

PUBLIC HEARING ON PLL 6-2010

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MINUTES OF A PUBLIC HEARING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, MARCH 8, 2010 AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT:	Mayor	Norman S. Rosenblum
	Trustees	Louis N. Santoro Toni Pergola Ryan John M. Hofstetter
	Village Manager	Richard Slingerland
	Village Attorney	Christie McEvoy-Derrico
	Police Department	Chief Edward Flynn
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:	Trustee	Marianne V. Ybarra

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Mamaroneck on the 8th of March, 2010, at 7:30 p.m., or as soon thereafter as all parties can be heard, at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York, to consider PROPOSED LOCAL LAW NO.6-2010, a local law amending Chapter 164 (Electrical Standards) of the Code of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law No. 6-2010 is on file with the Clerk-Treasurer of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that at said public hearing, all persons interested will be given an opportunity to be heard.

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF MAMARONECK, NEW YORK

Agostino A. Fusco
Clerk-Treasurer

Dated: March 1, 2010

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the Public Hearing on Proposed Local Law 6, 2010 be and is hereby opened.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

Mr. Slingerland stated that like the previous law (PLL5-2010), the law governing the issuing of electrical licenses and overseeing electricians is outdated since the County abolished all local jurisdictions over electrical licenses and tests for continued operations. There were also incorrect references to the codes as the NY State Building Code needs to be referenced and the duties of the building inspector, or his designee, need to be established, as there is no electrical inspector. There is

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also change to the information on electrical inspectors, as the Board of Fire Underwriters rarely performs inspections in our area. There are several inspectors that work in our area.

There were no comments from the Board or the audience.

On motion of Trustee Santoro, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on Proposed Local Law 6, 2010 be and is hereby closed.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

RESOLVED that the Public Hearing on Proposed Local Law 6, 2010 be and is hereby adopted and shall read as follows.

LOCAL LAW NO. 6-2010

A local law amending Chapter 164 (Electrical Standards)
of the Code of the Village of Mamaroneck.

Be it enacted by the Board of Trustees of the Village of Mamaroneck as follows:

SECTION 1.

Chapter 164, entitled Electrical Standards is hereby deleted in its entirety.

SECTION 2.

A new Chapter 164 is hereby enacted as follows:

ARTICLE I, General Provisions

§ 164-1. Purpose. [Amended 3-23-1987 by L.L. No. 5-1987, effective 4-2-1987]

Since there is danger to life and property inherent in the use of electrical energy, this chapter is enacted to regulate the installation, repair and inspection of wiring for electric light, heat or power and for signal systems operating on fifty (50) volts or more in or on all real property within the Village of Mamaroneck, New York.

ARTICLE II, License Required.

§ 164-2. Electrician's License required.

All contractors performing electrical work as covered by the New York State Uniform Building and Fire Code must possess a current and valid electrician's license from the appropriate Westchester County licensing agency.

ARTICLE III, Administration and Enforcement

§ 164-3. Enforcement officer; deputies.

A. This chapter shall be enforced by the Building Inspector in the Village of Mamaroneck. The Village Manager shall deputize one (1) or more regular inspectors of a duly authorized and qualified independent Electrical Inspection Agency or Bureau as inspector or inspectors of all electrical installations as provided for in this chapter.

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B. It shall be unlawful for the Building Inspector and/or any deputies to engage in the business or the sale, installation or maintenance of electrical wiring, electrical devices or electrical equipment, either directly or indirectly, and they shall have no financial interest in any concern engaged in such business in the Village of Mamaroneck at any time while holding the office of Building Inspector and/or Assistant inspectors and/or Code Enforcement Officers.

§ 164-4. Inspection required; procedure and reinspection.

A. Inspections shall be made during the installation of an electrical device or wiring system to assure compliance with this chapter. It shall be a violation of this chapter for any person, firm or corporation to install or cause to be installed or to alter or to repair electrical wiring for light, heat or power in or on properties in the village until a job permit has been issued and an application for inspection has been filed with a duly authorized and qualified independent Electrical Inspection Agency or Bureau

B. No work in connection with an electric installation shall be covered or concealed until it has been inspected as prescribed in this subdivision and permission to do so has been given by the Inspector.

C. The Inspector shall, within a reasonable time after notice of the completion of any electric installation which shall come under the provisions of the chapter, make an inspection of such work and make such tests as may be necessary to determine that it conforms to this chapter.

D. The Inspector shall make a reinspection of an electric installation whenever he or she deems it necessary in the interest of public safety.

E. If an electric installation, upon reinspection, is found to be defective or unsafe, the Inspector shall revoke all certificates in effect at that time relating to such installation, and the use of such installation shall be discontinued until it has been made to conform to this chapter and a new certificate has been issued by the Inspector.

§ 164-5. Certificate of compliance; temporary certificates; disconnection of dangerous installations.

A. It shall be unlawful to use or permit the use of or to supply current for electric devices or wiring for light, heat or power within the village unless the required certificate of inspection and approval has been issued.

B. The Inspector may, at his or her discretion, give temporary permission for a reasonable time to supply and use current in part of an electric installation before such installation has been completed.

C. When, in the opinion of the Inspector or a Fire Chief, any electrical installation is dangerous to life or property or may interfere with the work of the Fire Department, either of them may disconnect or cause to be disconnected said installation.

D. It shall be a violation of this chapter for a person, firm or corporation to connect or cause to be connected electrical wiring in or on properties for light, heat or power to any source of electrical energy supply prior to the issuance of a temporary certificate or a certificate of compliance by the New York Board of Fire Underwriters.

§ 164-6. Appeals.

When the Building Inspector or deputy condemns all or part of any electrical installation, the owner may, within five (5) days after receiving written notice from the Building Inspector or deputy, file a petition, in writing, with the Village Clerk for review of said action of the Building Inspector. Upon receipt of this petition, a duly authorized and qualified independent Electrical Inspection Agency or Bureau shall review the request to determine if said electrical installation complies with this chapter and shall make a decision in accordance with its findings.

§ 164-7. Job permit fee. [Amended 12-13-1976 by L.L. No. 18-1976, effective 12-28-1976; 3-23-1987 by L.L. No. 5-1987, effective 4-2-1987]

The fee for each permit issued shall be charged on the basis of the estimated cost of electrical work involved as set forth in Chapter A347, Fees.

§ 164-8. Penalties for offenses. [Amended 3-23-1987 by L.L. No. 5-1987, effective 4-2-1987]

Any person or corporation who shall violate any of the provisions of this chapter or of any rule or regulation made pursuant thereto shall be guilty of a violation and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000.) or imprisonment for not more than one (1) year, or both. Each day the violation exists shall constitute a separate offense.

§ 164-8. Applicability.

The provisions of this chapter shall not apply to the electrical installation in mines, ships, railway cars or automotive equipment or the installation of equipment employed by a railway, electrical or communication utility in the exercise of its function as a utility and located outdoors or in buildings used exclusively for that purpose. This chapter shall not apply to 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 their principal business. It shall not apply to any building which is owned or leased in its entirety by the government of the United States or the State of New York, unless otherwise provided for by law.

§ 164-9. Liability.

This chapter shall not be construed to relieve from nor lessen the responsibility of any person owning, operating, controlling or installing any electric wiring, devices, appliances or equipment for loss of life or damage to person or property caused by any defect therein, nor shall the Village of Mamaroneck be deemed to have assumed any such liability by reason of any permit issued pursuant to this chapter.

SECTION 3. Effective Date

This Local Law shall take effect immediately upon adoption and filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Ayes:	Hofstetter, Ryan, Santoro, Rosenblum
Nays:	None
Absent:	Ybarra

RESPECTFULLY SUBMITTED BY:

AGOSTINO A. FUSCO, CLERK-TREASURER