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**Note:** Chapter ILHR 16 as it existed on October 31, 1984 was repealed and a new chapter ILHR 16 was created effective November 1, 1984; Chapter ILHR 16 as it existed on February 29, 1988 was repealed and a new chapter ILHR 16 was created effective March 1, 1988; Chapter ILHR 16 as it existed on October 31, 1990, was repealed and a new chapter ILHR 16 was created effective November 1, 1990. Chapter ILHR 16 was renumbered chapter Comm 16 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1996, No. 488. Chapter Comm 16 was renumbered chapter SPS 316 under s. 13.92 (4) (b) 1., Stats., Register December 2011 No. 672.

**Note:** Chapter Comm 17 was repealed effective October 1, 1999. Sections Comm 16.60 to 16.67 were created to replace ch. Comm 17.

**Note:** Subchapter III of Ch. Comm 16 (sections Comm 16.15 through 16.52) as it existed on February 28, 2009 was repealed and a new subchapter III was created effective March 1, 2009.

**Subchapter I — Administration and Enforcement**

**SPS 316.001 Purpose.** (1) PRACTICAL SAFEGUARDING. Pursuant to ss. 101.02 (1), 101.63 (1), 101.73 (1), and 101.82 (1), Stats., the purpose of this chapter is the practical safeguarding of persons and property from hazards arising from the installation and use of electricity.

**Note:** Hazards often occur because of overloading of wiring systems by methods or usage not in conformity with this chapter. This occurs because initial wiring did not provide for increases in the use of electricity. An adequate initial installation and reasonable provisions for system changes will provide for future increases in the use of electricity.

(2) CODE INTENTION. This chapter is not intended as a design specification or as an instruction manual for untrained persons.

**Note:** The Wisconsin state electrical code is issued and administered by the department and by the public service commission in 2 chapters of the Wisconsin administrative code. The department has the responsibility for issuance and administration of this chapter, and the public service commission has the responsibility for issuance and administration of ch. PSC 114.

**History:** Cr. Register, October, 1990, No. 418, eff. 11-1-90; CR 08-047: renum. from Comm 16.01 and am. (2) Register February 2009 No. 638, eff. 3-1-09; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register February 2009 No. 638.

**SPS 316.002 Scope.** (1) COVERED. This chapter covers:

(a) Installations of electric and communication conductors and equipment in places of employment, within or on public and private buildings or other structures, including mobile homes, recreational vehicles, and floating buildings; and other premises such

as yards, carnivals, parking and other lots, mines, trenches and tunnels, and industrial substations.

(b) Installations of conductors and equipment that connect to the supply of electricity.

(c) Installations of other outside conductors and equipment on the premises.

(d) Installations of optical fiber cable.

(e) Installations in buildings used by the electric utility, such as office buildings, warehouses, garages, machine shops and recreational buildings, that are not an integral part of a generating plant, substation or control center.

(f) Inspections of electrical construction of farms, public buildings and places of employment.

(2) NOT COVERED. This chapter does not cover:

(a) Installations of electric conductors and equipment in ships, watercraft other than floating buildings, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles.

(b) Installations of electric conductors and equipment for generation, transformation or distribution of power used exclusively by railways for signaling and communication purposes.

(c) Installations of communication equipment under exclusive control of communication utilities, located outdoors or in building spaces used exclusively for such installations.

(d) Installations, including associated lighting, under the exclusive control of electric utilities for the purpose of communications, metering, generation, control, transformation, transmission or distribution of electric energy. Such installations shall be located in buildings used exclusively by utilities for such purposes; outdoors on property owned or leased by the utility; on or along public highways, streets, roads or similar public thoroughfares; or outdoors on private property by established rights such as easements.

(e) Installations for the purpose of street or area lighting owned and under exclusive control of electrical utilities or municipal electric departments where located outdoors on property owned

or leased by the utility; on or along public highways, streets, roads or similar public thoroughfares; or outdoors on private property by established rights such as easements, where such installations are in compliance with ch. PSC 114.

**History:** Cr. Register, October, 1990, No. 418, eff. 11-1-90; am. (1) (b) and (c), Register, March, 1994, No. 459, eff. 4-1-94; cr. (1) (e), r. and recr. (2) (d), (e), Register, August, 1996, No. 488, eff. 9-1-96; cr. (1) (f), Register, September, 1999, No. 525, eff. 10-1-99; CR 02-072: am. (2) (e) Register April 2003 No. 568, eff. 5-1-03; CR 08-047: renum. from Comm 16.02 Register February 2009 No. 638, eff. 3-1-09.

**SPS 316.003 Application. (1) TYPES OF INSTALLATIONS.** The provisions of this chapter apply to all new installations, reconstructions, alterations and extensions.

**(2) TESTING.** Rooms which are used exclusively for routine or special electrical test work and are under the supervision of a qualified person, shall comply with this chapter where practicable for the character of the testing done.

**(3) EXISTING INSTALLATIONS.** Existing electrical installations shall conform to the electrical code that applied when the installations were installed. An existing electrical installation may be required to be brought into compliance with the current code's requirements by the department and within the time period determined by the department when a hazard to life, health or property exists or is created by the installation.

**(4) REPAIRS.** Repairs to electrical installations shall conform to the electrical code that applied when the installations were installed. A repair may be required to be brought into compliance with the current code's requirements by the department and within the time period determined by the department when a hazard to life, health or property exists or is created by the repair.

**(5) DIFFERING RULES.** (a) Where any department rule in this chapter differs from a requirement within a standard referenced in this chapter, the department rule shall govern.

(b) Where a provision of this chapter prescribes a general requirement and another provision of this chapter prescribes a specific or more detailed requirement regarding the same subject, the specific or more detailed requirement shall govern, except as provided in par. (a).

(c) Where different sections of this chapter specify conflicting requirements, the most restrictive requirement, as determined by the department, shall govern, except as provided in pars. (a) and (b).

**Note:** This chapter does not nullify any exclusions specified in the standard adopted under s. SPS 316.014.

**History:** Cr. Register, October, 1990, No. 418, eff. 11-1-90; CR 02-072: r. and recr. (3), cr. (4) Register April 2003 No. 568, eff. 5-1-03; CR 08-047: renum. from Comm 16.03 Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. (title), cr. (5) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.004 Authority. (1) DEPARTMENT AUTHORITY.** Under s. 101.02 (1), Stats., the department reserves the right to interpret the requirements in this chapter and in all adopted codes and standards.

**Note:** Section 101.02 (1) of the Statutes reads: "The department shall adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings."

**(2) MUNICIPAL AUTHORITY.** Municipalities may exercise jurisdiction over inspection of electrical construction covered by the scope of this chapter. For public buildings and places of employment, s. SPS 316.920 (2) specifies the conditions required for municipalities to exercise this jurisdiction.

**Note:** Section SPS 320.02 (1) (a) prohibits any municipality from adopting an ordinance establishing restrictions on the electrical construction of one- and two-family dwellings covered by the Uniform Dwelling Code.

**Note:** Section SPS 361.03 (5) (b) prohibits any municipality from adopting an ordinance establishing restrictions on the electrical construction of multifamily dwellings as defined in s. SPS 362.0202.

**History:** Cr. Register, October, 1990, No. 418, eff. 11-1-90; am. (1), Register, August, 1996, No. 488, eff. 9-1-96; am. (2) and r. (3), Register, September, 1999, No. 525, eff. 10-1-99; CR 08-047: renum. from Comm 16.04 Register February 2009 No. 638, eff. 3-1-09; corrections made under s. 13.92 (4) (b) 7., Stats., Register February 2009 No. 638; correction in (1), (2) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 13-042: am. (1) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.005 Petition for variance.** The department shall consider and may grant a variance to a provision of this chapter in accordance with ch. SPS 303. The petition for variance shall include, where applicable, a position statement from the fire department having jurisdiction.

**Note:** Chapter SPS 303 requires the submittal of a petition for variance form (SBD-9890) and a fee, and that an equivalency is established in the petition for variance that meets the intent of the rule being petitioned. Chapter SPS 303 also requires the department to process regular petitions within 30 business days and priority petitions within 10 business days.

**Note:** The Department forms required in this chapter are available for a nominal fee at telephone 800-DOC-SALE (800-362-7253) or 411 (Telecommunications Relay), or at docsales@doa.state.wi.us. Forms are also available at no charge at the Department's Web site at <http://dps.wi.gov> through links to Division of Industry Services forms.

**History:** Cr. Register, October, 1990, No. 418, eff. 11-1-90; r. and recr., Register, September, 1999, No. 525, eff. 10-1-99; CR 08-047: renum. from Comm 16.05 Register February 2009 No. 638, eff. 3-1-09; correction made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672.

**SPS 316.006 Penalties.** Penalties for violations of this chapter shall be assessed in accordance with s. 101.02 (12) and (13), or s. 101.88 (3), Stats.

**Note:** Section 101.02 (13) (a), Stats., indicates penalties will be assessed against any employer, employee, owner or other person who fails or refuses to perform any duty lawfully enjoined, within the time prescribed by the department, for which no penalty has been specifically provided, or who fails, neglects or refuses to comply with any lawful order made by the department, or any judgment or decree made by any court in connection with ss. 101.01 to 101.599, Stats. For each violation, failure or refusal, the employee, owner or other person must forfeit and pay into the state treasury a sum not less than \$10 nor more than \$100 for each violation.

**Note:** Section 101.02 (12), Stats., indicates that every day during which any person, persons, corporation or any officer, agent or employee thereof, fails to observe and comply with an order of the department will constitute a separate and distinct violation of such order.

**History:** Cr. Register, October, 1990, No. 418, eff. 11-1-90; am., Register, September, 1999, No. 525, eff. 10-1-99; CR 08-047: renum. from Comm 16.06 Register February 2009 No. 638, eff. 3-1-09.

**SPS 316.007 Fees.** Fees for petitions for variance, electrical plan review and electrical inspections issued under this chapter shall be submitted as specified in ch. SPS 302.

**History:** Cr. Register, September, 1999, No. 525, eff. 10-1-99; CR 02-072: am. Register April 2003 No. 568, eff. 5-1-03; CR 08-047: renum. from Comm 16.065 Register February 2009 No. 638, eff. 3-1-09; correction made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672.

**SPS 316.008 Appeals. (1) APPEAL OF LOCAL ORDER.** Any person affected by a local order which may be in conflict with a provision of this chapter may petition the department for a hearing on the grounds that the local order is unreasonable and in conflict with the provision of this chapter. All appeals shall be acted on and a decision in writing shall be issued by the department within 30 business days of receiving an appeal.

**Note:** Section 101.01 (f), Stats., defines "local order" as any ordinance, order, rule or determination of any common council, board of aldermen, board of trustees or the village board, of any village or city, or the board of health of any municipality, or an order or direction of any official of such municipality, upon any matter over which the department has jurisdiction.

**(2) PETITION OF ADMINISTRATIVE RULE.** Pursuant to s. 227.12, Stats., any municipality, corporation or any 5 or more persons having an interest in an administrative rule may petition the department requesting the adoption, amendment or repeal of the rule.

**History:** Cr. Register, October, 1990, No. 418, eff. 11-1-90; CR 08-047: renum. from Comm 16.07 Register February 2009 No. 638, eff. 3-1-09.

## Subchapter II — General Requirements

**SPS 316.009 Construction and operation. (1) GENERAL.** All electrical power and communication equipment and lines shall be constructed, installed, operated and maintained so as to minimize hazards to life and property. All electrical installations shall conform to the *National Electrical Code*®, incorporated by reference in this chapter, and the requirements specified in this chapter.

**Note:** The federal and state Fair Housing Acts, the federal Americans with Disabilities Act and the Wisconsin Commercial Building Code (chs. SPS 361 to 366) contain requirements relating to making buildings accessible to and usable by people with disabilities. Some of those requirements apply to the installation of various electrical devices. For example, in the federal fair housing accessibility guidelines, devices such as light switches, electrical outlets, thermostats and other environmental

controls would meet the requirements if operable parts of the controls are located no higher than 48 inches, and no lower than 15 inches, above the floor. If the reach is over an obstruction between 20 and 25 inches in depth, the maximum height is reduced to 44 inches for forward approach; or 46 inches for side approach, provided the obstruction is no more than 24 inches in depth. Complete copies of the federal Fair Housing Accessibility Guidelines or the federal Americans with Disabilities Act Accessibility Guidelines can be obtained from the Superintendent of Documents, New Orders, P.O. Box 371954, Pittsburgh, PA 15250–7954.

**(2) INSTALLATIONS OVER 600 VOLTS.** Installations over 600 volts shall, in addition to the requirements of this chapter, comply with ch. PSC 114.

**History:** Cr. Register, October, 1990, No. 418, eff. 11–1–90; CR 08–047: renum. from Comm 16.08 Register February 2009 No. 638, eff. 3–1–09.

**SPS 316.010 Inspection and maintenance.** All electrical installations and equipment shall be cleaned and inspected at intervals as experience has shown to be necessary. Any equipment or electrical installation known to be defective so as to endanger life or property shall be promptly repaired, permanently disconnected, or isolated until repairs can be made. Construction, repairs, additions, and changes to electrical equipment and conductors shall be made by qualified persons only.

**History:** Cr. Register, October, 1990, No. 418, eff. 11–1–90; CR 08–047: renum. from Comm 16.09 Register February 2009 No. 638, eff. 3–1–09.

**SPS 316.011 Electrical inspection of public buildings and places of employment.** Inspection of electrical construction relating to public buildings and places of employment shall comply with the requirements of subch. IV.

**History:** Cr. Register, October, 1990, No. 418, eff. 11–1–90; am., Register, September, 1999, No. 525, eff. 10–1–99; CR 08–047: renum. from Comm 16.10 Register February 2009 No. 638, eff. 3–1–09.

**SPS 316.012 Use of approved materials and construction methods.** **(1) MATERIALS.** Materials, equipment and products that do not comply with the requirements of this chapter shall not be used unless approved in writing by the department. Approval of materials, equipment, and products shall be based on sufficient data, tests, and other evidence that prove the material, equipment, or product meets the intent of the requirements of this chapter. Data, tests, and other evidence shall be provided by a qualified independent third party.

**Note:** Examples of a qualified independent third party include a nationally recognized testing laboratory and a professional engineer.

**(2) METHODS OF INSTALLATION.** Methods of installation that do not comply with the regulations of this chapter shall not be used unless approved by the department.

**(3) NEW PRODUCTS, CONSTRUCTIONS OR MATERIALS.** The incorporated *National Electrical Code*® may require new products, constructions, or materials that may not be available at the time this chapter is adopted. In such event, the department may permit the use of the products, constructions or materials which comply with a previous edition of the *National Electrical Code*®.

**History:** Cr. Register, October, 1990, No. 418, eff. 11–1–90; CR 02–072: r. and recr. (1) Register April 2003 No. 568, eff. 5–1–03; CR 08–047: renum. from Comm 16.11 Register February 2009 No. 638, eff. 3–1–09; CR 13–042: am. (1) to (3) Register November 2013 No. 695, eff. 12–1–13.

**SPS 316.013 Electric fences.** The following are department rules in addition to the requirements of the *NEC*®:

**(1) ELECTRIC FENCE CONTROLLERS.** (a) Electric fence controllers shall be of a type listed by a nationally recognized testing laboratory.

(b) Electric fence controllers shall be installed and used in the exact manner and for the exact purpose indicated by the manufacturer's instructions, markings, listings or labels.

**(2) GROUNDING.** Electric fence controllers shall be grounded as specified in NEC 250, except that where stray voltages in dairy barns or milking parlors create physical problems to the animals, the use of a single made electrode shall be permitted.

**Note:** Under s. 101.18, Stats., the Department is responsible for establishing "...reasonable standards, rules or regulations for the erection, construction, repair and maintenance of electric fences as shall render them safe."

**History:** CR 08–047: cr. Register February 2009 No. 638, eff. 3–1–09.

### SPS 316.014 Adoption of standards by reference.

**(1) PRIMARY STANDARDS.** The following standard is hereby incorporated by reference into this chapter, subject to the modifications specified in this chapter:

(a) National Fire Protection Association® (NFPA), One Batterymarch Park, Quincy, MA 02169–7471, telephone 800–344–3555, [www.nfpa.org](http://www.nfpa.org): *NFPA 70 National Electrical Code*® (NEC®) – 2011.

**Note:** Copies of the standard are on file in the offices of the Department and the Legislative Reference Bureau. A copy of the code may be purchased from the organization listed or may be reviewed on the organization's website at not cost if the person is a registered user for the site.

(b) If a requirement in the standard adopted in par. (a) contains a cross-reference to another requirement modified by this chapter, the modification shall apply to the cross-reference unless specified otherwise in this chapter.

**(2) SECONDARY REFERENCES.** Any codes or standards referenced in the standard adopted in sub. (1) (a) shall apply to the prescribed extent of each such reference, except as modified by this chapter.

**(3) ALTERNATE STANDARDS.** Any alternate standard that is equivalent to or more stringent than a standard incorporated by reference or otherwise referenced under this chapter may be used in lieu of the incorporated or referenced standard if the alternate standard is accepted in writing by the department.

**History:** Cr. Register, October, 1990, No. 418, eff. 11–1–90; am. (1), Register, March, 1994, No. 459, eff. 4–1–94; am. (1), Register, August, 1996, No. 488, eff. 9–1–96; r. and recr., Register, September, 1999, No. 525, eff. 10–1–99; CR 02–072: r. (1), renum. (2) to be Comm 16.12 and am. Register April 2003 No. 568, eff. 5–1–03; CR 05–010: am. Register August 2005 No. 596, eff. 9–1–05; CR 08–047: renum. from Comm 16.12 and am. Register February 2009 No. 638, eff. 3–1–09; CR 13–042: r. and recr. Register November 2013 No. 695, eff. 12–1–13.

## Subchapter III — Changes, Additions or Omissions to the *NEC*®

**SPS 316.015 Changes, additions or omissions to *NEC*®.** Changes, additions or omissions to the *National Electrical Code*® (*NEC*®) are specified in this subchapter and are rules of the department and not requirements of the *NEC*®.

**Note:** The referenced *NEC*® article or section number will correspond with the SPS designation number and title and will precede the text of the rule. Example: SPS 316.100 [NEC 100].

**History:** CR 08–047: cr. Register February 2009 No. 638, eff. 3–1–09.

**SPS 316.090 Introduction.** The requirements specified in NEC 90.1, NEC 90.2 and NEC 90.4 are not included as part of this chapter.

**History:** CR 08–047: cr. Register February 2009 No. 638, eff. 3–1–09; CR 13–042: am. (title) Register November 2013 No. 695, eff. 12–1–13.

**SPS 316.100 Definitions.** **(1) ADDITIONS.** The following are department definitions in addition to the definitions in NEC 100:

(a) "Department" means the department of safety and professional services.

(b) "Floors" means stories as specified in chs. SPS 361 to 366.

(c) "Nonrated construction" means Types III, IV and V construction in accordance with chs. SPS 361 to 366 and is considered to be nonfire-rated for the purposes of this chapter.

(d) "Private sewage system" has the meaning specified under s. 145.01 (12), Stats.

**Note:** Under s. 145.01 (12), Stats., "private sewage system" means a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the department including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure. A private sewage system may be owned by the property owner or a special purpose district.

**(2) SUBSTITUTIONS.** The following department definitions are substitutions for the respective definitions in NEC 100:

(a) "Building" means a structure that stands alone or is separated from adjoining structures by fire walls having not less than

a 3-hour fire-resistance rating with all openings in the wall protected with 3-hour rated fire door assemblies.

**Note:** See chs. SPS 361 to 366 for fire-resistance standards.

(b) "Special permission" means a petition for variance in accordance with s. SPS 316.005.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; correction in (1) (a), (b), (c), (2) (b) made under s. 13.92 (4) (b) 6., 7., Stats., Register December 2011 No. 672.

**SPS 316.110 Requirements for electrical installation.** Substitute the following wording for the requirements in NEC 110.3 (B): Listed or labeled equipment shall be installed or used, or both, in accordance with any instructions included in the listing or labeling, provided the instructions, listing or labeling do not conflict with this chapter.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.210 Branch circuits. (1) IDENTIFICATION FOR BRANCH CIRCUITS.** This is a department informational note to be used under NEC 210.5 (C):

**Note:** For 277/480 volt systems, the recommended wire colors are brown, orange and yellow. For 120/208 volt systems, the recommended wire colors are black, red and blue.

**(2) GROUND-FAULT CIRCUIT-INTERRUPTER PROTECTION FOR PERSONNEL.** This is a department exception to the requirements in NEC 210.8 (A).

Exception: Ground-fault circuit-interrupter protection shall not be required for a single receptacle providing power for sump or sewage pumps where an accessible ground-fault circuit-interrupter protected receptacle is located within 900 mm (3 ft) of the non-GFCI protected receptacle.

**(3) BRANCH CIRCUITS REQUIRED.** This is a department rule in addition to the requirements of NEC 210.11: Where an air conditioner sleeve is provided in a building wall, a receptacle outlet shall be located within 4 feet of the sleeve. If a circuit is not run to the outlet, a raceway shall be provided. When the air conditioner is installed in the sleeve, it shall be supplied by an individual branch circuit. A receptacle outlet installed for an air conditioner may not be counted as one of the receptacles required by NEC 210.52 (A).

**(4) BRANCH CIRCUIT EXTENSIONS OR MODIFICATIONS — DWELLING UNITS.** The requirements in NEC 210.12 (B) are not included as part of this chapter.

**(5) LIGHTING OUTLETS REQUIRED.** Substitute the following wording for NEC 210.70 (A) (1): At least one wall switch-controlled lighting outlet shall be installed in every habitable room, kitchen and bathroom.

**(6) COUNTERTOP RECEPTACLES.** The requirements in NEC 210.52 (A) (4) are not included as part of this chapter.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: r. (2) (a), (c), renum. (2) (b) to (2), r. and recr. (4), renum. (6) to (5), cr. (6) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.220 Branch-circuit, feeder and service calculations. (1) GENERAL.** This is a department exception to the requirements in NEC 220.10: Circuit load calculations may use unit load values lower than those identified in NEC Table 220.12 for lighting loads calculated using the maximum electrical energy conservation values specified under ch. SPS 363 for public buildings and places of employment.

**(2) EXCEPTION.** This is a department exception to the requirements in NEC 220.40:

Exception: Under the supervision of a Wisconsin professional engineer, architect or designer of electrical systems, the feeder or service size may be computed using diversity factors or historical

data of a similar type of building, other than one- and 2-family dwelling units.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: r. and recr. (1) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.225 Outside branch circuits and feeders.**

**(1) CLEARANCES FROM BUILDINGS FOR CONDUCTORS NOT OVER 600 VOLTS.** Substitute the following wording for NEC 225.19 (A) Exception No. 4: The requirement for maintaining the vertical clearance 3 feet from the edge of the roof does not apply to the final conductor span to the building.

**(2) NUMBER OF SUPPLIES.** The following are department rules in addition to the requirements in NEC 225.30:

(a) For the purpose of this section, multiple feeders that are supplied from the same distribution point, having a total rating of 300 amperes or more, and that supply not more than 6 disconnecting means grouped at the same location shall be considered as one supply.

(b) Multi-occupancy buildings or structures may have one set of branch circuit conductors installed from a dwelling unit to the second building or structure's respective occupied space.

**(3) LOCATION.** This is a department rule in addition to the requirements of NEC 225.32: The building disconnect required by NEC 225.31 shall be located in accordance with s. SPS 316.230 (3).

**Note:** See ch. PSC 114 regarding clearances of conductors of over 600 volts and for prohibition of constructing dwellings under or near overhead lines.

**(4) CLEARANCES OVER ROADWAYS, WALKWAYS, RAIL, WATER AND OPEN LAND.** Substitute the following wording for the note to NEC 225.60 (C):

**Note:** For clearances of conductors of over 600 volts, see ch. PSC 114.

**(6) CLEARANCES OVER BUILDINGS AND OTHER STRUCTURES.** Substitute the following wording for the note to NEC 225.61 (B):

**Note:** See ch. PSC 114 regarding clearances of conductors of over 600 volts and for prohibition of constructing dwellings under or near overhead lines.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; correction in (4) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 13-042: r. (1), renum. (2) to (5) to (1) to (4) and am. (2) (a) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.230 Services. (1) NUMBER OF SERVICES.** (a)

These are department informational notes to be used under NEC 230.2 (intro.):

**Note:** See definition of building in s. SPS 316.100 (2) (a).

**Note:** It is recommended that the electric utility or cooperative supplying electric current be contacted prior to service equipment installations for any special requirements.

(b) Substitute the following wording for NEC 230.2 (B) (2): Two or more service drops or laterals for the same class of service if located more than 150 feet apart, measured in a straight line, and provided that all electrical wiring supplied by each service has no common raceway or connection with any other service.

(c) This is a department rule in addition to the requirements of NEC 230.2 (B): For a building which is not more than 3 stories in height and which contains only 3 or more attached, vertically separated, side-by-side or back-to-back dwelling units, with each dwelling unit served by an individual exterior exit within 6 feet of the exit discharge grade, a separate service drop or lateral shall be permitted for each 2 attached units.

**(2) NUMBER OF SERVICE-ENTRANCE CONDUCTOR SETS.** The requirements specified in NEC 230.40 Exception No. 3 are not included as part of this chapter.

**(3) SERVICE EQUIPMENT — DISCONNECTING MEANS.** (a) *General.* This is a department rule in addition to the requirements of NEC 230.70: Disconnecting means shall be provided to discon-

nect the utility wiring from the premises wiring at any point where utility wiring terminates and premises wiring extends overhead or underground to more than one building or structure.

(b) *Location.* This is a department rule in addition to the requirements of NEC 230.70 (A): Raceways containing service conductors or cables, or service entrance cable not contained within a raceway, may not extend longer than 8 feet into a building to the service disconnect or the first service disconnect of a group of disconnects as permitted by NEC 230.71. The raceways or conductors shall be considered to have entered the building at the point where they pass through the outer surface of the building exterior, except as permitted by NEC 230.6.

(4) RATING OF SERVICE DISCONNECTING MEANS. This is a department rule in addition to the requirements of NEC 230.79:

(a) *Two- or multi-family dwellings.* Except as provided in par. (b), for 2-family or multi-family dwellings, the service equipment shall have a rating of not less than 150 amperes, 3-wire or 4-wire. Where the combined rating of all service disconnecting means is 150 amperes or larger, the service or feeder equipment rating for each dwelling unit shall have a rating of not less than 60 amperes.

(b) *Exception.* Service equipment having a rating of not less than 100 amperes, 3-wire or 4-wire, may be installed in an existing 2-family dwelling only where both of the following conditions are complied with:

1. The load computed in accordance with NEC 220 does not exceed 80 amperes.

2. Specific written approval is granted by the municipal inspection department having jurisdiction.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: renum. (3) to (3) (b) and am. (3) (b) (title), renum. (4) to (3) (a) and am. (3) (title), (3) (a) (title), renum. (5) to (4) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.250 Grounding and bonding.** (1) SUPPLEMENTAL ELECTRODE REQUIRED. The exception in NEC 250.53 (A) (2) is not included as part of this chapter.

(2) SUPPLEMENTAL ELECTRODE. This is a department rule in addition to the requirements in NEC 250.53 (A) (3): A single electrode consisting of a rod, pipe or plate shall be augmented by one additional electrode of any of the types in NEC 250.52 (A) (4) to (A) (8).

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: r. and recr. Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.300 Wiring methods.** (1) ELECTRICAL REQUIREMENTS FOR PRIVATE SEWAGE SYSTEMS. These department rules apply to private sewage systems and are in addition to the requirements of NEC 300:

(a) *Wiring methods.* All effluent pump circuit wiring shall comply with the approved wiring methods as specified in NEC 300 and all of the following requirements:

1. Effluent pumps shall be supplied by a separate branch circuit supplying no other loads.

2. Alarm wiring may not be connected to the pump circuit.

3. All aboveground cables and flexible cords shall be enclosed to protect against physical damage.

4. The neutral conductor may not be common to both alarm and pump circuits.

5. Where the wiring enclosure for the alarm and pump circuit is located outside the pump chamber, any openings into the pump chamber for circuit wiring shall be sealed or plugged to prevent the passage of gas or vapor into the wiring enclosure.

**Note:** This prohibits use of a multi-wire branch circuit to supply both the alarm and pump.

**Note:** See NEC 430.102 for location of disconnects.

(b) *Ground-fault circuit protection.* A single receptacle located at the pump chamber that has an alarm or pump connected to it does not require ground-fault circuit-interrupter protection.

(2) PROTECTION AGAINST PHYSICAL DAMAGE. The requirements specified in NEC 300.4 (D) are not included as part of this chapter.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: cr. (1) (a) 5. Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.310 Conductors for general wiring.** This is a department rule in addition to the requirements in NEC 310.15 (B) (3) (a): The derating factors shown in NEC Table 310.15 (B) (3) (a) do not apply to branch circuits supplying an individual dwelling unit except under the following conditions:

Exception No. 6: The derating factors shown in NEC Table 310.15 (B) (3) (a) do not apply to branch circuits supplying an individual dwelling unit except under the following conditions:

(1) Where more than two NM cables containing two or more current-carrying conductors are installed, without maintaining spacing between the cables, through the same opening in wood framing that is to be fire- or draft-stopped using thermal insulation, caulk or sealing foam, the allowable ampacity of each conductor shall be adjusted in accordance with Table 310.15 (B) (3) (a) and the provisions of 310.15 (A) (2) shall not apply.

(2) Where more than two NM cables containing two or more current-carrying conductors are installed in contact with thermal insulation without maintaining spacing between cables, the allowable ampacity of each conductor shall be adjusted in accordance with Table 310.15 (B) (3) (a).

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. (title), (intro.) Register November 2013 No. 695, eff. 12-1-13; corrections in (intro.), (1), (2) under s. 13.92 (4) (b) 7. Register November 2013 No. 695.

**SPS 316.312 Cabinets, cutout boxes and meter socket enclosures.** (1) CABLES. Substitute the following wording for NEC 312.5 (C) Exception (intro.):

Exception: Cables with entirely nonmetallic sheaths may enter an enclosure through one or more nonflexible raceways of not less than 12 inches and not more than 10 feet in length, provided all of the following conditions are met:

(2) OMISSION. The requirements specified in NEC 312.5 (C) Exception paragraph (b) are not included as part of this chapter.

(3) FITTING. Substitute the following wording for NEC 312.5 (C) Exception paragraph (c): A fitting is provided on each end of the raceway to protect the cable from abrasion.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09.

**SPS 316.314 Outlet, device, pull and junction boxes; conduit bodies; fittings; and handhole enclosures.** (1) CONDUCTORS ENTERING BOXES, CONDUIT BODIES, OR FITTINGS. This is a department exception to the requirements of NEC 314.17 (B) and (C):

Exception: Nonmetallic sheathed cable is not required to be secured to the box or conduit body where it is installed in accordance with the wiring method specified in s. SPS 316.312.

(2) OUTLET BOXES. This is a department rule in addition to the requirements of NEC 314.27 (A): In a dwelling unit, a ceiling outlet box installed for use as a lighting fixture outlet in a habitable room or kitchen and located where a ceiling fan could be installed shall be a type listed for ceiling fan support.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 13-042: am. (title) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.334 Nonmetallic-sheathed cable: Types NM, NMC and NMS.** (1) USES PERMITTED. Substitute the following wording for NEC 334.10 (3): Other structures permitted to be of Types III, IV, and V construction except as prohibited in NEC 334.12.

(2) TYPES NM, NMC, AND NMS. The requirements specified in NEC 334.12 (A) (2) are not included as part of this chapter.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. (2) (title) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.358 Uses permitted.** This is a department rule in addition to the requirements of NEC 358.12: Electrical metallic tubing may not be used in direct contact with earth, in concrete slabs or floors poured on earth, or in exterior concrete walls below grade.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09.

**SPS 316.400 Flexible cords and cables.** This is a department exception in addition to the exception in NEC 400.8 (4):

Exception No. 2: Flexible cords and cables permitted by NEC 400.7 (A) that are connected to sources other than busways may be attached to adequately supported equipment or building surfaces provided the type of cord or cable, the attachment to the building and equipment, and the support comply with the provisions of NEC 368.56 (B).

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. (title) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.406 Receptacles, cord connectors and attachment plugs (caps).** The requirements in NEC 406.4 (D) (4) are not included as part of this chapter.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.450 Transformers and transformer vaults (including secondary ties).** (1) OVERCURRENT PROTECTION. This is a department rule in addition to the requirements in NEC Table 450.3 (A) Note 3: The qualified person shall be either an employee at that location or an employee contracted for this purpose who is readily available.

(2) LOCATION. Substitute the following wording for NEC 450.41: Vaults containing oil-insulated transformers shall be located where the vaults can be ventilated to the outside air without using flues or ducts, except where a petition for variance is approved.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. (title), (1) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.511 Commercial garages, repair and storage.** (1) The requirements specified in NEC 511.3 (C) (1) (a) are not included as part of this chapter.

(2) Substitute the following wording for NEC 511.3 (C) (2) (a): The ceiling area shall be unclassified where ventilation is provided from a point not more than 18 inches from the highest point in the ceiling. The ventilation shall conform to chapters SPS 361 to 366.

**Note:** The Commercial Building Code, chapters SPS 361 to 366, adopts and references the International Mechanical Code, IMC, for the design of ventilation systems. The adopted provisions of the International Mechanical Code under section 502.16 prescribe provisions for repair garages for natural gas- and hydrogen- fueled vehicles.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: renum. SPS 316.511 to (1) and am. (title) and (1), cr. (2) Register November 2013 No. 695, eff. 12-1-13; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register November 2013 No. 695.

**SPS 316.547 Agricultural buildings.** This is a department exception to the requirements in NEC 547.5 (G):

Exception: Ground-fault circuit-interrupter protection is not required for a single receptacle providing power for an electric fence controller used for livestock containment where an accessible ground-fault circuit-interrupter protected receptacle is located within 900 mm (3 ft) of the non-GFCI protected receptacle.

**History:** CR 13-042: cr. Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.620 Elevators, dumbwaiters, escalators, moving walks, platform lifts and stairway chairlifts.** (1) This is a department exception to the requirements in NEC 620:

Exception: Wherever NEC 620 requires disconnecting means with overcurrent protection to be located in an elevator machine room, control room, machinery space or control space and the elevator does not have such a room or space directly accessible from a building floor level, such devices shall be located instead in lockable cabinets or electrical rooms accessible only to qualified persons.

(2) This is a department informational note to be used under NEC 620.25:

**Note:** See NEC 620.53, 620.54 and 620.55 for additional requirements.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. (title) Register November 2013 No. 695, eff. 12-1-13; CR 14-020: renum. 316.620 to (2), cr. (1) Register August 2014 No. 704, eff. 9-1-14.

**SPS 316.675 Electrically driven or controlled irrigation machines.** This is a department rule in addition to the requirements in NEC 675.8: A service disconnecting means with overcurrent protection shall be provided at the service point in accordance with NEC 230 subchapter VI.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.680 Swimming pools, fountains and similar installations.** (1) PERIMETER SURFACES. This is a department rule in addition to the requirements of NEC 680.26 (B) (2). The requirements specified in NEC 680.26 (B) (2) does not apply to a listed self-contained spa or hot tub constructed with nonmetallic walls.

(2) POOL WATER. This is a department rule in addition to the requirements of NEC 680.26 (C). The requirements specified in NEC 680.26 (C) does not apply to a listed self-contained spa or hot tub constructed with nonmetallic walls.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. (title) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.700 Emergency systems.** (1) WIRING, EMERGENCY SYSTEM. This is a department rule in addition to the requirements of NEC 700.10 (B):

(a) Except as provided in par. (b), emergency circuit wiring shall be listed raceways, Type AC cable or Type MC cable.

(b) Emergency lighting fixtures may use flexible cord connections in compliance with NEC 410.62 (C) for electric discharge luminaries.

(2) GENERAL REQUIREMENTS. This is a department rule in addition to the requirements in NEC 700.12 (intro.): The enclosure of the alternate source of power located outdoors for emergency systems shall be located at least 10 feet horizontally from any combustible portion of a Type III, Type IV, or Type V building and at least 20 feet from an outdoor electrical transformer, electrical metering, service equipment or normal power distribution equipment. These dimensions may be reduced where a noncombustible barrier is installed that extends at least 3 feet beyond each side of the alternate power source and transformer. The height of the barrier shall be at least one foot above the top of the transformer, electrical metering, service equipment, or alternate power source, whichever is higher.

(3) GENERAL REQUIREMENTS, DUAL SUPPLIES. The requirements in NEC 700.12 (B) (3) are not included as part of this chapter.

**Note:** See chs. SPS 361 to 366 for further requirements.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. (1) (intro.), (3) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.701 Legally required standby systems.** (1) ADDITION. This is a department rule in addition to the requirements in NEC 701.12 (intro.): The enclosure of the alternate source of power located outdoors for legally required standby systems shall be located at least 10 feet horizontally from any combustible portion of a Type III, Type IV, or Type V building and at

least 20 feet from an outdoor electrical transformer, electrical metering, service equipment or normal power distribution equipment. These dimensions may be reduced where a noncombustible barrier is installed that extends at least 3 feet beyond each side of the alternate power source and transformer. The height of the barrier shall be at least one foot above the top of the transformer, electrical metering, service equipment, or alternate power source, whichever is higher.

(2) DELETION. The requirements specified in NEC 701.12 (B) (3) are not included as part of this chapter.

**Note:** See chs. SPS 361 to 366 for further requirements.

**History:** CR 08–047: cr. Register February 2009 No. 638, eff. 3–1–09; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register February 2009 No. 638; corrections in (1), (2) made under s. 13.92 (4) (b) 7., Stats., Register November 2013 No. 695.

## Subchapter IV — Electrical Inspection

**SPS 316.900 Purpose.** Pursuant to s. 101.82, Stats., the purpose of this subchapter is to establish rules for the inspection of electrical construction of farms, public buildings and places of employment.

**History:** Cr. Register, September, 1999, No. 525, eff. 10–1–99; CR 08–047: renum. from Comm 16.60 Register February 2009 No. 638, eff. 3–1–09.

**SPS 316.905 Scope.** This subchapter specifies the electrical construction to be inspected, the inspection procedures to be followed and the procedures for connection of electric service.

**History:** Cr. Register, September, 1999, No. 525, eff. 10–1–99; CR 08–047: renum. from Comm 16.61 Register February 2009 No. 638, eff. 3–1–09.

**SPS 316.910 Application.** This subchapter applies to persons, independent inspection agencies, municipalities and state governmental agencies engaged in the inspection of electrical construction for the purposes of administering and enforcing this chapter on farms and in public buildings and places of employment, and to companies or utilities providing connection of electric service.

**History:** Cr. Register, September, 1999, No. 525, eff. 10–1–99; CR 08–047: renum. from Comm 16.62 Register February 2009 No. 638, eff. 3–1–09.

**SPS 316.915 Definitions.** In this subchapter:

(1) “Certified inspector” means a certified commercial electrical inspector.

(2) “Commercial electrical inspector” means a person who conducts inspections of electrical construction of farms, public buildings and places of employment.

(3) “Department” means the department of safety and professional services.

(4) “Electrical construction” means the installation of electrical wiring.

(5) “Electrical contractor” means any person, firm or corporation engaged in the business of erecting, installing, altering, repairing, servicing or maintaining electrical wiring.

(6) “Electrical wiring” means all equipment, wiring, material, fittings, devices, appliances, fixtures and apparatus used for the production, modification, regulation, control, distribution, utilization or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting or similar purposes as covered by the scope of this chapter.

(7) “Farm” means a place where farming is conducted.

(8) “Farming” has the meaning specified under s. 102.04 (3), Stats.

**Note:** Under s. 102.04 (3), Stats., “farming” means the operation of farm premises owned or rented by the operator. “Farm premises” means areas used for operations herein set forth, but does not include other areas, greenhouses or other similar structures unless used principally for the production of food and farm plants.

**Note:** Section 102.04 (3), Stats., states that the operation of farm premises shall be deemed to be the planting and cultivating of the soil thereof; the raising and harvesting of agricultural, horticultural or arboricultural crops thereon; the raising, breeding, tending, training and management of livestock, bees, poultry, fur-bearing animals, wildlife or aquatic life, or their products, thereon; the processing, drying, packing, packaging, freezing, grading, storing, delivering to storage, to market or to

a carrier for transportation to market, distributing directly to consumers or marketing any of the above-named commodities, substantially all of which have been planted or produced thereon; the clearing of such premises and the salvaging of timber and management and use of wood lots thereon, but not including logging, lumbering or wood cutting operations unless conducted as an accessory to other farming operations; the managing, conserving, improving and maintaining of such premises or the tools, equipment and improvements thereon and the exchange of labor, services or the exchange of use of equipment with other farmers in pursuing such activities.

(9) “Independent inspection agency” means any corporation, partnership or sole proprietor, other than a municipal corporation, that performs inspections of buildings.

(10) “Municipality” means a city, village, town or county in this state.

(11) “Person” includes all partnerships, associations, and bodies politic or corporate.

(12) “Place of employment” has the meaning specified under s. 101.01 (11), Stats.

**Note:** Under s. 101.01 (11), Stats.:

(11) “Place of employment” includes every place, whether indoors or out or underground and the premises appurtenant thereto where either temporarily or permanently any industry, trade, or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade, or business, is carried on, and where any person is, directly or indirectly, employed by another for direct or indirect gain or profit, but does not include any place where persons are employed in private domestic service which does not involve the use of mechanical power or in farming. “Farming” includes those activities specified in s. 102.04 (3), and also includes the transportation of farm products, supplies, or equipment directly to the farm by the operator of the farm or employees for use thereon, if such activities are directly or indirectly for the purpose of producing commodities for market, or as an accessory to such production. When used with relation to building codes, “place of employment” does not include any of the following:

(a) An adult family home, as defined in s. 50.01 (1).

(b) Except for the purposes of s. 101.11, a previously constructed building used as a community-based residential facility, as defined in s. 50.01 (1g), which serves 20 or fewer residents who are not related to the operator or administrator.

(c) A home-based business, as defined by the department by rule.

(13) “Public building” has the meaning specified under s. 101.01 (12), Stats.

**Note:** Under s. 101.01 (12), Stats.:

(12) “Public building” means any structure, including exterior parts of such building, such as a porch, exterior platform, or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation to building codes, “public building” does not include any of the following

(a) A previously constructed building used as a community-based residential facility as defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the operator or administrator.

(b) An adult family home, as defined in s. 50.01 (1).

(c) A home-based business, as defined by the department by rule.

**History:** Cr. Register, September, 1999, No. 525, eff. 10–1–99; CR 08–047: renum. from Comm 16.63 Register February 2009 No. 638, eff. 3–1–09; correction in (3) made under s. 13.92 (4) (b) 6., Stats., Register December 2011 No. 672.

**SPS 316.920 Authority. (1) DEPARTMENTAL AUTHORITY.** Pursuant to ss. 101.82 and 101.84, Stats., the department is granted the authority and jurisdiction over the inspection of electrical construction of farms, public buildings and places of employment.

(2) MUNICIPAL AUTHORITY. (a) *Jurisdiction conditions.* Pursuant to s. 101.86 (1), Stats., municipalities may exercise jurisdiction over inspection of electrical construction in public buildings and places of employment by passage of ordinances, providing all of the following conditions are complied with:

1. The municipality’s ordinances meet the minimum requirements of this subchapter.

2. The municipality notifies the department at least 30 days prior to the date upon which the municipality intends to assume the jurisdiction.

3. The municipality provides the department with a copy of its electrical ordinances and subsequent revisions to the ordinances.

4. The municipality’s ordinances adopt this chapter in its entirety.

5. The municipality employs or contracts with certified inspectors or independent inspection agencies to perform electrical inspection functions.

6. The municipality provides the department with the names of its certified inspectors or independent inspection agencies employed or contracted by the municipality.

7. The municipality provides the department with any information requested by the department relative to the electrical inspection of public buildings and places of employment.

**Note:** Section 13.48 (13), Stats., exempts state buildings from local ordinances or regulations relating to building construction, permits and similar restrictions.

(b) *Joint jurisdiction.* Municipalities may jointly exercise the jurisdiction granted in par. (a).

(c) *Municipal contracts.* A municipality may contract with a certified inspector, independent inspection agency or the department for those inspection services that the municipality does not perform under par. (a) or (b).

(d) *County.* 1. Ordinances enacted by a county under this subsection establishing electrical inspection functions shall apply to all municipalities within that county which have not assumed jurisdiction.

2. Ordinances enacted by a county under this subsection establishing county electrical inspection functions may not prevent or prohibit a municipality within that county from assuming those functions at any time.

(e) *Relinquishing of jurisdiction.* The municipality shall notify the department, in writing, at least 30 days prior to the date upon which the municipality intends to relinquish jurisdiction responsibilities.

**History:** Cr. Register, September, 1999, No. 525, eff. 10-1-99; CR 08-047: renum. from Comm 16.64 Register February 2009 No. 638, eff. 3-1-09; CR 13-042: am. (2) (c) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.930 Electrical plan review.** Upon request, the department may perform electrical plan review for dwellings, public buildings, places of employment and electrical services.

**History:** CR 08-047: cr. Register February 2009 No. 638, eff. 3-1-09.

**SPS 316.940 Inspections. (1) PERSONS AUTHORIZED TO PERFORM INSPECTIONS.** (a) *General.* Inspections performed for a municipality, independent inspection agency or the department for the purpose of administering and enforcing this chapter shall be performed by a certified inspector.

(b) *Right of entry.* A certified inspector performing inspections under par. (a) may, during reasonable hours, enter any building or premises in the discharge of his or her official duties for the purpose of making inspections, re-inspections or testing of electrical construction.

**Note:** Section SPS 305.63 contains requirements pertaining to the certification of commercial electrical inspectors.

(2) **MUNICIPAL INSPECTIONS.** (a) *Electrical wiring requiring inspection.* Municipalities exercising jurisdiction under s. SPS 316.920 (2) shall provide for inspection of all electrical wiring in all of the following:

1. New construction, additions, alterations and changes of use of public buildings and places of employment requiring submittal of building plans under s. SPS 361.30 for the classes of occupancies specified under sub. (4) (a).

2. Such other installations as required by the municipality.

(b) *Inspection types.* Inspections required to be performed shall be of all of the following types for the purpose of determining if the electrical construction complies with this chapter:

1. An inspection before the construction is concealed.

2. Re-inspections, as necessary, to confirm compliance and satisfactory completion of all electrical construction.

3. A final inspection.

(c) *Permit required.* 1. Except as provided in subd. 2., electrical wiring as specified in par. (a) may not be installed until an application for a permit and the required fees have been submitted to the municipality exercising jurisdiction under s. SPS 316.920 (2).

2. Under emergency conditions, the necessary electrical construction may be commenced without submitting an application for a permit. The person performing the emergency electrical construction shall report the construction to the municipality no later than the next business day. The emergency electrical construction shall conform to this chapter.

(d) *Inspection.* 1. Upon completion of the electrical wiring required to be inspected under par. (a) or before any electrical wiring is to be hidden from view, the person, firm or corporation installing the electrical wiring shall notify the municipality that the installation is ready for inspection.

2. The certified inspector responsible for the inspection shall perform the requested inspection within 2 business days after receiving notification.

3. If upon inspection, it is found that the installation is fully in compliance with this chapter and the municipal ordinances, the certified inspector shall approve the installation and authorize concealment of the electrical wiring or connection of electric service. For connection of electric service, the certified inspector shall issue the certificate required in s. SPS 316.950 (1).

4. If the installation is incomplete or not in compliance with this chapter or the municipal ordinances, orders to correct shall be issued in accordance with the municipal ordinances.

(3) **INDEPENDENT AGENCY INSPECTIONS.** (a) *Municipalities.* Independent inspection agencies performing inspections for municipalities exercising jurisdiction under s. SPS 316.920 (2) shall provide inspections in accordance with the requirements of sub. (2) for municipalities.

(b) *Department.* Independent inspection agencies performing inspections for the department shall provide inspections as specified in the contract with the department.

(4) **DEPARTMENT INSPECTION PROGRAM.** (a) *Specific inspections.* The department may inspect all electrical wiring in new construction, additions, alterations and change of use of public buildings and places of employment requiring submittal of building plans under s. SPS 361.30 in all of the following occupancies that are not within the boundaries of municipalities exercising jurisdiction:

1. Nursing homes and health care facilities.

2. Hotels, motels, and other buildings that provide overnight accommodations.

3. Day care centers and schools.

4. Community-based residential facilities.

5. Restaurants having a capacity of 100 or more occupants.

6. All indoor theaters.

(b) *Random inspections.* The department may perform random inspections of electrical wiring in any new construction, additions, alterations, and change of use of public buildings and places of employment that are not within the boundaries of municipalities exercising jurisdiction.

(c) *Requested or complaint inspections.* The department may perform inspection of electrical construction in public buildings or places of employment in any municipality upon written request or complaint.

(d) *Farm inspections.* The department may inspect electrical construction on farms.

**History:** Cr. Register, September, 1999, No. 525, eff. 10-1-99; CR 01-139: am. (2) (a) 1. and (4) (a) (intro.) Register June 2002 No. 558, eff. 7-1-02; CR 08-047: renum. from Comm 16.65 Register February 2009 No. 638, eff. 3-1-09; corrections in (2) (a) (intro.), (c) 1., (d) 3. and (3) (a) made under s. 13.92 (4) (b) 7., Stats., Register February 2009 No. 638; correction in (2) (a) 1., (c) 1., (d) 3., (3) (a), (4) (a) (intro.) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 13-042: am. (2) (c) 1., 2., (4) (b) Register November 2013 No. 695, eff. 12-1-13.

**SPS 316.950 Connection of electric service.** The company or utility furnishing electric current shall obtain proof that electrical wiring complies with this chapter before furnishing the service, as follows:



**(1) CERTIFICATE REQUIRED.** The electrical wiring required to be inspected under s. SPS 316.940 (2) (a) may not be connected for use until a certificate is filed with the company or utility furnishing electric current. The certified inspector authorized to perform the inspection shall complete and file the certificate with the company or utility.

**(2) STATEMENT REQUIRED.** Electrical wiring not requiring a certificate under sub. (1) may not be connected for use until a written statement is filed with the company or utility furnishing electric current indicating that the electrical wiring complies with this chapter. The electrical contractor or other person doing the wiring shall complete and file the written statement with the company or

utility.

**History:** Cr. Register, September, 1999, No. 525, eff. 10-1-99; CR 08-047: renum. from Comm 16.66 Register February 2009 No. 638, eff. 3-1-09; corrections in (intro.) and (1) made under s. 13.92 (4) (b) 7., Stats., Register February 2009 No. 638; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672.

**SPS 316.960 Technical assistance.** The department shall provide technical assistance to the extent possible with the available resources to any person, upon written request, regarding interpretation and application of this chapter. The technical assistance may consist of telephone, written, in-office or on-site review of specific problems.

**History:** Cr. Register, September, 1999, No. 525, eff. 10-1-99; CR 08-047: renum. from Comm 16.67 Register February 2009 No. 638, eff. 3-1-09.