ORDINANCE NO. 617

AN ORDINANCE PROVIDING FOR THE PROTECTION AND IMPROVEMENT OF THE PUBLIC HEALTH OF THE CITIZENS OF REXBURG, IDAHO; REQUIRING A BUSINESS LICENSE BEFORE ANY PERSON, FIRM, PARTNERSHIP OR CORPORATION SHALL ENGAGE IN THE BUSINESS OF PLUMBING; REQUIRING A STATE OF IDAHO CERTIFICATE OF COMPETENCY PURSUANT TO CHAPTER 27, TITLE 39, IDAHO CODE; DESIGNATING THE CLASSIFICATIONS OF COMPETENCY; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; REPEAL OF CONFLICTING ORDINANCES, AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO:

SECTION I: Business License Required.

A. Before any person, firm, partnership or corporation shall carry on or engage in the business of Plumbing, such person, firm, partnership or corporation shall first procure a Business License and pay to the City Department having jurisdiction, the annual license fee imposed on such business.

B. No business license shall be issued to any person to engage in the business of Plumbing, unless such person possesses a valid Plumbing Journeyman's Certificate of Competency, provided, however, that a Business License may be issued to any person, firm, partnership or corporation who makes application for such license by or through a bona fide member or authorized agent thereof, who possesses a valid Plumbing Journeyman's Certificate of Competency.

C. Whenever a Business License has been issued to any person, firm, partnership or corporation who applied for such license, to engage in the business of Plumbing by or through a bona fide member or authorized agent thereof, pursuant to the provisions of sub section B hereof, such member or authorized agent, or some other member or authorized agent or employee possessing a valid Plumbing Journeyman's Certificate of Competency shall at all times be in actual charge and control of all plumbing done or to be done by such person, firm, partnership or corporation.

D. Before any person, firm, partnership or corporation shall carry on, or engage in business as Sewer Contractor, such person, firm, partnership or corporation shall first procure a Business License and pay to the City of Rexburg the annual license fee imposed on such business.

SECTION II. 1. Certificate of prerequisite. It shall be unlawful for any person, firm, copartnership, association or corporation, to engage in the business, trade, practice or work of plumbing in the City of Rexburg unless such person, or responsible person representing such firm, copartnership, association or corporation, has successfully passed an examination as provided by Chapter 27, Title 39, Idaho Code, The Plumbing Law of the State of Idaho, and has issued to him a State Certificate of Competency, which shall not be transferrable.

2. Classification of Competency. There shall be three classifications of competency in the business, trade, practice or work of plumbing as follows:

A. A plumbing contractor shall be any person, or a member, representative or agent of a firm, copartnership, association, or corporation skilled in the planning and supervision of the construction, installation, improvement, extension and alteration of plumbing systems, and who is familiar with the provisions of this Ordinance, the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials, and the Plumbing Law of the State of Idaho, Chapter 27, Title 39, Idaho Code, and who is competent to offer and to assume to work on a contract basis and to direct the work of qualified employees. A contractor who in person does plumbing work shall also be qualified as a journeyman plumber, or have in his employ on all work a qualified plumbing journeyman.

B. A plumbing journeyman shall be any person, who as his principal occupation is engaged in the installation, improvement, extension and alteration of plumbing systems, and who is familiar with the provisions of this Ordinance, the Uniform

Plumbing Code and the Plumbing Law of the State of Idaho, and who works in the employ and under the direction of a plumbing contractor.

C. A plumbing apprentice shall be any person, who as his principal occupation is engaged in learning and assisting in installation, improvement, extension and alteration of plumbing systems. Apprentices shall not perform plumbing work except under the supervision of a journeyman.

SECTION III. Violations and Penalties.

Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed $300.00. Each separate day or any portion thereof during which any violation of this Ordinance occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

SECTION IV. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

SECTION V. Ordinances or parts of ordinances in force at the time this ordinance shall take effect and which are inconsistent herewith, are hereby repealed.

SECTION VI. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

PASSED AND APPROVED this 16th day of April, 1980.

John C. Porter
Mayor.

ATTEST:

Rose Bagley
City Clerk.

STATE OF IDAHO,)
(SS
County of Madison.)

I, ROSE BAGLEY, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the foregoing is a full, true and correct copy of an Ordinance entitled:

> AN ORDINANCE PROVIDING FOR THE PROTECTION AND IMPROVEMENT OF THE PUBLIC HEALTH OF THE CITIZENS OF REXBURG, IDAHO; REQUIRING A BUSINESS LICENSE BEFORE ANY PERSON, FIRM, PARTNERSHIP OR CORPORATION SHALL CARRY ON THE BUSINESS OF PLUMBING; REQUIRING A STATE OF IDAHO CERTIFICATE OF COMPETENCY PURSUANT TO CHAPTER 27, TITLE 39, IDAHO CODE; DESIGNATING THE CLASSIFICATIONS OF COMPETENCY; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; REPEAL OF CONFLICTING ORDINANCES, AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

passed by the City Council of the said City and approved by the Mayor on the 16th day of April, 1980.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, this 16th day of April, 1980.

Rose Bagley
City Clerk.

(Seal)