

**Proposal Number: 2018-OA-003**

**Section 2**

**Description of Change:**

**A) Change “Application for Inspection” to “Notification”**

**B) Modify Rule 2-004(7) when a connection authorization is issued with individual or group installations**

**C) Modify 2-004(8) to identify that the contractor needs to follow the requirements of Licensing, as per the Regulations**

**Proposed by: Electrical Safety Authority**

**A) Change “Application for Inspection” to “Notification”**

**Rationale:**

ESA’s Authorized Contractor Program (ACP) relies on an audit based process for inspecting 1 in “X” number of applications, yet our requirement in the OESC states that the contractor is to submit an application for Inspection. An inspection based on an audit program does not occur for each application. In addition, with the introduction of the Risk Based Oversight (RBO) this will also be based on a process where High risk installations will be inspected while the low risk might not be inspected.

Most jurisdictions use the application for permit as the requirement for wiring installations, but in Ontario due to the 48 hour after work starts requirements , the term permit cannot be used, as it would mean giving someone permission to proceed after you apply and not 48 hours later.

Therefore, the term “Notification” will be used as it also aligns with ESA terminology in all communication between Customers and ESA.

**B) Modify Rule 2-004(7) when a connection authorization is issued with individual or group installations**

**Rationale:**

Rule 2-004(7) is required to be amended so it is clear that depending on the parameters of a program that determines when and if a physical inspection occurs, such as ACP or RBO, a connection authorization might be issued for low risk type work even when that work would not be treated as a group, but rather a collection of different types of work of a said contractor.

**C) Modify 2-004(8) to identify that the contractor needs to follow the requirements of Licensing, as per the Regulations**

**Rationale:**

Currently the Subrule spells out what the requirements are of Ontario Regulation 570/05. By stating that the contractor is in compliances with Ontario Regulation 570/05, is acceptable, and if Ontario Regulation 570/05 changes in the future, these requirements would have to be adhered to.

**Proposed Change:**

**Amend Section 2 Rules to change “Application for Inspection” to “Notification”**

**2-004 Inspection Notification of work**

(1) A contractor shall file with the inspection department a notification ~~completed application for inspection~~ of any work on an electrical installation:

- (a) before or within 48 h after commencement of the work whether or not electrical power or energy has been previously supplied to the land, building, or premises on which the work was performed;
- (b) shall pay the fees prescribed by the inspection department; and
- (c) be in compliance with Ontario Regulation 570/05 made under Part VIII of the Electricity Act, 1998.

~~(2) An application for inspection that has been refused in accordance with the provisions of Rule 2-008 shall, for the purposes of Subrule (1), be deemed not to be a completed application.~~

(2) Where the inspection department refuses a notification in accordance with provisions of Rule 2-008, for the purposes of Subrule (1), the contractor shall not proceed with any further electrical work.

(3) Every contractor who undertakes an electrical installation is responsible for ensuring that the electrical installation complies with this Code and for procuring an authorization for connection from the inspection department before the installation is used for any purpose.

(4) The contractor shall give the inspection department at least 48 h notice that the work on the electrical installation has been completed and that the installation is ready for a connection authorization, but where the work is being performed in a remote district or is not immediately accessible for any other reason, the notice shall be of such greater length as is necessary to accommodate the inspection schedule of the inspection department.

(5) Inspections as required by the inspection department may be made at such time and in such manner as the inspection department determines.

(6) An electrical installation shall not be concealed or rendered inaccessible until it conforms to this Code and such concealment or rendering inaccessible has been authorized by an inspector.

~~(7) An inspection may be deemed by the inspection department to have been made for an electrical installation or a group of electrical installations and connection authorized even though all portions of any installation in the group and the installations in the group have not been inspected, provided that:~~

An installation may be accepted and a connection authorized by the inspection department even though the installation has not been inspected provided that:

- (a) a contractor files with the inspection department a completed notification of any work on an electrical installation ~~or a group of electrical installations~~ within the time specified by the inspection department, whether or not electrical power or energy has been previously supplied to the land, building, or premises on which the work was performed;
- (b) the contractor is qualified in accordance with Subrules (8) and (9);
- (c) the contractor is in compliance with the process set out by the inspection department;
- (d) there is compliance with Subrules (1)(b), (2), (3), and (4); and
- (e) the contractor has provided assurance acceptable to the inspection department that all portions of ~~any the installation or group of installations~~ comply with this Code; ~~and~~
- ~~(f) portions of the installations have been inspected by the inspection department and all inspected portions conform to this Code.~~

(8) A contractor may be eligible for the process in Subrule (7) where:

- (a) ~~a contractor is in compliance with Ontario Regulation 5/70/05 made under Part VIII of the Electricity Act, 1998~~  
~~(i) is licensed, registered, or certified through appropriate examination by an appropriate authority to carry on trade as an electrical contractor;~~  
~~(ii) holds an appropriate certificate of qualification issued to the contractor that is not suspended in accordance with the provisions of the Ontario College of Trades and Apprenticeship Act;~~  
~~(iii) holds appropriate liability insurance; and~~  
~~(iv) has demonstrated knowledge of this Code, as it applies to the installations, that is satisfactory to the inspection department;~~
- (b) a contractor who
- (i) holds an appropriate certificate of qualification issued to the contractor that is not suspended in accordance with the provisions of the Ontario College of Trades and Apprenticeship Act;
  - (ii) holds appropriate liability insurance; and
  - (iii) has demonstrated knowledge of this Code, as it applies to the installations, that is satisfactory to the inspection department; or
- (c) a contractor who
- (i) has demonstrated competency through appropriate training and examination or in other ways;
  - (ii) holds appropriate liability insurance; and
  - (iii) has demonstrated knowledge of this Code, as it applies to the installations, that is satisfactory to the inspection department.

(9) Where an installation is such that a notification covers work by more than one individual, the inspection department may require some or all individuals performing work on an installation to satisfy Subrule (8) as a condition for following the process in Subrule (7).

(10) Where Subrule (7) is followed, the particular installations ~~in the group and the particular portions of the installations in a group~~ inspected shall be determined by the inspection department.

(11) The inspection department may refuse to follow the process in Subrule (7) where work by the contractor has been found to be contrary to the requirements of this Code.

#### **2-005 An application for inspection A notification is not required**

Notwithstanding the provisions of Rule 2-004, ~~an application for inspection a notification~~ is not required

(...)

#### **2-006 Periodic inspection**

(1) ~~An application for inspection~~ A Notification may be made by the owner, owner's agent, or occupant of any manufacturing, mercantile, or other building where electrical installation work of a routine nature in connection with the maintenance or operation of the building or the plant therein is required to be performed at frequent intervals.

(2) Acceptance of the ~~application for inspection notification~~ by the inspection department shall authorize the commencement and execution of such work during the period for which the acceptance is issued, and Rule 2-004 shall not apply.

(3) Upon request, an inspection shall be made at such time and in such manner as the inspection department determines.

### 2-008 Right of refusal

The inspection department may refuse ~~an application of inspection authorization a notification~~ to any contractor

- (a) who has failed to pay any fees or dues owing to the inspection department for a period of more than thirty days;
- (b) who has failed to remedy defects in any electrical work or in any installation after having been notified by the inspection department that the defects exist; or
- (c) who is not licensed to operate an electrical contracting business under Regulation 570/05;

until

- (i) the fees have been paid;
- (ii) the defects have been remedied; or
- (iii) in compliance with Regulation 570/05.

### 2-012 Connection authorization

(1) Where any electrical installation or part thereof to which electric power or energy has not previously been supplied is made in or upon any land, building, or premises, or subject to Subrule (2), where any electrical installation or part thereof has been disconnected or cut off from any service or other source of supply under this Code, no supply authority, contractor, or other person shall connect or re-connect the installation or part thereof to any service or other source of supply unless

- (a) the installation and all related work ~~have been inspected~~ is in compliance with the requirements of this Code in accordance with the procedures in Rule 2-004 by an inspector; and
- (b) a connection authorization has been issued by the inspection department with respect to the installation.

(2) Where a connection authorization as referenced in Subrule (1) has been issued to a supply authority, it is valid for the connection of a service for a period of up to six months from the date of issue.

(3) Where any electrical installation or part thereof has been disconnected or cut off from a source of supply by a supply authority for six months or less for non-payment of rates or because of a change of occupancy of premises, the supply authority may reconnect the installation or part thereof without obtaining a connection authorization.

### 2-013 Connection authorization not required

Notwithstanding the provisions of Rule 2-012, a connection authorization for an electrical installation or part thereof is not required if the installation does not require ~~an application for inspection a notification~~ in accordance with the provisions of Rule 2-005.

### 2-018 Defects

(...)

(2) Every ~~person~~ contractor who has submitted ~~an application for inspection a notification~~ for an installation or portion thereof that has not previously been authorized to receive power and who has been notified by the inspection department that the installation does not conform to this Code shall remedy all defects in work and replace all electrical equipment that is not approved within such time and in such manner as the notice from the inspection department directs.

(...)

***Amend Appendix B Note to Rule 2-005(f) as follows:***

**Rule 2-005(f)**

Some supply authorities do not permit the installation of a meter-base plug-in transfer device or require a connection authorization. Therefore, it is the responsibility of the licensed electrical contractor to ensure the supply authority permits the use of meter-base plug-in transfer devices and to verify if ~~an application for inspection~~ a notification needs to be filed for the purpose of connection authorization for the installation of these devices.

***Amend Index***

~~Notification Application for inspection~~, not required 2-005