

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. 4708

AN ORDINANCE AMENDING SECTIONS 23-0203 AND 23-0211 OF
ARTICLE 23-02 OF CHAPTER 23
OF THE FARGO MUNICIPAL CODE RELATING TO
THE ELECTRICAL CODE

WHEREAS, the electorate of the City of Fargo has adopted a home rule charter in accordance with Chapter 40-05.1 of the North Dakota Century Code; and

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City shall have the right to implement home rule powers by ordinance; and

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict therewith and shall be liberally construed for such purpose; and

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to implement such authority by the adoption of this ordinance;

NOW, THEREFORE,

Be it Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. Amendment.

Section 23-0203 of Article 23-02 of Chapter 23 of the Fargo Municipal Code is hereby amended to read as follows:

23-0203. ~~Fee required before permit granted~~ Permit Required. ~~Before any permit is granted for the constructing, extending, or altering of an electrical installation, the master electrician making an application shall pay to the city a fee in such amounts as specified in article 3 of this chapter.~~

—A permit shall be required for all electrical work as defined in this chapter (whether done by the property owner or otherwise) except for minor repairs, and except as follows:

- A. Work of public utilities engaged in the manufacture and distribution of electrical energy when such work pertains directly to the manufacture and distribution of electrical energy.
- B. Work of public utilities engaged in telephone, telegraph, and radio communication service when said work pertains directly to such service.

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1 Section 2. Amendment.

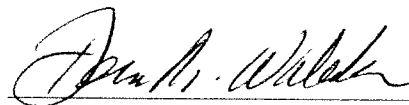
2 Section 23-0211 of Article 23-02 of Chapter 23 of the Fargo Municipal Code is
3 hereby amended to read as follows:

4 23-0211. Installations must conform to certain regulations before certificate
5 issued.--No certificate of approval shall be issued for electric light, power, and heating
6 installations unless such installations are in strict conformity with the provisions of this
7 chapter, the statutes of the state of North Dakota, the North Dakota State Wiring Standards,
8 the rules and regulations issued by the board of city commissioners of the city of Fargo,
9 under authority of the state statutes, and unless they are in conformity with approved
10 methods of construction for safety to life and property. The regulations as laid down in the
11 2008~~2~~ edition of the National Electrical Code as currently adopted by the State of North
12 Dakota, as approved by the American Standards Association and in the National Electrical
13 Safety Code, as approved by the American Standards Association, and other installation and
14 safety regulations approved by the American Standards Association, together with the
15 current standards as published by the National Fire Protection Association, shall be prima
16 facie evidence of such approved methods.

17 Section 3. Penalty. A person who willfully violates this ordinance is guilty of an
18 infraction. Every person, firm or corporation violating an ordinance which is punishable
19 as an infraction shall be punished by a fine not to exceed \$500.00; the court to have
20 power to suspend said sentence and to revoke the suspension thereof.

21 Section 4. Effective Date.


22 This ordinance shall be in full force and effect from and after its passage,
23 approval and publication.



Dennis R. Walaker, Mayor

(SEAL)

Attest:

1 
22 Steven Sprague, City Auditor

First Reading: 05-18-2009
Second Reading: 06-01-2009
Final Passage: 06-01-2009
Publication: 06-15-2009