



Legislation Details (With Text)

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**Title:** A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the electrical code and repealing sections 27-3004, 27-3011, 27-3012 and subchapter two of chapter three of title twenty-seven of the administrative code.

**Sponsors:** Archie W. Spigner, (by request of the Mayor)

**Indexes:**

**Attachments:** 1. Committee Report 6/27, 2. Committee Report 10/26, 3. Hearing Transcript 10/26, 4. Fiscal Impact Statement, 5. Hearing Transcript 11/16, 6. Hearing Transcript, 7. Hearing Transcript 10/30, 8. Local Law

Date	Ver.	Action By	Action	Result
4/12/2000	*	City Council	Introduced by Council	
4/12/2000	*	City Council	Referred to Comm by Council	
4/12/2000	*	Legislative Documents Unit	Printed Item Laid on Desk	
6/27/2000	*	Committee on Housing and Buildings	Hearing Held by Committee	
6/27/2000	*	Committee on Housing and Buildings	Laid Over by Committee	
10/30/2001	*	Committee on Housing and Buildings	Hearing Held by Committee	
10/30/2001	*	Committee on Housing and Buildings	Recessed	
11/16/2001	*	Committee on Housing and Buildings	Hearing Held by Committee	
11/16/2001	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
11/16/2001	A	Committee on Housing and Buildings	Approved by Committee	Pass
11/16/2001	*	Committee on Housing and Buildings	Amended by Committee	
11/20/2001	A	City Council	Laid Over by Council	
11/29/2001	A	City Council	Approved by Council	Pass
12/10/2001	A	Mayor	Hearing Held by Mayor	
12/10/2001	A	Mayor	Signed Into Law by Mayor	
12/11/2001	A	City Council	Recved from Mayor by Council	

Int. No. 741-A

By Council Member Spigner (by request of the Mayor)

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the electrical code and repealing sections 27-3004, 27-3011, 27-3012 and subchapter two of chapter three of title twenty-seven of the administrative code.

Be it enacted by the Council as follows:

Section 1. Subdivision 7 of section 643 of the New York city charter is amended to read as follows:

(7) the regulation, inspection and testing of electric wires and wiring apparatus and other appliances used or to be used for the transmission of electricity for electric light, heat [and] , power, signaling, communication, alarm and data transmission in or on any building or structure in the city; provided, however, that the jurisdiction of the department, except for the testing and approval of power-operated cranes and derricks used for construction, alteration, demolition, excavation and maintenance purposes and the licensing of the operators of such equipment, the regulation, inspection and testing of gas and electricity used for light, heat and power purposes, electric, gas and steam meters, electric wires and lights and the regulation, inspection and testing of wiring and appliances for electric light, heat and power, shall not extend to waterfront property owned by the city and under the jurisdiction of the department of ports, international trade and commerce, or to the following structures on any such waterfront property; wharves, piers, docks, bulkheads, structures wholly or partly thereon, or to such other structures used in conjunction with or in furtherance of waterfront commerce or navigation, or to bridges, tunnels or subways or structures appurtenant thereto.

§ 2. Section 27-3002 of the administrative code of the city of New York is amended to read as follows:

§ 27-3002 Purpose. Since there is danger to life and property inherent in the use of electrical energy, the electrical code is enacted to regulate the business of installing, altering or repairing wiring and appliances for electrical light, heat [or], power, signaling, communication, alarm or data transmission in the city of New York and the licensing of all persons who engage in such business.

§ 3. Section 27-3004 of such code is REPEALED and a new section 27-3004 is added to read as follows:

§ 27-3004. Definitions. Unless otherwise expressly stated, the following terms, whenever used in this

chapter or in any rule or reference standard promulgated pursuant to this chapter, shall mean:

COMMISSIONER: The commissioner of buildings.

DEPARTMENT: The department of buildings.

ELECTRICAL WORK: The installation, alteration, maintenance, or repair of electric wires and wiring apparatus and other appliances used or to be used for the transmission of electricity for electric light, heat, power, signaling, communication, alarm or data transmission.

EMPLOYEE: An individual who is on the payroll of an employer and who under the usual common law rules applicable in determining the employee-employer relationship has the status of an employee. Such term shall not include an independent contractor.

JOURNEYMAN ELECTRICIAN: An individual who has demonstrated a progressive understanding, proficiency and competence in the electrical trade, which shall include:

- a. A working familiarity with the electrical code and the electrical code technical standards and the ability to apply the code requirements correctly;
- b. The application of basic electrical theory and the utilization of trade math skills on the job site;
- c. A working knowledge of the tools of the trade and the ability to utilize them properly; and
- d. An ability to draft simple diagrams and interpret from drawings for the purpose of the installation, alteration or repair of electric wiring or appliances for light, heat and power.

LOW VOLTAGE ELECTRICAL WORK: The installation, alteration, maintenance or repair of electrical wiring that is designed to operate at less than fifty volts for signaling, communication, alarm, and data transmission circuits except that such term shall not include the installation, alteration, maintenance or repair, regardless of voltage, of any such wiring which connects to, is a part of or is located within:

- (a) life safety systems as defined by rule of the commissioner, including but not limited to (i) those safety systems and features listed in subparagraphs a through n of paragraph three of subdivision a of section 27-228.2 of the administrative code and (ii) alarm and extinguishing systems subject to building code reference

standards RS 17-3, RS 17-3A, RS 17-3B, and/or RS 17-3C,

(b) class I, II or III hazardous locations as described in the electrical code technical standards, including but not limited to certain areas within commercial garages as set forth therein, aircraft hangers, gasoline dispensing and service stations, bulk fuel storage plants and facilities which may be utilized for spray applications or for a dipping and coating process,

(c) intrinsically safe systems as described in the electrical code technical standards, or

(d) a point of connection to or interfacing with a control circuit which activates light, heat or power circuits.

**LOW VOLTAGE INSTALLER:** An individual who is certified by the commissioner to act as the representative of a business entity authorized pursuant to this chapter and the rules of the department to perform low voltage electrical work in or on any building, premises or lot in the city. An individual so certified shall have full responsibility on behalf of such business entity for the manner in which such work is done and for the selection, supervision and control of employees of such business entity who perform such work. Such individual shall be an employee of the business entity which he or she represents and shall supervise, direct and be responsible for only the work of the employees of such business entity. Such individual shall not represent more than one business entity.

**MASTER ELECTRICIAN BUSINESS:** A sole proprietorship, partnership or corporation authorized by the commissioner to engage in or carry on, as an independent contractor and as its regular business, the business of performing electrical work in or on any building, premises or lot in the city under a license issued to a master electrician.

**MASTER ELECTRICIAN'S LICENSE:** The license issued to an individual who has passed the required examination and tests and who otherwise qualifies for the issuance of such license pursuant to this chapter. An individual who holds such license shall be known as a master electrician.

**RESPONSIBLE REPRESENTATIVE:** A master electrician who has the authority to make final

determinations and who has full responsibility on behalf of a master electrician business for the manner in which electrical work is done and for the selection, supervision and control of all employees of such business who perform such work. A partnership or corporation shall designate one master electrician who is a partner of such partnership or an officer of such corporation to be the responsible representative of such partnership or corporation. The proprietor of a sole proprietorship shall be the responsible representative of such sole proprietorship. A master electrician shall not be the responsible representative of more than one partnership or corporation and shall file for, supervise, direct and be responsible for only the work of such partnership or corporation. If the master electrician business is in the form of a sole proprietorship, only the master electrician who owns such business shall be the responsible representative of such business and shall file for, supervise, direct and be responsible for only his or her own work and the work of his or her employees. Notwithstanding the foregoing provisions, where the department has issued a violation notice for work performed by an unlicensed person or work performed without the required permit and/or application for certificate of electrical inspection and where such work is otherwise in compliance with the electrical code and the electrical code technical standards, a responsible representative may file an application for a permit and/or certificate of electrical inspection or take any other actions with respect to such work directed by the department to address the violation.

**SPECIAL ELECTRICIAN'S LICENSE:** The written authorization of the commissioner to an individual who is an employee of an individual, a partnership or a corporation owning, leasing or managing a building, buildings or parts thereof to perform electrical work in or on specific buildings, lots or parts thereof owned, leased or managed by such individual, corporation or partnership. An individual who has obtained such authorization shall be known as a special electrician. A special electrician shall determine the method of doing the work in or on such buildings and shall have sole responsibility for supervising and directing the employees of such owner, lessee or manager who perform such work. A special electrician shall not supervise the work of individuals who are not employees of the owner, lessee or manager of the buildings on which the

special electrician is authorized by his or her license to perform electrical work. A special electrician's license shall not authorize the holder to engage in or carry on the business of performing electrical work as an independent contractor.

SPECIAL PERMISSION: The written approval of the commissioner in circumstances involving the exercise of his or her discretion and in circumstances not covered by this chapter.

§ 4. Subdivision a of section 27-3005 of such code, as last amended by local law number for the year 1996, is amended to read as follows:

a. The commissioner is [empowered] authorized to exercise all powers necessary to enforce the electrical code and the electrical code technical standards, including but not limited to the power to:

1. [Make] Promulgate rules [and regulations] respecting the installing, altering, maintaining or repairing of (i) electric wires and wiring apparatus and other appliances used or to be used for the transmission of electricity for electric light, heat [and] , power, signaling, communication, alarm or data transmission and (ii) low voltage electrical wiring in or on any building, premises or lot in the city of New York.

2. Cause any wiring or appliances for electrical light, heat or power to be examined and inspected, and the approval thereof to be certified in writing,

(a) by an officer or employee of the department designated by him or her for that purpose, or

(b) by any inspection agency certified by the commissioner in accordance with rules [and regulations] promulgated by the commissioner, or

(c) when such wiring or appliances are located in a building owned by the city or any city agency, (i) by a licensed professional engineer, or (ii) by a person with a baccalaureate degree in electrical engineering, or (iii) by any person who holds the job title of electrical inspector or any job title equivalent thereto, as classified by the commissioner of citywide administrative services pursuant to section eight hundred fourteen of the charter; provided, however, that such licensed professional engineer or person with a baccalaureate degree in electrical engineering or person holding the job title of electrical inspector shall not have performed the work to be

inspected and shall be an officer or employee of the city agency which contracted for such work.

3. Order [in writing] the remedying of any defect or deficiency in the installing, altering or repairing of electric wires and wiring [or] apparatus and other appliances used or to be used for the transmission of electricity for electric light, heat [or] , power, signaling, communication, alarm or data transmission.

4. Cause any order issued by him or her which has not been complied with to be enforced and to take any civil or criminal proceedings or actions for its enforcement.

5. Order [in writing] any person or corporation engaged in supplying electrical energy to discontinue such supply as specified in such order if [, in the judgment of the commissioner after due inspection,] the wiring or appliances for electric light, heat [or], power, signaling, communication, alarm or data transmission shall be dangerous to persons or property therein.

6. (a) [Make] Promulgate rules [and regulations by an order in writing] fixing the date, scope[,] and subject matter[, and manner] of [holding] examinations of applicants to become licensed as master electricians and special electricians and, [in like manner,] upon recommendation of the license board, [make] promulgate rules [and regulations] respecting the issuance, suspension and revocation of such licenses.

(b) Promulgate rules fixing the date, scope and subject matter of examinations of applicants for certification as low voltage installer and respecting the issuance, suspension and revocation of such certification.

7. Appoint [an advisory board to recommend through the chief engineer of the bureau of electrical control rules and regulations and issuance of approvals for the use of electrical appliances and materials] , in accordance with the rules of the department and at his or her discretion, special boards or committees to provide advice or assistance in the implementation, interpretation, variation or amendment of any provision of the electrical code or the electrical code technical standards or any rule promulgated pursuant to this chapter.

8. [Upon recommendation of the advisory board and approval of the chief engineer of the bureau of electrical control grant] Promulgate rules regarding the issuance of approvals for the use of electrical

appliances and materials and the granting of special permission to use wiring or appliances in cases involving the exercise of his or her discretion and in cases not covered by this chapter.

9. Designate as prescribed in section 14-106 of title fourteen of the code, with the consent of the police commissioner, certain electrical inspectors as special patrolmen of the police department. Such special patrolmen shall possess powers to perform the duties of and be subject to the orders, rules and regulations of the police department in the same manner as regular patrolmen. Each special patrolman shall have a badge and card, as furnished by the police department. He or she shall have power to issue summonses returnable in the New York city criminal court, covering violations of this chapter.

§ 5. Subdivision a of section 27-3008 of such code is amended to read as follows:

a. Except as provided for in subdivision b of this section, the provisions of this chapter shall not apply to:

1. Electrical equipment used exclusively for the operation of railroads, railways and trackless trolleys, or

2. [The following described electrical equipment used in connection with lighting and power companies; a. generating stations, b. substations, c. storage battery stations, d. storage buildings and yards, e. meters and their associated instruments and testing devices] Installations, including associated lighting, under the exclusive control and use of electric utilities for the purpose of communications, metering, generation, control transformation, transmission or distribution of electric energy. Such installations shall be located in buildings used exclusively by utilities for such purpose, outdoors on property owned or leased by the utility, on public highways, streets or roads or outdoors on private property by established rights such as easements, or

3. [Telegraphic and telephone electrical] Communication equipment used exclusively for communicating or signal purposes [, provided that the electrical equipment hereinabove referred to be owned or leased and operated by persons or corporations] provided that such equipment is installed by and under the exclusive control and use of communications utilities subject to the jurisdiction of the public service

commission [of the state of New York or its successors] and is located outdoors or in building spaces used only for such equipment.

§ 6. Section 27-3009 of such code is amended to read as follows:

§ 27-3009 [License] Master electrician's and special electrician's license board. a. For each calendar year, the commissioner shall appoint a board to [determine] review the character and fitness of applicants for a master electrician's or special electrician's licenses and the approval of master electrician businesses and to investigate and report on all proposed suspensions or revocations of licenses and approvals of master electrician businesses and all proposed penalties, and may, for good cause shown, remove any member thereof and shall fill any vacancy therein, which board shall consist of:

1. [An officer or employee] Two officers or employees of the department.
2. [A] Two licensed master [or employing electrician] electricians actively engaged in the trade.
3. A journeyman electrician.
4. An [underwriter's] electrical inspector in the employ of an inspection agency certified by the commissioner.
  5. An electrician in the employ of a public service corporation of the city.
  6. [An] A registered architect or licensed professional engineer of at least five years experience.
  7. A real estate owner or [broker] manager.

b. [The] A member of the board who is an officer or employee of the department shall serve as chairperson and all members shall serve without compensation. [Four] Five members including the chairperson, who shall be entitled to vote, shall constitute a quorum of the board for the transaction of business; but no recommendation for the issue, modification, suspension or revocation of a license or of a proposed penalty shall be adopted except by the vote of [four] at least five members of the board.

c. The license board shall investigate the character and fitness of all applicants for licenses who shall have passed the required examination and shall report to the commissioner the results of such examination. It

shall investigate and hear all written complaints against holders of such licenses and master electrician businesses and report to the commissioner its findings and recommendations. It shall keep minutes of its proceedings and hearings and records of its investigations and examinations of applicants for licenses and approvals of master electrician businesses. Upon the holding of any hearing, the chairperson of the board presiding at such hearing may administer oaths, and the board may issue and cause to be served subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing held by it upon written complaint. Such subpoenas shall be signed by the [chairperson] commissioner and the fees and mileage paid to witnesses upon the service of such subpoenas shall be those prescribed in section fifteen hundred thirty-nine of the civil practice law and rules. [The board shall meet at least once in each week except during the months of July and August, when it shall meet only upon call of the chairperson.]

§ 7. Section 27-3010 of such code is amended to read as follows:

§ 27-3010 Qualifications of applicants for master electrician's and special electrician's licenses. a. An applicant for a license [whether] as a master electrician or special electrician must be over the age of [eighteen] twenty-one years, of good moral character and, at the time of applying for examination, shall have had, during the ten (10) years immediately preceding his or her application, at least seven and one-half (7 1/2) years or the equivalent as indicated below and during such time a minimum of seventy-five hundred (7500) hours or the equivalent as indicated below of satisfactory experience in the installation, alteration and repair of wiring and appliances for electric light, heat and power in or on buildings or comparable facilities. Except as otherwise provided below, such satisfactory experience must have been obtained while under the direct supervision of a licensed master electrician or special electrician or, with respect to experience outside the city, under the direct supervision of an individual with comparable qualifications as determined by the commissioner, and while in the employ of (i) a master electrician business as defined herein, or (ii) an individual, a partnership or a corporation owning, leasing or managing a building, buildings or parts thereof and employing a special electrician to perform electrical work in or on specific buildings, lots or parts thereof owned, leased or

managed by such individual, corporation or partnership, or (iii) an individual, a partnership or a corporation deemed acceptable by the commissioner. No more than fifty percent (50%) of such satisfactory experience shall have been gained while working outside the United States unless the commissioner determines that the licensing system and electrical code of the foreign jurisdiction is essentially similar to licensing systems and electrical codes in the United States. [Credit for said seven and one-half (7 1/2) years of experience shall be computed as follows] The following shall be deemed to fulfill the satisfactory experience requirement:

[a.] 1. A journeyman electrician who has worked at least seven and one-half (7 1/2) years and during such time a minimum of seventy-five hundred (7500) hours of such experience must have been obtained by working with his or her tools on the installation, alteration and repair of wiring and appliances for light, heat and power in or on buildings or comparable facilities, or

[b.] 2. A graduate [engineer] of a college or university who holds a degree [of] in electrical engineering, either a master [engineering] of science (M.S.) or bachelor of science (B.S.) degree [in electrical engineering] and has in addition worked at least (i) with respect to an applicant with an M.S. degree, [three] two and one-half ([3 1/2] 2 1/2) years and during such time a minimum of twenty-five hundred (2500) hours of such experience or, (ii) with respect to an applicant with a B.S. degree, [two] three and one-half ([2 1/2] 3 1/2) years and during such time a minimum of thirty-five hundred (3500) hours of such experience must have been obtained by working with his or her tools on the installation, alteration and repair of wiring and appliances for electric light, heat and power in or on buildings [, the period of three and one-half (3 1/2) years or two and one-half (2 1/2) years being dependent upon whether such graduate engineer attended the college or university four or five years for the purpose of obtaining his or her degree] or comparable facilities, or

[c.] 3. A graduate of a vocational, industrial [or], trade school or apprenticeship program, registered with the New York state department of labor, specializing in electrical wiring, installation and design or applied electricity, who has worked at least five and one-half (5 1/2) years and during such time a minimum of fifty-five hundred (5500) hours of such experience must have been obtained by working with his or her tools on the

installation, alteration and repair of wiring and appliances for electric light, heat and power in or on buildings or comparable facilities, or

[d.] 4. Any person who attended courses in a college or university leading to a degree in electrical engineering, mechanical engineering, bachelor of science in electrical engineering or mechanical engineering, who passed all subjects in the required courses shall be credited with [practical] satisfactory experience equal to fifty per cent (50%) of the number of curricula years he or she has satisfactorily completed which, in no event, however, shall exceed two and one-half (2 1/2) years credit of [practical] satisfactory experience, the balance of the required seven and one-half (7 1/2) years, i.e., five (5) years and during such time a minimum of five thousand (5000) hours of [practical] such experience must have been obtained by working with his or her tools on the installation, alteration and repair of wiring and apparatus for light, heat and power in or on buildings or comparable facilities, or

[e.] 5. Any person who attended courses in a [recognized] vocational, industrial or trade school, registered with the New York state department of labor, specializing in electrical wiring, installation and design or applied electricity who has passed all subjects in the required courses shall be credited with fifty per cent (50%) of the number of curricula years that he or she has satisfactorily completed which, however, in no event, shall exceed two (2) years credit of [practical] such experience, the balance of the required seven and one-half (7 1/2) years, i.e., five and one-half (5 1/2) years of [practical] such experience and during such time a minimum of five thousand (5000) hours must have been obtained by working with his or her tools on the installation and repair of wiring for electric light, heat and power in or on buildings or comparable facilities, or

6. An employee of a government agency, private inspection agency or other entity, acceptable to the commissioner, whose duties primarily involve the inspection of electrical work for compliance with the electrical code and the electrical code technical standards and/or other laws relating to the installation, alteration or repair of electrical wiring or appliances shall be credited with fifty percent (50%) of the number of years that he or she has been satisfactorily employed in such duties within the ten (10) year period prior to

application, which, however, in no event, shall exceed two and one-half (2 1/2) years credit of satisfactory experience. The balance of the required seven and one-half (7 1/2) years, i.e., five (5) years and during such time a minimum of five thousand (5000) hours of such experience must have been obtained by working with his or her tools on the installation, alteration and repair of wiring and appliances for electric light, heat and power in or on buildings or comparable facilities except that the requirement of subdivision a of this section that an applicant's working experience must have been within the ten (10) year period prior to application shall not apply to such balance of five (5) years working experience required pursuant to this paragraph.

b. Every application for a master electrician's or special electrician's license shall be made in writing in such form and shall furnish such information as the commissioner may, from time to time, prescribe, and set forth in the rules of the department.

c. Every applicant shall be required to take an examination in accordance with the rules of the department.

d. Every applicant shall submit to such investigation by the license board as may be proper to determine the applicant's character and fitness.

§ 8. Sections 27-3011 and 27-3012 of such code are REPEALED.

§ 9. Section 27-3013 of such code, as last amended by local law number 38 for the year 1990, is amended to read as follows:

§ 27-3013 Business establishments, master electricians and special electricians. a. Master electrician.

[Before the issuance of a license to an individual, a partnership or a corporation as master electrician and]

Every master electrician business shall at all times [thereafter, the applicant must] have a place of business at a specified address in the city, located in a business zone in conformity with the zoning regulations and kept open

during the usual business hours unless other [approved] means acceptable to the commissioner is provided. At

such place of business, [such] the master electrician's license of the responsible representative of such business

and if the business is a partnership or corporation, the master electrician's license of any other master electrician

associated with such partnership or corporation shall at all times be prominently displayed together with a permanent sign of a minimum size of one hundred fifty square inches, stating the name of such license holder and the words "licensed electrician" or "licensed electrical contractor" on a plate glass window and the name of the master electrician business if different than the name of the license holder; or an outside sign of permanent construction fastened and readily visible to pedestrians; or if such place of business be an office, commercial or industrial building, the [name] names shall be indicated on the entrance door of [his or her] the particular portion of the premises or on a bulletin board on the main floor.

1. The applicant for approval of a master electrician business under a license issued to a master electrician shall have filed with the commissioner, in such form as the commissioner may direct, proof that such applicant, carries all insurance required by law including, but not limited to, workers' compensation, disability and adequate public liability insurance, and that [he or she] the applicant business is financially responsible. The applicant shall indicate the name and license number of the master electrician who shall serve as the responsible representative of such business, and, if the business is a partnership or corporation, the names of all other master electricians associated with such business. Upon approval of such application the commissioner shall issue an authorization number to the business. The authorization number shall be included on all applications for permits and certificates of electrical inspection and any other documents required to be filed with the department.

2. The [store and] office or other place where [an applicant intends to conduct his or her business] the master electrician business is to be conducted may be shared by one or more [licensed master electricians business entities] master electrician businesses. However, each business [entity] whether in the form of a sole proprietorship, partnership or corporation, shall distinguish its identity from any other business [entity] sharing the same office space. Such distinctions shall be maintained in a manner [provided by] satisfactory to the department.

3. A master electrician business shall be principally engaged in the business of [installing, altering or

repairing electrical wiring for light, heat and power] performing electrical work in or on buildings, premises or lots in the city.

4. In the case of a [firm,] partnership or corporation, a master electrician's license may be [issued to] separately held by more than one partner or officer as a representative [under the license to the] of such partnership or corporation; however, only one master electrician shall be the responsible representative of such corporation or partnership. Under no circumstances shall any one licensee [hold, either as an individual or as a representative under the license to a firm, partnership, or corporation, more than one master electrician's license] represent more than one business at any one time.

5. A [person holding a] master [electrician's license, either as an individual or as a representative under the license to a firm, partnership, or corporation,] electrician representing a master electrician business shall, during the hours the business is engaged in the [installation, alteration, or repair of electrical wiring for light, heat, or power,] performance of electrical work, devote his or her full time to the operation of [a] such business [for which the license is issued].

6. The holder of a master electrician's license shall be issued a seal, of a design authorized by the commissioner, bearing the holder's full name, license number, and the legend "licensed master electrician." Applications for permits and certificates of electrical inspection, and any other document which the commissioner may require to be filed with the department, shall bear the stamp of [such] the seal as well as the signature of [a person holding such license either as an individual or as a representative under the license to a firm, partnership, or corporation] the responsible representative of the master electrician business or, if the business is a partnership or corporation, such document may bear the stamp of the seal and the signature of a master electrician associated with such business acting pursuant to a written delegation, filed with the department, from the responsible representative of such business. The responsible representative of a business may not delegate such authority to a master electrician who is not an officer of such corporation or a partner of such partnership. Such person shall personally sign applications for permits and certificates of electrical

inspection [and]. The responsible representative of a business shall have the authority to make final [determination] determinations and [the] shall have full responsibility for the manner in which the work is done, except that where work is done under a permit issued pursuant to an application bearing the signature and seal of a master electrician acting pursuant to a written delegation from the responsible representative of such business, both the responsible representative of such business and the master electrician who signed and affixed his or her seal to the application for such permit shall be jointly and severally responsible for the manner in which the work is done.

7. The holder of a master electrician's license shall report promptly in writing to the [commissioner] license board any change in the place of business.

8. The [license issued to a firm, partnership, or corporation with a named individual as a representative thereunder,] approval of a master electrician business is valid only as long as the [name of the] responsible representative [appearing on such license is in agreement with] identified on the application for approval of the master electrician business actively participates in the actual operation of the business. In the event a responsible representative [severs his or her relationship with the] leaves a [firm partnership, or corporation or otherwise changes his or her status within the] master electrician business, both the representative and the business must notify the [department of such action within thirty (30) days from the date thereof] license board within such time as shall be provided by rule. A corporation or partnership must notify the license board of the death of a responsible representative within thirty days after such death. Failure to do so shall be deemed sufficient cause [either for refusing to issue a new license to the representative or] for suspending or revoking the [license to the firm, partnership, or corporation] approval to do business of the master electrician business or the license of the master electrician. [The license to the firm, partnership, or corporation remains valid only if a qualified representative continues to be associated with the business, or a new representative whose qualifications are acceptable to the department is designated within thirty (30) days.] Except as otherwise provided by rule, a master electrician business whether in the form of a corporation, a partnership or a sole

proprietorship, may continue to engage in the business of performing electrical work only so long as the responsible representative of such business identified on the application for approval of the master electrician business remains an officer of such corporation, a partner of such partnership or the proprietor of such sole proprietorship unless the department approves a change in the responsible representative as provided in this section. The commissioner may promulgate rules providing for the continuation of a master electrician business pending the approval of a new responsible representative. Except as otherwise provided in such rules, the revocation, suspension, voluntary surrender or non-renewal of the master electrician's license of the responsible representative of a master electrician business automatically revokes its approval to do business and cancels any delegation of authority given by such responsible representative to another master electrician associated with such business pending the approval by the department of a new responsible representative.

9. [In case of any change in the name of the firm, partnership, or corporation, the department must be so notified within thirty (30) days from the date thereof and an application for a change of name filed.] Except as otherwise provided by rule, a master electrician business shall not change its name, form or designate a new responsible representative without the prior approval of the license board. [An] Approval of an application for a change [of name] is conditional upon the following: Filing the necessary forms, payment of the prescribed fee and full payment of all fees incurred with respect to such business prior to the date of the change [completing all arrangements to secure the license within thirty (30) days from the notification of such approval, during which time applications for certificate of inspection may be filed under the new name. Failure to comply with any of the conditions above enumerated, automatically withdraws the approval and cancels the license previously held]. Except as otherwise provided by rule, a master electrician may not be approved as the responsible representative of a master electrician business if there are any outstanding fees due and owing to the department or outstanding violation notices attributable to him or her as responsible representative of another master electrician business.

10. A master electrician's license and a special electrician's license and seal shall not be held by [one]

any person at the same time.

11. The holder of a master electrician's license, upon entering employment as a [maintenance] special electrician, shall surrender his or her master electrician's license and seal and change over to a special electrician's license and seal to cover the building, buildings, or parts thereof, for which he or she will be employed.

12. All business vehicles, advertising and stationery used in connection with electrical work required to be performed under a license issued to a master electrician shall display prominently in a manner provided by rule the words "N.Y.C. Licensed Electrician", the license number of the responsible representative of such business and of all other master electricians associated with such business, the authorization number of the master electrician business and the business address. If the business is conducted under a trade name, or is a partnership or corporation, the trade name, partnership, or corporate name shall be displayed prominently in a manner provided by rule.

13. Nothing in this chapter shall be construed to prevent two or more master electrician businesses from entering into a joint venture of limited duration for a particular project in accordance with the rules of the department. An application for a permit or certificate for electrical work involving a joint venture shall so indicate on the application and shall identify all of the master electrician businesses that are parties to such joint venture by name and authorization number and the names and license numbers of the responsible representatives of such businesses. The application shall be signed by the responsible representative of one of the parties to the joint venture on behalf of all such parties and all of such parties shall be jointly and severally liable for any fees due with respect to electrical work performed by such joint venture and for violations of this chapter and the rules of the department arising out of such work.

b. Special electrician's license.

1. [Before the issuance of a special license an individual a partnership, or a corporation, owning, leasing or managing a building, buildings or parts thereof, and] A special electrician shall at all times

[thereafter, the representative of the owner, lessor or manager shall] have a place of business at a specified address in the city. His or her license shall at all times be prominently displayed at such a place of business, and shall plainly indicate the address or addresses of the building, buildings or parts thereof for which such license is issued.

2. The commissioner may issue more than one special license [to an individual, a partnership or corporation, owning, leasing or managing] for a building or buildings if, in the commissioner's judgment, he or she deems it necessary for the proper operation and maintenance of the electric wiring and equipment of the building or buildings involved.

3. The holder of a special electrician's license shall report any change in employment to the [commissioner] license board.

4. The holder of a special electrician's license shall be issued a seal, of a design authorized by the commissioner, bearing the holder's full name, license number, and the legend "licensed special electrician." Applications for permits and certificates of electrical inspection, and any other document which the commissioner may require to be filed with the department, shall bear the stamp of [such] the seal as well as the signature of a person holding such license [either as an individual or as a representative under a license to a firm, partnership, or corporation]. Such person shall personally sign applications for permits and certificates of electrical inspection and shall have the authority to make final [determination] determinations and [the] full responsibility for the manner in which the work is done.

§ 10. Section 27-3014 of such code, as amended by local law number 38 for the year 1990, is amended to read as follows:

§ 27-3014 [Licenses] Master electrician's and special electrician's licenses and fees. a. Before any master electrician's or special electrician's license will be issued or renewed, the applicant shall pay a license or renewal fee [of three hundred ten dollars and a seal issuance fee of fifty dollars. Before any license shall be renewed, the applicant for renewal shall pay a license renewal fee of sixty dollars and a seal renewal fee of

thirty dollars] as prescribed by the department's rules. [Hospitals, educational, religious and charitable institutions which are receiving part of their support from funds provided by the city shall be exempt] The commissioner may exempt any agency, as defined in chapter fifty-two of the charter, from paying the aforementioned fees for licensed special [licensed] electricians [employed by them] who are employees of such agencies.

b. No license or seal shall be transferable.

c. An application for a change of license from master electrician to special electrician shall involve the issuance of a new license and seal with or without examinations as the commissioner may direct.

d. An application for a change of license from special to master electrician shall be granted only upon compliance by the special electrician with all applicable provisions of this [subchapter] chapter and the rules of the department.

e. Each license and seal shall be issued for the calendar year during which they are issued and the full fee shall be payable irrespective of the date of issue.

[f. Each license and seal shall continue in force only so long as a qualified representative continues to be associated with the license holder.]

§ 11. Section 27-3015 of such code, as amended by local law number 38 for the year 1990, is amended to read as follows:

§ 27-3015 Renewal of master electrician's and special electrician's licenses. a. Any license and seal issued hereunder may be renewed without examination, provided application for such renewal, accompanied by the renewal fees prescribed above and such information as may be required by the commissioner to ensure compliance with section 27-3016 of this chapter, shall have been filed prior to the expiration of the existing license. Where an applicant can show good and sufficient cause for his or her inability to renew his or her license and seal before [January first in any year] its expiration, the commissioner may, within thirty days [thereafter] after the expiration of such license, permit the issuance, without examination, of a new license and

seal upon payment of the prescribed fees for such new license and seal within said thirty days. No license shall be renewed and no new license and seal shall be issued unless all outstanding fees required by section 27-3018 of this code have been paid.

b. If a master electrician's or special electrician's license is suspended for cause, and the restoration thereof is conditional upon some action to be taken by the holder of the master electrician's or special electrician's license and the holder fails to take action before the expiration of the license, such failure shall be cause for the denial of the subsequent application to renew the license and seal.

§ 12. Section 27-3016 of such code, as last amended by local law number 38 for the year 1990, is amended to read as follows:

§ 27-3016 Suspension, revocation or voluntary surrender of master electrician's and special electrician's licenses and suspension or revocation of approval of master electrician business.

a. 1. After notice and the opportunity for a hearing in accordance with the [regulations] rules of the department, master electrician's or special electrician's licenses and/or approvals of master electrician businesses may be suspended or revoked by the commissioner or the commissioner may impose penalties, which shall not exceed one thousand dollars for each violation, for violation of any of the [foregoing] rules of the department and, among other things, for any of the following causes:

((1)i) Failure to display license certificate at the established place of business.

((2)ii) Failure to file [applications] an application for a permit or inspection.

((3)iii) Failure, upon receipt of [violation] a notice of violation, to take the action called for in such notice.

((4)iv) Performance of electrical work in a manner contrary to the requirements of the electrical code or the electrical code technical standards.

((5)v) Contract work by holders of special electrician's licenses.

((6)vi) Fraudulent dealing or misrepresentation.

([7]vii) [Conviction] Subject to applicable provisions of the correction law, conviction of a crime by a [competent] court of competent jurisdiction.

([8]viii) False statement in an application for a license or the renewal of a license or in an application for approval of a master electrician business or other application or certification required by this code or the rules [and regulations] of the [commission] commissioner, or in any proof or instrument in writing in connection therewith.

(ix) Failure to pay outstanding fees owed pursuant to section 27-3018 of this chapter.

2. Notwithstanding any inconsistent provision of paragraph one of this subdivision if, after due inspection, the commissioner determines that a licensee and/or a master electrician business has performed electrical work which is not in compliance with the electrical code or the electrical code technical standards and which has resulted in a condition [of imminent peril] severely hazardous to life or property, the commissioner may suspend his or her license and/or the authorization of a master electrician business represented by such licensee without a prior hearing. Notice of such suspension shall be served on the licensee and/or the master electrician business. The commissioner shall provide the licensee and/or the master electrician business with the opportunity for a hearing within five days after such suspension.

b. In the event the holder of a master electrician's license is no longer engaged in [the business as an electrical contractor,] a master electrician business or a special electrician is engaged during normal working hours in a business activity which does not involve the installation, alteration, or repair of electrical wiring for light, heat or power, [than] then he or she shall so notify the department and submit his or her license and seal for voluntary [suspension] surrender with the provision that [1. Such] ,(i) such license and seal will be restored without fee or examination if such application is made [on or before December fifteenth of the year of issue.

2. In case such application is made more than one year from the date of expiration of the surrendered license and seal,] prior to the date on which it would have otherwise expired, or (ii) if application is made after such date a new license and seal will be issued, without written re-examination, after the submission of

satisfactory evidence that the applicant has been engaged in the electrical field during the period of [suspension] surrender; provided that at the time of the submission of the license for voluntary surrender:

1. All outstanding fees required by section 27-3018 of this chapter are paid, and
2. There are no outstanding violation notices for electrical work performed under such license, and
3. Open applications for certificates of electrical inspection filed under such license have been scheduled for inspection in accordance with department procedures, re-filed by another licensee or have been withdrawn.

c. [Whenever the holder of a special electrician's license and seal severs his or her employment as maintenance electrician in a building, buildings, or parts thereof, he or she may voluntarily surrender such license and seal by written request to the commissioner.

1. If, within the term of the license, he or she is re-employed by the same owner, manager or lessee of a building or buildings, or parts thereof, the license and seal will be restored to him or her without fee or examination.

2. In case the application for the re-issuance of a voluntarily surrendered special license and seal is made more than one (1) year from the date of expiration of the license, a new license and seal will be issued without written examination after the submission of satisfactory evidence that he or she has been engaged in the electrical field during the period of suspension.

d. Whenever the holder of a special electrician's license allows his or her license to expire, he or she may make written request to the commissioner within thirty (30) days from the date of its expiration, for a voluntary suspension of the license, and such license and the holder's seal will be accepted with the provision that a new license and seal will be issued without examination, if application is made on or before December fifteenth of the year next succeeding its expiration. In case the application for restoration is made more than one (1) year from the date of expiration of such license, a new license and seal will be issued, without written examination, after the submission of satisfactory evidence that he or she has been engaged in the electrical field

during the period of suspension.

e. During the period of voluntary suspension, no renewal fees will be accepted by the department, but upon the re-issuance of the license and seal, it will be necessary to pay the prescribed fees for a new license and seal.

f.] During any period of [suspension] voluntary surrender, or upon the suspension or revocation, of a master electrician's or special electrician's license, the holder shall surrender his or her seal to the department.

Upon the death of a holder, his or her seal shall be immediately surrendered to the department.

§ 13. Subchapter 1 of chapter 3 of title 27 of such code is amended by adding a new section 27-3016.1 to read as follows:

§ 27-3016.1 Certification as low voltage installer; qualifications; issuance; fees. a. An individual who has been determined by the commissioner to be competent to perform low voltage electrical work in compliance with the electrical code and the electrical code technical standards, the building code and other applicable law and who otherwise qualifies in accordance with this section and the rules of the department may be certified as a low voltage installer.

b. An applicant for such certification shall be over the age of eighteen years, of good moral character and at the time of application shall have had two (2) years of satisfactory experience as set forth in the rules of the department.

c. Every such application shall be made in writing in such form and shall furnish such information as the commissioner shall prescribe and set forth in the rules of the department. Every applicant shall submit to an investigation to determine the applicant's character and fitness.

d. Such certification shall be issued for such term and shall be subject to renewal in accordance with such conditions as shall be prescribed in the rules of the department.

e. The fee for such certification and for the renewal thereof shall be prescribed by rule.

f. Certification as a low voltage installer may be suspended or revoked for cause in accordance with the

rules of the department and/or the department may impose penalties which shall not exceed one thousand dollars for each violation for violations of this chapter, the electrical code, the electrical code technical standards or the rules of the department.

§ 14. Section 27-3017 of such code is amended to read as follows:

§ 27-3017 Electrical work by [unlicensed] unauthorized persons; false representations.

- a. Work without appropriate license, false representation prohibited. 1. [No person, partnership or corporation not the holder of a license, shall install, alter or repair any wiring or appliances for electric light, heat or power and no] Except as otherwise provided in paragraph two of this subdivision, it shall be unlawful for any person to perform electrical work except under a license issued to a master electrician or special electrician as provided in this chapter. It shall be unlawful for any person to advertise or to hold himself, herself or itself out as authorized to engage in the business of performing electrical work unless such person is authorized to perform such work pursuant to this chapter under an appropriate master electrician's or special electrician's license. No person[, partnership or corporation] shall cause any such work to be done by any person[, partnership or corporation not the holder of such license,] unless [employed by] he or she is an employee of and working under the direct supervision of a person[, partnership or corporation holding a license as defined herein] authorized to perform such work pursuant to this chapter and the rules of the department. No person[, partnership or corporation not the holder of such license] shall falsely represent that he, she or it [holds such license] is authorized to perform electrical work under a master electrician's or special electrician's license or shall use in any advertising the words "master electrician" or the words "licensed electrician" or the words "electrical contractor" or any words of similar meaning or import on any sign, card, letterhead or in any other manner unless such person is so authorized pursuant to this chapter and the rules of the department.
2. Notwithstanding any inconsistent provision of paragraph one of this subdivision, the commissioner may authorize business entities engaged in the business of installing, maintaining or repairing communication, signaling, alarm or data transmission systems to perform low voltage electrical work under a certification

issued to a low voltage installer as provided in this chapter and the rules of the department.

b. False statement. No person shall, with intent to defraud or deceive, knowingly make a false statement, or cause or procure to be made or aid and assist in the making of a false statement in an application for a master electrician's or special electrician's license or for certification as a low voltage installer or in an application for approval of a master electrician business or the renewal of a license or certificate or in an application for a permit or certificate of electrical inspection and approval or in any application provided for in this chapter, or in any proof or instrument in writing in connection therewith, or in any examination hereunder, deceive or substitute or cause another to deceive or substitute.

c. Penalty. Any person, partnership or corporation who shall violate any of the provisions of this section shall be guilty of a misdemeanor punishable by a fine of not less than [two] five hundred [fifty] dollars nor more than five thousand dollars for the first offense, not less than [five hundred] one thousand dollars nor more than five thousand dollars for the second offense, and not less than [one thousand] fifteen hundred dollars nor more than five thousand dollars for the third offense or any successive offense thereafter or by [fifteen day's] six months imprisonment or by both such fine and imprisonment.

§ 15. Section 27-3018 of such code, as last amended by local law number 65 for the year 1997, is amended to read as follows:

§ 27-3018 Inspection; application for permit and inspection certificate, application fees, and certificate of inspection.

a. The commissioner or any officer or employee of the department authorized thereto by the commissioner, or any other person designated by the commissioner pursuant to section 27-3005 of this code, may enter or go upon any premises in or upon which there are any wiring or appliances for electric light, heat or power to make an inspection of the same. Any person who willfully refuses to permit such entry or inspection, shall be guilty of a violation of this subdivision, and upon conviction thereof, shall be punished by a fine of not more than fifty dollars, imprisonment for a period not exceeding thirty days, or both.

b. Before commencing any electrical work [for installation, alteration or repair of electric wiring or appliances for light, heat or power every holder of a license], other than low voltage electrical work, a master electrician business or special electrician shall file with the commissioner an application for [a certificate of electrical inspection of] a permit and, if applicable, certificate of electrical inspection for such work on a form prescribed by the commissioner.

No [certificate of electrical inspection shall be issued, unless and until the required fee or fees therefor shall have been paid to the commissioner in accordance with the provision of this section.

The fees required to be paid under this section shall be paid as follows: A filing fee of ten dollars shall accompany the application for a certificate of electrical inspection and the remainder of the total fee shall be paid before the certificate of electrical inspection may be issued.

The remainder of the total fee shall be computed as follows:] such work shall be performed until the commissioner has reviewed and approved such application and issued an appropriate permit for such work.

The permit shall be conspicuously posted at the work site at all times while the work is in progress.

c. The fee for a permit for minor electrical work as described in subdivision h of this section shall be fifteen dollars, payable upon filing of the application.

d. 1. The fee for electrical work requiring a certificate of electrical inspection or other authorization shall be computed in accordance with paragraph two of this subdivision and shall be payable as follows: forty dollars upon filing of the application for such work and the balance of the total fee, prior to the issuance of a certificate of electrical inspection or other authorization or as otherwise provided by rule.

2. The fee for electrical work requiring a certificate of electrical inspection or other authorization shall be computed as follows but shall not exceed five thousand dollars:

[(1)] (i) Each outlet, each fixture, each horsepower or fraction thereof of a motor or generator, each kilowatt or fraction thereof of a heater, each horsepower or fraction thereof of an air conditioner, each kilovolt-ampere or fraction thereof of a transformer installed, altered or repaired shall be assigned the value of one unit. In

computing the aforementioned fee, the sum of the units will determine the charges as set forth herein below:

Sum of units	Fee
1-10 .....	\$ 0.00
Over 10.....	\$ 0.25 per unit
[(2)] (ii) For each service switch installed, altered or repaired:	
0-100 Amperes.....	\$ 8.00
101-200 Amperes.....	\$ 30.00
201-600 Amperes.....	\$ 105.00
601-1200 Amperes.....	\$ [255.00] 225.00
Over 1200 Amperes.....	\$ 375.00

[(3)](iii) For each set of service entrance cables and for each set of feeder conductors installed, altered or repaired:

Up to #2 Conductors.....	\$ 15.00
Over #2 to #1/0 Conductors.....	\$ 30.00
Over #1/0 to 250 MCM.....	\$ 45.00
Over 250 MCM.....	\$ 75.00
[(4) For each set of sub-feeders installed, altered or repaired:	
Up to #2 Conductors.....	\$ 9.00
Over #2 to #1/0 Conductors.....	\$ 15.00
Over #1/0 to 250 MCM.....	\$ 30.00
Over 250 MCM.....	\$ 45.00]

[(5)](iv) For each panel installed, altered or repaired:	
1 Phase up to 20-1 or 10-2 pole cutouts or breakers.....	\$ 15.00
1 Phase over 20-1 or 10-2 pole cutouts or breakers.....	\$ [35.00] 37.50
3 Phase up to 225 amperes.....	\$ 50.00
3 Phase over 225 amperes.....	\$ 75.00

[(6)](v) (a) For each sign manufactured (in-shop inspections) :.....\$40.00

(b) For each sign manufactured (on-site inspections):

0 to 30 square feet.....	\$ [8.00] 65.00
31 to 60 square feet.....	\$ [15.00] 90.00
Over 60 square feet.....	\$ [38.00] 115.00

[(7)](vi) For [wiring of] each elevator:

10 floors or less.....	\$125.00
Each additional ten or fewer floors.....	\$ [63.00] 83.00

(vii) For wiring or rewiring boiler controls in buildings:.....\$12.00

3. If, after inspection, such wiring or appliances shall be found to have been installed, altered or repaired in conformity with the requirements of this chapter, the electrical code, the electrical code technical standards and the [regulations] rules of the department, and the required fees paid, the commissioner shall issue to the

applicant a certificate of electrical inspection. The provisions of this subdivision shall not apply to work performed pursuant to a permit for minor electrical work as defined in subdivision h of this section.

[c.] e. Whenever [the holder of a license] a master electrician business or special electrician files an application for a permit or certificate of electrical inspection covering electrical work installed by an unlicensed [contractor] or unauthorized person, it shall be his or her duty to specify such fact upon the application.

[d. Each application for a certificate of inspection for wiring or rewiring boiler controls in existing buildings pursuant to bulletin number eight of the rules and regulations of the department shall be accompanied by a fee of twelve dollars.

e.] f. The commissioner shall be entitled to charge the following special fees:

1. For [the inspection of the installation, alteration or repair of electric wiring or appliances for light, heat or power where] an application with respect to electrical work made after a violation was issued for failure to file an application for a permit or a certificate of electrical inspection for such work - [twice the filing fee] up to ten times the total fee which would otherwise be payable as set forth in [paragraphs one through seven of subdivision b] subdivisions c and d of this section.

2. Duplicate copy of notice of violation - \$5.

3. Duplicate copy of certificate of electrical inspection - \$7.50.

4. Letter in lieu of certificate of electrical inspection - [\$7.50] \$20.00.

[f.] g. No application or fees shall be required for [a certificate of electrical inspection shall be filed nor inspection fees required for] electrical work relating to the construction and maintenance of city street lights and city traffic lights owned, operated or controlled by the city government or any agency thereof.

[g.] h. 1. [Notwithstanding any other provision of law, no inspection or inspection fees shall be required for minor electrical maintenance work.] For purposes of this section[,], a permit for minor electrical [maintenance] work [shall] may be issued for any of the following:

[(1)] (i) replacement of defective circuit breakers or switches rated thirty amperes or less, excluding

main service disconnects;

[(2)](ii) replacement of parts in electrical panels where voltage does not exceed one hundred fifty volts to ground;

[(3)](iii) replacement of minor elevator parts as defined by rule;

[(4)](iv) replacement of defective controls rated at thirty amperes or less;

[(5)](v) repair of defective fixtures;

[(6)](vi) replacement of fixtures in existing outlets, provided the number of such fixtures does not exceed five and does not increase existing wattage;

[(7)](vii) replacement, repair, disconnection or reconnection of motors not to exceed one horsepower, and associated devices;

[(8)](viii) repairs to low pressure heating plants with a capacity of less than fifteen pounds per square inch, except as may otherwise be required by rule[, regulation, directive or bulletin] of the commissioner.

(i) installation of any ten or fewer units not requiring the installation of an additional branch circuit;

(j) installation of motors of fractional horsepower;

(k) installation of transformers rated at one thousand volt amperes or less.

2. Notwithstanding any other provision of this chapter, a certificate of inspection or other authorization shall not be required for electrical work performed pursuant to a permit for minor electrical work.

3. Notwithstanding any other provision of this chapter, the commissioner may promulgate a rule providing that minor electrical work may be performed without a permit or the payment of a fee under the conditions to be prescribed in such rule.

[h] i. The department shall not issue a [temporary or final] permit or, if applicable, a certificate of electrical inspection or other authorization pursuant to an [electrical] application which involves the energizing of a meter in a one-, two-, three-, or four-family residence, if the department finds that such action will cause the total number of meters for the building to exceed the number of dwelling units specified for such building

in the certificate of occupancy, or if there is no certificate of occupancy, as determined by the department, except as permitted herein. A building specified as a one-family residence in the certificate of occupancy or, if there is no certificate of occupancy, as determined by the department, may have only one electric meter. A building in which two or more dwelling units have been constructed in accordance with the certificate of occupancy, or if there is no certificate of occupancy, as determined by the department, may have one meter for each dwelling unit and one additional meter for the common areas of the building, provided that smoke detecting devices are installed in all common areas in accordance with departmental requirements. Such common areas may include boiler rooms, shared hallway lighting, shared stairway lighting, and outdoor perimeter lighting but shall not include any habitable space. In the event that a meter has been found to have been installed or to exist in violation of this section, the department's bureau of electrical control may take action leading to the disconnecting of such meter in accordance with the notice requirements set forth in section 27-3020 of this code.

[i] j. Any application for a permit and, if applicable, certificate of electrical inspection filed with the department in relation to a request for the authorization to power or energize electrical wiring or appliances or in relation to work which will result in the issuance of a new or amended certificate of occupancy must include from the building owner or his/her authorized representative, a signed authorization as prescribed by the department, permitting such work to be performed. In addition, any electrical application filed with the department involving the energizing of a meter, must include as well, a statement from the owner or his/her authorized representative indicating the intended use or purpose of such meter and affirming that such meter will be maintained in compliance with the provisions of this section. Any individual who knowingly misrepresents the use of a meter or allows a meter to be used in violation of the provisions of this section shall be guilty of a misdemeanor punishable by a fine of not less than one thousand dollars nor more than five thousand dollars, or imprisonment of not more than six months or both such fine and imprisonment.

Such person shall also be liable for a civil penalty of not more than five thousand dollars which may be

recovered by the corporation counsel in an action or proceeding in any court of competent jurisdiction.

[j] k. Any [temporary certificate of inspection] authorization to power or energize electrical wiring or appliances issued by the department shall expire ninety days after the date of issuance unless a [final] certificate of electrical inspection has been issued by the department or an extension [for] of such [temporary certificate] authorization has been granted by the department. In the event no such [final] certificate of electrical inspection has been issued or extension authorization granted, the department may take action leading to the disconnecting of such meter(s) in accordance with the notice requirements set forth in section 27-3020 of this code.

1. The provisions of this section shall not apply to low voltage electrical work.

§ 16. Section 27-3019 of such code is amended to read as follows:

§ 27-3019 Modification, suspension or revocation of certificate of inspection, permit or other authorization. The commissioner may at any time by an order in writing for good cause shown, modify, suspend or revoke any certificate of electrical inspection, permit or other authorization issued pursuant to this chapter, but no such order shall be effective unless the same shall state specifically the reason therefor. A copy of any such order shall be served in the manner provided in this subchapter, within five days after its date, upon any person, partnership or corporation affected thereby, who has not applied to the commissioner for such modification, suspension or revocation. No person other than the commissioner or an officer or employee of the department, duly authorized thereto by the commissioner, shall alter or amend any certificate of electrical inspection, permit or other authorization issued pursuant to this chapter or the rules of the department.

§ 17. Section 27-3020 of such code, as amended by local law number 73 for the year 1988, is amended to read as follows:

§ 27-3020 Supplying or discontinuing electrical energy. a. Except as otherwise provided in this code, no person, partnership or corporation shall supply, or cause to be supplied or used, electrical energy for light, heat or power, signaling, alarm or data transmission to any wiring or appliance in any building [until] unless a

certificate of electrical inspection[, temporary or final,] or other authorization as set forth in the rules of the department authorizing the use of said wiring or appliance shall have been issued by the commissioner.

b. If, in the judgment of the commissioner, after due inspection, the continued use of any electric wiring or appliances in or on any building or structure shall be unsafe or dangerous to persons or property, the commissioner may cause such wires or appliances to be disconnected from the supply of electrical energy and to seal the wiring and appliances so disconnected. Thereafter, no person shall cause or permit electrical energy to be supplied to the wiring or appliances so sealed until the same shall have been made safe and the commissioner shall have issued a certificate to that effect; provided, however, that no wiring or appliances shall be disconnected pursuant to this section until a notice in writing, stating specifically the reason why such wiring or appliances must be disconnected, shall have been served, as provided in this chapter, and a duplicate thereof shall have been delivered to the person supplying the electrical energy to such wiring or appliances.

§ 18. Section 27-3021 of such code, as amended by local law number 59 for the year 1996, is amended to read as follows:

§ 27-3021 Service of orders and notices. Any order or notice issued pursuant to the provisions of this chapter may be served personally upon the person, partnership or corporation to whom or to which it is addressed, or may be served by mailing the same in a sealed envelope with postage prepaid, directed, in the case of the holder of any license, to the address furnished by such license holder to the department of buildings as his or her business address, or the address of the master electrician business represented by the licensee and, in the case of any other person, partnership or corporation, to the premises where the defects recited in such order are alleged to exist and by the posting in a conspicuous place on such premises of a copy of such notice or order. The service as above described, by mailing and posting, shall be the equivalent of personal service.

§ 19. Section 27-3183.1 of such code, as amended by local law number 65 for the year 1997, is renumbered as section 27-3021.1 and amended to read as follows:

§27-3021.1 Electric meter installation; restriction. No public utility shall supply electricity to a one,

two, three or four family residence building, nor shall such utility energize more electrical meters in a building than the number of distinct and separate residences in such building as authorized in the certificate of occupancy applicable thereto, or if there is no certificate of occupancy, as determined by the department, without first receiving a [temporary or final] certificate of electrical inspection or other authorization from the department's bureau of electrical control. In the event that an owner of a one, two, three or four family building wants to install an additional electrical meter other than provided for herein, approval shall be obtained in writing from the bureau of electrical control in the department of buildings. A public utility shall not install such additional electrical meter without such approval. A building in which two or more dwelling units have been constructed in accordance with the certificate of occupancy, or if there is no certificate of occupancy, as determined by the department, may have one meter for each dwelling unit and one additional meter for the common areas of the building, provided that smoke detecting devices are installed in all common areas in accordance with departmental requirements. Such common areas may include boiler rooms, shared hallway lighting, shared stairway lighting, and outdoor perimeter lighting but shall not include any habitable space. In the event that a meter has been found to have been installed or to exist in violation of this section, the utility must report such findings to the bureau of electrical control, which may take action leading to the disconnecting of such meter in accordance with the notice requirements set forth in section 27-3020 of this code.

§ 20. Section 27-3308 of such code is renumbered to be section 27-3021.2 and amended to read as follows:

§ 27-3021.2. Violations. Except as otherwise provided in this chapter, any person who shall violate any of the provisions of this chapter or who shall fail to comply with any requirement thereof or with the electrical code technical standards or who shall violate or fail to comply with any order or [regulation] rule of the commissioner made thereunder shall, for each and every violation or noncompliance [, forfeit and pay] be liable for a civil penalty [in the sum of fifty] of not more than five thousand dollars which may be recovered by the corporation counsel in an action or proceeding in any court of competent jurisdiction or shall be punished upon

conviction in a criminal court by a fine not exceeding [fifty] one thousand dollars or by imprisonment for a period not exceeding ten days, or by both such fine and imprisonment.

§ 21. Subchapter 2 of chapter 3 of title 27 of such code is REPEALED and a new subchapter 2 is added to read as follows:

Subchapter 2

Technical Standards

§ 27-3024. Adoption of the electrical code technical standards. a. The city of New York hereby adopts the 1999 edition of the National Fire Protection Association NFPA 70 National Electrical Code as the minimum requirements for the design, installation, alteration or repair of electric wires and wiring apparatus and other appliances used or to be used for the transmission of electricity for electric light, heat, power, signaling, communication, alarm and data transmission in the city with amendments to be enacted by local law as set forth in this subchapter. Such 1999 edition of the National Fire Protection Association NFPA 70 National Electrical Code with such amendments as may be enacted by local law shall together be known and cited as the "electrical code technical standards." Except as otherwise provided in section twenty-three of the local law which added this section, the electrical code technical standards shall apply to electrical work performed on and after January first, two thousand three. In addition, the commissioner may promulgate rules to extend the date of application for an additional period, not to exceed one hundred and eighty days, for any electrical code technical standard as he or she deems necessary.

b. No later than September thirtieth, two thousand three and on or before August thirty-first in every third year thereafter, the commissioner shall submit to the city council proposed amendments that he or she determines should be made to the electrical code technical standards to bring them up to date with the latest edition of the National Fire Protection Association NFPA 70 National Electrical Code or otherwise modify the provisions thereof. The city council shall act upon such proposal within ninety days. In addition, prior to the submission of such proposal to the city council, such proposal shall be submitted to an advisory committee

established by the commissioner pursuant to this chapter for review and comment.

§ 22. On the effective date of this section, all sole proprietorships, partnerships and corporations holding current master electrician licenses shall be deemed to be master electrician businesses without further approval by the department provided that prior to such date a partnership or corporation with more than one individual holding a master electrician license under the license issued to such business shall designate one such individual to be the responsible representative of such business. All fees due and owing to the department by licensees with respect to work performed prior to the effective date of this section shall be the joint and several responsibility of licensees under whose signature and seal applications for such work were filed and of such master electrician businesses.

§23. On or before September 30, 2002 the commissioner of buildings shall submit a proposed local law to the city council proposing amendments to the 1999 edition of the National Fire Protection Association NFPA 70 National Electrical Code, as adopted pursuant to section twenty-one of this local law, modifying the provisions thereof to accommodate characteristics of the city, including buildings, premises and lots; and the city council shall act upon such proposal within 60 days. Prior to submitting such proposal to the city council, the commissioner of buildings shall submit such proposal to an advisory committee appointed by the commissioner for review and comment. Notwithstanding any inconsistent provision of section 27-3024 of the administrative code of the city of New York, as added by section twenty-one of this local law, if no amendments of the 1999 edition of the National Fire Protection Association NFPA 70 National Electrical Code modifying the provisions thereof are enacted by local law on or before January 1, 2003, the adoption of the 1999 edition of the National Fire Protection Association NFPA 70 National Electrical Code shall not take effect and the provisions of subchapter two of chapter three of title twenty-seven of the administrative code in effect prior to January 1, 2003 shall remain in effect as if such provisions had not been repealed until otherwise provided by local law. The commissioner of buildings shall make a copy of the 1999 edition of the National Fire Protection Association NFPA 70 National Electrical Code available for public inspection at the department

of buildings.

§ 24. This local law shall take effect on January 1, 2003, except that (i) section 23 of this local law shall take effect 60 days after it shall have been enacted into law, and (ii) prior to January 1, 2003, the commissioner of buildings shall promulgate any rules and perform all other actions necessary for the implementation of this local law. A copy of the 1999 edition of the National Fire Protection Association NFPA 70 National Electrical Code, incorporated by reference into this local law, shall be kept on file by the city clerk with this local law and shall be available for public inspection.

10/29/01, 5:32 p.m.  
741-A