

**THE CORPORATION OF THE CITY OF PETERBOROUGH**

**BY-LAW NUMBER 00-029**

**BEING A BY-LAW TO LICENCE PLUMBERS-  
DRAIN CONTRACTORS**

**THE CORPORATION OF THE CITY OF PETERBOROUGH by the Council thereof hereby enacts as follows:**

1. Definitions

In this by-law:

“Board” means the Plumbing Licence Review Board established under this by-law.

“City” means The Corporation of the City of Peterborough.

“drain contractor” means a person who is skilled in drain contracting, is familiar with the laws, rules and regulations governing drain contracting, and who alone or by employees or agents under his or her supervision, performs drain contracting work.

“drain contracting” means the laying of pipe into trenches on private property to form sanitary or storm sewers, drains or water mains between the property line and a point not more than one foot (1') inside of the outside wall of a building, but not including any other work within a building.

“examination” means the Standard Provincial Master Plumber Examination, formulated and maintained by the Ontario Plumbing Inspectors Association Inc., for the purpose of standardizing master plumber examinations through the Province of Ontario and recognized by participating municipalities.

“master plumber” means a person who is skilled in the planning, superintending and installing of plumbing, is familiar with the laws, rules and regulations governing plumbing, and who alone or by employees or agents under his or her supervision, performs plumbing work.

“plumber” means a person who has been issued a Certificate of Qualification in the trade of plumber by the applicable Ministry of the Province of Ontario.

“plumbing” has the same meaning as in the *Building Code Act*, R.S.O. 1992, c. B.23, as amended, and the Building Code, or any successor thereof.

“Plumbing Inspector” means a person appointed by Council to carry out the requirements of all Provincial regulations pertaining to plumbing, as well as the requirements of this by-law.

2. No person shall perform plumbing within the City, unless the person is licensed as a master plumber under this by-law, or is working under the direct supervision of a licensed master plumber.
3. No person shall perform drain contracting within the City, unless the person is licensed as a master plumber or drain contractor under this by-law, or is working under the direct supervision of a licensed master plumber or drain contractor.
4. Notwithstanding Sections 2 and 3, no licence shall be required by:
  - (a) the owner of a single unit dwelling, who resides in the dwelling and performs plumbing in or about the dwelling; or

- (b) a plumber who is employed by a commercial, institutional, educational or industrial establishment, or a municipality or a local board thereof, who performs plumbing in or about any premises owned by the employer.
5. No master plumber or drain contractor shall perform, authorize or allow any plumbing to proceed on a project, unless a permit for such work has been issued by the Building Division of the City.
  6. A licensed master plumber shall be responsible for the supervision of any employee or agent performing plumbing.
  7.
    - (a) Every applicant for a licence pursuant to this by-law shall submit an application to the Plumbing Inspector on the approved form.
    - (b) Every licence issued pursuant to this by-law shall be effective for the calendar year, and is not transferrable.
    - (c) Annual licence fees, examination fees and late renewal penalties shall be as listed in Schedule "A" to this by-law.
  8. An applicant for a master plumber licence shall:
    - (a) have held a valid plumber's Certificate of Qualification issued by the applicable Ministry of the Province of Ontario for at least two (2) years prior to the year in which the application is made; and
    - (b) shall pass the examination, with a grade of at least 70% in each section.
  9. Notwithstanding Section 8, an applicant shall be deemed to be qualified to be licensed as a master plumber who:
    - (a) was licensed as a master plumber by the City within the two (2) years immediately preceding the year for which a licence is sought, which licence was not revoked; or
    - (b) is the holder of a valid master plumber licence issued by at least one of the municipalities participating in the Standard Provincial Master Plumber Examination Program, which has passed a by-law of like intent and meaning to this by-law, and who submits a letter to the Plumbing Inspector signed by the licensing authority of the municipality in which he or she holds an existing master plumber licence, certifying that he or she has passed the examination, and his or her licence is in good standing.
  10. An applicant for a drain contractor licence may be required by the Plumbing Inspector to pass an examination.
  11. Notwithstanding section 10, an applicant shall be deemed to be qualified to be licensed as a drain contractor who was licensed as a drain contractor within the two (2) years immediately preceding the year for which a licence is sought, which licence was not revoked.
  12.
    - (a) The Board shall consist of the Plumbing Inspector, the Chief Building Official of the City, and the City Clerk.
    - (b) A quorum for the Board shall consist of at least two (2) members.
    - (c) The Plumbing Inspector shall act as secretary of the Board, and keep records of meetings, applications, examinations and results of examinations on file in the office of the Plumbing Inspector.

13. (a) Where the Plumbing Inspector is satisfied that a person, to whom a licence has been issued pursuant to this by-law, is in contravention of any of the requirements of this by-law, or is not maintaining an appropriate standard of work, the Plumbing Inspector may recommend, in writing, to the Board, that the person's licence be revoked.
  - (b) Upon receipt of a recommendation from the Plumbing Inspector, the Board shall hold a hearing, giving reasonable notice to the licensee. After hearing the licensee, if the Board is of the opinion that the licensee's licence should be revoked, the Board may make a written recommendation to City Council.
  - (c) Upon receipt of recommendation from the Board, Council shall give reasonable notice to the licensee and afford the licensee the opportunity to be heard by Council prior to determining whether or not the licensee's licence should be revoked.
  - (d) After affording the licensee the opportunity to be heard, Council may, if it sees fit, revoke the licence.
  - (e) Where a licence has been revoked, the licensee may not apply for a new licence until the next calendar year.
14. Any person who contravenes any of the provisions of this by-law is guilty of an offence and is liable upon conviction to the maximum penalty as set out under the *Provincial Offences Act*, R.S.O. 1990, c. P.33, or any successors thereof.
  15. Chapter 427 of the City of Peterborough Municipal Code is hereby amended as follows:
    - (a) Article 427.1.2 "Set out - expiration" is hereby amended by deleting the lines beginning with "Drain layer", "Master plumber" and "Master plumber - non-resident" in their entirety.
  16. Chapter 508 of the City of Peterborough Municipal Code is hereby repealed.

By-law read a first and second time this 14th day of February

By-law read a third time and finally passed this 14th day of February

(Sgd.) D. Paul Ayotte, Deputy Mayor

(Sgd.) Steven F. Brickell, City Clerk

**SCHEDULE "A"****FEEES**

Master Plumber Licence	\$100.00 per year
Drain Contractor Licence	\$100.00 per year
Examination Fee	\$50.00(non-refundable)
Late Renewal Fee (payable if licence is not renewed within 30 days of expiry date)	\$50.00