

Electrical Licensing Law

SULLIVAN COUNTY LEGISLATURE

LOCAL LAW NO. 2 OF 2019

A LOCAL LAW OF THE COUNTY OF SULLIVAN, NEW YORK, TO AMEND AND RESTATE THE LOCAL LAW KNOWN AS “ELECTRICAL LICENSING”

Chapter 103, ELECTRICAL LICENSING

[HISTORY: Adopted by the County Legislature of the County of Sullivan 6-20-2002 by L.L. No. 5-2002. Amended June 21, 2007 by L.L. No. 5-2007. Amended August 25, 2014 by L.L. No. 3-2014.]

ARTICLE I, PURPOSE AND DEFINITIONS

§ 103-1. Purpose.

The County Legislature of the County of Sullivan (the “County”) does hereby find that the profession of installation, repair and improvement of electrical services and wiring in residential and commercial structures is a unique occupation requiring training, experience and special skills. The improper installation, repair and improvement of electrical wiring may create hazardous conditions for the occupants and community. The County Legislature finds the licensing of electrical contractors and electricians is an appropriate method to ensure that qualified persons practice the electrical trade in the County in order to protect the public.

Nothing in this local law is designed to interfere with or shall be construed to interfere with (i) any existing state or local law or the industry practice relating to electrical work; (ii) authority of the local municipalities within the County to issue certificates of occupancy or any permits necessary for the performance of electrical work to an electrician who has a license issued by the Board (as defined herein) pursuant to this chapter; or (iii) a homeowner installing, repairing or improving electrical service to such homeowner’s own residence, subject to compliance with permitting and inspection requirements of the applicable local municipality in which the homeowner is located.

§ 103-2. Definitions.

As used in this chapter, the following terms shall have the following meaning unless the context requires otherwise:

- (A) BOARD – The Board of Electrical Licensing of the County as established by this chapter.
- (B) CHAIRMAN – The Chairman of the Board of Electrical Licensing.
- (C) COUNTY – The County of Sullivan.
- (D) COUNTY LEGISLATURE – The County Legislature of the County of Sullivan.
- (E) ELECTRICAL CODE – At any given time, the electrical code then specified by the New York State Uniform Fire Prevention and Building Code; provided, however, that in the case of alleged violations by a person who is or should have been licensed hereunder, if the municipality where the work was performed has adopted a more restrictive code, “Electrical Code” means the more restrictive code.
- (F) ELECTRICAL CONTRACTOR – Any natural person, firm, partnership, corporation, limited liability company or other legal entity which (a) engages in or carries on the business of installing, erecting, altering or repairing electrical wiring, apparatus, fixtures, devices, appliances and equipment utilized or designed for the utilization of electricity for light, heat or power purposes, or for signaling systems operating on 50 volts or more and (b) is owned by or managed by at least one (1) Master Electrician to supervise the work of the Electrical Contractor.

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- (G) ELECTRICAL INSPECTOR – An electrical inspector that is certified by a nationally-recognized electrical inspection certification program.
- (H) HOMEOWNER – Any natural person who owns land upon which there is a one-family dwelling unit occupied by such person and/or where there may also be nonresidential buildings used solely for the private use of such person, and the title thereto being in the name of such person, and/or his or her spouse, individually or jointly.
- (I) INVESTIGATOR – An Electrical Inspector, a Master Electrician or other person that in the opinion of the Board is qualified to investigate complaints received by the Board and which has been retained by the County pursuant to a request for proposals.
- (J) JOURNEYMAN ELECTRICIAN – Any natural person who under the supervision of a Master Electrician (a) installs, erects, alters or repairs electrical wiring, apparatus, fixtures, devices, appliances and equipment utilized or designed for the utilization of electricity for light, heat or power purposes, or for signaling systems operating on 50 volts or more or (b) directs the performance of work done in connection with the installation, erection, alteration, extension or repair of electrical wiring, apparatus, fixtures, devices, appliances and equipment for light, heat or power purposes or for signaling systems operating on 50 volts or more.
- (K) LICENSEE – A person licensed by this chapter.
- (L) LIMITED ELECTRICIAN – Any natural person who engages in or carries on the business of repairing electrical wire controls and servicing oil burners, gasoline and oil pumps, domestic water pumps, and oil, gas and air conditioning units, and/or installing or repairing electrical signs and billboards and any person who contracts to do any of the foregoing.
- (M) MASTER ELECTRICIAN – Any natural person who engages in or carries on the business of installing, erecting, altering or repairing electrical wiring, apparatus, fixtures, devices, appliances and equipment utilized or designed for the utilization of electricity for light, heat or power purposes, or for signaling systems operating on 50 volts or more and any person who performs, or supervises the performance of, work done in connection with the installation, erection, alteration, extension or repair of electrical wiring, apparatus, fixtures, devices, appliances and equipment for light, heat or power purposes or for signaling systems operating on 50 volts or more and any person who contracts to do any of the foregoing.
- (N) PERSON – A natural person, firm, partnership, corporation, limited liability company or other legal entity, whether or not organized for profit.
- (O) QUALIFIED WORK EXPERIENCE – Work as a mechanic and installer of electrical wire, service, parts and equipment performed under the supervision of a Master Electrician, and the work performed was reasonably related to the scope of work to be performed under the type of license for which application is made.
- (P) SPECIAL ELECTRICIAN – Any natural person who is in the exclusive employ of a publicly-held corporation or an owner, lessee or manager of a building or plant structure and whose employment consists wholly or partly of the work of maintaining or repairing electrical wiring, apparatus, fixtures, devices, appliances and equipment utilized or designed for the utilization of electricity for light, heat or power purposes, or for the signaling systems operating on 50 volts or more solely on the premises of said business or corporation.

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ARTICLE II, BOARD OF ELECTRICAL LICENSING

§ 103-3. Membership.

- (A) There is hereby established in and for the County of Sullivan a board known as the "Board of Electrical Licensing of the County of Sullivan" consisting of seven (7) voting members and two (2) non-voting members.
- (B) The following shall constitute the voting members of the Board of Electrical Licensing:
1. One (1) representative of the New York State Electric and Gas Company (NYSEG), or any successor local electrical utility company in the event NYSEG should sell, transfer or merge its business.
 2. One (1) Electrical Inspector working as such in the County.
 3. Two (2) Master Electricians currently licensed in County.
 4. One (1) Code Enforcement Officer/Building Inspector from a town or village within the County.
 5. The County Manager or his/her designee.
 6. The legislative head of the Public Safety and Law Enforcement Committee of the County Legislature or another member of the County Legislature appointed thereby.
- (C) The following shall be non-voting members of the Board of Electrical Licensing:
1. One (1) representative from the IBEW (International Brotherhood of Electrical Workers).
 2. A recording secretary, who shall be an administrative assistant employed by the County.
- (D) The Board shall have the authority to consult with professionals and/or advisors as needed.
- (E) All members of the Board of Electrical Licensing shall serve in such positions without compensation except for the recording secretary.
- (F) All appointments to the Board of Electrical Licensing, other than the County Manager or his/her designee who shall be a member by virtue of his/her office, shall be made by the County Legislature.
- (G) The Board of Electrical Licensing shall be subject to the legislative oversight of the Public Safety and Law Enforcement Committee of the County Legislature.
- (H) Of the members first appointed, other than the County Manager or designee (pursuant to B.5, above) and the legislator (pursuant to B.6, above), one (1) shall be appointed for a term of one (1) year; two (2) for a term of two (2) years; two (2) for a term of three (3) years. Members may continue until their successors have been appointed and confirmed. All succeeding members of the Board thereafter shall be appointed for terms of four (4) years.
- (I) The Board shall elect a chairman and a vice-chairman from its membership annually.
- (J) After three (3) consecutive, unexcused absences by a member of the Board, the Board, by a majority vote, may recommend to the Legislature that said member be removed. The Legislature, by supermajority vote, has the discretion to remove an appointed member of the Board at any time.

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§ 103-4. Powers of Board.

The Board of Electrical Licenses shall:

- (A) Hold regular quarterly meetings and special meetings as often as necessary (upon written or electronic notice of a special meeting to the members of the Board at least forty-eight (48) hours in advance of said special meeting).
- (B) Adopt bylaws and such rules and regulations as may be necessary to implement this chapter, including licensing standards not inconsistent herewith, and file a certified copy thereof prior to the effective date with the Clerk of the County Legislature.
- (C) Review qualifications and fitness of applicants for licenses under this chapter that have been denied or accepted by the Director of Human Resources or his/her designee. The Board, by a majority vote of its membership, can overrule the Director of Human Resources or his/her designee's decision denying an applicant the opportunity to take the exam.
- (D) Issue licenses as authorized by this chapter to applicants possessing the requisite qualifications. Licenses shall be signed by the Chairman. The Board shall keep records of all proceedings and licenses issued pursuant to this chapter.
- (E) Hear complaints of alleged violations of this chapter; suspend or revoke licenses; impose and collect fines and penalties for violations of the current Sullivan County Electrical Licensing Law or the applicable Electrical Code after due notice and hearing (as hereinafter provided);
- (F) Subject to the approval of the County Attorney, institute suits in the name of the County to enforce this Chapter or any bylaws, rules or regulations adopted by the Board hereunder;
- (G) Charge application and annual license fees as the Board may determine from time to time.
- (H) Administer oath to witnesses.

§ 103-5. Quorum.

A majority of the Board shall constitute a quorum for the transaction of business at any meeting.

ARTICLE III, LICENSES; EXEMPTIONS

§ 103-6. License required.

Except as provided in § 103-12, no person shall engage in, carry on or conduct the business of an Electrical Contractor or Master Electrician or do, perform, offer, undertake, contract to do or perform the work of a Master Electrician, Journeyman Electrician, Limited Electrician or Special Electrician, as herein defined, within the County of Sullivan or hold himself/herself out to the public, directly or indirectly, as being able to do so unless licensed or exempt from licensing pursuant to this chapter.

§ 103-7. Permanent licenses.

The Board shall issue a permanent license to any applicant who has successfully completed the requirements for any category of license herein; provided, however, that such license is subject to renewal as set forth in this chapter.

§ 103-8. Temporary licenses.

- (A) The Board may, upon application, issue a temporary license to an Electrical Contractor for a single job within the County in the following circumstances:

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1. The Electrical Contractor is performing electrical work for the state, the County of Sullivan, a municipality or a school district pursuant to a written contract requiring a performance bond, and/or is under architectural or engineering supervision;
2. The Electrical Contractor is performing electrical work pursuant to a written contract in the County of Sullivan, the consideration for which is equal to or greater than \$250,000; provided, however, that temporary licenses may not be issued with respect to a contract relating to electrical work for a housing development; or
3. If an Electrical Contractor performing electrical work is currently licensed by another jurisdiction outside of Sullivan County, pursuant to a valid reciprocal licensing agreement pursuant to § 103-9.
 - (B) Any Electrical Contractor applicant for a temporary license must name at least one Master Electrician who is responsible for supervising the work performed in the County on a regular basis, and the Master Electrician who is named also must apply for a temporary license.
 - (C) The Board may, upon application, also issue a temporary license to one or more Master Electrician(s) or Journeyman Electrician(s) working under an Electrical Contractor pursuant to (A), above.
 - (D) Any temporary license issued pursuant to this section shall expire at the earlier of December 31st of the year in which the licenses was issued or the date that the job is completed; provided, however, that upon request by the licensee, the Board may renew such a temporary license for additional one-year periods or until the job shall be completed, whichever period is shorter.
 - (E) Prior to issuing a temporary license as provided in (A), above, the Board shall:
 1. Determine that the applicant is a reputable and qualified electrical contractor;
 2. Determine that the applicant, if subject to licensure by the state or county in which its principal office is located, is in good standing with the applicable licensing authority;
 3. Obtain from the Electrical Contractor applicant proof of insurance (general liability and workers compensation).

§ 103-9. Reciprocity Agreements.

The Sullivan County Legislature may, by resolution, authorize the County Manager to enter into formal reciprocal licensing agreements between Sullivan County and individual municipalities or other States, and the Board shall maintain a list of all jurisdictions with which such agreements exist. Any such reciprocity shall be authorized only if the licensing requirements (of the jurisdiction being granted reciprocity) equal or exceed those of the applicable to applicants for permanent licenses hereunder.

§ 103-10. License form and term; renewal.

- (A) Licenses issued hereby shall not be assignable or transferable.
- (B) The form and content of such license issued shall be prescribed by said Board in such manner as to properly identify each licensee. Each license issued hereunder shall specify the name of the person, firm, partnership, corporation, limited liability company or other legal entity, who or which shall be known as the holder of the license. The license of an Electrical Contractor shall specify its primary Master Electrician.
- (C) All licenses must be renewed annually in January. In order for a license to be renewed, a licensee must provide (a) proof of six (6) hours of continuing education per calendar year, (b) applicable fees and (c) in the case of an Electrical Contractor, Master Electrician or Journeyman Electrician, proof of insurance (general liability and workers compensation); provided, however, that (a), above, shall not be required in case of a non-natural person Electrical Contractor so long the

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primary Master Electrician has provided such proof in connection with his/her renewal, and provided, further, that (c), above, shall not be required with respect to any Master Electrician or Journeyman Electrician that is listed as an employee of an Electrical Contractor which is licensed hereunder and has provided current proof of insurance.

- (D) Each license shall at all times be kept conspicuously displayed in the place of business or employment, and vehicle(s) the case may be, of the licensee.
- (E) Each Journeyman Electrician, Limited Electrician, and Master Electrician shall list his/her license number in each advertisement, estimate, bill, building permit application or contract setting forth the license number and such other information as the Board shall direct by regulation.

§ 103-11. Inactive Status; Lapse.

- (A) Any licensee may surrender their license and be considered "inactive" providing that the licensee pay the yearly renewal fees and takes six (6) hours of continuing education per year. Said licensee may reactivate their license at any time in accordance with this chapter.
- (B) If a licensee has changed his/her status to an Electrical Inspector, the license is placed on hold and the annual licensing fee must be paid until such time they deem to reactive it.
- (C) Failure to reactive within five years will require such licensee to qualify for a license in accordance with the requirements of this chapter and an appearance before the Board for a review.
- (D) Failure to maintain 6 hours of continuing education per year is a basis for having a license revoked or to elect not to renew a license.

§ 103-12. Exemptions from license requirement.

The following persons shall be exempt from the requirement to obtain a license:

- (A) Persons engaged solely in selling and attaching ordinary electrical appliances to existing circuits where no joining or splicing of electrical wires is required.
- (B) Persons engaged solely in the electrical manufacturing business.
- (C) Persons employed by public service companies authorized to do business in the State of New York.
- (D) Persons engaged in the transmission of data by electricity and in installing, repairing and/or maintaining wires or other fixtures or appliances in connection therewith operating on less than 50 volts.
- (E) Homeowners engaged in the installation, maintenance, replacement and improvement of electrical work in their primary unattached, single family residence; provided, however, that "replacement" shall not include replacement, in whole or in part, of the electrical service on such residence, and provided, further, that to the extent a building permit by the applicable municipality is required, such electrical work must be inspected by a certified inspector.

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ARTICLE IV, LICENSE APPLICATIONS AND QUALIFICATIONS

§ 103-13. Applications.

Every person who requires a license under this chapter and who meets the requirements set forth herein shall apply for such license on the form and in the manner prescribed by the Board.

§ 103-14. Minimum qualifications.

No person shall apply for a license unless, prior to the administration of an examination (if applicable), such person shall have satisfied the minimum qualifications for the specified type of license for which the application is made.

§ 103-15. Qualifications for Electrical Contractor, Master Electrician and Journeyman Electrician License.

(A) The minimum qualifications for a license as an Electrical Contractor are:

1. In the case of a corporation, limited liability company or other legal entity, be registered and in good standing with the Office of the New York Secretary of State; and
2. Employ at least one (1) Master Electrician (licensed in accordance with this chapter) and up to as many Master Electricians (licensed in accordance with this chapter) as are reasonably necessary to conduct its business and to ensure appropriate supervision of all work being performed by Journeyman Electricians (also licensed in accordance with this chapter) and any unlicensed electricians (*i.e.*, apprentices) on behalf of said Electrical Contractor.

(B) The minimum qualifications for a license as a Master Electrician are:

1. (a) graduation from an accredited trade school as an electrician or successful completion of a New York State approved apprenticeship program (or other state or federally approved apprenticeship program that is at least equivalent to a New York State approved program) as an electrician and (b) completion of an additional three (3) years of Qualified Work Experience, certified by applicant's employer(s); or
2. Completion of at least seven (7) years of Qualified Work Experience, at the expiration of such period, applicant has been certified in writing by a Master Electrician to function as a Master Electrician.

(C) The minimum qualifications for a license as a Journeyman Electrician are:

1. Successful completion of a New York State approved apprenticeship program (or other state or federally approved apprenticeship program that is at least equivalent to a New York State approved program) as an electrician and completion of an additional two (2) years of Qualified Work Experience, certified by applicant's employer(s); or
2. Completion of at least five (5) years of Qualified Work Experience, at the expiration of such period, applicant has been certified in writing by a Master Electrician to function as a Journeyman Electrician.

§ 103-16. Qualifications for Limited Electrician License and Special Electrician License.

The minimum qualifications for a license as a Limited Electrician and Special Electrician are:

- (A) Completion of at least three (3) years of Qualified Work Experience; and
- (B) Certification in writing by the employer(s) of such person of the performance of the Qualified Work Experience based on regular over-site of the employer.

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§ 103-17. Qualified Work Experience.

- (A) One (1) year of Qualified Work Experience shall be credited if such person was employed in a part-time capacity, and the Qualified Work Experience was completed within a period of 24 consecutive months.
- (B) In order to be considered as part of an application, all Qualified Work Experience must be certified in writing by the employer(s) of such person and be based on regular oversight of the employee by said employer(s).

§ 103-18. Information required.

The application for any license shall request the following information:

- (A) Name and home address of applicant;
- (B) Business address;
- (C) Telephone number;
- (D) The last four (4) digits of the applicant's social security number and employer identification number(s);
- (E) Valid photo identification;
- (F) A statement of all Qualified Work Experience and education, setting forth names, addresses and descriptions of work performed or degrees attained, and date of employment or attendance, together with certification of said Qualified Work Experience;
- (G) A statement of whether the applicant was licensed under any other law, whether such license is currently valid, whether such license was ever suspended, revoked or other action taken and, if so, the disposition thereof;
- (H) A statement of whether the applicant was ever convicted of a felony or misdemeanor, and if so, the disposition thereof;
- (I) A statement that the Director of Human Resources or his/her designee is authorized to investigate the facts set forth in the application; and
- (J) A statement that such application is made under the penalties of perjury.

§ 103-19. Filing of application; additional information.

An application shall be deemed filed only when the properly completed application and application fee are received by the Chairman. Applications must be filed at least two (2) weeks before the date set by the Board for the exam. An applicant may provide such additional information as the applicant deems appropriate, including references from prior employers, customers and teachers.

ARTICLE V, EXAMINATIONS; APPROVAL OR DENIAL OF APPLICATION

§ 103-20. Examinations.

Except as provided in § 103-26, examinations shall be required for any applicant under each of the following categories of registration: Master Electrician, Limited Electrician and Special Electrician. An application to take an exam shall be filed with the Chairman. Examinations for each type of license authorized by this chapter shall be administered within 45 days of any approved applications.

§ 103-21. Place and time of examinations.

All examinations shall be supervised and administered by either (a) the Director of Human Resources, or his or her designee, at the County Government Center, Monticello, New York, during regular

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business hours or (b) by an outside testing agency approved by the Board to supervise and administer the exams.

§ 103-22. Content of examinations.

The Board shall approve the examinations and shall test, for each type of license authorized by this chapter, the applicant's:

- (A) Knowledge of the proper application and use of electrical materials, equipment and tools; and
- (B) Knowledge of the Electrical Code.

§ 103-23. Grading of examinations.

- (A) With respect to any examination administered by the Director of Human Resources, prior to administration of an examination, the Board shall approve an answer key setting forth the correct answers and, if applicable, alternative correct solutions.
- (B) Except when an outside testing agency is administering examinations, the Director of Human Resources or his/her designee shall grade the examinations and report the results to the Chairman. Exams shall be graded within five (5) business days of date they were taken. An applicant will be notified of the result of the examination promptly thereafter.
- (C) With respect to any examination administered by the Director of Human Resources, upon written request by an applicant within 20 days after of date of notice of examination results, the Board shall make the examination and answers to the examination available to the applicant for review.

§ 103-24. Approval or denial of license.

Failure to pass the exam or to meet the necessary qualifications as required by §§ 103-15 or 103-16 shall be grounds for denial of a license under this chapter. In the event that an applicant fails two (2) exams within one (1) year, the applicant must wait one (1) year from the date of the second exam before re-applying for a license. In the event an applicant passes the examination and is approved for licensure, the applicant shall pay to the applicable licensing fees before the license shall be issued to the applicant.

§ 103-25. Denial of licenses; hearings.

If the Board denies a license to an applicant, the Board shall set forth the reasons for such denial, in writing, and mail the same to the applicant. Within 20 days after the date of mailing such notice of denial, the applicant may, by written request, seek review of such determination before the Board, to hear the evidence presented by the applicant and may call witnesses. After such hearing before the Board, the Board shall determine whether to sustain the denial or issue the license. The Board may allow oral argument. The Board shall decide the matter within 10 business days after the hearing and notify the applicant of its decision in writing. No application shall be denied on the grounds that the applicant was convicted of a crime, except in accordance with Article 23A of the Corrections Law.

§ 103-26. Waiver of examination requirement.

The Board may waive with the requirement of taking and passing the examination with respect to any applicant for a temporary license pursuant to § 103-8.

ARTICLE VI. PENALTIES FOR OFFENSES; ENFORCEMENT

§ 103-27. Civil offenses.

- (A) No person shall directly or indirectly engage or work in the business of Electrical Contractor, Journeyman Electrician, Limited Electrician, Master Electrician, or Special Electrician in the

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County without a valid license, unless such person shall be exempted from licensing as herein provided in § 103-12.

- (B) No person shall employ or contract with a person who is required to be licensed by this chapter to perform any electrical work in the County of Sullivan unless such employee or contractor shall have a valid license.
- (C) No person who is licensed by this chapter and engaged in the business or work of an Electrical Contractor, Journeyman Electrician, Limited Electrician, Master Electrician, or Special Electrician shall inspect any electrical work in the County of Sullivan, nor shall such person prepare, submit or offer, or attempt to prepare, submit or offer, a certificate of inspection of any electrical work to any governmental authority or any other person who properly requires a certificate of inspection of electrical work upon which certificate of inspection such governmental authority or other person will reasonably rely.
- (D) No licensee shall violate any provision of this chapter or the regulations adopted by the Board.
- (E) No licensee shall violate any local law, ordinance or resolution regulating the installation of electrical service, wiring and apparatus adopted by any municipality in which this chapter shall be effective.
- (F) No licensee shall violate any applicable provisions of the Electrical Code governing the work being performed.
- (G) Any person licensed as a Special Electrician may not work under such license for the public generally.
- (H) Failure to comply with the provisions of this local law shall constitute a violation.

§ 103-28. Injunctive relief.

A violation of this chapter may be enjoined. The County Attorney may seek an injunction on behalf of the Board in his or her discretion, upon the written request of the Board, in the Supreme Court, Sullivan County.

§ 103-29. Hearing; penalty.

- (A) Any person found to have violated any provision of this chapter may be penalized by the Board for violations shown after a hearing by the Board, upon due notice, held upon written charges given to the alleged violator. The alleged violator may call witnesses and be represented by an attorney. If the Board determines that the alleged violator or any supervisor/employee violated any provision of this chapter or of any other applicable law, it may impose a fine not exceeding \$1,000 per day.
- (B) In addition, any license issued hereunder may be suspended or revoked or other penalty imposed by the Board for any violation after a hearing by the Board, upon due notice, held upon written charges given to the alleged violator. Furthermore, the Board may, in such case as it may determine, impose a probationary term not to exceed one year, during which the licensee shall perform work and have same inspected upon such conditions as the Board shall deem appropriate.

§ 103-30. Violations defined.

As used in this chapter, each day that a violation shall continue shall constitute a separate and distinct violation.

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§ 103-31. Conflict of interest.

No member of the Board who is licensed pursuant to this chapter shall hear any complaint brought before the Board which involves such member.

ARTICLE VII, INSURANCE, LIABILITY FOR DAMAGE

§ 103-32. Insurance.

Each Electrical Contractor, Master Electrician or Journeyman Electrician who is licensed pursuant to this chapter, including any of the foregoing who or which is granted a temporary license, shall maintain appropriate insurance issued by an insurance company licensed to do business in the State of New York in a single limit of liability of not less than \$500,000 for each act of negligence or other injury to persons or property. Each such person licensed pursuant to this chapter shall file with the Board annually, or upon any change of insurance carrier, a certificate of insurance showing the maintenance and existence of such insurance coverage. The failure to maintain such insurance policy or file proof of coverage shall be grounds for the suspension of such person's license under this chapter, which suspension shall continue in effect until coverage is obtained or reinstated.

§ 103-33. Liability for Damage.

- (A) All installations of, extensions to and alterations of electrical work within the County shall conform to the Electrical Code and of any other applicable statute, ordinance or building code pertaining thereto and shall also be in conformity with approved standards for safety to life and property. In every case where no specific type or class of material or no specific standards are prescribed by law, conformity with the regulations and requirements contained in the applicable New York State Uniform Fire Prevention and Building Code and the relevant reference standards provided by that code contained in the current National Electrical Code version adopted by New York State shall be *prima facie* evidence of conformity with approved standards for safety to life and property.
- (B) Inspections made and the certificates of approval or permits issued by an Electrical Inspector approved by the local municipality having jurisdiction over building permits for such electrical installation in the County shall be deemed by the Board as evidence of proper installations.
- (C) This chapter shall not be construed to relieve, limit or reduce the responsibility of any person owning, operating, controlling or installing any electrical wiring, devices, appliances or equipment for loss of life or damage to person or property caused by any defect therein, nor shall the County be deemed to have assumed any such liability for a license issued pursuant to this chapter, or for any work performed by such licensees.

ARTICLE VIII, COMPLAINTS

§ 103-34. Notice of Complaint; Investigation; Recommendations.

- (A) Any complaint alleging a violation of the Electrical Licensing Law shall be sent to:
 - 1. The County Manager,
 - 2. The Board, and
 - 3. The Code Enforcement Officer or Building Inspector of town or village where the alleged violation occurred.
- (B) Upon receipt of a complaint, the Chairman is authorized to initiate a preliminary investigation and generate a preliminary report indicating what, if any, further investigation or inquiry is required. The preliminary report shall be shared with the entire Board. If the Board determines that no further investigation is necessary, then the preliminary report shall be deemed a final report and a

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copy of the report shall be sent to the Code Enforcement Officer/Building Inspector of jurisdiction. If the Board determines that the preliminary report indicates that further investigation or inquiry is necessary, the Chairman shall be authorized to hire an Investigator to conduct a more thorough investigation. Said Investigator shall report its findings directly to the Board and the Code Enforcement Officer or Building Inspector of the town or village where the alleged violation occurred.

- (C) Upon review of the Investigator's findings and all other information available to him/her the County Manager or designee and the Board shall recommend further action, including a hearing under this chapter and a method of remediation.
- (D) Upon completion of remediation, a final report shall be issued to the Board.
- (E) The County Manager or designee, shall send the final report to the Board and any official(s), agency(s) or authority(s) that they deem appropriate. The County Manager or designee is authorized to request that the appropriate official commence an enforcement action, including but not limited to a legal proceeding.

ARTICLE IX, COURT REVIEW

§ 103-35. Review of action of Board.

Any action of the Board may be reviewed by any person aggrieved thereby in the Supreme Court, Sullivan County, by a proceeding instituted under the provisions of Article 78 of the Civil Practice Law and Rules within 120 days of the action sought to be reviewed.

ARTICLE X, MISCELLANEOUS PROVISIONS

§ 103-36. Disposition of moneys derived from chapter.

All fees, fines and penalties imposed in accordance with this chapter shall be paid directly to the Sullivan County Treasurer.

§ 103-37. Geographic scope.

This chapter shall have no effect in any town or village in the County of Sullivan which shall have heretofore or shall hereinafter enact any local laws or ordinances regulating the licensing of Electrical Contractors, Journeyman Electricians, Limited Electricians, Master Electricians, and Special Electricians.

§ 103- 38. Title.

This chapter may be referred to and cited as the "Electrical Licensing Law".
