

BY-LAW 1768

BEING A BY-LAW TO PROVIDE FOR THE LICENSING, REGULATING AND GOVERNING OF PLUMBING CONTRACTORS, MASTER PLUMBERS AND JOURNEY MAN PLUMBERS WITHIN THE CITY OF NORTH BAY

WHEREAS it is deemed advisable to regulate persons, firms or corporations carrying on plumbing projects within the City of North Bay.

THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

Defin-
itions

1. In this by-law the following words shall have the meaning ascribed to them.

(a) "Chief Constable" shall mean the Chief Constable from time to time of the City of North Bay.

(b) "Examining Board" shall mean the Board constituted in accordance with the provisions of Section 8 of this By-law.

(c) "House, or building, sewer" shall mean that part of the horizontal piping of a house or building drain three feet outside of the inner face of the building wall to its connection with the main sewer, cesspool or septic tank and conveying the drainage of but one building site.

(d) "Journeyman Plumber" shall mean a person, other than a master plumber, who has been employed in plumbing installation and has acquired sufficient skill and knowledge of the trade to be considered a safe and responsible mechanic.

(e) "A Maintenance Man" shall mean a person employed to maintain and keep in good condition all plumbing, sewerage and drainage lines and to repair cocks and valves within an industrial or commercial building or upon the premises owned and used by the employer of such maintenance man. Maintenance means to keep, to preserve, to keep a thing in its present state and not add to or change the location of it. A maintenance man can not work as a master plumber

or a journeyman plumber or both unless he holds a certificate of registration as a master plumber or as a journeyman plumber.

(f) "Master Plumber" shall mean a person who is skilled in the planning, superintending and installation of plumbing, is familiar with the laws, rules and regulations governing the same, has a regular place of business in the Municipality and who, himself, or by journeyman plumbers in his employ, performs plumbing work.

(g) "Plumber" shall mean a person, other than a master plumber or journeyman plumber, directly engaged in performing plumbing work and shall include an apprentice plumber.

(h) "Plumbing" shall mean the art of installing in buildings the pipes for distributing the water supply, the fixtures for using water, and the soil and waste pipes for removing water and sewage, together with fittings and appurtenances of various kinds all within or adjacent to the building and the house sewer.

(i) "Plumbing Contractor" shall mean any person, corporation, company, firm, organization or partnership performing or engaging to perform either for his or its own use or benefit, or for that of another, and with or without remuneration or gain, any plumbing work within the limits of the City of North Bay.

(j) "Plumbing Fixture" shall include every receptacle intended to receive and discharge water, liquid or water-carried waste.

(k) "Plumbing System" shall mean, severally and individually, the water distribution system, the house sewer, any private sewage disposal system, all fixtures and fixture traps, all leaders together with all other devices appurtenant and connections.

Except- 2. The provisions of this by-law do not apply to the
ion. repair and maintenance of the installation in a manufacturing

industrial, commercial or service institution where such work is performed by full-time employees regularly engaged in maintaining in good order the equipment and premises of such institution.

Purpose.

3. In order to safeguard life, health and property, any person, firm or corporation engaged in or working at the business of plumbing either as a master plumber or a journeyman plumber or drain contractor, shall hereafter be required to submit evidence that he is qualified, and shall be required to register and receive a license as hereinafter provided.

Effect where unlicensed persons employed.

4. Any person who assumes responsible charge and direction of other persons in the installation of plumbing, drainage or sewers, and who employs, whether for gain or otherwise, a person not registered and licensed as provided herein to perform, assist, directly or indirectly and/or install plumbing, drainage or sewers, shall be guilty of a breach of this by-law and shall be liable under the penalties of this by-law.

Persons affected

5. Every Plumber, Master Plumber, Journeyman Plumber, or Drain Contractor, before commencing to carry on his trade, calling, business or occupation within the City of North Bay, shall take out a license in accordance with the provisions of this by-law, authorizing him so to do and shall pay at the time of taking out of such license the fees prescribed in Schedule "A" of this by-law, or in lieu thereof such fees as may from time to time be prescribed therefor by any by-law of the Council of the Corporation of the City of North Bay.

Duration of License.

6. All licenses as issued under this by-law, unless expressed to be for a shorter period, or unless the said license shall sooner become forfeited, shall be for the year current of the time of issue thereof, and shall expire on the 31st day of December next following the date

of issue. If such license is not renewed during the next succeeding year by the person entitled so to do, such license shall automatically lapse and be of no further force and effect and the former holder thereof must be re-examined by the Examining Board appointed under this by-law before such person shall be permitted to engage in the plumbing business in any capacity within the City of North Bay.

Applica-
tions for
license

7. Every application for a license hereunder shall be in writing in such form as may be prescribed from time to time by the Examining Board; shall be signed by the applicant and verified by Statutory Declaration if so required, and shall be accompanied by payment of the prescribed fee. If the application is for a master plumber's or journeyman employee's license and an examination is required, it shall also be accompanied by payment of the examination fee prescribed in Schedule "A" of this by-law. The said examination fee shall not be refundable if the license applied for is not granted and shall be held by the Treasurer of the City of North Bay and by him paid to the members of the Examining Board or any of them at such times and in such amounts as may be provided by any order of Council of the Corporation of the City of North Bay.

Board of
Examiners

8. For the purpose of conducting the examination or examinations for persons to qualify as a registered master plumber or as a registered journeyman plumber or as a plumber, the Examining Board shall consist of the following persons:

- (a) The Medical Officer of Health of the City of North Bay.
- (b) The City Engineer of the City of North Bay or his appointee.
- (c) The City of North Bay Plumbing Inspector.
- (d) One Registered Master Plumber having not less than

10 years experience and duly licensed pursuant to the provisions of this by-law.

- (e) One Registered Journeyman Plumber who has worked 5 years continuously preceding his appointment at the plumbing profession.

Secretary of Board

9. The City of North Bay Plumbing Inspector shall also act as Secretary of the Board.

Authority to issue Licenses

10. No license under this by-law shall be issued otherwise than upon the authority of a written order or resolution of the Examining Board or a certified copy thereof bearing the seal of the Board and/or the signatures of the members. Licenses shall be issued in the name of the Corporation by its Clerk for the time being in charge of the License Bureau of the City of North Bay and shall be signed on behalf of the said Examining Board by such Clerk.

Applicant for License must submit to examination.

11. Unless otherwise ordered by resolution of the Board, every applicant for a license as a journeyman plumber, master plumber or drain contractor shall, after complying with the requirements of Section 6 of this by-law, submit himself for examination as to his technical qualifications to the Examining Board at such time and place as such board may appoint, and shall pay the prescribed examination fee. The Examining Board shall arrange for and hold examinations of all applicants for such licenses and shall conduct an examination at least once in each calendar month if any applications are pending, and shall forward to the License Clerk within one week after the date of any examination a written report and recommendation as to the qualifications of each applicant. The granting or refusing of any license shall be in the discretion of the Examining Board and it shall not be bound to give any reason therefor.

Exceptions re examinations.

12. No such examination shall be required of applicants duly licensed by the City of North Bay as journeyman, master plumbers or drain contractor prior to the coming into Force

of the provisions of this by-law, provided however, that such applicants have been engaged in the plumbing business within the City of North Bay continuously since the first day of January, 1945. Provided however that the Examining Board may, notwithstanding the foregoing, require any master plumber or journeyman plumber to submit himself for re-examination by the said Examining Board in the classification for which he is licensed, provided that not more than one re-examination shall be required in any five year period.

License Fee

13. Any person duly licensed under this by-law may after being so licensed for at least one year, apply for any other license hereunder upon payment of the prescribed examination fee and otherwise complying with the provisions of this by-law, and the fee for such license shall be that described in Schedule "A" hereto pertaining to the specific plumbing license.

Life of Examiners

14. Each member of the said Examining Board shall hold office until his successor has been appointed, and any three members of the Board may sit and act for the entire Examining Board in examining applicants for licenses and reporting on such examination.

Power of Board with Council approval as to Regulations and Rules.

15. The Examining Board may, subject to the approval of the Council of the City of North Bay, adopt rules and regulations respecting the conduct of examinations, but failure to adopt or to comply with any such rule or regulation shall not invalidate any recommendation of the Examining Board nor the discretion of the said Examining Board in granting or refusing any license.

Place of Business required.

16. (a) No person may be licensed as master plumber or Drain Contractor, Journeyman Plumber or Plumber in the City of North Bay, unless his or their names and addresses are

registered at the office of the Plumbing Inspector under the terms prescribed elsewhere in this By-Law or as prescribed by the Council of the City of North Bay.

16. (b) No person may be licensed as a Master Plumber or Drain Contractor unless he has a regular place of Business in the City of North Bay and in such areas as is permitted under the Zoning By-Law No. 1446 of the City of North Bay, and is a resident thereof or of a Municipality adjoining the City of North Bay in which residents of North Bay are allowed by the By-laws of such municipality to obtain a license therein, and is of the full age of Twenty-One Years.

16. (c) For the purpose of this paragraph "regular place of business" shall mean an office, shop or store readily accessible to the public directly from a street and having displayed on the outside thereof a sign bearing the name of the person, firm or corporation carrying on the said business, not less than 6 inches in height, clearly designated as a master plumber's shop, store or place of business.

Comply with requirements of local By-law.

16. (d) Every master plumber or drain contractor licensed under this by-law shall permit the Chief Constable or any police officer or any other person authorized to enforce the provisions of this by-law to inspect at all reasonable times the said place of business and the books and records used in connection with such business.

Contractors must have Licenses.

17. No plumbing contractor shall undertake, perform or engage in any contract for the performance of plumbing work unless he holds a license for the current year as a master plumber under the provisions of this by-law, or in the alternative, carries on the said work under the direct personal supervision and control of a duly licensed master plumber in complete charge of the said work.

18. No person licensed as a journeyman plumber under the provisions of this by-law shall perform any plumbing work except under the personal supervision and direction of a duly licensed master plumber in charge of and directly responsible for the superintendance of the plumbing work performed.

19. No plumber or helper shall perform any plumbing work except as the assistant of and in the presence of and under the direct personal supervision of a duly licensed journeyman plumber, continually employed on the same contract or job.

Use of unregistered helper or apprentice 20. No plumbing contractor, master plumber, journeyman plumber or plumber shall cause or permit any unregistered apprentice or helper to perform any work, as his employee or assistant.

Posting of Permit for work. 21. Every Plumbing contractor or master plumber licensed under this by-law while engaged in any plumbing work upon any building or structure shall obtain and post upon the exterior of the front of such building or structure the permit issued in respect of such work pursuant to the Plumbing By-law of the City of North Bay, and upon completion of such work shall procure a certificate of inspection pursuant to the said by-law.

22. No person licensed under this by-law shall allow his name to be used for the purpose of obtaining a plumbing permit or certificate of inspection for any plumbing work unless the work described in such permit or certificate has been or will be performed by him or under his supervision.

Record of employees 23. Whenever any plumbing contractor or master plumber employs a journeyman plumber or a plumber, either permanently or temporarily, he shall, within two days thereafter, give written notice of such employment, specifying the name and address of such employee to the Chief Constable.

Notice of change of address. 24. Every person licensed under this by-law, upon changing his address, shall give written notice thereof, within two

days thereafter, specifying his new address, to the Chief Constable.

Partner-
ship Lic-
enses.

25. A partnership of two or more persons desiring to carry on any business or trade for which a license is required under this by-law may do so upon each member of the partnership having charge of or superintending the plumbing work of the firm obtaining the appropriate license, and a corporation may similarly obtain a license on its behalf in the name of some person named in the application for a license.

Reporting
change of
ownership
or partner-
ship.

26. Any change in the persons composing a firm or in the person representing a corporation or in the location of a business shall be promptly reported in writing to the Chief Constable, and any new license required by such change shall be forthwith applied for. No new license shall be required unless the plumbing work of such firm or corporation is to be performed under the supervision of a person not previously licensed under this by-law.

PERSONAL
IDENTIFI-
CATION
CARD.

27. Every person licensed under this by-law shall carry on his person the said license or an official identifica- tion card or badge certifying thereto issued by the License Bureau, at all times when performing or engaging in the trade, calling, business or occupation so licensed, and shall produce the same for inspection at the request of any Police Officer or other person authorized to enforce the provisions of this by-law.

28. The certificate of registration and license of a Master or Journeyman Plumber shall not be renewable, upon the recommendation of the Plumbers' Examining Board, if the holder is shown to be incompetent or has been guilty of a violation of any of the clauses or regulations of this by-law.

29. Notwithstanding anything herein contained the granting or refusal of a license under this by-law

shall be in the absolute discretion of the Examining Board, and no license shall be granted unless and until the application therefor, together with the report of the examining board, and any and all other reports and material in connection with such application, shall have been submitted and duly approved by the said Examining Board.

30. A person not resident of the City of North Bay who wishes to install plumbing as a master plumber or journeyman plumber may be issued a temporary permit to work upon payment of necessary fees which shall not be returnable. Provided however that the applicant must pass the necessary examination at that time as may be set by the Examining Board before any such permit shall be issued.

31. In addition to having his license revoked by the City of North Bay, any person guilty of a breach of any of the provisions of this by-law shall forfeit and pay a penalty not exceeding Fifty Dollars (\$50.00), exclusive of costs, for each offence, to be recoverable under the provisions of The Summary Convictions Act.

32. All by-laws and parts of by-laws inconsistent with the provisions of this by-law, of the Corporation of the City of North Bay, which relate to the examining, licensing, regulating and governing of plumbers, are hereby repealed.

READ a first and second time this 12th day of July 1955.

..... MAYOR CITY MANAGER

READ a third time and finally enacted this 12th day of July A.D., 1955.

..... MAYOR CITY MANAGER

S C H E D U L E " A "

SCHEDULE OF LICENSE, RENEWAL AND EXAMINATION FEES FOR PLUMBING CONTRACTORS, MASTER PLUMBERS, JOURNEYMAN PLUMBERS AND PLUMBERS ATTACHED TO AND FORMING PART OF BY-LAW NUMBER OF THE CORPORATION OF THE CITY OF NORTH BAY.

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	<u>License Fee</u>	<u>Renewal</u>	<u>Examination Fee</u>
Drain Contractor and Master Plumber	\$ 50.00	\$ 25.00	\$ 10.00
Journeyman Plumber	5.00	5.00	5.00
Plumber Helper	1.00	1.00	1.00