

Subject: Administration - To Repeal and Re-enact Chapter 217 of the *Code of St. Mary's County, Maryland*, to Adopt the National Electrical Code, Provide for Issuance of Electrical Permits, Establish the St. Mary's County Board of Electrical Examiners, and Regulate Licenses for the Provision of Electrical Services and Permits for Homeowner Installations

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ORDINANCE

TO REPEAL AND RE-ENACT CHAPTER 217 OF THE *CODE OF ST. MARY'S COUNTY, MARYLAND*, TO ADOPT THE NATIONAL ELECTRICAL CODE, PROVIDE FOR ISSUANCE OF ELECTRICAL PERMITS, ESTABLISH THE ST. MARY'S COUNTY BOARD OF ELECTRICIAN EXAMINERS, AND REGULATE LICENSES FOR THE PROVISION OF ELECTRICAL SERVICES AND PERMITS FOR HOMEOWNER INSTALLATIONS

WHEREAS, Governor Hogan signed Senate Bill 762 during the 2021 Regular Session of the Maryland General Assembly, repealing local authority to license Master Electricians; and

WHEREAS, the Commissioners of St. Mary's County are authorized by § 13-910 of the *Local Government Article* of the *Annotated Code of Maryland* to adopt a local electrical code, and are authorized pursuant to § 13-911 of the *Local Government Article* of the *Annotated Code of Maryland* to establish a Board of Electrical Examiners, and are authorized pursuant to § 13-911 of the *Local Government Article* and Title 6 of the *Business Occupations and Professions Article* of the *Annotated Code of Maryland* to establish regulations for the issuance of licenses to provide electrical services, and are required pursuant to § 12-615 of the *Public Safety Article* of the *Annotated Code of Maryland* to adopt regulations to govern the issuance of permits to homeowners; and

WHEREAS, a notice of a public hearing was advertised on October 29, 2021, and November 5, 2021, in *The Southern Maryland News*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on November 16, 2021, to receive public comment and consider procedures for the issuance of permits to provide electrical services; and

WHEREAS, the Commissioners of St. Mary's County find that it is in the best interest of the health, safety and welfare of the citizens of St. Mary's County to adopt a local electrical code, to provide for issuance of electrical permits, to establish a Board of Electrical Examiners, to establish regulations for the issuance of licenses to provide electrical services, and to adopt regulations to govern the issuance of permits to homeowners,

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of St. Mary's County, pursuant to § 13-910 and § 13-911 of the *Local Government Article* of the *Annotated Code of Maryland* Title 6 of the *Business Occupations and Professions Article* of the *Annotated Code of Maryland*, and § 12-615 of the *Public Safety Article* of the *Annotated Code of Maryland* that:

SECTION I. Chapter 217 of the *Code of St. Mary's County, Maryland*, is repealed and re-enacted to read as follows:

ELECTRICAL SERVICES

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217-1. Definitions; General Provisions.

01. The definitions in § 6-101 of the *Business Occupations and Professions Article* of the *Annotated Code of Maryland* are incorporated herein. In this Ordinance “County Board” means the St. Mary’s County Board of Electrical Examiners. In this Ordinance “Title 6” Means Title 6 of the *Business Occupations and Professions Article* of the *Annotated Code of Maryland*.
02. All permit fees shall be set by ordinance or resolution of the Commissioners of St. Mary’s County. All revenues from examinations, licenses, and permits shall be collected by St. Mary’s County Department of Land Use and Growth Management and paid into the General Fund of the Commissioners of St. Mary’s County.
03. The St. Mary’s County Department of Land Use and Growth Management shall provide necessary administrative support to the County Board and shall maintain all records of permits, licenses, and activities of the County Board.

217-2. National Electrical Code.

01. The National Electrical Code, as revised and amended from time to time, is hereby adopted. A revision or amendment shall be effective six months after the effective date or date of publication, whichever is later, of the revision or amendment. All electrical installations in St. Mary’s County shall comply with the National Electrical Code.

217-3. Electrical permits.

01. In general. – A licensed electrician shall obtain an electrical permit prior to providing any electrical services. The application may be submitted electronically and shall require only the following:
 01. the name and license number of the applicant.
 02. the address where the electrical service will be provided; and
 03. a brief description of the electrical service to be provided.
02. Notice of local electrical requirements. -- At the time the County issues an electrical permit to an electrician under this section, the County shall give the electrician notice of

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any local electrical requirements with which the electrician shall comply while providing electrical services in St. Mary's County.

03. Issuance. -- The County shall, upon receipt of an application, issue, electronically if requested by the applicant, the appropriate permit to each applicant who:
 01. holds an active Maryland or County license; and
 02. pays any required permit fee.

217-4. Board of Electrical Examiners.

01. Established. The St. Mary's County Board of Electrical Examiners established by Chapter 38 of the *Code of St. Mary's County, Maryland*, shall continue as established hereunder. All prior decisions and orders, and all actions taken in cases pending before the County Board on the effective date hereof, shall continue in full force and effect.
02. Membership; Officers. The County Board shall consist of three or five members, at least three of whom are licensed master electricians or exempt from the license requirement under § 217-5.01.03, appointed by the Commissioners of St. Mary's County. The County Board shall elect a chair and such other officers as it may require who shall serve a term of one year and may be re-elected.
03. Removal. A member of the County Board may be removed by the Commissioners of St. Mary's County for incompetence, misconduct, failure to attend meetings or conviction of a crime.
04. Terms. Members shall serve a term of four years and may be reappointed. In the event of a vacancy the Commissioners of St. Mary's County shall appoint a licensed master electrician to fill the vacancy for the remainder of the term.
05. Meetings. The County Board shall meet monthly and shall hold such special meetings as the proper and efficient discharge of its business shall require.
06. Compensation. The members of the County Board shall receive the compensation appropriated annually in the budget of the Commissioners of St. Mary's County.
07. Expenditure; resources. Expenditures by the County Board shall be in accordance with the amount appropriated annually in the budget of the Commissioners of St. Mary's County.

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- 08.** The County Board may adopt regulations and rules of procedure necessary for the performance of its duties.

217-5. Low Voltage Licenses - Low Voltage Communication Systems.

01. License Required

- 01.** Except as provided herein, no person shall engage in the business of installation, repair or maintenance of low voltage communication systems unless licensed as a low voltage electrician.

- 02.** "Low voltage communication systems" are telephone, television, sound public address, and intercom systems, including coaxial cable and fiber optic systems.

02. Applications for low voltage license. An applicant for a low voltage license shall:

- 01.** submit to the County Board an application on the form that the County Board provides; and
- 02.** pay to the County Board or the County Board's designee an examination fee set by the County Board.

03. Qualifications of applicants

- 01.** In general. -- To qualify for a low voltage license, an applicant shall be an individual who meets the requirements of this section.

02. Experience. --

(1) Subject to paragraph (2) of this subsection, the applicant shall have been engaged or employed regularly and principally in the field of electrical equipment, repair, and maintenance for at least 4 years.

(2) The County Board may allow an applicant up to 1 year of credit toward the experience required under paragraph (1) of this subsection if the County Board determines that the applicant has completed a formal course of study or professional training in electrical installation comparable to the required experience within the preceding 7 years.

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03. Examination. -- Except as otherwise provided in this Ordinance, the applicant shall pass an examination given by the County Board under this Ordinance.
 04. Investigation of qualifications. -- The County Board may investigate the qualifications of each applicant to determine whether the applicant meets the requirements of this section.
04. Examinations --
01. Right to examination. -- Except as otherwise provided in Title 6, an applicant who otherwise qualifies for a license issued by the County Board is entitled to be examined as provided in this section.
 02. Time and place of examination. -- The County Board shall give examinations to qualified applicants at least twice a year at the dates, times, and places the County Board determines.
 03. Notice of examination. --
 - (1) At least 15 days before the examination, the County Board shall notify each applicant whether the applicant is eligible to be examined under this section.
 - (2) The notice shall specify the passing score for the examination.
 04. Subjects and method of examination. --
 - (1) The County Board shall determine the subjects and scope of the examination from a list of questions submitted by the Maryland Uniform Electrical Licensing Examination Committee, Inc.
 - (2) The County Board shall choose examination questions that:
 - (i) test the applicant's knowledge of all applicable codes, laws, or principles of electrical installation; and
 - (ii) are constructed to determine the fitness of the applicant for a license.
 05. Form of examination. -- The form of the examination shall be objective and written.
 06. Passing score. -- The passing score for the examination shall be 70%.
 07. Notice of score. -- Within 45 days after the examination, the County Board shall mail to each applicant notice of the applicant's examination score.

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- 08. Review of examination. -- On written request to the County Board, an applicant who failed an examination with a score of 60% or higher may review the answers that the applicant gave and the scores for those answers at a time and place that the County Board determines.
- 09. Failure to appear for examination. –
 - (1) If an applicant fails to appear for a scheduled examination, the applicant may reapply for an examination.
 - (2) The applicant:
 - (i) shall submit to the County Board an application for reexamination on the form that the County Board provides; and
 - (ii) unless, for good cause, the County Board waives payment of the examination fee, shall again pay the examination fee.

217-6. Restricted Licenses - Alarm and Security Systems.

- 01. License Required
 - 01. Except as provided herein, no person shall engage in the business of installation, repair or maintenance of low voltage and low energy wiring and circuits for alarm and security systems unless licensed as a restricted electrician.
- 02. Applications for restricted license. An applicant for a restricted license shall:
 - 01. submit to the County Board an application on the form that the County Board provides; and
 - 02. pay to the County Board or the County Board's designee an examination fee set by the County Board.
- 03. Qualifications of applicants
 - 01. In general. -- To qualify for a restricted license, an applicant shall be an individual who meets the requirements of this section.

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02. Experience. --

- (1) Subject to paragraph (2) of this subsection, the applicant shall have been engaged or employed regularly and principally in the field of electrical equipment, repair, and maintenance for at least 4 years.
- (2) The County Board may allow an applicant up to 1 year of credit toward the experience required under paragraph (1) of this subsection if the County Board determines that the applicant has completed a formal course of study or professional training in electrical installation comparable to the required experience within the preceding 4 years.

03. Examination. -- Except as otherwise provided in this Ordinance, the applicant shall pass an examination given by the County Board under this Ordinance.

04. Investigation of qualifications. -- The County Board may investigate the qualifications of each applicant to determine whether the applicant meets the requirements of this section.

04. Examinations --

01. Right to examination. -- Except as otherwise provided in Title 6, an applicant who otherwise qualifies for a license issued by the County Board is entitled to be examined as provided in this section.

02. Time and place of examination. -- The County Board shall give examinations to qualified applicants at least twice a year at the dates, times, and places the County Board determines.

03. Notice of examination. --

- (1) At least 15 days before the examination, the County Board shall notify each applicant whether the applicant is eligible to be examined under this section.
- (2) The notice shall specify the passing score for the examination.

04. Subjects and method of examination. --

- (1) The County Board shall determine the subjects and scope of the examination from a list of questions submitted by the Maryland Uniform Electrical Licensing Examination Committee, Inc.

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- (2) The County Board shall choose examination questions that:
- (i) test the applicant's knowledge of all applicable codes, laws, or principles of electrical installation; and
 - (ii) are constructed to determine the fitness of the applicant for a license.
- 05.** Form of examination. -- The form of the examination shall be objective and written.
- 06.** Passing score. -- The passing score for the examination shall be 70%.
- 07.** Notice of score. -- Within 45 days after the examination, the County Board shall mail to each applicant notice of the applicant's examination score.
- 08.** Review of examination. -- On written request to the County Board, an applicant who failed an examination with a score of 60% or higher may review the answers that the applicant gave and the scores for those answers at a time and place that the County Board determines.
- 09.** Failure to appear for examination. --
- (1) If an applicant fails to appear for a scheduled examination, the applicant may reapply for an examination.
 - (2) The applicant:
 - (i) shall submit to the County Board an application for reexamination on the form that the County Board provides; and
 - (ii) unless, for good cause, the County Board waives payment of the examination fee, shall again pay the examination fee.

217-7. Installation of electric wiring by homeowner.

- 01.** A permit may be granted to a homeowner for installation of electrical wiring in the residence of the homeowner if the homeowner attains a satisfactory score on a written examination administered by the County Board.
- 02.** An installation of electrical wiring in the residence of a homeowner shall be inspected in accordance with the St. Mary's County Building Code.
- 03.** The County Board shall adopt rules and regulations for the administration of this Section.

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217-8. Enforcement

- 01. The County Board shall enforce the provisions of this Ordinance and Title 6 including interpretation and application of the National Electrical Code.
- 02. A violation of this Ordinance, as amended from time to time or Title 6 is a civil infraction and shall be prosecuted in the same manner and to the same extent as provided for a municipal infraction under Title 6 of the *Local Government Article of the Annotated Code of Maryland*.

SECTION II. This Ordinance shall be effective _____.

Those voting Aye: _____
 Those voting Nay: _____
 Those Abstaining: _____
 Date of Adoption: _____
 Effective Date: _____

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ATTEST:

COMMISSIONERS OF ST. MARY'S COUNTY

Rebecca B. Bridgett
County Administrator

James R. Guy, Commissioner President

Eric Colvin, Commissioner

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Michael L. Hewitt, Commissioner

David A. Weiskopf
County Attorney

Todd B. Morgan, Commissioner

John E. O'Connor, Commissioner