THE CITY OF WINNIPEG

THE WINNIPEG ELECTRICAL BY-LAW
NO. /2025

A By-law of THE CITY OF WINNIPEG
adopting and implementing the Manitoba Electrical Code.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Title
1(1) This By-law shall be referred to as the Winnipeg Electrical By-law.

Definitions
2(1) In this By-law:

"acceptable" means acceptable to a designated employee;

"annual electrical permit" means a permit issued in accordance with subsection 10(14);

"Charter" means *The City of Winnipeg Charter*, S.M. 2002, c. 39;

"City" means the City of Winnipeg continued under section 8 of the Charter;

"Code" means the Manitoba Electrical Code, M.R. XXX/2025, or any subsequent and similar code adopted by the Province of Manitoba pursuant to subsection 28(1) of *The Manitoba Hydro Act*, S.M. c. H190;

"construction" means the installation of electrical equipment in or about any building or premises and includes all electrical equipment installed;

"electrical contractor" and **"licence holder"** shall both mean an individual to whom an electrical contractor licence has been issued;

"electrical contractor licence" means a licence issued in accordance with section 10 of this By-law;

"electrical permit" means any permit issued under section 10 other than an annual electrical permit;

"engineering licensee" means an individual who has been registered as specified scope of practice licensee and is entitled to practice professional engineering in the Province of Manitoba in accordance with the provisions of The Engineering and Geoscientific Professions Act and the specified scope granted;

"design professional" means an engineering licensee or a professional engineer;

"designated employee" means the Manager of Development and Inspections of the Planning, Property and Development Department of the City and any employee of the City to

DRAFT

whom he or she has delegated authority to administer or enforce all or part of this By-law;

"Examining Committee" means the committee established under subsection 11(6) of this By-law;

"Fees and Charges Schedule" has the same meaning as under the Fees and Charges By-Law No. 196/2008;

"Manitoba Building Code" means the Manitoba Building Code, M.R. 78/2023, or any subsequent and similar code adopted by the Province of Manitoba pursuant to section 3 of *The Buildings Act,* S.M. c. B93;

"Manitoba Fire Code" means the current edition of the fire code adopted by regulation pursuant to *The Fires Prevention and Emergency Response Act*, S.M. F80;

"Manitoba Hydro" means The Manitoba Hydro-Electric Board as continued under *The Manitoba Hydro Act,* S.M. c. H190.

"single detached dwelling" means a building designed for residential occupancy and containing no more than one dwelling unit and no other occupancy. Includes modular and ready-to-move homes, but does not include mobile homes**; "permit"** unless the context requires otherwise, means an annual electrical permit or an electrical permit;

"person" means an individual, corporation, partnership, firm or other legal entity;

"professional engineer" means a professional engineer who is a member of Engineers Geoscientists Manitoba and who is entitled to practice in the Province of Manitoba;

"structure" means anything constructed or erected with a fixed location on or in the ground or attached to something having a fixed location on the ground and includes but is not limited to buildings, walls, fences, signs, billboards, poster panels, light standards, and swimming pools.

2(2) Unless otherwise expressly provided or unless the context otherwise requires, words and expressions in this By-law have the same meaning as the same words and expressions in the Code.

Adoption of Manitoba Electrical Code

3(1) Except as varied by this By-law, the Code is hereby adopted as part of this By-law, and a violation or contravention of the Code, or of any specific provision of the Code, is a violation or contravention of this By-law.

3(2) Where in this By-law reference is made to a Rule number, the reference shall be understood to mean that rule in the Code.

3(3) Where in this By-law reference is made to a section, subsection, clause, or sub-clause, that reference shall be understood to mean that section, subsection, clause, or sub-clause in this By-law, unless the context demands otherwise.

3(4) In the event of any conflict, explicit or implied, between the provisions set out in the Code and the provisions set out in this By-law, the provisions set out in the Code shall prevail.

DRAFT

Application

4(1) No person shall install electrical wiring or electrical apparatus, and no person shall use electrical current except as provided in this By-law.

4(2) For greater certainty, this By-law shall apply to the installation of electrical wiring or electrical apparatus, and to the use of electrical current, regardless of whether that electrical wiring, electrical apparatus, or electrical current is connected to or derived from the electrical grid operated by Manitoba Hydro.

Penalties

5(1) Subject to the MBEA Enabling By-law, a person who contravenes a provision of this By-law or the Code that is referred to in Schedule A of the MBEA Enabling By-law must pay the administrative penalty for that contravention set out in that Schedule. If an Early Payment Discount amount is set out for a provision in that Schedule, a person who is issued a penalty notice for a contravention of that provision may, within 14 days after the penalty notice has been issued, voluntarily pay to the City the applicable Early Payment Discount amount and will thereafter not be prosecuted for contravention

Authority

6(1) Designated employees are authorized to conduct inspections and take steps to administer and enforce this By-law or the Code, and to remedy a contravention of this By-law or the Code in accordance with the Charter and, for those purposes, have the powers of a “designated employee” under the Charter.

6(2) Without restricting the generality of subsection (1), designated employees are hereby given the authority in an emergency associated with construction governed by this By-law or the Code to take whatever actions and measures are necessary to meet the emergency and to eliminate or reduce its effects.

6(3) The details of any construction which are not specifically dealt within this By-law or the Code shall be performed to the satisfaction of a designated employee, which authority shall be reasonably exercised by the designated employee.

6(4) Designated employees are hereby authorized to determine whether equipment, techniques, conditions, circumstances and all other matters meet the standards and requirements of this By-law or are otherwise acceptable and, where in this By-law such terms as “proper”, “adequate”, “sufficient”, “ample”, “suitable”, “substantial”, “secure”, “necessary”, “dangerous” and the like or derivatives thereof, are used, they mean “proper”, “adequate”, “sufficient”, “ample”, “suitable”, “substantial”, “secure”, “necessary”, “dangerous” to the satisfaction or in the reasonable opinion of the designated employee, and such terms as “where practicable”, “where required”, “as far as possible” have a like significance.

6(5) In exercising their discretion to determine the acceptability or satisfactory nature of equipment, techniques, conditions, circumstances and all other matters under this By-law and whether or not they are “proper”, “adequate”, “sufficient”, “ample”, “suitable”, “substantial”, “secure”, “necessary”, “dangerous” and the like, designated employees shall act reasonably and with the objective of ensuring and promoting the safe and efficient use of electricity.

DRAFT

Authority to conduct certain electrical inspections

7(1) Electrical inspections of one- and two-family dwellings, row housing and related structures and equipment may be carried out by designated employees who

(a) hold an electrician's journeyperson licence; or

(b) have successfully completed an inspection training program provided by

i. the City;

ii. an educational institution approved by the Manager of Development and Inspections; or

iii. a building code development, training and certification organization with a course content approved for the purpose of this section by the Manager of Development and Inspections.

Duties of the owner

8(1) Unless the designated employee concludes it is not necessary in order to ensure that it complies with the Code and the Manitoba Building Code, the owner must ensure that a design professional entitled to practice in the Province of Manitoba and skilled in the application of the Code to the design and construction of the structure represented in the plans, drawings and related documents has signed and sealed plans, drawings, specifications and a certificate submitted as part of an application for a building permit or an electrical permit, and has reviewed the electrical installation and provided certification required by the designated employee that the installation has been installed in accordance with the Code and the applicable by-laws, for any of the following types of electrical installations:

(a) installations where sections 18, 20, 24 or 36 of the Code are applicable;

(b) buildings referred to in Sentence 1.3.3.2.(1) of the Manitoba Building Code;

(c) buildings where the electrical service requirements exceed 750 KVA;

(d) fire alarm systems for buildings noted in clause 8(1)(b);

(e) fire pumps;

(f) generators 50 kW or larger and those supplying life safety systems;

(g) lightning protection systems for high buildings as defined in the Manitoba Building Code;

(h) power factor correction of electrical installations, other than individual motor applications;

(i) solar photovoltaic installations in all applications except for installations less than 10 kW for single detached dwellings;

(j) electric vehicle equipment as follows:

DRAFT

i. level 2 electric vehicle chargers other than three or less connected to one overcurrent device and where no other electric vehicle charger is connected to the same service;

ii. level 3 electric vehicle chargers;

iii. electric vehicle energy management systems; and

(k) any other type of installation where the designated employee requires it under subsection 9(1).

8(2) The owner must immediately advise the designated employee if the design professional who has signed and sealed drawings, specifications and the certificate submitted as part of an application for a permit will not review and certify the construction or installation of the electrical installations referred to in the drawings, specifications and certificate.

8(2.1) Where the design professional originally responsible for submitting required documents, reviewing proposed installations, and providing required certification does not review and certify the construction or installation of the electrical installations referred to in the drawings, specifications and certificate, the owner must ensure that another design professional provides that review and certification in accordance with this By-law and the Code.

8(3) The owner must ensure that the construction or installation of the electrical installations does not deviate from the requirements of the conditions of the permit, including the plans, drawings and other documents accepted as part of the permit, without first obtaining from the designated employee permission to do so, except for minor changes which conform to the Code. Where, in the reasonable opinion of the designated employee, deviations from the conditions of the permit are substantial and require an additional review of the plans, drawings or other documents, he or she shall treat the proposed deviations as a new application and the process associated with a new application, including the payment of fees, must then be followed.

8(4) When completed construction or installation of electrical installations is not in compliance with the Code or an applicable by-law, the owner must, at his or her expense, rectify the non-compliance within a reasonable period of time.

8(5) Where required by a designated employee, the owner shall make or have made at his or her own expense such tests or inspections as are reasonably necessary to demonstrate to a designated employee that the equipment or action proposed complies with this By-law and the Code.

8(6) When required by a designated employee, every owner shall uncover and replace at his or her own expense any construction that has been covered contrary to subsection 13(1).

8(7) The owner must ensure that the electrical installations are in compliance with the electrical code that was in effect at the time that the electrical installations were constructed or installed. This requirement applies whether or not the owner owned the building or property at the time that the electrical installations were constructed or installed.

8(8) The owner shall maintain the electrical installations associated with the building or property in a safe condition.

DRAFT

8(9) When the electrical installations on a building or property are in an unsafe condition, the owner shall immediately take all necessary action to put the electrical installations in a safe condition.

8(10) The owner shall maintain in good working order all safeguards or devices that are required to be installed on the building or property pursuant to the Code or this By-law.

8(11) Every owner shall ensure that no unsafe condition exists or will exist because of the work being undertaken and not completed, should occupancy exist or occur prior to the completion of any work being undertaken that requires a permit.

8(12) When a "stop work" order is issued by a designated employee, the owner shall ensure that the person or persons to whom it is directed stops construction immediately, except for the installation or erection of any covers or guards that may be necessary to maintain the site in a safe condition.

8(13) When required by a designated employee, every owner shall provide a letter to certify compliance with the requirements of this By-law, the Code, or the conditions imposed on a permit issued under this By-law.

8(13.1) Subject to subsection 8(13.2), where the letter to certify compliance under subsection 8(13) relates to an electrical installation that is subject to subsection 8(1), that letter must be certified by the same design professional who initially signed and sealed the plans, drawings, specifications and certificate under subsection 8(1)

8(13.2) Subsection 8(13.1) shall not apply to a letter to certify compliance where the designated employee concludes that certification by a design professional is not necessary to ensure compliance of the electrical installation with the Code or the Manitoba Building Code.

8(14) An owner shall ensure that electrical installations on his or her building or property are not overloaded, defective or being misused.

8(15) An owner shall remove or cause to be removed from the building or property

(a) unsafe electrical equipment or wiring;

(b) dead or unused electrical wires or equipment that are or may become a hazard.

8(16) An owner shall comply with orders made by a designated employee.

8(17) The owner of property in respect of which a permit has been issued must ensure that a designated employee is notified:

(a) within one month following an inspection during which a defect in the construction of a single detached dwelling or duplex was identified, that the defect has been corrected and is ready for re-inspection;

(b) within seven days following an inspection during which a defect in the construction of any structure other than a single detached dwelling or duplex was identified, that the defect has been corrected and is ready for re-inspection; and

(c) of any other information as required by this By-law or the Code.

DRAFT

Design professional's responsibility

9(1) Where, in the reasonable opinion of a designated employee, the character of the proposed construction requires technical knowledge for the preparation of drawings and specifications, , the drawings and specifications shall be prepared, signed and sealed by a professional engineer and the construction reviewed by a design professional or a suitably qualified individual reporting to a design professional.

9(2) Where subsection 8(1) applies, a designated employee or City employee with responsibility for enforcing the Winnipeg Building By-law shall not issue a building permit or, where a building permit is not required, an electrical permit, until the responsible design professional has submitted plans, drawings and specifications for the construction or installation of the electrical installations and a certificate required by the designated employee under pursuant to subsections 25(3) and 25(4) concerning the compliance of the plans and drawings with this Code and applicable by-laws containing the following statement:

> *I hereby certify that I have complied with all applicable legislation and professional codes in affixing my seal to the plans, drawings and related documents which are being submitted as part of this application for a permit under the Winnipeg Building By-law or the Winnipeg Electrical By-law.*
>
> *By affixing my seal, I am representing that:*
>
> - *I am fully aware of the provisions of the Manitoba Building Code and the Manitoba Electrical Code that are applicable to these plans and drawings;*
> - *I have applied a professional standard of care to ensure compliance of these plans and drawings with the applicable provisions of the Manitoba Building Code and the Manitoba Electrical Code.*

9(3) The responsible design professional shall submit such certificate as may be required by the designated employee under this By-law concerning the compliance of the construction or installation of the electrical installations with the Code and all applicable referenced standards associated with the installation prior to issuance of an interim or final building occupancy permit or, where a building occupancy permit is not required, upon completion of the construction.

9(4) The plans, specifications and certificates referred to in this section shall not be accepted by a designated employee unless they have been signed and sealed by a design professional.

9(5) No person may sign and seal any of the documents referred to in this section unless he or she is a member in good standing with Engineers and Geoscientists Manitoba and is skilled in the application of the Code to the construction or installation of the electrical installations referred to in the documents.

Permits

10(1) Subject to section 10(2), no person shall commence construction or permit commencement of construction until an permit for the construction has been issued by a designated employee and no person may engage in construction, connection, reconnection, alteration, repair or extension of any electrical installation prior to a permit being issued by a designated employee authorizing that construction.

DRAFT

10(2) Notwithstanding subsection 10(1), no permit is required provided the construction is

(a) within the category that is authorized to be done by the holder of a Province of Manitoba limited electrician licence for voice data video or alarm installer, and where the construction takes place in a single detached dwelling;

(b) for the replacement of defective fire alarm system devices being replaced by a Canadian Fire Alarm Association-certified fire alarm technician with an applicable Province of Manitoba electrician's licence during an annual inspection or maintenance work as required by the Manitoba Fire Code; or

(c) for the installation of replacement luminaires, general-use switches, motors, ballasts, thermostats, and receptacles by the owner of a single detached dwelling or the holder of a valid, current journeyperson electrician's licence, if the luminaire, general-use switch, motor, ballast, thermostat or receptacle is:

i. installed in an owner-occupied single detached dwelling;

ii. installed in a branch circuit having a rating not exceeding 20A and 130V;

iii. interchangeable with the equipment being replaced in function, electrical rating, size and weight without having to change any part of the branch circuit;

iv. installed in the same location as the equipment being replaced;

v. not connected to aluminum wiring;

vi. approved in accordance with Rule 2-024;

vii. not electrical equipment forming part of an electrical installation to which Section 68 of the Code applies;

viii. not recessed luminaires to which Rules 30-900 to 30-912 apply; and

ix. connected to a branch circuit where a grounding means exists.

10(3) A designated employee shall issue an electrical permit only to an individual

(a) who holds an electrical contractor licence authorizing that individual to carry on his or her occupation, trade or business in the City;

(b) who holds a valid, current and applicable journeyperson electrician's licence under *The Electricians' Licence Act* authorizing that individual to do construction on a single detached dwelling owned and occupied by that individual as his or her principal residence or which will be occupied by that individual upon completion as his or her principal residence;

(c) subject to subsection 10(5), authorizing that individual to do construction on a single detached dwelling owned and occupied by that individual as his or her principal residence where the construction authorized is not electrical work for any of the following:

DRAFT

i. work greater than 200 Amps;

ii. renewable energy systems (e.g.: solar photovoltaic systems or wind systems);

iii. generators and associated equipment;

iv. electric vehicle supply equipment;

v. indoor plant growth facilities, or

vi. consumer services, or

(d) subject to subsection 10(5), authorizing that individual to do construction on a single detached dwelling owned by that individual which will be occupied by that individual upon completion as his or her principal residence where the construction authorized is not electrical work for any of the following:

i. work greater than 200 Amps;

ii. renewable energy systems (e.g.: solar photovoltaic systems or wind systems);

iii. generators and associated equipment;

iv. electric vehicle supply equipment;

v. indoor plant growth facilities, or

vi. consumer's services.

10(4) A designated employee may reject the application for a permit

(a) if the applicant fails within a reasonable period of time to provide information required to process the application or fails to respond to communication from the City;

(b) if the applicant otherwise appears to have abandoned the application;

(c) whenever information submitted is inadequate to determine compliance with the provision of the Code or this By-law;

(d) whenever incorrect information is submitted;

(e) to any person that has failed to pay any fee or payment due and owing to the City under this By-law or the Fees and Charges Schedule;

(f) if a violation of another By-law, standard, act or regulation could result from the construction permitted by it;

DRAFT

(g) if, in the case of an addition, alteration, repair or extension to any wiring system, in, on or through any building or place, the existing wiring is not in accordance with the provisions of this By-law; or

(h) where, subject to subsection 25(5), the permit is being applied for as part of a project for which a building permit is required, but that building permit has not yet been issued.

10(4.1) A designated employee may reject the application for an electrical permit if the applicant, when required by the designated employee under subsection 10(5), fails to pass a test or demonstrate his or her competence to the work for which a permit is sought.

10(4.2) Where a designated employee rejects an application for a permit, they must provide the applicant with notice of that decision.

10(5) Before issuing a permit under clauses 10(3) (c) or (d), a designated employee may, if he or she considers it appropriate for reasons of safety and Code compliance, require that the owner occupant of a single detached dwelling pass a test or otherwise provide evidence of his or her competency to do the work for which an electrical permit is sought.

10(6) An electrical permit automatically expires and is thereafter null and void if the construction or other work authorized by the electrical permit

(a) subject to subsection 10(7), is not initiated within six months after the permit is issued; or

(b) subject to subsection 10(7) of this By-law, is not completed within

i. three years after the date the permit is issued; or

ii. such greater length of time as is determined to be reasonable by a designated employee in the case of construction projects that are extraordinarily large, extraordinarily complex, or that cannot reasonably be completed within three years for any other reason; and

(c) fails to comply with the conditions imposed on the permit or a provision of the Code or this By-law.

10(7) Upon application by the owner, a designated employee may grant an extension to the dates by which construction or other work must be initiated and completed under an electrical permit. The extension may extend the time period for initiation and completion by no more than the time period set out in subsection 10(6) for the initiation or completion, as the case may be, of the construction or other work authorized by the electrical permit. In order to qualify for the extension, the owner must

(a) submit, and undertake to implement, a work plan which sets reasonable and measurable targets for stages of construction or other work to be completed; and

(b) provide a deposit in an amount equal to the cost of the permit which must be refunded, without interest, if the construction or other work is completed within the extended time period.

DRAFT

10(8) A designated employee may revoke an electrical permit by giving notice to the owner and the permit applicant if

(a) the construction or other work authorized by the permit is not proceeding reasonably to completion after being initiated; or

(b) the owner does not meet the targets set out in the work plan referred to in clause 10(7)(a) for stages of construction or other work to be completed.

10(9) Where a designated employee has revoked an electrical permit under subsection 10(8) and an individual applies for a new electrical permit in respect of substantially the same construction project, the designated employee may require that the applicant provide a deposit in an amount equal to the cost of the electrical permit before issuing the permit. The deposit must be refunded to the applicant, without interest, if the construction or other work for which the electrical permit is issued is completed within three years of issuance in accordance with subclause 10(6)(b)(i), or within any greater period of time determined to be reasonable in accordance with subclause 10(6)(b)(ii).

10(10) A permit is void and all rights under the permit are terminated if the negotiable instrument used for payment of the permit fee is returned for any reason.

10(11) All construction being carried out under a permit issued prior to the effective date of this By-law shall:

(a) be completed in accordance with the By-law requirements applicable at the time of permit application and any conditions described on the electrical permit and approved plans; and

(b) proceed at a satisfactory rate in the reasonable opinion of a designated employee.

10(12) If the permit holder or owner, as the case may be, fails to comply with the conditions imposed on the permit or a provision of the Code or this By-law, a designated employee may cancel the permit, in which case,

(a) a new permit shall be obtained before construction may be continued; and

(b) all construction undertaken under the authority of the new permit shall comply with the provisions of the Code and this By-law.

10(13) No person may transfer or sell a permit, and no person may assign the rights, privileges, or responsibilities granted under that permit to another person without written permission of a designated employee.

10(14) Notwithstanding clauses 10(6)(a) and (b), or subsections 10(7), 10(8), 10(9), and 10(11), a designated employee may issue an annual electrical permit, which will expire on the thirty-first day of December of the year for which it was issued, to an individual holding a Licence “A” and that permit must specify the particular site or sites to which it applies.

10(15) Notwithstanding subsection 10(1), construction, connection, re-connection, alteration, repair or extension of an electrical installation may take place under the supervision and responsibility of the

holder of an annual electrical permit without the necessity of a permit being issued for the specific construction, connection, re-connection, alteration, repair or extension of an electrical installation.

10(16)A designated employee may suspend, withdraw or refuse to re-issue an annual electrical permit where

(a) the permit holder has failed to comply with the applicable codes and by-laws or the terms and conditions of the annual electrical permit;

(b) the permit holder has failed to remit the permit fees applicable to the construction, connection, re-connection, alteration, repair or extension of an electrical installation that has taken place under the authority of the annual electrical permit within the time set out in the Planning, Development and Building Fees By-law;

(c) a log book setting out specifics of the work undertaken on each project has not been maintained or is not available for inspection.

Electrical contractor licences

11(1) Except for a homeowner who has obtained a permit under clauses 10(3) (b), (c) or (d), and subject to the restrictions set out in clauses 10(3) (c) or (d), no person may place, install, maintain, repair or replace any electrical equipment in the City unless the person is operating under the authority of an electrical contractor licence issued in accordance with this section.

11(2) An electrical contractor licence may only be issued to an individual; in order for a corporation, partnership, governmental department or some other legal entity to operate as an electrical contractor, an employee or officer of the entity shall obtain an electrical contractor licence on behalf of the entity.

11(3) An individual applying for an electrical contractor licence, whether on his or her own behalf or on behalf of a legal entity in accordance with subsection 11(2) of this By-law, shall satisfy the licensing requirements and pay the established licensing and examination fees before being issued a Licence.

11(4) The holder of an electrical contractor licence, or an agent or employee authorized in writing to do so on behalf of the licence holder, is eligible to obtain permits to perform construction within the scope of the Licence as follows:

(a) The holder of a Licence “A” or his/her agent or employee may obtain permits for any construction governed by City by-laws and *The Electricians’ Licence Act*; and

(b) The holder of a Licence “C” or his/her agent or employee may obtain permits for limited construction as authorized by this By-law and either the limited specialized trade electrician’s licence or the Manitoba gas fitter “E” licence issued under the *Electricians’ Licence Act*, as the case may be.

11(5) In order to obtain an electrical contractor licence, an individual shall meet the following requirements:

(a) to qualify for a Licence “A” the applicant shall:

DRAFT

i. hold a valid, current journeyperson electrician's licence as required by the *Electricians' Licence Act*; and

ii. have passed an examination established by the Examining Committee.

(a) to qualify for a Licence "C", the applicant shall:

ii. hold a limited specialized trade electrician's licence or Manitoba gas fitter "E" licence issued under the *Electricians' Licence Act*; and

iii. have passed an examination set out by the Examining Committee.

11(6) An Examining Committee, consisting of the designated employee and any other individual whom the designated employee may appoint, is hereby established with responsibility to:

(a) prescribe the subjects on which candidates for the electrical contractor licence shall be examined;

(b) prepare, organize and conduct or supervise the examination of the candidates; and

(c) report on the results of the examinations to the designated employee.

11(7) Where an applicant fails to pass an examination set out by the Examining Committee on two successive occasions, he or she must complete a training course acceptable to the designated employee before being eligible to apply again for an electrical contractor licence.

11(8) Every licence holder is responsible for construction carried out under the authority of a permit issued to him or her and, where an individual holds an electrical contractor licence on behalf of a corporation, partnership, governmental department or some other legal entity, the licence holder is responsible and may be prosecuted under this By-law for the activities of all individuals operating under that electrical contractor licence, even if the licence holder is no longer employed or retained by the corporation, partnership, governmental department or other legal entity.

11(9) Where it appears that a licence holder may have violated any provisions of this By-law or the Code or that construction carried out under the authority of an electrical contractor licence fails to meet the standards and requirements set out in this By-law or the Code, a designated employee may immediately suspend the electrical contractor licence for up to five working days to investigate the matter.

11(10) Notwithstanding subsection 11(9), a designated employee may immediately suspend an electrical contractor licence for a period of up to 30 days where it appears that the icence holder has violated this By-law in a way that endangers the life or health of an individual or endangers property, but the designated employee must reinstate the Licence after 30 days unless the investigation provides justification to further suspend or revoke the Licence.

11(10.1) Where an electrical contractor has been found to have violated the provisions of this By-law or the Code, or where construction carried out under the authority of an electrical contractor licence fails to meet the standards and requirements set out in this By-law or the Code, the designated employee may suspend or revoke the relevant electrical contractor licence.

DRAFT

11(11) No licence holder may transfer or sell their electrical contractor licence to any other person and, subject to subsection 11(4), the licence holder shall not allow any other person to exercise the rights, privileges, or responsibilities granted under their electrical contractor licence.

11(12) an electrical contractor licence shall be issued for a one-year term and shall terminate on the date indicated on an electrical contractor licence.

11(13) Licence fees, including administrative fees for an electrical contractor licence that are renewed after their expiry date, are as published in the Fees and Charges Schedule.

11(14) A designated employee may refuse to renew an electrical contractor licenceif the licence holder owes outstanding permit, inspection, or non-compliance fees.

11(15) Where an individual is unlicensed for more than 6 months, he or she must re-qualify for an electrical contractor licence under subsection 11(5).

Permit and inspection fees

12(1) The permit and inspection fees are as published in the Fees and Charges Schedule.

Notification of inspection

13(1) The permit holder is responsible for notifying the applicable designated employee when construction is ready for inspection and shall do so at such time or times as may be determined by that designated employee.

Plans and specifications

14(1) Until a designated employee has reviewed and accepted plans and specifications for the construction and the applicable permit has been issued, no person may begin construction on

(a) wiring installations of public buildings, industrial establishments, factories, and other buildings in which public safety is involved;
(b) large light and power installations and the installation of apparatus such as generators, transformers, switchboards, large storage batteries, etc.; or
(c) other installations specified by the designated employee.

14(2) The owner is responsible for submitting the plans and specifications referred to in subsection 14(1) in the form required by the designated employee.

Connection

15(1) No electrical installation, extension, alteration, or addition shall be connected or reconnected to any service or other source of electrical energy by a supply authority, electrical contractor, or other person, until a designated employee has issued a permit and given authorization to make such connection or reconnection.

Reconnection

16(1) Subsection 15(1) does not apply to Manitoba Hydro when it reconnects electrical power to a

DRAFT

location where the service has been cut off for non-payment of bills or a change of occupant, provided there have been no alterations or additions to the installation subsequent to the last authorization.

Reinspection
17(1) A designated employee may reinspect any installation if and when he or she reasonably considers such action to be necessary.

Alteration or repair of existing installations
18(1) A designated employee may require such changes as may be necessary to be made to existing electrical installations where, through hard usage, wear and tear, or as a result of alterations or extensions, dangerous conditions have developed.

18(2) If, in the opinion of a designated employee, an alteration will affect the overall safety of the existing electrical installation including portions not altered or repaired, the existing electrical installation shall be improved as required by the designated employee.

18(3) If a building is altered or repaired, the level of life safety and building performance shall not be decreased.

Use of approved equipment (see Appendices A and B of the Code)

19(1) Electrical equipment used in electrical installations shall be approved, and shall be of a kind or type and rating approved for the specific purpose for which it is to be employed.

19(2) No person may connect unapproved electrical equipment.

Powers of rejection (see Appendix B of the Code)
20(1) A designated employee may withdraw approval of electrical equipment at any time if

(a) the equipment is of lesser quality than the sample on which approval was based;

(b) the conditions of use indicate that the equipment is not suitable; or

(c) the terms of the approval agreement are not being carried out.

Availability of work for inspection
21(1) No person may render construction inaccessible by lathing, boarding, backfilling, or other means until it has been inspected and approved by a designated employee.

Deviation or postponement
22(1) The designated employee may grant special permission to deviate from or postpone compliance with the requirements and standards of this Code where the deviation or postponement will not, in the reasonable opinion of the designated employee, jeopardize the safety of people or property and will permit substantial compliance with the objects of the requirement or standard, but such permission applies solely to the specific installation and circumstances for which it is granted.

DRAFT

22(2) Requests for special permission or deviation must be submitted to the designated employee via a “Code deviation request” form.

Damage and interference

23(1) No person shall damage any electrical installation or a component of an electrical installation.

23(2) No person shall interfere with any electrical installation or component of an electrical installation except when, in the course of alterations or repairs to non-electrical equipment or structures, it is necessary to disconnect or move components of an electrical installation, in which case it is the responsibility of the person carrying out the alterations or repairs to ensure that the electrical installation is restored to a compliant operating condition as soon as the progress of the alterations or repairs will permit.

23(3) Electrical equipment that has been exposed to ingress of water shall be subjected to evaluation to ascertain whether or not the equipment may be placed back into service. The designated employee may require an assessment by a qualified person to determine the extent of the damage. (see Appendix B of the Code)

23(4) Unless prior permission has been obtained from the designated employee, no person shall cut, break or interfere with any lock or seal that has been placed on any electrical equipment by or at the direction of the designated employee.

Application of code requirements (See Appendix B of the Code)

24(1) Electrical equipment forming part of an electrical installation that is not covered by the scope of the Code shall not be used to meet the requirements of the Code.

Role of the designated employee

25(1) An order from a designated employee requiring that construction be stopped on a project shall set out the conditions under which the construction may be resumed.

25(2) A designated employee shall accept as satisfactory any construction or condition that lawfully existed prior to the effective date of this By-law, so long as the construction or condition does not constitute an unsafe condition.

25(3) Designated employees are authorized to determine the type and form of plans, drawings and other documents that are required under section 8 to be submitted as part of an application for a permit.

25(4) Without restricting the generality of subsection 25(3), but subject to subsection 9(2), designated employees are authorized to establish the text of a certificate signed and sealed by a professional engineer that the owner must submit as part of an application for a building permit, a permit, an interim building occupancy permit or a building occupancy permit.

25(5) For the purposes of complying with the City’s obligation to inspect and approve plans relating to construction prior to a building permit being issued, a designated employee may rely on a certificate

DRAFT

or representation of a professional engineer as to the compliance of plans and drawings or other documents, or of construction, with the Code and this By-law and the Winnipeg Building By-law.

25(6) In relying on a certificate or representation of a professional engineer pursuant to subsection 25(5), the designated employee may establish circumstances in which no examination or review whatsoever of certain aspects or parts, or of the entirety, of the plans or drawings or other documents signed and sealed by a professional engineer, or of construction reviewed by a professional engineer, will be conducted by the City before a building permit, a permit or an interim or final building occupancy permit is issued.

25(7) As part of the authority granted by subsection 25(5), designated employees are authorized to determine:

(a) subject to this section, the form and content of the certification or representation to be provided, including a signed statement using specific text approved by a designated employee, or sealed plans and drawings;

(b) the amount of professional liability insurance, if any, that must be carried by a professional engineer who provides certifications or representations;

(c) the criteria, if any, for determining when the City will not rely solely or at all on the required certificates or representations submitted by specific individual professional engineers; an

(d) the form of an audit or other programs, if any, to encourage compliance of submitted plans and specifications with this Code and applicable bylaws.

25(8) Subject to subsection 25(9), the designated employee may institute a program in which building permits and occupancy permits authorizing the construction or installation of electrical installations or of interim or final occupancy of buildings to which Section 8 of the Code does not apply are issued by the City with minimal examination or review by the City of plans, drawings or specifications for compliance with the Code and this By-law and with minimal or no inspection of construction or installation of electrical facilities.

25(9) The program referred to in subsection 25(8) must include an audit function which subjects the unexamined plans or specifications as well as the construction of the building to random, systematic or targeted review.

25(10) As part of the authority granted pursuant to this section, the designated employee is authorized to establish the circumstances in which the program authorized in subsection 25(8) will apply and to determine the form of the audit function established as part of the program.

25(11) Notwithstanding that permits have been issued under this section on the basis of plans, specification or certifications signed and sealed by a professional engineer, where a designated employee determines, through an audit or otherwise, that plans, specifications or certifications, or actual construction based upon those plans and specifications fail to comply with the Code, this By-law or the Winnipeg Building By-law, the designated employee may order the professional engineer or the owner, or both, to rectify the point of non-compliance within a reasonable time, and a professional engineer or owner who fails to comply with an order issued under this provision commits an offence.

DRAFT

25(12) Designated employees may cancel any permit if:

(a) in the opinion of the designated employee, the privileges granted by that permit are being misused;

(b) any condition under which the permit was issued is not being observed;

(c) the permit was issued in error;

(d) the permit was issued on the basis of incorrect information; or

(e) in the reasonable opinion of the designated employee, the construction is not proceeding at a satisfactory rate.

25(13) Designated employees may impose such conditions on a permit as may be reasonable to ensure that the construction authorized under that permit complies with this By-law, the Code, and the Manitoba Building Code.

25(14) Designated employees are authorized to determine the circumstances under which a permit holder may assign the rights, responsibilities, or privileges associated with a permit under subsection 10(13).

Duties of the permit holder

26(1) Every permit holder shall ensure that all construction safety requirements of the Code are complied with.

26(2) Every permit holder shall ensure that all construction is carried out in accordance with the Code and this By-law and all provisions as described on the permit and accepted drawings.

26(3) Every permit holder shall ensure electrical installations are located in or on the premises to which the permit is issued.

26(4) Every permit holder shall give notice to a designated employee:

(a) when construction is ready to be inspected prior to covering;

(b) when construction has been completed so that a final inspection can be made; and

(c) at such a time or times as may otherwise be required by the designated employee.

26(5) Every permit holder is jointly and severally responsible with the owner for any construction actually undertaken.

26(6) When required by a designated employee, the permit holder shall provide a statutory declaration that the electrical installation was constructed in accordance with the accepted plans, specifications and requirements of the Code, this By-law and the Winnipeg Building By-law.

26(7) When a “stop work” order is issued by a designated employee, a permit holder shall ensure that the construction ceases immediately, except for the installation or erection of such covers or guards

DRAFT

as may be necessary to maintain the site in a safe condition.

26(8) A permit holder shall comply with orders made by a designated employee.

Service of orders and other documents
27(1) Orders to remedy a contravention of the Code or this By-law, or a decision made by a designated employee that is subject to an appeal, shall be served in accordance with the Charter and, where an address for sending an order or decision is required, one of the following shall be used:

(a) if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property;

(b) if the person to be served is the occupant of real property, the street address for that property;

(c) if the document to be served relates to a permit, licence or other document for which the person to be served has applied, the address provided by that person in the application.

Appeals
28(1) An appeal from an order to remedy a contravention of the Code, this By-law or a decision made by a designated employee that is subject to appeal may be made to the Standing Policy Committee on Property and Development in accordance with the Charter.

Repeal of Winnipeg Electrical By-law No. 72/2022
29(1) The Winnipeg Electrical By-Law No. 72/2022 is hereby repealed as of the effective date of this By-law.

Consequential Amendments
30(1) Schedule A to the MBEA Enabling By-law is amended by deleting the table relating to the Winnipeg Electrical By-law No. 72/2022 and replacing it with the following table:

DRAFT

Winnipeg Electrical By-law, By-Law No. XX/2025		*Administrative Penalty*	
Provision	*Contravention*	*Administrative Penalty ($)*	*Early Payment Discount ($)*
8(8)	*Failing to maintain electrical installations associated with the property in a safe conditions*	*1,000.00*	*500.00*
8(12)	*Owner failing to ensure work is stopped immediately when a stop work order has been issued*	*1,000.00*	*500.00*
8(15)(a)	*Failing to remove unsafe electrical appliance or wiring*	*1,000.00*	*500.00*
8(16)	*Owner failing to comply with order issued by designated employee*	*1,000.00*	*500.00*
10(1)	*Failing to acquire permit prior to proceeding with construction*	*1,000.00*	*500.00*
10(11)(a)	*Failing to ensure all construction is carried out in accordance with the by-law or provisions described on the permit and accepted drawings*	*1,000.00*	*500.00*
19(2)	*Allowing unapproved electrical equipment to be connected*	*1,000.00*	*500.00*
21(1)	*Failing to leave work accessible for inspection*	*1,000.00*	*500.00*
26(4)	*Failing to give notice prior to covering work*	*1,000.00*	*500.00*
26(7)	*Permit holder failing to ensure work is stopped immediately when a stop work order has been issued*	*1,000.00*	*500.00*
26(8)	*Permit holder failing to comply with order issued by a designated employee*	*1,000.00*	*500.00*

Provisions of the Manitoba Electrical Code enforceable pursuant to section 3 of the Winnipeg Electrical By-law, By-Law No. XX/2025			*Administrative Penalty*
Provision	*Contravention*	*Administrative Penalty ($)*	*Early Payment Discount ($)*
30-510(1)	*Failing to provide luminaire in attached, built-in or detached garage or carport*	*500.00*	*250.00*

DRAFT

Effective date
31(1) This By-law comes into effect on the same date as the Code comes into effect and applies to all permit applications made on or after that date.

DONE AND PASSED in Council assembled, this _____day of _____, 2025.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Director of Planning, Property and Development

Legally reviewed and certified as to form:

_____
for Director of Legal Services/ City Solicitor

DRAFT