

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ADOPTING THE **NATIONAL ELECTRICAL SAFETY CODE, 2023 EDITION** AS MODIFIED; PROVIDING PENALTIES FOR VIOLATIONS; SETTING FEES; AND REPEALING RESOLUTION 46-20 AND ANY OTHER PREVIOUS RESOLUTIONS PERTAINING TO THE ADOPTION OF THE NATIONAL ELECTRIC SAFETY CODE AND ANY PORTION OF A RESOLUTION IN CONFLICT WITH THIS RESOLUTION.

WHEREAS, pursuant to Wyoming Statutes §§ 18-5-201, et seq. and 35-9-101 through 35-9-121.1, the Natrona County Board or County Commissioners ("BOCC") has authority to enact regulations to promote the public health, safety morals, and general welfare of the county; and

WHEREAS, the BOCC wants to enact regulations for the practical safeguarding of persons and utility facilities during the installation, operation, and maintenance of electric supply and communication facilities within Natrona County; and

WHEREAS, the National Electrical Safety Code. 2023 edition (the "NESC") covers basic provisions for safeguarding of persons from hazards arising from the installation, operation, or maintenance of (1) conductors and equipment In eclectic supply stations and (2) overhead and underground electric supply and communication lines; and

WHEREAS, the NESC includes work rules for the construction, maintenance, and operation of electric supply and communication lines and equipment; and

WHEREAS, the NESC applies to the systems and equipment operated by utilities or similar systems and equipment of industrial establishment or complex under the control of qualified persons; and

WHEREFORE, the BOCC resolves as follows:

**Section 1. Title.**

The title for the code adopted by this Resolution is "2023 Electrical Safety Code of Natrona County" and, herein, also may be referred to as "this Code".

**Section 2. National Electrical Safety Code, 2023 Edition.**

The BOCC adopts the National Electrical Safety Code. 2023 edition produced by the Institute of Electrical and Electronic Engineers, Inc. as modified herein. If a modification conflicts with a provision of the NESC, the modification controls.

**Section 3. Modifications.**

NESC is modified by adding, deleting, and/or otherwise amending the respective chapter, article, section, or subsection as follows.

- a. **NESC Section 2:** Definitions of Special Terms is amended by adding the following definitions:

Electric Work. Installation, operation, and maintenance of electric supply equipment electric supply stations, and lines.

Unsafe Electric Supply Equipment. Electric Supply Equipment which due to improper installation, inadequate maintenance, damage, obsolescence, and/or abandonment endangers the health, safety, and/or welfare of a person(s).

Unsafe Electric Supply Station. Electric Supply Station which due to improper construction, inadequate maintenance, damage, obsolescence, and/or abandonment endangers the health, safety, and/or welfare of a person(s),

Unsafe Line. Line which due to improper installation, inadequate maintenance, damage, obsolescence, and/or abandonment endangers the health, safety, and/or welfare of a person(s).

- b. **NESC Section 4:** Administration, is created by adding the following Rules:

## **Rule 041. Administration**

**041.1. Electrical Work Permit.** Prior to performing Electrical Work, except as otherwise provided in this Code, an Electrical Work Permit ("Permit") must be obtained from the Natrona County Development Department ("Department"). If Electrical Work is performed without obtaining a Permit, Owner of the property must pay twice the amount of the initial permit fee to obtain a permit.

(A) **Permit Application.** To apply for a Permit, the following must be submitted to the Development Department;

- 1) a completed Permit application and
- 2) the Permit fee.

(B) **Plans and Specifications.** Plans and/or Specifications sufficient for the Electrical Work must be submitted. Professionally designed Plans must be signed by a Wyoming licensed electrical engineer.

(C) **Permit Limitations.**

- 1) After a Permit is issued, if Electrical Work covered by the Permit has not commenced within 180 days of the issue date, the Permit is void unless Inspector grants an extension. The Permit holder must request such an extension in writing submitted to the Development Department within 30 days of the expiration of the initial Permit.

After a Permit is issued, the permitted Electrical Work must not change unless Building Official approves a change

(D) **Routine Maintenance.** A Permit is not required for an Owner to perform routine maintenance to keep Electrical Wiring on her/his property in a condition such that Electrical Wiring may continue to be utilized at its original or designated capacity and efficiency.

(E) **Permit Fees.** "Resolution 45-20 provides the Permit Fee Schedule and Tables.

- 1) A Permit fee includes:
  - (a) the application fee;
  - (b) ancillary fee(s); and
  - (c) Electrical Work value based fee(s).
- 2) Inspector determines Electrical Work value by; (a) using Electrical Work amount from a bid or contract for Electrical Work or (b) using their best judgement to estimate the value of the Electrical Work. Tools may include valuations per square foot of construction or valuations based on task assessments.

**041.2. License Required.** Each person performing Electrical Work must have a current license appropriate for Electrical Work he/she will perform unless otherwise exempt.

(A) **Exemptions.** An entity is not required to have any type of electrical license to perform Electrical Work itself on the following types of property owned by the entity; (a) oilfield operation, railroad, petroleum refinery, mine, and appurtenant facility; (b) gas, electric and communication facility functioning as a public utility and (c) cable television, radio station, television station, and other media services.

- 1) Not Included. Exemptions do not include;
  - (a) Electrical Work for the entity's business office or structure provided for rest and/or recreation or
  - (b) A contractor or subcontractor performing Electrical Work that would be exempt if performed by the entity itself.

2) **Permit Not Required.** An entity is not required to obtain a Permit to perform exempted Electrical Work. However, an entity is required to otherwise comply with this Code.

041.3. Inspector. The Natrona County Electrical Inspector and her/his designee(s) ("Inspector") are authorized to interpret administer and enforce this Code.

(A) Qualifications. Inspector must be a competent electrician, Master Electrician preferred, or hold an Electrical Journeyman certification and obtain inspector certification from International Code Council or another competent authority, or a combination of the above. Inspector must not engage in Electrical Work nor have any financial interest in any entity that engages in Electrical Work in Natrona County.

(B) Appointment and Supervision. Department Building Official appoints and supervises Inspector.

(C) Authority.

- 1) Inspector may establish procedures and propose policies and rules to assist administering and enforcing this Code.
- 2) Inspector may inspect Electrical Work for compliance with applicable law, resolutions, and other codes; fire prevention; and prevention of injury to persons and property.
- 3) Inspector may reasonably enter property (a) to inspect Electrical Wiring and Electrical Work, (b) to enforce this Code, and (c) when he/she has reasonable cause to believe that Unsafe Electrical Wiring is on the property.

~~Inspector may issue Permits.~~

- 4) Inspector may suspend or revoke a permit if (a) the Permit was issued in error, (b) the permit application contained incomplete and/or incorrect information, (c) Electrical Work is being performed in an unsafe manner, and/or (d) Electrical Work is creating Unsafe Electrical Wiring.
- 5) If strict compliance with this Resolution is not feasible due to unique circumstances not caused by Electrical Contractor's own action, Inspector may allow Electrical Contractor to modify a portion of Electrical work as long as the modification comports with the public health, safety, morals, and general welfare requirements of this Resolution. If Inspector allows a modification, he/she must document the modification and reason(s) for the modification and retain the documentation in Department files.
- 6) In case of emergency, to mitigate danger to life and/or property and/or to prevent interference with emergency operations, Inspector may direct the entity providing electrical current to stop providing electrical current to the property, and the entity must promptly comply.
- 7) Inspector may declare that a property has Unsafe Electrical Wiring and is a Public Nuisance, if after notice, the Unsafe Electrical Wiring is not promptly abated, Inspector may direct the entity providing electrical current to stop providing electrical current to the property and the entity must promptly comply.
- 8) Inspector may declare that a property has defective Electrical Wiring. If after notice, the defective Electrical Wiring is not promptly abated, Inspector may direct the entity providing electrical current to stop providing electrical current to the property, and the entity must promptly comply.

(D) Duties.

- 1) Inspector must inspect Electrical Wiring In accordance with this Code.
  - (a) Within 48 hours of receiving a request to inspect Electrical Work or as soon thereafter as is feasible, Inspector will inspect Electrical Work.
  - (b) Within 24 hours of identifying interference or as soon thereafter as is feasible, Inspector will notify the permit holder if Electrical Wiring is in a position that will interfere with completion of a structure according to the building plans.
  - (c) After inspecting Electrical Work, Inspector will leave a notice in a prominent location on the property which clearly states whether Electrical Work passed or failed inspection.
  - (d) If Electrical Work fails inspection, within 24 hours of completing the inspection, or as soon thereafter as is feasible, Inspector will notify the permit holder (and lessee or occupant when applicable) and identify Electrical Work that failed inspection and the reason why it failed.
- 2) Within 24 hours of
  - (a) Electrical Work covered by a Permit being complete and compliant with this Code and
  - (b) Related non-Electrical Work being complete and compliant with the applicable code(s), or as soon thereafter as is feasible, Inspector must issue a Certificate of Approval.

041.4. Entity Providing Electrical Current.

- (A) Electrical current must not be provided unless Inspector has issued a Certificate of Approval for the Electrical Work.
- (B) Electrical current must not be provided to a property if the electrical current to the property or any structure on the property was terminated until Inspector gives written notice that it is permissible to resume providing electrical current to the property.
- (C) If directed by Inspector, an entity providing electrical current to a property must promptly stop providing electrical current to the property. Electrical current must not be provided to the property until Inspector gives notice that it is permissible to resume providing electrical current to the property.
- (D) After being notified of a fire or other emergency, an entity providing electrical current must promptly manage its electrical current facilities to protect the public and property.

041.5. Inspection.

- (A) A permit holder must promptly request an inspection of Electrical Wiring covered in a Permit after Electrical Wiring is complete.
- (B) Owner, lessee or occupant may request an inspection of Electrical Wiring on her/his owned, leased, or occupied property.

041.6. Application of this Code.

- (A) Electrical Wiring in a new installation must comply with this Code.
- (B) Electrical Wiring in an installation being remodeled to change its use and/or occupancy must comply with this Code for the new use and/or occupancy.
- (C) Electrical Wiring in a new or remodeled installation must not be concealed prior to Inspector approving Electrical Wiring.

(D) Electrical Wiring in an existing installation which is not defective or Unsafe Electrical Wiring and which was compliant with the electrical code in place at the time it was installed does not have to be changed to comply with this Code.

041.7. Calculating Time. Saturdays, Sundays, and official holidays are not included in calculating time.

041.8. Means of Appeal. An entity with standing may appeal an order or decision by Inspector regarding Inspector's application and/or interpretation of this Code. Such entity ("Applicant") must submit to the Development Department a written appeal within ten days of the date of the order or decision Appellant is appealing. The appeal must include the Code section(s) at issue and the relief Appellant requests. An appeal is governed by Natrona County Resolution No. 84-03, Establishment of and Rules of Practice for the Natrona County Development Board of Appeals, as amended.

041.9. Public Nuisance. Unsafe Electrical Wiring is a public nuisance. If inspector notifies Owner that there is Unsafe Electrical Wiring on Owner's property, such public nuisance must be abated by repairing, replacing, and/or removing the public nuisance. A Dangerous Building can be caused by Unsafe Electrical Wiring. Resolution 89-03 adopted the Uniform code for the Abatement of Dangerous Buildings.

041.10. Violation. Any entity violating any provision of this Code is guilty of a misdemeanor. Each and every day or portion thereof during which a violation of any provision of this Code is committed, continued, or permitted constitutes a separate offense. Upon conviction such entity may be punished by a fine of not more than \$750.00 for each offense and/or revocation of her/his license(s) defined in this Code.

**Section 5: Repealer.**

Resolution No. 46-20 and all other previous resolutions pertaining to the adoption of the National Electrical Safety Code and any portion of a resolution in conflict with this resolution are repealed.

**Section 6. Savings Clause.**

If any portion of this Resolution is determined by a court with jurisdiction to be invalid or otherwise unenforceable, the remainder of this Resolution shall remain in effect.

**Section 7. Effective Date.**

This Resolution becomes effective on and continues from the date it is filed with the County Clerk.

**THEREFORE, THE BOARD OF COUNTY COMMISSIONERS RESOLVES THE NATIONAL ELECTRIC SAFETY CODE, 2023 EDITION AS MODIFIED IS APPROVED.**

APPROVED: \_\_\_\_\_.

**NATRONA COUNTY  
BOARD OF COUNTY  
COMMISSIONERS**

\_\_\_\_\_  
Chair

ATTEST:

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Tracy Good, County Clerk

APPROVED AS TO FORM

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Natrona County Attorney's Office

For Review