

## Chapter 87 Electrical Standards

### § 87-1. **Title.**

This chapter shall be known and may be cited as the "Electrical Code."

### § 87-1.1. **Definitions.** [Added 1-6-2003]

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

**ELECTRIC FENCE** -- Any fencing or barrier capable of delivering an electric shock to any person or animal coming into contact therewith, but does not include fences erected for enclosing pastures, crops or livestock and does not include underground invisible fencing which controls animals by use of a receiver collar worn by animals.

### § 87-2. **Adoption of standards by reference.** [Amended 11-18-1999; 3-4-2002; 2-6-06]

- A. Reference is herewith made to the 2005 Edition of the National Electrical Code, NFPA 70, as published by the National Fire Protection Association, as amended, to become effective April 1, 2006, and said code is hereby adopted and made a part hereof as if fully set out in this chapter, with the additions, insertions, deletions and changes as found herein. Statutory authority to adopt this code is granted by Title 30-A, M.R.S.A., § 4171 and shall cover original installations, alterations and additions, both residential and commercial and shall be in effect for the entire City of Saco. At least seven days prior to the public hearing, the purpose of which is to consider changes to this chapter, notice shall be given by regular mail, electronic mail or facsimile to all electricians who have obtained an electrical permit within the six month period preceding the public hearing date.
- B. Additions, insertions and changes. The following are hereby revised as follows:
  - (1) **Illumination.** All locations containing electrical panels, and switchgear shall have a lighting outlet provided at or near such equipment. Where the main occupancy of the building in which the equipment is located is required by the building code to provide emergency lighting, all locations containing electrical panels, and switch gear shall also be provided with emergency lighting.
  - (2) **Adoption of utility requirements.** The Authority having jurisdiction may, at the request of the electrical utility company, enforce the requirements as found in the Handbook of Standard Requirements for Electric Service and Meter Installations published by Central Maine Power, effective August 15, 2002, and as amended.

(3) Mounting hardware used for grounding. Grounding of all electrical equipment shall not rely on mounting hardware to achieve proper grounding of said equipment.

(4) Exception to the arc-fault protection requirements. Arc-fault protection, as required in the body of this code, is hereby amended to apply only to receptacles. Ceiling fixtures, at the electrician's discretion, may be arc-fault protected. Smoke detectors shall not be arc-fault protected.

(5) Removal of old wiring required. All readily accessible cable that is not properly capped and terminated and labeled for future use shall be removed.

(6) Protection of receptacles. Any area within a commercial occupancy designated for day care or nursery school use shall utilize spring-type guards on all outlets in that space.

(7) Electric fence requirements. Any person proposing to erect an electric fence within the City of Saco shall first obtain a permit in accordance with other provisions of this code. The Electrical Inspector, prior to issuance of a permit to install an electric fence, shall notify the Police and Fire Departments of Saco of the location of the proposed installation. Acknowledgement of the notification from both the Fire and Police Departments shall be given before any permit to install electrified fences is granted. Failure to comply with any of the design standards found in the manufacturers' installation instructions shall be a basis for denial of a permit application.

Exemption: Any electric fence used in association with an agricultural use shall be exempted from this sub-section.

(7 a) Electric fence design standards. Where an electric fence is within 100 feet of a public or private road as defined by the Saco Zoning Ordinance, it shall be posted with signs every 75 feet along the fence line facing toward the road. The signs shall state "Warning, Electric Fence, Keep Back." All warning signs shall be legible from a distance of at least 10 feet away from the electric fence. Any fence that is electrified shall not contain more than 7,000 volts and no more than nine milliamps. All fence-charging equipment shall be listed by a recognized testing agency such as Underwriters Laboratories. All persons proposing to install electric fences shall provide plans in sufficient detail to determine compliance with these standards. All electric fences shall be pulse type systems. The point of electrical supply for the fence shall comply with all applicable standards of the main body of the National Electric Code.

(8) Smoke & Heat Detectors. In addition to smoke detectors required elsewhere in this code, a smoke or heat detector shall be installed in any new attached residential garage. Installation, including wiring and power sources

for all smoke and heat detectors shall be in accordance with the provisions of the NFPA Standard 72, Chapter 11.

**§ 87-3. Supervising official.**

The Electrical Inspector who must be licensed by the State of Maine as a Master Electrician is herewith designated as the City official to supervise and enforce this chapter. The Electrical Inspector will be under the direction of the Building Inspector, who will act as his/her immediate supervisor.

**§ 87-4. Appeals.**

- A. Any person aggrieved by the decision of the Electrical Inspector with regard to the enforcement of the Electrical Code may take an appeal to the Mayor and City Council.
- B. An appeal may be taken within 30 days from the date of the decision appealed by filing with the City Council, through its Clerk, a notice of appeal specifying the grounds thereof, except that in the case of a building or structure which, in the opinion of the Electrical Inspector, is unsafe, dangerous and a threat to life safety, the Electrical Inspector may, in his/her order, limit the time for such an appeal to seven days. The Electrical Inspector shall forthwith transmit to the Mayor and City Council all the papers upon which the action appealed from was taken.

**§ 87-5. Violations and penalties.**

The following provisions shall apply to violations of the laws and ordinances set forth in this chapter, and all monetary penalties shall be civil penalties.

- A. The minimum penalty for starting construction or undertaking a land use activity without a required permit shall be \$100, and the maximum penalty shall be \$2,500.
- B. The minimum penalty for a specific violation shall be \$100, and the maximum penalty shall be \$2,500.
- C. The violator may be ordered to correct or abate the violations. Where the court finds that the violation was willful, the violator shall be ordered to correct or abate the violation, unless the abatement or correction will:
  - (1) Result in a threat or hazard to public health or safety;
  - (2) Result in substantial environmental damage; or
  - (3) Result in substantial injustice.
- D. If the City of Saco is the prevailing party, it shall be awarded reasonable attorney fees, expert witness fees and costs, unless the court finds that special circumstances make the award of these fees and costs unjust. If the defendant is the prevailing party, the defendant may be awarded reasonable attorney fees, expert witness fees and costs, as provided by court rule.

E. The maximum penalty may exceed \$2,500 but shall not exceed \$25,000 when it can be shown that there has been a previous conviction of the same party, within the past two years, of the same law or ordinance.

F. All proceedings arising under the provisions of locally administered laws and ordinances shall be brought in the name of the City of Saco, and fines shall be paid to the City of Saco.

§ 87-6. **Electrical Permits & Fee Schedule.** EN [Amended 4-7-1997; 12-4-2000; 2-6-06]

A. Electrical Permits shall be administered as provided for in Annex G, Section 80.19 (A) through (C) of the 2005 National Electric Code. The City Council shall determine fees