

CHAPTER 126

LICENSING OF ELECTRICAL CONTRACTORS

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126.01 PURPOSE AND SCOPE. The purpose of this chapter is to provide for the examination and licensing of electrical contractors and for the issuance of permits in order to protect the public safety, health and welfare.

126.02 DEFINITIONS. For use in this chapter, the following terms are defined:

1. “Electrical contracting” means undertaking or offering to undertake the planning or supervision of electrical work.
2. “Electrical contractor” means any person who has the necessary qualifications, training, experience and technical knowledge to plan or supervise electrical work.
3. “Electrical equipment” means all electrical materials, wiring, conductors, fittings, devices, appliances, fixtures, signs and apparatus or parts thereof.
4. “Electrical work” means all installations, alterations, repairs, removals, renewals, replacements, disturbances, connections, disconnections and maintenance of all electrical equipment.
5. “Licensed” means licensed under this chapter unless otherwise specified.

126.03 LICENSE REQUIRED. No person shall engage in electrical contracting within the City unless such person has obtained from the City or the State of Iowa an electrical contractor’s license. No person shall engage in doing electrical work unless licensed in accordance with Section 103 of the Iowa Code. The license fees for those electricians licensed by the City shall be established by resolution of the Council.
(Ord. 16-168 – Aug. 16 Supp.)

126.04 ISSUANCE OF PERMITS. Permits to do electrical work as required by the Electrical Code of the City (Chapter 157 of this Code of Ordinances) shall be issued only to electrical contractors licensed by the State of Iowa or the City of Creston. However, any permit required by the Electrical Code may be issued to the

owner of a single-family dwelling used exclusively for living purposes, to do any work regulated by the Electrical Code in that dwelling, including the usual accessory buildings located on the same lot as the dwelling, provided that the dwelling will be occupied by the owner, that the owner appears before the City Building Inspector and shows competency to do the specific work for which the owner desires a permit, and that the owner personally shall purchase all materials and perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of the Electrical Code and shall be inspected like other work.

126.05 EXPIRATION DATES. All City issued licenses shall expire on June 30 and shall be renewed annually upon application of the licensee and payment of the license fee to the Clerk. Any license not renewed prior to July 31 shall expire on July 31 and may not be renewed by the City.

126.06 ACCOUNTING FOR FEES. License fees shall be turned over to the City Clerk not later than the tenth day of the month following the month in which they were received, with a written report of the amounts and sources of the fees. The resulting fund shall be used to pay the costs of issuance of licenses and enforcement of this chapter.

126.07 INSURANCE OR BOND. Any person who has been issued a license by the City of Creston as an electrical contractor shall execute and deposit with the Clerk a bond in the sum of \$100,000.00 or insurance certificate with sureties approved by the Clerk and Mayor. This bond or insurance is to be held as surety that the licensee will fulfill these conditions:

1. All electrical work performed by the licensee or under his or her supervision shall be performed in accordance with the provisions of the Electrical Code of the City.
2. He or she will pay all fines and penalties imposed upon the contractor for violation of this chapter or the Electrical Code.
3. The City shall be held free from any liability sustained by reason of the negligence or incompetence of such electrical contractor or other person working under his or her supervision.

126.08 REVOCATION OF LICENSE. After notice and hearing, the Council may revoke any license issued by the City under this chapter for the following reasons:

1. **Fraudulent Statements.** The licensee has made fraudulent statements in the application for the license or in the conduct of the business.

2. Violation of Law. The licensee has violated this chapter or the Electrical Code or has otherwise conducted the business in an unlawful manner.
3. Endangered Public Welfare, Health or Safety. The licensee has conducted the business in such manner as to endanger the public welfare or safety.

126.09 NOTICE. The Clerk shall send a notice to the licensee at the licensee's local address or hand deliver the notice not less than ten (10) days before the date set for a hearing on the possible revocation of a license. Such notice shall contain particulars of the complaints against the licensee, the ordinance provisions or State statutes allegedly violated, and the date, time and place for hearing on the matter.

126.10 HEARING. The Council shall conduct a hearing at which both the licensee and any complainants shall be present to determine the truth of the facts alleged in the complaint and notice. The licensee shall have the right to be represented by counsel, to testify and present witnesses in his or her own behalf, and to cross-examine adverse witnesses. Should the licensee, or authorized representative, fail to appear without good cause, the Council may proceed to a determination of the complaint.

126.11 RECORD AND DETERMINATION. The Council shall make and record findings of fact and conclusions of law, and shall revoke a license only when upon review of the entire record the Council finds clear and convincing evidence of substantial violation of this chapter or State law.

126.12 EFFECT OF REVOCATION. Revocation of any license issued by the City shall bar the licensee from being eligible for any license renewal by the City.

126.13 SUMMARY SUSPENSION. If the Council finds that the public health or safety requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending suspension or revocation proceedings under this chapter. Immediately upon issuance of an order of summary suspension, the Council shall institute proceedings pursuant to Sections 126.09 and 126.10.

126.14 TRANSFER OF LICENSE. It is unlawful for any license holder to transfer his or her license or to allow it to be used, directly or indirectly, by any other person.

(Ch. 126 – Ord. 13-144 – Jan. 13 Supp.)