

Chapter E 10

GENERAL REQUIREMENTS

E 10.10	Character of construction, maintenance and operation	E 10.12	Construction, inspection and repairs
E 10.11	Use of approved materials and construction methods	E 10.13	Application of rules

E 10.10 Character of construction, maintenance and operation. All electrical power and communication equipment and lines shall be of such construction, and so installed, operated, and maintained as to minimize the life and fire hazard.

History: Cr. Register, April, 1964, No. 100, eff. 5-1-64.

E 10.11 Use of approved materials and construction methods. (1) MATERIALS. No materials, employed in construction covered by this code, shall be used which have not been approved by the Industrial Commission or Public Service Commission.

(a) *Exception:* Materials which comply with the requirements of this code are hereby approved.

Note: It is the policy of the administrative authority to approve materials, devices, and systems which are listed as standard by the Underwriters' Laboratories if they do not conflict with the requirements of this or other state codes or the laws of the state.

(2) **METHODS OF INSTALLATION.** No methods of installing electrical materials or devices in construction covered by this code shall be used which are not approved by the Industrial Commission or Public Service Commission.

(a) *Exception:* Methods of installation which comply with the requirements of this code are hereby approved.

History: Cr. Register, April, 1964, No. 100, eff. 5-1-64.

E 10.12 Construction, inspection and repairs. All construction and equipment shall be cleaned when necessary and inspected at such intervals as experience has shown to be necessary. Any equipment or construction 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. (See also sections E 121.02 and E 121.04.)

History: Cr. Register, April, 1964, No. 100, eff. 5-1-64.

E 10.13 Application of rules. (1) WAIVING RULES. The rules are intended to apply to all installations except as modified or waived by the proper administrative authority. They are intended to be so modified or waived in particular cases wherever any rules are shown for any reason to be impracticable or if equivalent or safer construction is secured in other ways.

(2) **APPLICATION.** The intent of the rules will be realized (a) by applying the rules in full to all new installations, reconstructions, al-

terations, and extensions, except where any rule is shown to be impracticable for special reasons or where the advantage of uniformity with existing construction is greater than the advantage of construction in compliance with the rules, providing the existing construction is reasonably safe; (b) by bringing existing installations into conformity with these rules as far as may be directed by the Industrial Commission or Public Service Commission and within the time determined by them.

(3) **PENALTIES.** The Wisconsin Statutes, 1961, require:

102.57 Violations of safety provisions, penalty. Where injury is caused by the failure of the employer to comply with any statute or any lawful order of the commission, compensation and death benefits as provided in this chapter shall be increased 15 per cent. Failure of an employer reasonably to enforce compliance by employes with such statute or order of the commission shall constitute failure by the employer to comply with such statute or order.

102.58 Decreased compensation. Where injury is caused by the wilful failure of the employe to use safety devices where provided in accordance with any statute or lawful order of the commission and adequately maintained, and their use is reasonably enforced, by the employer, or where injury results from the employe's wilful failure to obey any reasonable rule adopted by the employer for the safety of the employe and of which the employe has notice, or where injury results from the intoxication of the employe, the compensation, and death benefit provided herein shall be reduced 15 per cent.

196.64 Utilities, liability for treble damages. If any public utility shall do or cause to be done or permit to be done any matter, act or thing prohibited or declared to be unlawful by chapter 196 or 197, or shall omit to do any act, matter or thing required to be done by it, such public utility shall be liable to the person injured thereby in treble the amount of damages sustained in consequence of such violation.

196.66 General penalty; utility responsible for agents. (1) If any public utility shall violate any provision of chapter 196 or 197, or shall do any act therein prohibited, or shall fail or refuse to perform any duty enjoined upon it for which a penalty has not been provided, or shall fail, neglect or refuse to obey any lawful requirement or order made by the commission or the municipal council or any judgment or decree made by any court upon its application, for every such violation, failure or refusal such public utility shall forfeit not less than twenty-five dollars nor more than one thousand dollars. (2) Every day during which any public utility or any officer, agent or employe thereof shall fail to observe and comply with any order or direction of the commission or to perform any duty enjoined by chapter 196 or 197, shall constitute a separate and distinct violation.

(4) **TEMPORARY INSTALLATIONS.** It will sometimes be necessary to modify or waive certain of the rules in case of temporary installations or installations which are shortly to be dismantled or reconstructed. Such temporary construction may be used for a reasonable length of time provided it is under competent supervision while it or adjoining

equipment is alive or if it is protected by suitable barriers or warning signs when accessible to any person, without fully complying with this code; but all such construction shall be made reasonably safe.

(5) **TESTING.** Rooms which are used exclusively for routine or special electrical test work and, therefore, are under the supervision of a qualified person, need comply with this code only insofar as is practicable for the character of the testing done.

(6) **EMERGENCY.** In case of emergency or pending decision of the administrator, the person responsible for the installation may decide as to modification or waiver of any order, subject to review by proper authority.

History: Cr. Register, April, 1964, No. 100, eff. 5-1-64.