

ORDINANCE NO. 2019-03

AN ORDINANCE TO ADOPT NEW STATE REGULATIONS WITHIN
CHAPTER 16 OF THE TOWN OF DELAFIELD MUNICIPAL CODE, THE
ELECTRICAL CODE

WHEREAS, effective March 1, 2019, new State of Wisconsin regulations allow for local regulation of electrical installations at farms, public buildings, places of employment, campgrounds, manufactured home communities, public marinas, piers, docks or wharves, and recreational vehicle parks; and

WHEREAS, the Town of Delafield Building Inspector has recommended that the Town exercise this authority that is allowed by State law; and

WHEREAS, the Town of Delafield Electrical Code is in need of updating with regard to references to the Department of Industry, Labor and Human Relations which are now under the jurisdiction of the State of Wisconsin Department of Safety and Professional Services; and

WHEREAS, the Town of Delafield hereby intends to exercise local authority over electrical inspections as allowed by Wisconsin Administrative Code Section SPS 316.011(1), and hereby intends to amend the Town Electrical Code accordingly.

NOW, THEREFORE, the Town Board of the Town of Delafield, Waukesha County, Wisconsin, DOES HEREBY ORDAIN as follows:

SECTION 1: Chapter 16 of the Town of Delafield Municipal Code entitled "Electrical Code," Section 16.01 entitled, "State Codes Adopted," is hereby repealed and re-created as follows:

16.01 STATE CODES ADOPTED. (Rep. & rec. #93-341) (1) OBJECT AND PURPOSE. The object and purpose of this section is to safeguard persons and property from hazards arising from the use of electrical energy by establishing minimum standards for the installation and maintenance of electrical systems. The licensing of electrical contractors and examination of master electricians does not mean that such licensed electrical contractors or electricians are of equal competency or reliability.

(2) WISCONSIN ADMINISTRATIVE CODE. Except as otherwise specifically provided in this Code, the current and future provisions describing and defining regulations of the State of Wisconsin Department of Safety and Professional Services are hereby adopted and made part of this section by reference as if fully set forth herein. Any act required to be performed or prohibited by any current or future provision incorporated herein by reference is required or prohibited by this Code. Any future additions, amendments, revision or modifications to the regulations incorporated hereby are intended to be made a part of the Code in order to secure uniform state-wide regulation. If there is a conflict between codes or interpretations, the most restrictive code or interpretation shall be enforced. The code adopted herein includes, but is not limited to, the following:

(a) Chapter SPS 316 "Electrical".

(b) SPS 320 Uniform Dwelling Code, for inspection of electrical wiring installations for the construction of new one- and two-family dwellings.

(3) ENFORCEMENT. (a) Other Ordinances. Adoption of this section does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.

(b) Other Remedies. The issuance of a citation hereunder shall not preclude the Town Board or any authorized officer from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.

SECTION 2: SEVERABILITY.


The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall be effective upon publication or posting as provided by law.

Passed and adopted by the Town Board of the Town of Delafield, Waukesha County, Wisconsin this 9th day of April, 2019.

TOWN OF DELAFIELD



Lawrence G. Krause, Town Chair

ATTEST:



Mary Elsner, Town Clerk

This ordinance posted or published April 16, 2019.

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