

## Chapter 88

### ELECTRICAL STANDARDS

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[HISTORY: Adopted by the Council of the Borough of Berwick 8-15-1977 by Ord. No. 1114. Amendments noted where applicable.]

#### GENERAL REFERENCES

Code enforcement and administration — See Ch. 9.

Building construction and fire prevention — See Ch. 70.

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#### § 88-1. Purpose.

- A. The purpose of this chapter is to establish standards for the performance of electrical work by individuals, associations, firms, corporations, partnerships and other entities licensed to perform electrical work in the Borough of Berwick, pursuant to the minimum basic standards set forth herein, which seek to establish the standards necessary for safeguarding of persons and of buildings and their contents from the hazards arising from the use of electricity for light, heat, power, radio, signaling and other purposes.
- B. Provisions contained herein are considered necessary for safety, compliance therewith and proper maintenance thereof of work described, to provide installation of work free from hazard, but not necessarily efficient, convenient or adequate for good service or future expansion.

#### § 88-2. Adoption of standards.<sup>1</sup>

- A. Adoption of standards by reference. The Borough of Berwick does hereby adopt as its Electrical Code all of the provisions in the National Electrical Code, NFPA No. 70-1975, being particularly the 1975 Edition thereof, except as amended hereinafter.
- B. Categorization of electrical work. For the purposes of this chapter, said borough hereby categorizes all electrical work being performed and to be performed in the Borough of Berwick into six classifications, as follows:
  - (1) Master electrical contractor.
  - (2) Chief plant electrician.

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<sup>1</sup> Editor's Note: Former Subsection 2-2 of this section, relating to title, was deleted during codification (see Ch. 1, General Provisions, Art. I).

- (3) Oil burner service dealer.
- (4) Refrigeration service dealer.
- (5) Journeyman electrician.
- (6) Apprentice electrician.

### § 88-3. Definitions.

- A. Definitions. Unless otherwise expressly stated herein or in the National Electrical Code, the following words shall, for the purposes of this chapter, have the meanings as indicated below:

**APPRENTICE ELECTRICIAN** — Any person who shall have qualified as an apprentice electrician and registered in accordance with the ordinances, rules and regulations of the Borough of Berwick.

**BOROUGH** — The Borough of Berwick.

**BOROUGH COUNCIL** — The Borough Council of the Borough of Berwick.

**CHIEF PLANT ELECTRICIAN** — Any person, firm, partnership or corporation who shall have qualified as a chief plant electrician and registered in accordance with the ordinances, rules and regulations of the borough, except that such person, firm, partnership or corporation shall not be required to be licensed if work is performed only on plant or buildings of the employer.

**CODE** — The Electrical Code of the Borough of Berwick.

**DOMESTIC ELECTRICAL APPLIANCES AND FIXTURES** — Any electrical appliance which is severable and not affixed to any structure, including incandescent lamps, television broadcasting sets, radio broadcasting receiving apparatus and automotive electrical equipment.

**EMPLOYEE** — Any employee of any electrical firm, partnership or corporation or of any individual so designated under this chapter.

**JOURNEYMAN ELECTRICIAN** — Any person who shall have passed the journeyman electrician's examination and qualified and registered in accordance with the ordinances, rules and regulations of the borough.

**MASTER ELECTRICAL CONTRACTOR** — Any person, firm, partnership or corporation who or which shall have qualified or registered as a master electrical contractor in accordance with ordinances, rules and regulations of the borough.

**NATIONAL ELECTRICAL CODE** — Specifically the 1975 Edition of the code adopted by the National Fire Protection Association as NFPA No. 70-1975.

**OIL BURNER SERVICE DEALER** — Any person, firm, partnership or corporation who or which shall have qualified and registered as an oil burner service dealer in accordance with ordinances, rules and regulations of the borough.

**PUBLIC UTILITY COMPANY** — Any corporation qualifying as a public utility under the laws and statutes of the Commonwealth of Pennsylvania.

**REFRIGERATION SERVICE DEALER** — Any person, partnership, firm or corporation who shall have qualified and registered as a refrigeration service dealer in accordance with ordinances, rules and regulations of the borough.

- B. Word usage. The terms “materials,” “electrical or electrical work,” “electrical materials,” “electrical supplies,” “electrical appliances” and “electrical fixtures” or any other terms used in this chapter to designate electrical fixtures, electrical work or electrical supplies of whatever kind and nature and for whatever use which shall be used in any installations for the transmission or consumption of electrical energy of any form shall be given the meaning set forth in the National Electrical Code.

**§ 88-4. Public utility company exemption.**

Nothing in this chapter shall apply to the work performed by any public utility company or any of its employees while engaged in the regular line of duty of the said utility company.

**§ 88-5. Administration, enforcement and procedure for licensing.**

- A. Office of Code Enforcement.<sup>2</sup> All of the provisions of the Code Enforcement and Administration Ordinance of the Borough of Berwick are hereby adopted with this chapter. The administration and enforcement of this chapter and of the National Electrical Code herein adopted shall be carried out by the administration official and the Office of Code Enforcement of the Borough of Berwick in accordance with the procedures established by said Code Enforcement and Administration Ordinance and by the National Electrical Code when applicable. Said Code Enforcement and Administration Ordinance provides for certain powers and duties of a Code Enforcement and Administration Officer, for creation of a Code Hearing Board of Appeals and for procedures relative to licenses, applications, fees, permits, inspections, appeals, penalties and other matters.
- B. “Enforcement authority” shall mean the Office of Code Enforcement.
- C. License and permits required. Except as hereinabove specified, a license shall be required of all persons performing the work described herein in the categorization of electrical work and a permit shall be required for performance of all activities, work or operations specified in this chapter and the National Electrical Code adopted herein.
- D. Inspections, appeals, penalties and other matters. Inspections, appeals, penalties and other matters related to this chapter shall be regulated and performed pursuant to the applicable provisions of the Code Enforcement Ordinance of the Borough of Berwick, except as specifically changed, deleted or amended herein.
- E. Insurance coverage.

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<sup>2</sup> Editor's Note: As to the Office of Code Enforcement, see Ch. 9, Code Enforcement and Administration.

- (1) Before any master electrical contractor license, oil burner service dealer license or refrigeration service dealer license shall be issued or renewed by the Licensing Official, a certificate of business liability insurance shall be provided to the said Licensing Official within minimum limits for public bodily injury liability coverage in the sum of \$300,000 and property damage in the amount of \$200,000 if applicant works in or about professional, commercial or industrial buildings, and \$200,000 bodily injury liability and \$100,000 property damage liability insurance if applicant works exclusively on residential buildings. Said applicant shall also furnish a certificate, provided by a reputable and duly recognized insurance company, that his or her employees are covered by workmen's compensation insurance in accordance with the laws of the Commonwealth of Pennsylvania, and proof of insurability for obtaining performance bond if necessary.
- (2) Said insurance mentioned above must be maintained and in effect at all times; and upon cancellation or lapse of the said insurance, the license afforded under this chapter shall, whether with or without the knowledge of the said insured and licensee hereunder, become null and void for purposes of this chapter.

F. Inspecting agencies and inspections.

- (1) All inspections of work performed within the Borough of Berwick pursuant to this chapter shall be done by duly recognized inspecting agencies, which shall register with the Code Enforcement and Administration Officer, who shall be appointed by Borough Council.
- (2) The chief plant electrician of any firm, partnership or corporation or other agency is hereby designated as the inspecting agency in and for the said plant, corporation, firm or partnership for whom he is employed, for all maintenance and repair work performed on the premises of the said plant, corporation, firm or partnership by the employees of the said plant, firm, corporation or partnership who are under his supervision and control.
- (3) Except in cases of emergency, before the installation, construction or introduction of electrical current into any electrical work performed, electrical materials, electrical appliances or electrical fixtures which are subject to this chapter, any licensee, as defined in this chapter, shall notify the Code Enforcement and Administration Officer of the initiation of said work, unless the total cost of such work is in the range of from \$1 to \$100. Application for permits and the obtaining of permits shall be carried out in accordance with the procedures as set forth by the Borough Code Enforcement and Administration Ordinance.
- (4) The preceding sections of this chapter requiring permits shall not apply to:
  - (a) The replacement of light bulbs, fuses or other minor repair work defined as domestic repair work.
  - (b) The connection of any portable electrical appliance or equipment on a temporary or emergency basis to any permanently installed electric receptacle.
  - (c) Work performed solely by the owner thereof in or upon his or her domestic residence or residential building.

**§ 88-6. Violations and penalties.**

Violations of any part or provision of this chapter shall be subject to penalties as provided in the Code Enforcement and Administration Ordinance.<sup>3</sup>

**§ 88-7. General regulations and restrictions.**

- A. Illegal use of name. No person, firm, partnership or corporation licensed under this chapter shall permit or allow his or its name to be used by any person other than himself or itself, directly or indirectly, for the purpose of obtaining a permit or the solicitation of business or to perform any electrical work within the Borough of Berwick; and it shall be presumed that any work performed or any permits obtained in a firm name or in the name of a party shall be the work performed on the permit of that party so named for the purposes of this chapter and its enforcement.
- B. Licensed persons only to carry on business in borough. No person other than those licensed under borough ordinance, except as hereinabove specified, shall carry on the trade of or engage in the electrical business or profession within the Borough of Berwick. No alteration, repair, erection, installation, introduction or addition to any electrical work, electrical materials, electrical appliances or any electrical fixtures covered by this chapter shall be performed by anyone other than a licensed contractor, subcontractor or qualified dealer.
- C. Approved materials; exceptions.
- (1) Except as hereinafter provided, the introduction or use of materials, as defined in this chapter, which do not bear the seal of approval of the Underwriters' Laboratories, is prohibited and subject to the penalties of the Borough Code Enforcement and Administration Ordinance:<sup>4</sup>
    - (a) Materials required for the repair and maintenance of traffic lights and traffic signals.
    - (b) Repair or replacements for foreign-made machinery installed and in operation and use on the effective date of this chapter.
    - (c) Temporary repairs or replacement of a similar standard to machinery not foreign-made.
    - (d) Materials and parts manufactured by the firm, partnership, corporation or agency making the said repairs, provided that the said repairs are to the machinery of the said firm, partnership, corporation or agency.
    - (e) Devices and materials specified as acceptable to a public utility company for use in conjunction with measurement and control of the electrical supply provided by said public utility.

<sup>3</sup> Editor's Note: See Ch. 9, Code Enforcement and Administration, § 9-6.

<sup>4</sup> Editor's Note: See Ch. 9, Code Enforcement and Administration, § 9-6.

- (2) Furthermore, no firm, partnership, corporation or agency shall sell, offer to sell or offer to exchange any electrical materials, electrical appliances or any other electrical equipment, whether new or secondhand, unless such electrical materials, electrical appliances or electrical equipment bears the seal of approval of the Underwriters' Laboratories, except as provided in Subsection C(1)(a) through (e) above.
- D. Work to be governed by standards. All electrical work performed within the Borough of Berwick shall be governed by this chapter and by the 1975 Edition of the National Electrical Code, NFPA No. 70-1975.
- E. Interpretation of provisions.
- (1) In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, firesafety or health ordinance or code of this borough existing on the effective date of this chapter, the provision which establishes the higher standard for the promotion and protection of the health, welfare and safety of the people of the Borough of Berwick shall prevail.
  - (2) In any case where a provision of this chapter is found to be in conflict with a provision of any other ordinance or code of this borough existing on the effective date of this chapter which establishes a lower standard for the promotion and protection of the health, life, safety and welfare of the people of the Borough of Berwick, the provisions of this chapter shall be deemed to prevail; and such ordinances or codes establishing lower standards are hereby declared to be repealed to the extent that they may be found to be in conflict with this chapter.