

**TITLE 4**

**ELECTRICAL REGULATIONS**

- CHAPTERS: 4.01 Electrical Code Adopted  
4.02 Enforcement  
4.03 Licenses  
4.04 Permits  
4.05 Inspections  
4.06 Radio and Television

**CHAPTER 4.01  
ELECTRICAL CODE ADOPTED**

SECTIONS:

- 4.01.01 -- Adoption of National Electrical Code  
4.01.02 -- Amendments Made in Adopted Code  
4.01.03 -- Title Scope, Exceptions  
4.01.04 -- Definitions

4.01.02 - ADOPTION OF NATIONAL ELECTRICAL CODE

There is hereby adopted by the City of Sturgis, South Dakota, for the purpose of prescribing regulations governing all installations of all electrical work, that certain code known as the National Electrical Code, published by the National Fire Protection Association, being particularly the 1996 edition there of and the whole thereof and are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Sturgis.

**(Revision effective October 9, 1998 Ordinance 98-12)**

4.01.02 - AMENDMENTS MADE IN ADOPTED CODE

If any provisions of this Title are in conflict with the National Electrical Code herein adopted, the provisions of this Title shall take precedence and said code shall be considered amended or modified.

4.01.03 – TITLE, SCOPE, EXCEPTIONS

1. Title: This code shall be know as the National Electrical Code, may be so cited, and will be referred to in this Ordinance as such.

2. Scope: The provisions of this Code shall apply to govern electrical work as defined in this Code, including the practice, materials, and fixtures used in all new installations, electrical conductors, fittings, devices and fixtures for light, heat and power service equipment and all equipment used for power supply to radio and television receiving systems and amateur radio transmission systems and buildings and structures; and all alterations or extensions to existing wiring systems and within or adjacent to any building or other structure or conveyance or on any premises within the City limits.

3. Exceptions: No electrical work pertaining to light, heat or power, or other purposes, shall be installed nor shall an alteration or an extension of any existing electrical system be made until a permit has been issued therefor as required in this Title except as herein specifically provided. The provisions of this Title shall not apply to installations for electric supply or communication agencies in the generation, transmission or distribution of electricity or the operation of signals or the transmission of intelligence or located within or on buildings or premises used exclusively by such agency or on public thoroughfares.

#### 4.01.04 - DEFINITIONS

The following terms, as defined herein, and as used in the Code are as follows: (other terms are defined in Article 100 of the National Electrical Code, as adopted).

1. Building Service Equipment: The mechanical, electrical and elevator equipment, including piping, wiring, fixtures and other accessories, which provide sanitation, lighting, heating, ventilating, fire fighting and transportation facilities essential for the habitable occupancy of the building or structure for its designated use and occupancy.

2. Electrical Equipment: All installations of electrical conductors, fittings, devices and fixtures within or on public and private buildings.

3. Electrical Service Equipment: The equipment located at point of entrance of supply conductors to a building which constitutes the main control of supply and means of cut-off of electricity, including circuit breaker switches, fuses and electrical accessories.

4. Apprentice Electrician: A person learning the trade under the supervision of an electrical contractor, journeyman electrician, or Class B electrician. He shall not be allowed to perform any electrical work in this City except when supervised by one of the three following electricians.

5. Class B Electrician: A person having the necessary qualifications, training, technical knowledge and at least eighteen months experience in wiring, installing and repairing electrical apparatus and equipment in accordance with the standard rules and regulations established by the State Electrical Board.

6. Journeyman Electrician: A person having the necessary qualifications, training,

technical knowledge and at least four years experience in wiring, installing, and repairing electrical apparatus and equipment in accordance with the standard rules and regulations established by the State Electrical Board.

7. Electrical Contractor: A person having the necessary qualifications, training, experience, and technical knowledge to plan, layout, and supervise the installation and repair of electrical wiring, apparatus, and equipment for electric light, heat and power in accordance with the standard rules and regulations governing such work; and who undertakes or offers to undertake with another to plan for, layout, supervise and install or to make additions, alterations and repairs in the installation of such work. A person must have had at least two years experience as a Journeyman Electrician before making application for an Electrical Contractor's permit.

No electrical work, except that done by a homeowner as hereinafter provided shall be done within the City except it be done by one of the above electricians, who have been licensed and registered by the State of South Dakota.

8. building Inspector: The Building Inspector is one and the same individual as that provided in Title 2, and he shall perform all such duties herein provided that are reserved for the Electrical Inspector the Common Council so designates. All references in this Title, however, shall be made to the Electrical Inspector.

**CHAPTER 4.02  
ENFORCEMENT**

## SECTIONS:

- 4.02.01 -- Electrical Inspector
- 4.02.02 -- Duties
- 4.02.03 -- Authority
- 4.02.04 -- Appeal Decisions of Electrical Inspector

## 4.02.01 - ELECTRICAL INSPECTOR

The electrical Inspector shall be appointed and may be removed in the same manner provided for the Building Inspector in Title 2, and he shall perform the duties herein listed for him.

## 4.02.02 - DUTIES

It shall be the duty of the Electrical Inspector to enforce the provisions of this Title. He shall have the power to grant licenses as hereinafter provided. He shall upon application, grant permits for the installation or alteration of electrical equipment, and shall make inspections of electrical installations, all as provided in this Title. he shall keep complete records of all licenses and permits issued, inspections and re-inspections made and other official work performed in accordance with the provisions of this Title.

## 4.02.03 - AUTHORITY

The Electrical Inspector shall have the right during reasonable hours to enter any building or premises in the discharge of official duties or for the purpose of making any inspection, re-inspection or test of the electrical equipment contained therein, or its installation. When any electrical equipment is found by the Electrical Inspector to be dangerous to persons or property because it is defective or defectively installed contrary to the provisions of this Title, the person responsible for the electrical equipment shall be notified in writing and shall make any change or repairs required in the judgment of the Electrical Inspector to place such equipment in a safe condition and if such work is not completed within 15 days or any longer period that may be specified by the Electrical Inspector in said notice, the Electrical Inspector shall have the authority to disconnect or order, by proper notice, the discontinuance of electric service, supplied by any electric utility company, to said electrical equipment. In case of emergency, when necessary for the safety to persons or property, or when electrical equipment may interfere with the work of the Fire Department, the Electrical Inspector shall have the authority to immediately disconnect or cause the disconnection of any electrical equipment.

4.02.04 - APPEAL DECISIONS OF ELECTRICAL INSPECTOR

Any decision that is made by the Electrical Inspector under the provisions of this Title shall be subject to the right of appeal to the Common Council by any person aggrieved by said decision. Said appeal shall be effected by filing a notice of appeal to the City Auditor and by the payment of an appeal fee of \$10.00 for the costs of said appeal. The Common Council shall hold a public hearing within 30 days after the date of appeal, and shall provide said person with a notice specifying the time and location of such hearing. The common Council may provide, by resolution, for any additional notices that said Council may deem necessary. After proper hearing, the Common Council shall have the power to affirm or reverse any such decision of the Electrical Inspector.

**CHAPTER 4.03  
LICENSES****SECTIONS:**

- 4.03.01 -- Persons or Firms Regulated
- 4.03.02 -- License Required
- 4.03.03 -- Application
- 4.03.04 -- Qualifications
- 4.03.05 -- License Fees
- 4.03.06 -- Licenses Issued by Electrical Inspector
- 4.03.07 -- Bond and Insurance
- 4.03.08 -- License Term and Renewal
- 4.03.09 -- Revocation of License
- 4.03.10 -- License Non-transferable
- 4.03.11 -- Removal of Locations

**4.03.01 - PERSONS OR FIRMS REGULATED**

It shall be unlawful for any person, firm, or corporation to lay, construct, install or do or cause to be laid, constructed, installed or done, any electrical wiring or apparatus unless said person, firm or corporation shall have complied with the provisions of this Title; provided, however, a person may do his own work on property belonging to him without obtaining a license.

**4.03.02 - LICENSE REQUIRED**

All apprentice electricians, Class B electricians, journey man electricians, and electrical contractors, licensed under the laws of the State of South Dakota, shall be required to obtain the appropriate license as hereinafter provided before engaging in the business of installing electrical apparatus or machinery in any structure or upon any premises within the limits of the City of Sturgis. The licenses shall be issued in the name of the individual or the firm, and they shall be posted in a conspicuous place in the place of business of the licensee.

**4.03.03 - APPLICATION**

All applications for any of the required licenses of Section 4.0302 shall be made directly to the Electrical Inspector who shall request in writing all pertinent information including names, addresses, location of proposed business, and satisfactory proof that the applicant has been properly licensed under the laws of the State of South Dakota.

**4.03.04 - QUALIFICATIONS**

Any applicant for an apprentice electrician's, class B electrician's, journeyman

electrician's, or electrical contractor's City license shall, at the time of making application for such license, be considered by the Electrical Inspector as qualified electricians if and only if said applicants can present satisfactory proof to said Inspector that they have been properly licensed under the laws of the State of South Dakota as an apprentice electrician, Class B electrician, journeyman electrician, or electrical contractor.

4.03.05 - LICENSE FEES

All license fees shall be paid to the City Treasurer before making application for license, and a receipt therefor shall be received from said Treasurer. The required fees for the electricians listed above are as follows:

- 1. Apprentice Electrician: \$5.00 annually
- 2. Class B Electrician: \$5.00 annually
- 3. Journeyman Electrician: \$10.00 annually
- 4. Electrical Contractors:
  - Resident: \$25.00 annually
  - Non-Resident: \$100.00 annually
  - \$25.00 consecutive annual renewals

No application shall be considered unless such fees have been paid. All such fees shall be reduced to one half the amount if the effective terms of such license shall be one half year or less.

4.03.06 - LICENSES ISSUED BY ELECTRICAL INSPECTOR

After the proper fee has been paid and the application completed, the Electrical Inspector shall examine all information on said application, make any examinations or investigations which he may deem necessary, and finally to make the final decision of issuing or rejecting the license applications.

4.03.07 - BOND AND INSURANCE

(A) No license hereunder granted by the Electrical Inspector, except that issued to an apprentice electrician, shall be considered effective until the applicant has furnished a bond to the State Electrical Board in a sum required by South Dakota statute. That said applicant will agree to comply with this Ordinance and will not cover any work or apparatus until the same has been inspected by the Electrical Inspector and approved, and will pay and all damages, costs and expenses occasioned by failure to comply with this Ordinance and to procure proper inspection for any work to be done.

4.03.08 - LICENSE TERM AND RENEWAL

Each license hereunder issued shall be for the calendar year, shall expire at midnight on December 31 following the date of issue, and shall be renewed by the Electrical Inspector upon direct application by the holder and the furnishing of the proof of bond filed with the State Electrical Commission, insurance and yearly fees paid, at any time within ten (10) days from the date of such expiration.

4.03.09 - REVOCATION OF LICENSE

The electrical Inspector may, on grounds of negligence, incompetency or failure to comply with City Ordinances, revoke any license hereunder granted.

4.03.10 - LICENSE NON-TRANSFERABLE

All licenses issued under this Title are non-transferable. No person holding an electric license shall allow his name to be used by any other part, directly or indirectly, either for the purpose of obtaining permit, or doing work under such license under the penalty of having his license revoked by the Electrical Inspector.

4.03.11 - REMOVAL OF LOCATION

Should any licensee, licensed under the provisions of this Title, who is holding said license for a given location for his place of business, desire to move to another location, he shall report such intention to the Electrical Inspector giving the proposed new place of business.

**CHAPTER 4.04  
PERMITS****SECTIONS:**

- 4.04.01 -- Permits Required
- 4.04.02 -- Application for Permits
- 4.04.03 -- Annual Permits
- 4.04.04 -- Fees for Permits and Inspection
- 4.04.05 -- No Permit Except to Licensee

**4.04.01 - PERMITS REQUIRED**

No electrical equipment shall be installed within or on any building, structure or premises, publicly or privately owned, nor shall any alteration or addition be made in any such existing equipment without first securing a permit from the Electrical Inspector, except as provided in Section 4.05.01 and except that no permit will be required to execute any of the classes of electrical work specified in the following paragraphs:

1. Minor repair work, the replacement of lamps or the connection of portable electrical equipment to suitable permanently installed receptacles.
2. The installation, alteration or repair of electrical equipment for the operation of signals or the transmission of intelligence by wire.
3. The installation, alteration or repair of electrical equipment installed by or for an electricity supply agency for the use of such agency in the generation, transmission, distribution or metering of electricity.
4. Any work involved in the manufacturing, testing, servicing, altering or repairing of electrical equipment or apparatus, except that this exemption shall not include any permanent wiring other than that required for testing purposes.

**4.04.02 - APPLICATION FOR PERMITS**

Application for such permits, describing the work to be done, shall be made in writing to the Electrical Inspector by the person installing the work or altering or adding to it. The application shall be accompanied by such plans, specifications and schedules as may be necessary to determine whether the installation as described will be in conformity with the requirements of this Title. If it shall be found that the installation, alteration, or addition as described will conform with all legal requirements and if the applicant has complied with all provisions of this Title, a permit for such installation shall be issued. All required fees must be paid before the permit is granted, and no deviation may be made from the installation described in the permit without the written approval of the Electrical Inspector.

4.04.03 - ANNUAL PERMITS

In lieu of an individual permit for each installation, addition or alteration, an annual permit shall, upon application therefor be issued to any person regularly employing one or more licensed journeymen electricians for the installation, alteration and maintenance of electrical equipment in or on buildings or premises owned or occupied by the applicant for the permit. The application for the annual permit shall be made in writing to the Electrical Inspector and shall contain a description of the premises on which work is to be done under the permit.

The person to whom an annual permit is issued shall keep a record of all electrical equipment installed, altered or added to, under such permit, and the Electrical Inspector shall have access to such records. Each annual permit shall expire on December 31st of the year in which it is issued. All electrical work done under such an annual permit shall be subject to inspections and tests just as work done under individual permits. The annual fee for this class of permit shall be \$25.00.

4.04.04 - FEES FOR PERMITS AND INSPECTIONS

For any permit the minimum fee shall be \$1.00 up to and including 20 openings. For each additional opening installed over 20, the fee shall be \$.05.

For the installation of wiring for each motor, generator or device using 100 watts or more, \$.25, including a switch for same.

All permit and inspection fees shall be fully paid to the City Treasurer before any permit is granted.

4.04.05 - NO PERMIT EXCEPT TO LICENSEE

No permit for the installation or alteration or addition of any electrical wiring, devices or equipment, shall be issued to any person unless such person is the holder of a license entitling said holder to secure permits for and to execute the class of work described in such permit.

**CHAPTER 4.05  
INSPECTION**

## SECTIONS:

- 4.05.01 -- Applicability of this Chapter
- 4.05.02 -- Inspection
- 4.05.03 -- Certificate of Approval
- 4.05.04 -- Temporary Installation
- 4.05.05 -- No Installation Concealed before Inspection
- 4.05.06 -- Liability for Damages

## 4.05.01 - APPLICABILITY OF THIS CHAPTER

The provisions of this Chapter shall apply to all installations, additions, or alterations of electrical conductors, fittings, devices, appliances and fixtures, hereinafter referred to as "Electrical Equipment", within or on public or private buildings or premises, for which a permit was required by the previous Chapter, with the following exceptions:

1. Installations in cars or automotive equipment unless intended for connection to a regular distribution systems.
2. Installations used by electricity supply or communication agencies in the generation, transmission or distribution of electricity or for the operation of signals or the transmission of intelligence, and located within or on buildings or premises used exclusively by such agency or on public thoroughfares.
3. The provisions of this Title and chapter shall apply to all electrical equipment used for radio transmission in amateur radio transmitting stations, but shall not apply to other electrical equipment used for radio transmission, unless otherwise provided in the next Chapter.

## 4.05.02 - INSPECTION

Upon completion of any installation, addition or alteration of electrical equipment which has been made under a permit, other than an annual permit, it shall be the duty of the person making the installation, addition, or alteration to notify the Electrical Inspector, who shall inspect the same within 24 hours, exclusive of Saturdays, Sundays and holidays, of the time such notice is given or as soon thereafter as practicable.

## 4.05.03 - CERTIFICATE OF APPROVAL

Where the Electrical Inspector finds the installation, addition, or alteration to be in conformity with the provisions of this Title, he shall issue to the person making the installation, addition or alteration a certificate of approval, with duplicate copy for

delivery to the owner, authorizing the use of the electrical equipment and connection to the supply of electricity and shall send written notice of such authorization to the agency supplying the electric service.

#### 4.05.04 - TEMPORARY INSTALLATION

When a certificate of approval is issued authorizing the connection and use of a temporary installation, such certificate shall be issued to expire at a time to be stated therein and shall be revocable by the Electrical Inspector for cause.

#### 4.05.05 - NO INSTALLATION CONCEALED BEFORE INSPECTION

When any electrical equipment is to be hidden from view by the permanent placement of parts of the building, the person installing, adding to, or altering the equipment shall notify the Electrical Inspector and such equipment shall not be concealed until it has been inspected and approved by the Electrical Inspector or until 24 hours, exclusive of Saturday, Sundays, and holidays, shall have elapsed from the time of such notification; provided that on large installations, additions or alterations, where the concealment of equipment proceeds continuously, the persons installing, altering, or adding the electrical equipment shall give the Electrical Inspector due notice and inspection shall be made periodically during the progress of the work.

#### 4.05.06 - LIABILITY FOR DAMAGE

This Title shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating, controlling or installing any electrical equipment for damages to persons or property caused by any effect therein nor shall this City be held to have assumed any such liability be reason of the inspection or re-inspection authorized herein or the certificate of approval issued as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

#### 4.05.07 - NEW ELECTRICAL INSTALLATIONS

All new electrical installation in commercial, mercantile, industrial and institutional buildings, or public buildings classified as assembly occupancy shall be wired in metallic raceway, except that type MI or MC cable may be used or a non-metallic raceway may be used if it is encased in a minimum of two (2) inches of concrete.

(A) Places of assembly shall be defined as any structure with an occupant load of fifty (50) or more.

(B) If a new structure contains a place of assembly, the structure, including all adjoining structures, must be wired in metal raceways or non-metallic raceways encased in not less than two (2) inches of concrete, type MI cable or type MC cable. additions, alterations, or repairs to a structure that contains a place of assembly, including all adjoining structures, must

be wired with metal raceways or non-metallic raceways encased in not less than two (2) inches of concrete, type MI cable or type MC cable.

A space, originally defined as a place of assembly that is later divided by a permanent wall with one (1) door not more than four (4) feet wide connecting the rooms, is no longer considered a place of assembly.

(C) Group R, division 3 occupancy as defined in the Uniform Building Code as incorporated into the Ordinances of the City of Sturgis, is exempt from the above provisions.

**CHAPTER 4.06  
RADIO AND TELEVISION**

SECTIONS:

- 4.06.01 -- Applicability of Chapter
- 4.06.02 -- Antenna Conductors
- 4.06.03 -- Not Cross Over or Under High Tension Wires
- 4.06.04 -- Electrical Inspector may Condemn
- 4.06.05 -- Subject to National Electrical Code
- 4.06.06 -- No Interference Radio or Television

4.06.01 - APPLICABILITY OF CHAPTER

The construction, installation, repair, and inspection of the equipment necessary to the operation of radios, both transmitting and receiving and television sets in this City, shall be governed and controlled under this Chapter; and any person construction, installing, erecting, owning, using, or repairing radio or television antenna and equipment shall observe and conform to the requirements and specifications set out in this Chapter.

4.06.02 - ANTENNA CONDUCTORS

No antenna conductors shall be attached to or suspended from any electric light or power, telephone or telegraph poles, fire or police alarms nor installed over, under, above or along any public street, highway, alley, or any public place.

4.06.03 - NOT CROSS OVER OR UNDER HIGH TENSION WIRES

Antenna and equipment shall not cross over or under any high tension wires. For the purpose of this Chapter, any wire carrying over 150 volts to the ground shall be considered a high tension wire. If antenna or other equipment cross wires of less voltage than 150 volts to the ground, such antenna and equipment must be kept at least five feet away from such wire.

4.06.04 - ELECTRICAL INSPECTOR MAY CONDEMN

The Electrical Inspector of this City shall have full authority to condemn any radio or television transmitting or receiving aerial, and upon a report of the condition of such aerial, to the City Council, the City Council will have authority to condemn and cause to be removed any such equipment so condemned by such Electrical inspector.

4.06.05 - SUBJECT TO NATIONAL ELECTRICAL CODE

All radio and television receiving and transmitting aerials shall also conform to applicable provisions of the National Electrical Code, and such amendments and additions as

have heretofore been or hereafter added thereto.

4.06.06 - NO INTERFERENCE RADIO OR TELEVISION

No person shall use, maintain or operate any apparatus or device whether electrical, mechanical, or of any other sort so as to cause electrostatic or electromagnetic waves to radiate, so as to interfere with radio or television reception, within this City. The above prohibition shall be construed to apply to radio and television receiving equipment, either of the regenerative type or of any type, vibrating battery chargers, sign changers, electric refrigeration machines, electrically driven oil pumps or furnace equipment, high tension ignition systems, electric transmission line, gas or electric power plants, defective insulators, badly sparking motors and badly sparking generators which interfere with radio or television reception, whether on account of the manner of construction or manner of operation of the apparatus.