

**Local Law Filing
State**

**New York State Department of
41 State Street, Albany, NY 12231**

**Town of Fine
Local Law No. 3 of the year 2011**

**A Local law To Repeal and Replace Local Law No. 2-1987, entitled
“Establishment of the Electrical Code of the Town of Fine.”**

Be it enacted by the Town Board of the Town of Fine as follows:

Section 1. Title.

This local law shall be known as the “Electrical Code of the Town of Fine.”

Section 2. Purpose.

This local law is to provide for the protection of life and property of the inhabitants of the Town of Fine through the regulation and inspection of wires, conductors and appliances for the purpose of utilizing electrical energy for light, heat and power when introduced, modified or placed in or upon any building, structure or real property located in the Town of Fine.

Section 3. Definitions.

As used in this local law, the following terms shall have the meanings indicated:

CERTIFICATE OF COMPLIANCE – A certificate issued by an approved electrical inspection agency, after reviewing plans for electrical construction and conducting an electrical inspection thereof, indicating that specifically identified electrical work was examined on a particular date and that the same was found to be in compliance with this local law.

ELECTRICAL INSPECTION – The act of reviewing and investigating electrical construction, for the purpose of certifying conformance of such construction with applicable codes and regulations.

PERSON – Includes any person, firm, partnership, corporation, association or organization of any kind.

Section 4. Applicability of state code.

All electrical installations herein mentioned shall be made in conformity with the requirements of the New York State Uniform Fire Prevention and Building Code, except where this local law or any other local law, ordinance or building code of the Town of Fine shall differently prescribe, in which event compliance with the provision imposing the greater restriction shall be recognized as proper compliance with this local law.

Section 5. Approval of electrical work required; certificate of compliance.

A. Before any electrical work shall be installed, caused to be installed or altered for light, heat or power in or on the properties within the Town of Fine, application must be made to and approval obtained therefor from any electrical inspection agency approved by the Code Enforcement Officer pursuant to Section 6 of this local law.

B. The application form shall state the owner's name, the name of the electrical contractor performing such construction and work, if any, and a description of the work. No electrical work shall be done in connection with any project until such application and plans have been reviewed and approved by such an approved electrical inspection agency, a copy of which shall be forwarded to the Code Enforcement Officer.

C. Upon completion of such electrical work, an electrical inspection shall be made by a qualified representative of any approved electrical inspection agency, who shall notify the Code Enforcement Officer of any violations of or deviations from the provisions of the National Electrical Code.

D. A certificate of compliance is authorized to be issued by such approved electrical inspection agency when an electrical inspection of such electrical work has been completed and such work has been determined to be in conformity with this local law. A copy of the certificate of compliance shall be sent to the Town of Fine to the attention of the Code Enforcement Officer.

Section 6. Electrical inspection agencies approval.

The Code Enforcement Officer of the Town of Fine shall be, and is hereby authorized to approve and designate electrical inspection agencies for the purpose of making inspections and re-inspections at reasonable times and places and upon reasonable notice, of all electrical installations regulated and covered by the New York State Uniform Fire Prevention and Building Code, and to approve or disapprove the said installations, such persons, agencies or organizations as, in the opinion and discretion of the Code Enforcement Officer shall be qualified to conduct the same, as shown by the practical and technical knowledge of the construction and operation of electrical wiring and work, as evidenced by appropriate national certification for electrical work, electrical inspection and electrical code compliance. In no event shall the cost or expense of such inspections required by this local law be a charge against the Town of Fine.

Section 7. Violations.

A. It shall be a violation of this local law for any person to install or cause to be installed or to alter electrical wiring for light, heat or power in or on properties within the Town of Fine, until an application has been made for such work and approval obtained therefor from any electrical inspection agency approved pursuant to Section 6 of this local law.

B. It shall be a violation of this local law for any person to connect or cause to be connected electrical wiring in or on properties within the Town of Fine, for light, heat or power to any source of electrical supply prior to the issuance of a certificate of compliance by any approved electrical inspection agency.

Section 8. Penalty for violations.

Any person who fails to comply with the provisions of this local law shall be guilty of an offense punishable by a fine of not to exceed two hundred and fifty dollars (\$250.00) or by imprisonment for a term not to exceed 15 days, or by both such fine and imprisonment, and each day such violation continues shall constitute a separate offense.

Section 9. Enforcement.

This local law shall be administered and enforced by the Code Enforcement Officer of the Town of Fine.

Section 10. Exceptions.

The provisions of this local law shall not apply to:

A. Any work involved in the manufacture, assembly, test or repair of electrical machinery, apparatus, materials and equipment by any person engaged in electrical manufacturing or repair business.

B. Motor vehicles or related equipment intended for use upon the public highways, railway or electrical utility operating in accordance with any tariff.

C. Any building which is owned or leased in its entirety by the Government of the United States or the State of New York.

D. Portable or emergency generators temporarily upon premises and not being physically annexed or constructively affixed to a building electrical system.

Section 11. No waiver or assumption of liability.

This local law shall not be construed to relieve from or lessen the responsibility of any person owning, operating, controlling or installing any electrical wiring, devices, appliances or equipment for loss of life or damage to person or property caused by any defect therein, nor shall the Town of Fine or its employees or agents be deemed to have

assumed any such liability by reason of any electrical permit or certificate of compliance pursuant to this local law.

Section 12. Repealing provisions.

Local law number 2-1987 entitled “Electrical Code of the Town of Fine,” is hereby repealed upon adoption of this local law.

Section 13. Effective date.

This local law shall become effective immediately upon filing in the Office of the Secretary of State of the State of New York.

(Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 3 of 2011, of the Town of Fine was duly passed by the Town Board on _____, 2011, in accordance with the applicable provisions of law.

Hope M. Dolan, Town Clerk
Town of Fine

(Seal)

Date:

STATE OF NEW YORK)
) ss.:
COUNTY OF ST. LAWRENCE)

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Christopher E. Cooper,
Town Attorney
Town of Fine

Date: