

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2)
3 **IN THE MATTER OF:**)

CONSENT ORDER

4 **DENNIS R. ST. CLAIR, AN INDIVIDUAL**)
5)

6 **RESPONDENT**)
7)

CASE NO. 2013-0034

8
9 The Oregon Electrical and Elevator Board (Board) has conducted an investigation and determined
10 that you violated certain provisions of the Oregon Building Codes statutes, administrative rules, and
11 specialty codes.

12 The parties desire to settle this matter informally. You understand that you have the right to a
13 contested case hearing under the Administrative Procedures Act (Chapter 183), Oregon Revised
14 Statutes, and fully and finally waive the right to a hearing and any appeal therefrom by the signing
15 and entry of this Order in the Board's record. You agree to conduct all future business in
16 compliance with the applicable statutes, administrative rules, and specialty codes. You understand
17 that this Order, once final, is a public record.

18 As evidenced by the authorized signatures on this Order, the Board finds, and you stipulate to, the
19 entry of this Order and its following terms.

20 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

- 21 1. You are a licensed Oregon supervising electrician, holding license number 4802S.
- 22 2. You were registered with the Building Codes Division (Division) as Energy Electric LLC's
23 sole general signing supervisor from March 28, 2011, through April 25, 2013.
- 24 3. During all relevant times, you lived in the State of Missouri.
- 25 4. During or about the period of January 29, 2013, through January 30, 2013, at 4200 SE 82nd
Avenue, Portland, Oregon, Energy Electric LLC installed a 50 amperes feeder for a
photovoltaic system (PV).
5. On or about February 21, 2013, at 16685 SW 12th St, Sherwood, Oregon, Energy Electric
LLC installed two electrical circuits for signs.

- 1 6. During or about the period of December 3, 2012, through December 19, 2012, at 1950 NE
2 122nd Avenue, Portland, Oregon, Energy Electric LLC installed three electrical circuits.
- 3 7. During or about the period of December 21, 2011, through November 13, 2012, at 4200 SE
4 82nd Avenue, Portland, Oregon, Energy Electric LLC installed one 1,000 ampères electrical
5 service and 600 branch circuits.
- 6 8. During or about the period of September 11, 2012, through September 25, 2012, at 16685
7 SW 12th St, Sherwood, Oregon, Energy Electric LLC installed three electrical services, 184
8 branch circuits, and one limited energy electrical circuit for a fire alarm.
- 9 9. On or about January 24, 2013, Energy Electric LLC's owner, John R. Rosenlund, informed
10 Tony Guidone, Building Codes Division enforcement officer, you were not a full-time
11 employee under the Oregon Administrative Rules.

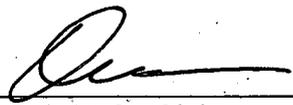
12 WHAT THE LAW SAYS

- 13 1. Under OAR 918-282-0140(2)(c), a general signing supervising electrician must be
14 continuously employed as a general supervising electrician on the electrical contractor's
15 regular payroll and be available during working hours to carry out the duties of a supervising
16 electrician.
- 17 2. Under OAR 918-282-0140(3), signing supervisors who fail to comply with the provisions of
18 OAR 918-282-0140 through act or omission may be subject to penalties. Penalties include
19 fines, license conditioning, suspension and revocation.
- 20 3. Under OAR 918-251-0090(8) "Continuously Employ" means a person during time periods
21 when electrical work for which they are responsible is performed, devotes their entire time
22 of employment to tasks of supervising, designing, laying out, planning, controlling, and
23 making electrical installations for the electrical contractor for which the supervisor is
24 registered as signing supervisor.
- 25 4. Under 455.125 (1)(a), in addition to any other sanction, an appropriate advisory board may
suspend, condition or revoke a license or other authority to perform work or conduct
business issued under laws administered by the Department of Consumer and Business
Services or advisory board if the holder fails to comply with a provision of ORS 479.510 to
479.945, 479.950 or with any rule adopted under those statutes.

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(10) You further agree by signing this Consent Order that you are the Respondent or authorized representative for the Respondent in this matter.

SIGNATURE FOR THE RESPONDENT



Date: 12-17-2013

Dennis R. St. Clair

FOR THE ELECTRICAL AND ELEVATOR BOARD



for

Date: 1/2/14

Chairman
Electrical and Elevator Board
State of Oregon