

City of Waukesha, Wisconsin

Ordinance No. 2020- _____

**An Ordinance Amending Sections 18.05 of the Electrical Code and
20.03 of the Heating, Ventilating and Air Conditioning Code
of the Waukesha Municipal Code,
Regarding HVAC and Electrical Licensing**

The Common Council of the City of Waukesha do ordain as follows:

Section 1. Section 18.05 of the Waukesha Municipal Code is hereby repealed and recreated to read as follows:

18.05 Licenses

(1) **ELECTRICIAN'S LICENSE.** No person may install, repair, or maintain electrical wiring unless the person is licensed by the Wisconsin Department of Safety and Professional Services as required by Wis. Stat. §101.862.

(2) **ELECTRICAL WORK BY RESIDENTIAL PROPERTY OWNERS.** A property owner who installs, repairs, or maintains electrical wiring on premises that the property owner owns and occupies as a residence must possess a valid electrician's license or registration issued by the Wisconsin Department of Safety and Professional Services in accordance with Wis. Stat. §101.862(2) unless all the following conditions are met:

- (a) The premises is a single-family dwelling.
- (b) The property owner applies for and secures an electrical permit as required by section 18.03 of this Municipal Code and pays all required fees.
- (c) The property owner completes the electrical work himself or herself in accordance with this Electrical Code.
- (d) The property owner contacts the Electrical Inspector so a rough and final inspection may be conducted.
- (e) The property owner receives approval by the Office of Community Development to engage in the work by answering questions relating to basic

electrical knowledge.

(f) The work does not involve installing electrical wiring for a solar photovoltaic system, spa, hot tub, hydromassage bathtub or any type of swimming pool, whether in-ground or above-ground.

Section 2. Section 20.03 of the Waukesha Municipal Code is hereby amended to read as follows:

20.03 License

(1) REQUIRED. ~~No corporation, limited partnership, partnership, sole proprietor or individual shall install, service, alter, modify or replace permanent heating, ventilating or air conditioning (HVAC) equipment without possessing a Wisconsin HVAC Qualifier Credential or a City of Waukesha Heating Contractor License as permitted by this section. A heating license is required of all corporations, limited partnerships, partnerships, sole proprietors and individuals who are engaged in the installation, servicing, alterations and replacement of heating, ventilating and air conditioning systems.~~ Any person performing such work without possessing a Wisconsin HVAC Qualifier Credential or City of Waukesha Heating Contractor License a license shall be subject to a penalty as provided in §25.05 of this Municipal Code.

(2) EXCEPTIONS.

(a) (Am. #56-96) ~~Persons~~ A person desiring to install, alter or service their his own heating and ventilating system in a single family residence they own and occupy owned by and occupied by him, as a permanent residence, may be issued a heating permit with the approval of the Heating Inspector.

(b) An electrical contractor licensed by the Wisconsin Department of Safety and Professional Services ~~City~~ may install decentralized electrical space heating without a heating contractor's license. The electrical contractor ~~He~~ shall submit plans and specifications as required and pay the necessary heating permit fees.

~~(e) If a licensed person severs his connection with a heating firm, the Heating Inspector shall continue to issue permits to the firm until the next regular examination period, when the firm shall apply for a representative to take the examination or employ a person licensed by the City. Heating permits shall not be issued to firms or persons not having licensed personnel.~~

~~(d)~~(c) No licensee or Wisconsin HVAC Qualifier Credential holder shall take out a permit for work to be done by anyone except the mselves licensee or their his

regular full-time employees.

(3) HEATING CONTRACTOR LICENSE APPLICATION. A current City of Waukesha Heating Contractor License may be granted to any person who possessed a City of Waukesha Heating Contractor License prior to [insert amendment's effective date] and does not possess a Wisconsin HVAC Qualifier Credential. Contractors who possess a valid Wisconsin HVAC Qualifier Credential are not required to maintain, hold or obtain a City of Waukesha Heating Contractor License. A Heating Contractor license will be issued to applicants upon receipt of all of the following.

(a) A completed application form provided by the Office of Community Development.

(b) Proof that the applicant holds a valid state of Wisconsin HVAC Contractor registration.

(c) A fee of \$50 made payable to the City of Waukesha.

(d) One of the following:

1. An indemnity bond of \$5,000 with such sureties as approved by the City Attorney.

2. An affidavit confirming that the applicant is protected by sufficient liability insurance.

~~3.(e) Proof that the applicant held a valid City of Waukesha Heating Contractor License prior to [insert amendment's effective date].~~

(4) LICENSE RENEWAL. (Am. #56-96) (Ren. #1-13) Every ~~h~~H Heating Contractor ~~l~~L license shall expire on December 31 of each year and may be renewed upon payment of \$40 to the City Treasurer. A renewal notice shall be sent by the ~~Building inspection~~ Department Office of Community Development at least 30 days prior to the renewal date. ~~Should any p~~Persons ~~failing~~ to renew ~~his~~their license by the last day of February after the renewal date, ~~shall pay the fee will be~~ \$55 to reinstate ~~his~~their license. Unless they possessed a license authorized by this section on April 23, 1994, persons failing to renew their license by the last day of June after the renewal date are no longer eligible for a Heating Contractor License and must obtain a Wisconsin HVAC Qualifier Credential. A licensee may allow his license to lapse for a period of 3 years, however, after 3 years, he shall be required to make application for and take the examination for a new license.

Section 3. This Ordinance shall be effective the day after publication.

Passed the ____ day of _____, 2020.

Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk