

ELECTRICAL CODE (DRAFT 9/29/20)

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Section 9-5-1 PURPOSE

The purpose of this Chapter is to provide minimum standards in order to safeguard life or limb, health, property, and the public welfare by regulating and controlling the design, construction, installation, and materials of all electrical systems and equipment, within Boise City limits, and to provide for the authority to verify the qualifications and licensing of persons engaged in the business or installation of electrical, or performing work within the electrical trade.

Section 9-5-2 CODE ADOPTED

All the rules, regulations and ordinances of a general and permanent character relating to and governing the qualifications and licensing of persons engaged in the business of electrical, or performing work within the trade of electrical, as such rules, regulations and ordinances are adopted and contained within the most current edition of the National Electrical Code, published under the authority of the National Fire Protection Association, as adopted by the State of Idaho in Title 54, Chapter 10 of Idaho Code, together with rules and regulations, as adopted by the State of Idaho, are adopted except to the extent that such rules and regulations are hereby changed, altered, or amended by this Chapter and together these shall be known as the "Electrical Code" of Boise City and shall constitute the rules, regulations, and ordinances governing the installation or alteration of electrical systems and equipment, and the qualifications and licensing of persons engaged in the business of electrical or performing work within the trade of electrical. This Chapter is adopted in accordance with Idaho Code Title 54, Chapter 10.

One (1) copy of the current edition of the "National Electrical Code" together with such rules and regulations adopted by the State of Idaho, shall be filed for use and examination by the public in the office of the City Clerk.

Section 9-5-3 APPLICATION AND SCOPE

The provisions of this Chapter shall apply to all new construction, relocated buildings, and to any additions, alterations, repairs, or reconstruction of existing buildings. This Chapter shall provide for the practical safeguarding of persons and buildings and their contents from hazards arising from the use of electrical energy for light, heat, power, communications, signaling, signs, electrical equipment installations, elevators, escalators, dumbwaiters, moving walks, lifts, and other similar purposes.

This Code shall apply to all electrical installations not under the direct ownership and regulation of the Idaho Public Utilities Commission, an agency of the Federal Government, or a property owned by the State of Idaho.

- A. **Covered.** The regulations of this code shall apply to all electrical wiring, equipment, apparatus and fixtures installed, used, maintained, rented, leased, or offered for sale or distribution within or on public and private buildings and other premises, including yards, carnival and parking lots industrial substations, and conductors that connect the installations to a supply of electrical energy to: manufactured homes, mobile home parks, and recreational vehicle parks. The regulations of this code also apply to the investigation of fires caused by electrical installations.
- B. **Not Covered.** This code does not cover the following:
1. Installations in ships, watercraft other than floating buildings, railway rolling stock, aircraft, automotive vehicles, and recreational vehicles;
 2. Installations underground in mines and self-propelled mobile surface mining machinery and its attendant electrical trailing cable;
 3. Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for the operation of rolling stock or installations used exclusively for signaling and communications purposes;
 4. Installations of communications equipment under the exclusive control of communications utilities located outdoors or in building spaces used exclusively for such installations.
 5. Installations under the exclusive control of an electric utility where such installations:
 - a. Consist of service drops or service laterals, and associated metering, or
 - b. Are on property owned or leased by an electrical utility for the purpose of communication, metering, generation, control, transformation, transmission, energy storage, or distribution of electric energy, or;
 - c. Are located in legally established easements or rights-of-way, or;
 - d. Are located as specified within a written agreement or otherwise designated by or recognized by a public service commission, utility commission, or other regulatory agency having jurisdiction. These written agreements shall be limited to installations for the purpose of communications, metering, generation, control, transformation, transmission, energy storage, or distribution of electric energy where legally established easement or right-of-way cannot be obtained. These installations shall be limited to federal lands, Native American reservations through the U.S. Department of the Interior Bureau of Indian Affairs, military bases, lands controlled by port authorities and state agencies and departments, and land owned by railroads.

Section 9-5-4 TITLE

These regulations shall be known as the Electrical Code of Boise City, hereinafter referred to as “this code” and “this Chapter”.

Section 9-5-5 SEVERABILITY

If a section, subsection, article, sentence, clause, or phrase of this code is, for any reason, held to be unconstitutional or unlawful, then such determination shall not affect the validity of the remaining portions of this code. The provisions of this code shall not be construed to nullify any provision of local, state, or federal law.

Section 9-5-6 APPLICABILITY

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in a specific case, different sections or articles of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Whenever the requirements of this code are of a higher, more stringent standard than other related codes adopted and amended by Boise City, then the provisions of this code shall take precedence.

Section 9-5-7 EXISTING INSTALLATIONS

Except when dangerous or as otherwise provided for in this Chapter, this code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, an electrical system or equipment lawfully in existence at the time of the adoption of this code.

Exception: When altering pre-existing electrical wiring, equipment, apparatus or fixtures, and/or adding new wiring, the existing electrical wiring method connected to the new or altered installation, shall be in accordance with the most current code adopted.

Section 9-5-8 AUTHORITY HAVING JURISDICTION, CODE OFFICIAL

The administration, interpretation and enforcement of this Chapter shall be under the jurisdiction and control of the Boise City Department of Planning & Development Services, Building Division. The Director of the Department of Planning and Development Services hereby designates the chief electrical inspector of the Electrical Section as the code official to administer and interpret this Chapter and shall report to the Building Official for Boise City. The code official shall be authorized to administer and enforce this Code through permits, plan reviews, inspections, policies, procedures and including interpretation of the rules and regulations. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of the code.

Section 9-5-9 DEPUTIES

The code official shall have the authority to designate deputy code officials or assistant electrical inspectors as necessary. The chief electrical inspector, deputies, or assistant electrical inspectors shall be knowledgeable in electrical installations and hold a valid Journeyman license or Master Electrician license issued by the State of Idaho. All inspectors shall be skilled in electrical installations with not less than four (4) years of experience as a journeyman electrician and shall be familiar with the provisions of this Chapter. Such deputies shall have powers as delegated by the code official including the following:

- A. Inspectors employed by the department shall take and pass, before the end of their probationary period, the Electrical General Inspector's exam, designated and selected by the State of Idaho Division of Building and Safety.

- B. No deputy or inspector employed by the City shall be permitted to be engaged in or possess a financial interest in an electrical business, trade, practice, or work related to this Chapter, or to sell any supplies in conjunction with an electrical business, or act as an agent, directly or indirectly, for any person, firm, co-partnership, association, or corporation engaged in an electrical business within the jurisdiction of Boise City.
- C. Electrical Inspectors are hereby authorized to administer provisions of this Chapter and it shall be their duty to inspect the installations and alterations of electrical wiring, equipment, apparatus, and fixtures covered by this Chapter.

Section 9-5-10 LIABILITY

The code official, member of the board of appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not personally be deemed civilly or criminally liable, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of their official duties. Regardless of any approval issued by the City, the owner, owner's authorized agent, permit holder or person(s) conducting the work shall have ultimate responsibility to comply with all sections and articles of this Chapter and code.

Section 9-5-11 DUTIES OF THE AUTHORITY HAVING JURISDICTION, CODE OFFICIAL

The City and code official shall maintain public office hours as necessary for the efficient administration of the provisions of this Chapter and perform the following duties:

- A. Require the submission of applications and perform the review of specifications, drawings, descriptions, or diagrams necessary to show clearly the character, kind, and extent of work for any application required to obtain a permit under this Chapter.
- B. Maintain permanent and accurate accounts of all permit fees and other monies collected and received as provided by this Chapter, including the names of the account or permit holder, the date, and the amount paid, together with the location or premises governed by the permit.
- C. Administer and enforce the provisions of this Chapter, issue electrical permits, and inspect all electrical work, or accept reports of inspections by approved agencies authorized by any permit in order to assure compliance with provisions of this Chapter, and approving or rejecting said work in whole or in part.
- D. Upon request, issue a Certificate of Completion for any work that has been permitted and approved under this Chapter.
- E. Reject all work performed or being performed (including any materials used or being used in association with the work) which do not comply with the provisions of this Chapter.
- F. Order changes in workmanship or materials necessary to obtain compliance with all this Chapter.
- G. Investigate any construction or work regulated by this Chapter and issue any notices and orders, to ensure compliance with this code, as provided in this Chapter.

H. Keep a complete record of all the essential transactions of the office.

Section 9-5-12 RIGHT OF ENTRY

Where it is necessary to make an inspection to enforce the provisions of this Chapter, or where the code official has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code that make the building or premises unsafe, dangerous, or hazardous, the code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the code official by this code. If such building or premises is occupied, the code official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the building or premises and request entry. If entry is refused, the code official has recourse to any remedy provided by law to secure entry.

Where the code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent or occupant or person having charge, care, or control of the building or premises shall not fail or neglect, after proper request is made to promptly permit entry by the code official for the purpose of inspection and examination pursuant to this code.

Section 9-5-13 MODIFICATIONS

Where there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases upon application of the owner or owner's authorized agent, provided that the code official shall first find that the special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of the code and does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered into the files of the electrical section.

Section 9-5-14 ALTERNATIVE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method of work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. The details of action granting alternative materials, design and methods of construction or equipment shall be recorded and entered into the files of the electrical section. Where the alternative material, design or method of construction is not approved, the code official shall respond in writing, stating the reasons why the alternative was not approved.

Section 9-5-15 TESTING AND RESEARCH REPORTS

When necessary to assist in the approval of materials, methods of construction, or equipment not specifically provided for in this code, the code official shall have the authority to require tests or inspections as evidence of compliance or valid research reports from approved sources, to be made at no expense to the jurisdiction. Test methods shall be as specified in the code or by other recognized test standards, unless otherwise approved by the code official. Tests or inspections shall be performed by an

approved third-party testing agency. Reports of tests or inspections shall be retained and entered into the files of the electrical section.

Section 9-5-16 APPROVAL OF PRODUCTS AND MATERIALS

All materials, devices, fittings, equipment, apparatus, and fixtures installed or used in the installations covered by this code or which are supplied with electric energy by attachment to such installations shall be approved as defined below.

- A. Accepted Testing Laboratory. Materials, devices, fittings, equipment, apparatus, fixtures and appliances tested, examined and certified (listed) by an accepted testing laboratory and so labeled, shall be accepted by the code official as approved. The Planning & Development Services Department shall maintain an updated list of accepted testing laboratories.
- B. Uncertified Products. Products which are not certified (listed) but are considered safe by the code official, may be approved provisionally and such approval shall apply only to the stock or products inspected, or a third-party testing laboratory shall give the product a field evaluation or a field inspection. Such approval shall not be given for types of products which are regularly certified (listed) or when such certification (listing) does not include the proposed use. The above-mentioned products shall be inspected before installation.
- C. Assembled Equipment or Products. Equipment and/or products assembled from materials, devices, fittings, equipment, apparatus, etc. (which are approved listed), may be provisionally approved by the code official, on a limited basis for testing purposes and/or submission for certification and listing, provided such equipment or product is installed (for testing purposes) under an electrical permit issued by the Planning & Development Services Department.
- D. Special Built-To-Order Equipment. The Director of the Planning & Development Services Department and/or the code official may approve special built-to-order equipment provided that:
 - 1. The equipment is not to be displayed or offered for sale.
 - 2. The equipment is inspected during the construction phase and installed only after an electrical permit is obtained pursuant to the provisions of this code.
 - 3. Each unit must be inspected and approved under this provision.

Section 9-5-17 LICENSING

Unless exempted by Idaho Code, Title 54, Chapter 10, no permit shall be issued to any person, partnership, company, firm, association, or corporation to act, to perform or cause to be performed any work regulated by this Chapter, within Boise City, without a valid license issued by the State of Idaho as established under Idaho Code, Title 54, Chapter 10. No person or entity shall engage in work beyond that specifically authorized by said license. A journeyman electrician or limited electrical installer shall not engage in or represent themselves as an electrical contractor.

The code official, deputies, or assistant inspectors shall have the authority to request verification of any license required under this Chapter. The code official shall have the authority to void permits where licensing requirements or exemptions are in violation of this Chapter or Idaho Code.

Section 9-5-18 PROPERTY OWNER EXEMPTION

Pursuant to Idaho Code, Title 54, Chapter 10, any property owner performing noncommercial electrical work in the owner's primary or secondary residence of a one-or-two-family dwelling, including associated accessory outbuildings or land associated with the entire property on which those buildings sit, may install, alter, or replace electrical wiring, equipment, apparatus, or fixtures in or on said property or structures when the proper electrical permit has been issued for the work and inspections are made as required by this Chapter. An owner's primary or secondary residence may be verified by a deed showing that the property is personally owned by the person performing the work, or by a family trust or non-commercial entity controlled by the person performing the work. Homeowner installations of renewable power generation connected to the community power grid shall be subject to a pre-plan review in accordance with policies or procedures prior to obtaining a permit. This exemption does not apply to:

1. A property owner who obtains an electrical permit but hires or obtains the assistance of another person, whether licensed to perform electrical work or not, and with or without pay.

Section 9-5-19 PERMITS REQUIRED

It shall be unlawful for any person, firm or corporation to install, remove, alter, repair, replace, or cause to be installed, removed, altered, repaired, or replaced any electrical system or equipment regulated by this Chapter, except where exempted from this Chapter, in any building or premises without first obtaining a permit to perform such work. A separate permit shall be obtained for each separate building or structure.

Exception: Emergency Work. If immediate alteration or installation of electrical wiring, equipment, apparatus, or fixtures is necessary for reasons of public safety or welfare and an electrical permit cannot first be obtained without further endangering the public safety or welfare, such alteration or installation may be made without first obtaining the electrical permit therefore but the required electrical permit shall be obtained during the next business day, or a time as required by the code official, after such alteration or installation has been made.

Section 9-5-20 WORK EXEMPT FROM PERMIT

Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the jurisdiction.

In one-and two-family dwellings, permits shall not be required for the following:

1. Listed cord-and-plug connected temporary decorative lighting or the plug-in connection of approved portable electrical equipment.
2. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
3. Electrical wiring, devices, appliances, apparatus, or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
4. Minor repair work such as the replacement of same or similar, code compliant, receptacles, switches, lamps, luminaires, and overcurrent devices without alteration or relocation.

In other than one-and-two family dwellings, permits shall not be required for the following:

1. Listed cord-and-plug connected temporary decorative lighting or the plug-in connection of approved portable electrical equipment.
2. Repairs and maintenance: Minor repair work such as the replacement of same or similar, code compliant, receptacles, switches, lamps, luminaires, and overcurrent devices without alteration or relocation.
3. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, excluding the equipment and wiring for a power supply and the installations of towers and antennas which does require a permit.
4. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Section 9-5-21 APPLICATION FOR PERMIT

To obtain a permit, the applicant shall first file an application on a form furnished by the Planning and Development Services Building Division for that purpose. Such application shall:

1. Identify and describe the work to be performed under the requested permit.
2. Describe the premises where the proposed work is to be done by parcel number, street address, or similar description that readily identifies and with sufficient specificity to locate the proposed building or work.
3. State the use or occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information when required. The City may require such plans be stamped and signed by an engineer licensed by the State of Idaho.
5. State the valuation of the proposed work.
6. Contain the signature of the applicant or the authorized agent of the applicant.
7. Provide such other data and information as required by the code official.

Section 9-5-22 CONSTRUCTION DOCUMENTS

Any person legally entitled to apply for and receive a permit shall make such application on forms provided for that purpose. A description of the proposed work shall be provided in accordance with Boise City Code. The City may require plans, specifications, or drawings and such other information as deemed necessary by the code official or as required by Boise City submittal checklists. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature, and extent of the proposed work and shall show in detail that the work conforms to the provisions of this Chapter. The City may require such plans to be stamped and signed by an engineer licensed by the State of Idaho. Engineers that stamp electrical drawings for review by the City must have a valid and registered stamp that complies with the most current provisions of Idaho Code, Title 54, Chapter 12 (Engineers and Surveyors). The requirement for engineered drawings shall be in compliance with Boise City submittal checklists for the type of construction proposed or as deemed necessary by the code official. If the City determines that the plans, fees, specifications, drawings, description, and information furnished by the applicant are in compliance with this Chapter, then a permit may be issued.

Exception: The code official shall have the authority to waive the submission of construction documents, calculations, or other data if the nature of the proposed work is such that the

reviewing of construction documents is not necessary to determine that the proposed work is in compliance with this this Chapter.

Section 9-5-23 TIME LIMITATION OF APPLICATION

An application for a permit for any proposed work shall be deemed to have been abandoned 180 calendar days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding 180 calendar days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 9-5-24 PERMIT ISSUANCE

The application, construction documents, and other data filed by an applicant for a permit shall be provided to the code official. Upon receipt of such documents, and where a review is required and the code official finds that the proposed work conforms to the requirements of this Chapter and all laws and ordinances applicable thereto, and that the applicable fees have been paid, a permit shall be issued to the applicant.

Section 9-5-25 APPROVED CONSTRUCTION DOCUMENTS

When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "APPROVED". Such approved construction documents shall not be changed, modified, or altered without authorization from the code official. Work shall be done in accordance with the approved construction documents.

The code official shall have the authority to issue a permit for the construction of part of an electrical system or equipment before the construction documents for the entire system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire electrical system will be granted.

Section 9-5-26 VALIDITY

The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of other ordinances of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of this code shall be invalid.

The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter requiring the correction of errors in said construction documents and other data or from preventing building operations from being carried on thereunder where in violation of this code or of other ordinances of this jurisdiction.

Section 9-5-27 EXPIRATION

Every permit issued under the provisions of this Chapter shall expire and become null and void if the work authorized is not commenced within 180 calendar days from the date of issuance of the permit, or if the work authorized by the permit is suspended or abandoned at any time after the work is commenced with and no inspection has occurred within 180 calendar days from the date of issuance of

the permit, or if the work authorized by the permit is suspended or abandoned at any time after the work is commenced for a period of 180 calendar days from the date of the last required inspection.

Before any work recommences after expiration, a new permit shall be obtained with a fee of one-half the amount required for a new permit for such work, provided that no changes have been made or will be made to the original construction documents for the work, and provided further that the suspension or abandonment has not exceeded one year.

Section 9-5-28 EXTENSIONS

Any holder of an unexpired permit may apply for an extension of time within which work may commence under that permit, when the permittee is unable to commence work within the time required by this Chapter. The code official may extend the time to request an extension for a period not exceeding 180 calendar days on written request by the permittee demonstrating a good faith effort to complete the project has been made and that reasons beyond the control of the permittee have resulted in delay. Under no condition shall a permit be extended more than three times, for a total maximum of three 180-day extensions. Each 180-day extension must be approved individually by the code official.

Section 9-5-29 PERMIT TRANSFER

A permit may be transferred to another party if that party provides written authorization signed by the original permit holder expressly consenting to the transfer of the permit along with all agreements and conditions incorporated into the original permit. A permit may also be transferred to the property owner or property owner's designated agent in cases where the property owner has terminated their legal or professional relationship with their contractor or owner's designated agent. An administrative fee for the transfer of the permit will be assessed for the work performed by City staff.

Section 9-5-30 SUSPENSION OR REVOCATION OF PERMIT

The code official shall have the authority to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code or as otherwise provided by this Chapter.

Section 9-5-31 RETENTION OF CONSTRUCTION DOCUMENTS

One set of approved construction documents shall be retained by the code official for a period of not less than 180 calendar days from the date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be returned to the applicant and said set shall be kept on the site of the building or job at all times during which the work authorized thereby is in progress.

Section 9-5-32 WORK COMMENCING BEFORE PERMIT ISSUANCE

Any person who commences work on an electrical system or equipment before obtaining the necessary permits shall be subject to a special investigation fee equivalent to 100% of the usual electrical permit fees, in addition to the required permit fees. The investigation shall be completed, and the special investigation fee shall be paid before a permit may be issued for such work. The investigation fee shall be required regardless of whether or not a permit is subsequently issued. The payment of such investigation fee shall not exempt any person from compliance with all provisions of this code nor shall payment of

this fee serve as an exemption from any penalty prescribed by law.

Section 9-5-33 FEE SCHEDULE, PERMIT FEES

Fees shall be assessed in accordance with the provisions of the adopted Boise City Electrical Code Fee Schedule which will be kept on file at the Planning and Development Services permit counter, Boise City Clerk's office, or on the Planning and Development Services website. All electrical fees shall be reviewed by the Electrical Board prior to adoption by the Boise City Council.

Section 9-5-34 FEE REFUNDS

The code official may authorize the refunding of fees as follows:

1. The code official shall not authorize the refund of any fee, except upon written request by the original permittee made not later than 180 days after payment.
2. The full amount of any fee paid under this Chapter which was erroneously paid or collected.
3. A refund of the entire permit fee when the proposed work never commenced under a permit issued in accordance with this Chapter. An administrative fee may be charged, at the discretion of the code official, where complex or an inordinate amount of time is spent processing the refund.
4. A refund of the entire plan review fee when the review never commenced.
5. Third-party processing fees shall not be refunded.

Section 9-5-35 INSPECTIONS AND TESTING

The code official is authorized to conduct such inspections as are deemed necessary to determine compliance with the provisions of this Chapter. Construction or work for which a permit is required shall be subject to inspection by the code official or designees, and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Chapter or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Chapter or of other ordinances of the jurisdiction shall not be valid.

The code official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and other such inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or permit holder's agent of violations that must be corrected. The holder of the permit shall be responsible for requesting and scheduling of such inspections. It shall be the duty of the permit holder to provide access to and means for inspection of such work required under this Chapter. As applicable to the permitted scope of work, inspections required include:

1. Temporary service inspection.
2. Conference inspection for residential homeowner permits.
3. Rough-in inspection shall be made after trenches or ditches are excavated and bedded, conduit installed, and before acceptable backfill is put in place or after the roof, framing, fireblocking and bracing are in place and all rough-in electrical components to be concealed are complete, and prior to the installation of the wall or ceiling membranes.
4. Rough-in permanent service.
5. Elevator, escalator, dumbwaiter, moving walk, platform lift and stairway chairlift inspection.

6. Temporary Occupancy inspection.
7. Final inspection shall be made upon completion of the electrical system.
8. Permanent service inspection.
9. Aging or other inspections, as required by the code official, to ascertain compliance with the provisions of this Chapter.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or permit holder's agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the code official. It shall be unlawful to cover up or in any way conceal any electrical work until inspection and approval has occurred by the code official or designee. Covered or concealed work without inspection approval may be required to be exposed, to the extent determined by the code official or designee, in order to inspect and verify compliance with the provisions of this Chapter. A reinspection fee, as specified in the fee schedule, may be assessed at the discretion of the code official or designee, under circumstances such as where no access is provided, for covered or concealed work, where such portion of the work called for reinspection is not complete or where required corrections have not been made upon reinspection.

The code official may require testing of the electrical system or equipment to ascertain compliance with the provisions of this Chapter. Tests shall be made by the permit holder and observed by the code official. The code official may also accept tests or inspections from an approved third-party agency.

Section 9-5-36 TEMPORARY CONNECTION

The code official shall have the authority to authorize the temporary connection of an electrical system to the sources of energy for the purposes of testing the electrical system or equipment or for the use under a temporary certificate of occupancy for a specified time period determined by the code official.

Section 9-5-37 CONNECTION OF SERVICE UTILITIES

A person shall not make connection from a utility, source of energy, fuel source, or power to any building or system that is regulated by this Chapter for which a permit is required, until authorized by the code official.

Exception: Where a life-safety emergency exists and connection of service utilities remedies the condition for reasons of public safety or welfare, however, any required electrical permit and/or inspection shall be obtained during the next business day, or a time as required by the code official, after such connection has been made.

Section 9-5-38 TEMPORARY EQUIPMENT, SYSTEMS AND USES

The code official is authorized to issue a permit for temporary equipment, systems, and uses, such as for temporary service for carnivals, festivals, displays, holiday decorative lighting, fireworks stands, experimental or developmental work, demolition work, construction, remodeling, and similar purposes. Such permits shall be limited as to time of service but shall not be permitted for more than 180 calendar days, however, for the purposes of significant development construction projects, temporary service may be permitted and installed for a time period of up to one (1) year. The code official is

authorized to grant time extensions for demonstrated cause.

Temporary equipment, systems, and uses shall conform to the provisions of this Chapter as necessary to ensure the public health, safety, and general welfare. The code official is authorized to terminate the permit for temporary equipment, systems, and uses and require disconnection or removal of the temporary equipment, systems, or uses.

Section 9-5-39 UNLAWFUL ACTS

It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize an electrical system or equipment, or cause same to be done, in conflict with or in violation of any of the provisions of this Chapter including:

- A. Install or alter any electrical wiring, equipment, device, apparatus, or fixture, without first obtaining an electrical permit.
- B. Maintain, permit to be maintained, or permit to exist upon any electrical wiring, equipment, apparatus, or fixture that does not conform to the requirements of this code.
- C. Hinder, impede, or interfere with the code official or designee in the discharge of authority or duty, or to refuse, fail, or neglect to follow or conform to any provisions or requirements of this Chapter.
- D. To permanently energize any electrical wiring, equipment, apparatus, or fixture which have been installed, altered, or repaired, without inspection and approval under this Chapter.

Section 9-5-40 NOTICE OF VIOLATION

The code official may serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal, or demolition of electrical work in violation of the provisions of this Chapter, or in violation of the approved construction documents, or in violation of any permit or certificate issued under the provisions of this Chapter.

Section 9-5-41 CRIMINAL PENALTIES

Any person, firm, or corporation violating the provisions of this Chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars (\$1,000.00), by imprisonment for not more than one hundred eighty (180) days, or by both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

- A. In the discretion of the Division Manager of the Building Division, the City may charge the offender with an infraction in lieu of a misdemeanor. The infraction shall be payable by a fine of three hundred dollars (\$300.00). There shall be no right to a trial by jury for an infraction citation or complaint.
- B. For purposes of trial by court or jury, the infraction described within this section shall not constitute a lesser included offense for any misdemeanor citation or complaint.

- C. A prosecuting attorney may reduce a misdemeanor charge under this chapter to an infraction as described herein, payable by a \$300 fine, if the defendant engages in corrective actions resulting in fully completed and permitted work.

Section 9-5-42 STOP WORK ORDERS

Upon notice from the code official that work is being done contrary to the provisions of this Chapter or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, may be subject to penalties prescribed within this Chapter.

Section 9-5-43 ABATEMENT OF VIOLATION

The imposition of any available penalty shall not preclude the jurisdiction from instituting appropriate action in order to restrain, correct, or abate a violation of this Chapter, or to prevent the illegal occupancy of a building, structure, or premises.

Section 9-5-44 UNSAFE ELECTRICAL SYSTEMS OR EQUIPMENT

An electrical system or equipment that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this Chapter, is hereby declared as an unsafe electrical system or equipment. Use of an electrical system or equipment regulated by this Chapter constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe systems or equipment are hereby declared to be a public nuisance and may be abated by repair, rehabilitation, demolition, or removal.

Section 9-5-45 AUTHORITY TO CONDEMN ELECTRICAL SYSTEMS OR EQUIPMENT

Whenever the code official determines that any electrical system or equipment, or portion thereof, regulated by this Chapter is hazardous or is a life-safety concern, the code official may order that such system or equipment either be removed or restored to a safe condition. The order shall specify the nature of the hazard or violation and provide a time period in which the matter must be resolved. A person shall not use or maintain a defective electrical system or equipment after receiving such notice.

Where such electrical system or equipment is to be disconnected, a written notice of violation shall be given. In cases of immediate danger to life or property, such disconnection may be made immediately without such notice.

Section 9-5-46 AUTHORITY TO ORDER DISCONNECTION OF ENERGY SOURCES

The code official shall have the authority to order disconnection of any energy sources supplied to a building, structure, electrical system, or equipment regulated by this Chapter, where it is determined that the electrical system or equipment or any portion thereof is unpermitted or has become hazardous or unsafe. Written notice of such order to disconnect service and the causes therefor shall be given within 24 hours to the owner, the owner's authorized agent and/or occupant of such building, structure or premises,

provided, however, that in cases of immediate danger to life or property, such disconnection shall be made immediately without such notice. Where energy sources are provided by a public utility, the code official shall immediately notify the serving utility in writing of the issuance of such order to disconnect.

Section 9-5-47 CONNECTION AFTER ORDER TO DISCONNECT

A person shall not make energy source connections to electrical systems or equipment regulated by this Chapter which have been disconnected or ordered to be disconnected by the code official, or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such electrical system or equipment.

Where an electrical system or equipment is maintained in violation of this Chapter, and in violation of a notice issued pursuant to the provisions of this section, the code official may institute appropriate action to prevent, restrain, correct or abate the violation.

Section 9-5-48 ELECTRICAL BOARD

There is hereby created an Electrical Board hereinafter referred to as “the Board” which shall be composed of seven (7) members and shall be appointed by the Mayor by and with the advice and consent of the Council. Members of the Board shall include at least one (1) Idaho licensed engineer, three (3) Idaho licensed electrical contractors and three (3) members in any combination as an Idaho licensed engineer, Idaho licensed electrical contractor or qualified electrical industry representative. Any member of the Board that fails to maintain a valid Idaho license for their respective profession, shall be disqualified from serving on the Board. Boise City residency of at least four (4) of the members is required. Members not residing within Boise City must reside within Ada County and conduct business in Boise City. The terms of office shall be four (4) years and if a vacancy occurs during an unexpired term, then the Mayor with the consent of the Council shall appoint a member to fill the unexpired term. The Board shall select one of its members as Chairman. Members of the Board shall serve and act without compensation except that their actual and necessary expenses may be allowed by the Council. The Secretary, who is hereby designated to be the code official or designated representative, shall keep a record of all meetings, appeals, hearings, and proceedings of the Board and shall perform all services that may otherwise be required.

A. BOARD DUTIES

It shall be the responsibility and duty of the Board:

1. To recommend and submit to the Mayor and Council any proposed amendments to this Chapter which may govern the design, construction, installation, improvement, expansion, and alteration of electrical systems.
2. To recommend and submit to the Mayor and Council any proposed standards for the quality and weight of materials, fixtures, appliances, and devices used in, design or construction of electrical systems.
3. To recommend and submit to the Mayor and Council any proposed amendments to this Chapter, prescribing the standards and procedures for inspecting electrical systems.
4. To review upon written request, the administration and enforcement of the minimum standards, codes, regulations, procedures, and fees required by this Chapter including

appeals of any interpretations of this Chapter or decisions made by the code official under this Chapter.

B. APPEAL PROCESS

Any permit applicant, whose application has been rejected, or any person who has been ordered to modify, alter, remove, or install any electrical system as required by this Chapter may appeal that decision by filing notice in writing with the City within ten (10) calendar days. The appeal hearing shall be held within thirty (30) calendar days of receipt of the notice of appeal or as otherwise agreed upon by parties to the appeal and the City. At the hearing the Board may, by a majority vote, affirm, reverse, or modify the action of the City. If the actions of the City are modified or reversed, a permit shall be issued in accordance with the decision of the Board.

C. STANDARD OF REVIEW

The Board may: (1) modify or impose alternative to requirements to those contained within this Chapter only when the appellant demonstrates that the requirements of this Chapter are impracticable and demonstrates that the modification or alternative provides at least an equivalent level of safety as required under this Chapter, or (2) determines that the City erred in its interpretation or application of the code provisions. The Board shall not have authority to waive requirements of this code.

D. APPEAL FEE

Any person appealing a decision of the City shall include payment of an appeal fee in an amount specified in the fee schedule. In the event the decision of the code official is reversed, then the appeal fee shall be returned to the Appellant.

E. APPEAL TO CITY COUNCIL

Any order, decision or ruling of the Board may be appealed, by filing notice in writing to the City Council within ten (10) calendar days of such order, decision, or ruling.

Section 9-5-49 APPEAL PROCEDURE

The Electrical Board may receive all evidence on appeal, in accordance with the following procedure:

- A. The code official or designee shall first present background information on the appeal, including relevant code sections and their interpretation and other information related to the activities or work performed related to the appeal. The Board may ask questions during or after each presentation.
- B. The Appellant may then present any information relevant to the appeal. The Appellant shall have up to twenty (20) minutes to present such evidence.
- C. The Chair shall next open the hearing to receive public testimony. Each person wishing to provide public testimony shall be given up to five (5) minutes to do so.
- D. Following the close of public testimony, the code official or designee shall be allowed up to ten (10) minutes for rebuttal and any final comments.

- E. The Appellant then shall have up to ten (10) minutes for rebuttal and any final comments.
- F. The Chair may grant additional time to the Appellant and the code official or designee if the additional time would aid the Board in its decision provided that both the Appellant and the code official receive an equal amount of time each.
- G. Following the hearing, the Board may deliberate and render a final decision by a roll call vote, may request more information before a final decision is made, or may take the matter under advisement and reconvene at a reasonable time within fifteen (15) calendar days in order to render a final decision. The final decision shall be in writing with a copy provided to the Appellant within ten (10) calendar days of rendering a final decision on the appeal. The decision by the Board may be appealed to the City Council within ten (10) calendar days following the date of issuance of a written decision.

Section 9-5-50 SPECIAL CODE REQUIREMENTS

In addition to the provisions in this Chapter, the code official may require other provisions and safeguards based on special conditions that may be present in a particular installation. These include, but are not limited to, the following:

- A. Disconnect and Panel Locations. Main Circuit disconnecting switches and/or distribution panels shall not be installed in a bathroom, shower room, toilet room, clothes closet or within 36 inches of a wash basin, laundry tub, janitor's tub or other location thought unsafe by the code official.
- B. Electric Fences. No electric fence wires shall hereafter be erected, constructed, maintained or allowed to remain as part of any fence within the present or future corporate limits of Boise City.
- C. Unfused Conductors. All unfused conductors shall be installed in a raceway (Rigid Metal Conduit or Intermediate Metal Conduit) when inside a building or structure for underground service(s) only. Raceway shall not be longer than four feet (4'). All meter bases shall be between five and one-half feet (5-1/2') and six feet (6') measured from grade. Multi-metered base measurements shall be from the top meter base to grade.
- D. Educational, institutional and industrial buildings shall be wired in a raceway(s) approved from the current edition of the National Electrical Code or metal clad interlocking armored cables.
- E. All non-listed panelboards shall not have any modifications, branch circuits added or upgrades to the service equipment (with the exception of service mast) without requiring the replacement with a listed panelboard.
- F. Residential garages, for the purposes of vehicle parking, constructed in combination with one-and-two-family dwellings and townhouses in new construction, require at least one 240-volt, 40 ampere dedicated branch circuit terminating at a receptacle or electric vehicle supply equipment, to be provided that may be used for electric vehicle charging, located in close proximity to the parking spaces. The branch circuit shall be identified as "EV Ready" in the service panel or subpanel directory and the termination at the receptacle location shall be marked as "EV Ready". Only one vehicle garage per parcel requires an "EV Ready" receptacle or electrical vehicle supply equipment. Installation shall comply with applicable provisions of the National Electrical Code.