

GENERAL REQUIREMENTS AND DEFINITIONS

Chapter E 2

SCOPE, AUTHORITY, AND STATUTORY REFERENCES

E 2.01 Scope of code

E 2.02 Authority and statutory references

E 2.01 Scope of code. The Wisconsin State Electrical Code shall apply as minimum fire and safety requirements for the construction, installation and maintenance of all electrical power and communication circuits and equipment including signal, radio, and lightning rod equipment; and includes rules to be observed in the operation of electrical power and communication equipment and lines. In volume 1 of the Wisconsin State Electrical Code, references to NEC-71 refer to those portions of the National Electrical Code-1971 (also ANSI C1-1971—American National Standards Institute C1-1971) incorporated by reference into the Wisconsin Administrative Code according to sections E 90.01 and E 90.02, volume 2 of the Wisconsin State Electrical Code.

Note: The National Electrical Code, 1971, referred to above is on file in the offices of the Department of Industry, Labor and Human Relations, the Public Service Commission, the Secretary of State, and the Revisor of Statutes, and may be obtained for personal use from National Fire Protection Association, 60 Batterymarch Street, Boston, Massachusetts.

History: Cr. Register, January, 1968, No. 145, eff. 2-1-68; am. Register April, 1972, No. 196, eff. 5-1-72.

E 2.02 Authority and statutory references. (1) **STATUTORY AUTHORITY.** The Wisconsin State Electrical Code constitutes a general order of the Department of Industry, Labor and Human Relations and the Public Service Commission of Wisconsin authorized by sections 227.014, 101.10 and 196.74, Wis. Stats., 1959.

(2) **ADMINISTRATIVE AUTHORITY.** The authority for the enforcement of this code is vested in the Public Service Commission with respect to the installation and operation of circuits or equipment by public utilities and railroads in the exercise of their functions as utilities and railroads; and in the Department of Industry, Labor and Human Relations with respect to the installation and operation of circuits or equipment affecting employees, employers, or the public.

(3) **STATUTORY ENFORCEMENT.** (a) Compliance with the requirements of the Wisconsin State Electrical Code is required before a utility may give electric service even though some portions of the code may not be directly enforceable by state agencies. (See section 167.16, Wis. Stats.)

(b) The requirements in the code are enforceable in the same manner as other orders of the administrative authorities. (See sections

102.57, 102.58, 195.07, 196.41, 196.64, 196.66, 196.74 and chapter 227, Wis. Stats.)

(4) **OTHER LEGAL REQUIREMENTS.** (a) There are state statutes that refer directly to certain electrical construction. Some of these are sections 66.047, 86.16, 98.25, 134.40, 134.41, 167.16, 182.017, 182.018, 196.171, 196.58, 196.67 and 196.72, Wis. Stats., 1959.

(b) Nothing in this code shall be construed to deprive a municipality of jurisdiction over utilities, places of employment, or public buildings except that no local requirement shall be contrary to the requirements in these chapters. (See sections 101.16 and 196.58, Wis. Stats.)

(c) A utility may file with the Public Service Commission, as a condition of a rate application, requirements covering subject matter which is a part of this code but such requirements must be acceptable and not contrary to the requirements in these chapters. (See section 196.19, Wis. Stats.)

(5) **COMPLAINTS.** If a complaint is filed with the administrative authority by any interested party to the effect that public safety requires changes in construction or methods of operation the administrative authority shall investigate and make recommendations. (See section 196.74, Wis. Stats., for procedure if changes in utility facilities are necessary.)

History: Cr. Register, January, 1968, No. 145, eff. 2-1-68; am. (4) (b), Register, April, 1972, No. 196, eff. 5-1-72.