

CHAPTER 311

Electrical Code

Town of Yarmouth, Maine

Adopted 09/21/2000

Amended: 1/17/08

Amended: 8/21/14

Repealed & Replaced: 11/19/2020

ELECTRICAL CODE

Table of Contents

ARTICLE I.....	1
A. TITLE.....	1
B. PURPOSE	1
C. SCOPE	1
D. AREA OF MUNICIPALITY	1
ARTICLE II	1
A. ELECTRICAL CODE.....	1
B. INSPECTOR	1
C. PERMITS	2
D. INSPECTION.....	3
ARTICLE III.....	3
A. CONFLICTS	3
B. SEVERABILITY	3
C. EFFECTIVE DATE	4
D. VIOLATIONS.....	4
E. APPEALS.....	4

ELECTRICAL CODE

ARTICLE I

A. TITLE

This Ordinance shall be known and be cited as the Electrical Code of the Town of Yarmouth, Maine. That CHAPTER 311 entitled “Electrical Code of the Town of Yarmouth, Maine” last amended August 21, 2014, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

B. PURPOSE

The purpose of this Ordinance is to establish a system to ensure the safety of the community through electrical code enforcement and an adoption of an electrical code.

C. SCOPE

Pursuant to Title 30-A M.R.S. §4171 this ordinance shall apply to original installations of electrical equipment and any alterations or additions to existing electrical equipment.

D. AREA OF MUNICIPALITY

Pursuant to Title 30-A M.R.S. §4171 this ordinance shall apply to the entirety of the Town of Yarmouth.

ARTICLE II

A. ELECTRICAL CODE

Pursuant to the authority granted by Title 30-A M.R.S §3003, *The National Electrical Code*, published by the National Fire Protection Association as standard *NFPA 70* shall be the Electrical Code of the Town of Yarmouth, Maine. The date of such code shall be as referenced and modified by the State of Maine’s Electricians’ Examining Board Rules Chapter 120. A copy of this code shall be kept on file in the Town Clerk’s Office and is available for public inspection.

B. INSPECTOR

1. **APPOINTMENT.** In accordance with Chapter 201 Administrative Code Ordinance, the Town Manager shall appoint an Electrical Inspector.
2. **QUALIFICATIONS.** The Electrical Inspector shall be an actively licensed State of Maine Master Electrician or be certified as an Electrical Inspector by the International Association of Electrical Inspectors or be certified as a *Commercial and Residential Electrical Inspector* by the International Code Council. A Town

Code Enforcement Officer shall be permitted to act as an interim Electrical Inspector in the absence of an appointed Electrical Inspector.

3. **ENFORCEMENT.** The Electrical Inspector and Code Enforcement Officer shall enforce the provisions of this ordinance.

C. PERMITS

1. **PERMIT REQUIRED.** No electrical equipment may be installed within or on any publicly or privately-owned building, structure or premises, nor may any alteration or addition be made in any such existing equipment without first obtaining a permit for that installation or alteration from the Electrical Inspector pursuant to Title 30-A §4173. Electrical permit fees, administrative fees, inspection fees, re-inspection fees, and a minimum fee shall be paid as required by Chapter 401 Fees and Permits Ordinance. An emergency repair shall be permitted to be made prior to issuance of a permit if it meets the following conditions:
 - a. The emergency repair occurs outside of Town hall operating hours
 - b. A permit application is entered as soon as practicable upon the next opening of Town hall
 - c. Without an emergency repair the safety of the public would be at risk
 - d. The emergency repair is made by a person who is authorized to conduct electrical installations as required by the State of Maine's Electricians' Examining Board.
2. **Exempt Work.** Pursuant to Title 30-A M.R.S. §4173 the following minor repair work is exempt from the requirement of a permit:
 - a. The replacement of fuses;
 - b. The installation of additional outlets;
 - c. The replacement of existing switches, sockets and lamps;
 - d. Repairs to entrance service equipment; and
 - e. Repairs or installation of radio and low voltage equipment.
3. **DISPLAY OF PERMITS.** Upon receipt of an electrical permit said permit is to be conspicuously posted at the work site. The permit shall be no smaller than eight and a half (8.5) inches by eleven (11) inches.
4. **FAILURE TO OBTAIN ELECTRICAL PERMIT.** Persons, firms, or corporations found to be installing, demolishing, or re-locating electrical installations without having first obtained a permit as required shall apply for such required permit immediately upon notice. Such entity shall be subject to an after-the-fact permit fee of twice the permit fee as described in Chapter 401 Fees and Permits Ordinance and may be issued a stop work order until a permit is issued. Entities commencing such work without required permits on two or more occasions in any twelve (12) month period, may be subject to a fine and penalties as described in Article III.D below.

Notwithstanding these penalty and double fee provisions, the Director of Planning and Development, with the approval of the Town Manager, may waive such double fees and court actions if the Director shall find the failure to obtain such permits was inadvertent, or arises out of emergency circumstances, or discovery of conditions not reasonably foreseeable and for which as soon as practical upon discovery and/or securing the structure and safety of the building owners or occupants, applications for all necessary permits have been submitted.

5. **ELECTRICAL LICENSURE.** No permits shall be issued to any person who is not authorized to conduct electrical installations as required by the State of Maine's Electricians' Examining Board. Persons actively licensed shall be required to provide their license number on the permit application.

D. INSPECTION

1. **SCHEDULING.** It shall be the duty of the person doing the work authorized by a permit to notify the Electrical Inspector that such work is ready for inspection. The Electrical Inspector shall be permitted to require that a request for inspection be filed not less than one (1) working day before such inspection is desired. Pursuant to Title 30-A M.R.S. §4174 the Electrical Inspector shall conduct the inspection within a reasonable amount of time. At the discretion of the Electrical Inspector a re-inspection fee in an amount described in CHAPTER 401 Fees and Permits Ordinance may be assessed.
2. **CONFORMITY.** Pursuant to Title 30-A M.R.S. §4174 if the electrical installation conforms to the requirements of this ordinance and state laws and regulations a certificate of approval shall be issued upon request. If the electrical installation does not conform to the requirements of this ordinance and state laws and regulations a certificate of approval shall not be issued and a written notice stating the defects and ordering their correction shall be issued. Pursuant to Title 30-A M.R.S. §4172 the Electrical Inspector shall examine and issue certificates of acceptance of electrical installations at the request of any owner, lessee, tenant or municipal officer when satisfied that electrical installation meets the requirements of this ordinance and any applicable state laws and regulations.
3. **ELECTRICAL HAZARDS.** Pursuant to Title 30-A M.R.S. §4172 the Electrical Inspector shall be permitted to require the correction of a hazardous electrical installation.

ARTICLE III

A. CONFLICTS

That any ordinances or parts of ordinances in conflict herewith are hereby repealed.

B. SEVERABILITY

CHAPTER 311

That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town of Yarmouth hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

C. EFFECTIVE DATE

That this ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect immediately from and after the date of its final passage and adoption.

D. VIOLATIONS

Any person who violates a provision of this Ordinance or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs an electrical installation in violation of the approved construction documents or directive of the Electrical Inspector, may be subject to penalties in accordance with Title 30-A M.R.S. § 4452. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

E. APPEALS

Any person aggrieved by an error of a Town Official in the application, or interpretation of this Ordinance may appeal to the General Board of Appeals pursuant to the provisions in this Ordinance and the procedures outlined in Chapter 203, General Board of Appeals Ordinance. Any order, requirement, decision or determination made, or failure to act, in the enforcement of this Ordinance is not appealable to the General Board of Appeals but may be appealed directly to Superior Court.