



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 060959

Introduced December 14, 2006

Councilmember Ramos

**Referred to the
Committee on Labor and Civil Service**

AN ORDINANCE

Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," by adding a new Chapter entitled "Certified Electricians and Telecommunications Technicians" requiring certain licensing of persons performing work on electrical and telecommunications systems, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is amended to add Chapter 9-3100 to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

* * *

*CHAPTER 9-3100. CERTIFIED ELECTRICIANS AND TELECOMMUNICATIONS
TECHNICIANS.*

§9-3101. Definitions.

(1) Certified Electrician. A person who obtains a valid Electrician Certificate in accordance with the requirements of this Chapter.

(2) Certified Telecommunications Technician. A person who obtains a valid Telecommunications Technician Certificate in accordance with the requirements of this Chapter.

(3) Electrician Apprentice Permits. Permits issued to electrician apprentices pursuant to the requirements of this Chapter.

City of Philadelphia

BILL NO. 060959 continued

(4) *Electrical Systems.* All electrical raceways, enclosures, conductors, wiring, utilization/distribution equipment, associated components, hangers, supports, devices and all other parts and components used in systems to transmit electricity, information, intelligence or light through conductors or fiber optic cables in or on buildings, structures, outdoors or on premises.

(5) *Registered Electrician Apprenticeship Program.* A program of apprenticeship skills training that is currently approved by and registered with the United States Department of Labor or a State Apprenticeship Council involving at least 8,000 hours of documented practical experience of work on electrical systems as this term is defined in §9-3101(9) of this Chapter; and at least 800 hours of classroom, shop or related instruction pertaining to work on electrical systems as this term is defined in §9-3101(9) of this Chapter.

(6) *Registered Telecommunications Technician Apprenticeship Program.* A program of apprenticeship skills training that is currently approved by and registered with the United States Department of Labor or a State Apprenticeship Council involving at least 8,000 hours of documented practical experience of work on telecommunications systems as this term is defined in §9-3101(10) of this Chapter; and at least 400 hours of classroom, shop or related instruction pertaining to work on telecommunications systems as this term is defined in §9-3101(10) of this Chapter.

(7) *Telecommunications Systems.* All conductors, fiber optical components, cables wiring, hangers, supports, devices, and other parts, equipment and components used in telecommunications systems in or on buildings, structures, outdoors or on premises, as such systems are identified in Article 770 and Chapter 8 of the National Electrical Code.

(8) *Telecommunications Technician Apprentice Permits.* Permits issued to Telecommunications Technician apprentices pursuant to the requirements of this Chapter.

(9) *Work on Electrical Systems.* The physical layout, installation, erection, construction, rebuilding, renovation, replacement, relocation, alteration, modification, addition to, removal, demolition, troubleshooting, maintenance, repair, testing or servicing of electrical systems as defined in this section. For purposes of this Chapter, work on electrical systems shall not include work excluded under Title 4 of The Philadelphia Code.

(10) *Work on Telecommunications Systems.* The physical layout, installation, erection, construction, rebuilding, renovation, replacement, relocation, alteration, modification, addition to, removal, demolition, troubleshooting, maintenance, repair, testing or servicing of telecommunications systems as defined in this section. For purposes of this

City of Philadelphia

BILL NO. 060959 continued

Chapter, work on electrical systems shall not include work excluded under Title 4 of The Philadelphia Code.

§9-3102. Prohibited Conduct.

(1) No person shall perform work on Electrical Systems unless he or she possesses an Electrician Certificate or an Electrician Apprentice Permit as required by this Chapter.

(2) No person shall perform work on Telecommunications Systems unless he or she possesses a Telecommunications Technician Certificate or a Telecommunications Technician Apprentice Permit as required by this Chapter.

(3) No person, corporation, partnership or other business entity shall cause or direct any other person to perform work on Electrical Systems or Telecommunications Systems unless the person performing such work possesses an Electrician Certificate, Telecommunications Technician Certificate or applicable apprentice permit as required by this Chapter.

(4) No person, corporation, partnership or other business entity shall solicit, by sign, listing or any other form of advertisement, work on Electrical Systems or Telecommunications Systems unless such entity employs duly certified and permitted persons in accordance with the requirements of this Chapter or obtains the services of such persons through properly licensed contractors.

(5) No person shall knowingly or recklessly make any misrepresentation or omission regarding the status of a person's Electrician Certificate or Telecommunications Technician Certificate or apprentice permit with the intent to influence, persuade or induce an individual to contract for work on Electrical Systems or Telecommunications Systems.

(6) No person shall knowingly or recklessly make a misrepresentation or omission regarding an application filed pursuant to this Chapter or work on Electrical Systems or Telecommunications Systems, as defined in this Chapter, which has been performed or which is to be performed.

(7) This Chapter shall not apply to minor electrical and/or telecommunications work by a property owner on residential property for which an electrical or telecommunications permit is not required.

§9-3103. Powers and Duties of Department of Licenses and Inspections.

City of Philadelphia

BILL NO. 060959 continued

(1) *The Department shall issue Electrician Certificates, Telecommunications Technician Certificates and applicable apprentice permits under the requirements of this Chapter.*

(2) *The Department may adopt regulations governing the issuance of certificates and permits under this Chapter and the enforcement of certificate and permit requirements of this Chapter that are not inconsistent with this Chapter.*

§9-3104. Electrician Certificates and Electrician Apprentice Permits.

(1) *Electrician Certificates. To obtain an Electrician's Certificate pursuant to this Chapter, an applicant must pay an application fee of \$150 and comply with (a) or (b) or (c) of this subsection:*

(a)New Applicant. Provide documentation that the applicant has successfully completed a Registered Electrician Apprenticeship Program as defined by § 9-3101(5) of this Chapter and pass an examination for an Electrician's Certificate as prescribed by the Department; or

(b)Reciprocity. Meet the qualifications for reciprocity pursuant to §9-3106 of this Chapter; or

(c)Grandfathered. Meet the requirements of §9-3107 of this Chapter during the one-year grace period established by that section and apply for such certification within the time frame specified in that section.

(2) *Electrician Apprentice Permits. To obtain an Electrician Apprentice Permit pursuant to this Chapter, an applicant must pay an application fee of \$75 and complete an application for such a permit established by the Department and provide documentation that the applicant is enrolled in a Registered Electrician Apprenticeship Program as defined by §9-3101(5) of this Chapter.*

(3) *Electrician Apprentice Permit Limitations. An Electrician Apprentice Permit issued pursuant to this section shall permit the apprentice to perform work on electrical systems during the period the apprentice is enrolled in a Registered Electrician Apprenticeship Program as defined by §9-3101(5) of this Chapter and only to the extent the apprentice is working under the supervision of a Certified Electrician duly certified pursuant to the requirements of this Chapter.*

City of Philadelphia

BILL NO. 060959 continued

(4) A person who qualifies for an Electrician Certificate under this Chapter may also apply for and obtain a Telecommunications Technician Certificate, for no additional fee, by indicating on the application that he or she seeks this additional certificate and by submitting proof that the applicant has obtained specialized training and industry certification on telecommunications systems.

§9-3105. Telecommunications Technician Certificates and Apprentice Permits.

(1) *Telecommunications Technician Certificates.* To obtain a Telecommunications Technician's Certificate pursuant to this Chapter, an applicant must pay an application fee of \$150 and comply with (a) or (b) or (c) of this subsection:

(a) *New Applicant.* Provide documentation that the applicant has successfully completed a Registered Telecommunications Technician Apprenticeship Program as defined by § 9-3101(6) of this Chapter and pass an examination for Telecommunications Technician Certificate as prescribed by the Department; or

(b) *Reciprocity.* Meet the qualifications for reciprocity pursuant to §9-3106 of this Chapter; or

(c) *Grandfathered.* Meet the requirements of §9-3107 of this Chapter during the one-year grace period established by that section and apply for such certification within the time frame specified in that section.

(2) *Telecommunications Technician Apprentice Permits.* To obtain a Telecommunications Technician Apprentice Permit pursuant to this Chapter, an applicant must pay an application fee of \$75 and complete an application for such a permit established by the Department and provide documentation that the applicant is enrolled in a Registered Telecommunications Technician Apprenticeship Program as defined by §9-3101(6) of this Chapter.

(3) *Telecommunications Technician Permit Limitations.* A Telecommunications Technician Permit issued pursuant to this section shall permit the apprentice to perform work on telecommunications systems during the period the apprentice is enrolled in a Registered Telecommunications Technician Apprenticeship Program as defined by §9-3101(6) of this Chapter and only to the extent the apprentice is working under the supervision of a Certified Telecommunications Technician duly certified pursuant to the requirements of this Chapter.

City of Philadelphia

BILL NO. 060959 continued

§9-3106. Reciprocity.

The Department shall issue Electrician Certificates and Telecommunications Technician Certificates without examination, and by reciprocity, to any person currently practicing such trade who:

(1) completes an application for certification or permit by reciprocity established by the Department; and

(2) holds a similar authorization granted by any other state or local jurisdiction that establishes qualification requirements equal to, or greater than, those established under this Chapter, provided that the state or local jurisdiction grants such authorizations to any currently practicing, competent person holding a certificate under this Chapter; and

(3) pays a fee of \$150.

§9-3107. Grace Period for Transition to Full Certification Requirements.

(1) No person shall be required to possess any certificate or permit mandated by this Chapter in the first 180 days from the effective date of this Chapter. During the period from 181 days after the effective date of this Chapter through one year after the effective date of this Chapter, no person shall be required to possess any certificate or permit mandated by this Chapter provided he or she has submitted the necessary certificate or permit application and required supporting information within 180 days from the effective date of this Chapter.

(2) The Department shall issue an Electrician Certificate without examination to any person who submits an application for such Certificate during the 180 day period after the effective date of this Chapter, provided the applicant pays the required application fee and submits evidence demonstrating he or she has:

(a) at least 10,000 hours of documented full-time practical experience working on electrical systems; or

(b) has completed a Registered Electrical Technician Apprenticeship Program in accordance with §9-3101(5) of this Chapter.

(3) A person who qualifies for an Electrician Certificate under this section may also apply for and obtain a Telecommunications Technician Certificate without paying an additional fee.

City of Philadelphia

BILL NO. 060959 continued

(4) *The Department shall issue a Telecommunications Technician Certificate without examination to any person who submits an application for such certificate during the 180 day period after the effective date of this Chapter, provided the applicant pays the required application fee and submits evidence demonstrating he or she has:*

(a) at least 10,000 hours of documented full-time practical experience working on telecommunications equipment or systems; or

(b) has completed a Telecommunications Technician Apprenticeship Program in accordance with §9-3101(6) of this Chapter.

§9-3108. *Temporary Certificates.*

(1) *The Department may issue Temporary Electrician Certificates or Temporary Telecommunications Technician Certificates provided evidence is submitted to the Department of a demonstrated need for additional Electricians or Telecommunications Technicians in excess of those persons properly certified.*

(2) *Persons seeking Temporary Electrician or Telecommunications Technician Certificates shall pay a fee of \$50 and submit an application in which they provide the following information:*

(a) the name and address of the applicant and other background information as required by the Department;

(b) the name and address of the employer for which the applicant will be working and other information regarding the employer as required by the Department;

(c) documented proof and a sworn verification from the applicant showing that he or she has successfully completed a Registered Electrician Apprenticeship Program or a Registered Telecommunications Technician Apprenticeship Program, as applicable, in accordance with §9-3101(5) or §9-3101(6), for the craft in which the applicant seeks a temporary certificate.

(3) *Conditions of Temporary Certificates.*

(a) Temporary Certificates issued pursuant to this section shall be valid for a period not to exceed thirty days.

City of Philadelphia

BILL NO. 060959 continued

(b) A person may not obtain Temporary Certificates under this section more than two times in a twelve month period.

(c) A list of temporary certificate applicants and their employers shall be electronically posted on the Department's website on at least a monthly basis; temporary certificate applications and supporting documentation for such applications shall be readily available for public inspection.

§9-3109. Identification.

The Department shall issue picture identification certification cards to persons receiving certificates and permits pursuant to this Chapter. Persons who obtain certificates or permits under this Chapter shall carry such cards at all times when performing work on electrical and/or telecommunications systems. Persons receiving Temporary Certificates shall also be subject to this Section.

§9-3110. Registry of Electrician and Telecommunications Technician Certificate and Permit Holders.

To promote the effective enforcement of this Chapter, the Department shall maintain a central registry of the names of all persons to whom it has issued certificates and apprentice permits under this Chapter. This list shall be readily available for public inspection to the public, updated each month to reflect new certificates or permits issued and maintained on the Department's publicly available website. This list shall also identify the names of any person whose certificate or permit has been revoked or suspended.

§9-3111. Expiration of Certificates and Permits.

Any Electrician Certificate, Telecommunications Technician Certificate or apprentice permit issued by the Department under this Chapter shall be valid for a period of three years from the date it is issued and shall thereafter be renewed. The Department shall renew for a period of three years any certificate or permit issued under this Chapter upon receipt from the renewal applicant a completed renewal form, as established by the Department, and the required renewal fee. Renewal fees for certifications shall be \$150. Renewal fees for apprentice permits shall be \$75.

§9-3112. Penalties.

(1) Any person who violates any provision of this Chapter or regulation adopted hereunder is subject to a fine of not less than \$100 nor more than \$300 for each violation.

City of Philadelphia

BILL NO. 060959 continued

(2) *If the Department finds that a person, corporation, partnership or other business entity is performing work on electrical and/or telecommunications systems without possessing the proper certificate or apprentice permit or has not employed properly certified or permitted persons as required by this Chapter, it shall issue a Cease Operations Order to prevent further work from being performed by any such person or entity. The Cease Operations Order shall remain in effect until appropriate action is taken to ensure full compliance with the requirements of this Chapter.*

(3) *Each day a person performs work on electrical and/or telecommunications equipment or systems without possessing a required certificate or apprentice permit as provided by this Chapter shall constitute a separate violation of this Chapter for which such person shall be liable. Each day a person, corporation, partnership or other business entity employs a person to perform work on electrical or telecommunications systems when such employed person does not have a certificate or apprentice permit required by this Chapter shall be a separate violation for which such person or entity shall be liable.*

(4) *The Department may, after providing notice and an opportunity to be heard, revoke or suspend a certificate or apprentice permit for any violation of this Chapter or regulation adopted thereto or upon a finding of technical incompetence.*

(5) *The Department shall, after providing notice and an opportunity to be heard, suspend or revoke, for a period of not less than six months and not more than three years, the applicable contractor's license as issued by the Department to any person, corporation, partnership or other business entity that knowingly or recklessly has employed persons to perform work on electrical or telecommunications equipment or systems without possessing the applicable certificate or apprentice permit as required by this Chapter. If the person, corporation, partnership or other business entity does not possess a contractor license, the Department shall place a restriction on the business privilege license of such person or entity prohibiting them from performing work on electrical or telecommunications systems for a period of not less than six months and not more than three years and may impose other penalties or sanctions as permitted by law.*

Explanation:

Italics indicate new matter added.

City of Philadelphia

BILL NO. 060959 continued