

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 17-5

BY: Commissioners Bunting and Mitrecic
INTRODUCED: April 25, 2017

A BILL ENTITLED

AN ACT Concerning

Electrical Standards - Licensing Requirements for Homeowners

For the purpose of amending the Building Regulations Article to clarify the exception to electrical licensing requirements that allows a person who is the owner and occupant of a single-family dwelling to perform electrical work on their home.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Section § BR 2-207(f)(2) of the Building Regulations Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (2) Any person doing minor electrical work as defined herein in a single-family dwelling used exclusively for living purposes, provided that the person is the bona fide owner and occupant of such dwelling and said person purchases all material and personally performs all labor in connection therewith and provided that all work must be done in accordance with the code adopted herein and subject to inspection. However, if an electrical permit is required by the electrical code for the proposed work, an electrical permit must be obtained by a licensed electrician and the work completed by a licensed electrician.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND that Section § BR 2-219(a) of the Building Regulations Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (a) Permit required. No person shall install any new or used electrical wires, conduits, machinery, apparatus or any kind of electrical equipment, fixtures, appliances or devices or perform work on electrical systems (except as hereinafter provided) without obtaining a permit and having such work or installation inspected as herein provided or without complying with Section § BR 2-207 herein, as from time to time amended.

Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2017.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Diana Purnell, Vice President

Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Merrill W. Lockfaw, Jr.

Joseph M. Mitrecic

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COMMISSIONERS
MADISON J. BUNTING, JR., PRESIDENT
DIANA PURNELL, VICE PRESIDENT
ANTHONY W. BERTINO, JR.
JAMES C. CHURCH
THEODORE J. ELDER
MERRILL W. LOCKFAW, JR.
JOSEPH M. MITRECIC

OFFICE OF THE
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

May 1, 2017

FAXED
5/1/17 @ 4:57pm

TO: *The Daily Times* Group and *Ocean City Today* Group
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *K.S.*

Please print the attached Notice of Introduction of Bill 17-5 in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on June 1, 2017 and June 15, 2017. Thank you.

NOTICE OF INTRODUCTION OF BILL 17-5 WORCESTER COUNTY COMMISSIONERS

Take Notice that Bill 17-5 (Electrical Standards - Licensing Requirements for Homeowners) was introduced by Commissioners Bunting and Mitrecic on April 25, 2017.

A fair summary of the bill is as follows:

§ BR 2-207(f)(2). (Repeals and reenacts this subparagraph of the Electrical Standards Subtitle regarding exceptions to the licensing requirements to clarify that the licensing provisions of the Electrical Standards do not apply to any person doing minor electrical work, as defined in the Electrical Standards Subtitle, on a single-family dwelling which they own and occupy and for which they personally purchase all materials and perform all minor electrical work.)

§ BR 2-219(a). (Repeals and reenacts this subsection of the Electrical Standards Subtitle to clarify that a permit and subsequent inspection is required for any electrical work in compliance with the provisions of Section BR 2-207, entitled Licensing requirements; exceptions.)

A Public Hearing

will be held **on Bill 17-5** at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, **on Tuesday, June 20, 2017 at 11:00 a.m.**

This is only a fair summary of the bill. A full copy of the bill is posted on the Legislative Bulletin Board in the main hall of the Worcester County Government Center outside Room 1103, is available for public inspection in Room 1103 of the Worcester County Government Center and is available on the County Website at <http://www.co.worcester.md.us/commissioners/legsltn.aspx>.

THE WORCESTER COUNTY COMMISSIONERS

Citizens and Government Working Together

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 17-5

BY: Commissioners Bunting and Mitrecic

INTRODUCED: April 25, 2017

A BILL ENTITLED

AN ACT Concerning

Electrical Standards - Licensing Requirements for Homeowners

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Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2017.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Diana Purnell, Vice President

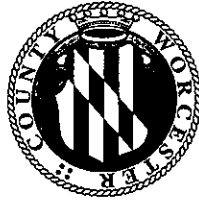
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Merrill W. Lockfaw, Jr.

Joseph M. Mitrecic



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863

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www.co.worcester.md.us/drp/drpindex.htm

MEMORANDUM

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

APR 18 2017

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

*If Introduced as
Bill 17-5 for Public
Hearing on June 20, 2017*

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: April 18, 2017
RE: Board of Electrical Examiners' Recommendations



Over the last six months or more the Board of Electrical Examiners has been discussing two matters of concern to the members. The first matter is in regard to what they view is a deficiency in the standards by which the Board can revoke or suspend the license of any licensee. The second matter pertains to the issuance of what are known as homeowner's electrical permits. As a result of these discussions the Board is recommending the County Commissioners' consideration and approval of two separate text amendments. The details of each are described below.

With regard to the standards for license revocation the Board recommends that the existing three standards be expanded to include a provision whereby the Board could revoke or suspend a license upon the conviction of a licensee of a felony or misdemeanor that is directly related to the fitness and qualification of an applicant or licensee to provide electrical service in accordance with both local and State law. Currently licenses may only be revoked or suspended where the Board finds one or more of the following: 1) any fraud or deceit in obtaining the license; 2) gross negligence, incompetency or misconduct in supplying material or performing services as an electrician, electrical contractor or supervisor; or 3) permitting or causing defective electrical work if done deliberately, or if not corrected within 15 days, or longer if necessary at the discretion of the Board, following notice thereof by the Board.

Relative to the issuance of homeowner's electrical permits, the Board feels that all too often the work done under these permits is not being done by the homeowner at all but is instead actually being done by unlicensed contractors. In calendar year 2016 a total of 46 permits were issued as homeowner's permits out of a total of 711. Our local law currently provides in § BR 2-207(f)(2) that an electrical license is not required for any person doing electrical work in a single-family dwelling used exclusively for dwelling purposes, provided that the person is the bona fide owner and occupant of the dwelling and purchases all material and personally performs all of the labor in connection to the work and that the work is inspected to ensure compliance with the

requirements of the National Electrical Code. Every applicant seeking a permit under this provision signs an affidavit attesting to these standards.

Originally the Board agreed to recommend that homeowners not be allowed to perform any type of electrical work at any time. However, I pointed out to the members that according to our current law an electrical permit itself is not required for a minor electrical installation as defined by our Code. Since permits are not required for minor electrical work by anyone it made no sense to prohibit the homeowner from doing work that they did not need a permit for in the first place and furthermore it would be impossible to enforce. As a result the Board amended its recommendation to now change § BR 2-207(f)(2) to simply say that homeowners are only exempt from the licensing for minor installations for which permits are not required anyway. To further clarify the issue the Board is also suggesting that § BR 2-219(a) be amended as well. This section currently provides the types of electrical work for which a permit is required. The Board's recommendation for this section is to simply provide a reference back to § BR 2-207 which is the section that describes for the exception to the licensing requirements. This suggestion simply serves to clarify existing law and does not modify any licensing or permitting requirements.

For clarity I have included a strike and replace version of each text amendment to show the proposed changes to existing law as well as a clean version should any of the County Commissioners wish to introduce either proposed text amendment.

As always, I will be available to discuss the matter with you and the County Commissioners at your convenience.

Attachments

cc: Maureen Howarth, County Attorney
Phyllis H. Wimbrow, Deputy Director
Bill Bradshaw, County Engineer
Debbie Mooney, License Permit Clerk
Jennifer Keener, Zoning Administrator

DRAFT

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 17-

BY:
INTRODUCED:

A BILL ENTITLED

AN ACT Concerning

 : New language

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PASSED this _____ day of _____, 2017.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

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Joseph M. Mitrecic

SUBTITLE II
Electrical Standards

§ BR 2-201. Adoption of electrical code.

- (a) Adoption by resolution. The County Commissioners shall, by resolution, after a public hearing upon at least fifteen days notice, adopt or amend an electrical code for the purpose of establishing rules and regulations for the installation, renewal, extension and reception of electrical wiring and electrical apparatus in existing buildings, structures or outdoor electrical displays or signs or in the construction, reconstruction, alteration or repair of buildings, structures or outdoor electrical displays or signs. The 1975 National Electrical Code as recommended by the National Fire Protection Association shall be in effect until amended or changed pursuant hereto.
- (b) Adopted code shall govern. When the terms of the electrical code so adopted are inconsistent with the terms hereof, the terms hereof shall be governing.
- (c) Work to conform to code. The code shall govern all electrical work regardless of whether or not such work is required to be done by licensed personnel or inspection hereunder.

§ BR 2-202. Definitions.

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

BOARD — The Worcester County Board of Electrical Examiners.

CUT-IN CARD — The written authorization from the electrical inspector or authorized inspection agency to the power company in order to connect power to an electrical system.

DEPARTMENT OF LICENSES AND PERMITS — The Worcester County Department of Licenses and Permits or such other county department as the County Commissioners designate by resolution.

ELECTRICAL WIRING SYSTEMS — Includes all electrical apparatus, electrical wiring, electrical fixtures and electrical supplies used as a part of any installation for the transmission or utilization of electrical energy. This shall include all equipment necessary to operate the physical plant and ventilating, heating, air-conditioning, refrigeration and water-heating systems, provided that said term shall not include portable lamps, electrical appliances and special manufacturing equipment separable from permanently fixed plug-in receptacles.

ELECTRICAL WORK — Any work performed on electrical wiring systems, including low-voltage wiring systems, such as but not limited to lighting, controls, communications, burglar and fire alarms. [Amended 5-19-2015 by Bill No. 15-2]

ELECTRICIAN GENERAL — A person authorized hereby by license to engage in electrical work on single phase electrical services and circuits of two hundred forty volts or less in non-hazardous locations in residential, commercial and agricultural structures and having a sufficient knowledge of such type or types as determined by the Board. [Amended 5-19-2015 by Bill No. 15-2]

ELECTRICIAN LIMITED — A person authorized hereby by license to engage in electrical work of the following types and having a sufficient knowledge of such type or types as determined by the Board: (1) electrically operated heating or air-conditioning equipment; (2) electrically operated refrigeration equipment; (3) electrically operated display signs; (4) electrically operated home appliances; (5) electrically operated fire alarm or detection systems; (6) other electrical apparatuses of a similar nature as the Board may determine by written regulation. An "electrician limited" may not work on multiphase electrical wiring systems or appliances unless he is specifically licensed therefor by the Board.

ELECTRICIAN'S ASSISTANT — A person licensed by the Department of Licenses and Permits as an electrician's assistant pursuant to the terms hereof and authorized to perform electrical work as herein contemplated.

LICENSE CLERK — The Clerk of the Department of Licenses and Permits or such other person as the County Commissioners designate by resolution.

MAINTENANCE OR REPAIR — Electrical work not including new installation (except by replacement of existing installations with the same as those replaced) and without additional installations or fixtures, an increase in electrical power consumption, change of phase, increase in service capacity or change in electrical characteristics.

MASTER ELECTRICIAN — A person authorized hereby by license to engage in or hold himself out to the public as engaged in the business of installing, erecting and repairing or contracting to install, erect or repair electric wire or conductors to be used for the transmission of electric current for electric light, heat or power purposes, mouldings, ducts, raceways or conduits for the reception of such wires or conductors or to electrical machinery, apparatus, devices or fixtures to be used for electric light, heat or power purposes, elevators or escalators, including multiphase electrical work, or planning, laying out and supervising such electrical work. A "master electrician" is also authorized to perform any work which an electrician general or electrician limited may perform.

MINOR ELECTRICAL INSTALLATION — An electrical installation which is single phase, of twenty amperes/one hundred twenty volts AC or less and installed in an existing structure, the installation of decorative outdoor lighting operating at a nominal 48 volts DC or less and associated cabling and luminaries or electrical wiring systems operating at a nominal 48 volts DC or less such as but not limited to controls, communications, burglar alarms, audio, video and information technology systems when installed in one- and two-family dwelling units.

[Amended 5-19-2015 by Bill No. 15-2]

NON-HAZARDOUS LOCATION — Any location not determined to be a hazardous (Classified) location pursuant to Article 500 of the National Electrical Code, as from time to time amended, duly adopted pursuant to § BR 2-201(a) hereof. **[Added 5-19-2015 by Bill No. 15-2]**

PERSON — Corporations, companies and partnerships, as well as individuals.

SHELVING — The temporary placing of a license with the Board in an inactive status.

WORKING UNDER SUPERVISION — Under the direction of and subject to the inspection of the supervising party (be the party a master electrician, electrician general or electrician

Current Code

§ BR 2-207. Licensing requirements; exceptions. ¹

- (a) License required. No person shall hold himself out to the public as being a qualified master electrician or electrician (general or limited), as defined herein, or use such terms in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is a master electrician or electrician (general or limited) unless such person has been duly licensed under the provisions of this Subtitle, and no person shall perform work upon or contract for work upon electrical wiring systems unless duly licensed under the terms of this Subtitle.
- (b) Electrician limited. In order to perform electrical work as defined herein for an electrician limited, a person must be so licensed as an electrician limited (with the proper endorsement on said license to allow the work in such limited fields) or be licensed as an electrician general or master electrician.
- (c) Electrician general. In order to perform electrical work as defined herein for an electrician general, a person must be duly licensed hereunder as an electrician general or master electrician.
- (d) Master electrician. In order to perform electrical work as defined herein for a master electrician, a person must be duly licensed hereunder as a master electrician.
- (e) Display of license. Any master electrician or electrician general duly licensed hereunder shall publicly display the wording "licensed master electrician" or "licensed electrician general," as appropriate, together with his license number on the exterior of all motor vehicles used in connection with the license holder's business.
- (f) Exceptions. The licensing provisions of this Subtitle shall not apply to:
- (1) Any electric light or power company, electric railway company, steam railway company, diesel railway company or telegraph, telephone or cable television company nor to any person performing the electrical work of any such company, when such work is part of the plan or service of the company in rendering its authorized service to the public.
 - (2) Any person doing electrical work in a single-family dwelling used exclusively for living purposes, provided that the person is the bona fide owner and occupant of such dwelling and said person purchases all material and personally performs all labor in connection therewith and provided that all work must be done in accordance with the code adopted herein and subject to inspection.
 - (3) Repair or maintenance within a commercial or industrial (nonresident) plant, facility or factory of equipment, electrical systems or machinery by regularly employed trained employees of the owners or operator of such plant, facility or factory.
- (g) Electrician's assistants. Electrician's assistants may work under the supervision of duly licensed master electricians, electricians general or electricians limited, provided that work done by electrician's assistants under such supervision shall be limited to the work

1. Editor's Note: Former § BR 2-207, Seal, was repealed 10-19-1993 by Bill No. 93-22.

that might be done under the term of this Subtitle by the supervising master electrician, electrician general or electrician limited and further provided that such supervising master electrician, electrician general or electrician limited shall in all ways be responsible for the work done by an electrician's assistant while under his supervision and further provided that no master electrician, electrician general or electrician limited may supervise more than fifteen men at one time without special written approval by the Board and further provided that such electrician's assistant must be duly licensed pursuant hereto and registered with the Board as working under the supervision of the master electrician, electrician general or electrician limited who is supervising such electrician's assistant at all times. Licensed electricians of any class may shelve their licenses and work as assistants under a supervising master, general or limited. Any person holding a license as master, general or limited shall be bonded as herein prescribed (unless his license is shelved) and shall be responsible for all work he performs or supervises. Licensed electricians with shelved licenses working as assistants shall be responsible as assistant. The Board may prescribe forms for and methods of registration for assistants.

- (h) Electrical work done by a corporation. Every firm, company or corporation performing work on electrical wiring systems in Worcester County shall have at least one duly licensed natural person holding a license of the proper class designated as licensee for the firm, company or corporation. Every licensee for a firm, company or corporation must be regularly engaged in supervising all the electrical work done by the firm, company or corporation and shall be responsible for all electrical work so supervised by him. No license may be assigned to more than one firm, company or corporation. Assignments of licenses as contemplated hereby shall be done upon written request to the Board and only strictly in accordance herewith. All permits issued to a firm, company or corporation shall be issued in the name of the individual licensee.

§ BR 2-208. General requirements for licensing.

- (a) Master electrician. In order to be licensed as a master electrician, a person must pass the test given by the County Board of Electrical Examiners for a master electrician's license. To be eligible to take the master electrician's test, a person must, either for at least seven years next preceding the taking of such test or for at least four years out of the six years next preceding the taking of such test, have actively engaged in those fields of work outlined for a master electrician under § BR 2-202 of this Subtitle under the supervision of a duly licensed master electrician, who may be a licensed master electrician of another jurisdiction recognized in the county. Training in technical school or college may be substituted for not more than three years of the requirement. A master electrician must be at least eighteen years of age. The determination of eligibility to take the master electrician's test and the determination of passage or failure of such test shall be the province of the County Board of Electrical Examiners. Anyone holding a Maryland State Master Electrician's License issued under Article 56, § 532, of the Annotated Code of Maryland shall be exempt from testing and be entitled to the issuance of a master electrician license upon payment of the appropriate fee. If the test is taken after four years experience and less than seven years experience, the master electrician license issued shall bear the notation "Worcester County."

§ BR 2-219. Permits and inspections.

- (a) Permit required. No person shall install any new or used electrical wires, conduits, machinery, apparatus or any kind of electrical equipment, fixtures, appliances or devices or perform work on electrical systems (except as hereinafter provided) without obtaining a permit and having such work or installation inspected as herein provided.
- (b) Issuance. A permit for any such work shall be obtained from the Worcester County Department of Licenses and Permits before commencing such work. A fee may be charged for such permit. In the case of a bona fide emergency where eminent danger to life and property is present, work may be commenced; provided, however, that a permit must be obtained within seven hours of the next time the License Department is open for business.
- (c) Inspection required. All work shall be inspected by a duly designated county inspector or inspection agency. No qualified county inspector shall approve a final cut-in card to any light or power company until all electrical work reasonably contemplated or required on any construction or electrical job or project has had a permit issued for its completion and construction or installation commenced.
- (d) Contract with private inspection agencies. The Board may designate and contract with private inspection agencies to perform any inspections. Fees charged by such agencies shall be the liability of the person requesting inspection.
- (e) Cut-in card required for connection. No light or power company, whether public or private, shall connect any current, light or power to any property without first obtaining a permanent or temporary cut-in card from the county inspector or inspection agency except in case of an emergency when service may be restored by a licensed electrician prior to obtaining such cut-in card. No permanent or temporary cut-in cards shall be issued unless said cut-in cards are requested by a licensed electrician, except for work being done or which has been done by persons who are not required to be licensed under the provisions of this Subtitle.
- (f) Permit exception. A minor electrical installation shall not require an inspection or a permit.
- (g) Inspection exception. Insertion in electrical circuits of devices or appliances which are properly designed for such insertion or with the replacement of existing sockets, fixtures, controls, motors or fuses with like material where no additional wiring is involved shall not be subject to inspection.

§ BR 2-220. Qualifications of inspectors.

The Board shall set qualifications for electrical inspectors. In the case of individual inspectors, each proposed inspector shall be qualified individually by the Board. In the case of an inspection agency, each individual inspector within Worcester County shall be duly qualified by the Board. The Board shall issue a license to each individual electrical inspector and may charge an annual fee therefor. In the event that the electrical inspector is in the employ of an approved agency, the agency's name shall also appear on the license. Electrical inspectors shall be bonded or insured to the satisfaction of the Board. It shall be unlawful for any person