

ORDINANCE NO. 819  
**ELECTRICAL CODE**

AN ORDINANCE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE NATIONAL ELECTRIC CODE STANDARD OF THE NATIONAL FIRE PROTECTION ASSOCIATION FOR ELECTRIC WIRING AND APPARATUS FOR THE CITY OF, MONTICELLO, ARKANSAS, FOR CREATING THE OFFICE OF ELECTRICAL INSPECTOR, FOR LICENSING OF ELECTRICIANS AND FOR OTHER PURPOSES, AND REGULATING THE INSTALLATION OF ELECTRIC WIRING AND APPARATUS AND FOR OTHER PURPOSES.

Be it ordained by the City council of the City of Monticello, Arkansas.

**Section 1. ADOPTION OF ELECTRIC CODE.**

There is hereby adopted for the City of Monticello, Arkansas, for the purpose of establishing rules and regulations for the construction, alteration, removal and maintenance of electric wiring and apparatus, including permits and penalties, that certain electric code adopted by the state of Arkansas known as the National Electric Code of the National Fire Protection Association, being particularly the 2017 edition as the same from time to time may be amended or modified thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended. The same 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 in the construction, alteration, maintenance or removal of all electric wiring and apparatus within the corporate limits of the City of Monticello, Arkansas.

**Section 2. MAINTENANCE OF COPIES FOR PUBLIC VIEW AND INSPECTION.**

The code shall be available for public viewing by being posted through the City of Monticello website.

**Section 3.** The Fire Marshall of the City of Monticello shall serve as the Electrical Inspector.

**Section 4.**

Notwithstanding the provisions of the 2017 National Electrical Code, arc fault circuit interrupters shall not be required in kitchens and laundry rooms as specified in Ark. Admin. Code 010.13.1-008, except to the extent that said

provision is amended or repealed.

**Section 5. PERMITS.**

No installation, alteration or removal shall be made in or of the wiring of any building or structure for light, heat or power or to increase the load of energy carried by such wires or equipment, nor shall any building or structure be wired for electric lights, appliances, motors, apparatus or heating devices nor alterations made thereto without a written permit therefore being first obtained from the city license issuing clerk by the person, firm or corporation having direct charge of such installation.

**Section 6. INSPECTION.**

Upon the completion of the wiring, installation or alteration of any building or structure for light, heat, power, appliance or apparatus, it shall be the duty of the person, firm or corporation having direct charge of such to notify the City Fire Marshall who shall, as early as possible, inspect such wiring, installation, appliance and apparatus and if installed, altered and constructed in compliance with the permit and in accordance with the requirements of this ordinance, he shall execute a certificate of satisfactory inspection, which shall contain the date of such inspection and the result of his examination, but no such certificate shall be issued unless such electric wiring, motors, heating devices, appliances and apparatus be in strict accord with the rules and requirements and the spirit of this ordinance, nor shall current be turned on such installation, equipment, appliance, motors, heating device and apparatus until said certificate be issued. The amount of fee or charge to be made for such inspections and certificate is to be fixed and determined by the City Council.

**Section 7. STANDARDS.**

All electrical construction, all materials, appliances, motors, heating devices and apparatus used in connection with electrical work and the operation of all electrical apparatus within the City of Monticello, Arkansas, shall conform to the rules and requirements of the National Electrical Code as adopted by the state of Arkansas and current when work is performed or equipment and apparatus installed, however, the necessity, good service and said results often require larger sizes of wire, more branch circuits, and better types of equipment than the minimum which is specified in the National Electric Code. Therefore, the City Electrician supervising the enforcement of this code will have the responsibility and

authority for making interpretations of the rules, for deciding upon the approval of equipment, materials, construction and for granting the special permission contemplated in a number of the rules and the City Electrician, where necessary, shall follow the code procedure for securing official interpretations of the code.

**Section 8. LICENSING OF ELECTRICIANS.**

Any person, firm or corporation desiring to engage in the business of electrical construction or of the installation of wiring and apparatus for electric lights, appliances, heating or power in the City of Monticello, Arkansas, shall, before doing so, must be a licensed Master Electrician.

**Section 9. BOND REQUIRED.**

Every person, firm or corporation doing electrical business in the city of Monticello, Arkansas, shall execute and deliver to the city a bond with a surety bonding company in the sum of \$10,000 to indemnify the city or any citizen for any damage caused by the failure of such person, firm or corporation doing the electrical work to comply strictly with the provisions of this ordinance.

**Section 10. QUALIFICATION.**

No permit shall be issued until the party applying for same has given satisfactory evidence to the Fire Marshall of his or their ability to do said electrical work in a safe and satisfactory manner. No permit for installation or alteration of any wiring, heating devices, motors, appliances and apparatus shall be issued until the license and bond herein required have been obtained.

**Section 11. FAILURE TO COMPLY.**

Any person, firm or corporation who shall fail to correct any defect or defects in his or her work or to meet the required standards after having been given notice of the unfit condition by the Fire Marshall, within a reasonable time, shall be refused any other permit until such defect or defects have been corrected and shall be subject to revocation of license for continual defective work or either upon conviction for violation of the provision of this ordinance.

Upon failure to comply with this ordinance, the Fire Marshall shall have authority, after due notice, to cut off electric current in the locality concerned.

**Section 12. PENALTIES.**

Any person, firm or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine of not less than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$1,000.00), together with the costs of such prosecution. A subsequent offense is punishable by a fine of not less than Fifty Dollars (\$50.00) and not more than two thousand (\$2000.00). In addition to the foregoing fines, if the nature of the offense is continuous in respect to time, a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) per day thereafter for each day the violation continues shall be imposed. Provided, however, that the penalty for conduct that violates a state law similar to the provisions herein shall be no greater and no less severe than the penalties established by the statutes of this state.

**Section 13. LICENSE TO INDIVIDUAL.**

Any individual desiring to perform his or her own electrical work personally shall not be required to make the required bond. The licensing requirements of this ordinance do not apply to an owner that performs electrical work or the construction, maintenance, or installation of electrical facilities upon the existing primary residence of the owner or a primary residence of the owner that is under construction, as provided in Ark. Code Ann. § 20-31-103, unless and until and to the extent that the statute is repealed or amended to provide otherwise. All work must meet current Arkansas Electrical Code and be inspected by the City Fire Marshall to obtain and occupancy permit.

**Section 14. CONFLICTING ORDINANCE REPEALED.**

All ordinances or parts of ordinances conflicting with any of the provisions of this ordinance are hereby repealed.

**Section 15. SAVING CLAUSE.**

Nothing in this ordinance or the code hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 16. SEVERABILITY.**

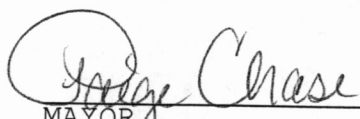
The invalidity of any section or provision of this ordinance or of the code hereby adopted shall not invalidate

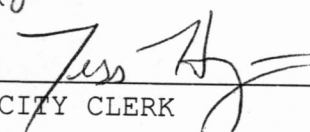
other sections or provisions thereof.

**Section 17. EMERGENCY CLAUSE.**

Whereas it is of the utmost urgency that the City of Monticello, Arkansas, have an up-to-date Electrical Code to protect the property and lives of the citizens of our city, therefore an Emergency is hereby declared to exist and this ordinance being necessary for the immediate protection of the public peace, health and safety shall take effect immediately on its passage and approval.

DATE: 12-23-19

  
MAYOR

ATTEST BY:   
CITY CLERK