

CHAPTER 124

LICENSING OF PLUMBERS

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124.01 PURPOSE AND SCOPE; EXEMPTIONS. The purpose of this chapter is to provide for the examination and licensing of plumbers, to establish a Board of Plumbing Examiners and its powers and duties, in order to protect public health, safety, and welfare. The provisions of this chapter do not apply to any of the following: regular employees of the City who do installation, alteration, or repair work of the potable water system owned and operated by the City or who do installation, alteration, or repair work of the sanitary and storm sewer systems owned and operated by the City.

124.02 DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Apprentice plumber" means a person who may perform plumbing work under the direct supervision of a licensed plumber.
2. "Journeyman plumber" means a person who has the necessary qualifications, training, and experience and technical knowledge to do plumbing work in accordance with the standard rules and regulations governing such work under the direction of a master plumber.
3. "Master plumber" means any person who has the necessary qualifications, training, experience, and technical knowledge to supervise and do plumbing work in accordance with the standard rules and regulations governing such work.
4. "Plumbing contractor" means any person who undertakes or offers to undertake, to plan for, lay out, supervise and do plumbing work for a fixed sum, price, fee, percentage or other compensation and who has an established place of business in the City or who is actively engaged full time in the plumbing business.
5. "Plumbing work" means all uses, installation, alteration, repairs, removals, replacements, connections, disconnections, and maintenance of the plumbing system defined in the Plumbing Code.

124.03 LICENSES REQUIRED. No person shall engage in the business or represent himself or herself as engaging in the business of doing plumbing work or perform any plumbing work unless such person first obtains from the City a license or licenses as specified in this chapter.

124.04 CLASSES OF LICENSES. Four (4) classes of plumbers' licenses are issued by the City:

1. Class I – Plumbing Contractor's License
2. Class A – Master Plumber's License
3. Class B – Journeyman Plumber's License
4. Class C – Apprentice Plumber's License.

124.05 RESTRICTIONS AND QUALIFICATIONS; CONTRACTOR'S BOND.

1. A plumbing contractor's license entitles the holder thereof to secure permits to design, lay out, and supervise all the plumbing work and to furnish plumbing equipment for such fee as may be agreed upon between such licensee and the owner, the owner's purchasing agent or awarding authority, provided such licensee stipulates on the license a supervisor who is the holder of a valid master plumber's license.
2. The person designated as a supervisor may be the owner of the license or a member of the firm or partnership to whom such license is issued. In the event that the business terminates or the association of the supervisor with the holder of the plumbing contractor's license terminates, the license shall become null and void within thirty (30) days after such termination.
3. Plumbing contractors' licensees under the provisions of this chapter shall employ only those persons holding a master, journeyman, and apprentice plumber's license to perform plumbing work.
4. Any person licensed as a plumbing contractor under this chapter must file with the Clerk a surety bond in the sum of two thousand dollars (\$2,000.00) in favor of the City; and in addition thereto, the applicant shall deposit one hundred dollars (\$100.00) with the City for the use and benefit of the City, to assure the payment of all or any fees that are now or may hereafter be provided for in this chapter. Such \$2,000.00 bond shall run from April 30 to the following year's May 1 and shall be in force throughout the entire licensing year and shall be conditioned upon the faithful performance of all duties required by this Code of Ordinances or the rules or regulations of the City. It is a further condition of such \$2,000.00 bond that the obligors will hold the City harmless of and from any and all damages sustained by reason of neglect or incompetence on the part of such person in the performance of his or her work, the same to include but not be limited to, careless guarding of excavations made by such person or the failure to put all streets and public places opened in as good condition as they were before such work was done, or from any damages growing out of the negligence or carelessness of any such licensed person. All licensed plumbing contractors shall also furnish a like bond in the sum of one thousand dollars (\$1,000.00) conditioned that they shall warrant and guarantee any sewer or water connections made by them or their employees against faulty or defective construction for a period of one year after the performance of such work, and they shall indemnify any property owners for the cost of reconstruction of any sewer or water connections concerning which within such period of one year are found to be faulty or defective in construction. The bonds herein provided for shall be in a form to be prepared and approved by the City Attorney. Any licensed person having furnished such a bond and having made the deposit of \$100.00 as herein prescribed, shall have his or her license suspended for failure to keep such bond in force, and any applicant for renewal of a license shall have filed a renewal certificate of the bond with the Clerk before such license shall be renewed.

5. Upon ceasing business and surrendering the license, an applicant for a plumbing contractor's license shall receive from the Clerk an order for the unused portion of the \$100.00 deposited pursuant to subsection 4 of this section.

124.06 MASTER PLUMBER'S LICENSE. A master plumber, to be issued a license under this chapter, must have had five (5) years' experience as a journeyman plumber and a minimum of two (2) years' experience out of the five (5) in a supervisory capacity or the equivalent as determined by the Board of Plumbing Examiners. The applicant must be able to read and write and demonstrate ability to design, lay out, supervise, and coordinate any type of plumbing work encountered in day-to-day work in the City and successfully pass the examination required for a Class A, master plumber's license.

124.07 JOURNEYMAN PLUMBER'S LICENSE. A journeyman plumber, to be issued a license under this chapter, shall be able to read and write and shall be examined as to the knowledge of the requirements of this chapter and shall be competent to install and alter all types of plumbing equipment under the supervision of the holder of a Class A license. He or she must have had at least five (5) years' experience as an apprentice plumber or the equivalent as determined by the Board of Plumbing Examiners and must successfully pass the examination required for a Class B, journeyman plumber's license.

124.08 APPRENTICE PLUMBER'S LICENSE. An apprentice plumber must be duly registered with the Board of Examiners and be issued an apprentice license showing the number of years as an apprentice. He or she must work under the direct supervision, that is, a supervisor present at all times, of the holder of a Class A or Class B license.

124.09 LICENSE APPLICATION. Application for new plumbers' licenses under this chapter shall be made in writing on forms furnished by the City Building Inspector to the Board of Plumbing Examiners. All applications must be on file with the Secretary of the Board fourteen (14) days prior to the examination date.

124.10 FEES. Every person who takes an examination for a license as required by this chapter shall first pay to the City an examination fee, in an amount determined by resolution of the Council, which fee is not refundable, and a receipt therefor shall be attached to each application for a license. If any applicant fails to pass an examination, he or she may reapply for reexamination upon payment of another examination fee. A license or renewal fee in an amount established by resolution of the Council shall be paid prior to the issuance of any license or renewal.

124.11 TRANSFER OF LICENSE; IMPROPER USE. No license issued in accordance with the provisions of this chapter is assignable or transferable and no holder of a plumbing contractor's license is allowed to take out permits for the person with whom he or she is duly associated as specified on his or her license. Such misuse of a license may cause the license to be revoked or suspended by the action of the Board of Plumbing Examiners.

124.12 REVOCATION OR SUSPENSION OF LICENSE. Upon a complaint in writing by any person to the Board of Plumbing Examiners that any holder of a license under this chapter is guilty of fraud in obtaining such license or is guilty of carelessness, lack of skill, or has installed or permitted to be installed any plumbing equipment in an unsafe manner or has violated any of the ordinances of the City, the Board shall cause an investigation to be made, and if in the opinion of the Board such license should be revoked, the Board shall give the holder of such license a ten-day notice, sent by certified mail, of the time and place of hearing. The hearing shall be open to the public and all interested persons shall be given an opportunity to be heard. The Board of Plumbing Examiners may, by majority vote, recommend the revocation of the license to the Council or dismiss the charges.

124.13 RENEWAL OF LICENSE. All licenses required by this chapter expire on May 1 of each year and shall be renewed annually and any Class A, B, or C license not renewed within thirty (30) days after May 1 may not be renewed without examination.

124.14 BOARD OF EXAMINERS CREATED. There is hereby created a Board of Plumbing Examiners which shall consist of five members appointed by the Mayor and approved by the Council. Three members shall constitute a quorum for the transaction of business. Two members shall hold a Class A license; two members shall hold a Class B license; and one member shall represent the public. The City Building Inspector shall be an ex officio member of the Board and Secretary thereof, but without the right to vote.

124.15 MINUTES AND RECORDS OF BOARD. The Secretary of the Board of Plumbing Examiners shall keep minutes and records of all proceedings of the Board, a copy of which shall be filed with the Mayor within ten (10) days after each meeting.

124.16 CHAIRPERSON OF THE BOARD. The Board of Plumbing Examiners shall annually elect one of its members as Chairperson, who shall preside at all meetings of the Board.

124.17 POWERS AND DUTIES OF THE BOARD.

1. The Board shall meet once every twelve (12) months and more often if necessary to consider applications of persons who desire a Class A, B, or C license, to examine such persons to determine their qualifications and fitness to work at the trade of plumbing. Such examinations may be practical or written to clearly demonstrate to the Board an applicant's qualifications for the particular license as set out in this chapter, to recommend the issuing of licenses or to recommend revoking the license of any licensed plumber after a hearing as provided in this chapter.
2. The Board shall have charge of and decide all appeals made to the Board from the decision of the City inspection department and all complaints made to the Board by the building inspections department as provided herein.
3. The Board of Plumbing Examiners shall not be required to reexamine any such applicant for a period of one year from the time of the prior examination.

124.18 APPEAL FROM DECISION OF BOARD. In the event any person feels aggrieved by any action of the Board of Plumbing Examiners, said person may appeal from such action to the Council by filing written notice of appeal within ten (10) days after the date of the action complained of. The Council shall give the appealing party and Board five (5) days' written notice by certified mail of the date, time, and place of hearing. All interested persons shall be given an opportunity to be heard at such hearing, and the Council may affirm, modify, or overrule the action of the Board.