

Local Law Number 8 Of 2021

County of Ulster

A Local Law Amending Local Law No. 3 of 2019, A Local Law Establishing the Ulster County Electrical Licensing Board And Providing For the Qualifications, Examination, Licensing And Regulation Of Electricians In Ulster County, New York

BE IT ENACTED, by the Legislature of the County of Ulster, New York, as follows:

SECTION 1. Section 3 of Local Law No. 3 of 2019 (codified as Section 185-3 of the Code of Ulster County) is hereby amended as follows:

For the purposes of this chapter, the following terms shall have the following meanings:

BOARD

The Ulster County Electrical Licensing Board established by this chapter.

CHAIRPERSON

The Chairperson of the Ulster County Electrical Licensing Board.

COMMISSIONER

The Commissioner of the Department of Public Works of the County of Ulster.

COUNTY EXECUTIVE

The County Executive of the County of Ulster.

COUNTY LEGISLATURE

The County Legislature of the County of Ulster.

ELECTRICAL CONTRACTOR

Includes any person, partnership, limited partnership, limited-liability company, or corporation which engages in or carries on the business of installing, erecting, altering or repairing, for the public at large, 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 under the supervision of a master electrician.

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ELECTRICAL WORK

The installation, erection, alteration or repair of electrical wiring, apparatus, fixtures, devices or other equipment used or to be used for the transmission of electricity for electric light, heat, cooling, power (including solar), signaling, communication, alarm or data transmission.

HANDS-ON EXPERIENCE

Working with tools in the installation, alteration and repair of wiring and appliances for light, heat, power and signaling purposes in or on buildings, which work shall have been done in compliance with the National Electrical Code. Hands-on experience shall not include time spent in supervising, engaging in the practice of engineering, estimating and performing other managerial tasks.

HOMEOWNER

Any person who owns land in Ulster County upon which there is an existing, unattached, single-family home used as such person(s), primary residence and/or where there may also be nonresidential buildings used solely for the private use of such person and the title thereto being the name of such person, and/or his or her spouse, individually or jointly.

JOURNEYMAN ELECTRICIAN

An electrician who has successfully completed a formal electrical apprenticeship program which has been registered and approved by the New York State Department of Labor; another state of the United States of America; or the Bureau of Apprenticeship Training of the United States Department of Labor.

MASTER ELECTRICIAN

A person who has met all the requirements of the Electrical Licensing Board including a passing grade on the master electrician exam.

PERSON

An individual, firm, partnership, corporation or other legal entity, whether or not organized for profit.

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PROVISIONAL ELECTRICIAN LICENSE

An electrical license issued to an applicant who qualifies as per the specifications set forth in § 185-17 of this chapter.

SHELVE

The voluntary placement by a person of his/her County of Ulster master electrician license in an inactive status. A person with a shelved license shall be unlicensed. This person shall not maintain, conduct, operate, advertise, engage in or transact a business as a master electrician in the County of Ulster.

VIOLATION

An offense, as defined under Article 10 of the New York State Penal Law, punishable by a fine of up to \$1,000 and/or a sentence to a term of imprisonment not to exceed 15 days.

SECTION 2. Section 7 of Local Law No. 3 of 2019 (codified as Section 185-7 of the Code of Ulster County) is hereby amended as follows:

A. Every person seeking a Master Electrician's License in Ulster County shall make application, along with the required fee, to the Board in the form and manner prescribed by this Local Law and any rules and regulations of the Board.

B. No person shall apply for a license unless, prior to the administration of a written examination, such person satisfies the qualifications set forth herein for that license.

SECTION 3. Section 8 of Local Law No. 3 of 2019 (codified as Section 185-8 of the Code of Ulster County) is hereby amended as follows:

A. The Board may issue and renew a Master Electrician's License. Such license shall permit the licensee to engage in the business of an electrical contractor who is an owner, officer or partner of an electrical contracting business within the County of Ulster for the period of one year from the date it was issued. A Master Electrician

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will only be entitled to possess one (1) valid Master Electrician's License pursuant to this Local Law for any given year.

B. The license fee for a Master Electrician's License shall be as follows:

- i. Residents of Ulster County - one hundred fifty (\$150) dollars - for persons who
 - (a) have passed the examination, or
 - (b) are entitled to a temporary license under Section 17 or
 - (c) can be issued a license under Section 16 (Grandfather Clause);
- ii. Residents of New York State - seven hundred and fifty (\$750) dollars;
- iii. Non-residents of New York State - one thousand five hundred (\$1,500) dollars.

C. Each application shall be accompanied by a non-refundable check or money order representing the fee as determined by the Board for administration of the examination.

D. Renewal. All licenses issued under this Local Law must be renewed annually on or before the expiration thereof for the period of one (1) year upon payment of the applicable annual fee set forth below:

- (i) Master Electrician's License: seventy-five (\$75) dollars for residents of New York State; and
- (ii) Master Electrician's License for nonresidents of New York State: three hundred and fifty (\$350) dollars.

E. Each application for renewal of a license must also be accompanied by proof that the individual has successfully completed a refresher course within the last twelve (12) months on changes to the New York State Uniform Fire Prevention and Building Code and the current National Electrical Code version adopted by New York State.

F. Licensed master electricians who are not actively engaged in the business of master electrician may shelve such a license for a fee of \$50 per year.

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G. Licensees may retire their licenses by notifying the Board of their retirement in such form and in such manner as shall be set forth in the Board's rules and regulations. No licensee who has notified the Board of his or her retirement shall be eligible for a renewal license.

H. Unless retired, the failure of a licensee to renew such license after fifteen (15) days of the expiration date shall result in a penalty of fifty (\$50) dollars. If renewal is not received within thirty (30) days from the expiration date, it shall result in revocation of the license unless, upon good cause shown, an additional thirty-day extension is granted by the Board.

I. Each Master Electrician duly licensed under this local law shall list his or her license number in each advertisement, estimate, bill or contract and post such license number at each job and prominently display it on the electrical-license decal issued by the Board on each vehicle while in the course of said licensee's trade or business. One decal shall be provided free of charge upon the issuance of a license hereunder. A fee of ten dollars (\$10) shall be charged for each additional decal needed to comply with the provisions contained herein. Said decals shall include the words "Ulster County" and "electric" or "electrical."

J. The fee for a Master Electrician's License, "Certificate of Name Change" after initial issuance of Master Electrician's License shall be one hundred and fifty dollars (\$150.00). A "Certificate of Name Change" for a Master Electrician shall only be issued to a qualified person as required by this Local Law who is also the owner, officer, or partner of an electrical contracting business.

SECTION 4. Section 9 of Local Law No. 3 of 2019 (codified as Section 185-9 of the Code of Ulster County) shall be amended to read as follows:

This chapter shall not apply to:

A. Persons engaged solely in selling or solely in the attachment of ordinary electric appliances to existing circuits where no jointing or splicing of electrical conductors is required;

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B. The installation, maintenance or repair of elevators, dumbwaiters and escalators;

C. The repair of heating systems;

D. Any work involved in the manufacture, assembly, test or repair of electrical machinery, apparatus, materials and equipment by a person, firm or corporation engaged in electrical manufacturing as his principal business;

E. Persons employed by public service companies authorized to do business in the State of New York;

F. Homeowners engaged in the installation, maintenance, replacement and/or improvement of electrical work in their primary unattached single-family residence which is greater than one year old. Replacement shall not include replacement of the entire electrical service on such residence and is limited to 15 & 20 amp 120 volt existing branch circuits that are powered down, locked and tagged out of service and pose no electrical hazards. All such work must comply with local municipal building permit requirements. To the extent that a building permit is required, such electrical work must be inspected by an approved certified electrical inspector or Code Enforcement officer of the municipality having jurisdiction as defined under § 185-22 of this chapter. No homeowner shall engage in:

(1) The construction and installation of electrical wiring for any electrical equipment in or adjacent to all swimming pools, (in-ground or above ground), hydro massage bathtubs, fountains, hot tubs, spas and wading, therapeutic and decorative pools as is covered under Article 680 of the National Electric Code in the current National Electrical Code version adopted by New York State.

(2) The installation of permanently or temporarily installed generators required to be grounded or bonded by either a standby or manual transfer switch into the electrical system under Articles 250 or 702 of the National Electric Code in the current National Electrical Code version adopted by New York State.

(3) electrical work pertaining to violations that may surface during the sale of the residence.

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G. Any installation, maintenance, replacement and/or improvement of electrical work done by a municipal employee in their role as a municipal employee on property owned or leased by a municipality. All such work must comply with local municipal building permit requirements. To the extent that a building permit is required, such electrical work must be inspected by a certified electrical inspector as defined under § 185-22 of this chapter.

SECTION 5. Section 10 of Local Law No. 3 of 2019 (codified as Section 185-10 of the Code of Ulster County) is hereby amended as follows:

Every person desiring to obtain a Master Electrician's License under this local law and who meets the qualifications set forth herein shall apply for a license in such form and detail as the Board may prescribe. Such application shall state, among other things:

1. Name, home and business address;
2. Telephone number;
3. Social security number and employer identification numbers;
4. A photo copy of valid government issued photo identification;
5. A statement of all qualified work experience and education, setting forth names, addresses and descriptions of work performed or degrees attained, and dates of employment or attendance;
6. A statement of whether the applicant was licensed under any other law, where such license is currently valid, whether such license was ever suspended, revoked or other action taken and, if so, the disposition thereof;
7. A statement of whether the applicant was ever convicted of a crime other than a minor traffic infraction, and if so, the disposition thereof;
8. An authorization to the Board to investigate the facts set forth in the application as required to make a determination as to the person's qualifications for an electrical license;
9. A statement that such application is made under penalties of perjury.

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SECTION 6. Section 11 of Local Law No. 3 of 2019 (codified as Section 185-11 of the Code of Ulster County) is hereby amended as follows:

Master Electrician's License. To qualify for the Master Electrician's License examination, all applicants must possess a minimum of seven (7) years of experience in the installation, alteration, and repair of wiring and appliances for light, heat and power and signaling in or on buildings under the requirements of the National Electrical Code as required by the New York State Department of State, Division of Code Enforcement and Administration and/or any municipal codes within the United States which equal or exceed the requirements of the National Electrical Code. The applicant's years of experience must include at least one of the following:

A. Completion of a four-year apprenticeship program approved by both a Federal agency and a Federally-certified State agency and has worked at least two (2) years with his or her tools on the installation, alteration and repair of wiring and appliances for light, heat and power and signaling purposes in or on buildings. A Certificate of Completion issued by the apprenticeship program and a certification by an employer regarding the additional two (2) years of hands-on work experience shall be submitted with the application for the electrical license examination; or

B. A journeyman electrician who has worked at least two (2) years as a journeyman with his or her tools on the installation, alteration and repair of wiring and appliances for light, heat and power and signaling purposes in or on buildings.

The applicant shall submit proof of having satisfied the definition of a qualified journeyman electrician and a certification by an employer regarding the additional two (2) years of hands-on work experience; or

C. A graduate engineer of a college or university who holds a degree of electrical engineering, master engineering or Bachelor of Science in electrical engineering and has in addition worked at least three (3) years with his or her tools on the installation, alteration and repair of wiring and appliances for light, heat and power and signaling purposes in or on buildings. The applicant shall submit a copy of his or her diploma and a certification by an employer regarding the additional three (3) years of hands-on work experience; or

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D. A high school or equivalent who is a graduate of a vocational, industrial or trade school in electric wiring, installation and design or applied electricity, and has worked at least six (6) years with his or her tools on the installation, alteration and repair of wiring and appliances for light, heat and power and signaling purposes in or on buildings. The applicant shall submit a copy of his or her diploma or equivalency diploma and a certification by an employer regarding the additional six (6) years of hands-on work experience; or

E. A person who attended courses in a college or university leading to a degree in electrical engineering, mechanical engineering, Bachelor of Science in electrical engineering or mechanical engineering, who passed all subjects in the required courses shall be credited with practical experience equal to fifty (50%) percent of the number of curriculum years he has satisfactorily completed which, in no event, however, shall exceed one (1) year's credit of practical experience, and an additional six (6) years of hands-on work experience must have been obtained by working with his or her tools on the installation, alteration and repair of wiring and appliances for light, heat and power and signaling purposes in or on buildings. The applicant shall submit a copy of his or her school transcripts and a certification by an employer regarding the additional six (6) years of hands-on work experience; or

F. A person who worked in the field of electrical contracting for at least seven (7) years immediately preceding the date of application. The applicant shall submit a certification by an employer regarding the additional seven (7) years of hands-on work experience. A year of practical hands-on experience shall be credited if such person was employed in a part-time capacity and the hand on experience was completed within a period of twenty-four (24) consecutive months.

SECTION 7. Section 12 of Local Law No. 3 of 2019 (codified as Section 185-12 of the Code of Ulster County) is hereby amended as follows:

A person who applies for a license pursuant to this local law must prove to the satisfaction of the Board that he or she is a competent electrician and qualified to do the work covered by the license; has a working knowledge of electricity and the natural laws, properties and functions of electricity and of appliances, apparatus, materials,

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devices for electric, light, heat, power and signaling systems used and required in such work, combined with a practical working knowledge of the requirements and provisions of the National Electrical Code and a knowledge of the provisions of this local law and the rules and regulations of the Board and the State of New York, if any, and of the County of Ulster for installation of electrical wiring, devices, appliances and equipment and of the provisions thereof requiring permits therefor.

SECTION 8. Section 13 of Local Law No. 3 of 2019 (codified as Section 185-13 of the Code of Ulster County) is hereby amended as follows:

A. All applicants for a Master Electrician's License must submit to and pass an examination. Examinations shall be in writing or in such form as determined by the Board from time to time. An applicant must receive a grade of seventy-five (75%) percent or more to pass the examination. A complete record of every examination given shall be kept on file for three (3) years after the date of the examination. Examinations shall be held at such times and places as the Board may fix.

B. The applicant must present himself for examination at the time and place specified in a notice from the Board.

C. An applicant who fails his or her first examination shall not be eligible for reexamination until the next regularly scheduled exam. A person who fails the examination twice shall not be eligible for further reexamination until at least six (6) months have elapsed from the date he or she last took the examination.

SECTION 9. Section 14 of Local Law 3 of 2019 (codified as Section 185-14 of the Code of Ulster County) is hereby amended as follows:

A. Upon meeting all the requirements of this Local Law, the Board shall direct the Chairperson or his/her designee to issue a license to the applicant. The individual's name shall then be placed on the Ulster County list of qualified Master Electricians.

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B. Failure to pass any exam required by this local law or by the rules and regulations promulgated by the Board with a grade of seventy-five (75%) percent or more, or to meet the qualifications and other requirements set forth herein, shall be summary grounds for denial of a license under this Local Law.

SECTION 10. Section 16 of Local Law 3 of 2019 (codified as Section 185-17 of the Code of Ulster County) is hereby amended as follows:

A. Any person possessing a certified copy of a Master Electrician's License issued by Kingston or the Village of Saugerties, which was valid and effective as of the date of the adoption of this Local Law and who completes an application to the Board as required by the Board no later than two (2) years from the date of the adoption of this Local Law shall be granted an Ulster County license without examination.

B. Any person who can show proof that he or she has been in business as an electrical contractor continuously and competently doing the work of a Master Electrician in Ulster County for at least eleven (11) consecutive years prior to the date of the adoption of this Local Law and this work is a principal source of livelihood for that person, and who completes an application to the Board as required by the Board no later than two (2) years from the date of the adoption of this Local Law shall be entitled to a Master Electrician's License without examination, which will not apply in the city of Kingston or the Village of Saugerties, where an examination has been a requirement.

C. Any person who is issued a license under this Grandfather Clause may renew said license annually on or before the expiration of the license upon payment of an annual renewal fee.

D. If a person is issued a Master Electrician's License under this Section, such person may renew his or her license for an additional fee without taking the written examination only if:

- (a) he or she has been actively and continuously engaged in work as a Master Electrician under the supervision of a licensed Master Electrician since the issuance of his or her last valid Master Electrician's License; or

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- (b) he or she has been actively and continuously engaged in work as an inspector of electrical work; or
- (c) he or she has not been actively or continuously engaged in work as a Master Electrician during the past two years but can provide proof acceptable to the Board that he or she has recently participated in a continuing education course updating his or her knowledge of the work of a Master Electrician.

E. If a person fails to apply for a license under the Grandfather Clause of this local law within five (5) years of enactment of this local law, then said person must comply with all the other requirements contained in this local law in order to receive a license.

SECTION 11. Section 17 of Local Law 3 of 2019 (codified as Section 185-17 of the Code of Ulster County) is hereby deleted in its entirety.

SECTION 12. Section 19 of Local Law No. 3 of 2019 (codified as Section 185-18 of the Code of Ulster County) is hereby amended as follows:

A. licensee may be fined or his or her license refused, suspended or revoked by the Board for anyone (1) or more of the following reasons:

1. Violation of any provision of this local law or of any rule or regulation adopted hereunder by the Board or any other law or ordinance pertaining to electricians;
2. Violation of any law, rule, regulation or any building code governing electrical work, or any order issued by building departments of any municipality in Ulster County;
3. Violation of any requirement contained in the rules and regulations of the National Fire Protection Association or the National Electrical Code;
4. Conviction of a crime by a court of competent jurisdiction where there is a direct relationship between the crime and the specific license sought; or the issuance of the license would invoke an unreasonable risk to the property or to the safety or welfare of specific individuals or the general public;

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5. Fraud, misrepresentation or bribery in securing a license;
6. The making of any false statement as to a material matter in any application for a license or name change;
7. The business transactions of the licensee have been marked by a practice of failure to perform contracts or the fraudulent manipulation of assets or accounts;
8. Failure to display the license decal issued under this Local Law;
9. Maintaining, conducting, operating, advertising, engaging in or transacting a business as a Master Electrician in the County of Ulster with a shelved license; or
10. Employing an unlicensed subcontractor or subcontractors to perform electrical work or any combination thereof in the County of Ulster.

SECTION 13. Section 23 of Local Law No. 3 of 2019 (codified as Section 185-23 of the Code of Ulster County) is hereby amended as follows:

A. The Legislature may authorize the County Executive to enter into reciprocal license agreements with individual municipalities or other jurisdictions within New York State upon the recommendation and finding of the Board that the qualifications required for a Master Electrician's License in such municipality or jurisdiction are equal to or greater than those required by this Local Law.

B. Pursuant to such formalized reciprocal license agreements, the Board shall be authorized to issue reciprocal licenses upon such terms and conditions as are applicable to the individual reciprocating municipalities and other jurisdictions. Said licenses may be granted without examination upon application to the Board and payment of all required fees.

C. However, a reciprocal license shall only be issued if the municipality or jurisdiction which licensed such individual is similarly issuing a reciprocal license to individuals licensed pursuant to this section. Said licenses may be granted without examination

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upon the filing of an application with the Board, submission of a certificate from the reciprocating municipality or jurisdiction that the individual requesting such license is in good standing, the payment of all required fees and such other and further terms and conditions as the board deems appropriate.

D. Reciprocal licenses shall only be valid for a period of one year and may only be renewed from year to year if there is reciprocity between the County of Ulster and the reciprocating municipality or jurisdiction at the time of each such renewal.

SECTION 14. SEVERABILITY.

If any word, phrase, clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 18. EFFECTIVE DATE.

This law shall take effect upon filing with the Secretary of State.

Adopted by the County Legislature: August 17, 2021

Approved by the County Executive: September 17, 2021