

CHAPTER 151: ELECTRICAL INSTALLATION REGULATIONS

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GENERAL PROVISIONS

§ 151.01 APPLICATION.

(A) *Application.* The provisions of this chapter shall apply to all installations of electrical raceways, conductors, fittings, devices, appliances, controls, and fixtures, hereinafter referred to as "electrical equipment," within or on private and public buildings and premises, according to the requirements of the state Fire Prevention and Building Safety Commission hereinafter sometimes referred to as the State Commission with the following general exceptions.

(B) *Exceptions.* The provisions of this chapter shall not apply to electrical wiring expressly declared to be exempt from the provisions of this electrical chapter by any other sections hereof or by any other provisions of the rules adopted in sections of this chapter.

(C) *Definition.* For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

REASONABLY SAFE TO PERSONS AND PROPERTY. As applied to electrical installations and electrical equipment, the term means safe to use in the service for which the installation of equipment is intended without unnecessary risk to life, limb, or property.

(`83 Code, § 7-120) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.02 VIOLATIONS; INJUNCTIVE RELIEF; LICENSE SUSPENSION.

Any person, firm, or corporation who shall violate any of the provisions of this chapter shall be liable for a civil penalty of not less than \$100 no more than \$2,500 together with court costs. Injunctive relief shall also be available to the city to prevent violations. If the violating person, firm, or corporation is a license holder of any license provided for in this chapter, the conviction shall have the effect of suspending that license until the suspension has been lifted by the Examining Board.

(`83 Code, § 7-142) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.03 LIABILITY FOR DAMAGES.

This chapter shall not be considered to relieve from or lessen the respectability or liability of any party owning, operating, controlling, or installing any electrical equipment for damages to persons or property caused by any defect therein, nor shall the city be held as assuming any liability by reason of the examination authorized herein or by the license and certificate therefor issued as herein provided. ('83 Code, § 7-143) (Ord. 1185, passed 4-5-94)

§ 151.04 RIGHT TO APPEAL.

Any person, firm or other entity aggrieved by an order issued under this chapter shall have the right to petition for review any decision or order of the Electrical Inspector. The person, firm or other entity may file a petition using either, or both, of the following procedures:

(A) Appeal to the State Commission;

(1) A person aggrieved by a decision or order issued under this chapter may appeal to the State Commission, in accordance with I.C. 22-13-2-7;

(2) The State Commission may modify or reverse any decision or order issued by the city that covers a subject governed by I.C. 22-12, I.C. 22-13, I.C. 22-14, I.C. 22-15, a fire safety, or a building rule;

(3) The State Commission must review decisions and orders that concern a Class 2 structure if the person aggrieved by the decision or order petitions for review under I.C. 4-21.5-3-7 within 30 days after the issuance of the decision of the order;

(4) The State Commission may review all other decisions and orders issued under this chapter;
and

(5) The review of a decision or order by the State Commission does not suspend the running of the time period under any statute in which a person must petition a court for judicial review of the decision or order.

(B) Appeal to the Board of Review as referenced in § 151.33.
(Ord. 1378, passed 1-10-05)

ELECTRICAL INSPECTOR

§ 151.15 QUALIFICATIONS.

(A) There is created the office of Electrical Inspector.

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(B) The person chosen to fill the office of Electrical Inspector:

(1) Shall be of good moral character, shall be possessed of executive ability as is requisite for the performance of the duties, and shall have a thorough knowledge of the standard materials and methods used in the installation of electrical equipment;

(2) Shall be well-versed in approved methods of construction for safety to persons and property, the statutes of the state relating to electrical work, and any orders, rules, and regulations issued by authority thereof, and the National Electric Code (NEC), as prescribed by the American National Standards Institute (ANSI); and

(3) Shall have had at least five years experience in the lines of electrical installation for which an Electrical Inspector would be responsible, or in lieu of this experience, shall hold at least an associate's degree from a recognized electrical engineering school, college, or university, and in addition shall have five years practical experience, or be certified as an Electrical Inspector by a nationally recognized certification program.

(`83 Code, § 7-121) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.16 APPOINTMENT AND INSTATEMENT; COMPENSATION; REMOVAL.

(A) The Electrical Inspector shall be appointed by the Mayor, subject to approval of the Board of Review.

(B) Before entering upon the discharge of the duties of the Electrical Inspector, the appointed Inspector shall file a bond in the sum of \$1,000 payable to the city, this bond to be approved by the City Council and conditioned upon the faithful performance of the Electrical Inspector's duties. The Electrical Inspector shall also take and subscribe an oath which, together with the certificate of the appointment, shall be filed with the City Clerk-Treasurer.

(C) The compensation to be paid to the Electrical Inspector shall be as established by City Council.

(D) The Electrical Inspector shall be removed for cause by the Board of Review, only after a full hearing before the Board of Review, at which time he or she shall be entitled to appear and produce evidence why the removal should not take place.

(`83 Code, § 7-121) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.17 DUTIES; ASSISTANTS; RESTRICTIONS.

(A) It shall be the duty of the Electrical Inspector to enforce the provisions of this chapter under the supervision and direction of the Zoning and Code Enforcement Administrator. The Electrical Inspector shall, upon application, grant permits for the installation or alteration of electrical equipment, and shall make inspections of electrical installation, all as provided in this chapter.

(B) The Electrical Inspector shall keep complete records of all permits issued, inspections and reinspections made, and other official work performed in accordance with the provisions of this chapter at such location as shall be directed by the Zoning and Code Enforcement Administrator.

(C) The Electrical Inspector may hold membership in recognized associations consistent with his or her duties and the electrical trade, and, with the consent of the City Board of Public Works and Safety, serve on any electrical committee of these associations. The expense of which shall be addressed to the Board of Public Works and Safety for approval or disapproval.

(D) The Electrical Inspector is empowered to employ, after receiving the approval of the Zoning and Code Enforcement Administrator and the Board of Public Works and Safety, any assistants necessary for the proper conduct of the office and the inspection of electrical installations as provided for in this chapter. The salary of these assistants shall be determined by the Mayor or City Council.

(E) It shall be unlawful for the Electrical Inspector to engage in the business of the sale, installation, or maintenance of electrical equipment within the city limits, except for the consulting or other required expertise or information regarding the electrical installations, alterations, or repair of equipment or buildings belonging to or leased by the city.

(`83 Code, § 7-122) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05) Penalty, see § 10.99

§ 151.18 AUTHORITY.

(A) The Electrical Inspector shall have the authority to make electrical inspections. When any electrical equipment is found by the Electrical Inspector to be dangerous to persons or to property because it is defectively installed, the person, firm, or corporation responsible for the electrical equipment shall be notified in writing, and shall make any changes or repairs required, in judgment of the Electrical Inspector, to place the equipment in safe condition, and if that work is not completed within 15 working days or any longer period that may be specified by the Electrical Inspector in the notice, the Electrical Inspector shall have the authority to disconnect or order discontinuance of electric service to that electrical equipment. In case of emergency, where necessary for safety to persons or property, or where electrical equipment may interfere with the work of the Fire Department, the Electrical Inspector shall have the authority to immediately disconnect or cause the disconnection of any electrical equipment.

(B) Those construction projects that the Electrical Inspector determines are repair rather than alteration, and those projects or alterations which do not change the overall electrical service, the Electrical Inspector shall consider under local authority. Those projects under the jurisdiction of the state commission shall be released for construction by the State Building Commission with the approval of the Office of the State Fire Marshal prior to the issuance of a permit by the Electrical Inspector.

(C) Any of the duties or powers of the Electrical Inspector may be delegated to any assistants of the Inspector by the Electrical Inspector.

(`83 Code, § 7-123) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

ELECTRICAL EXAMINING BOARD**§ 151.30 ESTABLISHMENT AND ORGANIZATION.**

(A) There is created the Electrical Examining Board of the city, hereinafter designated as the "Board," which shall consist of the Electrical Inspector of the city, and five other members appointed by the Mayor as follows:

- (1) One representative of the electrical utility company serving the city;
- (2) One representative of the Class A licensed contractors in the city;
- (3) One master electrician, well-versed on the electrical code(s), not associated with the Class A contractor;
- (4) One representative from industry; and
- (5) One representative from the public who is a private property owner.

(B) The five Board members shall be appointed for a term of four years or until a successor is appointed.

(C) The Electrical Inspector shall act as Chairperson of the Board. Any appointed members may, for cause and after a hearing, be removed from office by the Mayor of the city.
(⁸³ Code, § 7-124) (Ord. 1185, passed 4-5-94)

§ 151.31 RECORDS.

Records of the meetings of the Board shall be open to the public for inspection at all reasonable times. The Board shall keep a record of all licenses and certificates issued by it and shall have printed a manual of its rules and regulations for the conduct of electrical examinations.
(⁸³ Code, § 7-124) (Ord. 1185, passed 4-5-94)

§ 151.32 MEETINGS.

(A) Regular meetings of the Board shall be held the first Thursday of January, April, July and October of each year or as may be needed. The times and dates are to be yearly scheduled. Special meetings of the Board may be called at the discretion of the Chairperson or by a majority of the members of the Examining Board.

(B) Four members of the Board present at any meeting shall constitute a quorum for the transaction of business, but any action taken at any meeting shall require the affirmative vote of at least four members.

(`83 Code, § 7-125) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.33 BOARD OF REVIEW AND APPEALS.

(A) There is created a Board of Review and Appeals which shall consist of the Mayor, or the Mayor's designee, who shall be the chairperson, and the five members of the Examining Board other than the Electrical Inspector. Each member of this Board shall serve without pay and until the member has been removed from office by the Mayor and a successor has been appointed.

(B) A meeting of the Board of Review may be called by the Mayor or by at least three members of the Board of Review. Four members of the Board of Review shall constitute a quorum for the transaction of business, but any action taken at any meeting shall require the affirmative vote of at least four members.

(C) In addition to the other duties prescribed for the Board of Review in this chapter, any person, firm or other entity may appeal a decision or order of the Electrical Inspector by delivering to the office of the Clerk-Treasurer within 30 days from the date of the decision or order in question, a written request for an appeal and designating with specificity the decision or order complained of.

(D) The person, firm or entity initiating the appeal will then be given notice of the date, time and location of the meeting of the Board of Review at which the appeal shall be heard. The appeal and the right to appeal from the Board of Review shall be governed by the terms of I.C. 36-1-6-9.

(`83 Code, § 7-124) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.34 ELECTRICAL LICENSING EXAMINATIONS.

(A) Examinations of applicants for electrical licenses shall take place at such place, times, dates and locations as prescribed by the entity designated by the city for the conduct of the examinations. No other dates, times or locations shall be considered for the examinations, the results of which will be determined by the entity conducting the exams and considered final.

(B) It shall be the duty of the Board to examine the reports of persons, firms, or corporations who apply for licenses to approve issuance of electrical licenses to qualified applicants who have paid the prescribed fees, and to revoke or suspend any electrical license on the grounds set forth in §§ 151.02 and 151.03 of this code.

(`83 Code, § 7-125) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

INSTALLATION REQUIREMENTS**§ 151.45 ELECTRICAL EQUIPMENT; INSTALLATION STANDARDS.**

(A) All installations of electrical equipment shall be reasonably safe to all persons and property and in conformity with the provisions of this chapter and the applicable statutes of the state and all orders, rules, and regulations issued by authority thereof.

(B) Unless otherwise stated below in divisions (D) and (E), all electrical installations covered by this chapter shall be in compliance with the most current edition of the state Electrical Code (675 I.A.C. 17), as adopted by the state Fire Prevention and Building Safety Commission most current edition.

(C) Conformity of installations of electrical equipment with applicable regulations set forth in the current edition of the state Electrical Code shall be prima facie evidence that those installations are reasonably safe to persons and property.

(D) Service equipment for buildings located in the 100-year floodplain area as determined by the Department of Zoning and Planning shall be located a minimum of four feet above grade level.

(E) All electric powered signs, and their locations installed in Class 1 structures will be required to be in conformance with the latest accepted addition of the state Electrical Code, as amended, and pursuant to the rules of this chapter.
(`83 Code, § 7-126) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.46 ELECTRICAL EQUIPMENT STANDARDS.

(A) All electric equipment installed or used shall be reasonably safe to persons and property and in conformity with the provisions of this chapter and any orders, rules, or regulations issued by authority thereof.

(B) Conformity of electrical equipment with applicable standards of nationally recognized testing laboratories or services shall be prima facie evidence that the equipment is reasonably safe to persons and property.
(`83 Code, § 7-127) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.47 ELECTRICAL WORK; LICENSE REQUIRED; EXCEPTIONS.

(A) Except as otherwise provided in § 151.01 of this code, no person, firm, or corporation shall in any manner undertake to execute or perform any work of installing, maintaining, altering, or repairing any electrical equipment unless the work is performed or supervised by a holder of a Class A electrical

contractor's license, and has a certificate therefor as provided for in § 151.65 of this code; nor shall any person, firm, or corporation execute or perform that work otherwise than as specifically permitted under the class of license held by the person performing or supervising the work for a firm or corporation.

(B) Exception to the above is that these provisions shall not apply to any person employed by and working under the discretion of a holder of a Class A electrical license and that no license shall be required in order to execute or perform any of the following electrical work:

(1) The replacement of switches, receptacles, and lamps, or the connection of portable electrical equipment to suitable permanently installed receptacles;

(2) Electric wiring expressly declared to be not covered by the provisions of this electrical code by any other provisions of the rules adopted in § 151.45 of this code;

(3) The installation, alteration, or repair of electrical equipment for the operation of signals or the transportation of intelligence by wire;

(4) Any work involved in the manufacturing, testing, servicing, altering, or repairing of electrical equipment or apparatus, except that this exemption shall not include any permanent wiring other than that required for testing purposes;

(5) The assembly, erection, and connection of electrical equipment by the manufacturer of that equipment, but not including any electrical wiring other than that involved in making electrical connections on the equipment itself or between two or more parts of the equipment;

(6) The owner of a single-family dwelling, including the usual accessory buildings located on the same premises, may do electrical work in the dwelling or accessory buildings, provided:

(a) The owner satisfies the Electrical Inspector by examination or other means that they are qualified to perform the work;

(b) The dwelling is, or will be, occupied by the owner;

(c) The dwelling is a detached building containing no other dwelling unit or other occupancy;

(d) There are no other buildings, other than the dwelling and accessory buildings, located on the premises;

(e) No more than one of this type of permit has been issued to the same person in the preceding 36 calendar months;

(f) All work shall be done by the owner; and

(g) The owner files with the Electrical Inspector an affidavit stating all of the foregoing facts.

(7) The owner executes a release in the form prescribed by the Electrical Inspector which releases the city from any and all liability connected with the work performed.
(`83 Code, § 7-128) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05) Penalty, see § 10.99

§ 151.48 PERMIT REQUIRED; EXCEPTIONS.

(A) *Permit required.* No electrical wiring or equipment shall be installed or connected within or on any building structure or premises publicly or privately owned, nor shall any alteration or addition be made in any existing equipment, without first securing a permit therefor from the Electrical Inspector, or posting a certificate showing that a permit has been applied for within 72 working hours of the start of work and authorizing the contractor to proceed with electrical installation.

(B) *Application.* Application for the permit, describing the work to be done, shall be made in writing to the Electrical Inspector by the person, firm, or corporation installing the work.

(C) *Exceptions.*

(1) Permits shall not be required for electrical work specifically exempted in §§ 151.01 and 151.47 of this code.

(2) A permit shall not be required for a license holder to connect, alter, or install electrical equipment on the load side of a branch circuit, provided that the work is done in compliance with the electrical rules and codes recognized by this chapter.
(`83 Code, § 7-137) (Ord. 1185, passed 4-5-94) Penalty, see § 10.99

§ 151.49 PERMIT FEES.

(A) Before any permit is granted for the installation of electrical equipment, the person, firm, or corporation making application for the permit shall pay a minimum fee or other amount for an electric service entrance, single phase or three phase, as stated in the fee schedule in § 38.15 of this code, whichever is the higher amount.

(B) If any person, firm, or corporation shall do any work covered by this chapter requiring a permit without first obtaining a permit, a penalty fee as stated in § 38.15 of this code shall be charged in addition to the regular amount of the permit fee. Payment of this penalty shall not release them from other penalties provided for in this chapter, and each day the violation exists shall be declared a separate offense.

(C) It shall be a violation of this chapter for any licensee to secure a permit to do electrical work if the license holder does not intend to perform or inspect and supervise the performance of that work.

(D) Permit fees for electrical work done on the municipal property for the municipality and/or its authorized agencies may be waived. Permits must have the value of the waived fee noted on the permit. ('83 Code, § 7-138) (Ord. 1185, passed 4-5-94) Penalty, see § 10.99

§ 151.50 INSPECTIONS; APPROVAL; NOTICE TO CORRECT.

(A) Upon completion of any installation of electrical wiring and equipment which has been made under a permit, it shall be the duty of the person, firm, or corporation making the installation to notify the Electrical Inspector. The Electrical Inspector shall inspect the installation within 48 hours, exclusive of Saturdays, Sundays, and holidays, of the time the notice is given or as soon thereafter as practical.

(B) Where the Electrical Inspector finds the installation in conformity with the provisions of this chapter, the Inspector will issue a certificate of approval, authorizing connection to the supply of electricity, and shall send written notice of this authorization to the agency supplying the electrical service.

(C) If, upon inspection, the installation is not found to be in conformity with the provisions of this chapter, the Electrical Inspector shall at once forward to the person, firm, or corporation making the installation a written notice stating the defect(s) which have been found to exist, and the person, firm, or corporation making the installation shall make the necessary corrections immediately and call for reinspection.

('83 Code, § 7-139) (Ord. 1185, passed 4-5-94)

§ 151.51 CONNECTIONS; APPROVAL REQUIRED.

It shall be unlawful for any person, firm, or corporation to make connection from a supply of electricity or to supply electricity to any electrical equipment for the installation of which a permit is required, or which has been disconnected by, or ordered to be disconnected by the Electrical Inspector, until approval has been issued by the Electrical Inspector authorizing the connection and use of that equipment. All electrical services that have been disconnected shall not be reconnected until approval is issued by the Electrical Inspector.

('83 Code, § 7-140) (Ord. 1185, passed 4-5-94) Penalty, see § 10.99

ELECTRICAL LICENSING

§ 151.65 LICENSE CLASSES.

(A) One class of license and certificate therefor shall be issued by the Board, which shall be known as a Class A electrical contractor's license.

(B) A Class A license shall entitle the holder thereof to undertake to execute or perform any work of installing, maintaining, altering, or repairing electrical equipment.
(`83 Code, § 7-129) (Ord. 1185, passed 4-5-94)

§ 151.66 LICENSE FEES AND EXPIRATION.

(A) Any person applying for a Class A license as required by this chapter shall, before being granted a license, give, execute, and deliver a surety bond to the city in the penal sum of \$5,000, to be approved by the City Council and conditioned upon the faithful compliance with the ordinances and laws regulating electrical work.

(B) Upon approval of the Examining Board, the Electrical Inspector is authorized to issue the license under the provisions of this chapter.

(C) Before a license is granted to any applicant, a license fee as stated in § 38.15 of this code shall be paid for a Class A license, and before a Class A license is renewed, a renewal fee as stated in § 38.15 shall be paid.

(D) Each license shall expire on December 31 following the date of its issue and shall be renewed upon application of the holder of the license and payment of the required fee. All licenses and bonds must be renewed on or before the date of expiration, and any license becoming 30 days delinquent shall be issued as a new license with all requirements of same.
(`83 Code, § 7-130) (Ord. 1185, passed 4-5-94)

§ 151.67 APPLICATION PROCEDURE.

(A) Each application for a license shall be made in writing to the Board stating the class of license applied for, and the name and place of business of the applicant.

(B) A non-refundable examination fee as stated in § 38.15 of this code shall be paid when application is made. The applicant is also responsible for making reservations for the taking of the required examination with the entity designated by the city for the conduct of the examination and the payment of any fees required by the entity.
(`83 Code, § 7-131) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.68 EXAMINATIONS; CONDUCT.

(A) The individual applicant shall take the examination administered by the entity designated by the city to conduct electrical examinations to determine the person's knowledge of the rules and regulations for the installation of electrical equipment, and determine the general qualifications and fitness of the

applicant for executing the class of work covered by the license applied for; provided that a person now holding a city license will be issued a like license without further examination, but by paying the new fee as set forth in this chapter.

(B) Each examination shall be conducted by a person, or firm duly designated by the Electrical Examining Board. A complete record of every examination given shall be kept on file until three years after the date of examination. Any person who cheats during any examination shall be conclusively presumed unqualified and unfit for licensing pursuant to this chapter, and in addition thereto, shall be guilty of a Class C infraction, punishable as provided under state statutes covering this type of infraction, and shall be disqualified from holding any license or applying for or taking any future examinations for licensing by the city as a licensed electrical contractor.

(`83 Code, § 7-132) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05) Penalty, see § 10.99

§ 151.69 FAILURE TO PASS; RE-EXAMINATION.

Should an applicant fail to pass an examination by obtaining a rating lower than 70% score, the applicant may be re-examined upon submitting application in writing for the next examination date, accompanied with the examination fee.

(`83 Code, § 7-133) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.70 HOLDER OF LICENSE.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

HOLDER OF A LICENSE. The person to whom the license is issued. A person may not hold more than one license issued by the city at one time.

(`83 Code, § 7-134) (Ord. 1185, passed 4-5-94)

§ 151.71 CHANGE OF REPRESENTATIVE; NOTIFICATION REQUIRED.

Any holder of a license who is performing or supervising the installation, maintenance, alteration, or repair of electrical equipment, or performing or supervising electrical work for a firm or corporation under § 151.47 of this code, whose employment with that firm or corporation shall terminate, shall immediately notify the Board of this termination. The firm or corporation shall provide to the Board, within ten days of the date of notice, written notice of the name and address of the license holder replacing that person.

(`83 Code, § 7-135) (Ord. 1185, passed 4-5-94)

§ 151.72 CERTIFICATE OF LICENSE.

(A) Each certificate for a license shall specify the name of the person to whom the license is issued, the name of the firm or corporation (if applicable) the person designated as the commercial or industrial representative, and the expiration date.

(B) Every holder of a license shall keep the, their, or its certificate of license displayed in a conspicuous place in the holder's principal place of business (if applicable).
(`83 Code, § 7-136) (Ord. 1185, passed 4-5-94; Am. Ord. 1378, passed 1-10-05)

§ 151.73 NON-TRANSFERABILITY; GROUNDS FOR SUSPENSION OR REVOCATION.

No license and certificate therefor issued in accordance with the provisions of this chapter shall be assigned or transferable. Any license issued hereunder may, after hearing, be suspended for a definite length of time, or revoked by the Board of Review or Examining Board, if the person holding that license willfully or negligently violates any ordinance of the city or any statute of the state, relating to the installation, maintenance, alteration, or repair of electrical equipment, or any orders, rules, or regulations issued by authority thereof.

(`83 Code, § 7-141) (Ord. 1185, passed 4-5-94)