



# City of Grand Island

Tuesday, November 24, 2020

Council Session

## Item F-4

**#9806 - Consideration of Approving City Code Amendments to Chapter 26, Adoption of the 2018 Uniform Plumbing Code**

Staff Contact: Craig Lewis

# Council Agenda Memo

**From:** Craig A. Lewis, Building Department Director

**Meeting:** November 24, 2020

**Subject:** Amending Chapter 26 of the Grand Island City Code to Adopt the 2018 Uniform Plumbing Code

**Presenter(s):** Craig Lewis, Building Department Director

## Background

The City of Grand Island has adopted and enforced plumbing regulations for several decades. Currently the 2015 Edition of the Uniform Plumbing Code is adopted to provide minimum standards for the protection of the public health, safety, and welfare in regard to plumbing installations and facilities. This proposal is to amend the City code to adopt the latest edition of the Uniform Plumbing Code, that being the 2018 Edition.

## Discussion

The City generally adopts published model codes on a three to six year cycle as model codes are published and revised every three years. This edition and adoption is intended to keep Grand Island current with the latest model plumbing code.

Major revisions to Chapter 26 include;

- 26-1 Adoption of the 2018 Uniform Plumbing Code.
- 26-45.2 Plumbing Board revocation of license with Council appeal.
- 26-45.3 Plumber license to Apprentice ratio.
- 26-47 Continuing Education.

These modifications have been before the Grand Island Plumbing Board and received their approval and endorsement.

## Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the ordinance.
2. Disapprove or Deny the ordinance.
3. Modify the ordinance to meet the wishes of the Council
4. Table the issue

## **Recommendation**

City Administration recommends that the Council approve the ordinance to adopt the 2018 Uniform Plumbing Code and modify Chapter 26 of the City Code.

## **Sample Motion**

Move to approve amending Chapter 26 of the City Code.

ORDINANCE NO. 9806

An ordinance to amend Chapter 26 of the Grand Island City Code; to amend sections 26-1; 26-2; sections 26-5 through 26-11; sections 26-13 through 26-15; 26-17; 26-18; 26-26; 26-28; 26-34; 26-40; sections 26-43; through 26-50; to make general corrections to various code sections; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA;

SECTION 1. 26-1; 26-2; sections 26-5 through 26-11; sections 26-13 through 26-15; 26-17; 26-18; 26-26; 26-28; 26-34; 26-40; sections 26-43; through 26-50; of the Grand Island City Code are hereby amended to read as follows:

**CHAPTER 26**

**PLUMBING**

**Article I. Uniform Plumbing Code**

**§26-1. Uniform Plumbing Code Adopted**

The Uniform Plumbing Code, ~~2015~~ 2018 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted, together with Appendices as set forth hereafter, and any amendments thereto as may be made from time to time, except such portions as are hereinafter deleted, modified, or amended by ordinance and set forth in this chapter of the Grand Island City Code. One copy of the Uniform Plumbing Code, ~~2015~~ 2018 Edition, and all supplements or amendments thereto shall be filed in the office of the city clerk as provided by law.

The following appendices shall be used with the Uniform Plumbing Code adopted by this section:

1. Appendix A – Recommended Rules for Sizing the Water Supply System.
2. Appendix B – Explanatory Notes on Combination Waste and Vent Systems.
3. Appendix C – Alternative Plumbing Systems
4. Appendix D – Sizing Storm Water Drainage Systems

Approved as to Form	□	_____
November 23, 2020	□	City Attorney

**§26-2. UPC - Certain Sections not Adopted**

It is especially provided that the following chapters, sections, and tables of the Uniform Plumbing Code are not adopted or approved, and the same shall be of no force and effect:

1. Table 104.5 - Plumbing Permit Fees.
2. Section 612.0 – Residential Fire Sprinkler Systems.
3. Chapter 13 – Health Care Facilities and Medical Gas and **Medical** Vacuum Systems.
4. Chapter 15 – Alternative Water Sources for Nonpotable Applications.
5. Chapter 16 – Nonpotable Rainwater Catchment Systems.
6. Appendix E – Manufacture/Mobile Home Parks and Recreational Vehicle Parks.
7. Appendix F – Firefighter Breathing Air Replenishment Systems
8. Appendix G – Sizing of Venting Systems
9. Appendix H – Private Sewage Disposal Systems.
10. Appendix I – Installation standards.
11. Appendix J – Combination of Indoor and Outdoor Combustion and Ventilation Opening Design
12. Appendix K – Potable Rainwater Catchment Systems
13. Appendix L – Sustainable Practices
14. **Appendix M – Peak Water Demand Calculator**

**§26-6. ~~§26-5.~~ UPC – Amendment of Subsection 103.1.3 **103.3.1** Licensing**

Subsection 103.1.3 of the Uniform Plumbing Code is hereby amended to include the following:

- (A) No permit shall be issued to any person to do or cause to be done any work regulated by this Code, except to a person holding a valid unexpired and unrevoked plumbing license as required by this chapter, except when and as otherwise hereinafter provided in this section.
- (B) **No person shall allow any other person to do or cause to be done any work under a permit secured by a permittee except persons in his or her employ.**
- (C) **No person or concern who has obtained a plumber's license pursuant to this article, shall allow his or her name to be used by another person or concern, either for the purpose of obtaining permits, or for doing business or work under such registration or license. Every person licensed pursuant to this section shall notify the Board of any change of street address.**
- (D) ~~(B)~~ A permit may be issued to a properly licensed person not acting in violation of any current contractor licensing law.
- (E) ~~(C)~~ Any permit by this code may be issued to do any work regulated by this code in a single family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings in the event that such person is the bona fide owner of any such dwelling and accessory buildings and quarters, and that the same are currently occupied by said owner, provided, that said owner shall personally purchase all material and shall personally perform all labor in connection therein. This, however, shall exclude all gas piping and venting of fuel combustion appliances.

**§26-5. ~~§26-6.~~ UPC - Amendment of Subsection 103.1.1 **104.1****

Subsection ~~103.1.1~~ **104.1** of the Uniform Plumbing Code is hereby amended to include the following:

~~103.1.1.~~ **104.1** Permits Required.

~~It shall be unlawful for any person, firm or corporation to make any installation, alteration or repair any plumbing system regulated by this Code except as permitted in Subsections 103.1.2 of this section, or cause the same to be done without first obtaining a permit to do such work from the Grand Island Building Department.~~

- ~~-(A) A permit is required for the installation or replacement of all fuel burning and other water heaters, heating potable water, together with all chimneys, vents and their connectors.~~
- ~~-(B) A permit is required for the installation, repair, or alteration of all fuel gas piping in or in connection with any building or structure or within the property lines of any premises, other than service pipe.~~
- ~~-(C) No device shall be installed for the prevention of backflow or back-siphonage, or be removed from use, or relocated, or other device substituted without a permit.~~
- ~~-A permit is required for lawn irrigation systems.~~
- ~~-(D) No water treating or conditioning equipment shall be installed without a permit.~~
- (E) A permit and inspection are required when repairing, replacing, or installing a sewer lateral, sewer tap, or sewer cap within five (5) feet of the City main, and when repairing or replacing fifty (50) percent or more of the sewer lateral. Any repair, replacement, or installation of a new sewer tap shall be done in compliance with the Grand Island City Code, Chapter 30, Articles IV and V.
- ~~-(F) A permit is required for the repair, replacement, or installation of a water service. A Plumbing Inspection Fee will be assessed on all water meter installations and replacements.~~
- ~~-(G) A separate permit shall be obtained for each building or structure.~~
- ~~-No person shall allow any other person to do or cause to be done any work under a permit secured by a permittee except persons in his or her employ.~~

**§26-7. UPC - Amendment of Subsection ~~103.4.1~~ 104.5**

Subsection ~~103.4.1~~ 104.5 of the Uniform Plumbing Code is hereby amended to read as follows:

~~103.4.1~~ 104.5 Permit Fees.

The fee for each permit identified in this chapter shall be set forth in accordance with the City of Grand Island Fee Schedule.

**~~§26-8. UPC – Amendment of Subsection 310.1 Reserved~~**

~~Subsection 310.1 of the Uniform Plumbing Code is hereby amended to include the following:~~

~~Workmanlike shall mean executed in a skilled manner; e.g. generally plumb, level, square, in-line, undamaged, and without marring adjacent work.~~

**§26-9. UPC - Amendment of Subsection ~~313.11~~ 312.2**

Subsection ~~313.11~~ 312.2 of the Uniform Plumbing Code is hereby amended to include the following:

Cutting, notching and boring of floor joists and studs shall comply with Table 26-3-1, which is attached and adopted herein.

**§26-10. UPC – Amendment of Subsection 604.1**

Subsection 604.1 of the Uniform Plumbing Code is hereby amended to ~~delete the use of CPVC, and~~ include the following:

~~Cross linked polyethylene water tubing may be used as water distribution systems inside buildings.~~ All installers of the Pex PEX systems must hold a certificate of training from the manufacturer.

**§26-10.1 UPC – Amendment of Table 604.1**

Table 604.1 of the Uniform Plumbing code is hereby amended to delete the use of CPVC.

**§26-11. UPC - Amendment of Subsection ~~604.2~~ 604.3 Exception:**

Subsection ~~604.2~~ 604.3 Exception: of the Uniform Plumbing Code is hereby amended to read as follows:

~~Copper tube for water piping shall have a weight of not less than Type L, except that~~ Type M copper tubing may be used for water piping when piping is above ground in a building. Copper tube for underground water piping within a building shall have a weight of not less than Type L. Copper tube for underground water service piping shall have a weight of not less than Type K.

**§26-11.1 UPC – Subsection 605.2 CPVC Plastic Pipe and Joints, Deleted**

Subsection 605.2 CPVC Plastic Pipe and Joints is deleted from the UPC.

**§26-11.2 UPC – Subsection 605.3 CPVC/AL/CPVC Plastic Pipe and Joints, Deleted**

Subsection 605.3 CPVC/AL/CPVC Plastic Pipe and Joints is deleted from the UPC.

**§26-13. UPC – Amendment of Subsection ~~608.5~~ Reserved**

~~Subsection 608.5 of the Uniform Plumbing Code is hereby amended to delete the use of CPVC.~~

**§26-14. UPC - Amendment of Section ~~717.0~~ Subsection 717.1**

~~Section 717.0 of the Uniform Plumbing Code is hereby amended to read as follows:~~

~~717.0 Size of Building Sewers~~

Subsection 717.1 of the Uniform Plumbing code is hereby amended to read as follows:

717.1 General. The minimum size of ~~any~~ a building sewer shall be determined on the basis of the total number of fixture units drained by such sewer, in accordance with Table 7-8 717.1. No building sewer shall be smaller than the building drain and in no case less than four (4) inches.

For alternate methods of sizing building sewers, see Appendix C.

**§26-15. UPC - Amendment of Subsection 722.1**

Subsection 722.1 of the Uniform Plumbing Code is hereby amended to read as follows:

722.1 Building (House) Sewer. Every abandoned building (house) sewer or part thereof shall be plugged or capped in an approved manner at the city main.

**§26-17. UPC - Amendment of ~~Chapter 14~~ Section 1211 Electrical Bonding and Grounding.**

~~1211.0 Electrical Bonding and Grounding.~~

~~1211.1 Pipe and Tubing other than CSST.~~ Each aboveground portion of a gas piping system other than CSST that is likely to become energized shall be electrically continuous and bonded to an effective ground fault current path. Gas piping, other than CSST, shall be considered to be bonded where it is connected to appliances that are connected to the appliance grounding conductor of the circuit supplying that appliance. ~~[NFPA 54:7.13.1]~~

~~1211.2 Bonding of CSST Gas Piping.~~ CSST gas piping systems, and gas piping systems containing one or more segments of CSST, shall be bonded to the electrical

~~service grounding electrode system or, where provided, lightning protection grounding electrode system. [NFPA 54:7.13.2]~~

~~**1211.2.1 Bonding Jumper Connection.** The bonding jumper shall connect to a metallic pipe, pipe fitting, or CSST fitting. [NFPA 54:7.13.2.1]~~

~~**1211.2.2 Bonding Jumper Size.** The bonding jumper shall not be smaller than 6-AWG copper wire or equivalent. [NFPA 54:7.13.2.2]~~

~~**1211.2.3 Bonding Jumper Length.** The length of the jumper between the connection to the gas piping system and the grounding electrode system shall not exceed 75 feet (22 875 mm). Any additional electrodes shall be bonded to the electrical service grounding electrode system or, where provided, lightning protection grounding electrode system. [NFPA 54:7.13.2.3]~~

~~**1211.2.4 Bonding Connections.** Bonding connections shall be in accordance with NFPA 70. [NFPA 54:7/13/2/4]~~

~~**1211.2.5 Devices Used for Bonding.** Devices used for the bonding connection shall be listed for the application in accordance with UL 467. [NFPA 54:7/13/2/5]~~

~~**1211.3 Prohibited Use.** Gas piping shall not be used as a grounding conductor or electrode. [NFPA 54:7.13.3]~~

~~**1211.4 Lightning Protection System.** Where a lightning protection system is installed, the bonding of the gas piping shall be in accordance with NFPA 780. [NFPA 54:7.13.4]~~

~~**1211.5 Electrical Circuits.** Electrical circuits shall not utilize gas piping or components as conductors.~~

~~**Exception:** Low voltage (50V or less) control circuits, ignition circuits, and electronic flame detection device circuits shall be permitted to make use of piping or components as a part of an electric circuit. [NFPA 54:7.14]~~

~~**1211.6 Electrical Connections.** All electrical connections between the wiring and electrically operated control devices in a piping system shall conform to the requirements of NFPA 70. [NFPA 54:7.15.1]~~

~~**1211.6.1 Safety Control.** Any essential safety control depending on electric current as the operating medium shall be of a type that will shut off (fail safe) the flow of gas in the event of current failure. [NFPA 54:7.15.2]~~

#### **1211.0 Electrical Bonding and Grounding.**

~~**1211.1 Pipe and Tubing Other than CSST.** Each aboveground portion of a gas piping system, other than CSST, that is likely to become energized shall be electrically continuous and bonded to an effective ground-fault current path. Gas piping, other than CSST, shall be considered to be bonded when it is connected to appliances that are connected to the appliance grounding conductor of the circuit supplying that appliance. [NFPA 54:7.12.1]~~

~~**1211.2 Bonding of CSST Gas Piping.** CSST gas piping systems, and gas piping systems containing one or more segments of CSST, shall be electrically continuous and bonded to the electrical service grounding electrode system or, where provided, lightning protection grounding electrode system. [NFPA 54:7.12.2]~~

~~**1211.2.1 Bonding Jumper Connection.** The bonding jumper shall connect to a metallic pipe, pipe fitting, or CSST fitting. [NFPA 54:7.12.2.1]~~



**1211.2.2 Bonding Jumper Size.** The bonding jumper shall not be smaller than 6 AWG copper wire or equivalent. [NFPA 54:7.12.2.2]

**1211.2.3 Bonding Jumper Length.** The length of the jumper between the connection to the gas piping system and the grounding electrode system shall not exceed 75 feet (22,860 mm). Any additional grounding electrodes installed to meet this requirement shall be bonded to the electrical service grounding electrode system or, where provided, lightning protection grounding electrode system. [NFPA 54:7.12.2.3]

**1211.2.4 Bonding Connections.** Bonding connections shall be in accordance with NFPA 70. [NFPA 54:7.12.2.4]

**1211.2.5 Devices Used for Bonding.** Devices used for the bonding connection shall be listed for the application in accordance with UL 467. [NFPA 54:7.12.2.5]

**1211.3 Arc-Resistant Jacketed CSST.** CSST listed with an arc resistant jacket or coating system in accordance with CSA LC 1 shall be electrically continuous and bonded to an effective ground fault current path. Where any CSST component of a piping system does not have an arc-resistant jacket or coating system, the bonding requirements of Section 1211.2 shall apply. Arc-resistant jacketed CSST shall be considered to be bonded when it is connected to appliances that are connected to the appliance grounding conductor of the circuit supplying that appliance. [NFPA 54:7.12.3]

**1211.4 Prohibited Use.** Gas piping shall not be used as a grounding conductor or electrode. [NFPA 54:7.12.4]

**1211.5 Lighting Protection System.** Where a lightning protection system is installed, the bonding of the gas piping shall be in accordance with NFPA 780. [NFPA 54:7.12.5]

**1211.6 Electrical Circuits.** Electrical circuits shall not utilize gas piping or components as conductors.

**Exception:** Low-voltage (50 V or less) control circuits, ignition circuits, and electronic flame detection device circuits shall be permitted to make use of piping or components as part of an electric circuit. [NFPA 54:7.13]

**1211.7 Electrical Connections.** All electrical connections between wiring and electrically operated control devices in a piping system shall conform to the requirements of NFPA 70. [NFPA 54:7.14.1]

**1211.7.1 Safety Control.** Any essential safety control depending on electric current as the operating medium shall be of a type that shuts off (fail safe) the flow of gas in the event of current failure. [NFPA 54:7.14.2]

**§26-18. UPC - Amendment of ~~Chapter 14~~ Appendix A**

Chapter 14 of the Uniform Plumbing Code is hereby amended to including the following:

Sewer Tap Saddle Model DFW-4T

—Manufacturer DFW/HPI, Troup, TX

Appendix A of the Uniform Plumbing code is hereby amended to delete Table A 104.4(2) and Table A 104.4(3).

**§26-19. Reserved**

**§26-20. Reserved**

**§26-21. Reserved**

**§26-22. Reserved**

**§26-23. Reserved**

**§26-24. Reserved**

**§26-25. Reserved**

**§26-26. Established; Appointment; Term**

There is hereby established a Plumbers Examining Board, hereinafter referred to as the Board, to consist of seven members. The chief building official, or his/her designee, shall be an ex-officio member of the Board and shall act as secretary thereof. One member shall represent the board of health, one member shall be a contracting master plumber, one member shall represent the general public, and three members shall be either master or journeyman plumbers. Each member of the board shall have had at least three years' experience in his or her respective field.

The members of the Board shall be appointed by the mayor. Upon expiration of the terms of the individuals currently serving on the Board, the mayor shall appoint three (3) members to serve for one (1) year and three (3) members to serve for two (2) years. Thereafter, each member shall serve a term of two (2) years.

**§26-28. Duties; Examinations; Licenses**

The Board shall establish standards and procedures for the qualification, examination and licensing of master plumbers and journeyman plumbers, and shall issue an appropriate license to each person who meets the qualifications therefore and successfully passes the examination given by the Board.

The Board shall establish written standards and procedures for the approval of all continuing education requirements as set forth in §26-47.

**§26-34. General Rules**

(1) All plumbing apprentices actively engaged under a the supervision of a contracting master plumber will be required to register with the City Building Department. Experience accrued towards taking the journeyman plumbers test will only be accepted as a registered apprentice. Time accrued previous to registration will be approved and noted.

(2) Time required for an apprentice to be actively engaged in the trade under the supervision of a contracting master plumber journeyman, or qualified shop will be a minimum of three years. Proof of qualifications will be submitted to the Board in writing for consideration and approval for the journeyman examination. Any academical time to be considered by the Board in place of actual apprenticeship time in the trade must be from a State accredited college or Technical school.

(3) Applicants must hold a journeyman license for a minimum of four years before taking the Master exam, and be actively engaged in the trade under the supervision of a contracting master plumber for the full four years. Proof of qualifications will be submitted to the Board in writing for consideration and approval for the master examination.

(4) The minimum age limit for a Journeyman examination will be Twenty (20) years of age unless approved by the Board.

(5) The allotted time for the Master and Journeyman examination will be four hours.

(6) Request for Master and Journeyman examination will be filed in the City of Grand Island Building Department Office prior to the examination date for the consideration of the Board.

Examination fee will be paid with the application. No exam fee will be refunded after taking the examination.

(7) All applicants will submit, along with their request for examination, letters of proof of the required apprenticeship time actively engaged in the trade.

(8) In the event that an applicant fails to pass the examination given, he may make application for a subsequent exam after eighty-five (85) days have passed.

(9) At the discretion of the Board, experience gained at an industrial plant or outside the Grand Island jurisdiction may be considered as apprenticeship time to qualify for a Journeyman examination. Information considered by the Board shall include written proof of previous experience record and oral examination.

(10) All examination papers are the property of the examining Board. Applicants will not be permitted to remain during grading or to review examination papers after they have been submitted for grading. Test results will be sent by mail.

(11) Applicant must obtain a passing score on the exam. A passing score for a Journeyman Plumber is 70% and for a Master Plumber is 80%.

(12) An applicant with a passing score will have a 30 day grace period to pick up a new license dated from the test date.

(13) An applicant must supply his own copy of this Code; the Grand Island Building Department will not supply copies to anyone during the test. Photocopies, reference books, or any other reference materials will not be allowed in the testing area during the test.

#### **§26-40. Certificate; Revocation**

The Board ~~City Council~~ may revoke any certificate of registration of any contracting plumber after hearing by, and recommendation of the Board for any of the following reasons:

- (1) Lack of competency or lack of knowledge in matters relevant to the certificate of registration;
- (2) Certificate of registration being obtained by fraud;
- (3) The lending of any certificate of registration or the obtaining of permits thereunder for any other person;
- (4) Failure to comply with this Code and any rules issued by the chief building official or Board;
- (5) Abandonment of any contract or undertaking without good cause or fraudulent departure from plans or specifications;
- (6) Failure to obtain or cause to be obtained permits when the same are required by §26-6.

(7) Failure to complete the continuing education contact hours as required by §26-47.

The chief building official shall serve notice of such action by registered mail to the holder of the certificate.

### **Division 3. Master and Journeymen Plumbers, and Apprentice Plumbers**

#### **§26-43. Examinations; Fee; Exemptions Reserved**

~~Any person desiring to be licensed as a master plumber or as a journeyman plumber pursuant to this chapter shall make written application for an examination to the Board. Examination fees shall be in accordance with the City of Grand Island Fee Schedule.~~

~~Examination fees shall accompany such application and shall be accounted for and turned over to the City Treasurer. Examination fees are not returned but shall be forfeited in the event the applicant fails the examination.~~

**§26-44. Examinations; Prior Experience** Master Plumber, Journeyman Plumber, Apprentice Plumber, Defined:

~~An applicant for examination must have worked under the supervision of a licensed contracting master plumber for a minimum period of three years before being eligible to take a journeyman plumber examination. An applicant for examination must have been actively engaged in the plumbing trade for a minimum period of four years after being licensed as a journeyman plumber before being eligible to take a master plumber examination.~~

**§26-44.1 Master Plumber**

~~A Master Plumber shall mean a person who is registered with the Grand Island Building Department and has completed all experience requirements as a journeyman plumber and has passed a master level plumber's examination. A Master Plumber has the necessary qualifications, training, experience, and technical knowledge to properly plan, layout, install, alter and repair plumbing systems or parts thereof in accordance with the standards, rules, and regulations established by the Grand Island Plumbing Board. A practicing Master Plumber must be an employee of a registered Contracting Master Plumber and work under a Contracting Master Plumber's supervision.~~

**§26-44.2 Journeyman Plumber**

~~A Journeyman Plumber shall mean a person who is registered with the Grand Island Building Department and who has completed their apprenticeship under the supervision of a Contracting Master Plumber. A Journeyman Plumber has passed a journeyman level plumbing examination and has a working knowledge and application of the skills required to be employed as a plumber in accordance with the standards, rules, and regulations established by the Grand Island Plumbing Board. A practicing Journeyman Plumber must be an employee of a registered Contracting Master Plumber and work under a Contracting master Plumber's supervision.~~

**§26-44.3 Apprentice Plumber**

~~An Apprentice Plumber is an entry-level plumber who is registered with the Grand Island Building Department and is working under the direct supervision of a licensed Journeyman Plumber or Master Plumber and is an employee of a registered Contracting Master Plumber.~~

**§26-45. Re-Examination Licenses;**

~~Any person desiring to become a master plumber or a journeyman plumber who fails to pass an examination pursuant to this chapter as prescribed by the Board may make written application for a subsequent examination 85 days after taking the examination.~~

**§26-45.1 License; Term, renewal; fees**

- (1) All licenses issued by the Grand Island Plumbing Board pursuant to this article shall expire on December 31 of the year in which issued, but may be renewed within thirty days thereafter upon application and payment of fees. Any license holder who does not renew his or her license in this manner, the holder ~~may~~ shall apply for and qualify to recover the lapsed license by passing an examination as required under the provisions of ~~§26-43~~ §26-46.

- (2) All licensees shall be required to complete six contact hours of continuing education by December 31 of each year as required under the provisions of §26-47, and may renew such license upon presentation of documentary evidence of successful completion on a form furnished by the Grand Island Plumbing Board and payment of the fee for renewal. The licensee shall have the responsibility for record keeping and providing proof of attendance at continuing education courses.

Penalty for falsifying continuing education requirements will be immediate forfeiture of license. First offense, offender will be eligible to make application for the next available exam. Second offence will be a one year suspension of license and then undergo a review by the plumbing board for re-examination eligibility.

- (3) (2) Fees for the renewal of a license shall be in accordance with the City of Grand Island Fee Schedule.

### **§26-45.2 License; Revocation**

The ~~city council~~ plumbing board by a majority vote shall have the power to revoke the license of any journeyman plumber or master plumber ~~upon the recommendation of the Board~~, if the license was obtained through error or fraud, or failure to complete annual continuing education requirements, or if the recipient thereof is shown to be grossly incompetent, or has a second time willfully violated any of the provisions of this article or any other provisions of City of Grand Island Code related to plumbers. This penalty shall be cumulative and in addition to the penalties prescribed for the violation of the provisions of this article.

Before a license may be revoked, the licensee shall have notice in writing, enumerating the charges alleged, and shall be entitled to a hearing before the ~~city council~~ plumbing board not sooner than five days from receipt of the notice. The licensee shall be given an opportunity to present testimony, oral or written, and shall have the right of cross-examination. All testimony before the ~~city council~~ plumbing board shall be given under oath. The ~~city council~~ plumbing board shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses. The decision of the ~~city council~~ plumbing board shall be based upon the evidence produced at the hearing, and such decision shall be final. A person whose license has been revoked shall not be permitted to reapply for another such license within one year from the date of such revocation.

The licensee shall have the right to appeal a decision of the Grand Island Plumbing Board to the Grand Island City Council.

### **§26-45.3 Plumber License to Apprentice Ratios**

A licensed contracting master plumber, master plumber, or journeyman plumber must be present and directly supervise all work performed by an apprentice plumber. A licensed plumber shall supervise no more than three apprentice plumbers at a job site at one time. More than three apprentice plumbers may work at the same job site at the same time as long as the ratio of licensed plumber(s) never falls below one licensed plumber for every three apprentices.

### **§26-45.4 Temporary Journeyman Plumber's License**

The chief building official may issue a temporary journeyman plumber's license pending examination; provided, that the applicant therefore holds a similar license from an equivalent board. Such permit shall be valid until the next examination by the Board.

### **§26-46. Licenses; Term; Renewal; Fees Examinations**

~~(1) All licenses issued by the Board pursuant to this article shall expire on December 31 of the year in which issued, but may be renewed within thirty days thereafter upon application and payment of fees in accordance with the City of Grand Island Fee Schedule. Any license holder who does not renew his license within this thirty-day grace period shall automatically forfeit such license. In the event of forfeiture of a license in this manner, the holder may apply for and qualify to recover the lapsed license by passing an examination as required under the provisions of §26-43 above.~~

~~(2) The annual fee for master and journeyman plumbers shall be in accordance with the City of Grand Island Fee Schedule.~~

**§26-46.1 Examinations; Fee; Exemptions**

Any person desiring to be licensed as a master plumber or as a journeyman plumber pursuant to this chapter shall make written application for an examination to the Board. Examination fees shall be in accordance with the City of Grand Island Fee Schedule.

Examination fees shall accompany such application and shall be accounted for and turned over to the City Treasurer. Examination fees are not returned but shall be forfeited in the event the applicant fails the examination.

**§26-46.2 Prior Experience**

An applicant for examination must have worked under the supervision of a licensed contracting master plumber for a minimum period of three years before being eligible to take a journeyman plumber examination. An applicant for examination must have been actively engaged in the plumbing trade for a minimum period of four years after being licensed as a journeyman plumber before being eligible to take a master plumber examination.

**§26-46.3 Re-examination**

Any person desiring to become a master plumber or a journeyman plumber who fails to pass an examination pursuant to this chapter as prescribed by the Board may make written application for a subsequent examination 85 days after taking the examination.

**§26-47. License; Revocation Continuing Education**

~~The city council by a majority vote shall have the power to revoke the license of any journeyman plumber or master plumber upon the recommendation of the Board, if the license was obtained through error or fraud, or if the recipient thereof is shown to be grossly incompetent, or has a second time willfully violated any of the provisions of this article or any other provisions of City of Grand Island Code related to plumbers. This penalty shall be cumulative and in addition to the penalties prescribed for the violation of the provisions of this article.~~

~~Before a license may be revoked, the licensee shall have notice in writing, enumerating the charges alleged, and shall be entitled to a hearing before the city council not sooner than five days from receipt of the notice. The licensee shall be given an opportunity to present testimony, oral or written, and shall have the right of cross-examination. All testimony before the city council shall be given under oath. The city council shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses. The decision of the city council shall be based upon the evidence produced at the hearing, and such decision shall be final. A person~~



~~whose license has been revoked shall not be permitted to reapply for another such license within one year from the date of such revocation.~~

**§26-47.1 Continuing Education Hour Requirements.**

~~All Journeyman Plumbers, Master Plumbers, and Contracting Master Plumbers are required to complete a total of 6 hours of continuing education annually. The 6 hours shall include 4 hours of principle instruction and 2 hour of code instruction, as defined below.~~

~~**Principle instruction hours** means subjects that directly relate to the performance of plumbing services. Examples of such subjects include, but are not limited to, the design, installation, servicing, troubleshooting, and skills training for Plumbing Fixtures, Water Heaters & Boilers, Water Piping Systems, DWV Systems, and Gas Piping Systems.~~

~~**Code instruction hours** means subjects that directly relate to regulations governing plumbing services. Examples of such subjects include, but not be limited to; the Uniform Plumbing Code, written and published by IAPMO, the Nebraska American Disabilities Act, and NFPA 54.~~

**§26-47.2 Journeyman Plumber Exam Credit.**

~~Apprentices who pass the Journeyman Plumber License Examination will be exempt from any continuing education requirement for the calendar year in which the passing score is obtained.~~

**§26-47.3 Master Plumber Exam Credit.**

~~Journeyman Plumbers who pass the Master Plumber Examination will be exempt from any continuing education requirement for the calendar year in which the passing score is obtained.~~

**§26-48. Temporary Journeyman Plumber's License Reserved**

~~The chief building official may issue a temporary journeyman plumber's license pending examination; provided, that the applicant therefore holds a similar license from an equivalent board. Such permit shall be valid until the next examination by the Board.~~

**§26-49. Use of Licensee's Name by Another Reserved**

~~No person or concern who has obtained a plumber's license pursuant to this article, shall allow his or her name to be used by another person or concern, either for the purpose of obtaining permits, or for doing business or work under such registration or license. Every person licensed pursuant to this section shall notify the Board of any change of street address.~~

**§26-50. Renewal of License Reserved**

~~Any person licensed under the provisions of this article as a master plumber or a journeyman, who does not renew his license for a period of thirty days after the expiration of same, shall pay the examination fee required by this article, and shall submit himself to an examination by the Board for plumbers before such person can be again licensed hereunder.~~

ORDINANCE NO. 9806 (Cont.)

SECTION 2. Sections 26-1; 26-2; sections 26-5 through 26-11; sections 26-13 through 26-15; 26-17; 26-18; 26-26; 26-28; 26-34; 26-40; sections 26-43; through 26-50; as now existing, and any ordinances or parts of ordinances in conflict herewith are repealed.

SECTION 3. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication on January 1, 2021 as provided by law.

Enacted: November 24, 2020.

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk