



ORDINANCE NO. 455

AN ORDINANCE OF THE CITY OF REXBURG, IDAHO. TO PROMOTE THE SAFETY AND PROTECT THE WELFARE OF THE PEOPLE BY REGULATING THE DESIGN, INSTALLATION, ALTERATION, MAINTENANCE, IMPROVEMENT, AND INSPECTION OF GAS INSTALLATIONS OF GAS PIPING AND GAS APPLIANCES IN BUILDINGS AND STRUCTURES BY PROVIDING DEFINITIONS, MINIMUM REQUIREMENTS AND SERVICE STANDARDS, BY ADOPTING PROVISIONS OF ORDINANCE NO. 1054; AND ADOPTING IN CODE FORM THE NATIONAL FIRE UNDERWRITERS PAMPHLET NO. 54; REQUIRING WORK PERMITS AND SPECIFYING REGULATIONS THERETO; REQUIRING INSPECTION OF ALL WORK AND PROVIDING REGULATIONS IN REGARD TO INSPECTIONS; REQUIRING LICENSING AND SETTING UP CLASSIFICATION AND REGULATIONS IN REGARD TO LICENSING AND INSURANCE CERTIFICATES; ESTABLISHING AN EXAMINING BOARD, PROVIDING FOR ITS QUALIFICATIONS, DUTIES AND SETTING FORTH REGULATIONS IN REGARD HERETO; PROVIDING FOR PENALTIES, FOR VIOLATIONS, AND CONSTITUTIONAL DECLARATION.

BE IT ORDAINED BY THE CITY OF REXBURG:

SECTION I: DEFINITIONS

A. GAS: The word Gas as used in this ordinance shall be construed to mean natural gas, manufactures gas, hydrocarbon gas, or any mixture of gases produced, transmitted, distributed or furnished by any gas utility or agency.

B. GAS INSTALLATIONS:

SECTION II: MINIMUM REQUIREMENTS AND SERVICE STANDARDS

A. GAS PRODUCTION FACILITIES: Section 3 of Ordinance no. 1054, adopting part of General Order No. 98 of the State of Idaho Public Utilities Commission, is hereby adopted and the same is hereby made a part hereof insofar as the provisions of said Section 3 of Ordinance No. 1054 are applicable to the installation and maintenance of gas facilities in buildings.

B. CONSTRUCTION, OPERATION, AND MAINTENANCE FACILITIES FOR TRANSMISSION AND DISTRIBUTION: Section 2 of Ordinance No. 1054 adopting ASA B31.1.8 - 1959, as so adopted by Section 2 of Ordinance No. 1054, is made a part hereof insofar as the same is applicable to the installations and maintenance of gas facilities in buildings.

C. GAS INSTALLATIONS IN BUILDINGS, ADOPTION OF N.B.F.U. PAMPHLET NO. 54 AS GAS CODE: The National Board of Fire Underwriters Pamphlet 54, printed in book form, as amended by adding a new subsection >A@ to Section 2.4.1 (page 6), which said amendments are attached to and contained in said Pamphlet 54 printed in Code form, and are a set of rules and regulations of ordinances printed as a book in code form, regulating the construction, installation, and maintenance of gas piping and gas appliances in buildings, and said National Board of Fire Underwriters Pamphlet 54 being a general and permanent character, as shown by three (3) copies thereof now on file in the office of the City Clerk, is hereby ratified and adopted as ordinances of Rexburg, and part of this ordinance, as regulating gas piping and gas appliances in buildings.

SECTION III: WORK PERMITS

- A. PERMITS REQUIRED:** It shall be unlawful for any person, firm, or corporation to do, or cause or permit to be done, whether acting as principal, agent, or employee, any gas installation work of any nature in buildings or service lines thereto without first procuring a permit from the Building Inspector authorized such work to be done.
- B. WORK NOT REQUIRING PERMITS:** A permit shall not be required for the clearing of stoppage or repairing of leaks in pipes, valves, or fixtures when such repairs do not involve or require the replacement or rearrangement of pipes, valves, or fixtures. It shall be required, notwithstanding, that work of this nature be performed by persons qualified under this ordinance -s competent to do such work.
- C. APPLICATION FOR PERMIT:** Any person, firm, or corporation legally entitled to receive a permit shall make application at the Building Inspector=s Office on the form provided. A description of the work proposed to be done, location, ownership, ownership, occupancy, and use of the premises shall be given. The building Inspector may require plans and specifications and other such information as may be deemed necessary and pertinent for examination before granting the permit. When it has been determined that the information furnished by the applicant is in compliance with this ordinance, the permit shall be issued, upon payment of the required fees as hereinafter fixed.
- D. COST OF PERMIT:** The applicant shall pay for each permit issued, at the time of issuance, a permit fee of \$2.00, plus an inspection fee in accordance with the following schedule:

For service line to building and piping system in building	\$1.00
For each installation domestic gas range	\$0.50
For each installation gas-fired incinerator	\$0.50
For each installation gas water heater	\$0.50
For each installed gas-fired room heater	\$0.50
For each installed central heating gas appliance	\$0.50
Miscellaneous counter appliance, each	\$1.00
Capped outlets for future connections, each	\$0.50
For each installed refrigerator using gas as fuel	\$0.50
For each installed gas-fired duct furnace	\$1.00
For each installed gas-plated or laundry stove	\$0.50
For each installed hotel or restaurant range or unit broiler	\$1.00
For each installed hotel or restaurant deep fat fryer	\$0.50
For each installed hotel or restaurant gas bake-or- roast oven	\$1.00
For each installed counter appliance	\$0.50
For each installed floor standing unit	\$1.00
For each installed gas-fired clothes dryer	\$0.50

SECTION IV: INSPECTION OF ALL WORK

- A. INSPECTIONS:** All pipes, fittings, valves, vents, fixtures, and appliances shall be inspected by the Building Inspector, or his designated and qualified agent, to assure compliance with the provisions of the ordinance. The following inspections shall be made:
1. Piping inspection, to be made after all piping and venting authorized by the permit has been installed, and after the permit holder has assured himself that the system will meet the test, but before any such piping has been covered or concealed, and before any gas appliance has been attached thereto, at which time
 2. The pressure test prescribed in Section 2.10, N.B.F.U. Pamphlet 54, shall be made by permit holder in the presence of the Inspector, to be made after all piping and venting is completed and all appliances authorized by the permit have been placed and connected, and before gas is admitted to the system.

- B. CERTIFICATION OF INSPECTION:** The Building Inspector shall either approve that portion of the work completed at the time of inspection, or shall notify the permit holder of wherein the same fails to comply with this ordinance, and when final inspection has been made and the work approved, the Building Inspector shall certify to the gas company or utility supplying gas to the premises, by attaching securely an inspection tag at the approximate location of the appliance, that such inspection has been made and the system found satisfactory as required by this ordinance and ready for the setting of a gas meter or meters.
- C. INSPECTION BY GAS SUPPLIER:** The right is reserved for entry to the premises by the gas company or utility, and it shall be required that said supplier make its own inspection of all facilities before connecting the meter and admitting gas to the system. The gas company or utility shall make a second inspection of all facilities after gas is admitted to the system to assure, in the presence of the permit holder, the proper functioning of the system and all appliances.
- D. NOTIFICATION FOR INSPECTION:** It shall be the duty of the permit holder to notify the Building Inspector at least four (4) hours prior to the time of inspection, exclusive of Saturdays, Sundays, and legal holidays, that he is ready for such inspection. When re-inspection is required after the final inspection as before described, it shall be made at a flat charge of \$2.00 per re-inspection.
- E. UNLAWFUL TO TURN ON GAS:** It shall be unlawful for any person to turn on gas in any building unless all outlets are properly connected or capped with screwed fittings, and further, it shall be unlawful for any person to except a qualified employee or agent of the company or utility furnishing gas to the premises, to turn on or connect gas service in any building or on any premises where and when gas service is not at the time being rendered, and further, it shall be unlawful for any gas company or utility furnishing gas to set or cause to be set or connected, any gas meter, or to turn on gas, until the Inspector's Certificate of Inspection has been given as before stipulated.
- F. PRIOR INSTALLATIONS MUST BE INSPECTED:** All gas installations completed prior to the passage of this ordinance must be inspected and have an inspection to securely attached as hereinabove provided, to show compliance with this ordinance, for the benefit of the health, safety, and protection, and general welfare of the public.
- G. SUPERVISION:** The Rexburg City Installation Inspector shall be under the supervision of the Fire Department. Be it so ordained that the Inspector furnished by the City of Rexburg shall pass the examination for a gas-fitting contractor by the examining board of Rexburg; further, there will be no charge by the City of Rexburg for such examination.

SECTION V: LICENSING REQUIREMENTS

- A. QUALIFIED INSTALLING AGENCY:** It shall be unlawful for any person, firm, or corporation to engage in the work or business of making gas installations unless such persons, or a responsible person representing the firm or corporation as hereinafter prescribed, has successfully passed an examination conducted by the Board of accordance with provisions of this ordinance.
- B. CLASSIFICATION OF QUALIFIED AGENCIES:** There shall be three classifications of competency as herein defined:
1. **Gas-Fitting Contractor:** Shall be any person or firm skilled in the planning and supervision of the installation of gas piping, venting, and equipment, and who is familiar with the laws, and regulations covering the same, and who is competent to assure work on a contract basis and to direct the work of qualified employees. A gas-fitting contractor who in person does gas-fitting work shall also be qualified as a journeyman gas fitter.
 2. **Journeyman Gas Fitter:** Shall be any person who, as part of his principal occupation, is engaged in the practical installation of gas piping and equipment, and who is

familiar with the code requirements governing the same, and who works under the direction of a gas contractor.

3. **Apprentice Gas Fitter:** Shall be any person, other than a journeyman, who as a part of his principal occupation is engaged in learning and assisting in the installation of gas piping and equipment. Apprentices shall not perform gas installation work except under the supervision of a licensed Journeyman gas fitter.

C. GAS-FITTING CONTRACTORS INSURANCE CERTIFICATE

REQUIREMENTS: Every gas-fitting contractor, before securing a license as hereinafter provided, must post a certificate of insurance with the City evidencing the insurance of the gas-fitting contract against property damage in an amount not less than fifty thousand dollars (\$50,000.00), and bodily injury with limits of not less than ten thousand dollars (\$10,000.00) per person, and fifty thousand (\$50,000.00) total for each occurrence.

D. LICENSES REQUIRED: Before any person, firm, or corporation shall carry on or engage in the work or business of making gas installations, he shall procure a license applicable to the classification in which he proposes to work, and pay the annual license fee imposed on such classifications. The license shall not be transferable. Every applicant for a license shall present a Certificate of Competency or other identification as proof that he is entitled to or has been approved by the Board of Examiners as competent for the classification sought. If the applicant be partnership, firm, of corporation, the application shall be made by a bona fide member or agent thereof, who shall at all times be in actual charge of the applicant's gas installation business. When any person is designated and authorized to be or act as an agent for the applicant, such authorization shall be in writing, signed by the applicant and the person designated; one copy of which shall be filed with the Examining Board and one copy in the office of the City Building Inspector or the City Clerk.

E. LICENSE FEES: Before any license is issued, the applicant shall pay to the City Clerk a license fee in accordance with the following schedule:

Gas-Fitting Contractor	\$150.00
Journeyman Gas Fitter	15.00
Apprentice Gas Fitter	10.00
Yearly renewals for each year thereafter;	
Gas-Fitting Contractor	\$20.00
Journeyman Gas Fitter	5.00
Apprentice Gas Fitter	1.00

Upon payment of the above fee and presentation of a valid Certificate of Competency or other acceptable identification as shall be required for a Gas-Fitting Contractor, Journeyman Gas Fitter, or Apprentice, the City Clerk shall issue a License Certificate, indicating clearly thereon the name of the holder, the classification, and the year for which it is valid. Any contractor presently under a May 1, 1965, A City of Rexburg License Certificate@ as a heating contractor shall be eligible for a Gas Fitting Contractor=s license in the City of Rexburg upon payment of the renewal fee as established in Section 5-E of this ordinance and dependent upon the successful completion of the examination requirements as defined in Section 5-A of the ordinance.

F. EXPIRATION AND RENEWAL OF LICENSE: Gas Fitter licenses shall expire on the 31st day of December each and every year unless sooner revoked.

G. REVOCATION OF LICENSE: Any person or firm holding a license shall not lend such license to any other person or firm, or allow any other person or firm to do gas installation work under his license except licensed journeymen in his employ. Violation of this provisions shall be caused for the revocation of license in addition to other penalties provided.

H. DISPLAY OF LICENSE: All persons, firms, or corporations holding a valid Gas-Fitters Contractor=s License shall display for public view such license certificate in their

places of business. All journeymen and apprentice gas fitters holding a valid license shall have available on their persons during working hours their Certificate of Competency cards with their current license numbers endorsed thereon. It shall be unlawful for any persons, firms, or corporations to display evidence of license of competency unless so qualified under this ordinance.

SECTION VI: EXAMINING BOARD

- A. ESTABLISHMENTS: A BOARD TO BE KNOWN AS THE Gas Fitters Examining Board** shall be appointed by the Mayor. It shall consist of five member selected from nominees recommended to the Mayor, who shall be responsible individuals with proven knowledge of gas fitting or related pipe-fitting industry, and who shall qualify as hereinafter prescribed. The members of the first board shall serve for the following terms: two members for one year each, two members for two years each, and one member for three years. Thereafter, upon the expiration of each term, the board member shall be appointed for a term of three years. All board members shall be subject to removal by the mayor for malfeasance in office, neglect of duty, or incapacity to serve.
- B. QUALIFICATIONS OF BOARD MEMBERS:** all members of the Board shall be United States citizens, residents of the State of Idaho for not less than one year, and three are to be engaged in responsible capacities in the gas-fitting business prior to appointment and during the term of office, and are to be qualified by integrity, knowledge, experience to judge the competency of applicants for gas fitter=s certificates. Not less than one member of the board shall have had five (5) years or more experience as a gas-fitting contractor, or gas-fitting journeyman, or as an engineer experienced in the design, construction, and operation of gas systems. Two members shall be responsible men of Rexburg who will act as their better judgments dictate as to the welfare, comfort, and safety of the citizens of Rexburg.
- C. DUTIES AND POWERS OF EXAMINING BOARD:** The Board shall conduct written examinations for the purpose of determining the competency of applicants who are required to have a license under this ordinance, and to issue Certificates of Competency to such persons as may be entitled thereto. The Board shall elect a chairman from its members who shall be the executive officer, and preside at all meetings, and a secretary who shall keep such records as are proper for the efficient discharge of the Board=s duties, which records pertaining to an applicant=s qualifications shall be kept intact and available in the event of dispute for a period of not less than one year, following the date of issuance of the Certificate of Competency. The Board shall determine the character and extent of the examination based on the requirements of this code, and shall grade and pass, or reject, the applicant on the basis of equaling or exceeding, or failing to equal, a minimum percentage grade of seventy (70) per cent. The Board shall issue Certificates of Competency to successful applicants, and shall have the power to revoke such certificates under conditions hereinbefore prescribed.
- D. APPLICATION FOR EXAMINATION:** Any person, firm, or corporation required by this ordinance to be licensed shall, on the form provided, made application to the City Clerk, who is acting for the Board, for the examination for a Certificate of Competency, and pay the examination fee.
- E. EXAMINATION FEE:** The applicant shall pay to the City Clerk at the time of making application, an examination fee in accordance with the following schedule:
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| Examination for Gas-Fitting Contractor Certificate | \$15.00 |
| Examination for Journeyman Gas Fitter Certificate | 5.00 |
- Apprentice gas fitters shall not be required to be examined, but shall be registered with the Board, and shall maintain their Certificate cards showing classification.
- F. TIME OF EXAMINATION:** The Board shall so schedule its meetings to examine a single applicant, or as many applicants at one time as circumstances dictate, but in no case shall the applicant be required to delay his examination more than sixty (60) days from the date the application is accepted. Each applicant shall be notified by the Board of the time and place for the examination, not less than forty-eight (48) hours prior to

J. A. Smith, City Clerk

(SEAL)

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