

# **City of Scottsbluff, Nebraska**

**Monday, February 1, 2021**

**Regular Meeting**

## **Item Resolut.2**

**Council to discuss and consider action on adopting the International Plumbing and Mechanical Codes; repealing the Uniform Plumbing and Mechanical Codes and approve the Ordinance.**

**Staff Contact: Gary Batt, Code Administrator**

## Agenda Statement

Item No.

For Meeting of: February 1, 2021

**AGENDA TITLE:** To repeal the 2012 Uniform Plumbing and 2012 Uniform Mechanical Codes (IAPMO Codes) and to adopt the 2018 International Plumbing Code and the 2018 International Mechanical Code, known as the I Codes. Next to repeal the 2009 Uniform Solar Energy Code, currently the 2018 International Residential Code, Section R-324 has the requirements for Solar Energy systems.

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Development Services Department and the Scottsbluff Plumbing Board.

**PRESENTATION BY:** Rick Kuckkahn

### **SUMMARY EXPLANATION:**

The Scottsbluff Plumbing Board met in a regular scheduled meeting on January 13, 2021 to discuss switching from the current International Association Of Plumbing Mechanical Officials (IAPMO parent organization) for the 2012 Uniform Plumbing Code and the 2012 Uniform Mechanical Code to the 2018 International Plumbing Code and the 2018 International Mechanical Code (parent organization ICC, International Code Council). Discussion was the surrounding communities as Chadron, Alliance, Sidney, North Platte, Torrington and Scotts Bluff County all have adopted the International Plumbing and International Mechanical codes. Currently, Scottsbluff and Gering have the Uniform Plumbing and Mechanical Codes adopted. Discussion was centered around local plumbers and mechanical people being able to take exams for the Journeyman and Master license through IAPMO organization compared to the ICC organization. The IAPMO test site has been moved to Lincoln, Nebraska. The ICC Test sites are located in Rapid City SD, North Platte NE, and, Cheyenne, WY. The discussion then moved to the similarities between the two codes. Plumbing Chairman Sitzman addressed this by saying the codes are similar with the ICC being a little more relaxed in their requirements, allowing more fixtures for venting, longer runs for water sizing to mention a couple items. A question was brought up about existing tradesmen who are licensed as Master or Journeyman plumbers and mechanical already, how they would be affected. The decision to grandfather those currently licensed shall remain Masters or Journeyman, they will not have to take a new exam, except Journeymen will eventually have to take a masters exam through the ICC in order to be a Master Plumber or Mechanical tradesman. The subject of dues for belonging to either of the two codes was brought up. The IAPMO yearly dues are \$200.00 plus the cost of the books. The ICC yearly dues are \$145.00 plus cost of the books. The best thing is the City will not have to pay any other fees if we adopt the plumbing and mechanical codes since they are part of the ICC codes, saving the City money. After Chairman Sitzman closed the hearing, he asked for a motion to approve adopting the ICC codes and sending to the City Council for approval. The five

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Plumbing Board members voted unanimously to adopt the IPC and the IMC codes and to forward to the City Council.

City Council is being asked to repeal the current 2009 Uniform Solar Energy Code as the current adopted building code, 2018 International Residential Code has the Solar Energy Systems requirements found in section R-324. The aforementioned surrounding communities do not have a separate solar code other than what is in the 2018 IRC.

**BOARD/COMMISSION RECOMMENDATION:** Scottsbluff Plumbing Board give a positive recommendation to repeal the 2012 IAPMO Plumbing and Mechanical Codes and adopt the 2018 International Code Council Plumbing and Mechanical codes. The solar code is already in the 2018 International Residential code section R-324.

**STAFF RECOMMENDATION:** The City Staff gives positive recommendation to the Scottsbluff City Council to repeal the 2012 IAPMO Plumbing and Mechanical Codes and adopt the 2018 International Plumbing and Mechanical Codes and to repeal the 2009 Uniform Solar Energy Code.

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**EXHIBITS**

Resolution ☐      Ordinance ☐      Contract ☐      Minutes ☐      Plan/Map ☐

Other (specify) \_\_\_\_\_

**NOTIFICATION LIST:** Yes ☐ No ☐ Further Instructions ☐  
Please list names and addresses required for notification.

**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_  
City Manager

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## **A g e n d a   S t a t e m e n t**

Item No.

For Meeting of: February 1, 2021.

**AGENDA TITLE:** Adopt the definition and the requirements for a tradesman to perform work in the mechanical (HVAC) trade.

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Development Services Department.

**PRESENTATION BY:** Rick Kuckkahn

**SUMMARY EXPLANATION:** At the Plumbing Board meeting of August 2020, the Scottsbluff Plumbing Board was approached by Mike Bebbe (Big Mack HVAC). Mike expressed his thoughts concerning the issuance of an actual mechanical (HVAC) license instead the current Limited License for a person engaged in the Mechanical trade. Mike said many states around Nebraska make Mechanical trades to be licensed. Mike said with a license the person has to take a test and work for a certain amount of years in order to advance to be a Master Mechanical tradesman. Considering the fact that a bad furnace install can cause harm to the occupants of a business or home, you want someone who has shown they know what they are doing. After Mike finished, the Board members asked that the City staff proceed with finding an appropriate definition and requirements for the Mechanical trade and implementing a license requirement for the Mechanical trade. Development Services has found the following definition and guidelines for a Mechanical Contractor, Apprentice Mechanical, Journeyman Mechanical and a Master Mechanical license's. At the January 13, 2021 Plumbing Board meeting the Board was present with the definition and the guidelines for the Mechanical trade, after some discussion, all five Board Members voted to accept and forward the definition and requirements to obtain a license to the City Council. City staff is asking that Scottsbluff City Council consider the proposed ordinance and adoption of the definition and requirements to license the Mechanical trade within the City of Scottsbluff.

**BOARD/COMMISSION RECOMMENDATION:** Scottsbluff Plumbing Board

**STAFF RECOMMENDATION:** Staff recommends the adoption of the ordinance for a definition and the requirements for the Mechanical trade.

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**EXHIBITS**

Resolution ☐      Ordinance ☐      Contract ☐      Minutes ☐      Plan/Map ☐

Other (specify) \_\_\_\_\_

**NOTIFICATION LIST:** Yes ☐ No ☐ Further Instructions ☐  
Please list names and addresses required for notification.

**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_  
City Manager

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## Sec. 105-243. - Mechanical contractors.

The term "mechanical contractor" shall include anyone engaged in the business of construction, erection, installation, alteration, repair, location, relocation, replacement, addition to, and maintenance of mechanical systems as regulated by the International Mechanical Code. Mechanical contractors may install gas piping with proper certification.

(1) *Apprentice mechanical contractor.*

- a. *Work allowed.* The construction, erection, installation, alteration, repair, location, relocation, replacement, addition to, and maintenance of mechanical systems while employed by and under the direct supervision of a master mechanical contractor or a journeyman mechanical contractor licensed by the city.
- b. *Licensing requirements.* None; apprentices may register with the city as a means of documenting their work experience.

(2) *Journeyman mechanical contractor.*

- a. *Work allowed.* The construction, erection, installation, alteration, repair, location, relocation, replacement, addition to, and maintenance of mechanical systems while under the employment of a master mechanical contractor.
- b. *Licensing requirements.* One year of relevant work experience with references provided and employment with a contractor holding a master mechanical contractor license issued by the city.
- c. *Gas piping.* Journeyman mechanical contractors may install gas piping if employed by a master mechanical contractor certified by the city for its installation.

(3) *Master mechanical contractor.*

- a. *Work allowed.* The construction, erection, installation, alteration, repair, location, relocation, replacement, addition to, and maintenance of mechanical systems.
- b. *Licensing requirements.* The applicant shall submit to an examination of the *ICC Master Mechanical* exam and have a minimum of two years' experience as a mechanical journeyman with references provided for confirmation. Up to one year of this requirement may be fulfilled by successful completion of a course from an approved trade or technical school. The city may accept a master mechanical license from another jurisdiction in lieu of the required exam and referenced experience; provided the applicant was issued said license from the other jurisdiction using exams similar in scope and character to the exams used by the city, and said applicant was required to provide references showing at least three years of mechanical experience.
- c. *Gas piping.* Master mechanical contractors may install gas piping if they submit to and pass the *ICC Gas Pipe Fitters* examination in addition to the other master mechanical licensing requirements.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING THE SCOTTSBLUFF MUNICIPAL CODE TO ADOPT THE INTERNATIONAL PLUMBING CODE AND INTERNATIONAL MECHANICAL CODE, TO REPEAL THE UNIFORM PLUMBING CODE AND UNIFORM MECHANICAL CODE, TO AMEND CHAPTER 4, ARTICLE 3, SECTIONS 36, 37, 62, 63, 64, 65 AND 91 OF THE SCOTTSBLUFF MUNICIPAL CODE, TO REPEAL SECTIONS 38 AND 39 IN CHAPTER 4, ARTICLE 3, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND FOR PROVIDING AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Section 4-3-36 of the Scottsbluff Municipal Code is amended to provide as follows:

**“4-3-36. International Plumbing Code, adopted; exceptions.**

It is hereby adopted for the purposes of establishing rules and regulations for the installation and repair of plumbing material and fixtures, appliances and apparatus, drainage or sewage disposal systems, water softeners, dispensers and storage equipment, hereinafter referred to as “plumbing”, that certain plumbing code known as the International Plumbing Code, published and recommended by the International Code Council, being the 2018 Edition thereof (hereinafter usually referred to as “Plumbing Code”). (1) Copy of such code is on file in the office of the City Clerk, and such code is hereby adopted and incorporated in this section by reference as fully as if set out at length herein (except such portions thereof as hereinafter are excluded or adopted with modifications).

Provided, Chapter 1 in Sections 605.0 and 603.02 of the International Plumbing Code are hereby excluded from, and shall not be deemed to have been adopted by the Section.” (Ord. \_\_\_\_\_, 2021)

Section 2. Section 4-3-37 of the Scottsbluff Municipal Code is amended to provide as follows:

**“4-3-37. International Mechanical Code, adopted.**

There is hereby adopted for the purposes of establishing rules and regulations for the complete installation, maintenance, and repair of heating, ventilating, cooling and refrigeration systems, hereinafter referred to as “mechanical plumbing” that certain mechanical plumbing code known as the International Mechanical Code, published and recommended by the International Code Council, being the 2018 Edition thereof (hereinafter usually referred to as “Mechanical Code”). (1) Copy of such code is on file in the office of the City Clerk, and such code is hereby adopted and incorporated in this section by reference as fully as if set out at length herein (except such portion thereof as hereinafter are excluded, or adopted with modifications). Provided, Chapter 1 of the International Mechanical Code is hereby excluded from and shall not be deemed to have been adopted by the Section.” (Ord. \_\_\_\_\_, 2021)

Section 3. Section 4-3-38 of the Scottsbluff Municipal Code is now repealed.

Section 4. Section 4-3-39 of the Scottsbluff Municipal Code is now repealed.

Section 5. Section 4-3-62 of the Scottsbluff Municipal Code is now amended to provide as follows:

**“4-3-62. Sheet metal for heating worker; license; application; qualifications; proof.**

Applicants for a sheet metal for heating worker’s license must have had two (2) years’ actual experience in the installation of sheet metal for hearing units and appliances, and shall present documentary proof thereof in the form of letters or affidavits from employers or former employers or such other qualified persons attesting to such fact.” (Ord. \_\_\_\_\_, 2021)

Section 6. Section 4-3-63 of the Scottsbluff Municipal Code is now amended to provide as follows:

**“4-3-63. Mechanical contractor, definition.**

The term “mechanical contractor” shall include anyone engaged in the business of construction, erection, installation, alteration, repair, location, relocation, replacement, addition to, and maintenance of mechanical systems as regulated by the International Mechanical Code. Mechanical contractors may install gas piping with proper certification.” (Ord. \_\_\_\_\_, 2021)

Section 7. Section 4-3-64 of the Scottsbluff Municipal Code is now amended to provide as follows:

**“4-3-64. Gas fitter; license; application; qualifications.**

Applicants for a gas fitter's license shall have had two (2) years' actual experience in gas fitting under the supervision of a licensed plumber or licensed gas fitter; shall have a comprehensive knowledge of the application and use of natural gas, liquefied petroleum gas, and manufactured gases; shall be familiar with the approved standard fixtures and appliances for consuming these gases; and shall be familiar with and thoroughly understand the recommended methods of installation of such fixtures and appliances as provided in Pamphlet No. 54, dated 1984, of the National Board of Fire Underwriters. (Ord. \_\_\_\_\_, 2021)

Section 8. Section 4-3-65 of the Scottsbluff Municipal Code is now amended to provide as follows:

**“4-3-65. Apprentice, Journeyman and Master Mechanical Contractor, work allowed, license required.**

(1) Apprentice mechanical contractor.

- a. Work allowed. The construction, erection, installation, alteration, repair, location, relocation, replacement, addition to, and maintenance of mechanical systems while employed by and under the direct supervision of a master mechanical contractor or a journeyman mechanical contractor licensed by the City.
- b. Licensing requirements. None; apprentices may be registered with the City as a means of documenting their work experience.

(2) Journeyman Mechanical Contractor.

- a. Work allowed. The construction, erection, installation, alteration, repair, location, relocation, replacement, addition to, and maintenance of mechanical systems while under the employment of a master mechanical contractor.
- b. Licensing requirements. One year of relevant work experience with references provided and employment with a contractor holding a Master Mechanical Contractor license issued by the City.
- c. Gas piping. Journeyman Mechanical Contractors may install gas piping if employed by a Master Mechanical Contractor certified by the City for its installation.

(3) Master Mechanical Contractor.

- a. Work allowed. The construction, erection, installation, alteration, repair, location, relocation, replacement, addition to, and maintenance of mechanical systems.
- b. Licensing requirements. The applicant shall submit to an examination of the ICC Master Mechanical exam and have a minimum of two years of experience as a mechanical journeyman with references provided for confirmation. Up to one year of this requirement may be fulfilled by successful completion of a course from an approved trade or technical school. The City may accept a master mechanical license from another jurisdiction in lieu of the required exam and referenced experience; provided the applicant was issued said license from the other jurisdiction using exams similar in scope and character to the exams used by the City, and said applicant was required to provide references showing at least three (3) years of mechanical experience.
- c. Gas piping. Master mechanical contractors may install gas piping if they submit to and pass the ICC Gas Pipe Fitters examination in addition to other master mechanical licensing requirements.” (Ord. \_\_\_\_ 2021)

Section 9. Section 4-3-91 of the Scottsbluff Municipal Code is now amended to provide as follows:

**“4-3-91. Tests; specifications.**

All plumbing, gas fitting, steam fitting, oil fitting, sheet metal work for heating and house drainage work shall be tested and meet a test as follows:

(1) for water system, shall hold city water pressure for a period of twenty (20) minutes without leaking,

(2) for house drainage systems within and under all buildings or structures, shall hold a cold water pressure of not less than four (4) pound per square inch for a period of twenty (20) minutes without leaking, or an air pressure of ten (10) pounds on an approved type gauge for twenty (20) minutes,

(3) for natural gas fitting, the system shall hold an air pressure of twenty (20) pounds on an approved type gauge for a period of twenty (20) minutes,

(4) for liquefied petroleum (LP) gas fitting and all other manufactured gases for domestic and commercial uses, in strict accordance with the applicable manual for approved installation contained in Pamphlet No. 58, dated 1995, of the National Fire Protection Association,



(5) for steam fitting, the system shall hold cold water under city water main pressure without leaking for a period of twenty (20) minutes,

(6) for oil fitting or liquid petroleum products, the system shall hold an air pressure of twenty (20) pounds on an approved type gauge for a period of twenty (20) minutes,

(7) for gas piping and venting, the system shall comply with the standards of installation contained in the 2012 National Fuel Gas Code for the National Fire Protection Association,

(8) for heating, ventilating, and cooling installations, the system shall comply with the standards of installation contained in the International Plumbing and International Mechanical Code, Council, dated 2018, and

(9) as further set out in subdivision (i) of this Article, water for conducting tests will be “jumped” at the meter loop by a suitable hose connection or union coupled connection from the house service line to the house distribution system. After the tests have been completed, the plumbing contractor, limited contractor or his or her workmen in charge shall turn the water off at the curb cock and disconnect the “jumper” connection in the presence of the Plumbing Inspector. An approved type air gauge shall not exceed fifty (50) pounds capacity and shall be graduated in not to exceed two (2) pounds increments. All gauges may be subjected to inspection and tests by the Plumbing Inspector when there is any doubt as to the accuracy of such gauge. A fire test of gas fittings is prohibited under any circumstances.” (Ord. \_\_\_\_\_, 2021)

Section 10. Previously existing Sections 4-3-36, 4-3-37, 4-3-62, 4-3-63, 4-3-64, 4-3-65 and 4-3-91 of the Scottsbluff Municipal Code are amended and 4-3-38 and 4-3-39 and all other ordinances and parts of ordinances in conflict herewith are repealed. Provided, however, this ordinance shall not be construed to affect any rights, liabilities, duties or causes of action, either criminal or civil, existing or actions pending at the time when this ordinance becomes effective.

Section 11. This ordinance shall become effective upon its passage, approval as provided by law, and publication shall be in pamphlet form.

PASSED AND APPROVED on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk (Seal)

Approved to form:

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City Attorney