

**CHAPTER 54**  
**ELECTRICAL CODE**

[HISTORY: Adopted by the Durham Town Council April 5, 1993, as Ord. No. 92-08. This ordinance establishes minimum regulations governing the removal, alteration or installation of electric conductors and electrical equipment within the Town of Durham, N.H., and provides for the issuance of permits, collection of fees, making of inspections, and provides penalties for the violation of said ordinance.]

**ARTICLE I**

**54-1. Purpose.**

The purpose of these regulations is the practical safeguarding of persons and property from hazards arising from the use of electricity.

**54-2. Title.**

These regulations shall be known and may be cited as the *Electrical Code of the Town of Durham, New Hampshire*.

**54-3. Authority.**

- A. Pursuant to RSA 674:51 New Hampshire State Statutes, the Town of Durham, New Hampshire hereby adopts the following regulations for the control of all matters concerning the removal, alteration, enlargement and installation of electric conductors and/or electrical equipment within or on public and private buildings or other structures, including mobile homes, floating buildings, piers and other premises such as yards, parking and other lots, and industrial substations.
- B. The Town Administrator is hereby given the authority to enforce the provisions of this ordinance.
- C. Administrative Responsibility: The authority to administer this ordinance is hereby vested in the Town administrator who is also empowered to appoint a Code Enforcement Officer.
- D. Definitions:
  - 1. *Town Administrator*: The Town employee who is duly appointed by the Town Council to manage the Town affairs;
  - 2. *Code Enforcement Officer*: The Town employee who enforces and administers the building, electrical and plumbing codes.
  - 3. *Owner*: The person or persons listed as the owner(s) of record of a property.

4. *Electrical Contractor:* The Master Electrician responsible for obtaining the permit, supervising the work, and contacting the Code Enforcement Officer for inspection of work.

**54-4. Electrical code.**

All work on electrical conductors and/or electrical equipment, whether removal, alteration, enlargement of, or installation of, within the Town of Durham, New Hampshire shall conform to current National Electric Code, State Codes and Regulations, and Town Codes and shall be performed by an electrician licensed by the State of New Hampshire Electricians Board as prescribed in RSA:319-C.

Electrical installation in a single family residence shall be permitted to be installed by the property owner as allowed in RSA 319-C:15 II.

**54-5. Additional requirements.**

In addition to codes cited in Section 1.4, the following shall be required:

A. Grounding:

1. Extend NEC Residential Ground Fault Circuit Interruption (GFCI) Protection to all other Durham occupancies: e.g. lavatories, kitchens, etc. in commercial and industrial occupancies (hotels, motels, medical care facilities, service stations, etc.).
2. Electrical raceways, conduits, and armored cable shall have an equipment grounding conductor with all other conductors. The grounding conductor shall be sized in accordance with Table 250-95, NFPA 70 (National Electric Code).
3. All metallic raceways shall be effectively bonded to the grounding conductor.
4. An electric service for premises served by a municipal metered water service on a metallic pipe shall be effectively bonded by an unbroken #4 (minimum) copper conductor on the street side of the water meter, backflow preventer and shutoff valve. Further, a #4 (minimum) copper jumper shall be installed across both the water meter, backflow preventer and shutoff valve to allow convenient removal of either item without interrupting the jumper.
5. For new installations where there is a well, the electrical services for those premises shall be effectively bonded directly to the metallic well casing with an unbroken #4 (minimum) copper conductor by means of a drilled or tapped, or drilled and bolted screw type terminal or clamped onto a welded iron projection. Said conductor to be buried in accordance with Table 300.-5 of the National Electric Code.

*Code of the Town of Durham, NH*  
*Chapter 54 – Electrical Code*

6. All metal boxes containing conductor connections shall be physically attached to the grounding conductor in an approved manner as to provide for a continuous grounding, even if a device is to be removed. All metallic raceways shall be effectively bonded to the grounding conductor.
- B. Lighting: Electrical equipment (lights, fans, etc.) installed in a suspended ceiling shall be securely supported independently to the building structure at appropriate intervals. A minimum of two anchor points shall be required for all suspended fixtures.

## **ARTICLE II**

### **54-6. Permit required.**

It shall be unlawful to alter, remove, demolish, or install electric conductors and/or electrical equipment in the Town of Durham, New Hampshire without first obtaining an electrical permit.

### **54-7. Permit requirements.**

Applications shall be submitted in such form as the Code Enforcement Officer prescribes and shall be accompanied by the required fee as prescribed.

### **54-8. Permit applicant.**

The permit for electrical work as required by this ordinance shall be procured by a Master Electrician that is currently licensed by the State of New Hampshire Electricians Board, or as provided for under RSA 319-C:15 II, or by a homeowner that is performing electrical work on his/her own house.

### **54-9. Wiring diagrams.**

The Code Enforcement Officer may require wiring diagrams and/or job specifications to accompany permit applications if deemed necessary.

### **54-10. Permit fee.**

- A. Establishment of permit fees. The Town Council shall establish the electrical fee schedule and it shall be included within the Town-wide Master Fee Schedule.
- B. Fee for work started without a permit: Any person who is found to have demolished, altered, removed or installed any electrical conductors or electric equipment without the benefit of an electrical permit shall, upon issuance of said permit(s), be assessed a permit fee of twice (2x) the normal rate the permit would be.

*Code of the Town of Durham, NH*  
*Chapter 54 – Electrical Code*

- C. Payment of fee: The electrical permit fee (per fee schedule) is to be paid prior to any electrical permit being issued. The fee is to be paid to the Building Inspector's Office or other centralized receipt agent as determined by the Town.
- D. Fire suppression and detection systems: Installation permits shall be obtained from the Durham Fire Department.
- E. Minor repairs and/or maintenance: No permit or fee shall be required for minor repairs or maintenance necessitated by ordinary wear and tear, such as replacing a switch, receptacle or breakers. This does not include changing panels, service entrance or replacing wiring.

*(Section 54-10 amended by Ord. #2007-05 dtd 04/23/07).*

**54-11. Commencement of work.**

If the proposed work also involves a building permit, then no work shall be started on the proposed site and no building shall be altered, remodeled or demolished until said building permit is first obtained from the Code Enforcement officer.

**54-12. Issuance of permit.**

- A. An electrical permit will be issued after the Code Enforcement Officer has determined that there is a current building permit for the project or that only an electrical permit is required and the required fee has been paid.
- B. The Code Enforcement Officer shall be given at least 48 hours notice that the work is ready for inspection. This may be waived if the work is emergency in nature.

**54-13. Time limit of permits.**

All electrical permits shall be valid for six (6) months from date of issuance after which the permit becomes null and void. A three (3) month extension may be granted by the Code Enforcement Officer for special circumstances, otherwise a new permit will be needed.

**54-14. Assignability of electrical permit.**

An electrical permit, once issued shall not be assignable. A change of electrical contractors will require a new permit.

**54-15. Revocation or lapse of electrical permits.**

A violation of, or variation from, the terms, conditions or authorization of an electrical permit by the holder thereof or his agent, architect or contractor shall be cause for the revocation of said permit. Such revocation shall be made at the discretion of the Code Enforcement Officer and an appeal from such action may be made to the Director of Planning, Zoning and Code Enforcement.

**54-16. Electrical permit action.**

Should the Code Enforcement officer or Director of Planning, Zoning and Code Enforcement fail to take action on an application for an electrical permit within 30 days of the filing, the applicant may apply to the Zoning Board of Adjustment for an electrical permit.

**54-17. Construction safety clause.**

Any building site in the Town of Durham shall be left in a safe state at all times. The owner/contractors shall assume the responsibility for leaving the construction site so that no dangerous or hazardous conditions shall exist.

**ARTICLE III**

**54-18. Code Enforcement Officer's responsibilities.**

The Code Enforcement Officer shall be responsible for the performance of the duties listed in 54-19 and such other duties pertinent to the enforcement of the Zoning, Building, Fire and Health Regulations as the Town Administrator may determine.

**54-19. Duties of the Code Enforcement Officer.**

- A. He/she shall receive application for alteration, demolition, and installation of electrical conductors and/or electrical equipment.
- B. He/she shall keep a record of all applications and action taken on same.
- C. He/she shall promptly inspect sites if necessary and review plans for said proposals to see that the proposed work meets all codes.
- D. He/she shall approve the issuance of permits for the alteration, demolition or installation of electrical conductors and/or electrical equipment in the Town of Durham, New Hampshire and make the necessary inspections of completed work to see that it conforms to code requirements.
- E. He/she shall investigate all complaints alleging illegal or non-conformance to codes and take any necessary action that may be required.
- F. He/she shall take such action in the enforcement of this ordinance as the Director of Planning, Zoning and Code Enforcement and Town Administrator may direct.

#### ARTICLE IV

##### **54-20. Violations.**

Upon any well founded information that this Ordinance is being violated, the Town Administrator may, on the advice of the Code Enforcement officer, take immediate steps to enforce the provisions of this or other Town ordinances as set forth in N.H. Revised Statutes 676.17, as amended.

##### **54-21. Stop work order.**

- A. Upon notice from the Code Enforcement Officer that work on any building or structure is proceeding contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be immediately stopped. The Stop Work Order shall be in writing and shall be given to either the owner of the property involved, the owner's agent, or to the person doing the work or posted in a conspicuous place on the building site, and shall state the conditions under which work will be permitted to resume.
- B. Unlawful Continuance: Any person who shall continue any work in or about the structure after having been served with a Stop Work Order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than \$1,000 or more than \$5,000.

##### **54-22. Penalties.**

For any and every violation of the provisions of this Ordinance, the owner, general agent or such contractor of a building or premises where such violation has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the architect, builder, or any other person who knowingly commits, takes part or assists in any such violation, shall be liable on conviction thereof to a fine or penalty not exceeding \$100.00 or such other penalty which may, from time to time, be authorized by state law unless otherwise specified elsewhere in this Ordinance. For each and every offense and whenever such person shall have been notified by the Town Administrator or by service of summons in a prosecution, or in any other way that he is committing such violation of this Ordinance, each day that he shall continue such violation after such notification, shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines or penalties are now by law collected.

##### **54-23. Validity.**

*Code of the Town of Durham, NH*  
*Chapter 54 – Electrical Code*

In the event any part or provision of this code is held to be illegal or void by a court of competent jurisdiction, this shall not effect the validity of these regulations as a whole or any part thereof.

*Code of the Town of Durham, NH*  
*Chapter 54 – Electrical Code*

**54-24. Fees for electrical permit.**

- A. Electrical work as part of a building permit which includes other work: All cost is included in the building permit fee.
- B. Electrical work as stand-alone electrical project (\$10.00 minimum fee): \$10.00 plus \$15.00/\$1,000 of electrical contract price.