

CHAPTER 23
PLUMBING

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1. For State Law as to authority of city in connection with plumbers and plumbing business, see NDCC, Sec. 40-05-01, 25. As to permit for pipe laying, see Sec. 25-41 of this Code.

Article I. In General

Sec. 23-1. Firms Installing Plumbing to Employ Master Plumber

No person shall engage in the business of installing plumbing and shall not install plumbing in connection with the dealing in and selling of plumbing materials and supplies in the city unless at all times a registered and licensed master plumber, who is responsible for the proper installation thereof, is in charge of such work.

(For previous plumbing ordinances, see Rev. Ord. of City of Carrington, 1940, Sec. 304 through 310, inclusive.)

Sec. 23-2. Adoption of State Plumbing Code

The installation, repair and extension of all plumbing within the city shall be in accordance with the ordinances of the city and with the North Dakota State Plumbing Code. The State Plumbing Code is hereby made a part of this chapter, except such portion as are hereinafter deleted, modified or amended by this article, a certified copy of which state code has been and is now filed in the office of the city auditor.

Sec. 23-3. Inspections

Water, sewer and gas inspections shall be the responsibility of Department of Public Works.

Sec. 23-4. Permit- Required

Before any person or licensed plumber shall excavate, lay, relay, tap on or repair any water line or sewer pipe, or make any connection with any water or sewer pipe within any alley, street or other public grounds within the city, he shall obtain a permit from the Department of Public Works.

Sec. 23-5. Same- Application

The person desiring the permit required by the preceding section shall first make application to the Department of Public Works for a permit to do such work. Such information shall be entered on the application as the Department of Public Works may require.

Sec. 23-6. Same- Fees

Upon approval of the application for a permit by the Department of Public Works, the same shall be presented to the city auditor for payment according to the schedule of fees set by the city council.

Sec. 23-7. Inspection- Required

All piping, trap and fixtures of a plumbing system shall be inspected by the Department of Public works to insure compliance with all the requirements of this chapter and to ascertain that the installation and construction of the system is done in accordance with the approved plans and permit.

Sec. 23-8. Same- Notification

It shall be the duty of the plumber to notify the Department of Public Works, and the owner or his authorized agent, orally, by telephone, or in writing not less than eight (8) working hours, between the hours of 8:00 A.M. and 4:00 P.M. of any working day, before the work is to be inspected or tested.

Sec. 23-9. Same – Renotification

If the inspector finds the work unsatisfactory, the plumber shall be required to re-notify, as provided in the preceding section, and then pay the sum of three (3) dollars for each renotification.

Sec. 23-10. Same – Defective Work

If the inspector or test shows defects or reveals work done in accordance with the provisions of this chapter, the inspector shall give written notification thereof to the plumber and shall collaterally notify the state plumbing inspector, the city attorney and the owner, and shall require such defects or violations to be corrected within one week from the date of written notification except that if cause for greater delay is justified, he may grant an extension of time to a fixed later date.

Sec. 23-11. Affidavit- To Affixed To Premises Where Work Is Done.

All plumbing installations, where the cost to the owner exceeds one hundred dollars, shall have a properly executed plumbing affidavit affixed to the premises where the plumbing installation or repair has been made. The Department of Public Works shall prescribe such form and shall have on hand at all times a supply of such affidavits for execution by the master plumbers responsible for their respective installations.

Sec. 23-12. Same- Execution; Distribution of Copies

Within twenty-four hours after the completion of any plumbing installations requiring the execution of a plumbing affidavit, the master plumber supervising such installation shall execute the affidavit in the office of the Department of Public Works.

Sec. 23-13. Same – Fixture Fee To Accompany

Permit fees shall be paid at the time building permit is issued.

Sec. 23-14. Backfill Requirements

Excavations shall be back filled in one foot layers and tamped to 95% Top 6" gravel on gravel streets, 6" of asphalt or concrete on paved streets. The contractor will be responsible for one year for excess settling.

Sec. 23-15. Plumbing Work By Owner Of Single-Family Residence

Any permit required by this chapter may be issued to any person to do work regulated thereby in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such building; provided, the person is the bona fide owner of such dwelling, that the same will be occupied by such owner and that such owner shall make installation of any plumbing in compliance with all of the requirements of this chapter, except that he shall not execute the plumbing affidavit as required in Section 23-11 and provided further that such owner shall personally purchase all material and perform all labor in connection therewith.

Sec. 23-16. Right Of Entry

The Department of Public Works inspector 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.

Sec. 23-17. Water Mains- Turn Off Fee and Curb Boxes

1. The owner of a property with a new residence, building, or location receiving new water service, which is being served with water by the City of Carrington, shall own and be responsible for all lines, curb boxes, and related structures from the residence or building to water main for one (1) year after metered water service begins. During the one (1) year period, the property owner of the residence or building shall be responsible for all repairs and maintenance to the lines, curb boxes, and related structures from the residence or building to the water main. The property owner shall pay a shut off fee of twenty-five dollars (\$25.00) to the City when any repairs are required to the lines, curb boxes, or related structures. Any service to the lines, curb boxes, or related structures shall only be done by the City, or its duly authorized agent. After one (1) year, the property owner shall own and be responsible for all maintenance and repairs, at owner's expense, for all lines and related structures from the residence, building, or location up to the curb boxes, but not the curb boxes. After one (1) year the ownership of all lines, curb boxes, and related structures from the curb boxes to the water main, including the curb boxes, shall automatically transfer from the owner of the property to the City of Carrington and in consideration for the lines, curb boxes, and related structures the City will assume full responsibility for servicing, repairing, or replacing the lines, curb boxes, and related structures from the curb box to the water main at its expense, unless any of these items shall have been damaged by the negligence or wrongful act of the property owner being served or a third party whose acts can fairly be imputed to the property owner, such as a tenant or contractor.

2. Ownership of other lines, curb boxes and related structures. Other than new residences and businesses as described in subsection 1 of Section 23-17, the City of Carrington shall own all lines, curb boxes, and related structures from the water main to the curb boxes, including the curb boxes. The City will be responsible for servicing, repairing, or replacing any lines, curb boxes or related structures from the curb boxes to the water main, at its own expense, unless any of these items shall have been damaged by the negligence or wrongful act of the property owner being served or a third party whose acts can fairly be imputed to the property owner, such as a tenant or contractor. The property owner shall own and be responsible for all maintenance and repairs, at owner's expense, for all lines and related structures from the residence, building, or location up to the curb boxes, but not the curb boxes.

Article II. Licenses (3)

Sec. 23-18. Required: To Be Carried or Displayed By Licensee At All Times

No person or business entity shall engage in the business of a master plumber or a journeyman plumber in the city without first obtaining a license from the city. A personal licensee under this chapter shall carry such license on his person at all times. A business licensee under this chapter shall prominently display such license at its main place of business at all times. A business entity engaged in the plumbing business must obtain a master plumber's license.

Sec. 23-19. Fees

The original fee for a master plumber's license shall be One Hundred Dollars, with an annual renewal fee of Twenty-five Dollars, payable on or before the 1st day of January.

Sec. 23-20. Qualifications

Any person making application for a license as a plumber pursuant to this article shall hold a master plumber's or journeyman plumber's license from the State.

Any business engaged in the plumbing business must have in its employ a State licensed master plumber before it shall be granted a license. Such license shall be automatically suspended upon termination of such employment of another State licensed master plumber by such business entity and proof of such employment shall be presented to the city auditor.

Sec. 23-21. Application

Application for a plumber's license shall be made in writing to the city auditor. It shall state the full name of the applicant, his age, his place of business or place at which he proposes to establish his business, the firm name under which the business is to be conducted, the number of years actual experience he may have had as a plumber or plumber's apprentice and under whom and at what place such experience was obtained.

Application for a master plumber's license by any business entity shall state the name and nature of the business entity, its place of business and the name and state, master plumber's license number of the master plumber in its employ, together with the same information concerning him as required of applicants for personal master plumber's license.

3. For requirement of State Plumber's License, see NDCC Sec. 43-18-11.

Sec. 23-22. Issuance Approval By Council; Expiration; Renewal

All plumbers' licenses shall be issued by the city auditor in compliance with the term set forth in this article and such licenses shall be approved by the city council at its next regular meeting following the date of issuance. Such licenses shall expire on the last day of December following the date of issuance. Renewal of plumbers' licenses shall be made in like manner.

Sec. 23-23. Bond

Before the master plumber or business entity shall receive the license required by this Article, the master plumber or business entity shall execute and deposit in the office of the city auditor a bond to be approved by the city council, in the sum of One Thousand Dollars, conditioned that he or it will comply with all the laws, ordinances, rules and regulations and requirements of the city, pertaining to such occupations and that he or it will indemnify and save harmless the city of and from all accidents and damages caused by any negligence in protecting his or its work, or by any unfaithful or inadequate work done by virtue of such license or by his or its failure to comply with the laws, ordinances, rules, regulations and requirements of the city, and that he or it will replace and restore the streets or alleys caused by any openings or excavations that he or it may have made therein to lay any service pipe or for other purposes, to as good and safe a condition as when he or it found it; and to keep and maintain the same good order to the satisfaction of the city council or its proper officers for a period of one (1) year next year thereafter; or if in Winter, when dirt is frozen and cannot be properly replaced, that as soon as the dirt is sufficiently loose in the Spring, he or it will replace the same in as good a condition as before and that he or it will pay all fines imposed on him or it for violation of any laws, rules, regulations or requirements of the city council or its proper officers; and further, that he or it will indemnify and save harmless any person for whom he or it may perform any work under and by virtue of such license against any damages, cost or expenses caused by reason of his or its failure to comply with any laws, ordinances, rules, regulations or requirements of the city of its officers, or for any defective material furnished or work done by him or it for a period of one year from the date such work was performed or material furnished.

Discontinuance of business shall still hold the bonding company responsible for excavations and work for one year after termination of work.

Sec. 23-24. Forfeiture

Any plumber or business entity who shall be guilty of a violation of any of the provisions of this Chapter, laws, ordinances, rules and regulations of the city council, or requirements of any officer of the city, shall immediately forfeit his or its license and be guilty of a violation of

this Code. A forfeiture of the license held by any co-partner in the same business or any person in his or its employ.

Sec. 23-25. Violation and Penalties

Any person, firm, or corporation violating any provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof by a fine not exceeding Five Hundred Dollars or by imprisonment not to exceed three months or by both such fine and imprisonment, for each such offense. Each day any violation of any provisions of such Ordinance shall constitute and separate offense.