

City of Scottsbluff, Nebraska

Monday, April 20, 2015

Regular Meeting

Item Resolut.3

Council to consider an Ordinance dealing with plumbers, licensing and regulations, clarifying that examinations must be given upon application for a plumbing license (second reading).

Staff Contact: Rick Kuckkahn, City Manager

ORDINANCE RECORD

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE 3 OF THE SCOTTSBLUFF MUNICIPAL CODE IN DEALING WITH PLUMBERS, LICENSING AND REGULATION, AMENDING §4-3-57, §4-3-58, §4-3-59, §4-3-60, §4-3-61, §4-3-67, §4-3-69, AND §4-3-70, CLARIFYING THAT EXAMINATIONS MUST BE GIVEN UPON APPLICATION FOR PLUMBING LICENSES, REPEALING ALL PRIOR SECTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Chapter 4, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and substituting the following language:

“4-3-57. Applications; forms; requirements; general.

The application for a license or certificate required by this subdivision (d) of this Article shall be made in writing on forms furnished by the Plumbing Inspector, and shall state the date, the name of the applicant, the location of his or her place of business or employment and such other information as the Plumbing Inspector may require. Every such application by a person who does not hold a license as a plumbing contractor or limited contractor shall be signed both by the applicant and by the plumbing contractor or limited contractor by whom he or she is employed.”

Section 2. Chapter 4, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and substituting the following language:

“4-3-58. Contractor; license; application; bond; fee; expiration.

A plumbing contractor's license or a limited contractor's license shall be granted to every person, firm, partnership and corporation who is a plumbing contractor or, as the case may be, a limited contractor, and who shall make application to the City Clerk therefor, pass an examination administered by the Plumbing Examining Board, and file with such application, a bond with two (2) or more sureties, or a bond of a surety company to be approved by the City Clerk in the penal sum of two thousand dollars (\$2,000.00), conditioned that such licensee will indemnify and keep harmless the City in case of any accidents or damage arising from negligence or unskillfulness in doing or protecting his or her work, or from any unfinished and/or inadequate work done in pursuance of such license, and that such licensee will restore the street, sidewalk and pavements over all work that they or he might lay and fill all excavations made, so as to leave all streets, sidewalks and pavement in as good condition as they were when found, and will maintain the same to the satisfaction of the City Manager or the designee of the City Manager for the period of six (6) months thereafter. The annual fee for plumbing contractor's license or limited contractor's license in the City shall be twenty five dollars (\$25.00), and shall be due and payable to the City Clerk on or before the first day of May of each calendar year. Such license shall be for one year or any fraction thereof expiring on April 30th.”

Section 3. Chapter 4, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and substituting the following language:

“4-3-59. Master plumber; licence; application; qualifications; proof.

Applications for a master plumber's license must have had, in the first instance, passed an examination administered by the Plumbing Examining Board and have had, at least three (3) years' actual experience as a licensed journeyman plumber, 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. Following issuance of a provisional master plumber's license as provided in this Article, an applicant for a final master plumber's license must, as a condition to qualifying for the issuance of such a license to him or her, have had one (1) year's actual experience as a provisionally licensed master plumber.”

Section 4. Chapter 4, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and substituting the following language:

“4-3-60. Journeyman plumber; license; application; qualifications; proof.

Applicants for a journeyman plumber's license must have passed an examination administered by the Plumbing Examining Board and have had at least three (3) years' actual experience as a

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plumber's apprentice or plumber's helper, 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."

Section 5. Chapter 4, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and substituting the following language:

"4-3-61. Apprentice plumber; certificate; application.

Applicants for an apprentice plumber's certificate shall, on filing of application and having passed an examination administered by the Plumbing Examining Board, then will be issued a certificate by the Plumbing Inspector, who shall record the name and date of issuance of the certificate.

Section 6. Chapter 4, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and substituting the following language:

"4-3-67. Examination; time; place; nature.

The Plumbing Examining Board shall conduct examinations upon receipt of an application as required by this Article from time to time at such time and place as the Board may designate, but no applicant shall be compelled to wait more than thirty (30) days following presentation of the application. Such Board shall propound such examinations to each applicant as will ascertain his or her knowledge of plumbing, gas fitting, house drainage, plumbing ventilation, sheet metal work for heating, water fitting and related subjects, as the case may be and, if satisfied of the competency of such applicant, shall thereupon issue a master plumber's, journeyman plumber's, sheet metal for heating worker's, gas fitter's, or water fitter's license, as the case may be, authorizing such applicant to engage in the calling or trade for which he or she has made application."

Section 7. Chapter 4, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and substituting the following language:

"4-3-69. Licenses; issuance; renewal.

The licenses for which provisions are made in the preceding sections of this subdivision (d) of this Article shall be issued upon the recommendation of the Plumbing Examining Board. All original and all renewal licenses may be renewed at the dates of their expiration. Renewal licenses shall be granted without a reexamination. Upon a written application of the licensee filed with the Board, showing that his or her purposes and qualifications remain unchanged, unless it is made to appear by affidavit before the Board that the applicant is no longer competent, or otherwise entitled to such renewal license, in which event the renewal license shall not be granted until the applicant has undergone the examination herein above required. Provided, issuance of master plumber licenses shall also be subject to the provisions of this Article, which shall govern the issuance of such licenses in any respects in which such provisions are inconsistent with the provisions of this section."

Section 8. Chapter 4, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and substituting the following language:

"4-3-70. Same; master plumbers.

Only a provisional master plumber's license may be issued, in the first instance, to applicants for a master plumber's license (other than applicants holding a master plumber's license) who the Plumbing Examining Board shall determine to have had the experience specified in the first sentence of section 4-3-59. The term of such a license shall be thirteen (13) months, and such a license shall not be subject to renewal. After one (1) year following issuance of such a license, the holder of the license may apply to the Board for a final master plumber's license. If the Board shall determine that throughout such year the holder complied with all requirements of this Article pertaining to work which may be done by a master plumber, and the applicant has passed an examination administered by the Plumbing Examining Board, then the Board shall authorize the issuance of a final master plumber's license to such holder; otherwise, it shall deny the application. A final master plumber's license shall expire on April 1st of each year, and shall require renewal as provided in this Article."

Section 9. Previously existing Sections 4-3-57, 4-3-58, 4-3-59, 4-3-60, 4-3-61, 4-3-67, 4-3-69 and 4-3-70, 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.

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Section 10. This Ordinance shall become effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on _____, 2015.

Mayor

ATTEST:

City Clerk

(Seal)