

ORDINANCE NO. 4 FOR 1961

Ordinance No. 381

AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH BY THE LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING OR LABORING AT THE TRADE OF PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION OF AND PRESCRIBING THE MINIMUM REQUIREMENTS FOR THE INSTALLATION OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS, AND THE INSPECTION THEREOF; AND PROVIDING PENALTIES FOR VIOLATIONS; REPEALING ORDINANCES NO. 138 and 145; AND DECLARING AN EMERGENCY.

The City of Sweet Home does ordain as follows:

Section 1. DEFINITION OF CONTRACTOR. Every individual, firm or corporation who offers services for the installation of plumbing fixtures shall be considered a plumbing contractor.

Section 2. REGISTRATION AND FEE (PLUMBING)

a. Every such plumbing contractor who operates in the City of Sweet Home shall register with the City Recorder and shall pay a fee for the privilege of doing business within the City of Sweet Home. The registration fee shall be \$15.00 and shall permit operation within the City of Sweet Home for the calendar year ending December 31, payable in advance.

b. A permit to install any plumbing fixtures or before any plumbing can be done shall be secured from the office of the City Recorder, and the fee required for such permit shall be as follows:

First fixture	\$ 1.00
Each additional fixture	.25
Sewer inspection	3.00
Sewer tapping fee	10.00

That a fixture is defined as any apparatus using water or wasting into a drainage system. This requirement for a permit is upon every owner of lproperty or his authorized agent, and such plumbing contractor shall ascertain that the application for permit is obtained and the fee has been tendered.

Section 3. SEWER AND SEPTIC WORKERS

a. No person, except a licensed plumbing contractor, shall construct or attempt to construct a sewer connection within the City of Sweet Home until he has first obtained a license as a sewer worker. No person shall engage in septic tank cleaning, construction, or repair within the City of Sweet Home until he has first obtained a license as a septic tank worker.

b. No applicant shall be issued a license or permit by the City of Sweet Home unless he shall show qualification by the State of Oregon.

c. Upon payment of \$5.00 to the City Recorder, the applicant shall be issued a license authorizing him to make sewer connections or do septic tank work within the City of Sweet Home for the calendar year ending December 31.

Section 4. ADOPTION OF THE OREGON STATE CODE. The Oregon State Plumbing Laws and Rules and Regulations Governing Plumbing and Water Supply as set forth by the State Board of Health, Division of Sanitation and Engineering Plumbing Section, Portland, Oregon, a copy of which is attached hereto marked Exhibit "A" and by this reference fully incorporated herein and made a part hereof, is by these presents adopted and made a part of this ordinance as if set forth herein in full. Any and all amendments to the Plumbing Code, as they are released by the State Board of Health of the State of Oregon are accepted and are binding upon the persons who make installations within the City of Sweet Home. The Plumbing Inspector shall at all times be governed by such code and rules and regulations and shall insist upon their enforcement.

Section 5. PLUMBING INSPECTOR, DUTIES AND RIGHT. The Plumbing Inspector shall have authority to enter into and upon any premises at reasonable hours for

the purpose of examining all drains, water systems, sewage systems, drainage systems, and other plumbing. If he shall find any violations of this ordinance he shall notify the owner, agent, occupant, plumber, or other person in charge. If the inspection is made in connection with anything except new work or new installation, and if such violation consists of defective installation affecting the public health, such person having the same in charge shall remedy the defect within ten days after receiving such notice.

Section 6. PLUMBER'S BOND. Before a license to conduct a plumbing business can be issued to any person the applicant therefore shall first obtain and file with the City of Sweet Home a surety bond in the amount of Two Hundred Dollars (\$200.00). Said surety bonds shall first be approved by the City Manager as to form and legality thereof, and be conditioned that the person named therein will comply with the provisions of all ordinances of the City of Sweet Home and the State of Oregon pertaining to plumbers, plumbing and drainage systems. Said bond shall contain further provisions that it inures to the benefit of any or all persons who may be damaged by reason of any failure on the part of the person named therein to comply with such ordinances and codes; and that persons so damaged may obtain action thereof against the person named in said bond and the surety upon such bond.

Section 7. NOTIFICATION OF INSPECTION. Every person doing plumbing work for which a permit is required shall within ten (10) days after the completion of any work on the preliminary or rough-in work, notify the Plumbing Inspector in writing, personally, or by phone, of such completion. It shall be unlawful for any person to cover up or conceal any plumbing work for which a permit is required until an inspection has been made by the Plumbing Inspector, except that if the inspection is not made within twenty-four (24) hours, excluding Saturdays, Sundays and holidays, after due notice has been given to the Plumbing Inspector, said work may be covered to avoid undue delay in construction. Within ten (10) days after work is completed and fixtures set on any plumbing work for which a permit is required, the permittee shall notify the Plumbing Inspector of such completion.

Section 8. EXISTING PLUMBING. Nothing in this ordinance shall be deemed and construed to require existing plumbing which was installed prior to the enactment of this ordinance to be removed, repaired or reinstalled in any part of the city, including the newly annexed additions thereof, provided that such plumbing is installed in such a manner that it is not hazardous to the public health.

Section 9. REPEAL OF CONFLICTING ORDINANCES. Ordinance No. 138 as amended by Ordinance No. 145, and all other ordinances in conflict herewith are hereby repealed.

Section 10. SAVING CLAUSE. If any section, subsection, provision, clause or paragraph of this ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of this ordinance.

Section 11. PENALTY. Any person violating any of the provisions of this ordinance shall upon conviction thereof in the Municipal Court, be punished by a fine of not exceeding \$100.00 and, or a jail sentence of not exceeding 10 days, or both at the discretion of the Municipal Court. In the event the violation shall be maintained after notice is given to abate the same as herein provided, each day of said violation shall be considered a separate offense.

Section 12. EMERGENCY CLAUSE. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval of the Mayor.

PASSED by the council and approved by the Mayor this 25 day of April, 1961.

ATTEST:

Robert H. White

City Manager

William F. Remey  
Mayor