

ITEM # 40
DATE 6-24-08

COUNCIL ACTION FORM

SUBJECT: CHANGES IN CITY ELECTRICAL CODE TO COMPLY WITH NEW STATE LICENSING REGULATIONS

BACKGROUND:

The City of Ames has conducted electrical inspections since 1929, and began licensing electricians in 1977 using examinations created and administered by the City's Electrical Board of Appeals. Since 1995 the City has utilized third party exams for this purpose. Other major Iowa cities also made the change from local to third party exams during the 1990's. The change from using tests written by local electrical boards to purchasing testing services from a nationally approved testing company increased the uniformity and security of exam content among the major Iowa cities. State licensing is the next step in progression toward more uniform standards for electrician licensing throughout Iowa.

During the 2006 Iowa legislative session, the State passed legislation mandating a state-wide electrical licensing and inspections program. The legislation was again modified during the most recent session. A major step in the State's program will begin with electrical licensing that is expected to take effect on July 1, 2008.

As part of this new legislation, two classes of State electrical licenses are created:

1. The Class A license is to be issued to electricians who have passed a test offered by a third party.
2. The Class B license is to be issued to any person who has not taken the third party test but can provide documentation that they were in the electrical business prior to the advent of third party testing.

In preparation for this change at the State level, staff recommends that the City modify its local electrical code to correspond with the new State rules and to add appropriate local restrictions on new State electrician licensees. While State Class A licensees will receive a State-wide license to perform electrical work, political subdivisions such as the City are allowed to restrict the type of work performed by Class B licensees within their political boundaries. Such local rules cannot be less restrictive, but may be more restrictive than the State's licensing requirements.

The proposed City Code amendment will allow electrical work to be done in Ames by electricians who hold a State Class A license issued by the Iowa Electrical Examining Board, but not by electricians holding a State B license unless they are currently licensed to do electrical work in Ames.

It is in the best interest of all those we serve to modify our local ordinance as quickly as possible to coincide with the State's anticipated effective date of July 1. The proposed changes will help assure that our citizens continue to be served by qualified electricians. This proposal is supported by the City's Board of Electrical Examiners and Appeals.

ALTERNATIVES:

1. Approve the proposed ordinance allowing electrical work to be done in Ames by electricians who hold a Class A license issued by the Iowa Electrical Examining Board, and allowing electrical work to continue to be done by Class B licensees who have a current license issued by the City of Ames.
2. Direct staff to prepare an ordinance that allows electrical work to be done in Ames only by electricians who hold a Class A license issued by the Iowa Electrical Examining Board.
3. Direct staff to prepare an ordinance that allows electrical work to be done in Ames by electricians who hold either a Class A or a Class B license issued by the Iowa Electrical Examining Board.

MANAGER'S RECOMMENDED ACTION:

The State's program was not established to replace the City's program, but to mandate a minimum electrical inspections and standards program to smaller municipalities and unincorporated sections of Iowa.

Ames electricians licensed after 1995 are eligible for a State Class A State-wide license. Ames licensed electricians who have not passed the City's third party exam prior to 1995 will be eligible to obtain a State Class B license, and it is recommended that these electricians continue to be licensed to perform electrical work in Ames.

Electricians not licensed in Ames, and who may have historically avoided any local licensing and education requirements, will also be issued a State Class B license. However, it is recommended that this category not be granted a license to perform electrical work in Ames unless they pass the State's third party exam.

By restricting the City's recognition of State Class B licensees to those electricians already licensed in Ames, the citizens of Ames will continue to receive services provided by the same qualified and licensed individuals who have served them for years. Were this restriction not added, however, electricians who may have never been licensed or received any specific electrical education and training could then be authorized to work in the City.

Therefore, it is the recommendation of the City Manager that Council adopt Alternative No. 1, approving the proposed ordinance allowing electrical work to be done in Ames by electricians who hold a Class A license issued by the Iowa Electrical Examining Board, and allowing electrical work to continue to be done by Class B licensees who have a current license issued by the City of Ames.