

CITY OF SAN ANTONIO
INTERDEPARTMENTAL CORRESPONDENCE
DEVELOPMENT SERVICES DEPARTMENT

AGENDA ITEM NO. 18

TO: Mayor and City Council

FROM: Florencio Peña, Director Development Services

THROUGH: Terry M. Brechtel, City Manager

COPY: Christopher J. Brady, Assistant City Manager, File

SUBJECT: Chapter 10 Electrical City Code Amendments

DATE: May 27, 2004

SUMMARY AND RECOMMENDATIONS

An ordinance amending Chapter 10 of the City Code, titled "Electricity", regarding municipal testing and licensing of electricians. Establish a new \$75 registration fee for State licensed electrical contractors. Staff and Electrical Examining and Supervising Board recommend approval.

BACKGROUND INFORMATION

The State of Texas through House Bill 1487 enacted by the 78th Legislature, established license regulations for electricians and electrical contractors with an effective date of September 1, 2004. This State law requires that electricians performing electrical work in the State be licensed through the State or be licensed in the municipality where they work. This new licensing provision allows municipalities to continue testing and licensing of electricians if they so elect. The City of San Antonio, in an effort to continue to streamline the development process, is recommending deferring all new testing and new licensing of electricians to the State provisions. This streamlining will eliminate the redundancy of municipal testing and licensing by deferring to the State. The City will continue to renew any existing electrical licenses issued to date to individuals that wish to maintain their municipal license, or those that may have missed the grandfathering period. Individuals wishing to apply for a State license based upon having a similar classification of municipal license may do so without testing if applied for during a grandfathering period of March 1, 2004 through June 1, 2004. The Texas Department of Licensing and Regulation is the State agency that has been charged with the enforcement of this new licensing provision. The State has recognized the International Code Council (ICC) as an administrator of electrical examinations that will be accepted by the State for licensing. The ICC has contracted to administer the electrical examinations locally every thirty days. Presently the City administers electrical examinations quarterly. A new \$75 registration fee will be assessed to State licensed electrical contractors to secure permits and perform electrical work within the City. This registration fee is consistent with the fee assessed to register State licensed mechanical and plumbing contractors.

Prior to the enactment of this State licensing provision, licensing was the responsibility of municipalities or regions where licensing provisions were adopted. The testing and requirements for electricians has not been uniform across the State. The City of San Antonio has been testing and licensing electricians for over fifty years. The City Electrical Examining and Supervising Board have been charged with the responsibility of reviewing the experience qualifications of applicants and

administering the examination. The City Code presently requires electrical examinations to be administered not less than every 30 days nor longer than every 90 days. The proposed amendment will no longer require the City to administer electrical examinations for new municipal licenses. The City presently licenses electricians in seven categories; Master Electrician, Master Sign Electrician; Journeyman Electrician, Maintenance Electrician, Restricted Residential Wireman, Sign Technician, and Apprentice Electrician. This new State licensing will enable licensed individuals to work throughout the State of Texas without submitting to further local testing.

POLICY ANALYSIS

The adoption of these code amendments is consistent with the council policy to safeguard public health, safety and welfare. Other cities in Texas such as Dallas, Ft. Worth, Houston, and Austin are discontinuing testing for electricians.

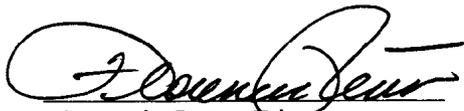
FISCAL IMPACT

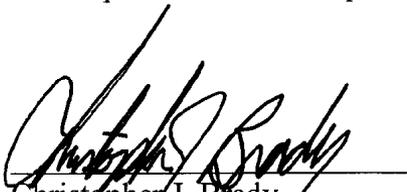
The anticipated revenue impact for FY2003/2004, including the anticipated impact of the \$75 registration fee, is estimated to be a shortfall of \$51,685. With the proposed registration fee and the reduction of \$42,524 in associated testing costs the anticipated revenue impact for FY 2004/2005 will be an estimated shortfall of \$122,755. Additional revenue streams will be explored through the upcoming budget process.

COORDINATION

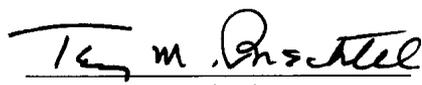
This ordinance has been coordinated with the Electrical Examining and Supervising Board and the City Attorney's Office.

SIGNATURES


Florencio Peña, Director
Development Services Department


Christopher J. Brady
Assistant City Manager

Approved:


Terry M. Brechtel
City Manager

Proposed Amendments to Chapter 10 of the City Code

Sec. 10-164. Effect of State Licensing.

- (a) Upon the state's enforcement of House Bill 1487, passed by the 78th Texas Legislature, establishing the state licensing of electricians:
- (1) the sections of the city code regarding licensing of electricians through testing no longer will be applied; and
 - (2) the city will continue to renew those electrical licenses already in existence but shall not issue any new licenses.
- (b) All provisions and regulations of this chapter referencing a license issued by the city also shall cover a license issued by the state except as provided in (a) above.

Sec. 10-165. State licensed Electrical Contractors and Electrical Sign Contractors to register with the City.

- (a) Electrical contractors and electrical sign contractors licensed by the state shall register with the city before performing any work under such licenses as may be regulated or covered by this chapter.
- (b) The annual fee to register with the city an electrical contractor's or electrical sign contractor's license issued by the state shall be as stated in the *{fee ordinance}* schedule..