

## Chapter 225, ELECTRICAL STANDARDS

[HISTORY: Adopted by the City Council of the City of Binghamton 10-5-1970 (Ch. 7 of the 1970 Code); amended in its entirety 5-3-2004 by Ord. No. 04-55. Subsequent amendments noted where applicable.]

### GENERAL REFERENCES

Board, commission and committee procedures -- See Ch. 16.

Building construction -- See Ch. 200.

Fire prevention -- See Ch. 235.

Housing and property maintenance -- See Ch. 265.

Plumbing -- See Ch. 310.

### ARTICLE I, General Provisions

#### § 225-1. Purpose and intent.

The purpose of this chapter is to provide for the protection of life and property through ensuring the proper installation, maintenance and repair of electrical wiring in the City of Binghamton. The provisions contained herein shall constitute the rules regulating person or persons engaged in the work of electrical installation, repair and/or maintenance in the City of Binghamton.

#### § 225-2. Definitions. [Amended 2-8-2023 by Ord. No. 23-28]

As used in this chapter, the following terms shall have the following meanings unless the context requires otherwise:

APPRENTICE -- A person engaged in electrical work under the direct supervision of a master or journeyman electrician.

BOARD -- The Board of Electrical Examiners of the City, established by this chapter.

INSPECTOR -- The person or persons authorized and required by this chapter to make electrical inspections within the City.

JOURNEYMAN ELECTRICIAN -- A person having a valid license issued by the City of Binghamton, experienced, and doing any work in connection with the installation, erection, alteration, extension or repair of electrical wiring, apparatus, fixtures, devices, appliances, excluding portable appliances as hereinafter defined, and equipment for light, heat or power purposes or for signaling systems operating on 50 volts or more.

MASTER ELECTRICIAN -- Any person who has a valid license issued by the City of Binghamton and engages in or carries on the business of installing, erecting, altering or repairing electrical wiring, apparatus, fixtures, devices, appliances, excluding portable appliances as hereinafter defined, and equipment utilized or designed for the utilization of electricity for light, heat or power purposes or for signaling systems operating on 50 volts or more, and any person supervises the performance of work done in connection with the installation, erection, alteration, extension or repair of electrical wiring, apparatus, fixtures, devices, appliances, excluding portable appliances as hereinafter defined, and equipment for light, heat or power purposes or for signaling systems operating on 50 volts or more, and any person who contracts to do any of the foregoing.

PORTABLE APPLIANCE -- An appliance capable of being readily moved where established practice or the conditions of use make it necessary or convenient for it to be detachable from its source of electric current by means of flexible cord and attachment plug.

WORKING MASTER ELECTRICIAN -- Any person who has a valid license issued by the City of Binghamton and performs the work as described as a journeyman and master electrician. Any holder of a master electrician license and journeyman's electrician license shall become a holder of a working master electrician license.

LOCAL SHOP -- an office, vehicles, tools and equipment located in Broome County or one of the NY or PA counties directly adjacent to Broome County.

LOCAL SUPERVISOR -- A master electrician, licensed to do electrical work in the City of Binghamton, who will be responsible for providing direct supervision for any and all work being performed under a permit that has been granted by the City of Binghamton.

DIRECT SUPERVISION - - To provide review of plans, drawings, installation instructions and manufacturer specifications and technical interpretation of such documents to any employees performing work under a permit. To oversee activities as they occur and provide inspections, direction, feedback, and assistance.

PROOF OF FULL TIME EMPLOYMENT – Pay stubs and/or a W-2.

VERIFIED EMPLOYEE - - An employee who has submitted proof of employment at a local shop by a corporation or electrical contracting business and such proof has been reviewed and approved by The Board of Electrical Examiners.

### **§ 225-3. Enforcement.**

- A. Any duly authorized City of Binghamton employees of the Office of Buildings and Construction, Code Enforcement/Fire Marshal Office, shall enforce the regulations of this chapter, with aid and assistance, where necessary, from the Police Department.
- B. The Corporation Counsel of the City shall act as counsel and legal adviser to the Board of Electrical Examiners created by this chapter and it shall be his or her duty to prosecute violations of this chapter upon complaint of the Inspector or the Board.

### **§ 225-4. Installation standards.**

All installations of electrical work, all extensions thereto and all alterations thereof within the City shall be in conformity with the provisions of this chapter and of any other law, or of any ordinance, local law, New York State Uniform Fire Prevention and Building Code, or building code of the City pertaining thereto, and shall also be in conformity with approved standards for safety to life and property. In every case where no specific type or class of material or no specific standards are prescribed by law, conformity with the regulations and requirements contained in the National Electrical Code as approved by the American Standards Association shall be prima facie evidence of conformity with approved standards for safety to life and property.

### **§ 225-5. Exceptions to applicability of provisions.**

The provisions of this chapter shall not apply to:

- A. Persons engaged solely in selling, servicing or repairing portable appliances, or engaged solely in repairing or replacing heating elements, brushes, motors or parts thereof, fans, worn or burnt out parts and switches and flexible cords attached to or part of portable appliances, or engaged solely in the attachment of portable appliances to existing circuits when no joining or splicing of electrical conductors is required.
- B. The installation, maintenance or repair of elevators.
- C. Any work involved in the manufacture, assembly, test or repair of electrical machinery, portable or fixed appliances, apparatus, materials and equipment by a person, firm or corporation engaged in electrical manufacturing and repairing as its principal business.
- D. The work in connection with the erection, construction, maintenance or repair of lines and facilities for the generation, transmission and distribution of electricity from the source of supply to the service connection on the premises where used, by public service companies as defined by the Transportation Corporations Law of this state or municipal plants authorized to generate or sell electricity.

- E. The work of such companies or plants in installing, maintaining and repairing on the consumer's premises of service connections, meters and other apparatus and appliances remaining the property of such companies or plants after installation.
- F. Emergency repairs or wiring and appliances on consumer's premises necessary for the protection of life or property.
- G. The work of companies incorporated for the transmission of intelligence by electricity in installing, maintaining or repairing wires, apparatus or fixtures or other appliances.

**§ 225-6. Permits; penalties for failure to obtain permit. [Amended 2-8-2023 by Ord. No. 23-28]**

- A. Permit required; display. It shall be a violation of this chapter for any person to install, alter or repair, or cause to be installed, altered or repaired, any electrical wiring in the City until such time as proper application has been filed with the Superintendent of Building Inspection of the City and a permit has been obtained from the Superintendent. Such permit shall be conspicuously displayed upon the exterior of the premises whereon such installation, alteration or repair is to be performed.
- B. Notwithstanding any other restrictions, the owner-occupant or intended owner-occupant of residential real property shall make application for an electrical permit to make alterations or repairs to the electrical system on said real property consisting of one, two or three dwelling units without being required to obtain a license as a master electrician for said electrical work. This provision shall in no way authorize a person to perform electrical work outside of property owned by said person or on property containing more than three dwelling units, mixed use, or nonresidential property. Electrical work shall be limited to electrical wiring within the dwelling units, excluding service entrance cable and electrical panel, to accessory structures (i.e., garages and pools), and exterior fixtures located on such property, excluding electrical service entrance cable and electrical panel. The electrical work shall be subject to inspection by the City of Binghamton Electrical Inspector or his or her successor or designee.
- C. No permit shall be issued to any person unless he or she is the holder of a license as a master electrician under this chapter or is exempted from such license requirement pursuant to Subsection B of this section. All property owners and/or master electricians must obtain a permit prior to commencement of any electrical work authorized pursuant to this section. Failure to obtain such permit shall result in a minimum fine of \$100 up to \$500 for the first violation, and a minimum fine of \$500 up to \$1,000 for the second violation. Any person who fails to comply three or more times in a five-year period shall be guilty of a misdemeanor and liable for a fine of \$2,000 or to imprisonment for a period not to exceed six months or both.
- D. If the applicant for a permit is a full time employee acting on behalf of a corporation, and such corporation shall have established a local shop. In addition, such an employee shall be a verified employee and shall be designated as the local supervisor for the work to be done under the permit. Verification of having a local shop and proof of full time employment shall be submitted to The Board of Electrical Examiners for review and approval.
- E. Inspection of work performed by owner-occupant.
  - (1) All work performed by persons described in Subsection B shall be inspected by the City's Electrical Inspector, its designee or successor. If said work does not meet all applicable

electrical and safety codes, the person shall be informed of the violations by the Inspector, and the person shall then remedy all violations within 10 days.

- (2) If the work performed by a person pursuant to Subsection B does not meet all applicable codes after two inspections, the owner must hire a City of Binghamton licensed master electrician, licensed pursuant to this chapter, and pay a fee for any additional required inspections. Fees for electrical inspections shall be established by the duly authorized appointee of the electrical inspection agency of the City of Binghamton.
- F. If a property owner knowingly violates any section of this chapter or knowingly hires a person to perform work covered by this chapter, who is not licensed pursuant to this chapter, said owner shall be subject to a minimum fine of \$500 and a maximum fine of \$1,500.
  - G. To obtain an electrical permit the master electrician shall submit a City of Binghamton electrical permit application and an electrical inspection request form to the designated inspection agency. Also to be submitted is proof of New York Worker's Compensation Insurance or a New York Worker's Compensation waiver form, and a certificate of contractor's liability insurance for products and completed operations per each occurrence and \$500,000 for bodily and property damage annual aggregate.

#### **§ 225-7. Inspections.**

- A. Authority of inspectors. The Chief Inspector, duly appointed as the representative of the designated inspection agency and authorized and required, as such representative, to make electrical inspections within the City or within an area which includes the City, and each of his or her duly appointed deputy and assistant inspectors are hereby authorized and deputized, as agents of the City, to make inspections and reinspections of all electrical installations within the City and all extensions thereto and alterations thereof and to approve or disapprove the same.
- B. Prohibited interests of inspectors. No inspector shall engage in the business of master electrician, either directly or indirectly, nor shall he or she have any financial interest in or connection with any person conducting such business.
- C. Inspector's right of entry; authority to disconnect service. The inspector shall have the right during reasonable hours to enter any building or dwelling in the discharge of his or her official duties, or for the purpose of making any inspection, reinspection or test of the installation of electric wiring, devices, permanently set appliances and equipment contained therein, and shall have the authority to order any wire to be cut or disconnected in cases of emergency where necessary for the safety of life or property, or where such wire may interfere with the work of the Fire Department. He or she is also authorized to order the discontinuance of electrical service to any electrical wiring, devices, permanently set appliances or equipment found to be dangerous to life or property because they are defective or defectively installed, until they have been made safe and have been approved by him or her.
- D. Inspection after fire or explosion. It shall be the duty of the inspector to make an inspection of any premises wherein a fire or explosion occurred, and for such purposes it shall be the duty of the Chief of the Fire Department of the City, within 24 hours after such occurrence, to report or cause to be reported, to the office of the designated board from which such inspector operates, the address or location of such premises and to furnish such other information and assistance with respect thereto as such inspector may require.
- E. Periodic reinspection. The inspector shall periodically make a thorough reinspection of the installation of all electric wiring, devices, permanently set appliances and equipment now or hereafter

installed within the City and within the scope of this chapter, and when any such installation is found to be in a dangerous or unsafe condition, the person owning, using or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place the same in safe condition and have such work completed within 15 days or such longer time as may be specified by the inspector in such notice.

**§ 225-8. Connection to installations.**

- A. Approval required. It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring, devices, permanently set appliances or equipment for the installation, extension or alteration of which a permit is required by law, until a certificate of approval or a permit has been issued authorizing such connection and the use of such wiring, devices, appliances or equipment.
- B. Application to make reconnection. It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring, devices, permanently set appliances or equipment which has been disconnected or ordered to be disconnected by the inspector or the use of which has been ordered by the inspector to be discontinued, until a certificate of approval has been issued by him or her authorizing the reconnection and use of such wiring, devices, appliances or equipment.

**§ 225-9. Liability for damage.**

This chapter shall not be construed to relieve from nor lessen the responsibility of any person owning, operating, controlling or installing any electric wiring, devices, appliances or equipment for loss of life or damage to person or property caused by any defect therein, nor shall the City be deemed to have assumed any such liability by reason of any inspection made or license issued pursuant to this chapter.

**§ 225-10. Penalties for offenses.**

Any person who shall, directly or indirectly, engage in or work at the business of master electrician or journeyman electrician in the City without a master electrician's license, working master electrician's license, or journeyman electrician's license or who shall violate any of the provisions of this chapter or of any rule or regulation made pursuant thereto or who, having had his or her license suspended or revoked, shall continue to engage in or work at the business of master or journeyman electrician, as the case may be, shall be guilty of an offense and, upon conviction thereof, shall be punished as provided in § 1-4 of this Code.

**§ 225-11. Disposition of moneys derived from operation of chapter.**

All fees, fines and penalties derived by the Board of Electrical Examiners from the operation of this chapter shall be turned over by the Board to the City Treasurer or other fiscal officer of the City exercising corresponding functions within 10 days after they are received, and such moneys shall be paid by such City Treasurer into the general fund of the City and shall be available for use for any lawful City purpose.

**ARTICLE II, Board of Electrical Examiners**

**§ 225-12. Board established; composition.**

- A. There is hereby established in and for the City of Binghamton a board to be known as the "Board of Electrical Examiners of the City of Binghamton." This Board shall consist of five persons who shall be residents of the City of Binghamton and who shall be appointed by the Mayor. One of such members shall be a staff member of the Division of Buildings and Construction of the City of Binghamton, who will act as Chairperson; one shall be a master electrician who has had at least five years' experience in electrical contracting and construction work and who employs one or more journeyman electricians; one shall be a journeyman electrician who has had at least five years' practical experience in electrical construction work; one shall be the Fire Marshal of the City of

Binghamton; and one shall be a person not engaged in any of the above-mentioned occupations of the other members of the Board.

- B. The representative of the designated inspection agency of the City of Binghamton shall be an ex-officio member of the Board and shall be a non-voting member.

**§ 225-13. Terms of office; removal.**

Members shall be appointed to the Board for a term of three years and at the pleasure of the Mayor. Any member who misses three consecutive meetings without just cause shall automatically be replaced by the Mayor.

**§ 225-14. Filling of vacancies.**

A vacancy occurring in the membership of the Board from any cause shall be filled by the Mayor for the unexpired term of the member whose office has become vacant.

**§ 225-15. Compensation of members. [Amended 10-17-2012 by Ord. No. 12-66; Amended 1-11-2023 by Ord. No. 23-02]**

Staff members of the City of Binghamton shall receive no additional compensation for services rendered as a consultant, member, or Chairperson of the Board pursuant to this Chapter. Each member of the Board of Electrical Examiners, who is not a staff member of the City of Binghamton, shall be paid an annual stipend of five hundred seventy-five (\$575) dollars.

**§ 225-16. Quorum.**

A majority of the Board shall constitute a quorum for the transaction of business.

**§ 225-17. Power and duties.**

The Board shall have the following powers and duties in addition to those elsewhere prescribed in this chapter:

- A. Meetings: to hold at least one meeting in each month and as many other meetings at such other times as, in the opinion of the Chairperson or a majority of the Board, are necessary or desirable for the efficient discharge of the business of the Board.
- B. Examination and certification of license applicants: to examine the qualifications and determine the fitness of applicants for licenses under this chapter and determine and set examination fees.
- C. Recommendations for granting and issuance of licenses: to recommend to the City Clerk the granting and issuance of licenses as master electricians to applicants possessing or whose representatives possess the requisite qualifications; to recommend the granting and issuance of licenses as journeyman electricians to applicants possessing the requisite qualifications.
- D. Suspension and revocation of licenses: to suspend or revoke licenses for cause as prescribed in § 225-31 and to notify the City Clerk of such suspensions and revocations.
- E. Imposition and collection of fines: to impose and collect fines for violations as prescribed in § 225-31.
- F. Records: to keep records of all its meetings and proceedings and of all licenses issued, suspended or revoked by it and to make such records available for public inspection.

- G. Manual of rules and regulations: to prepare a manual of its rules and regulations for the conduct of examinations and to furnish copies thereof to persons desiring the same upon payment of a fee as set from time to time by the City Council.
- H. Adoption of rules and regulations: to adopt such rules and regulations as may be necessary, not inconsistent with the provisions of this chapter, with respect to the form and content of applications for licenses, the reception thereof, the investigation and examination of applicants and their qualifications, the conduct of the meetings and the business of the Board and the other matters incidental or appropriate to the powers and duties of the Board as prescribed by this chapter and for the proper administration and enforcement of the provisions of this chapter, and to amend or repeal any of such rules and regulations, by a majority vote, at any special or regular meeting, upon notice of at least 30 days to each member thereof.
- I. Filing of rules and regulations: to file a copy of all its rules and regulations and of all changes therein, duly certified by the Secretary, with the City Clerk, immediately upon the adoption thereof, which copy shall be available for public inspection during the regular business hours of the day.

**§ 225-18. Review of Board actions.**

Any action of the Board may be reviewed by any person aggrieved thereby in any court of competent jurisdiction by a proceeding instituted under the provisions of Article 78 of the Civil Practice Law and Rules.

**ARTICLE III, Examination and Licensing of Electricians**

**§ 225-19. License required.**

- A. Master electrician. No person shall hereafter engage in, carry on or conduct the business of master electrician or do, offer, undertake or contract to perform the work of a master electrician within the City or hold himself or herself out to the public, directly or indirectly, as being able to do so unless licensed as a master electrician or working master electrician therefor pursuant to this article.
  - (1) The working master or master electrician who conducts himself or herself in the business of electrical contracting and employs apprentice electricians shall show proof that he or she is in compliance with the New York State Department of Labor apprenticeship program where applicable. This section shall take effect one year from approval of this chapter.
- B. A working master electrician is a person who is duly licensed by the City of Binghamton and is a holder of a master and journeyman's license and chooses to obtain a single license to perform electrical work in the City of Binghamton.
- C. Journeyman electrician. No person shall hereafter engage in, undertake, perform the work of a journeyman electrician or agree to do or perform such work within the City, or hold himself or herself out to the public, directly or indirectly, as being able to do so unless licensed therefor pursuant to this article, and no person shall directly or indirectly hire, employ, engage, or suffer or permit any person to do the work of a journeyman electrician unless such person is licensed as a journeyman electrician pursuant to this article.
- D. Apprentice electrician. No person shall hereafter hold himself or herself out to the public, directly or indirectly, as being able to do so unless registered in a New York State approved apprenticeship training program or has successfully had completed the apprenticeship program, therefor pursuant to this article, and no person shall directly or indirectly hire, employ, engage, or suffer or permit any

person to do the work of an apprentice electrician unless such person is registered as an apprentice electrician pursuant to this article.

- E. Verification of licenses. It shall be responsibility of the Electrical Inspector or any City official as stated in § 225-3A to verify that any person(s) performing electrical work within the City (other than property owners authorized pursuant to § 225-5 ) are duly licensed to perform such work according to the provisions of this chapter. If proof of proper licensing is not shown to the inspector or City official, the electrical work on the project shall be stopped until such time as properly licensed electricians are available to complete the project, and the person performing the work without a valid license shall be subject to a minimum fine of \$100 and a maximum fine of \$1,500. In addition, the owner of the premises where the work was being performed, the Electrical Inspector, and the appropriate City of Binghamton official shall notify in writing that the person or persons performing the electrical work on said premises were unable to show proof of proper licensing, and the electrical work on said premises is to be discontinued until a properly licensed electrician is retained to perform the work.

**§ 225-20. Term; renewal; fees.**

The Board of Electrical Examiners may issue licenses under this article as follows (See Exhibit J for Fee Schedule):

- A. Working master electrician license, Class A.
- (1) A Working Master Electrician License, Class A, shall authorize the licensee to engage in the business and perform work of a master and journeyman electrician within the City of Binghamton for a period ending the 30th day of April the next following year of its issuance.
  - (2) To obtain a working master electrician's license the applicant shall be a holder of a master and journeyman's license.
  - (3) The fee for such license shall be as set from time to time by the City Council.
  - (4) Such a license may be renewed annually on or before the expiration thereof for periods of one year upon payment of an annual renewal fee as set from time to time by the City Council.
- B. Master electrician's license, Class B.
- (1) A master electrician's license, Class B, shall authorize the licensee to engage in the business of master electrician within the City for a period ending the 30th day of April next following the date of its issuance.
  - (2) The fee for such license shall be as set from time to time by the City Council.
  - (3) Such a license may be renewed annually on or before the expiration thereof for periods of one year upon payment of an annual renewal fee as set from time to time by the City Council.
- C. Master electrician's license, Class C.
- (1) A master electrician's license, Class C, shall authorize the licensee to engage in the business of master electrician in the City, but only for the purpose of undertaking, performing and completing a single continuous job or installation at one location or property.
    - (a) The fee for such license shall be as set from time to time by the City Council for a period of one year from the date of issue.
    - (b) Such a license may be renewed on or before the expiration thereof for a period of time necessary to complete the job for which it is issued, at a renewal fee as set from time to time by the City Council.
    - (c) A Class C master electrician's license shall only be issued to a person holding a current master electrician's license from a municipality whose



licensing program is recognized by the City of Binghamton Examining Board.

- (d) The Class C master electrician is permitted to supervise the electrical work for which the Class C license was issued. The Class C master electrician is required to be on the job at all times when electrical work is being done.
- (e) A City of Binghamton licensed journeyman or a Class B journeyman may supervise the electrical work in lieu of a Class C master electrician.

D. Journeyman electrician's license: A journeyman electrician's license shall authorize the licensee to perform only the work of a journeyman electrician within the City for a period ending the 30th day of April next following the date of its issuance. The fee for such license shall be as set from time to time by the City Council.

E. Journeyman electrician's license, Class B.

- (1) A journeyman's electrician's license, Class B, shall authorize the licensee to perform only the work of a journeyman electrician in the City, but only for the purpose of working on a single continuous job or installation at one location or property. Only one Class B license can be issued within a twelve-month period.
- (2) The fee for such license shall be as set from time to time by the City Council for a period of one year from the date of issuance.
- (3) Such a license may be renewed on or before the expiration thereof for a period of time necessary to complete the job for which it was issued, at a renewal fee as set from time to time by the City Council.
- (4) A Class B license shall only be issued to a journeyman or master electrician duly licensed from a municipality whose licensing program is recognized by the City of Binghamton, or to an individual who has successfully completed a state-approved electrical apprenticeship program recognized by the City of Binghamton Examining Board.

**§ 225-21. Failure to renew license.**

- A. Every licensee who fails to renew his or her license prior to the expiration thereof shall pay an additional fee as set from time to time by the City Council for each year or part thereof, together with the license fee prescribed in this section for each year the license is not renewed, upon the renewal of the license (See Exhibit J). Prior to issuance of a license, the applicant must bring his or her license current for all back years. If the license has not been renewed for over five years, § 225-20B may apply. The maximum renewal fee shall not exceed the cost associated with the maximum fee required by this section.
- B. Every licensee who fails to renew a Class A or Class B master electrician's license and/or a journeyman's electrician license for five consecutive years must thereafter qualify for an original license hereunder and comply with all the requirements hereof relative thereto; except that the applicant may submit in writing to the Board a request to renew the expired license. Included in the request shall be notarized statements from owners of the electrical businesses in which the applicant was employed. These statements shall include but not be limited to the following:
  - (1) Description of the type of business in which the applicant worked.
  - (2) Detailed description of the work performed by the applicant.
  - (3) Length of time in which the applicant was employed.
  - (4) Any other information reasonably necessary for the Board to render a decision.

- C. Upon review of the information submitted the Board shall render a decision to either grant the renewal or require the person making the request to retest.

**§ 225-22. Applications for licenses. [Amended 2-8-2023 by Ord. No. 23-28]**

- A. Master electricians. Every person desiring a license as a master electrician under this article shall make application therefor to the Board of Electrical Examiners in such form and detail as the Board may prescribe. Such application shall state, among other things, the name and place of business of the applicant, the class of license applied for and the name of the representative of the applicant who will take the examination for the license and who will act as the local supervisor of the work to be done under the license, if granted.
- B. Journeyman electrician. Every person desiring a license as journeyman electrician under this article shall make application therefor to the Board of Electrical Examiners in such form and detail as the Board may prescribe. Such application shall state, among other things, the name and residence address of the applicant, the name and business address of the employer of the applicant and the nature and extent of the experience of the applicant in work as a journeyman electrician.
- C. Examination fee to accompany application. Unless examination shall have been waived by the Board of Electrical Examiners under § 225-23C, each application for a license shall be accompanied by a check or money order for the examination fees as set from time to time by the City Council (See Exhibit J).

**§ 225-23. Examinations.**

- A. Generally. Examinations shall be in writing. A complete record of every examination given shall be kept on file until three years after the date of the examination. Examinations shall be offered at least two times per year. The Board of Electrical Examiners may, in its discretion, authorize no more than two additional examinations per year if the Board determines that a sufficient number of eligible candidates warrants the additional offering of said examination. In no event shall the examination be offered twice during any three-month period. The results of each such examination shall be announced by the Board not later than 30 days from the date of such examination.
- B. Presentation for examination. The applicant or, in the case of those applying for licenses as master electricians, the designated representative of the applicant shall present himself or herself for examination at the time and place specified in a notice to be given by the Board of Electrical Examiners.
- C. Waiver of examination. Notwithstanding any other provision of this section, where an applicant for a master electrician's license, Class C, establishes to the Board's satisfaction that he or she holds a current license from another state or political subdivision thereof or from the State of New York or any political subdivision thereof, which license was issued on the basis of a qualifying examination, the Board shall have the power to waive the written examination, at its discretion.
- D. Re-examination. An applicant or the representative of an applicant who has failed in his or her first examination shall not be eligible for reexamination until three months from the date of such failure; one who fails twice or more shall not be eligible for further reexamination until at least six months have elapsed from the date of such second or subsequent failure. Any person who fails two consecutive examinations shall retake both parts of the examination when eligible. The re-examination fee shall be the same as the initial examination fee.

- E. All persons who have passed either the master or journeyman's examination must obtain their license within one year of the notification that the applicant has passed the examination. Failure to obtain the license will forfeit the right to the license and the applicant will be required to re-exam.

**§ 225-24. Qualifications for master electrician's license. [Amended 2-8-2023 by Ord. No. 23-28]**

No license as a master electrician shall be granted to any person unless the designated representative shall prove to the satisfaction of the Board of Electrical Examiners that he or she is a competent electrician and qualified to do electrical contracting, construction and installation work and electrical wiring; has a working knowledge of electricity and the natural laws, properties and functions of electricity and of appliances, apparatus, materials and devices for electric light, heat, power and signaling purposes used and required in such work, combined with a practical working knowledge of the requirements and provisions of this chapter and the rules and regulations of the Board and the laws of the state, if any, and of the City for installation of electrical wiring, devices, appliances and equipment and of the provisions thereof requiring permits therefor. Proof of competency shall be that the applicant is a holder of a duly authorized City of Binghamton journeyman's license for the minimum of two years. The Board may waive this requirement at its discretion upon review of the application from a duly licensed master electrician from another state or political subdivision thereof or from the State of New York or any political subdivision thereof.

**§ 225-25. Qualifications for journeyman electrician's license.**

- A. No license as a journeyman electrician shall be granted to any person unless he or she has shown proof of the required hours (9,000 or 8,250) and has successfully completed an approved apprenticeship program and working under the direct supervision of a licensed electrician and furthermore shall prove to the satisfaction of the Board of Electrical Examiners that he or she is a competent electrician and qualified to do electrical repairing and maintenance work; has a working knowledge of electricity and the natural laws, properties and functions of electricity and of appliances, apparatus, materials and devices for electric light, heat, power and signaling purposes, combined with a practical working knowledge of the requirements and provisions of the National Electrical Code and a knowledge of the provisions of this chapter and the rules and regulations of the Board and the laws of the state, if any, and of the City for the repair and maintenance of electrical wiring, devices, appliances and equipment.
- B. The applicant must submit proof of the total number of hours as determined by the Board of on-the-job training over a five-year period under a duly licensed electrician as recognized by a governing agency recognized by the Board, with supervision documented, or submit proof of enrollment in and subsequent completion of an approved electrical apprenticeship program, before applying to take the journeyman's examination. Documentation or any other information deemed necessary by the Board shall be provided showing proof of the above, and all such proof shall be notarized.

**§ 225-26. Signing and issuance of licenses.**

Licenses shall be signed by the Chairperson of the Board of Electrical Examiners and the City Clerk and shall be issued by the City Clerk after due certification by the Board.

**§ 225-27. Records of issuance, suspension and revocation of licenses.**

In addition to the records kept by the Board of Electrical Examiners as provided in § 225-17F, it shall be the concurrent duty of the City Clerk to keep and maintain records of all licenses issued, suspended or revoked and to make such records available for public inspection.

**§ 225-28. Minimum age of applicant; refusal of license for felony convictions.**

No license shall be granted to any person who is less than 21 years of age. The Board of Electrical Examiners may, in its discretion, refuse the issuance or renewal of a license to a person who has been convicted of a felony, cognizable as such by the laws of the State of New York or the United States of America.

**§ 225-29. Restrictions upon licenses. [Amended 2-8-2023 by Ord. No. 23-28]**

- A. Assignment; transfer. No license issued hereunder shall be assigned or transferable.
- B. Identification of licensee. Each license as a master electrician issued hereunder shall specify the name of the person licensed, who shall be known as the "holder of the license," and such person shall be designated in the license as the supervisor of all work to be done under the license.
- C. Designation of supervisor. The person designated as the local supervisor must be a master electrician as set forth herein.
- D. Local Supervisor for more than one license prohibited. The same person shall not be designated as the local supervisor for two or more businesses.
- E. Termination of local supervisor's employment. In the event that the business association of the local supervisor with, or the employment of the local supervisor by, the holder of the license shall terminate, the holder shall notify the Board of Electrical Examiners of such fact forthwith and shall promptly designate another person as the representative of the holder who shall submit himself or herself for examination to the Board when notified so to do. If no such new designation is made within 30 days after the termination of the association or employment of the former local supervisor, the license of the holder shall become null and void on the 30th day following such termination.
- F. Numbering; form; color. All licenses shall be numbered in the order in which they are issued and shall be in such form and of such color and shall contain such information as may be prescribed by the Board of Electrical Examiners.
- G. Display. Each license shall at all times be kept conspicuously displayed in the place of business or employment, as the case may be, of the licensee.

**§ 225-30. Additional requirements for Class A licensed master electricians.**

- A. A certificate shall be issued by the Board and City of Binghamton and signed by the City Clerk and the Chairperson of the Board. Specifications for the certificate shall be determined by the Board.
- B. Certificate; penalty. Any person to whom such certificate has been issued who shall loan, rent, sell or transfer the same to another person, whether such person is entitled to receive a similar plate or sign or not, or otherwise willfully violates the provisions of this section shall be punishable by the Board of Electrical Examiners by a fine not exceeding \$500 for the first offense, and not less than \$750 nor more than \$1,000 for a subsequent offense, and in addition thereto shall forfeit his or her license hereunder.

**§ 225-31. Suspension and revocation of licenses; fines.**

- A. Any license issued hereunder may be suspended or revoked, in the discretion of the Board of Electrical Examiners, after hearing, upon due notice held, upon charges given to the licensee and an opportunity to be heard in his or her defense, in person and/or by attorney, if the Board is satisfied that the holder of such license or any of his or her or its officers or employees willfully, or by reason of incompetence, has violated any provision of this chapter or of any other law, or of any ordinance, local law or the Building Code of the City governing electrical work or requiring permits therefor, or any requirements contained in the rules and regulations of the National Board of Fire Underwriters, known as the "National Electrical Code."

- B. The Board of Electrical Examiners may, in lieu of suspending or revoking a license hereunder, impose a fine not exceeding \$50 for the first offense, and not less than \$100 nor more than \$500 for a subsequent offense, and may suspend the license until such fine is paid.