

## Chapter 13

### ELECTRICAL CODE

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**Article 1. General Provisions**

**Sec. 13-1.1 Purpose.**

The purpose of this Code is to reduce the hazards to persons and property arising from faulty electrical work. To accomplish this purpose, the requirements set forth herein are intended to provide minimum standards for electrical work in the County of Kaua‘i. (Ord. No. 858, November 20, 2007)

**Sec. 13-1.2 Title.**

This Chapter shall be known as the Electrical Code of the County of Kaua‘i and may be cited as the “Electrical Code.” (Ord. No. 858, November 20, 2007)

**Sec. 13-1.3 Scope.**

- (a) The provisions of this Code shall apply to all new construction, relocated buildings and to any additions, alterations, repairs or reconstruction within the property lines of the premises except the following:
- (1) Electrical work on buildings or premises owned by or under the direct control of the United States or the State of Hawai‘i.
  - (2) Electrical work by an electrical utility or serving agency supplying electricity, operating under a franchise or charter granted by the State of Hawai‘i on the following:
    - (A) Any generating plant, receiving station, switching station or distributing station, under the control of such activity or serving agency;
    - (B) Any electrical wiring for supply lines or mains under the control of such utility or serving agency; and
    - (C) Any electrical wiring for overhead service drops, or underground or station service supply conductors under the control of such utility or serving agency.
  - (3) Electrical work by a public telephone or telegraph communication system subject to regulation by the Public Utilities Commission of the State of Hawai‘i.
  - (4) The physical placement and reassembly of an x-ray equipment or household appliance.
  - (5) Existing electrical installations which complied with the laws, ordinances and regulations in effect when the electrical work thereon was performed, provided that such installations shall be subject to the provisions of Article 2, Section 13-2.8.
  - (6) Electrical work in accordance with the laws, ordinances and regulations in effect prior to the effective date of the ordinance codified in this Chapter under a permit therefor issued prior to such date.

- (7) Electrical work related to work regulated by Chapter 397, Hawai‘i Revised Statutes, as amended, relating to the Elevator Code, but not including electrical work for the supply of power to the control panels of elevators, dumbwaiters, escalators, moving walks and manlifts.
  - (8) Replacement or repair of devices and apparatus of air conditioning and refrigeration systems, except electrical work on overcurrent devices, which are not physically attached to, or physically mounted on, such systems.
  - (9) Any street light or traffic signal light work being performed under the control of the County of Kaua‘i or the Department of Transportation, State of Hawai‘i.
- (b) Interpretation—Same Subject Matter. If there are two (2) or more provisions in this Code or any other ordinances or statutes, covering the same subject matter, the provisions which provide the greater safety to life or limb, property or public welfare shall prevail. (Ord. No. 858, November 20, 2007)

**Sec. 13-1.4 Definitions.**

**Administrative Authority.** Whenever the term “administrative authority” is used in this Code, it shall be construed to mean the County Engineer of Kaua‘i County, Department of Public Works or his/her authorized representative.

**Assistants.** Whenever the term “assistants” is used in this Code, it shall be construed to mean the authorized representatives of the administrative authority.

**Authorized Representatives.** When the term “authorized representatives” is used in this Code, it shall be construed to mean all electrical inspectors and their supervisors designated as subordinate officers to the administrative authority.

**Board.** The Board of Appeals as specified in Chapter 12, Building Code, Kaua‘i County Code, 1987, as amended.

**County.** The County of Kaua‘i.

**Department.** The Department of Public Works of the County of Kaua‘i.

**Duly Licensed Electrician.** Any person licensed as an electrician under the provisions of Chapter 448E, Hawai‘i Revised Statutes, who possesses a valid unexpired and unrevoked license qualifying the person to perform electrical work.

**Electrical Contractor.** Any person licensed under the provisions of Chapter 444, Hawai‘i Revised Statutes, who possesses a valid unexpired and unrevoked license qualifying the person to perform electrical work.

**Electrical Wiring.** Any conductor, material, device, fitting, apparatus, appliance, fixture or equipment, constituting a part of or connected to any electrical installation, attached or fastened to any building, structure or premises and which installation or portion thereof is designed, intended or used to generate, transmit, transform or utilize electrical energy within the scope and purpose of the National Electrical Code referred to in Section 13-4.1 of this Code.

**Electrical Work.** The installation, alteration, reconstruction or repair of electrical wiring.

**Emergency Electrical Work.** Repair of electrical wiring to restore electrical service to a building following a fire, remedy a power failure and protect persons and property against short circuiting and open circuits.

**Maintenance Work.** The keeping in repair and operation of any electrical installation, apparatus, fixtures, appliance or equipment.

**Person.** Any individual, firm, partnership, association, corporation or utility company including each and every owner of any whole or fractional interest in the property concerned, whether in fee, any lesser freehold or tenancy at will.

**State.** The State of Hawai'i.

**Temporary Electrical Service.** Service for enterprises or activities which are temporary in character or where it is known in advance that service will be of a limited duration and service which is for operations, the permanency of which has not been established. (Ord. No. 858, November 20, 2007)

## **Article 2. Administration and Enforcement**

### **Sec. 13-2.1 Duties of the Administrative Authority.**

The administrative authority shall maintain public office hours necessary to efficiently administer the provisions of this Code and amendments thereto and shall perform the following duties:

- (a) Require submission of, examine and check plans and specifications, drawings, description, and/or diagrams necessary to show clearly the character, kind and extent of work covered by applications for a permit and upon approval thereof shall issue a permit applied for.
- (b) Administer and enforce the provisions of this Code in a manner consistent with the intent thereof and shall inspect all equipment and electrical work authorized by any permit to assure compliance with provisions of this Code or amendments thereto approving or condemning said work or in part as conditions require.
- (c) Issue upon request a certificate of occupancy and/or a certificate of inspection for any work approved by him or her.
- (d) Condemn and reject all work done or being done or materials used or being used which do not in all respects comply with the provisions of this Code and amendments thereto.
- (e) Order changes in equipments and/or materials essential to obtain compliance with all provisions of this Code.
- (f) Investigate any installation or work regulated by this Code and issue such notices and orders as required.
- (g) Keep a complete record of all essential transactions of his or her office. (Ord. No. 858, November 20, 2007)

### **Sec. 13-2.2 To Whom Permits May Be Issued.**

An electrical permit is required to perform work covered by this Code and will be issued only to:

- (a) An electrical contractor holding a valid unexpired license under Chapter 444, HRS, and who can present evidence that the contractor is also licensed under Chapter 448E, HRS, or the contractor has under employment an electrician complying with the provisions of Chapter 448E, HRS.
- (b) A firm, partnership, association or corporation other than an electrical contractor complying with the provisions set forth in Chapter 444, HRS, that has under their employment a supervising electrician holding a valid unexpired license, complying with provisions set forth in Chapter 448E, HRS.

- (c) Federal, State and County governments, with the agencies having under their employment a licensed supervising electrician complying with provisions set forth in Chapter 448E, HRS.
- (d) A homeowner who performs electrical work on his or her own single-family dwelling; provided such homeowner is holding a valid unexpired license under Chapter 448E, HRS.
- (e) A person, firm, partnership, association or corporation holding a valid unexpired license under Chapter 444, authorized to perform the specialty work under the classification of the license, that can present evidence that they are also licensed under Chapter 448E, HRS, or have under their employment an electrician complying with the provisions of Chapter 448E, HRS.

This does not preclude the homeowner who is licensed under Chapter 448E, HRS, to do electrical maintenance work for buildings he or she owns. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.3 Application for an Issuance of Permit.**

- (a) Permit Required. No person, firm, partnership, association or corporation shall erect, construct, enlarge, repair, move, improve, remove, alter or convert any building or structure in the County of Kaua‘i which requires electrical work or cause the same to be done, without first obtaining a separate electrical permit for such building or structure from the administrative authority.

Exception: Permit not required for work in connection with meter and service wires installed by or performed by those electric and power service companies operating under franchise as public utilities and telephone installations. Work performed for any Federal or State agency, except where permits are specifically requested by said agency.

- (b) Application. Any person legally entitled to apply for and receive a permit shall make an application on forms provided for that purpose. He or she shall give a description of the character of the work to be done and the location, ownership, occupancy and use of the premises in connection therewith. The administrative authority may require plans, specifications or drawings and such other information as he or she may deem necessary.

Exception: Persons legally entitled to apply for and receive a permit may authorize representatives to undertake the management of applying and receiving a permit. Duly authorized representatives shall be authorized in writing by the person granting authorization.

- (c) Plans Required. Applications for electrical permits for any commercial, industrial or public building, hotel, apartment building or any single-family dwelling shall be accompanied by a minimum of three (3) sets of drawings for approval of the administrative authority. One (1) set shall be retained by the administrative authority, one (1) set returned to the applicant for their file records and the final set returned to the applicant which shall be kept on such building or jobsite at all times during which the work authorized thereby is in progress. The administrative authority may waive the requirement for submission of drawings when he or she deems it unnecessary.

All electrical work shall be designed by a licensed electrical engineer registered in Hawai‘i when the total load exceeds forty (40) K.V.A. for private residences and thirty-five (35) K.V.A. for all other buildings or structures.

- (d) Issuance. If the administrative authority determines that the plans, specifications, drawings, descriptions or information furnished by the applicant is in compliance with this Code, he or she shall issue the permit applied for upon payment of the required fee as hereinafter fixed. Payment for any permit fee shall be paid prior to the issuance of such permit.

- (e) Payment of Fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fees, if any, have been paid.
  - (1) Exception.
    - (A) County of Kaua‘i and its agencies and contractors shall be exempt from the requirement to pay any fee, except for the Department of Water.
    - (B) Housing projects or portions of housing projects that are developed to be affordable to low-income households as determined by the Housing Director or his/her authorized representative of the County Housing Agency shall be exempt provided such projects conform to applicable provisions of the County’s affordable housing program.
    - (C) Housing projects or portions of housing projects that are developed to be affordable to gap-group households as determined by the Housing Director or his/her authorized representative of the County Housing Agency shall be exempt from one-half (1/2) of the electrical permit fee, rounded off to the nearest dollar, provided such projects conform to applicable provisions of the County’s affordable housing program.
  - (2) A fee of ten dollars (\$10.00) shall be imposed and collected for the reproduction of any electrical permit card, for which a permit was issued by the administrative authority.
- (f) Validity. The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or of any other ordinance of the jurisdiction. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid.

The issuance of a permit based upon plans, specifications and other data shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing electrical work being carried on thereunder when in violation of this Code or of any other ordinances of this jurisdiction.

- (g) Performance. A licensed electrician holding a valid license complying to the provisions set forth in Chapter 448E, HRS, shall be at the site at all times during any performance, direction or supervision of any electrical work authorized by a permit, as provided for in said Chapter and administrative rules promulgated thereunder. The enforcement for compliance of Chapter 448E and the administrative rules shall be the responsibility of the State of Hawai‘i.
- (h) Expiration.
  - (1) Every permit issued by the administrative authority under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit or if the construction or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days; providing further, that a permit issued for work on a project having a valid building permit shall remain valid and expire only when such building permit expires.
  - (2) When a permit expires, been suspended or abandoned, a new permit shall be first obtained by the permittee, his or her agent, or his/her successor in interest, and a new permit fee equal to one-half (1/2) the amount required for a new permit rounded off to the nearest dollar shall be paid, provided no changes have been made or will be made to the original plans and specifications for such work; and provided, further, that such permit has not exceeded a period one (1) year from

the date of permit issuance or the date of suspension or abandonment of work authorized, whichever is later.

- (3) Any permittee, his or her agent or his/her successor in interest holding an unexpired permit, who is unable to commence work, may apply for an extension. Upon written request by the permittee, the administrative authority may, in writing, extend the permit for a period of one hundred eighty (180) days; however, in the event of strikes or other causes beyond the control of the electrical contractor or permittee, the administrative authority may extend the permit for the duration of the event. No permit shall be extended more than once.
- (4) For electrical permits issued prior to July 1, 1984, the administrative authority shall not activate and reissue a permit. If a permittee, his or her agent, or his/her successor in interest, desires to have the permitted electrical work certified as done in compliance with all County of Kaua'i or State of Hawai'i laws, codes and ordinances at the time the original permit was issued, and the electrical work does not violate any laws, codes and ordinances, he or she may hire a duly registered professional licensed electrical engineer or architect as required by Chapter 464 Hawai'i Revised Statutes as amended, to provide such certification.
- (5) The administrative authority may activate and reissue an expired permit for the purpose of continuing the work on an incompleated building or to secure all inspections required by this Code. All work that was started on an expired electrical permit and completed according to the approved building plans prior to the reissuance of such permit shall remain valid under the Electrical Code it was issued. Any new work shall conform to the current Electrical Code. The administrative authority may require the submission of building plans.
- (6) When an electrical permit is activated or reissued, a permit fee therefor shall be required as provided in this Section.
  - (i) Suspension and Revocation. The administrative authority may, in writing, suspend or revoke a permit issued under provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Code.
  - (j) Transferability of Electrical Permit. Any assignment and/or transfer of any substantial interest in any electrical permit shall be subject to the approval and consent of the administrative authority. Such approval and consent shall not be unreasonably withheld provided that the assignee and/or transferee agrees in writing to the following:
    - (1) To comply with the plans and specifications upon which the electrical permit was issued in the absence of any subsequent amendments to any applicable existing laws and ordinances as indicated in Paragraph (2) of this Subsection; or
    - (2) To comply with the terms and provisions of any subsequent amendments to the Building Code, Electrical Code, as well as all relevant laws, ordinances, and rules and regulations which would affect either the development's height, floor area, lot coverage, fire safety and/or land use.
    - (3) The stricter requirements prescribed in Paragraph (2) of this Subsection shall not be applicable in situations where the permit holder can offer documented evidence to the Department of Public Works that he or she has made, in good faith, a substantial and material change in position in reliance upon the issuance of the electrical permit.

Upon approval by the administrative authority, he or she shall issue a transferability permit and receive payment of the required non-refundable fee as hereinafter fixed.

(k) Refund of Fees.

- (1) The administrative authority shall refund an amount equal to fifty percent (50%) of the permit fee paid under the provisions of this Code where a permittee, due to a material change in circumstance or financial difficulties, is unable to commence work authorized by the permit issued therefor; provided that written application for refund shall be made on forms furnished by the administrative authority, not later than fifteen (15) days after the expiration date.
  - (A) Notwithstanding the foregoing provisions, no refund shall be made in any case where a new permit has been obtained under the provisions of this Subsection, for the purpose of recommencing the same work, or where the amount to be refunded is less than fifteen dollars (\$15.00).
  - (B) All permits upon which refunds have been made in accordance with the foregoing provisions shall thereafter be null and void.
- (2) Where more than one (1) permit has been erroneously issued by the administrative authority for the same construction work, the administrative authority shall approve one (1) permit and refund the total amount of fees paid less the permit issuing fee for the other permits upon the surrender thereof; provided that no refund shall be made on any permit which has been surrendered after one hundred eighty (180) days from the date of issuance of such permit, or where the amount to be refunded is less than fifteen dollars (\$15.00). (Ord. No. 858, November 20, 2007)

**Sec. 13-2.4 Schedule of Permit Fees.**

**Schedule of Fees**

<b>Application Fee for Issuing Each Permit</b>	\$15.00
In addition (a separate permit issued for each service equipment installed):	
<b>Service Installations (Single- and Three-Phase) for Required Size of Service Equipment</b>	
Not over 100 amperes (including meter loop):	\$10.00
Over 100 but not over 200 amperes (including meter loop):	\$11.00
Over 200 but not over 400 amperes (including meter loop):	\$12.00
Over 400 but not over 600 amperes (including meter loop):	\$14.00
Over 600 but not over 800 amperes (including meter loop):	\$18.00
Over 800 but not over 1000 amperes (including meter loop):	\$22.00
Over 1000 but not over 1200 amperes (including meter loop):	\$26.00
Over 1200 amperes:	\$29.00
For each feeder conductor:	\$7.00
<b>Wiring Circuits in or About Buildings</b>	
For each branch circuit including spare circuits:	\$7.00
<b>High Potential Gas Tube Lighting and Signs</b>	
For each erection, construction, enlargement, relocation, improvement, alteration, conversion, assembly, reassembly or installation of any illuminated sign, decorative outline tubing, gas or fluorescent lighting and flasher in connection with a sign:	\$12.00
<b>Temporary Lights</b>	
Not over 50 lamps:	\$10.00
Over 50 and not over 100 lamps:	\$14.00
Each succeeding 100 or fraction thereof:	\$7.00

Decorative lighting and footlights, borders and strips in theaters, where 100 or less sockets are installed:	\$12.00
Additional 50 sockets or fraction thereof:	\$7.00

**Portable Electric Signs**

A portable electric sign shall mean a small advertising contrivance operated with electricity and used in interior of buildings only, which is capable of being moved or removed at will without damaging or altering the structure or finish at or adjacent to the location thereof, and which is not attached or fastened in place by nails, screws, bolts, conductors, wiring enclosures, or in any manner, except approved temporary fastenings. No fee shall be required for such portable electric signs when the outlet and circuit to which it is attached has been installed under a permit and the required fee paid for.

**Transformers and Generators (Fixed)**

Not more than 5 KVA:	\$10.00
Over 5 KVA but not over 15 KVA:	\$18.00
Over 15 KVA but not over 50 KVA:	\$36.00
Over 50 KVA but not over 100 KVA:	\$48.00
Over 100 KVA:	\$60.00

**Temporary Electrical Power for Construction**

All service for temporary electrical power shall require a separate permit, inspection and approval prior to service connection. A temporary power pole shall be equipped with a single- or three-phase service and a maximum of two branch circuits:	\$20.00
Reinspection of temporary electrical power pole equipment when moved from one location to another:	\$20.00

**Motors (Fixed)**

Not over 1 HP:	\$6.00
Over 1 HP but not over 3 HP:	\$7.00
Over 3 HP but not over 10 HP:	\$10.00
Over 10 HP but not over 25 HP:	\$14.00
Over 25 HP but not over 50 HP:	\$18.00
Over 50 HP but not over 100 HP:	\$28.00
Over 100 HP but not over 150 HP:	\$36.00
Over 150 HP but not over 200 HP:	\$48.00
Over 200 HP:	\$60.00

No fee shall be required for moving any temporary construction motor from one place to another when such temporary motors are attached to outlets or circuits for which a permit has been issued and the permit fee therefor has been once paid.

**Miscellaneous**

For only the installation of conduits and raceways within a building, for each 500 square feet of floor area or any fraction thereof:	\$20.00
For the installation of underground conduits and raceways outside a building, the first 50 feet of conduit and raceway:	\$20.00
For each additional foot of underground conduits and raceways thereof:	\$1.00
For carnivals, circuses, farm fairs, religious activities, outdoor plays at parks, sporting events, rallies etc. all inclusive a flat rate:	\$60.00
For any transferability of electrical permit as herein provided, a transfer fee is required:	\$50.00

**Repairs, Alterations, Additions**

Permit fees for additions, alterations, or repairs of existing work shall be the same as for new work.	
Permit fees for additions, alterations, repairs, installation or for work which a permit is required but for which no fee is herein provided:	\$20.00

**Reinspection Fees**

Reinspection fees assessed under provision of Section 13-2.11:	\$50.00
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(Ord. No. 858, November 20, 2007)

**Sec. 13-2.5 Posting of Electrical Permit.**

Work requiring a permit shall not commence until the electrical permit card is conspicuously posted on the building or structure where the work is to be done to allow the administrative authority to conveniently make the required entries regarding inspection of the work. The electrical permit card shall be posted, maintained and made available by the permit holder until final inspection has been completed by the administrative authority. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.6 Relocation of Buildings and Structures.**

All buildings and structures moved or relocated on any land within the County shall comply with all requirements of this Code for new buildings. A separate electrical permit shall be obtained from the administrative authority for such building or structure.

A fee for each electrical permit shall be paid to the administrative authority as provided in Section 13-2.4. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.7 Factory Built Housing and Structure.**

- (a) No person shall install or relocate any factory built housing structure or trailer home on any land within the County of Kaua'i which requires electrical work or cause the same to be done, without first obtaining a separate electrical permit or such building or structure from the administrative authority.
- (b) All such work shall comply to all requirements set forth in this Code, and any material, method of construction or work not specifically prescribed by this Code may be authorized by the administrative authority.
- (c) The administrative authority may approve any such work, provided he or she finds that the proposed design is satisfactory and complies with the provisions of this Code and that the materials, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code in suitability, strength, effectiveness, durability, safety and sanitation.
- (d) A fee for each electrical permit shall be paid to the administrative authority as provided in Section 13-2.4. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.8 Defective Electrical Installations.**

- (a) Any portion of an electrical system found by the administrative authority to be unsafe shall be so declared and made safe.
- (b) Whenever brought to the attention of the department having jurisdiction that any unsafe condition exists or that any installation or work regulated by this Code is dangerous and unsafe investigation by the administrative authority who, upon determining such information to be fact, shall order any person, firm or corporation using or maintaining any such condition or responsible for the use or maintenance thereof to discontinue the use or maintenance thereof until made safe.

Every such order shall be in writing, addressed to the owner, agent or person responsible for the premises in which such condition exists and shall specify the date or time for compliance with such order.

- (c) Refusal, failure or neglect to comply with any such notice or order shall be considered a violation of this Code.

- (d) When any electrical system is maintained in violation of this Code or where a nuisance exists in any building or on a lot on which a building is situated, the administrative authority shall institute any appropriate action or proceeding in any court of competent jurisdiction to prevent, restrain, correct, or abate the violation or nuisance. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.9 Right-of-Entry.**

Upon presentation of proper credentials, the administrative authority or his/her duly authorized representatives may enter at reasonable times any building structure or premises in the County of Kaua‘i to perform any duty imposed upon him or her by this Code, provided that if such building or premises be occupied, he or she shall first present proper credentials and demand entry; and if such building or premises be unoccupied, he or she shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the administrative authority or his/her assistants shall have recourse to every remedy provided by law to secure entry. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.10 Violation and Penalties.**

- (a) General. It shall be unlawful for any person, firm, or corporation to install, alter, repair, remove, replace or maintain any electrical work or any fixture, or cause the same to be done, contrary to or in violation of any of the provisions of this Code.
- (b) Notice of Violation. Whenever any person, firm or corporation violates any provision of this Code, the administrative authority shall serve a notice of violation to the party responsible for the violation to make the building or structure or portion thereof comply with the requirements of this Code. Such notice of violation shall include:
  - (1) The date of the notice;
  - (2) The name and address of the person noticed, and the location of the violation;
  - (3) The section number of the ordinance, code or rule which has been violated;
  - (4) The nature of the violation; and
  - (5) The deadline for compliance with the notice.
- (c) Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than two thousand dollars (\$2,000.00) or by imprisonment for not more than one (1) year, or by both such fine and imprisonment.

It shall be the duty of each and every person, firm or corporation as defined herein to prevent any and all violations of this Code and upon the occurrence of any violation, each and every person, firm or corporation, shall be deemed guilty of a misdemeanor as set out herein.

- (d) Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

- (1) An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then subsequently issued. The investigation fee shall be equal to the amount of the permit fee fixed by Section 13-2.4 for such work. However, in all such cases, there shall be a minimum combined amount for investigation and permit fees of two hundred dollars (\$200.00) for any such work commenced without a permit.
- (2) In the event it is discovered by the administrative authority that a required investigation fee was not collected, the administrative authority shall not perform any additional inspection of the work until the required investigation fee has been paid.
- (3) The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code, nor from any penalty prescribed by law. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.11 All Work to Be Inspected.**

- (a) All electrical systems shall be inspected by the administrative authority to ensure compliance with all the requirements of this Code for which a permit is obtained. No portion of any system shall be concealed, enclosed or covered until such system or work has been inspected and approved by the administrative authority.
- (b) Notification. It shall be the duty of the permittee performing the work authorized by the permit to notify the administrative authority, orally or in writing, that said work is ready for inspection.

Exception: The permittee may authorize representatives to provide notification for inspections. Duly authorized representatives shall be authorized in writing by the person granting authorization.

- (1) It shall be the duty of the permittee performing the work authorized by the permit to ensure that the work complies with this Code, before requesting inspection.
- (2) The administrative authority, upon receipt of notification shall make the following inspection:
  - (A) All services for temporary electrical power.
  - (B) The rough installation of any electrical wiring or portion thereof, shall not be covered or concealed until it has first been inspected, and has been completed and approval granted.
  - (C) The rough installation of any electrical conductors and service equipment, or portion thereof that connect to the supply of electricity.
  - (D) Final inspection shall be made after all electrical systems are completed and the building is ready for occupancy. All electrical service equipment shall be in place and all electrical fixtures, devices, covers and cover plates shall be installed. All electrical systems shall be capable to receive power.
  - (E) Other Inspections. In addition to the inspections specified above, the administrative authority may make or require other inspections of any electrical work to ascertain compliance with the provisions of this code and other laws which are enforced by the administrative authority.
- (c) Workmanship. Any inspection required of the administrative authority shall be solely for the purpose of ascertaining compliance with the plans, specifications and code requirements as they relate to the electrical integrity of the building and as they relate to health and safety. The inspections shall not be for the purpose of validating the workmanship of the electrical; such validating, if desired, shall be the

responsibility of the building's owner and shall be done by a special inspector, hired and paid for by the builder, owner or respective party.

- (d) Reinspections. A reinspection fee shall be assessed for each reinspection when such portion of work for which required inspection is called for and not completed or when corrections are called for and not made.
  - (1) To obtain reinspection, the permit holder shall file an application thereof in writing on a form furnished by the administrative authority and pay the reinspection fee of fifty dollars (\$50.00) for each additional reinspection.
  - (2) Where reinspection fees have been assessed, no additional inspection of the work shall be performed until the required fees have been paid. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.12 Certificate of Inspection.**

- (a) Upon satisfactory completion of all electrical work in accordance with the provisions of this Chapter and the Electrical Code and standards adopted, a certificate of inspection shall be issued upon request in triplicate by the administrative authority, the original of which shall be sent to the electrical contractor who installed the work.
- (b) It shall be unlawful for any person to use or supply electrical energy to any electrical installation on which electrical work was or is being performed under a permit issued pursuant to the provision of this Chapter, before the administrative authority issues a certificate certifying that such installation has been inspected and approved by the administrative authority.

The administrative authority may disconnect any electrical installation or equipment which has been connected before the approval for the use of or supply of electrical energy has been granted.

- (c) The administrative authority, upon the disconnection of any electrical installation or wiring found illegally connected, as provided in Subsection (b) of this Section, shall attach a notice thereto which shall state that the wiring or apparatus has been disconnected by the order of the administrative authority, and any person removing the notice or reconnecting the wiring or apparatus before it has been approved by the administrative authority shall be liable to the penalties herein provided.
- (d) In all such cases where the use of and supply of electrical energy required for emergency electrical work to remedy a power failure and for which no electrical permit was obtained, the administrative authority may authorize use of and the supply of electrical energy to such installation before issuance of such certificate when the use of and the supply of electrical energy to, such installation will not endanger life or property and there is good cause for making such exception.

In all such cases, all persons responsible for the performance of any emergency electrical work to remedy a power failure shall obtain an electrical permit on the working day immediately following the day on which the work was performed. All such work shall be inspected, approved and certified by the administrative authority to assure compliance to all provisions of this Chapter. All persons who fail to obtain an electrical permit shall be subject to the penalties herein provided. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.13 Building Occupancy.**

After final inspection and a determination that the building or structure complies with the provisions of this Code and other laws which are enforced by the code enforcement agency, the administrative authority shall

issue a certificate of occupancy, as provided in Chapter 12, Building Code, Kaua‘i County Code, 1987, as amended. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.14 Liability.**

The administrative authority or any employee charged with the enforcement of this Code, acting for the County in good faith and without malice in the discharge of his or her duties, shall not thereby render him or herself liable personally and he or she hereby is relieved from all personal liability for any damage that may occur to persons or property as a result of any act required, or by reason of any act of omission, in the discharge of his or her duties. Any suit brought against the administrative authority or employees, because of such act of omission performed by him or her in the enforcement of any provisions of this Code, shall be defended by the legal department of the County until final termination of the proceedings. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.15 Unconstitutionality.**

If any section, subsection, sentence, clause or phrase of this Chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Chapter. The legislative body hereby declares that it would have passed the ordinance codified in this Chapter, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses and phrases be declared unconstitutional. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.16 Appeals and Petitions.**

Any appeal from the decision of the administrative authority in the administration of the County of Kaua‘i Electrical Code involving any denial of the use of new or alternate materials, types of construction, equipment, fixtures, devices, or appliances, or any petition for varying the application of the Electrical Code may be submitted to the Board of Appeals for hearing and determination as specified in Chapter 12, Building Code, Kaua‘i County Code 1987, as amended. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.17 Temporary Electrical Service.**

- (a) All services for temporary electrical power shall be used for construction purposes only, for construction sites, field offices, equipment and other construction usage.
- (b) All installation for temporary electrical power shall comply with all requirements of this Code and the utility company furnishing such power.
- (c) All service for temporary electrical power shall require a separate electrical permit, inspection and approval prior to service connection. A permit shall not be issued unless a valid building permit has been or is being processed.
- (d) The administrative authority may in his or her discretion authorize services for temporary electrical power other than construction purposes. (Ord. No. 858, November 20, 2007)

**Sec. 13-2.18 Number of Electrical Services.**

- (a) A dwelling unit shall be supplied by only one (1) electrical service meter unless authorized by the administrative authority.

- (b) Electrical service meters may be installed to buildings and structures that received a valid building permit. (Ord. No. 858, November 20, 2007)

### **Article 3. Qualification of Performers of Work Under the Electrical Code**

#### **Sec. 13-3.1 General Provisions.**

- (a) It shall be unlawful for any person to perform any work covered by this Code in violation of those provisions of the Hawai'i Revised Statutes relating to the licensing of electricians and plumbers. A homeowner may do repairs (except to service equipment metering), involving retail material cost of less than one thousand dollars (\$1,000.00) to his or her own home electrical lines and appurtenances personally, provided the homeowner complies to provisions of Chapter 448E HRS. In such cases, a permit shall not be required.
- (b) No person shall do or cause to be done any electrical work which does not comply with the provisions of this Code. No person shall perform any work covered by this Code in violation of the provisions of Chapters 444 and 448E, HRS. (Ord. No. 858, November 20, 2007)

### **Article 4. Installation Requirements—National Electrical Code**

#### **Sec. 13-4.1 Electrical Code to Govern.**

The National Electrical Code, 2008 Edition, as copyrighted and published in 2007 by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269-7471, is hereby adopted by reference and made a part hereof, subject to the amendments hereinafter set forth as the standard for electrical work covered by this Code. (Ord. No. 858, November 20, 2007; Ord. No. 888, December 2, 2009)

### **Article 5. Electrical Work Within Flood Hazard Area**

#### **Sec. 13-5.1 General Provisions.**

- (a) The provisions contained herein are applicable to the construction of all new electrical systems, renovations and major alterations, additions, or reconstruction of existing electrical systems within flood hazard districts as established on the flood boundary and floodway maps and flood insurance rate maps, and any amendments by the Federal Emergency Management Agency, on file with the Engineering Division, Department of Public Works, County of Kaua'i.  
  
These provisions shall also apply to developments adjacent to drainage facilities outside the flood hazard district which are determined to be within a floodway area or a flood fringe area in accordance with Kaua'i County Code, 1987 as amended.
- (b) Existing Electrical Systems. Any electrical system thereof which was lawful before the effective date of the ordinance codified in this Article, but which is not in conformity with the provisions of this Article, may be continued subject to the provisions of Kaua'i County Code 1987 as amended.
- (c) Exemption. The provisions contained herein shall not apply:
  - (1) To electrical systems serving buildings and structures exempted from the flood hazard district provisions under Chapter 15, Kaua'i County Code, 1987 as amended.

- (2) To electrical systems serving buildings and structures which have been granted a flood hazard variance under provisions of Chapter 15, Kaua‘i County Code, 1987 as amended. (Ord. No. 858, November 20, 2007)

**Sec. 13-5.2 Definitions.**

- (a) For the purpose of this Article, the following terms shall be as defined in Chapter 15, Kaua‘i County Code 1987, as amended.
  - (1) Base flood;
  - (2) Base flood elevation;
  - (3) Coastal high hazard area;
  - (4) Flood or flooding;
  - (5) Flood boundary and flood maps;
  - (6) Flood fringe area;
  - (7) Floodway;
  - (8) General floodplain area;
  - (9) Habitable floor;
  - (10) Lowest floor;
  - (11) Special flood hazard;
  - (12) Tsunami.
- (b) For the purpose of this Article, the following words and terms are also defined:
  - (1) Ground-Fault Protector (GFP). A device or equipment which disconnects all ungrounded conductors of the faulted circuit system to protect wiring and equipment from damages.
  - (2) Ground-Fault Circuit Interrupter (GFCI). A device or equipment which disconnects all ungrounded conductors of the faulted circuit to protect people from electrical shocks. (Ord. No. 858, November 20, 2007)

**Sec. 13-5.3 Electrical Work in the Flood Hazard Districts.**

For electrical work on projects subject to the provisions of this Article, the provisions of this Section shall supplement the requirements of Section 13-4.1.

- (a) Main Power Service. The incoming main commercial power service equipment, including all metering equipment, shall be located above the regulatory flood elevation or in a waterproof enclosure or barrier with GFP on the main disconnecting means.
- (b) Stationary and Portable Equipment. Switchgear, control centers, transformers, distribution and power or lighting panels shall be located above the regulatory flood elevation or in a waterproof enclosure or barrier with GFP on the main disconnecting means. Stationary and portable or movable electrical equipment shall be permitted to be located below the regulatory flood elevation provided that the circuit and equipment shall be protected with GFCI, except sump pump and its circuit may be without GFCI. In cases where GFCI cannot be installed because of amperage size or usage, GFP shall be installed.

- (c) Normal and Emergency Light Circuits. All normal lighting circuits extending into areas below the regulatory flood elevation shall be energized from a common distribution panel located above the regulatory flood elevation or in a waterproof enclosure or barrier with GFP. All emergency lighting circuits into areas below the regulatory flood elevation shall be energized from an independent distribution panel also located above the regulatory flood elevation or in a waterproof enclosure or barrier with GFP.
- (d) Emergency Lighting Requirements. All components of emergency lighting systems installed below the regulatory flood elevation shall be so located that no component of the emergency lighting system is within reach of personnel working at floor level in the areas where emergency lighting systems are utilized unless the emergency lighting circuits are provided with GFCI. The emergency lighting may be furnished by a storage battery, prime mover-generator system, a separate commercial power supply system, the same commercial power system, or a combination thereof, subject to the following provisions:
  - (1) Storage Battery (including battery operated lighting units). Battery operated lighting units shall be completely self contained and shall indicate the state of charge of the battery at all times. Lighting units shall automatically provide light when the normal source of lighting in the areas is de-energized.
  - (2) Separate Commercial Power Supply System. This source of energy shall have a degree of reliability satisfactory to the administrative authority. A system fed from a transformer other than that used for the regular supply and not on the same poles (except service pole) as the regular supply is deemed to have the required degree of reliability. A secondary circuit fed from the same primary circuit as the regular supply shall be regarded as a separate system.
  - (3) Same Commercial Power Supply System. The system shall be an underground secondary system and a separate service shall be connected on the line side of that service switch or breaker of the regular service.
- (e) Receptacle Circuit Below Regulatory Flood Elevation. Receptacle circuits shall be permitted to be installed below the regulatory flood elevation, provided that these circuits shall be protected with GFCI. (Ord. No. 858, November 20, 2007)

## **Article 6. Energy Conservation**

### **Sec. 13-6.1 General Provisions.**

The purposes of this Article are to:

- (a) Set minimum requirements for the energy-efficient design of new buildings so that they may be constructed, operated, and maintained in a manner that minimizes the use of energy without constraining the building function or the comfort or productivity of the occupants; and
- (b) Provide criteria for energy-efficient design and provide methods for determining compliance with these criteria. (Ord. No. 858, November 20, 2007)

**Sec. 13-6.2 Applicability.**

All electrical requirements and criteria of Article 6, Chapter 12, Building Code, Kaua‘i County Code, 1987, as amended, relating to energy conservation, shall be part of this Code. These requirements shall be inspected and enforced as part of the Electrical Code. (Ord. No. 858, November 20, 2007)

**Sec. 13-6.3 Solar Energy System.**

- (a) Solar Energy Collectors. Collectors that function as electrical components shall comply with the applicable provisions of this code.

Collectors located above or upon a roof and not functioning as a building component shall not reduce the required fire-resistance or fire-retardancy classification of the roof-covering materials as required in the Building Code.

- (b) Permit Required. No person shall install any solar energy system on any premises, building, or structure within the County, or cause the foregoing to be done, without first obtaining a solar energy permit, issued under the authority of this Section.
- (c) Plans and Specifications. Plans, specifications and other data shall be submitted as required in Section 13-2.3(3).
- (d) Permit Issuance. The issuance of the permit and fees shall be in accordance with the requirements set forth in Chapter 12, Building Code, Kaua‘i County Code 1987, as amended, regarding solar energy systems.
- (e) Definitions. The following definitions shall be used to provide ordinarily accepted meanings to the following terms which are not specifically defined in this Code.

**Solar Energy Collectors.** A collecting device or array panel used to absorb energy from the sun.

**Solar Energy System.** Any configuration of equipment and components used to collect, convey, store and convert the sun’s energy for a purpose.

**Solar Photovoltaic Power System.** All components and subsystems that, in combination, collect, convey, store and convert the sun’s energy into electrical energy suitable for connection to a utilization load. (Ord. No. 858, November 20, 2007)

