

ORDINANCE NO. 13-03

AN ORDINANCE TO AMEND CHAPTER 9, ARTICLE 9, WHICH IS THE WATER CONDITIONING/LAWN IRRIGATION CODE OF THE CITY OF SEWARD, NEBRASKA; TO REPEAL THE EXISTING CHAPTER 9, ARTICLE 9 OF THE SEWARD CITY CODE IN ITS ENTIRETY; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA:

Section 1. **Amendment.** Chapter 9, Article 9 of the City Code of the City of Seward, Nebraska, is hereby amended to read as follows:

BUILDING REGULATIONS
ARTICLE 9.

A. WATER CONDITIONING LICENSE

9.900 License required

License requirement. It shall be unlawful for any person to engage in the business of installing water conditioning apparatus without first having secured a license to do so from the permits and inspections department.

9-901 Application

The application for a license, required by this article shall be made in writing to the permits and inspections department on blank forms prepared and furnished by such department and shall give the full name under which such business is to be conducted.

9-902 Examination.

Water Conditioning contractors/installers examinations shall be composed and given by the permits and inspections department, and the applicant must provide proof of the following:

Water conditioning contractor/installers must have a minimum of three(3) years practical work experience as an installer under a licensed contractor and must have passed the written test with a minimum grade of seventy(70)per cent. Formal education accrued from an approved educational institution may be submitted for consideration by the building official towards the practical work experience

requirement.

9-903 Examination; Fee.

Each applicant for a water conditioning contractor/installer's license shall appear before the permits and inspection department upon notice and submit to such examination and test of his/her ability and qualifications as may be required by the city and shall pay to the department an examination fee of fifty dollars (\$50.00).

9-904 License Fee.

When an applicant for a water conditioning contractor/installer's license passes the examination and tests required to the satisfaction of the city' he/she shall pay a license fee of seventy-five dollars (\$75.00).

9-905 Certification of applicants for licensing

The building official shall provide the city council with the names of all successfully tested applicants for licensing under this article and recommendations for the issuance of such licenses at the next regularly scheduled council meeting after examination.

9-906 Certificate of insurance required, sewer layers license.

Prior to receiving a license under the preceding section, an applicant who has successfully passed the water conditioning contractor's/installers examination shall provide a certificate of insurance which provides combined coverage for bodily injury and property damage in a minimum amount of three hundred thousand dollars (\$300,000.00) and shall strictly comply with this code and any other ordinances of the city relating to the installation, alteration or repair of any water conditioning apparatus within the extraterritorial jurisdiction of the city.

9-907 Issuance: term.

At the time of approval by the city council and the payment of a license fee of seventy-five dollars the building official shall issue a license to do water conditioning contracting work in the city which shall be effective and valid through December 31st of each calendar year.

9-908 Renewal; fee.

Before the expiration of any license issued from or by the permits and inspections division, the holder may upon payment of a renewal fee in the amount of seventy-five dollars (\$75.00), make application to the permits and inspections division for renewal of his/her license. Failure to make application and pay the renewal fee for renewal of a license before the expiration date thereof subjects the applicant to pay the renewal fee plus an additional late fee in the amount of twenty dollars (\$20.00) for each month or partial month since the expiration date of the license, up to and including three (3) months from such expiration date. If the application is filed and the fees are paid in accordance with the above, the building official shall issue a renewal of such license without examination unless there are revocations or suspension proceedings in progress against such individual. If the holder of a license fails to make application for renewal of his/her license within ninety (90) days from the expiration date, he or she shall lose all rights of his/her license and proceed in the same manner as if he or she had never held a license. If the building official has reason to believe that the licensee has violated the provisions of section 9-819, he/she shall have the power to impose any revocation or suspension clause contained within, the context of this article.

9-909 Examination to be basis for Issuance.

When the applicant for a license required by department passes the required examination to the satisfaction of the permits and inspections department, the building official shall notify the applicant of his/her score within fifteen (15) days of the examination. The building official shall provide the city council with the names of all successful applicants for licensing under this article with recommendations for issuance of such license. At the time of approval by the city council and the payment of a license fee of seventy-five dollars (\$75.00), the building official shall issue a license to do water conditioning work in the city which shall be effective and valid through December 31st of each calendar year.

9-910 Permits

It shall be unlawful for any person to install, alter, remove, repair any water conditioning appliance, or cause the same to be done, without first obtaining a permit therefor from the permits & inspection department. No permit shall be required for minor repair work. Minor

repair work is defined as repairing leaks in pipes, cleaning out supply or waste lines, repairing a water conditioning appliance.

A permit to install a water conditioning appliance may be issued only to a duly registered water conditioning contractor or registered master plumber. It shall be unlawful for any person, firm or corporation to cause or permit any water conditioning installation to be done on any property owned, managed, or controlled by such person, firm or corporation unless such work is done by said duly registered water conditioning contractor/installor or registered plumber.

Application for a permit may be made in writing to the permits & inspection department on a form furnished by the permits & inspection department for that purpose.

9-911 Same-Work done by person in his/her own residence.

No licensed required under this article shall be required of any individual doing installation or repair of the water conditioning appliance in the residence in which he/she lives; provided, that such installation is done in conformity with this code and any other Ordinances of the city. In all cases the rules and regulations of this article shall be complied with and such individual shall notify the City of such work proposed, request inspection thereof and pay a permit fee to cover the cost of the inspection. Furthermore, this section shall only apply to those installations required for remodeling, additions and repairs. No individual shall be allowed to perform any plumbing work on new construction without first having passed the required examination and have provided the necessary insurance required by this article, and been issued a license to do such work.

9-912 Fees

A fee shall be paid to the permits & inspection department as follows:

Base permit	\$ 15.00
For each water conditioning apparatus	\$ 10.00

9-913 INSTALLATION AND INSPECTION

The water piping to any water conditioning appliance shall be of materials and methods of installation approved for water distribution

in this Code. Piping from any water conditioning appliance to the city sewer system shall be of any material approved by the permits & inspection department.

All water conditioning installations shall be inspected by the permits & inspections department to insure compliance with all the requirements of this Code. It shall be the duty of the person doing the work authorized by the permit to notify the permits & inspection department orally or in writing that said work is ready for inspection, and for said person doing the work to provide access and means for proper inspection. It shall be the duty of the person doing the work to call for inspection of the water conditioning installation not later than three (3) days after completion of the installation.

9-914-9-919 Reserved

B. LAWN SPRINKLER SYSTEMS

9.920 Compliance.

The installing, replacing, or relocating of any lawn sprinkler system shall be made in conformance with the provisions of this article.

9-921 Definitions.

For the purpose of this article, the following words or phrases shall have the meanings respectively ascribed to them.

- (a) Lawn sprinkler contractor means any person who is engaged in the business of installing, altering, replacing, repairing or relocating any lawn sprinkler system, or parts thereof, or who sets himself out as willing to preform such work himself or through his employees.
- (b) Lawn sprinkler installer means an individual who installs, alters, or assembles lawn sprinkler systems, and who is in the employ of a lawn sprinkler contractor.

9-922 License required.

License requirement. It shall be unlawful for any person to engage in the business of installing lawn sprinkler systems without first having secured a license to do so from the permits and inspections department.

- (a) A master or journeyman plumber licensed in accordance with the provisions of this article may preform lawn system work without having to secure the license required under this section.

9-923 Application

The application for a license, required by this article shall be made in writing to the permits and inspections department on blank forms prepared and furnished by such department and shall give the full name under which such business is to be conducted.

9-924 Examination.

Lawn sprinkler installers examinations shall be composed and given by the permits and inspections department, and the applicant must provide proof of the following:

Lawn sprinkler installers must have a minimum of three(3) years practical work experience as an installer under a licensed contractor and must have passed the written test with a minimum grade of seventy(70)per cent. Formal education accrued from an approved educational institution may be submitted for consideration by the building official towards the practical work experience requirement.

9-925 Examination; Fee.

Each applicant for a lawn sprinkler installer's license shall appear before the permits and inspection department upon notice and submit to such examination and test of his/her ability and qualifications as may be required by the city and shall pay to the department an examination fee of fifty dollars (\$50,00).

9-926 License Fee.

When an applicant for a lawn sprinkler installer's license passes the examination and tests required to the satisfaction of the city' he/she shall pay a license fee of seventy-five dollars (\$75.00).

9-927 Certification of applicants for licensing

The building official shall provide the city council with the names of all successfully tested applicants for licensing under this article and recommendations for the issuance of such licenses at the next regularly scheduled council meeting after examination.

9-928 Certificate of insurance required, lawn sprinkler license.

Prior to receiving a license under the preceding section, an applicant who has successfully passed the lawn sprinkler installers examination shall provide a certificate of insurance which provides combined coverage for bodily injury and property damage in a minimum amount of three hundred thousand dollars(\$300,000.00) and shall strictly comply with this code and any other ordinances of the city relating to the installation, alteration or repair of any water conditioning apparatus within the extraterritorial jurisdiction of the city.

9-929 Issuance: term.

At the time of approval by the city council and the payment of a license fee of seventy-five dollars the building official shall issue a license to do lawn sprinkler contracting work in the city which shall be effective and valid through December 31st of each calendar year.

9-930 Renewal; fee.

Before the expiration of any license issued from or by the permits and inspections division, the holder may upon payment of a renewal fee in the amount of seventy-five dollars (\$75,00), make application to the permits and inspections division for renewal of his/her license. Failure to make application and pay the renewal fee for renewal of a licence before the expiration date thereof subjects the applicant to pay the renewal fee plus an additional late fee in the amount of twenty dollars (\$20.00) for each month or partial month since the expiration date of the license, up to and including three (3) months from such expiration date. If the application is filed and the fees are paid in accordance with the above, the building official shall issue a renewal of such license without examination unless there are revocations or suspension proceedings in progress against such individual. If the holder of a license fails to make application for renewal of his/her license within ninety (90) days from the expiration date, he or she shall lose all rights of his/her license and proceed in the same manner as if he or she had never held a license. If the building official has reason to believe that the licensee has violated the provisions of section 9-819, he/she shall have the power to impose any revocation or suspension clause contained within, the context of this article.

9-931 Examination to be basis for Issuance.

When the applicant for a license required by department passes the required examination to the satisfaction of the permits and inspections department, the building official shall notify the applicant of his/her score within fifteen (15) days of the examination. The building official shall provide the city council with the names of all successful applicants for licensing under this article with recommendations for issuance of such license. At the time of approval by the city council and the payment of a license fee of seventy-five dollars (\$75.00), the building official shall issue a license to do water conditioning work in the city which shall be effective and valid through December 31st of each calendar year.

9-932 Permits

It shall be unlawful for any person to install, alter, remove, repair any lawn sprinkler apparatus , or cause the same to be done, without first obtaining a permit therefor from the permits & inspection department. No permit shall be required for minor repair work. Minor repair work is defined as repairing leaks in pipes, cleaning out supply or waste lines, repairing a lawn sprinkler apparatus.

A permit to install a lawn sprinkler apparatus may be issued only to a duly registered lawn sprinkler contractor or registered master plumber. It shall be unlawful for any person, firm or corporation to cause or permit any water conditioning installation to be done on any property owned, managed, or controlled by such person, firm or corporation unless such work is done by said duly registered lawn sprinkler installer or registered plumber.

Application for a permit may be made in writing to the permits & inspection department on a form furnished by the permits & inspection department for that purpose.

9-933 Same-Work done by person in his/her own residence.

No licensed required under this article shall be required of any individual doing installation or repair of the lawn sprinkler systems in the residence in which he/she lives; provided, that such installation is done in conformity with this code and any other Ordinances of the city. In all cases the rules and regulations of this article shall be complied with and such individual shall notify the City of such work proposed, request inspection thereof and pay a permit fee to cover the cost of the inspection. Furthermore, this section

shall only apply to those installations required for remodeling, additions and repairs. No individual shall be allowed to perform any plumbing work on new construction without first having passed the required examination and have provided the necessary insurance required by this article, and been issued a license to do such work.

9-934 Fees

A fee shall be paid to the permits & inspection department as follows:

Base permit	\$ 15.00
lawn sprinkler system	\$ 10.00

9-935 INSTALLATION AND INSPECTION

The water piping to any lawn sprinkler apparatus shall be of materials and methods of installation approved for water distribution in this Code.

All lawn sprinkler systems installations shall be inspected by the permits & inspections department to insure compliance with all the requirements of this Code. It shall be the duty of the person doing the work authorized by the permit to notify the permits & inspection department orally or in writing that said work is ready for inspection, and for said person doing the work to provide access and means for proper inspection. It shall be the duty of the person doing the work to call for inspection of the water conditioning installation not later than three (3) days after completion of the installation.

9-936-9-939 Reserved

Section 2. Repeal. That the existing Chapter 9, Article 9, regarding the Water Conditioning/Lawn Irrigation Code for the City of Seward, Nebraska and other Ordinances passed and approved prior to the passage, approval and publication of this Ordinance and in conflict with its provisions is hereby repealed.

Section 3. Pamphlet form; publication; when operative. This Ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval and publication as provided by law and City Ordinance.

Passed and approved this _____ day of _____, 2003.

THE CITY OF SEWARD, NEBRASKA,

Roger E. Glawatz, Mayor

ATTEST:

Debra Schaefer
City Clerk-Treasurer