

Introduced by Treese

First Reading 9-6-16

Second Reading 9-19-16

Ordinance No. 022932

Council Bill No. B 224-16 A

AN ORDINANCE

amending Chapter 6 of the City Code to allocate appeals of administrative decisions on trade licenses to the Building Construction Codes Commission and dissolving the Board of Electrical Examiners, Board of Plumbing Examiners and Board of Mechanical Examiners; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 6 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 6-17. Amendments.

The code adopted by this article is hereby amended by substituting the following sections in lieu of those sections with corresponding numbers in the code, or, where there is no corresponding section in the code, the following sections shall be enacted as additions to the code:

113.2 Application for appeals. The owner of a building or structure or any person directly affected by a decision of the building official or fire marshal may appeal to the building construction codes commission from a decision of the official refusing to grant a modification, variance or waiver to the provisions of the Building, Electrical, Plumbing, Mechanical, Fire Prevention, One and Two Family Dwelling or Property Maintenance codes covering the manner of construction or materials to be used in the construction, erection, alteration, or repair of a building or structure. Application for appeal may be made when it is claimed that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, an equally good or better form of construction can be used, or undue hardship is created by strict compliance with the letter of the code but has no significant effect on the health, safety and welfare of the public or any individual. Applicants for a mechanical, electrical or plumbing certification who are denied or whose certification is revoked by the director of community development

for any reason may also appeal that decision to the building construction codes commission. A fee of one hundred twenty dollars (\$120.00) must be submitted with the application. The fee shall be refunded to the applicant if the applicant appears at the commission meeting at which the appeal is scheduled to be heard. An application for appeal must be requested and filed by the applicant within ninety (90) days following the date of the denial letter issued by the building official or fire marshal.

...
Sec. 6-32. Amendments.

The code adopted by this article is hereby amended by substituting the following sections in lieu of those sections with corresponding numbers in the code, or, where there is no corresponding section in the code, the following sections shall be enacted as additions to the code:

...
SECTION 304 BOARD OF ELECTRICAL CERTIFICATIONS EXAMINERS

304.1 Electrical certifications Board of electrical examiners. A board of electrical examiners consisting of six (6) persons is hereby created. ~~One (1) member shall be the director of community development or the director's designee, who shall be a non-voting ex officio secretary to the board; the remaining five (5) members shall be appointed by the city council. One (1) member shall be a registered professional engineer, one (1) member shall be a licensed electrical contractor, one (1) member shall be a licensed electrician, and two (2) members shall be laymen. The first two (2) persons appointed to the board shall serve for three (3) years, the second two (2) persons shall serve for two (2) years, and the last person shall serve for one year. Thereafter, each member of the board shall serve for three (3) years and until a replacement is appointed and qualified. The first meeting of the calendar year, the board shall select one of its members to serve as chair and the authority having jurisdiction shall designate a clerk from the department to serve as secretary to the board, who shall keep a detailed record of all proceedings on file in the building and site development division. The director of community development board of electrical examiners shall be empowered to select examinations, and authorize testing for electricians' licenses and certificates, to approve or disapprove applications for electricians' licenses and certificates, and to issue or revoke electricians' licenses or certificates. The board shall meet upon the call of the chair, or upon the call of a majority of its membership, however, it shall meet w Within at least thirty (30) days after filing of an application for examination as an electrician has been filed, the director shall act to approve, disapprove or schedule testing for such applicant. Any application not acted upon within thirty (30) days shall be deemed denied for the purpose of examining such applicant or applicants. The chair of the board is authorized to excuse any member from attendance at a board meeting; provided, that the member requested to be excused before the meeting. Any member who is absent, without being excused, from twenty-five (25) percent of the regular board meetings held in a calendar year shall automatically forfeit the office. It shall be the~~

~~duty of the chair to promptly notify the council of the vacancy.~~ Applicants scheduled for examination shall be notified of the date, time and place of examination at least three (3) days prior to the date of examination.

304.2 Certificate of competency. It shall be unlawful for any person to engage in the installation, alteration or repair of electrical wiring, equipment, apparatus or fixtures for light, heat or power purposes; installation or additions to sound, audio visual or communication equipment in or on any building, structure, or premises within the corporate limits of the City of Columbia, Missouri, unless issued a certificate of competency by the director~~board of electrical examiners~~, except as provided by Section 401.4 Exception 2. This shall not be construed to cover cases where the connected electrical load is not increased or where no new electrical wiring is required.

304.3 Types of certificates. The director~~board of electrical examiners~~ is herein empowered to provide for the following types of certificates:

...

304.3.1 Requirements. Certificates will be issued to applicants who meet the following requirements:

Apprentice (Type E) Submit application stating name, address and telephone number and employer's signature. No fee required.

Journeyman (Type C-8)

...

4. Successfully complete examination required by the director~~board of electrical examiners~~.

Journeyman (Type C-6)

...

4. Successfully complete examination required by the director~~board of electrical examiners~~.

Contractor or Master (Type A)

...

4. Successfully complete examination required by the director~~board of electrical examiners~~.

...

(Type B, D, and H)

- ...
3. Successfully complete examination required by the director ~~board of electrical examiners~~.

304.4. Application for certificate. The director ~~board of electrical examiners~~ shall approve or disapprove the issuance of a certificate upon (1) the filing of the proper application, (2) completion of examination when required, (3) payment of the required fee. This section shall not apply to apprentice electricians.

304.5 Type of examination required. The type of examination required will be determined by the director ~~board of electrical examiners~~ and will be selected from the standard examination list as prepared and published by Thomson Prometric, 1260 Energy Lane, St. Paul, MN 55108, or the ICC National Standardized Examinations Program, www.iccsafe.org/contractor (1-877-STD-Exam), or any state issued and approved exam.

304.6 Reciprocity. The director ~~board of electrical examiners~~ shall grant reciprocity and issue a license to an applicant who meets the minimum qualifications set forth in this section.

...

304.10 Work allowed under license. No person who has obtained an Electrical Contractor's Certificate (Type A) shall allow his/her name to be used by another person for the purpose of obtaining permits, or for doing business or work under such license. Every person licensed shall notify the director ~~board~~ of the address of licensee's place of business, if any, and the name under which such business is carried on, and shall give immediate notice to the board of any change in either.

304.11 Re-examination. Any person, who fails to pass the examination, as prescribed by the director ~~board~~, may apply for re-examination.

...

304.13 Certificate Issuance. All applicants approved by the director ~~board~~ for Journeyman certificate shall pay a thirty dollar (\$30.00) fee prior to the issuance of the certificate. Master certificates shall require a payment of ninety dollars (\$90.00) prior to the issuance of the certificate. Certificates issued in September, October, and November of the renewal year are not required to pay a renewal fee in December.

...

1101.3 Application for Appeal. The applicant for an electrical permit, the holder of an electrical permit, or the owner or agent of a building or structure wherein electrical work is to be installed may appeal a decision of the authority having jurisdiction refusing to grant modification of the provisions of the Electrical Code covering the manner of installation, or materials to be used in the installation, to the building construction codes commission. The applicant for an electrical certification may appeal a decision of the director to deny or revoke certification to the building construction codes commission. Application for appeal shall be filed in accordance with the procedures set out in Section 113 of the Building Code of Columbia, Missouri.

...

Sec. 6-52. Amendments.

The code adopted by this article is hereby amended by substituting the following sections in lieu of those sections with corresponding numbers in the code, or, where there is no corresponding section in the code, the following sections shall be enacted as additions to the code:

101.1 Title. These regulations shall be known as the Plumbing Code of Columbia, Missouri, hereinafter referred to as "this code."

101.5 License Required.

...

(c) No person who has obtained a master plumber's license shall allow their name to be used by another person for the purpose of obtaining permits, or for doing business or work under this license. Every person licensed shall notify the director of community development ~~board~~ of the address of licensee's place of business, if any, and the name under which such business is carried on, and shall give immediate notice to the director ~~board~~ of any change in either.

...

~~*101.6 Board of plumbing examiners.* There is hereby created a board of plumbing examiners, consisting of five (5) members, one of whom shall be the director of community development or the director's designee, who shall be a non-voting, ex-officio secretary of the board; a second member, who shall be a master plumber; a third member, who shall be a master plumber or journeyman plumber; and a fourth member and a fifth member, who shall be persons not engaged in, working at, employed by, or connected with plumbing, a plumbing firm, contractor, or the plumbing industry. Members appointed by the council shall be residents of the City of Columbia. Members shall be appointed by the council for a term of two (2) years, beginning on the first day of June and serving until their successors are appointed and qualified. The second and third members of the board shall have at least six (6) years in, or working at, the plumbing business at the time of their~~

~~appointment. The first meeting of the calendar year, the board shall select one of its members to serve as chair and the code official shall designate a clerk from the department to serve as secretary to the board, who shall keep a detailed record of all proceedings on file in the building and site development division.~~

~~101.7 Meetings of the board. The board shall meet on call of the chair or a majority of the membership, and the call shall include the time, place and purpose of such meetings. Applicants scheduled for examination at such meetings shall be notified at least three (3) days prior to the date of the meeting. The chair of the board is authorized to excuse any member from attendance at a board meeting; provided, that the member requested to be excused before the meeting. Any member who is absent, without being excused, from twenty-five (25) percent of the regular board meetings held in a calendar year shall automatically forfeit the office. It shall be the duty of the chair to promptly notify the council of the vacancy. The members shall serve without compensation.~~

~~101.8-101.6 Examination and certification. The director-board shall establish standards and procedures for the qualifications, examination, and licensing of master plumbers, journeyman plumbers, residential plumbers and apprentice plumbers, and shall issue an appropriate certificate of competency to each person who meets the qualifications therefore and successfully passes the standard examination for master plumber or journeyman plumber as prepared and published by Thomson Prometric, ATTN: National Construction Program, 1260 Energy Lane, St. Paul, MN 55108 or the ICC National Standardized Examinations Program, www.iccsafe.org/contractor (1-877-783-3926) for Contractor Trades Testing. The director-board shall keep an official record of all transactions.~~

~~101.8-1-101.6.1 Reciprocity. The director shall grant reciprocity and issue a license to an applicant who meets the minimum qualifications set forth in this section-board will honor licenses issued from other jurisdictional areas provided the applicant meets the minimum experience requirements of the City of Columbia, Missouri, and provides certification of having satisfactorily completed the examination by one of the two testing agencies noted in 101.8 applicable for the type of license requested.~~

A plumber who meets the following requirements shall be granted a journeyman plumber license: 8,000 hours of plumbing experience with certification of satisfactory completion of the Thomson Prometric, ICC, or other plumbing examination administered by a state of the United States of America.

An electrician who meets the following requirements shall be granted a master plumbing license: 12,000 hours of plumbing experience with certification of satisfactory completion of the Thomson Prometric, ICC, or other plumbing examination administered by a state of the United States of America.

~~101.9-101.7 Re-examinations. Any person, who fails to pass the examination, as prescribed by the director-board, may apply for re-examination after the expiration of thirty (30) days.~~

~~401.10~~ 101.8 *Temporary permit.* The ~~director-board~~ may issue a temporary license pending the examination, providing the applicant holds a similar license from an equivalent board. Such permit shall not be valid for more than sixty (60) days.

~~401.11~~ 101.9 *Application.* Any person desiring to be certified as a licensed plumber shall make written application to the ~~director-board~~. Applicants are required to appear and interview before the board of plumbing examiners unless waived by the board, provided that applicants who live outside a seventy (70) mile radius of Columbia City Hall shall not be required to appear and interview unless requested by the board. A person desiring to be certified as a licensed plumber shall not be permitted to apply for such certification more frequently than every ninety (90) days, except upon good cause found by the board.

~~401.12~~ 101.10 Before the issuance of a certificate of competency to a contracting master plumber or the registration of a plumbing contractor, the applicant shall file a surety bond for not less than ten thousand dollars (\$10,000.00), subject to the approval of the city counselor, conditioned that the applicant will indemnify and keep harmless the City of Columbia from all liability, from any accident or damages arising from negligence or non-skillfulness in doing or protecting applicant's work, or for any unfaithful or inadequate work done in pursuance of the license, and that applicant will also restore the street, sidewalk, pavement or other public property or right-of-way, and fill all excavations to be made, so as to leave the sidewalk, street, pavement or other public property or right-of-way in as good shape or condition as applicant found them, and indemnify and keep the city harmless from any damage suffered by the failure to do and keep and maintain them in good repair in accordance with community development department standards and specifications of the City of Columbia, Missouri, for a period of one (1) year next thereafter, and that applicant will pay all fines imposed for the violation of any rule or regulation adopted by the city and in force during the term of the license and pay all fees set forth in this ordinance.

~~401.13~~ 101.11 *Expiration and revocation of certificate.* All certificates of competency issued by the ~~director-board~~ shall be valid from the date of issuance until the renewal date as listed in Section ~~401.15~~ 101.13, or when revoked by the board. Business licenses required of plumbers, contractors, and contracting master plumbers shall expire annually in accordance with the provisions of Chapter 13 of the Code of Ordinances.

The ~~director-board~~ may revoke any certificate if obtained through non-disclosure, misstatement, or misrepresentation of a material fact, or if a penalty has been imposed upon a certificate holder under the provisions of this ordinance. Before a certificate can be revoked, the certificate holder shall have notice in writing enumerating the charges against the certificate holder, and be entitled to a hearing by the ~~director-board~~, not sooner than five days from receipt of the notice. The certificate holder shall be given an opportunity to present testimony, oral or written, and shall have the right to cross-examination. All testimony shall be given under oath. The ~~director-board~~ shall have the power to administer oaths. The decision of the ~~director-board~~ shall be based upon the evidence produced at the hearing and made a part of the record thereof. Any person aggrieved by a decision of the ~~director-board~~ may appeal to the circuit court as provided in chapter 536 of the Revised

Statutes of Missouri. A person whose certificate has been revoked shall not be permitted to apply for renewal within one year of the date of revocation.

~~101.14~~ 101.12 *License fees.* A plumbing contractor or contracting master plumber shall pay annual business license fees to the City of Columbia in an amount to be determined under the provisions of chapter 13 of the Code of Ordinances. A master plumber, a journeyman plumber, and apprentice plumber employed by a licensed plumbing contractor shall pay no business license fees.

~~101.14.1~~ 101.12.1 *Certificate fees.* Certificate fees are as follows:

| | |
|---|---------|
| City of Columbia Journeyman Certificate | \$30.00 |
| City of Columbia Master Certificate | \$90.00 |

~~101.14.2~~ 101.12.2 *Certificate issuance.* All applicants approved by the director ~~board~~ for Journeyman certificate shall pay a thirty dollar (\$30.00) fee prior to the issuance of the certificate. Master certificates shall require a payment of ninety dollars (\$90.00) prior to the issuance of the certificate. Certificates issued in September, October, or November of the renewal year are not required to pay a renewal fee in December.

~~101.15~~ 101.13 *Certificate renewal.* A master plumber, journeyman plumber or a maintenance journeyman plumber certificate shall be renewed every three (3) years. The renewal fee is thirty dollars (\$30.00) for a journeyman certificate, ninety dollars (\$90.00) for a master certificate. Reexamination is not a renewal requirement. Failure to renew by the January 1 date of the renewal year shall result in expiration of the certificate. An individual requesting renewal of an expired certificate must apply for a new plumbing certificate and shall pay a fee according to the following schedule:

~~101.16~~ 101.14 *Qualifications for examination.*

Master Plumber: Applicants for examination shall:

2. Prove four thousand (4,000) hours of active employment under direct supervision of a master plumber, as a journeyman plumber or be registered with the State of Missouri as a licensed professional engineer and be actively engaged in the business of plumbing contracting. Time enrolled in an appropriate plumbing trade school or plumbing training program beyond the journeyman level may be considered by the director ~~board~~ as partial fulfillment of this requirement.

4. Successfully complete examination as required by the director-board of plumbing examiners.

Journeyman Plumber: Applicants for examination shall:

- ...
2. Prove eight thousand (8,000) hours of active, on the job training only, during employment, under the supervision of a journeyman plumber, as an apprentice plumber. Time enrolled in an appropriate plumbing trade school or plumbing apprenticeship training program may be considered by the director-board as partial fulfillment of this requirement.

- ...
4. Successfully complete examination as required by the director-board of plumbing examiners.

Maintenance Plumbers Certificate: Maintenance plumbers are authorized to perform routine plumbing maintenance on fixtures and equipment only for a specified employer. Applicants for examination shall:

- ...
2. Prove six thousand (6,000) hours of active employment as an apprentice plumber. Time enrolled in an appropriate plumbing trade school or apprenticeship training program may be considered by the director-board as partial fulfillment of this requirement.

- ...
4. Successfully complete examination as required by the director-board of plumbing examiners.

Residential Journeyman Plumber: (limited license for one- and two-family detached dwelling units only). Applicants for examination shall:

- ...
2. Prove six thousand (6,000) hours of active employment as an apprentice plumber. Time enrolled in an appropriate plumbing trade school or apprenticeship program may be considered by the director-board as partial fulfillment of this requirement.
- ...

4. Successfully complete examination as required by the director ~~board of plumbing examiners~~.

...

109.1 Application for appeal. Any aggrieved person shall have the right to petition the building construction codes commission regarding a decision of the code official to refuse to grant a modification of the provisions of this code covering the manner of construction or materials to be used in the erection, alteration or repair of a plumbing system. The applicant for a plumbing certification may appeal a decision of the director to deny or revoke certification to the building construction codes commission. Application for appeal shall be filed in accordance with the procedures set out in Section 113 of the International Building Code as amended and adopted by the City of Columbia, Missouri.

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Sec. 6-61. Amendments.

The code adopted by this article is hereby amended by substituting the following sections in lieu of those sections with corresponding numbers in the code, or, where there is no corresponding section in the code, the following sections shall be enacted as additions to the code:

101.1 Title. These regulations shall be known as the Mechanical Code of the City of Columbia, Missouri, hereinafter referred to as "this code."

~~*101.5 Mechanical certifications Board of mechanical examiners.* A board of mechanical examiners consisting of six (6) persons is hereby created. One (1) member shall be the director of community development or the director's designee, who shall be a non-voting ex-officio chairperson of the board; the remaining five (5) members shall be appointed by the city council. One (1) member shall be a registered professional engineer; one (1) member shall be a mechanical heating, ventilation, air conditioning and refrigeration (HVACR) contractor or master mechanic; one (1) member shall be a HVACR journeyman mechanic; one (1) member shall be a general contractor not in the HVACR business; and one (1) member shall be a layman. The first two (2) members appointed to the board shall serve for three (3) years, the second two (2) members shall serve for two (2) years, the last member shall serve for one (1) year. Thereafter, each member of the board shall serve for three (3) years and until a replacement is appointed and qualified. The director of community development board of mechanical examiners shall be empowered to grant permission for applicants to sit for give examinations associated with for mechanical heating, ventilation, air conditioning and refrigeration licenses and certificates, to approve or disapprove applications for mechanical heating, ventilation, air conditioning and refrigeration licenses and certificates, and to issue or revoke mechanical heating, ventilation, air conditioning and refrigeration licenses or certificates. A deposit of fifty dollars (\$50.00) must be submitted with the application. The deposit shall be refunded to the applicant if the applicant appears at the board meeting at which the examination is~~

~~scheduled. The board shall meet upon the call of the chair, or upon the call of a majority of its membership, however, it shall meet within at least sixty (60) days after filing of an application for examination. Applicants scheduled for examination shall be notified at least three (3) days prior to the date of examination; with date, time and place of examination. A minimum of three (3) board members are required to have a quorum. The chair of the board is authorized to excuse any member from attendance at a board meeting; provided, that the member requested to be excused before the meeting. Any member who is absent, without being excused, from twenty-five (25) percent of the regular board meetings held in a calendar year shall automatically forfeit the office. Any member who is absent, without being excused, from three (3) consecutive regular meetings shall automatically forfeit the office. It shall be the duty of the chair to promptly notify the council of the vacancy.~~

~~101.5.1 Membership qualifications. Members of the board appointed by the city council shall be residents of the City of Columbia, Missouri.~~

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~~101.7 Certificates. The director board of mechanical examiners is herein empowered to provide for the following types of certificates:~~

...

~~101.8 Certificate types. Certificates will be issued to applicants who meet the following requirements:~~

Chimney Sweep (Type D)

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2. Provide positive proof of twelve thousand (12,000) hours active employment as a journeyman mechanical HVACR (Type B) or apprentice mechanical HVACR or equivalent experience acceptable to the director board.

...

4. Successfully complete examination as required by the director board of mechanical examiners, or provide proof of certification acceptable to the director board.

5. All applicants approved by the director board for chimney sweep certificates shall pay a ninety dollar (\$90.00) fee prior to the issuance of the certificate. Certificate renewal shall be required every three (3) years. Certificates issued in September, October and November of the renewal year are not required to pay a renewal fee in December.

...

Journeyman (Type B and Type B-1)

2. Provide positive proof of eight thousand (8,000) hours active employment as apprentice heating, ventilation, air conditioning and refrigeration mechanic, or such equivalent experience deemed acceptable by the director ~~mechanical board~~.
4. Successfully complete examination as required by the director ~~board of mechanical examiners~~.
5. All applicants approved by the director ~~board~~ for journeyman certificates shall pay a thirty dollar (\$30.00) fee prior to the issuance of the certificate. Certificate renewal shall be required every three (3) years. Certificates issued in September, October and November of the renewal year are not required to pay a renewal fee in December.

Master (Type A)

2. Provide positive proof of twelve thousand (12,000) hours active employment or equivalent as an apprentice and/or journeyman heating, ventilation, air conditioning and refrigeration mechanic, or such equivalent experience deemed acceptable by the director ~~mechanical board~~. At least four thousand (4,000) hours of the required time must be as a journeyman or equivalent experience acceptable to the director ~~board~~.
4. Successfully complete examination as required by the director ~~board of mechanical examiners~~.
5. All applicants approved by the director ~~board~~ for master certificates shall pay a ninety dollar (\$90.00) fee prior to the issuance of the certificate. Certificate renewal shall be required every three (3) years. Certificates issued in September, October and November of the renewal year are not required to pay a renewal fee in December.

101.8.1 Examination and certification. The director ~~board~~ shall establish standards and procedures for the qualifications, examination, and licensing of master and journeyman mechanics; and chimney sweeps, and shall issue an appropriate certificate of competency to each person who meets the qualifications therefore and successfully passes the required examination. The standard examination for master mechanic shall be the

mechanical contractor category or journeyman mechanic shall be the journeyman HARV category as prepared and published by Thomson Prometric, ATTN: National Construction Program, 1260 Energy Lane, St. Paul, MN 55108 or the ICC National Standardized Examinations Program, www.iccsafe.org/contractor (1-877-783-3926) for Contractor Trades Testing. Chimney sweeps shall provide proof of certification acceptable to the ~~director-board~~ as well as employment verification and proof of hours of active employment for the ~~director-board~~ to review. The ~~director-board~~ shall keep an official record of all transactions.

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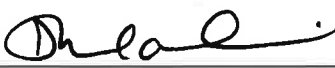
109.1 Appeals. The owner of a building or structure or any person directly affected by a decision of the code official may appeal to the building construction codes commission from a decision of the official refusing to grant modifications of the provisions of the Mechanical Code covering the manner of installation, or materials to be used in the installation. The applicant for a mechanical certification may appeal a decision of the director to deny or revoke certification to the building construction codes commission. The procedure for appeal shall be governed by Section 113 of the Building Code of Columbia, Missouri.

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SECTION 2. This ordinance shall be in full force and effect on October 2, 2016.

PASSED this 19th day of September, 2016.

ATTEST:

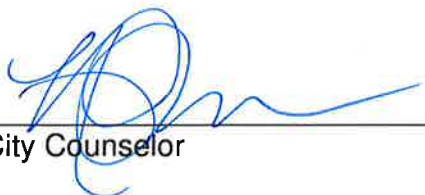


City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor