

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2233

Being a by-law for licensing, regulating and governing plumbing contractors, plumbers, master plumbers and journeymen plumbers

And being a by-law for licensing, regulating and governing drain contractors and drain layers and for revoking any such licence.

WHEREAS under The Municipal Act R.S.O. 1960 Chapter 249 Section 401, Paragraph 12 and Paragraph 3, the Council may pass by-laws for the purposes therein set forth;

AND WHEREAS the Council of the Corporation of the City of North Bay deems it advisable to enact the within by-law.

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

1. For the purposes of this by-law:
 - (a) "Board" shall mean the Board of Examiners appointed under the provisions of this by-law.
 - (b) "Building Inspector" shall mean the Building Inspector for the time being of the Corporation of the City of North Bay.
 - (c) "City" shall mean the Corporation of the City of North Bay.
 - (d) "City Engineer" shall mean the City Engineer for the time being of the Corporation of the City of North Bay.
 - (e) "Clerk" shall mean the Clerk for the time being of the Corporation of the City of North Bay.
 - (f) "Council" shall mean the Council of the Corporation of the City of North Bay.
 - (g) "Deputy City Engineer" shall mean the Deputy City Engineer for the time being of the Corporation of the City of North Bay.
 - (h) "Drain Contractor" or "Drain Layer" shall mean a person who lays drains and sewers (but not including building drains as provided by the regulations under The Ontario Water Resources Commission Act) or who repairs or reconstructs drains and sewers, removes tree roots or other obstructions from drains and private drain connections by mechanical or other means, and is familiar with the rules and regulations governing the same.
 - (i) "Enforcement Officer" shall include the Plumbing Inspector, the Deputy Plumbing Inspector, the City Licence Inspector, the Building Inspector, the Deputy Building Inspector, the City Engineer, the Deputy City Engineer, the Medical Officer of Health and the Clerk.
 - (j) "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.
 - (k) "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 City and who himself or by journeymen plumbers in his employ, performs plumbing work.
 - (l) "Medical Officer" shall mean the Medical Officer of Health for the time being of the North Bay Area Health Unit.
 - (m) "Person" shall include a firm, partnership, company or corporation.
 - (n) "Plumbing Inspector" shall mean the plumbing inspector for the time being of the Corporation of the City of North Bay.

(o) "Regular Place of Business " shall mean an office, shop or store readily accessible to the public which may be entered directly from the street and having displayed on the outside thereof a sign bearing the name of the person, firm or corporation carrying on the plumbing business.

2. In the City of North Bay no person shall carry on the trade, business, calling or occupation of a plumbing contractor, plumber, master plumber, journeyman plumber, drain contractor or drain layer without being licensed so to do under the provisions of this by-law.

3. (a) Every applicant for a licence as a master plumber shall be examined by the Board to determine whether he is skilled in the planning, superintending and installation of plumbing and is familiar with the laws, rules and regulations governing the same and prior to such examination he shall pay the examination fee hereinafter set forth.

(b) Every applicant for a licence as a journeyman plumber shall be examined by the Board to determine that he has been employed in plumbing installation and has acquired sufficient skill and knowledge of the trade to be considered a safe and responsible mechanic and prior to such examination he shall pay the examination fee hereinafter set forth.

(c) Any person who fails to renew his licence for any year and who subsequently applies for a licence shall be required to pay the full licence fee and in the case of a master plumber or journeyman plumber he may be required by the Board to be re-examined before receiving a licence.

(d) Any person holding a valid licence from the City as a master plumber or journeyman plumber on the date of the enactment of this by-law shall be eligible for a licence under this by-law, without an examination by the Board, but such person may at any later time be required by the Board to try an examination.

4. (a) Every applicant for a licence under this by-law shall make written application therefor upon forms to be provided by the City.

(b) Every applicant for a licence under this by-law shall pay the prescribed licence fee prior to the issue thereof.

(c) A Licence issued pursuant to the provisions of this by-law shall be for the current year of issue and shall expire on the 31st day of December of such year.

(d) Any licence issued pursuant to the provisions of this by-law may be revoked by the Council upon the recommendation of the Plumbing Inspector or the Board.

(e) The Plumbing Inspector shall issue to each person licensed under this by-law an official identification card certifying that such person is duly licensed and such person shall carry on his person the said identification card and shall produce the same for inspection at the request of the enforcement officer.

(f) A licence issued pursuant to the provisions of this by-law shall not be transferable.

(g) Every person licensed under this by-law, upon changing his address, shall give written notice thereof to the Plumbing Inspector within ten days after such change, setting forth his new address.

(h) Every plumbing contractor or master plumber who has a regular place of business shall prominently display therein his licence issued pursuant to the provisions of this by-law.

5. (a) For the purposes of this by-law, there is hereby established a Board of Examiners (Herein called the Board) composed of five members to be constituted as follows:

- (i) the Plumbing Inspector
- (ii) The City Engineer or the Deputy City Engineer.
- (iii) The Medical Officer of Health
- (if) A resident master plumber having not less than ten years' experience and who is duly licensed under the provisions of this by-law

(v) a resident journeyman plumber who has been continuously employed in plumbing installation for a period of not less than five years immediately preceding his appointment and who is duly licensed under the provisions of this by-law.

(b) The Plumbing Inspector shall be the Secretary of the Board.

(c) The members of the Board referred to in sub-paragraphs (iv) and (v) of paragraph 5(a) shall be appointed annually by Resolution of Council and shall hold office until their successors have been appointed.

(d) Three members of the Board shall constitute a quorum.

(e) The Board is hereby authorized and empowered to make and adopt rules and regulations respecting the conduct of examinations.

6. The licence fees, licence renewal fees and the examination fees of the Board payable pursuant to the provisions of this by-law are hereby fixed and set at the following amounts:

	<u>LICENCE FEE</u>	<u>RENEWAL FEE</u>	<u>EXAMINATION FEE</u>
Master Plumber	250.00	25.00	10.00
Journeyman Plumber	5.00	5.00	5.00
Apprentice Plumber, Helper Apprentice	5.00	5.00	nil
Plumbing Contractor who is not a Master Plumber	10.00	10.00	nil
Drain Contractor who is not a Master Plumber	50.00	25.00	nil
Drain Layer who is not a Master Plumber	50.00	25.00	nil

7. No master plumber or plumbing contractor shall cause or permit an apprentice plumber, a helper apprentice to perform any plumbing work or install any plumbing material or appliance except as an assistant to, in the presence of and under the direct personal supervision of a licensed master plumber or a licensed journeyman plumber continuously employed on the same contract or job.

8. No person licensed as a journeyman plumber under this by-law shall perform any plumbing work or install any plumbing material or appliance or engage in the plumbing trade or occupation except under the supervision and direction of a licensed master plumber in charge of and directly responsible for the superintendence of the plumbing work performed.

9. (a) No person shall be licensed as a plumbing contractor unless he holds a master plumber's licence or has in his employ a person who is licensed as a master plumber, or unless any work that he undertakes is contracted out to and performed by a plumbing contractor who holds a master plumber's licence or has in his employ a person who holds a master plumber's licence.

(b) No licensed contractor shall perform or permit to be performed any plumbing work that is not under the direct personal supervision of a master plumber.

10. The provisions of this by-law shall be enforced by the Enforcement Officer.

11. Any person convicted of a breach of any of the provisions of this by-law shall forfeit and pay, at the discretion of the convicting Magistrate, a fine or penalty not exceeding the sum of Three Hundred Dollars (\$300.00) for each offence, exclusive of costs, to be recoverable under The Summary Convictions Act.

12. By-law No. 1768 of the Corporation of the City of North Bay and all previous by-laws or sections of by-laws conflicting with the terms and provisions of this by-law shall be deemed to be and they are hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS 4TH DAY OF OCTOBER 1965.
READ A SECOND TIME IN OPEN COUNCIL THIS 4TH DAY OF OCTOBER 1965.
RULES OF ORDER WERE SUSPENDED AND BY-LAW READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED THIS 4TH DAY OF OCTOBER 1965.

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Deputy James Kelly
.....
DEPUTY MAYOR

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E.E. Dunne
.....
CITY CLERK