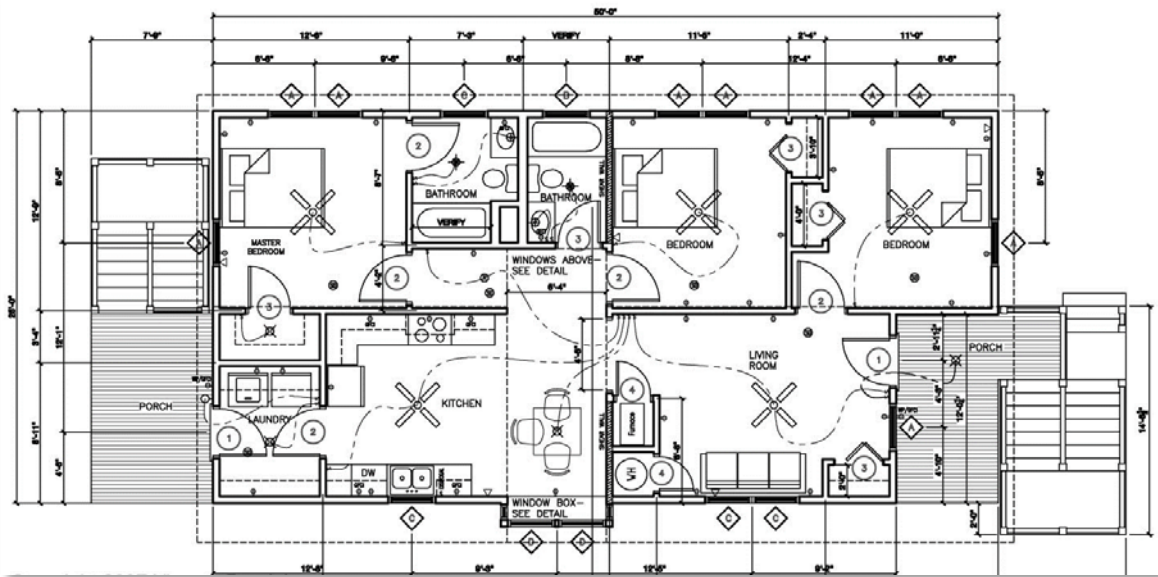


## ELECTRICAL CODE APPEAL APPLICATION



**Electrical Code Board:** The Electrical Code Board determines the suitability of alternative materials and methods of installation, provides reasonable interpretations of the adopted electrical code, serves as an appeal body for the decisions of the building official, and advises the city council on all electrical regulations and procedures, including, but not limited, to the City of Dubuque Electrical Code and amendments thereto. A person who is aggrieved by a decision of the building official regarding enforcement of the National Electrical Code may appeal such decision to the Electrical Code Board.

**Membership:** The board is comprised of seven (7) residents of the city, appointed by the city council. Six (6) members have a background or experience in electrical engineering, electrical contracting, electrical installation, or electrical maintenance and one (1) member is appointed from the public at large. The board serves as an important link between government and the community and provides expertise in electrical regulations and procedures. Board members serve voluntarily without compensation.

**Roles and Responsibilities:** The board, after hearing an appeal, has the authority to:

- 1. Uphold the Decision:** Uphold the decision of the building official; or
- 2. Reverse/Modify Decision:** Reverse or modify the decision of the building official but only on finding that the building official incorrectly interpreted the provision of the National Electrical Code.

**The board has no authority to interpret the administrative provisions of National Electrical Code and cannot waive any of its requirements. When modifying or reversing a decision of the building official, the board may authorize an alternative material or alternative method of construction, provided the board finds the proposed material or method of construction is satisfactory for the use intended, complies with the National Electrical Code, and is, for the purpose intended, at least equivalent to that prescribed by the National Electrical Code in suitability, strength, effectiveness, durability, and safety.**

### **Appeal Process:**

An appeal of the building official's decision must be filed within twenty (20) days of receipt of the decision. If filed in a timely manner, the Electrical Code Board will meet within thirty (30), and not more than ninety (90) days after the Building Services Department receives a complete application for an appeal. The board will render a decision within five (5) business days after the appeal hearing. The decision of the board is final unless appealed to the District Court.

- ✓ **Complete the appeal application form:** The appeal must be made by the person aggrieved within twenty (20) days of receipt of the building official's decision. Incomplete or late applications will not be accepted.
- ✓ **Submit the appeal application and fee:** The completed appeal application and \$100 fee must be submitted to the Building Services Department. Complete applications may be submitted by email, mail, or in-person only. Payment may be made by cash or check. Applications are due the first business day of the month to be placed on the agenda for that month. The appellants application may contain any additional supporting documents and evidence to support the use of alternative materials or methods.
- ✓ **Review:** Staff will review the appeal application and prepare a report prior to the meeting. The report summarizes the position of the building official and the appellant, as indicated in the appellant's appeal application. The report does not make a recommendation. The appeal application and staff report will be forwarded to the board and the applicant approximately one week prior to the appeal hearing.
- ✓ **Appeal hearing:** Unless otherwise noted, the board meets the third Wednesday of every month at a time and place determined by the board. Appeal hearings will occur at the next regularly scheduled board meeting. An agenda of the meeting, a copy of the appeal application, and a staff report will be forwarded to the appellant approximately one week prior to the meeting date.

Building Services staff will present the staff report. The appellant will be invited to make a presentation(s) or bring a person(s) to speak on his or her behalf. The appellant will not be allotted more than 30 minutes for all speakers/presentations. The appellant may also distribute supporting information relevant to the appeal.

- ✓ **Notice of Decision:** The board's decision and required actions will be mailed to the appellant.

## APPLICATION FOR APPEAL

**Appellant Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Appellant Address:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Property Owner Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Property Owner Address:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Property Address:** \_\_\_\_\_ **Type:** \_\_\_\_\_

**Cite the specific National Electric Code(s) (NEC) you are appealing the interpretation of:**

**Describe the alternative material or method of construction proposed. Include how the alternative material or method of construction is equivalent to what is prescribed by code in suitability, strength, effectiveness, durability, and safety. You may include manufacturer information and specifications with this application to help support the description. Use additional sheets if necessary:**

**Appellant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**\*Office Use Only:**  
**Fee:** \$100 **Received by:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Docket:** \_\_\_\_\_