

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Solvay

Local Law No. 4 of the year 2024

A local law Local Law amending the Village of Solvay Code Chapter 72 by striking therefrom the
(Insert Title)
existing Section 72-2 and replacing it with a New Section 72-2 entitled

"Inspections, Rules and Regulations, Authority of Department".

Be it enacted by the Village of Solvay Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Solvay as follows:

LOCAL LAW NO.: 4 of 2024

LOCAL LAW AMENDING THE VILLAGE OF SOLVAY VILLAGE CODE CHAPTER 72 BY STRIKING THEREFROM THE EXISTING SECTION 72-2 AND REPLACING IT WITH A NEW SECTION 72-2 ENTITLED "INSPECTIONS, RULES AND REGULATIONS, AUTHORITY OF DEPARTMENT"

(See attached)

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2024 of the (County)(City)(Town)(Village) of Solvay was duly passed by the Village of Solvay Board of Trustees on May 28 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)


I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

 Harry DeCarlo, Clerk-Treasurer
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: June 3, 2024

(Seal)

LOCAL LAW NO.: 4 of 2024
LOCAL LAW AMENDING THE VILLAGE OF SOLVAY VILLAGE CODE CHAPTER 72 BY STRIKING THEREFROM THE EXISTING SECTION 72-2 AND REPLACING IT WITH A NEW SECTION 72-2 ENTITLED “INSPECTIONS, RULES AND REGULATIONS, AUTHORITY OF DEPARTMENT”

BE IT ENACTED BY THE VILLAGE BOARD OF THE VILLAGE OF SOLVAY AS
FOLLOWS:

Section 1: The Village of Solvay Village Code, being Local Law No.4 of 1991, as has previously been amended, is hereby further amended at Chapter 72 by striking therefrom the existing §72 and replacing it with a new §72 entitled “Inspections, Rules and Regulations, Authority of Department”, to read as follows:

“§72 Inspections, Rules and Regulations, Authority of Department

§ 106-1 Coverage.

This article shall apply to all electric wiring, apparatus, fittings, appliances and equipment, the installation and maintenance thereof and the distribution and utilization of electrical energy to consumers by the Village of Solvay Electric Department, excepted, however, from its provisions are the placing, connecting and renewal of approved fuses, of incandescent lamps and portable appliances, together with their cables and attachments, unless otherwise specified herein.

§ 106-2 Definitions.

In this article, the following definitions shall apply:

APPROVED

If not otherwise qualified, means approved by the Commissioner or other authorized representative of the Village of Solvay Electric Department.

BUILDING

Includes any structure, fenced area or open space within which, upon which or to the outside of which an electrical installation is made.

DEPARTMENT

If not otherwise qualified, means the Village of Solvay Electric Department.

DESIGNEE

If not otherwise specified shall mean an individual designated by the Commissioner, including, without limitation, a Village of Solvay Code Officer so designated by the Commissioner, to inspect any Building and to enforce the provisions of this Code section.

MASTER ELECTRICIAN

A person who holds a master electrician's license issued by the village as provided in Article **III** of this chapter.

OWNER

Includes the owner, tenant, lessee or occupant of any building, as herein defined, and any consumer of current or customer supplied with current by the Solvay Electric Department.

COMMISSIONER

The authorized Commissioner of Village of Solvay Electric Department or his duly designated deputy.

§72-1 Conformity with certain regulations.

All electrical wiring, apparatus, fittings, appliances and equipment shall conform in all respects to the regulations for controlling electrical installations for service adopted by the Department, together with the applicable rules and regulations of the National Electrical Code current at the time of installation.

§72-2 Powers of Commissioner; duties of owners.

A.

Enumerated. Authority is hereby vested in the Commissioner to enforce the provisions of this article, and in the performance of the duties thus authorized, the following powers, in addition to those provided elsewhere herein, are conferred:

(1)

To inspect and reinspect, either individually or through a Designee, any building at any reasonable hour to determine whether there has been full compliance with this article and the regulations of the Department and to designate such additional agents to make such inspections and to enforce the provisions of this Chapter and an rules or regulations of the Department. Such inspection authority shall include, but shall not be limited to, the right to require a passing inspection of any Building that has had an interruption or cessation of electrical service for any reason and shall include such inspections as may be requested from time to time by the Mayor of the Village or in accordance with a duly adopted policy of the Electric Commission.

(2)

To make such rules and regulations on behalf of the Department as the Commissioner shall deem necessary, subject to review and approval of the Electric Commission, to effectuate the purposes of this article, to provide for public welfare and safety and further the efficiency of the Department, and such rules shall be enforceable as a provision of this article.

(3)

To issue orders directing owners and others, who may be responsible, to remedy any violation of this article and to correct any defects of maintenance or installation and to issue orders suspending or terminating electric service for a failure to comply with this Chapter and any rules or regulations of the Department.

B.

Duty of owner; service of order. Failure by an owner or other responsible person to permit access to a building, as herein provided, or to obey an order served upon him in writing and signed by the Commissioner shall constitute a violation of this article. Compliance shall be within the time specified in an order or, if no time is specified, within a reasonable time. Service shall be deemed

effective either if made personally upon the person designated therein, if affixed to the main entry to the Building, or if sent by mail to his last known owner address as filed in the records of the Department.

§72-3 Rules pertaining to service.

Applicants for electrical service shall be bound to an observance of the following rules:

A.

Certificate of approval. Each applicant must submit, with his application to the Commissioner, a certificate of approval by the New York Board of Fire Underwriters, or other qualified inspection agency approved by the Village of Solvay, of the proposed installation.

B.

Plans; specifications. For a primary installation, an applicant must submit plans of the building to be serviced with specifications of its electrical requirements. Such specifications are subject to approval, modification or rejection by the Commissioner in conformity with the standards approved by the Department. Acceptable standard specifications will be provided by the Department upon request.

C.

Commissioner's approval. No primary service connection will be made until said Commissioner's approval has been given to the wiring.

D.

Special apparatus. No special machinery or apparatus, such as elevators, conveyor motors, motion-picture projectors, x-ray apparatus and the like, requiring special electrical installation shall be installed until application therefor has been filed with the Department and approval has been granted by the Commissioner.

E.

Temporary emergency service. For temporary emergency service, the Department must be notified of the details involved so that proper arrangements for service may be provided and a proper assessment of the costs to the owner may be determined.

F.

Service at 2,400 volts. Where service at 2,400 volts is required, the Commissioner must be consulted before any equipment is bought or work undertaken.

G.

Alterations. Application for an approval of the electrical plans should be made whenever a building is to be substantially altered or an existing electrical installation is to be substantially changed.

H.

Liability of village. All service is furnished with the express understanding that no liability shall be incurred by the village because of any interruption or cessation thereof.

§72-4 Performance of electrical work.

A.

Except as herein provided, no one shall install, alter or repair electrical wiring, apparatus, fittings, appliances or equipment, as provided in this article, for others, other than:

(1)

A master electrician.

(2)

A person hired by or working under the general supervision of a master electrician.

(3)

A person who is not a master electrician but either is the employer of a master electrician or is associated with a partnership in which one of the partners is a master electrician or with a corporation in which one of whose officers is a master electrician. Such a person may do electrical work, as herein comprehended, but only upon compliance with the following conditions:

(a)

The licensed electrician shall submit his master electrician's license to the Village Clerk for endorsement thereon of the fact that the master electrician authorizes his employer or some designated person associated with him in a partnership or corporation to do such electrical work.

(b)

The master electrician will be held fully liable for the work performed by his designee as though he himself had done the work.

(c)

The master electrician shall agree to work for no other person during the efficacy of the endorsement.

(d)

Immediately upon the termination of the employment relationship or severance from the partnership or from the corporation, the master electrician's designation of another person, shall be void and of no effect. The Master Electrician shall immediately present his license to the Village Clerk for endorsement thereon of the cancellation of the authority vested in another to do electrical work.

(e)

Cancellation of the authority, as granted herein, shall, for a period of three months, annul the right of the master electrician to designate still another person. This period may be shortened by the Electric Commission upon showing of good cause therefor.

(f)

A fee of \$20 shall be paid for each endorsement or cancellation thereof as provided herein.

B.

Exceptions. The provisions of this section do not apply:

(1)

To the installation, repair or maintenance of electrical lines, equipment or apparatus in, upon or connected with any school building when such work is performed under the direction of the Board of Education and by a qualified electrician regularly on the payroll of the Board.

(2)

To the installation, repair or maintenance of electronic lines, equipment or apparatus by an electric utility or telephone or telegraph company on its own property whenever such operation is under the jurisdiction of the Public Service Commission.

(3)

To Work performed by or under the direction of the Village of Solvay.

§72-5 Emergency disconnection; restoration of service.

In case of fire or other catastrophe or emergency, the Electric Department, the code officer, a police officer or fireman shall have the right to disconnect service, and when this has been done, it shall remain disconnected until ordered restored, in whole or in part, by the Commissioner, who may require, as a condition precedent to certification by the New York Board of Fire Underwriters or other qualified inspection agency approved by the Village of Solvay, that any repairs made to damaged property meet the required standard of safety and that any building from which service has been disconnected undergo an inspection as provided for in this Chapter to determine whether or not the building meets the requirements of the Chapter and the rules and regulations of the Department.

§72-6 Prohibited conduct.

The following practices and uses are hereby prohibited, but these specific provisions do not exempt offenders from liability for violating other prohibitions either in this or any other applicable law or ordinance:

A.

Misuse of poles. No one shall attach any article, radio antenna, apparatus, sign or other thing to a pole erected, issued or maintained by the Electrical Department or in any way climb upon it or damage it or interfere either with it or with the devices, wires, apparatus and equipment it may bear.

B.

Antenna installation. No one shall erect an aerial or antenna for sending or receiving radio or television broadcasts or for any other electronic purposes, either above a village power line or under it, or in any other place where its location will create interference or cause damage or danger.

C.

Tampering with apparatus. Any tampering with service connections or with apparatus or equipment of the Department, unless by persons authorized therefor, shall constitute a violation of this article.

D.

Interference. Any use of electrical equipment which causes dangerous or objectionable interference with the safety or rights of others is prohibited and shall, upon order of the Commissioner, be corrected by methods to be designated in the order.

E.

Household apparatus. No person shall connect any apparatus or appliance unless said equipment complies with the requirements of the National Electric Code, latest edition.

§72-7 Effect of violation.

For violation of any provision of this article, in addition to the penalties generally applicable, the Commissioner is authorized to disconnect an owner's service and to withhold restoration thereof until the violation has been removed.

§72-8 Required insurance.

A.

No licensed electrician shall perform any work hereunder unless there shall be on file with the Village Clerk a certificate of insurance issued by an insurance company licensed to do business in the State of New York, and affording coverage as minimally set forth below. Such certificate of insurance shall contain a provision that coverage will not be reduced, canceled or nonrenewed unless the Village of Solvay Village Clerk is given at least 10 days written notice thereof.

(1)

Comprehensive personal liability and property damage liability coverage, including deletion of the U-exclusion (underground property damage hazard).

(a)

Limits of \$500,000 per occurrence personal injury liability and \$250,000 property damage liability.

(b)

In the alternate, \$1,000,000 combined single limit personal injury and property damage liability. The preceding limits can be made up by a primary and excess/umbrella-type policy.

(2)

Workers' compensation: statutory limit.

B.

The licensed electrician also agrees to hold the Village of Solvay harmless against any and all liability, including defense costs, resulting from personal injury and/or property damage caused by the licensee, his agents or his employees in the performance of such work.

C.

A certificate of insurance evidencing such coverage in the limits and manner above specified shall be furnished the village and shall indicate the Village of Solvay as an additional insured.

§72-9 Compliance with other ordinances and laws.

Each applicant hereunder must comply with all provisions under any other ordinance regulating the work to be done and shall furnish evidence of compliance with the applicable provisions of the Labor Law and of the Workmen's Compensation Law

§72-10 Powers and duties of Inspectors designated by Commissioner and Code Enforcement Officers

A.

It shall be the duty of the inspector to report, in writing, to the Commissioner and, if applicable, the Code Enforcement Officer regarding the results of any inspection.

B.

The Code Enforcement Officers shall have the duty to enforce all provisions of this chapter and all violations or deviations from or omissions of the electrical provisions of the State Uniform Fire Prevention and Building Code and of all local laws, ordinances and the Building Code as referred to in this chapter insofar as any of the same apply to electrical wiring.

C.

The inspector shall make inspections and reinspections of electrical installations in and on properties in the Village of Solvay upon the written request of an authorized official of the Village of Solvay or as herein provided.

D.

The inspector is authorized to make inspections and reinspections of electrical wiring, installations, devices, appliances and equipment in or on properties within the Village of Solvay where he deems it necessary for the protection of life and property.

E.

In the event of an emergency, it is the duty of the inspector to make electrical inspections upon the oral request of an official or officer of the Village of Solvay.

F.

It shall be the duty of the inspector to furnish written reports to the proper officials of the Village of Solvay and to owners and/or lessees of property where defective electrical installations and equipment are found upon inspection.

G.

The inspector shall authorize the issuing of a certificate of compliance when electrical installations and equipment are in conformity with this chapter and shall file same with the Department and the Code Enforcement Office.”

Section 2: Local law No.: 4 of 1991, as amended, remains in full force and effect except as hereinabove amended.

Section 3: This local law shall take effect immediately upon posting and publication as required by law and filing with the Secretary of State