

Electrical Licensing Law

Electrical Licensing

SULLIVAN COUNTY LEGISLATURE

LOCAL LAW NO. ___ OF 2017

A LOCAL LAW OF THE COUNTY OF SULLIVAN, NEW YORK, TO AMEND AND RESTATE THE LOCAL LAW KNOWN AS “ELECTRICAL LICENSING”

Chapter 103, ELECTRICAL LICENSING

[HISTORY: Adopted by the County Legislature of the County of Sullivan 6-20-2002 by L.L. No. ~~5-2002~~. ~~EN Amendments noted where applicable.~~ 5-2002. Amended June 21, 2007 by L.L. No. 5-2007. Amended August 25, 2014 by L.L. No. 3-2014.]

ARTICLE I, PURPOSE AND DEFINITIONS

§ 103-1. Purpose.

The ~~Sullivan~~ County Legislature of the County of Sullivan (the “County”) does hereby find that the profession of installation, repair and improvement of electrical services and wiring in residential and commercial structures is a unique occupation requiring training, experience and special ~~skill~~skills. The improper installation, repair and improvement of electrical wiring may create hazardous conditions for the occupants and community. The County Legislature finds the licensing of electrical contractors and electricians is an appropriate method to ~~insure~~ensure that qualified persons practice the electrical trade in ~~Sullivan~~the County in order to protect the public.

Nothing in this local law is designed to interfere with or shall be construed to interfere with (i) any existing state or local law or the industry practice relating to electrical work; (ii) authority of the local municipalities within the County to issue certificates of occupancy or any permits necessary for the performance of electrical work to an electrician who has a license issued by the Board (as defined herein) pursuant to this chapter; or (iii) a homeowner installing, repairing or improving electrical service to such homeowner’s own residence, subject to compliance with permitting and inspection requirements of the applicable local municipality in which the homeowner is located.

§ 103-2. Definitions.

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

- (A) BOARD – The Board of Electrical ~~Lienses~~Licensing of the County ~~of Sullivan~~as established by this chapter.
- (B) CHAIRMAN – The Chairman of the Board of Electrical ~~Lienses of the County of~~SullivanLicensing.
- (C) COUNTY – The County of Sullivan.
- (D) COUNTY LEGISLATURE – The County Legislature of the County of Sullivan.
- (E) ELECTRICAL CODE – ~~Then current adopted~~ At any given time, the electrical code ~~as then~~ specified ~~in~~by the New York State Uniform Fire Prevention and Building Code, ~~unless;~~ provided, however, that in the case of alleged violations by a person who is or should have been licensed hereunder, if the municipality where the work ~~is being~~was performed has adopted a more restrictive code ~~and filed such with the New York State Secretary of State,~~

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40 ~~in which case the code would be according to~~, “Electrical Code” means the more
41 restrictive code.

42 ~~ELECTRICAL INSPECTOR—New York State Electrical Inspector or Electrical~~
43 ~~Inspection firm that has been approved by the Board from a list of such individuals~~
44 ~~or firms obtained by the County pursuant to a request for proposals. The approved~~
45 ~~list of Electrical Inspectors shall be provided to each municipal code enforcement~~
46 ~~officer for their use.~~

47 (F) ELECTRICAL CONTRACTOR – Any natural person, firm, partnership, corporation, limited
48 liability company or other legal entity which (a) engages in or carries on the business of installing,
49 erecting, altering or repairing electrical wiring, apparatus, fixtures, devices, appliances and
50 equipment utilized or designed for the utilization of electricity for light, heat or power purposes, or
51 for signaling systems operating on 50 volts or more and (b) is owned by or managed by at least
52 one (1) Master Electrician to supervise the work of the Electrical Contractor.

53 (G) ELECTRICAL INSPECTOR – An electrical inspector that is certified by a nationally-recognized
54 electrical inspection certification program.

55 ~~(F)~~(H) HOMEOWNER – Any natural person who owns land upon which there is a one-family
56 dwelling unit occupied by such person and/or where there may also be nonresidential buildings
57 used solely for the private use of such person, and the title thereto being in the name of such
58 person, and/or his or her spouse, individually or jointly.

59 (I) INVESTIGATOR – A person who is either an approvedAn Electrical Inspector ~~or~~, a
60 Master Electrician ~~designated by or other person that in the opinion of~~ the Board is qualified to
61 investigate complaints received by the Board and which has been retained by the County pursuant
62 to a request for proposals.

63 ~~(G)~~(J) JOURNEYMAN ELECTRICIAN – Any natural person who under the supervision of a
64 Master Electrician (a) installs, erects, alters or repairs electrical wiring, apparatus, fixtures,
65 devices, appliances and equipment utilized or designed for the utilization of electricity for light,
66 heat or power purposes, or for signaling systems operating on 50 volts or more or (b) directs the
67 performance of work done in connection with the installation, erection, alteration, extension or
68 repair of electrical wiring, apparatus, fixtures, devices, appliances and equipment for light, heat or
69 power purposes or for signaling systems operating on 50 volts or more.

70 ~~(H)~~(K) LICENSEE – A person licensed by this chapter.

71 ~~(I)~~(L) LIMITED ELECTRICIAN – Any natural person who engages in or carries on the business
72 of repairing electrical wire controls and servicing oil burners, gasoline and oil pumps, domestic
73 water pumps, and oil, gas and air conditioning units, and/or installing or repairing electrical signs
74 and billboards and any person who contracts to do any of the foregoing.

75 ~~JOURNEYMAN ELECTRICIAN—Any person who has, or not less than 5 years, carries~~
76 ~~on the business of installing, erecting, altering or repairing electrical wiring, apparatus,~~
77 ~~fixtures, devices, appliances and equipment utilized or designed for the utilization of~~
78 ~~electricity for light, heat or power purposes, or for signaling systems operating on 50 volts~~
79 ~~or more and any person who performs or supervises the performance of work done in~~
80 ~~connection with the installation, erection, alteration, extension or repair of electrical~~
81 ~~wiring, apparatus, fixtures, devices, appliances and equipment for light, heat or power~~
82 ~~purposes or for signaling systems operating on 50 volts or more under the supervisions of~~
83 ~~a Master Electrician and who at the expiration of such a period has been certified by both~~
84 ~~a Master Electrician and an Electrical Inspector to function as an Journeyman~~
85 ~~Electrician. Unlike a Master Electrician, a Journeyman Electrician may not hire other~~

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~~persons who do not have an electrical license to perform electrical work and may not supervise other persons who do not have an electrical license. However a Journeyman Electrician is not authorized to work independent of a Master Electrician~~

~~(M)~~ (M) MASTER ELECTRICIAN – Any natural person who engages in or carries on the business of installing, erecting, altering or repairing electrical wiring, apparatus, fixtures, devices, appliances 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 who performs, or supervises the performance of, work done in connection with the installation, erection, alteration, extension or repair of electrical wiring, apparatus, fixtures, devices, appliances 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.

~~(N)~~ (N) PERSON – ~~An individual~~ A natural person, firm, partnership, corporation, limited liability company or other legal entity, whether or not organized for profit.

(O) QUALIFIED WORK EXPERIENCE – Work as a mechanic and installer of electrical wire, service, parts and equipment performed under the supervision of a Master Electrician, and the work performed was reasonably related to the scope of work to be performed under the type of license for which application is made.

~~(P)~~ (P) SPECIAL ELECTRICIAN – Any natural person who is in the exclusive employ of a publicly-held corporation; or ~~the~~ an owner, lessee or manager of a building or plant structure and whose employment consists wholly or partly of the work of maintaining or repairing electrical wiring, apparatus, fixtures, devices, appliances and equipment utilized or designed for the utilization of electricity for light, heat or power purposes, or for the signaling systems operating on 50 volts or more solely on the premises of said business or corporation. ~~[Amended June 21, 2007 by L.L. No. 5-2007]~~

ARTICLE II, BOARD OF ELECTRICAL ~~LICENSES~~ LICENSING

§ 103-3. Membership.

(A) There is hereby established in and for the County of Sullivan a board known as the "Board of Electrical Licensing of the County of Sullivan" consisting of seven (7) voting members and two (2) non-voting ~~member, as follows:~~ members.

(B) The following shall constitute the voting members of the Board of Electrical Licensing:

1. ~~One (1)~~ A representative of the New York State Electric and Gas Company (NYSEG), or any successor local electrical utility company in the event NYSEG should sell, transfer or merge its business.
2. ~~2)~~ One (1) Electrical Inspector working as such in the County.
3. ~~3)~~ Two (2) ~~active~~ Master ~~Liensed~~ Electricians currently licensed in ~~Sullivan~~ County.
4. ~~4)~~ One (1) Code Enforcement Officer/Building Inspector from a town or village within the County.
5. ~~5)~~ The County Manager or his/her designee.
6. ~~6) One (1) individual representing~~ The legislative head of the Public Safety and Law Enforcement Committee of the County Legislature or another member of the County Legislature appointed thereby.

(C) The following shall be non-voting members of the Board of Electrical Licensing:

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- 128 1. ~~1)~~ One (1) representative from the IBEW (International Brotherhood of Electrical Workers).
- 129 2. ~~2)~~ A recording secretary—, who shall be an administrative person working for assistant
- 130 employed by the County ~~of Sullivan~~.
- 131 (D) The Board shall have the authority to consult with professionals and/or advisors as needed.
- 132 (E) All members of the Board of Electrical Licensing shall serve in such positions without
- 133 compensation except for the recording secretary.
- 134 (F) All appointments to the Board of Electrical Licensing, other than the County Manager or his/her
- 135 designee who shall be a member by virtue of his/her office, shall be made by the County
- 136 Legislature.
- 137 (G) The Board of Electrical Licensing shall be subject to the legislative oversight of the Public Safety
- 138 and Law Enforcement Committee of the County Legislature.
- 139 ~~—Public Safety and Law Enforcement Committee of The County Legislature.~~
- 140 ~~[Amended 1-23-2003 by L.L. No. 23-2003] [Amended June 21, 2007 by L.L. No. 5-2007]~~
- 141 (H) ~~Terms of Office. Members~~ Of the ~~Board, except members first appointed, other than~~ the
- 142 County Manager or ~~their~~ designee, ~~shall be appointed by~~ (pursuant to B.5, above) and the
- 143 County Legislature. Of the members first appointed, one legislator (pursuant to B.6,
- 144 above), one (1) shall be appointed for a term of one (1) year; two (2) for a term of two (2) years;
- 145 two (2) for a term of three (3) years. Members may continue until their successors have been
- 146 appointed and confirmed. The success of all ~~All succeeding~~ members of the Board ~~where~~
- 147 ~~after thereafter~~ shall be appointed for terms of four (4) years, ~~subject to the Legislature~~
- 148 ~~Policy on Members of Boards continuing in office.~~
- 149 (I) The Board shall elect a chairman and a vice-chairman from its membership annually. ~~The~~
- 150 ~~recording secretary shall be an employee~~
- 151 ~~(J)~~ After three (3) consecutive, unexcused absences by a member of the County Board, the
- 152 Board, by a majority vote, may recommend to the Legislature that said member be removed. The
- 153 Legislature, by supermajority vote, has the discretion to remove an appointed member of
- 154 Sullivan the Board at any time.

§ 103-4. Powers of Board.

156 The Board of Electrical Licenses shall:

- 157 (A) Hold regular quarterly meetings and special meetings as often as necessary ~~or required; at~~
- 158 ~~least forty-eight (48) hours' (upon~~ written or electronic notice of a special meeting ~~shall be~~
- 159 ~~given~~ to the members of the Board; ~~at least forty-eight (48) hours in advance of said special~~
- 160 ~~meeting).~~
- 161 (B) Adopt bylaws and such rules and regulations as may be necessary to implement this chapter,
- 162 including licensing standards not inconsistent herewith, and ~~to~~ file a certified copy thereof prior to
- 163 the effective date with the Clerk of the County Legislature.
- 164 (C) Review qualifications and fitness of applicants for licenses under this chapter that have been
- 165 denied or accepted by the Director of Human Resources or his/her designee. The Board, by a
- 166 majority vote of its membership, can overrule the Director of Human Resources or his/her
- 167 ~~designees~~ designee's decision denying an applicant the opportunity to take the exam.
- 168 (D) Issue licenses as authorized by this chapter to applicants possessing the requisite qualifications.
- 169 Licenses shall be signed by the Chairman. The Board shall keep records of all proceedings and
- 170 licenses issued pursuant to this chapter.

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171 ~~(E)~~ Hear complaints of alleged violations of this chapter; suspend or revoke licenses ~~and~~; impose
172 and collect fines and penalties for violations of the current Sullivan County Electrical Law,
173 ~~Sullivan County Ethics Code and/Licensing Law~~ or the ~~National~~ applicable Electrical Code
174 after due notice and hearing (as hereinafter provided, ~~institute suits in the name of the~~
175 ~~County of Sullivan,~~);

176 ~~(E)~~(F) Subject to the approval of the County Attorney, ~~institute suits in the name of the County to~~
177 ~~enforce this Chapter or any bylaws, rules or regulations adopted by the Board hereunder;~~

178 ~~(F)~~(G) Charge application and annual license fees as the Board may determine from time to time.
179 ~~[Amended June 21, 2007 by L.L. No. 5-2007]~~

180 ~~(G)~~(H) ~~G. The Board has the Authority to~~ Administer oath to witnesses.

181 § 103-5. Quorum.

182 A majority of the Board shall constitute a quorum for the transaction of business at any meeting.
183 ~~Officers shall serve at the pleasure of the Board. [Amended June 21, 2007 by L.L. No. 5-~~
184 ~~2007]~~

185 ARTICLE III, LICENSES; EXEMPTIONS

186 § 103-6. License required.

187 Except as provided in § 103-~~712~~, no person shall engage in, carry on or conduct the business of an
188 Electrical Contractor or Master Electrician or do, perform, offer, undertake, contract to do or perform
189 the work of a Master Electrician, Journeyman ~~Electrician~~, ~~Master~~ Electrician, Limited Electrician
190 or Special Electrician, as herein defined, within the County of Sullivan or hold himself/herself out to
191 the public, directly or indirectly, as being able to do so unless licensed ~~pursuant to this chapter or~~
192 ~~unless employed by and working under the direction of a licensee or employed by a~~
193 ~~business and working under the direction of a licensed electrician employed by such~~
194 ~~business~~ or exempt from licensing pursuant to this chapter.

195 § 103-7. Permanent licenses.

196 ~~The Board shall issue a permanent license to any applicant who has successfully completed the~~
197 ~~requirements for any category of license herein; provided, however, that such license is subject to renewal~~
198 ~~as set forth in this chapter.~~

199 § 103-8. Temporary licenses.

200 ~~(A) The Board may, upon application, issue a temporary license to an Electrical Contractor for a single~~
201 ~~job within the County in the following circumstances:~~

202 ~~1. The Electrical Contractor is performing electrical work for the state, the County of Sullivan, a~~
203 ~~municipality or a school district pursuant to a written contract requiring a performance bond,~~
204 ~~and/or is under architectural or engineering supervision;~~

205 ~~2. The Electrical Contractor is performing electrical work pursuant to a written contract in the~~
206 ~~County of Sullivan, the consideration for which is equal to or greater than \$250,000; provided,~~
207 ~~however, that temporary licenses may not be issued with respect to a contract relating to electrical~~
208 ~~work for a housing development; or~~

209 ~~3. If an Electrical Contractor performing electrical work is currently licensed by another jurisdiction~~
210 ~~outside of Sullivan County, pursuant to a valid reciprocal licensing agreement pursuant to § 103-9.~~

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211 (B) Any Electrical Contractor applicant for a temporary license must name at least one Master
212 Electrician who is responsible for supervising the work performed in the County on a regular
213 basis, and the Master Electrician who is named also must apply for a temporary license.

214 (C) The Board may, upon application, also issue a temporary license to one or more Master
215 Electrician(s) or Journeyman Electrician(s) working under an Electrical Contractor pursuant to
216 (A), above.

217 (D) Any temporary license issued pursuant to this section shall expire at the earlier of December 31st of
218 the year in which the licenses was issued or the date that the job is completed; provided, however,
219 that upon request by the licensee, the Board may renew such a temporary license for additional
220 one-year periods or until the job shall be completed, whichever period is shorter.

221 (E) Prior to issuing a temporary license as provided in (A), above, the Board shall:

- 222 1. Determine that the applicant is a reputable and qualified electrical contractor;
- 223 2. Determine that the applicant, if subject to licensure by the state or county in which its principal
224 office is located, is in good standing with the applicable licensing authority;
- 225 3. Obtain from the Electrical Contractor applicant proof of insurance (general liability and workers
226 compensation).

227 § 103-9. Reciprocity Agreements.

228 The Sullivan County Legislature may, by resolution, authorize the County Manager to enter into formal
229 reciprocal licensing agreements between Sullivan County and individual municipalities or other States,
230 and the Board shall maintain a list of all jurisdictions with which such agreements exist. Any such
231 reciprocity shall be authorized only if the licensing requirements (of the jurisdiction being granted
232 reciprocity) equal or exceed those of the applicable to applicants for permanent licenses hereunder.

233 § 103-10. License form and term; renewal.

234 (A) Licenses issued hereby shall not be assignable or transferable.

235 (B) The form and content of such license issued shall be prescribed by said Board in such manner as
236 to properly identify each licensee. Each license issued hereunder shall specify the name of the
237 person, firm, partnership, corporation, limited liability company or other legal entity, who or
238 which shall be known as the holder of the license. The license of an Electrical Contractor shall
239 specify its primary Master Electrician.

240 (C) All licenses must be renewed annually in January. In order for a license to be renewed, a licensee
241 must provide (a) proof of six (6) hours of continuing education per calendar year, (b) applicable
242 fees and (c) in the case of an Electrical Contractor, Master Electrician or Journeyman Electrician,
243 proof of insurance (general liability and workers compensation); provided, however, that (a),
244 above, shall not be required in case of a non-natural person Electrical Contractor so long the
245 primary Master Electrician has provided such proof in connection with his/her renewal, and
246 provided, further, that (c), above, shall not be required with respect to any Master Electrician or
247 Journeyman Electrician that is listed as an employee of an Electrical Contractor which is licensed
248 hereunder and has provided current proof of insurance.

249 (D) Each license shall at all times be kept conspicuously displayed in the place of business or
250 employment, and vehicle(s) the case may be, of the licensee.

251 (E) Each Journeyman Electrician, Limited Electrician, and Master Electrician shall list his/her license
252 number in each advertisement, estimate, bill, building permit application or contract setting forth
253 the license number and such other information as the Board shall direct by regulation.

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§ 103-11. Inactive Status; Lapse.

(A) Any licensee may surrender their license and be considered “inactive” providing that the licensee pay the yearly renewal fees and takes six (6) hours of continuing education per year. Said licensee may reactivate their license at any time in accordance with this chapter.

(B) If a licensee has changed his/her status to an Electrical Inspector, the license is placed on hold and the annual licensing fee must be paid until such time they deem to reactive it.

(C) Failure to reactive within five years will require such licensee to qualify for a license in accordance with the requirements of this chapter and an appearance before the Board for a review.

(D) Failure to maintain 6 hours of continuing education per year is a basis for having a license revoked or to elect not to renew a license.

§ 103-12. Exemptions from license requirement.

The following persons shall be exempt from the requirement to obtain a license:

(A) Persons engaged solely in selling and attaching ordinary electrical appliances to existing circuits where no joining or splicing of electrical wires is required.

(B) Persons engaged solely in the electrical manufacturing business.

(C) Persons employed by public service companies authorized to do business in the State of New York.

(D) Persons engaged in the transmission of ~~intelligencedata~~ by electricity and in installing, repairing and/or maintaining wires or other fixtures or appliances in connection therewith operating on less than 50 volts.

(E) Homeowners engaged in the installation, maintenance, replacement and improvement of electrical work ~~on and in their property and the title thereto being in the name of such person. Such work must be inspected by an APPROVED QUALIFIED ELECTRICAL INSPECTOR.~~ in their primary unattached, single family residence; provided, however, that “replacement” shall not include replacement of the entire electrical service on such residence, and provided, further, that to the extent a building permit by the applicable municipality is required, such electrical work must be inspected by a certified inspector.

ARTICLE IV, LICENSE APPLICATIONS AND QUALIFICATIONS

§ 103-~~8~~.13. Applications.

Every ~~natural~~ person who requires a license under this chapter and who meets the requirements set forth herein shall apply for such license on the form and in the manner prescribed by the Board.

§ 103-~~9~~.14. Minimum qualifications.

No person shall apply for a license unless, prior to the administration of ~~a written~~ an examination, ~~(if applicable),~~ such person shall have satisfied the minimum qualifications for the specified type of license for which the application is made.

§ 103-~~10~~.15. Qualifications for Electrical Contractor, Master Electrician and Journeyman Electrician License.

(A) The minimum qualifications for a license as an Electrical Contractor are:

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293 1. In the case of a corporation, limited liability company or other legal entity, be registered and in
294 good standing with the Office of the New York Secretary of State; and

295 ~~3-2.~~ Employ at least one (1) Master Electrician ~~are~~ (licensed in accordance with this chapter) and up to
296 as many Master Electricians (licensed in accordance with this chapter) as are reasonably necessary
297 to conduct its business and to ensure appropriate supervision of all work being performed by
298 Journeyman Electricians (also licensed in accordance with this chapter) and any unlicensed
299 electricians (i.e., apprentices) on behalf of said Electrical Contractor.

300 ~~(B) Either~~ The minimum qualifications for a license as a Master Electrician are:

301 1. (a) graduation from an accredited trade school ~~and~~ as an electrician or successful completion
302 of ~~at least a~~ New York State approved apprenticeship program (or other state or federally
303 approved apprenticeship program that is at least equivalent to a New York State approved
304 program) as an electrician and (b) completion of an additional three (3) years of Qualified
305 Work Experience; ~~or~~, certified by applicant's employer(s); or

306 ~~4-2.~~ Completion of at least six (6) years of Qualified Work Experience; ~~and~~, at the expiration of such
307 period, applicant has been certified in writing by a Master Electrician to function as a Master
308 Electrician.

309 ~~A. Certification in writing by the employer or employees of such person of the~~
310 ~~performance of qualified work experience based on regular over-site of the~~
311 ~~employer.~~

312 (C) The minimum qualifications for a license as a Journeyman Electrician are:

313 1. Successful completion of a New York State approved apprenticeship program (or other state
314 or federally approved apprenticeship program that is at least equivalent to a New York State
315 approved program) as an electrician and completion of an additional two (2) years of
316 Qualified Work Experience, certified by applicant's employer(s); or

317 2. Completion of at least five (5) years of Qualified Work Experience, at the expiration of such
318 period, applicant has been certified in writing by a Master Electrician to function as a
319 Journeyman Electrician.

§ 103-~~14~~16. **Qualifications for Limited Electrician License and Special Electrician License.**

321 The minimum qualifications for a license as a Limited Electrician and Special Electrician are:

322 (A) Completion of at least three (3) years of Qualified Work Experience; and

323 (B) Certification in writing by the employer ~~or employers(s)~~ of such person of the performance of the
324 Qualified Work Experience based on regular over-site of the employer.

§ 103-~~12~~17. **Qualified Work Experience.**

326 ~~A. As used in this chapter, "qualified work experience" shall mean work as a~~
327 ~~mechanic and installer of electrical wire, service, parts and equipment performed~~
328 ~~under the supervision of a person licensed under this chapter and otherwise~~
329 ~~legally engaged in such work, and the work performed was reasonably related to~~
330 ~~the scope of work to be performed under the type of license for which application~~
331 ~~is made.~~

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332 (A) ~~A~~One (1) year of Qualified Work Experience shall be credited if such person was employed in a
333 part-time capacity, and the Qualified Work Experience was completed within a period of 24
334 consecutive months.

335 (B) In order to be considered as part of an application, all Qualified Work Experience must be
336 certified in writing by the employer(s) of such person and be based on regular oversight of the
337 employee by said employer(s).

338 **§ 103-~~13.18.~~ Information required.**

339 The application for any license shall request ~~only~~ the following information:

340 (A) Name and home address of applicant-;

341 (B) Business address-;

342 (C) Telephone number-;

343 (D) The last four (4) digits of the ~~applicant's~~applicant's social security number and employer
344 identification number(s)-;

345 (E) Valid photo identification-;

346 (F) A statement of all Qualified Work Experience and education, setting forth names, addresses and
347 descriptions of work performed or degrees attained, and date of employment or attendance-;
348 together with certification of said Qualified Work Experience;

349 (G) A statement of whether the applicant was licensed under any other law, whether such license is
350 currently valid, whether such license was ever suspended, revoked or other action taken and, if so,
351 the disposition thereof-;

352 (H) A statement of whether the applicant was ever convicted of a felony or misdemeanor, and if so,
353 the disposition thereof-;

354 (I) A statement that the Director of Human Resources or his/her designee is authorized to investigate
355 the facts set forth in the application-; and

356 (J) A statement that such application is made under the penalties of perjury. ~~[Amended June 21,~~
357 ~~2007 by L.L. No. 5-2007]~~

358 **§ 103-~~14.19.~~ Filing of application; additional information.**

359 An application shall be deemed filed only when the properly completed application and ~~all~~
360 ~~fees~~application fee are received by the Chairman. Applications must be filed at least two (2) weeks
361 before the date set by the Board for the exam. An applicant may provide such additional information as
362 the applicant deems appropriate, including references from prior employers, customers and teachers.
363 ~~[Amended June 21, 2007 by L.L. No. 5-2007]~~

364 **ARTICLE V, ~~WRITTEN EXAMINATIONS; TYPES~~APPROVAL OR DENIAL OF** 365 **LICENSES; INSURANCE APPLICATION**

366 **§ 103-~~15.20.~~ Examinations; ~~when given.~~**

367 Except as provided in § 103-~~21,~~ ~~the Director of Human Resources or his/her designee shall~~
368 ~~conduct written~~26, examinations shall be required for any applicant under each of the following
369 categories of registration: Master Electrician, Limited Electrician and Special Electrician. An
370 application to take an exam shall be filed with the Chairman. Examinations for each type of license
371 authorized by this chapter. ~~The examination~~ shall be administered within ~~30~~45 days of ~~many~~

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372 approved ~~application but no more than frequently than quarterly applications. An application~~
373 ~~to take an exam shall be filed with the Chairman. The Board may hire an outside testing~~
374 ~~agency to administer and grade the exams. The agency would have to be approved by~~
375 ~~the County. The fee for the exam shall be paid for by the applicant in addition to the~~
376 ~~application fee [Amended June 21, 2007 by L.L. No. 5-2007]~~

377 § 103-~~16.21.~~ Place and time of examinations.

378 All ~~written~~ examinations shall be supervised and administered by either (a) the Director of Human
379 Resources, or his or her designee, at the County Government Center, Monticello, New York, during
380 regular business hours. [Amended June 21, 2007 by L.L. No. 5-2007] or by an outside testing
381 agency approved by the Board to supervise and administer the exams.

382 § 103-~~17.22.~~ Content of examinations.

383 ~~All written~~ The Board shall approve the examinations ~~shall be in standard form~~ and shall test, for
384 each type of license authorized by this chapter, the applicant's:

- 385 (A) Knowledge of the proper application and use of electrical materials, equipment and tools.; and
386 (B) Basic Knowledge of the ~~then current adopted edition of the National~~ Electrical Code.
387 ~~A. Basic knowledge of electricity.~~

388 § 103-~~18.23.~~ Grading of examinations.

389 (A) ~~Each written~~ With respect to any examination ~~shall have prepared~~ administered by the
390 Director of Human Resources, prior to administration, of an examination, the Board shall approve
391 an answer key setting forth the correct answers and, when if applicable, alternative correct
392 solutions. The examination and answers to the examination taken by the applicant
393 shall be available, for review, to the applicant on a date to be determined by the
394 Board, within 20 days after — administration of the examination upon written
395 request without cost. No examination shall be graded solely by a person licensed
396 pursuant to this chapter. If the outside agency administers the exam and grades it,
397 their policies will be followed.

398 (B) Except when an outside testing agency is administering examinations, the Director of Human
399 Resources or his/her designee ~~, or an outside testing agency~~ shall grade the
400 ~~exam~~ examinations and report the results to the Chairman. Exams shall be graded within five (5)
401 business days of date they were taken. ~~[Amended June 21, 2007 by L.L. No. 5- 2007]~~ An
402 applicant will be notified of the result of the examination promptly thereafter.

403 (C) With respect to any examination administered by the Director of Human Resources, upon written
404 request by an applicant within 20 days after of date of notice of examination results, the Board
405 shall make the examination and answers to the examination available to the applicant for review.

406 § 103-~~19.24.~~ Approval or denial of license.

407 Failure to pass the exam or to meet the necessary qualifications as required by §§ 103-~~1015~~ or 103-
408 ~~1116~~ shall be summary grounds for denial of a license under this chapter. ~~Failure of~~ In the event
409 that an applicant fails two (2) exams within one (1) year, the applicant must wait one (1) year from
410 the last date of the second exam before re-applying for a license. In the event an applicant passes
411 the examination and is approved for licensure, the applicant shall pay to the applicable licensing fees
412 before the license shall be issued to the applicant.

Electrical Licensing Law

413 **§ 103-~~20~~25. Denial of licenses; hearings.**

414 If the ~~Director of Human Resources or his/her designee or the outside agency shall~~
415 ~~deny~~Board denies a license to an applicant, the Board shall set forth the reasons for such denial, in
416 writing, and mail the same to the applicant. ~~Failure of the written examination shall be~~
417 ~~grounds for summary denial of a license.~~ Within 20 days after the date of mailing such notice of
418 denial, the applicant may, by written request, seek review of such determination before the Board, to
419 hear the evidence presented by the applicant and may call witnesses. After such hearing before the
420 Board, the Board shall determine whether to sustain the denial or issue the license. The Board may
421 allow oral argument. The Board shall decide the matter within 10 business days after the hearing and
422 notify the applicant of its decision in writing. No application shall be denied on the grounds that the
423 applicant was convicted of a crime, except in accordance with Article 23A of the Corrections Law.
424 ~~[Amended June 21, 2007 by L.L. No. 5-2007]~~

425 **§ 103-~~21~~26. Waiver of examination requirement.**

426 ~~A written~~The Board may waive with the requirement of taking and passing the examination ~~shall be~~
427 ~~dispensed with in the following circumstances:~~

428 ~~A. If a person is performing electrical work for the state, municipalities or school~~
429 ~~districts pursuant with respect to a written contract requiring a performance bond,~~
430 ~~and/or is under architectural or engineering supervision. Such person will be issued a~~
431 ~~one job any applicant for a temporary license for such contracted work.~~

432 ~~B. If a person is performing electrical work pursuant to a written contract in the County of~~
433 ~~Sullivan in any single contract job, and which contract job shall have as its consideration~~
434 ~~for electrical work, a sum of money in the amount of \$250,000 or more. Such person will~~
435 ~~be issued a one job temporary license for such contracted work. This provision shall not~~
436 ~~apply to housing developments.~~

437 ~~C. Where a person is currently licensed by another jurisdiction outside of Sullivan~~
438 ~~County, pursuant to a valid reciprocal licensing agreement pursuant to § 103-24.~~
439 ~~[Amended June 21, 2007 by L.L. No. 5-2007]~~

440 ~~§ 103-22. Permanent licenses.~~

441 ~~Any person who has completed the requirements for any category of license as defined~~
442 ~~herein and has been issued such license.~~

443 ~~§ 103-23. Temporary licenses.~~

444 ~~The Board shall issue a Temporary License for a single job for a period ending~~
445 ~~December 31st, renewable on request for additional one-year periods or until the job shall~~
446 ~~be completed, whichever period is shorter, to an applicant who shall be exempt from~~
447 ~~examination pursuant to § 103-21.~~

448 ~~§ 103-24. Reciprocal licenses.~~

449 ~~A. The Sullivan County Legislature may, by resolution, authorize the County~~
450 ~~Manager to enter into formal reciprocal licensing agreements between Sullivan~~
451 ~~County and individual municipalities or other States. [Amended June 21, 2007 by~~
452 ~~L.L. No. 5-2007]~~

Electrical Licensing Law

453 ~~B. Pursuant to such formalized reciprocal license agreements, the Board shall be~~
454 ~~authorized to Issue reciprocal licenses upon such terms and conditions as are~~
455 ~~applicable to the individual Reciproating municipalities. Said licenses may be~~
456 ~~granted without examination upon application to the Board, and upon payment of~~
457 ~~all applicable fees.~~

458 ~~§ 103-25. License form and term; renewal.~~

459 ~~A. Licenses shall not be assignable or transferable.~~

460 ~~B. The form and content of such license issued shall be prescribed by said Board in such~~
461 ~~manner as to properly identify each licensee.~~

462 ~~C. All permanent licenses must be renewed every January. Such renewal shall include~~
463 ~~proof of insurance (general liability and workers compensation), proof of 6 hours of~~
464 ~~continuing education per calendar year and payment of the fee to the County of~~
465 ~~Sullivan Electrical Licensing Board and directed to the Secretary of the Board.~~

466 ~~(C)(A) Each license shall at all times be kept conspicuously displayed in the place of business or~~
467 ~~employment, and vehicle(s) the case may be, of the licensee.~~

468 ~~D. Each Journeyman Electrician, Limited Electrician, and Master Electrician shall~~
469 ~~list his/her license number in each advertisement, estimate, bill, building permit~~
470 ~~application or contract setting forth the license number and such other~~
471 ~~information as the Board shall direct by regulation.~~

472 ~~§ 103-26. Lapse.~~

473 ~~A. Any licensee may surrender their license providing that the licensee pay the yearly fees~~
474 ~~and takes 6 hours of continuing education per year. Such licensee may reactive their~~
475 ~~license at any time in accordance with this chapter.~~

476 ~~B. If a licensee has changed his/her status to an electrical inspector, the license is placed~~
477 ~~on hold and the yearly fee must be paid until such time they deem to reactive it.~~

478 ~~C. Failure to reactive within five years will require such licensee to qualify for a license in~~
479 ~~accordance with the requirements of this chapter and an appearance to the Board for a~~
480 ~~review.~~

481 ~~D. Failure to maintain 6 hours of continuing education per year is an automatic~~
482 ~~revocation of your license.~~

483 ~~§ 103-27. Licenses; insurance requirements.~~

484 ~~Every person licensed pursuant to this chapter shall maintain appropriate insurance~~
485 ~~issued by an insurance company licensed to do business in the State of New York in a~~
486 ~~single limit of liability of not less than \$500,000 for each act of negligence or other injury to~~
487 ~~persons or property. Each person licensed pursuant to this chapter shall file with the~~
488 ~~Board annually, or upon any change of insurance carrier, a certificate of insurance~~
489 ~~showing the maintenance and existence of such insurance coverage. The failure to~~
490 ~~maintain such insurance policy or file proof of coverage shall be grounds for the~~
491 ~~summary suspension of such person's license under this chapter, which suspension shall~~
492 ~~continue in effect until coverage is obtained or reinstated. The provisions of § 103-28D~~
493 ~~shall apply to a violation of this section of this chapter.~~

Electrical Licensing Law

494 **ARTICLE VI, PENALTIES FOR OFFENSES; ENFORCEMENT**

495 **~~§ 103-28.~~ § 103-27. Civil offenses.**

- 496 (A) No person shall directly or indirectly engage ~~in~~ or work in the business of Electrical Contractor,
497 Journeyman Electrician, Limited Electrician, Master Electrician, or Special Electrician in the
498 County ~~of Sullivan~~ without a valid license, unless such person shall be exempted from licensing
499 as herein provided in § 103-~~712~~.
- 500 (B) No person shall employ or contract with a person who is required to be licensed by this chapter to
501 perform any electrical work in the County of Sullivan unless such employee or contractor shall
502 have a valid license.
- 503 (C) ~~Except as hereinafter provided,~~ No person who is licensed by this chapter and engaged in the
504 business ~~of or work of an Electrical Contractor,~~ Journeyman Electrician, Limited Electrician,
505 Master Electrician, or Special Electrician shall inspect any electrical work in the County of
506 Sullivan, nor shall such person prepare, submit or offer, or attempt to prepare, submit or offer, a
507 certificate of inspection of any electrical work to any governmental authority or any other person
508 who properly requires a certificate of inspection of electrical work upon which certificate of
509 inspection such governmental authority or other person will reasonably rely.
- 510 (D) No licensee shall violate any provision of this chapter or the regulations adopted by the Board.
- 511 (E) No licensee shall violate any local law, ordinance or resolution regulating the installation of
512 electrical service, wiring and apparatus adopted by any municipality in which this chapter shall be
513 effective.
- 514 (F) No licensee shall violate any applicable provisions of the National Electrical Code governing the
515 work being performed ~~and/or the electrical section of the then current adopted New York~~
516 ~~State Uniform Fire Prevention and Building Code.~~
- 517 (G) Any person licensed as a Special Electrician may not work under such license for the public
518 generally.
- 519 (H) Failure to comply with the provisions of this local law shall constitute a violation.

520 **~~§ 103-2928.~~ § 103-2928. Injunctive relief.**

521 A violation of this chapter may be enjoined. The County Attorney may seek an injunction on behalf of
522 the Board in his or her discretion, upon the written request of the Board, in the Supreme Court,
523 Sullivan County.

524 **~~§ 103-3029.~~ § 103-3029. Hearing; penalty.**

- 525 (A) Any person found to have violated any provision of this chapter may be penalized by the Board
526 for violations shown after a hearing by the Board, upon due notice, held upon written charges
527 given to the alleged violator. The alleged violator may call witnesses and be represented by an
528 attorney. If the Board determines that the alleged violator or any supervisor/employee violated any
529 provision of this chapter or of any other applicable law, it may impose a fine not exceeding \$1,000
530 per day.
- 531 (B) In addition, any license issued hereunder may be suspended or revoked or other penalty imposed
532 by the Board for any violation after a hearing by the Board, upon due notice, held upon written
533 charges given to the alleged violator. Furthermore, the Board may, in such case as it may
534 determine, impose a probationary term not to exceed one year, during which the licensee shall
535 perform work and have same inspected upon such conditions as the Board shall deem appropriate.

Electrical Licensing Law

536 **§ 103-30. Violations defined.**

537 As used in this chapter, each day that a violation shall continue shall constitute a separate and distinct
538 violation.

539 ~~**§ 103-31. Violations defined.**~~

540 ~~As used in this chapter, each day that a violation shall continue shall constitute a separate and distinct~~
541 ~~violation.~~

542 **§ 103-31. Conflict of interest.**

543 ~~**§ 103-32. Conflict of interest.**~~

544 No member of the Board who is licensed pursuant to this chapter shall hear any complaint brought
545 before the Board which involves such ~~person~~member.

546 ~~§ 103-33. (RESERVED) [Amended June 21, 2007 by L.L. No. 5-2007]~~

547 **ARTICLE VII, INSURANCE, LIABILITY FOR DAMAGE**

548 **§ 103-32. Insurance.**

549 Each Electrical Contractor, Master Electrician or Journeyman Electrician who is licensed pursuant to
550 this chapter, including any of the foregoing who or which is granted a temporary license, shall maintain
551 appropriate insurance issued by an insurance company licensed to do business in the State of New York
552 in a single limit of liability of not less than \$500,000 for each act of negligence or other injury to
553 persons or property. Each such person licensed pursuant to this chapter shall file with the Board
554 annually, or upon any change of insurance carrier, a certificate of insurance showing the maintenance
555 and existence of such insurance coverage. The failure to maintain such insurance policy or file proof of
556 coverage shall be grounds for the suspension of such person's license under this chapter, which
557 suspension shall continue in effect until coverage is obtained or reinstated.

558 **§ 103-33. Liability for Damage.**

559 (A) All installations of, extensions to and alterations of electrical work within the County shall
560 conform to the Electrical Code and of any other applicable statute, ordinance or building code
561 pertaining thereto and shall also be in conformity with approved standards for safety to life and
562 property. In every case where no specific type or class of material or no specific standards are
563 prescribed by law, conformity with the regulations and requirements contained in the applicable
564 New York State Uniform Fire Prevention and Building Code and the relevant reference standards
565 provided by that code contained in the current National Electrical Code version adopted by New
566 York State shall be prima facie evidence of conformity with approved standards for safety to life
567 and property.

568 (B) Inspections made and the certificates of approval or permits issued by an Electrical Inspector
569 approved by the local municipality having jurisdiction over building permits for such electrical
570 installation in the County shall be deemed by the Board as evidence of proper installations.

571 (C) This chapter shall not be construed to relieve, limit or reduce the responsibility of any person
572 owning, operating, controlling or installing any electrical wiring, devices, appliances or equipment
573 for loss of life or damage to person or property caused by any defect therein, nor shall the County
574 be deemed to have assumed any such liability for a license issued pursuant to this chapter, or for
575 any work performed by such licensees.

Electrical Licensing Law

ARTICLE VIII, COMPLAINTS

§ 103-34. Notice of Complaint; Investigation; Recommendations.

(A) Any complaint alleging a violation of the Electrical Licensing Law shall be sent to:

1. The County Manager.
2. The Board, and
3. The Code Enforcement Officer or Building Inspector of town or village where the alleged violation occurred.

(B) Upon receipt of a complaint, the Chairman is authorized to initiate a preliminary investigation and generate a preliminary report indicating what, if any, further investigation or inquiry is required. The preliminary report shall be shared with the entire Board. If the Board determines that no further investigation is necessary, then the preliminary report shall be deemed a final report and a copy of the report shall be sent to the Code Enforcement Officer/Building Inspector of jurisdiction. If the Board determines that the preliminary report indicates that further investigation or inquiry is necessary, the Chairman shall be authorized to hire an Investigator to conduct a more thorough investigation. Said Investigator shall report its findings directly to the Board and the Code Enforcement Officer or Building Inspector of the town or village where the alleged violation occurred.

(C) Upon review of the Investigator's findings and all other information available to him/her the County Manager or designee and the Board shall recommend further action, including a hearing under this chapter and a method of remediation.

(D) Upon completion of remediation, a final report shall be issued to the Board.

(E) The County Manager or designee, shall send the final report to the Board and any official(s), agency(s) or authority(s) that they deem appropriate. The County Manager or designee is authorized to request that the appropriate official commence an enforcement action, including but not limited to a legal proceeding.

ARTICLE IX, COURT REVIEW

§ 103-~~34~~35. Review of action of Board.

Any action of the Board may be reviewed by any person aggrieved thereby in the Supreme Court, Sullivan County, by a proceeding instituted under the provisions of Article 78 of the Civil Practice Law and Rules within 90 days of the ~~action~~ sought to be reviewed.

ARTICLE ~~VIII~~X, MISCELLANEOUS PROVISIONS

§ 103-~~35~~36. Disposition of moneys derived from chapter.

All fees, fines and penalties imposed in accordance with this chapter shall be paid directly to the Sullivan County Treasurer.

§ 103-~~36~~. Liability for damages.

~~This chapter shall not be construed to relieve, limit or reduce the responsibility of any person owning, operating, controlling or installing any electrical wiring, devices, appliances or equipment for loss of life or damage to person or property caused by any defect therein, nor shall the County of Sullivan be deemed to have assumed any such liability for a license issued pursuant to this chapter, or for any work performed by such licensees.~~

Electrical Licensing Law

617 ~~§ 103-37. Geographic scope.~~

618 This chapter shall have no effect in any town or village in the County of Sullivan which shall have
619 heretofore or shall hereinafter enact any local laws or ordinances regulating the licensing of Electrical
620 Contractors, Journeyman Electricians, Limited Electricians, Master Electricians, and Special
621 Electricians.

622 § 103- 38. Title.

623 This chapter may be referred to and cited as the "Electrical Licensing Law". ~~[Amended June 21,~~
624 ~~2007 by L.L. No. 5-2007]~~

625 ~~§ 103-39. Enforcement~~

626 ~~If there are any violations or alleged violations of any portion of this Electrical~~
627 ~~Licensing Law by any person or entity The County Manager, or designee will be responsible~~
628 ~~for enforcement as follows:~~

629 ~~A. All complaints alleging a violation of the Electrical Licensing Law, in whatever~~
630 ~~manner~~

631 ~~— they are received, shall be sent to:~~

632 ~~— 1) The County Manager or designee;~~

633 ~~2) Code Enforcement Officer/Building Inspector of jurisdiction;~~

634 ~~3) and the Board~~

635 ~~B. Upon receipt of a complaint the County Manager, designee or the Board shall initiate an~~
636 ~~investigation and generate a preliminary report indicating what, if any, further~~
637 ~~investigation or inquiry is required. If the County Manager or designee determines that~~
638 ~~no further investigation is necessary, then the preliminary report shall be deemed a final~~
639 ~~report and a copy of the report shall be sent to the Code Enforcement~~
640 ~~Officer/Building Inspector of jurisdiction.~~

641 ~~C. If the preliminary report indicates that further investigation or inquiry is~~
642 ~~necessary, the County Manager or designee shall be authorized to hire investigators he/she~~
643 ~~deems appropriate. Said investigators shall report their findings directly to the County~~
644 ~~Manager or designee, the Board and the Code Enforcement Officer/Building Inspector of~~
645 ~~jurisdiction.~~

646 ~~D. Upon review of the investigator's findings and all other information available to~~
647 ~~him/her the County Manager or designee and the Board shall recommend a method of~~
648 ~~remediation.~~

649 ~~E. Upon completion of remediation a final report shall be issued to the Board.~~

650 ~~F. The County Manager or designee, shall send the final report to the Board and any official(s),~~
651 ~~agency(s) or authority(s) that they deem appropriate.~~

652

Electrical Licensing Law

653 ~~The County Manager or designee is authorized to request that the appropriate official~~
654 ~~commence an enforcement action, including but not limited to a legal proceeding.~~
655 ~~[Amended June 21, 2007 by L.L. No. 5-2007]~~

656 Effective Date: _____

657 This Local Law shall be effective upon filing with the Secretary of State. ~~[Amended June 21, 2007 by~~
658 ~~L.L. No. 5-2007]~~

659 Dated: August 25, 2014 _____

AnnMarie

660 Martin

Clerk to Legislature

662
663 ENACTED BY THE FOLLOWING VOTE:

664 Ayes _____ ; Noes _____

665
666
667 Filed with the Secretary of State: _____, 2017

668 Effective: _____, 2017

669
670 STATE OF NEW YORK

671 COUNTY OF SULLIVAN

672 OFFICE OF THE CLERK OF

673 THE COUNTY LEGISLATURE

674
675 THIS IS TO CERTIFY THAT I, AnnMarie Martin, Clerk of the County Legislature of said
676 County of Sullivan, have compared the foregoing copy of Local Law with the original thereof now on file
677 in my office and which was passed by the County Legislature of said County of Sullivan on the _____
678 day of _____ 2017, _____ votes being in favor of said Local Law and _____ being against the same,
679 and that the same is a correct and true transcript of such original Local Law and the whole thereof.

680
681 In Witness Whereof, I have hereunto set my hand and the official seal of said County Legislature
682 this _____ day of _____ 2017.

683
684 _____

685 _____

686 Clerk of the County Legislature of the County of Sullivan

687
688

Electrical Licensing Law

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