

First Reading: March 25, 2014
Second Reading: April 1, 2014

ORDINANCE NO. 12825

AN ORDINANCE OF TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 14, SO AS TO ADD NEW SECTIONS 14-92 AND 14-93, AND TO AMEND SECTIONS 14-15, 14-80, 14-82 AND 14-83, PERTAINING TO LOW VOLTAGE ELECTRICAL INSTALLATIONS WITH RULES AND REGULATIONS FOR ADMINISTRATION AND ENFORCEMENT.

WHEREAS, the City Council for the City of Chattanooga has previously declared that in order to safeguard persons and property and to promote the public welfare, it is necessary to establish standards for electrical equipment and its installation; and

WHEREAS, the Chattanooga City Code, at Section 14-2, adopts and incorporates by reference, the 2011 Edition of the National Electrical Code (“NEC”); and

WHEREAS, the Chattanooga City Code, at Sections 14-4 through 14-34, sets forth various requirements affecting permits, fees, inspections, appeals and licenses necessary for the implementation of the NEC; and

WHEREAS, after review, consideration and public hearing held by the City of Chattanooga Board of Electrical Examiners (the “Electrical Board”), both the Electrical Board and the Department of Economic & Community Development, Land Development Office/ Inspection Division, recommend certain amendments to the Electrical Code ordinances pertaining to low voltage electrical installations; and

WHEREAS, low voltage installations currently are not inspected by the City of Chattanooga; and

WHEREAS, the large number of existing, unregulated, low-voltage installations frequently cause problems for electrical contractors hired to perform electrical work in buildings; and

WHEREAS, such problems result from the failure to remove abandoned low-voltage installations, confusion concerning the qualifications of persons hired to install low-voltage installations, the quality of work associated with low-voltage installations, and increased weight and fireload created by low-voltage wiring; and

WHEREAS, regulation of low-voltage installations will ensure that only qualified electrical contractors will be legally permitted to perform low-voltage installations and that records of such low-voltage work will be maintained; and

WHEREAS, pursuant to Tennessee Code Annotated Section 6-54-502, a municipality may adopt by reference the provisions of any code or portion thereof, without setting forth the provisions of such code in full, provided that one (1) copy of the code which is incorporated by reference is filed in the office of the City Council Clerk and is kept available for public use, inspection, and examination for a period of fifteen (15) days prior to the adoption of the ordinance that incorporates such code by reference; and

WHEREAS, requisite copies of the proposed amendments to the local provisions requirements implementing the 2011 Edition of the National Electrical Code pertaining to low-voltage electrical installations have been on file in the City Council Clerk's Office for more than the required fifteen (15) days.

NOW, THEREFORE, BE IT ORDAINED BY THE CHATTANOOGA CITY COUNCIL as follows:

SECTION 1: Chapter 14, Article II, Division 3 of the Chattanooga City Code is hereby amended to insert a new Section 14-92 entitled “Low Voltage – Power Limited Contractors” as follows:

Sec. 14-92. Low Voltage – Power Limited Contractors

The installation, alteration or repair of wiring, devices, appliances or equipment for the operation of signals or the transmission of intelligence where such wiring, devices, appliances or equipment operate at a voltage not exceeding 50 volts between conductors and do not include generating or transforming equipment capable of supplying more than 50 watts of energy, provided, however, that installers are currently registered as low-voltage, power limited (“LV-PL”) contractors with the City.

SECTION 2: That the license fee schedule for electricians set forth in Chapter 14, Article II, Division 3, Section 14-80 of the Chattanooga City Code shall be and the same is hereby amended by adding a new item “LV-PL Registration” as follows:

LV-PL Registration.....\$100.00

SECTION 3: That a new subparagraph (m) of Chapter 14, Article II, Division 3, Section 14-82 of the Chattanooga City Code shall be inserted and subparagraph (a) is hereby amended by deleting said section in its entirety and substituting in lieu thereof the following:

(a) Nine (9) Classes of licenses shall be issued by the Board of Electrical Examiners.

(m) Licenses and LV-PL registrations will be issued on a two (2) year calendar year basis and may be renewed upon application and payment of the renewal fee. Except for class 5 licenses and LV-PL registrations, failure to renew prior to February 1 following the expiration date shall subject such person to a double fee if renewed between the period of February 1 and June 30. After July 1, the licensee or registrant will be required to successfully pass the appropriate examination prior to being issued a new license. Exceptions will be made for holders of city electrical licenses or LV-PL registrations who are prevented from engaging in electrical construction by the City by reason of their contractual arrangement with the state or employment with the City as an electrical inspector and have held their licenses on an inactive basis. On the occasion of the termination of their contract with the state or employment with the City, as the case may be, their licenses will be reactivated upon written request within ninety (90) days of their aforesaid termination and payment of the appropriate annual fee.

SECTION 4: That Chapter 14, Article II, Division 3 of the Chattanooga City Code shall be and the same is hereby amended by adding a new Section 14-93 entitled “Assignment or Transfer of License or LV-PL Registration; allowing use by another; suspension or revocation.” as follows:

Sec. 14-93. Assignment or transfer of license or LV-PL registration; allowing use by another; suspension or revocation.

(a) It shall be unlawful for any person holding a license or LV-PL registration issued hereunder to allow the use of the same directly or indirectly by any other person for the purpose of obtaining a permit to do any electrical work in the city. For good cause shown, the board shall have the right to require the license-holder or LV-PL registrant to submit any and all relative business and payroll documents. In addition, suspected violations involving class 5 license holders shall be reported in writing to the state board for licensing contractors.

(b) The board may reprimand, suspend or revoke any license or LV-PL registration, or require an examination of the holder thereof, if the person holding such license or LV-PL registration willfully, or by reason of incompetency, repeatedly violates any state statute or ordinances, rule, or regulation in the maintenance, alteration or repair of electrical wiring, devices, appliances, and equipment.

(c) The board shall provide the license holder or LV-PL registrant with a written statement of the charges and notice of the hearing at least five (5) days prior to the board hearing.

SECTION 5. That Chapter 14, Article II, Division 3, Section 14-83 of the Chattanooga City Code shall be and the same is hereby amended by adding a new paragraph (d) as follows:

(d) No permit shall be required for the installation, maintenance, or alteration of electrical wiring systems in: (1) one- or two-family dwellings; (2) two-conductor bell wiring; (3) thermostat wiring; or (4) low-voltage and power limited wiring installed outdoors or underground.

SECTION 6. That the permit fee schedule set forth in Chapter 14, Article I, Section 14-15 of the Chattanooga City Code shall be and the same is hereby amended by adding a new subparagraph (12) entitled “Low-voltage and power limited systems” as follows:

- (12) Low-voltage and power limited systems
Single tenant..... 15.00 per system
per floor
Multiple tenant..... 15.00 per system
per floor for each
tenant space

SECTION 7. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two
(2) weeks from and after its passage.

Passed on second and final reading: April 1, 2014

Yusuf Habeeb
CHAIRPERSON

APPROVED: DISAPPROVED:

[Signature]
MAYOR

PAN/kac/mms