

BILL NO: 12 OF 2021
INTRODUCED: JULY 13 2021
BY: PRESIDENT MATTHEW T SHORRAW
ENACTED: AUGUST 10, 2021
ORDINANCE NO: 1242

CITY OF MONESSEN

PLUMBING ORDINANCE AMENDMENT

ORDINANCE 1242

AN ORDINANCE OF THE CITY OF MONESSEN, WESTMORELAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 285 IN THE CODIFIED ORDINANCES OF THE CITY OF MONESSEN, REGARDING PLUMBING; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the city of Monessen is in need of updating the requirements of its Plumbing regulations to fit current standards and expectations, and;

WHEREAS, the City of Monessen feels the updating and amending of this Chapter is necessary for the health, safety, and wellbeing of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the City of Monessen and it is hereby ordained and enacted as follows:

Chapter 285 *Plumbing* shall be amended in its entirety to read as follows:

Article I. Licensing of Plumbers.

§285-1 Enforcement.

The administration and enforcement of the International Plumbing Code hereinafter adopted by reference shall be the duty of the Code Enforcement Officer of the City of Monessen or a designated officer of the City, who has the necessary state certifications, as required, to make such inspections, and who is hereby authorized to take such action as may be reasonably necessary to enforce the purpose of this

article. Such persons may be appointed and authorized as assistants or agents of such Administrative Authority by City Council, as may be necessary to carry out the provisions of this article.

§285-2 Enforcement.

The provisions of this article shall apply to and govern plumbing, as defined in this article, including the practice, materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances in connection with any of the following: sanitary drainage or storm drainage facilities, the venting system and the public or private water supply systems, within or adjacent to any building or other structure or conveyance; also, the practice and materials used in the installation, maintenance, extension or alteration of the storm water or sewage system of any premises to their connection with any point of public disposal or any other terminal.

§285-3 Partial Ownership.

It is recognized that certain facilities in or adjacent to public streets are referred to in this article, only a portion of which is under the ownership or the control of the owner or occupant of the building or premises to which this article applies.

§285-4 License Required; Master Plumber's License.

No individual shall engage in the business of plumbing in the City of Monessen unless licensed as a master plumber under the provisions of this article.

§285-5 Supervision of Work.

No individual, firm, partnership or corporation shall engage in the business of installing, repairing or altering plumbing unless the plumbing work performed in the course of such business is under the direct supervision of a licensed master plumber.

§285-6 Examination and Certification.

The Code Enforcement Department of the City of Monessen shall establish standards and procedures for the qualification, examination and licensing of master plumbers and journeyman plumbers and shall, upon payment of the required license fee, issue an appropriate license to each person who meets the requirements.

§285-7 Re-Examination.

Any person who fails to pass an examination as prescribed by the Code Enforcement Department of the City of Monessen may apply for re-examination after the expiration of 30 days upon payment of the regular examination fee.

§285-8 Temporary Permit.

The Code Enforcement Department of the City of Monessen may issue a temporary license pending examination, provided that the applicant holds a similar license from an equivalent entity. Such permit shall not be valid for more than 30 days.

§285-9 License Fee and Credentials.

1. Any person desiring to be licensed as a master plumber or as a journeyman plumber shall make written application to the Code Enforcement Department of the City of Monessen. Fees for master and journeyman licenses shall be as set from time to time by resolution of the City Council, respectively, payment of such fee to accompany the application. Fees are nonrefundable.
2. An annual fee for master plumbers and for journeyman plumbers, as set from time to time by resolution of the City Council, shall also be paid to the Code Enforcement Department of the City of Monessen, upon which payment a license shall be issued, such license to expire December 31 of the year in which issued.
3. To be deemed eligible for a license to operate as a plumber in the City of Monessen, proof must be provided, showing that the applicant is a professional, competent, and licensed plumber.

§285-10 Master Plumber's Bond.

A person who has been issued a master plumber's license shall execute and deposit with the City Clerk a bond in the sum of \$1,000, such bond to be conditioned that all plumbing work performed by the licensee, or under his supervision, shall be performed in accordance with the provisions of this article, and that he will pay all fines and penalties properly imposed upon him for violation of the provisions of this article. A master plumber's license shall not be valid unless a bond is executed and deposited as herein provided.

§285-11 Term and Renewal of License; Fee.

All Plumbers; Licenses issued by the Code Enforcement Department of the City of Monessen shall expire on December 31 of year in which issued, but may be renewed on application in December of the licensed year and upon payment of fees in an amount as set from time to time by resolution of the City Council for the master plumber and for the journeyman plumber.

§285-12 Revocation of License.

The Code Enforcement Department of the City of Monessen may revoke any license if obtained through nondisclosure, misstatement or misrepresentation of a material fact or if a penalty has been imposed on the licensee under §285-21 of this article.

Before a license may be revoked, the licensee shall have notice in writing, enumerating the charges against him, and be entitled to a hearing by the City, not sooner than five days from receipt of the notice. The licensee 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 City shall have power to administer oaths, issue subpoenas and compel the attendance of witnesses. The decision of the City shall be based on the evidence produced at the hearing and made part of the record thereof. A person whose license has been revoked shall not be permitted to apply within one year from date of revocation.

§285-13 Use of Licensee's Name By Another.

No person who has obtained a plumber's license shall allow his name to be used by another person either for the purpose of obtaining permits or for doing business or work under the license. Every person licensed shall notify the Code Enforcement Department of the City of Monessen of the address of his place of business, if any, and the name under which such business is carried on and shall give immediate notice to the Code Enforcement Department of the City of Monessen of any change in either.

§285-14 Plumbing Standards; Code Adopted.

1. The International Plumbing Code, as adopted by the Pennsylvania Uniform Construction Code, and as amended from time to time, is hereby adopted, and all installations, repairs and alterations of plumbing shall, from the effective date of this article, be performed in accordance with its provisions, all of which are incorporated herein by reference thereto.
2. In the case of discretionary actions and determinations of the Code Enforcement Department of the City of Monessen, the relevant facts shall be considered and determinations made in the exercise of reasonable discretion, and all such determinations shall be final in the absence of abuse of discretion.

§285-15 Permit for Plumbing Work; Issuance of Permit.

No plumbing work, unless excepted in this article, shall be undertaken prior to the issuance of a permit therefor by the Code Enforcement Officer, who shall also serve concurrently as the Plumbing Inspector. A permit shall be issued to a licensed master plumber except as provided in §285-16.

§285-16 Exceptions.

1. Any permit required by this article may be issued to any person sufficiently qualified to do any work regulated by this article in a family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such building, provided that the person is the bona fide owner of such dwelling and that the same must be occupied by said

owner and that said owner shall personally purchase all material and perform all labor in connection therewith in conformance with this article, repairs, etc.

2. Repairs involving only the working parts of a faucet or valve, the clearance of stoppages, repairing of leaks or replacement of defective faucets or valves may be made without a permit, provided that no changes are made in the piping to the fixtures.

§285-17 Application for Permit.

Application for permit shall be made on suitable forms provided by the Code Enforcement Department. The application shall be accompanied by fees in accordance with the schedule of fees.

§285-18 Schedule of Fees.

Fees for the following shall be as set from time to time by resolution of the City Council:

1. Filing fee.
2. Each plumbing fixture and waste-discharging device.
3. New or reconstructed sewer connection.
4. Each water heater.
5. Each water distribution system or service connection.
6. Repair or alteration of any plumbing system.
7. Any permit requiring inspection (minimum fee).
8. Each septic tank.

§285-19 Enforcement; Inspections and Tests.

It shall be the duty of the Code Enforcement Officer to enforce the provisions of this article and to make the inspections and tests required thereunder.

§285-20 Right of Entry.

The Code Enforcement Officer shall, after proper identification, have the right to enter any premises for the purpose of inspecting any plumbing system at such times as may be reasonably necessary to protect the public health and safety.

§285-21 Violations and Penalties.

1. Any person or persons who shall fail to comply with any of the provisions of this article regarding the procuring of a license or certificate to engage in or work at the business of plumbing house or building drainage shall, upon conviction thereof in a summary proceeding before any District Justice having jurisdiction of such offense, be sentenced to pay a fine of not more than \$1,000 or to undergo imprisonment not exceeding 90 days, or both, for each and every day he or they shall engage in or work at said business

without first having obtained said certificate or license; and any person or persons who shall violate any of the rules, regulations or requirements set forth in this article regarding the construction, reconstruction or testing of plumbing, house and building drainage or cesspools or water connections to private or public fixtures or equipment shall upon conviction thereof in a summary proceeding before any District Justice having jurisdiction of such offense, be sentenced to pay a fine of not more than \$1,000 or to undergo imprisonment not exceeding 90 days, or both.

2. All fines and penalties shall be paid to the Monessen City Treasurer's Department, and shall be applied to the general fund.


§285-22 Effectiveness.

This Ordinance shall come into effect immediately upon enactment.

ENACTED this 10th day of August 2021, by the Council of the City of Monessen, in lawful session duly assembled.

ATTEST:


Cheryl Gordon
City Clerk


Matthew T. Shorraw
Mayor and President of Council

[SEAL]