

COUNTY COUNCIL

OF

DORCHESTER COUNTY, MARYLAND

BILL NO. 2024-11

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND AMENDING CHAPTER 82 (ELECTRICAL STANDARDS) OF THE DORCHESTER COUNTY CODE FOR THE PURPOSES OF ABOLISHING THE BOARD OF ELECTRICAL EXAMINERS AND ELIMINATING THE REQUIREMENT FOR A REGISTRATION TO PROVIDE ELECTRICAL SERVICES IN DORCHESTER COUNTY; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO ELECTRICAL STANDARDS IN DORCHESTER COUNTY, MARYLAND.

WHEREAS, pursuant to the Maryland Electricians Act, Chapter 708, 2021 Laws of Maryland, effective July 1, 2021, the Maryland General Assembly repealed local authority to license master, journeyman, and apprentice electricians in favor of requiring a State license for such classifications, to be issued by the State Board of Electricians; and

WHEREAS, pursuant to Md. Code Ann., Business Occupations and Professions § 6-301(a), each county shall either adopt regulations that have qualifications that are as least as stringent as the qualifications under § 6-304 thereof to provide for the regulation and registration of master electricians, journeyman electricians, or apprentice electricians and register such electricians in the manner prescribed by § 6-103 thereof, or require a State license for providing electrical services as a master electrician, journeyman electrician, or apprentice electrician and enforce the provisions of Title 6 thereof; and

WHEREAS, the County Council of Dorchester County (the "County Council") is desirous of requiring a State license for providing electrical services as aforesaid rather than regulating and registering electricians, thus obviating the need for a Board of Electrical Examiners; and

WHEREAS, the County Council finds that it is in the best interest of the County to amend Chapter 82 (Electrical Standards) of the Dorchester County Code for the purposes of abolishing the Board of Electrical Examiners and eliminating the requirement for a registration to provide electrical services in Dorchester County; and

WHEREAS, the County Council finds that the text amendments set forth herein are necessary to promote and protect the public health, safety, and welfare.

SECTION ONE: Be it further enacted and ordained by the County Council of Dorchester County, Maryland that Chapter 82 of the Dorchester Code, entitled "Electrical Standards," be and it is hereby amended as follows:

Chapter 82

ELECTRICAL STANDARDS

§ 82-1. Title.

This chapter shall be known as the “Dorchester County Electrical Code.”

§ 82-2. Adoption of standards by reference.

The National Electrical Code, as published by the National Fire Protection Association as the standards for electrical work, is hereby adopted as the minimum standards for electrical work in Dorchester County, and those standards are incorporated herein by reference.

§ 82-3. ~~Establishment of Board of Electrical Examiners.~~ RESERVED

~~The County Council of Dorchester County shall appoint a board, which board shall be known as the “Board of Electrical Examiners of Dorchester County” (hereinafter referred to as the “Board”), and which shall be established in accordance with the following provisions:~~

- ~~A. There shall be five members of the Board, two of whom shall be electricians currently engaged in the electrical contracting business for at least five years prior to this appointment and one of whom shall be a County employee. The two other Board members shall be appointed at the discretion of the County Council of Dorchester County. All shall be residents of Dorchester County, Maryland.~~
- ~~B. Members of the Board shall be appointed by the County Council of Dorchester County.~~
- ~~C. The initial term shall be one term of one year; two terms of two years and two terms of three years. Subsequent to the initial terms, all terms shall be three years.~~

§ 82-4. ~~Removal of Board members.~~ RESERVED

~~The County Council of Dorchester County may remove any member of the Board from office upon written charges after an opportunity to be heard by such member to be removed for misconduct, incompetency, neglect of duty or other sufficient cause.~~

§ 82-5. ~~Receipts; disbursements; bond; compensation; budget policies of Board.~~ RESERVED

- ~~A. All money received by the Board shall be paid daily to the Director of Finance and shall be credited to the general fund of the County.~~
- ~~B. All disbursements made by the Board for expenses or other authorized expenditures shall be paid by the Director of Finance from receipts on vouchers signed by the President and attested by the Secretary-Treasurer of the Board.~~

- ~~C. The Secretary-Treasurer of the Board shall give a surety bond to the County in such sum as the County Council of Dorchester County may determine. The premium on such bond shall be regarded as a proper and necessary expense of the Board.~~
- ~~D. Members of the Board shall receive such allowance for expenses and such compensation as the County Council shall, from time to time, determine.~~
- ~~E. The Board shall be subject to the budget and fiscal policies of the County Council.~~

§ 82-6. Organization and officers of Board. RESERVED

~~The Board shall hold an organizational meeting and annually elect a Chairman and two Vice Chairman and a Secretary-Treasurer. The Board shall adopt rules of procedure to govern meetings of the Board and shall hold such meetings as the Chairman shall determine necessary and proper for the Board to carry out its prescribed duties.~~

§ 82-7. Rules and regulations of Board; seal. RESERVED

- ~~A. The Board may adopt and amend all rules and regulations not inconsistent with the Constitution, laws and ordinances of this state and County which may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it.~~
- ~~B. The Board shall adopt and have an official seal.~~
- ~~C. In carrying into effect the provisions of this chapter, the Board, under the hand of its President and the seal of the Board, may subpoena witnesses and compel their attendance and also may require the production of papers or documents in any case involving the revocation of registration or practicing or offering to practice without registration.~~
- ~~D. Any member of the Board may administer oaths or affirmations to witnesses appearing before the Board.~~
- ~~E. If any person refuses to obey a subpoena so issued or refuses to testify or produce any books, papers or documents, the Board may present its petition to the Circuit Court for Dorchester County setting forth the facts. Thereupon the Court shall, in a proper case, issue its subpoena to such person requiring his attendance before such Court and there to testify or produce such papers and documents as may be deemed necessary and pertinent by the Board. Any person failing or refusing to obey the subpoena or order of the Court may be proceeded against in the same manner as for refusal to obey any other subpoena or order of the Circuit Court.~~

§ 82-8. Records and reports of Board. RESERVED

- ~~A. The Board shall keep a record of its proceedings and a register of all applications for registration, which register shall show as a minimum, but not be limited to:~~

- ~~(1) The name, age and residence of each applicant.~~
- ~~(2) The date of the application.~~
- ~~(3) The place of business of such applicant.~~
- ~~(4) The qualifications of the applicant.~~
- ~~(5) Whether the applicant was rejected.~~
- ~~(6) Whether a certificate of registration was granted.~~
- ~~(7) The date of the action of the Board.~~
- ~~(8) Such other information as may be deemed necessary by the Board.~~

~~B. The records of the Board shall be prima facie evidence to proceedings of the Board set forth therein. A transcript thereof, duly certified by the Secretary Treasurer of the Board, under seal, shall be admissible in evidence with the same force and effect as if the original were produced.~~

~~§ 82-9. Legal advisors of Board. RESERVED~~

~~The Attorney to the County Council of Dorchester County shall act as legal advisor of the Board, and render such legal assistance as may be necessary in carrying out the provisions of this chapter.~~

~~§ 82-10. Registration License required to engage in provide electrical wiring business services.~~

~~No person, firm or corporation shall install, repair, maintain or erect any kind of electrical wiring, conduits, motors, fixtures, signs, electrically operated or controlled heating equipment, air conditioner, elevators, or any other electrically operated apparatus or device in or about any premises provide electrical services as an apprentice electrician, journey person electrician or master electrician in Dorchester County, Maryland, without having first obtained a certificate of registration as required by these regulations, except those specifically exempted under § 82-11 the appropriate State license from the State Board of Electricians.~~

~~§ 82-11. Exemptions to registration requirements. RESERVED~~

~~The following exemptions are permissible:~~

~~A. Electric light and power companies, railway companies, telephone companies, telegraph companies or cable television companies, or persons performing electrical work of any such companies, when such work is a part of the plant or services of such company in rendering its authorized service to the public.~~

- ~~B. Employees engaged in maintenance and repair or reconstruction as pertains to daily production or operations of electrical equipment in the factory or on the farm premises of their employer.~~
- ~~C. Any person doing electrical work in a single family dwelling used exclusively for living purposes, or related outbuildings and garages, provided that person is a bona fide owner and occupant of such dwelling for a period of six months immediately following completion and said owner and occupant purchases all materials and personally performs all labor in connection therewith, except that such personal work is not relieved of the permits as required by § 82-23.~~
- ~~D. Employees of those registered as master electrician, electrician general or electrician limited when engaged in the performance of their duties under the supervision of their employer.~~
- ~~E. Bona fide members of the active volunteer fire companies, the ambulance companies and/or rescue squads in Dorchester County while engaged in maintenance, repair, construction or reconstruction of electrical equipment relating to daily operations of the fire companies.~~
- ~~F. Construction, reconstruction, maintenance, or repair of any state or federal installations.~~
- ~~G. Insertion (plug-in) of devices or appliances which are designed for such insertion and the insertion devices are installed.~~

§ 82-12. Applications for registration. RESERVED

Applications for registration may be obtained from the Board. An applicant must state that he is applying for one of the following registrations:

- ~~A. "Apprentice electrician" means an electrician who is licensed by the State Board of Elections (the "State Board") to assist in providing electrical services while:
 - ~~(1) Under the direction or control of a licensed master electrician; and~~
 - ~~(2) In training to become a journeyman electrician.~~~~
- ~~B. "Journeyman electrician" means an electrician who is licensed by the State Board to provide or assist in providing electrical services while:
 - ~~(1) Under the direction or control of a licensed master electrician; and~~
 - ~~(2) In training to become a master electrician.~~~~
- ~~C. "Master electrician" means an individual who has the experience, knowledge, and skill to provide electrical services in all aspects of the electrical trade, in a manner that complies with applicable plans, specifications, codes, or law, and who is a licensed master electrician by the State Board.~~

§ 82-13. Electrician general class of electricians established; license required. RESERVED

~~A. Definitions. In this section, the following words have the meanings indicated:~~

~~ELECTRICIAN GENERAL—Any person engaged only in house wiring limited to a dwelling containing no more than four family units, and commercial wiring limited to circuits of not more than 60 amperes, three phase in an existing commercial structure.~~

~~QUALIFIED ELECTRICIAN GENERAL—Any person that has held a valid and active electrician general local registration as of May 1, 2022.~~

~~B. Establishment of the electrician general class of electrician. Acting under Title 6, Subtitle 1, § 6-103(b), of the Business Occupations and Professions Article of the Annotated Code of Maryland, the electrician general class of electrician is hereby established.~~

~~C. Scope. In order to perform electrical work within the electrician general classification, as defined in this section, a person must be a qualified electrician general as defined in this section.~~

~~D. Grandfathering. All qualified electrician general individuals are grandfathered and granted an electrician general license.~~

~~E. Other requirements. All qualified electrician general electricians shall:~~

~~(1) Register with the Board in accordance with § 82-10 of this chapter.~~

~~(2) Be subject to all other provisions of this chapter.~~

~~F. Expiration. All electrician general licenses shall expire on June 30, 2023, and shall have no future force or effect.~~

§ 82-14. Qualifications required for registration applicants. RESERVED

~~Any applicant that applies for registration under this chapter that has been licensed by the State Board as an apprentice electrician or as a journey person electrician or as a master electrician is qualified for registration as in such grade under this chapter.~~

§ 82-15. Electrical inspection agencies.

Electrical inspection agencies shall be approved and licensed by the Board **Code Official** to perform inspections in Dorchester County. Inspectors shall hold an approved state **State** license and be registered with the Dorchester County Board before performing any inspections in the County.

§ 82-16. Fees.

~~A. The County Council of Dorchester County shall establish a schedule of fees for all registrations or permits required by this chapter. Fees for registrations and permits under this chapter **Such fees** may be altered or amended from time to time without a public hearing only by the County Council of Dorchester County upon the recommendations of the Board of Electrical Examiners **Code Official**.~~

~~B. Renewal of registrations may be effected at any time during the month of June by payment of the annual fee, which shall be equal to the original cost for such class of certification of registration. The failure on the part of any registrant to renew his certificate annually in the month of June, as required by this section, shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of June shall be increased \$2 for each day or fraction of a day that payment of the renewal fee is delayed, up to 90 days, at which time the registration will be canceled at the discretion of the Board.~~

§ 82-17. Property and general liability insurance. RESERVED

~~A. Scope. The provisions of this section do not apply to a registrant on inactive status.~~

~~B. Insurance required. All persons holding an active certificate of registration in Dorchester County under the provisions of this chapter shall:~~

~~(1) Maintain general liability insurance in the amount of at least \$300,000.~~

~~(2) Maintain property damage insurance in the amount of at least \$100,000.~~

~~(3) Submit proof of the required insurance to the Board.~~

~~C. Renewal. Each applicant requesting renewal of a certificate of registration in Dorchester County pursuant to the requirements of this chapter shall submit proof of the required insurance with their application for renewal. Unless the applicant meets the insurance requirements of this section, the Board shall not renew the certificate of registration.~~

~~D. Notice of cancellation. If the insurance required under this section is canceled, the insured shall notify the Board within 10 days after the date of cancellation and, at the discretion of the Board, the electrician's certificate of registration shall be revoked.~~

§ 82-18. Revocations or suspensions of registration; hearing. RESERVED

~~A. The Board may revoke or suspend the certificate of registration of any registrant who is found guilty of:~~

~~(1) The practice of any fraud or deceit in obtaining a certificate of registration.~~

- ~~(2) Any gross negligence, incompetency or misconduct in supply material or performing services as an electrical contractor.~~
- ~~(3) Permitting or causing defective electrical work, if done deliberately or if not corrected within 15 days, or longer if necessary at the discretion of the Board, following notice thereof by the Board.~~
- ~~B. Any person may prefer charges of fraud, deceit, gross negligence or misconduct against any registrant. Such charges shall be in writing and shall be sworn to by the person making them and shall be filed with the Secretary-Treasurer of the Board.~~
- ~~C. All charges, unless dismissed by the Board as unfounded or trivial, shall be heard by the Board within three months after the date on which they shall have been filed with the Board.~~
- ~~D. The time and place for the hearing shall be fixed by the Board, and a copy of the charges, together with a notice of the time and place of hearing, shall be personally served or mailed to the last known address of the registrant at least 30 days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross examine witnesses appearing against him and to produce evidence and witnesses in his own defense. If, after such hearing, three or more members of the Board vote in favor of finding the accused guilty, the Board may suspend or revoke the certificate of registration of such registrant.~~
- ~~E. The certificate of registration of any registrant under this chapter shall be revoked or suspended should the State Board revoke or suspend the state license of any master electrician, journeyman electrician or apprentice electrician and, if in case of a suspension by the State Board, all of the terms and conditions of the State Board suspension shall be fully complied with and satisfied before the certificate of registration issued under this chapter is reinstated.~~
- ~~F. The certificate of registration of any registrant shall be revoked should the registrant fail to comply with the insurance provisions of this chapter.~~
- ~~G. The certificate of registration of any registrant shall be revoked should the registrant fail to pay to Dorchester County any fees or sums due under this chapter after 15 days' prior written notice to the registrant by the Board.~~

§ 82-19. Reciprocity. RESERVED

~~The Board shall, upon application therefor and the payment of the regular fee and without examination, issue a certificate of registration to:~~

- ~~A. Any apprentice electrician, journeyman electrician, master electrician or to any individual that has been licensed as such by the State Board; and~~

~~B. Any individual that holds a reciprocal license issued by the State Board under § 6-502 or § 6-503 of the Business Occupations and Professions Article of the Annotated Code of Maryland.~~

~~C. Any individual that qualifies for a reciprocal registration between local jurisdictions under § 6-504 of the Business Occupations and Professions Article of the Annotated Code of Maryland.~~

§ 82-20. Display of registration number required. RESERVED

~~All persons receiving a certificate of registration shall plainly display on the vehicle(s) used in the performance of their work the registration number assigned to them.~~

§ 82-21. Code Official.

The Code Official is that person designated by the County Council of Dorchester County, Maryland and charged with the administration and enforcement of permitting provisions of this chapter.

§ 82-22. Position of Code Official established; administration and enforcement.

A. Creation of the position. There is hereby established the position of Code Official. The County Council of Dorchester County, Maryland (the County Council) shall appoint a Code Official to administer and enforce the permitting provisions of this chapter. **Unless otherwise provided by the County Council, the Director of Planning and Zoning shall serve as the Code Official.**

B. Administration and enforcement.

(1) ~~The permitting provisions of this~~ **This** chapter shall be administered and enforced by the Code Official. The Code Official may be provided with the assistance of such other persons as the County Council may direct, and ~~they~~ may delegate, upon the approval of the County Manager, such duties and responsibilities in connection with the administration and enforcement of this chapter as are appropriate, in ~~his~~ **their** judgment.

(2) The Code Official shall have the authority to issue permits under this chapter. The Code Official shall have the authority to revoke any permit issued under this chapter for cause.

§ 82-23. Permits and inspections.

A. Any person permitted to install new electrical work must first secure a County permit to do so from the Code Official. The fee for the permit shall be determined by the County Council.

B. The recognized inspection authorities shall be those designated by the ~~Board of Electrical Examiners~~ **Code Official**.

- C. The County permit shall be followed by the filing of an application for electrical inspection with the inspection authority as that authority requires in accordance with its rules and regulations.
- D. An applicant signing inspection applications will in effect certify that electrical installation has been done by him or by employees under his supervision. Applications for electrical inspection will contain a complete listing of wiring and equipment for which inspection is required.
- E. A minor electrical installation is the installation of one single-phase, fifteen-ampere (or less) electrical power-consuming outlet and is exempt from the permit and inspection requirements.
- F. Inspection shall be by recognized inspectors in accordance with § 82-15. The electrical inspectors shall make all inspections within two workdays of the receipt of the application for inspection.
- G. Electrical fences. An electrical permit is required for all electric fence installation and must be issued by the ~~Board of Electrical Examiners of Dorchester County~~ **Code Official** prior to the installation of electric fences. Installation of electrical fences must be inspected by a recognized electrical inspection agency approved by the County. Electric fences shall be UL (Underwriter Laboratories) labeled. Warning signs shall be posted by the property owner where the public has access to the property where an electrical fence has been installed.

§ 82-24. Work within easement.

Where there is an easement appurtenant to land and property, valid on its face, the use of the easement by the dominant owner shall not be subject to the consent of the servient owner in any permitting process under this chapter.

§ 82-25. Appeals to Board of Building Appeals.

- A. Board of Building Appeals. The Board of Building Appeals, constituted under Chapter 65 entitled "Building Code," § 65-4F and G, of the Dorchester County Code is hereby granted the authority to hear and to decide appeals ~~from decisions of the Board of Electrical Examiners and~~ from decisions of the Code Official under this chapter.
- B. Appeals.
 - (1) Any person allegedly aggrieved by ~~any decision of the Board of Electrical Examiners or~~ any decision of the Code Official in the administration or enforcement of this chapter may file an appeal with the Board of Building Appeals.
 - (2) This shall be the exclusive procedure to file an appeal ~~from a decision of the Board of Electrical Examiners or~~ from a decision of the Code Official.

- C. Rules; regulations; procedures. The rules, regulations and procedures of the Board of Building Appeals under Chapter 65 of the Dorchester County Code shall apply to appeals under this chapter.

§ 82-26. Appeals to courts.

- A. Time limit for appeal. Any person allegedly aggrieved by any decision of the Board of Building Appeals may appeal the same to the Circuit Court of Dorchester County within 30 days of the notification of the decision.
- B. Stays. The filing of an appeal does not stay an order or action of the Board of Building Appeals. Upon motion and after hearing the Court may grant a stay, unless prohibited by law, upon conditions as to bond or otherwise that the Court considers proper.
- C. Cost of transcript. The appellant shall be responsible for paying the expense of transcription.
- D. Liability of Board of Building Appeals for costs. Costs shall not be allowed against the Board of Building Appeals unless it shall appear to the Circuit Court that the Board of Building Appeals acted with gross negligence or in bad faith or with malice in making the decision appealed from.

§ 82-27. Civil infractions; violations and penalties.

Any person who violates any part of this chapter shall be guilty of a civil infraction under the authority of Chapter 147 of the Dorchester County Code. The maximum civil penalty for each violation of this chapter shall be \$1,000. Each new day may constitute a separate violation. An occurrence may contain more than one offense.

SECTION TWO: And be it further enacted and ordained that if any section, subsection, sentence, clause, phrase, or portion of this Bill is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Bill, it being the intent of the County Council that this Bill shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION THREE: And be it further enacted and ordained that all bills, ordinances, or parts thereof inconsistent with the provisions of this Bill are hereby repealed to the extent of such inconsistency.

SECTION FOUR: Pursuant to the Acts be it further enacted and ordained by the County Council of Dorchester County, Maryland that General Code Publishers is directed to codify the above amendments to Chapter 155 of the Dorchester County Code accordingly.

SECTION FIVE: And be it further enacted and ordained pursuant to § 308 of the Charter of Dorchester County, Maryland that promptly after enactment of this Act, the County Manager

shall cause a fair summary of this Act to be published at least once in a newspaper of general circulation in Dorchester County, Maryland.


SECTION SIX: And be it further enacted and ordained by the County Council of Dorchester County, Maryland that this Bill shall be known as Bill No. 2024-11 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.

PASSED this 21st day of January, 2024.

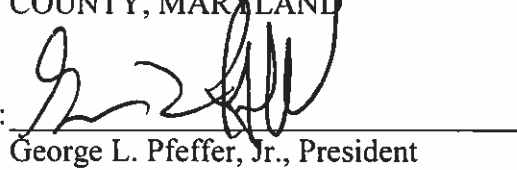
ATTEST:

COUNTY COUNCIL OF DORCHESTER
COUNTY, MARYLAND

BY:


Jerry Jones, County Manager

BY:


George L. Pfeffer, Jr., President

Pfeffer - Aye

Detmer - Aye

Kramer - Absent

Nichols - Aye

Travers - Aye