967, § 1(44-82), 4-20-93; Ord. No. 33259, § 1, 5-3-94; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-83. Appointment of members.

The members of the electrical board shall be appointed by the mayor, on the recommendation of the planning director, and confirmed by the city council.

(Code 1980, § 44-83; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-84. Term of members.

Each member appointed to the electrical board shall serve for a term of three years or until his/her successor is appointed and qualified.

(Code 1980, § 44-84; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-85. Removal of members.

The mayor, on the recommendation of the planning director, and with the consent of the city council, may at any time remove an appointed member of the electrical board for good and sufficient cause.

(Code 1980, § 44-85; Orrd. No. 38571, § 2, 11-10-09)

Sec. 44-86. Compensation of members.

Each member of the electrical board shall be paid a fee of \$10.00 for each meeting of the board attended by him/her. In addition, there shall be no charge made for the issuance of a renewal certificate of registration for any board member so long as he/she is serving on the board.

(Code 1980, § 44-86; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-87. Meetings.

The electrical board shall hold regular meetings when necessary for the purpose of administering any disciplinary action regarding the rules and regulations of this Code, or for the conduct of any other business upon call by the chairman.

(Code 1980, § 44-87; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-88. Quorum.

Three members of the electrical board shall constitute a quorum for the transaction of business.

(Code 1980, § 44-88; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-89. Officers.

The electrical board shall, at its first meeting each year, select from its members a chairman to preside at meetings and a secretary of the board. The secretary shall act as temporary chairman in the absence of the chairman.

(Code 1980, § 44-89; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-90. Adoption of rules and regulations.

The electrical board shall make such rules for the transaction of its business and for the administration of any disciplinary action regarding certificates of registration as it may deem necessary or expedient to ascertain the fitness of applicants to safely conduct their operations in the electrical field.

(Code 1980, § 44-90; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-91. Duties.

The electrical board shall sit in hearing of all residential journeyman, journeyman, class A master, and class A contractor license holders, brought before the electrical board to determine their fitness to conduct their operations in the electrical field required under the provisions of this chapter.

(Code 1980, § 44-91; Ord. No. 34922, § 8, 6-15-99; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-92. Office supplies and secretarial services.

The electrical board shall be provided with all stationery necessary for the conduct of its official duties and also be supplied with stenographic services when necessary for use in the conduct of certificate of registration hearings or official meetings.

(Code 1980, § 44-92; Ord. No. 38571, § 2, 11-10-09)

Sec. 44-93. Vacancies.

Any member who fails to maintain all of the eligibility requirements set forth in section 44-82(1) as well as the applicable provisions of section 44-82(2) shall be deemed to have forfeited their position, thereby creating a vacancy. All vacancies occurring in the membership of the electrical board shall be filled in the same manner as original appointments from the appropriate classification as set forth in section 44-82(2) for the remainder of the unexpired term.

(Code 1980, § 44-93; Ord. No. 38571, § 2, 11-10-09)

Secs. 44-94--44-100. Reserved.

DIVISION 3. RESERVED*

***Editor's note:** Ord. No. 38571, § 2, adopted Nov. 10, 2009, repealed div. 3, §§ 44-101--44-107, which pertained to examinations and derived from §§ 44-101--44-107 of the 1980 Code; Ord. No. 32967, § 1(44-102), (44-103); Ord. No. 34922, §§ 9, 10, adopted June 15, 1999; Ord. No. 37242, §§ 9, 10, adopted Dec. 13, 2005; and Ord. No. 37915, § 1, adopted Dec. 4, 2007.

Secs. 44-101--44-120. Reserved.