

**The Corporation of the City of Cornwall
By-law #202-2005**

A By-law relating to licensing, regulating and governing of
Plumbers, Master Plumbers and Plumbing Contractors
pursuant to the provisions of the Municipal Act, R.S.O. 2001, S.O. 2001,
Chapter 25, Section 9, and Section 150 and amendments thereto.

WHEREAS the Council of the Corporation of the City of Cornwall is desirous of enacting a By-law regulate and govern Plumbers, Master Plumbers and Plumbing Contractors; and

WHEREAS this By-law is authorized under the Municipal Act, 2001, S.O. 2001, Chapter 25, Section 9, and Section 150 and amendments thereto.

THEREFORE the Council of the Corporation of the City of Cornwall enacts the By-law as follows:

1. **DEFINITIONS:** for the purpose of this By-law the following terms are defined as follows:

Chief Building Official shall mean the authority having jurisdiction over the Building Permits and By-law Enforcement Section, Department of Planning and Housing Services, and administer the related By-laws of the Corporation of the City of Cornwall under the direction of the Manager of Planning Services.

Corporation: shall mean the City of Cornwall

Council: shall mean the Council of the City of Cornwall or Established Committee

License Issuer: shall mean the Chief Building Official and his/her appointee in reference to this By-law

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 same; who holds a Certificate of Qualification as Plumber issued by the applicable Ministry of the Province of Ontario and a license as a Master Plumber issued by the License Issuer under this By-law and who alone or by qualified Plumbers under his or her supervision performs work in the municipality and also meets the qualification herein the By-law.

Plumber: means a person who has been issued a Certificate of Qualification in the trade of Plumbing by the applicable Ministry of the Province of Ontario and journeyman plumber has a corresponding meaning.

Plumbing: has the same meaning as made under the Building Code Act, 1992, C23, The Building Code and any other term defined in that regulation has the same meaning in this By-law.

Plumbing Contractor: means a person, partnership or corporation performing or engaged to perform Plumbing in the municipality, has a regular place of business in Ontario and is or has in its employ at least one licensed Master Plumber.

Plumbing Inspector: shall mean the inspector or duly authorized agent qualified to do plumbing inspections who administers the related By-laws of the City of Cornwall and keeps proper records of all inspections made under the jurisdiction of the Chief Building Official.

2. LICENSES

2.1 No person shall within the limits of the City of Cornwall carry on, engage in the trade, calling, business or occupation of Master Plumber or Plumbing Contractor without first obtaining a current or valid license to do so from the Corporation.

2.2 No license issued under this By-law is valid unless the fees for said license as set out in Schedule A are paid in full and meet the criteria set out in this By-law. A license is valid from February 1 of the current year until January 31st of the following year (12 month period).

2.3 Notwithstanding section 2.1 the licensing provision shall not apply to:

- a) an individual owner doing plumbing in or about premises occupied by him and used as a dwelling provided he/she has obtained the necessary permit and inspections and that the Plumbing is being installed in accordance with all relevant By-laws and applicable regulations governing Plumbing,
- b) construction of plumbing by a commercial or industrial establishment in its own premises or by the municipality or local school board thereof which plumbing was performed by a Plumber who is steadily employed for such purpose by said establishment, municipality or local school board providing that necessary permits are purchased and inspections are carried out and that all work done is subject to other requirements of relevant By-laws, the Ontario Building Code and other applicable regulations pertaining to Plumbing,

3 LICENSING REQUIREMENTS

3.1 The licenses required by this By-law are:

- a) Master Plumber License
- b) Plumbing Contractor License

3.2 Every person who requires a license under the provisions of this By-law shall:

- a) apply to the License Issuer upon such form(s) as may be prescribed by the Corporation;
- b) provide any documents required by this By-law;
- c) pay the applicable license fee set out in Schedule "A" of this By-law;

- d) if a license is not issued, the applicable fee referred to in clause c) shall not be refunded;
- e) where a partnership or an association applies for a license, the names and addresses of each member of the partnership or association shall be set out in the application.

3.3 New or first time applicants for licenses issued under this By-law shall submit all relevant documentation to the License Issuer upon application for a license and shall upon approval pay the initial fee as set out in Schedule A of this By-law.

3.4 Applications for renewals of licenses issued under this By-law must be received no later than February 1st of the calendar year for which the license related, produce his/her license on or before the expiry date and shall pay the renewal fee as set out in Schedule A of this By-law.

3.5 All licenses issued under this By-law shall be the calendar year current at time of issuance and shall be kept prominently displayed at all times in his or her place of business and where same does not apply to a premises, shall keep on his/her person the license issued.

3.6 No license issued under this By-law shall be transferable.

3.7 The issue of a license shall be refused by the License Issuer until it has been determined that the license has complied with:

- a) any applicable regulations under the jurisdiction of the Board of Health,
- b) this or any other By-laws of the Corporation, or which may be contrary to the law; and
- c) any other Federal or Provincial statutes and regulations.

3.8 a) A license shall not be renewed by the License Issuer until it has determined that the licensee has complied with Section 3.2 to Section 3.7

b) If the License Issuer refused to renew the license, the licensee shall receive notice of refusal in writing, said notice to be served personally upon or sent prepaid registered mail to the licensee

c) If the licensee is not satisfied with the terms of the notice referred to in Section 3/8 b) of this By-law, he/she may appeal to the License Issuer within thirty (30) days after service of the notice of refusal. The Appeal Procedure is set out in By-law #204-2005, Appeal Procedure for Municipal Licenses and as amended from time to time.

4. QUALIFICATIONS

- 4.1 Applicants for Plumbing Contractor License shall have a regular place of business in Ontario, shall include the mailing address of the business premises and shall have in its employ at least one licensed Master Plumber and where the Plumbing Contractor is a partnership or an association, the names and addresses of each member of the partnership or association shall be set out in the application.
- 4.2 No person other than a licensed Master Plumber or the regular full time employer of a licensed Master Plumber may be issued a Plumbing Contractors License or may continue to hold such a license.
- 4.3 Applicants for Master Plumber License shall possess the following:
- a) a valid Plumbers certificate of qualification issued by the applicable Ministry in the Province of Ontario, and
 - b) a valid Certificate of Qualification issued under Section 2.16 of the Building Code by the Ministry of Municipal Affairs and Housing in the category of Plumbing All-Buildings and General Legal Process, and
 - c) A minimum of 3 years related experience in the plumbing trade (proof required).
- 4.4 Should a Master Plumber License be allowed to lapse for a period of two (2) years or more the holder shall be required to meet all the provisions of the provisions herein this By-law and shall not be deemed to comply to the grand fathering clause (Section 4.5).
- 4.5 Grandfathering: Any Master Plumber holding a valid Master Plumbers License prior to the passing of the By-law shall be deemed to meet the qualifications set out in Section 4.3 (b) of this By-law unless the license is lapsed as per Section 4.4.

5. FEES FOR LICENSES

- 5.1 The fees for every license issued under this By-law shall be as set out in Schedule A of this By-law.
- 5.2 The fees referred to in Section 5.1 shall not be reduced or pro rated.

6. REGULATIONS

- 6.1 All licensed Master Plumbers and Plumbing Contractors shall be responsible for all acts of their agents or employees done by virtue of their license.
- 6.2 No plumber shall do any plumbing within the City of Cornwall limits except under the supervision of a licensed Master Plumber.

- 6.3 No licensed Plumbing Contractor shall perform or permit to be performed any plumbing within the City of Cornwall limits that is not under the supervision of a licensed Master Plumber.
- 6.4 No licensed Master Plumber shall carry out any Plumbing within the City of Cornwall unless he or she is a licensed Plumbing Contractor or is employed by a licensed Plumbing Contractor.
- 6.5 No licensed Master Plumber shall act for more than one Plumbing Contractor at any one time.
- 6.6 Every person licensed as a Master Plumber upon ceasing to act for a Plumbing Contractor shall notify the License Issuer forthwith in writing.
- 6.7 Every person undertaking plumbing work within the City of Cornwall shall permit the Chief Building Official, the Plumbing Inspector, or his duly authorized agent to inspect at all reasonable times all works including installations and repairs being undertaken by him or her.

7. REVOCATIONS, REFUSAL TO ISSUE OR RENEW

- 7.1 Council, on the recommendation of the License Issuer, has the authority to revoke any license issued under this By-law. To consider revocation, the License Issuer must have a written complaint alleging violation of a provision of this By-law or that workmanship does not meet the standards of the Ontario Building Code. Upon receipt of the written complaint, the Council shall set a date for a hearing, giving reasonable notice to the licensee involved. After hearing the opinion of the License Issuer that the By-law has been violated or the licensee's work is not of the required standard, the Committee may revoke the License.
- 7.2 Where a license has been revoked, a new license shall not be issued to that person for a period of 6 months and in the case of a Master Plumber License not until the person has demonstrated that he or she is qualified to receive a license.
- 7.3 Should the License Issuer refuse to issue or renew a Master Plumbers License or Plumbing Contractors License, the application can file an appeal to the Council as per the prescribed procedure set out in the Appeal of License Procedure By-law and any amendments thereto.

8. PENALTY

- 8.1 Any person or persons who contravene any of the provisions of this By-law is guilty of an offence and is liable upon conviction to the maximum penalty under the Provincial Offences Act RSO1990 Chapter P33 or any successor thereof.
- 8.2 a) Any person or persons convicted of a breach of any of the provisions of this By-law shall be subject to the provisions of the prevailing By-law to impose fines

b) Upon conviction and upon paying the penalty as provided for by the Provincial Offences Act, all persons shall then obtain the necessary application form(s) as prescribed by the Corporation, and shall comply with the provisions of Schedule A of this By-law.

c) Those persons found to be in contravention of any of the provisions of this By-law shall also pay the fee(s) due in arrears during the time they conducted business without a license.

9. REPEAL

9.1 By-law # 113-1998 is hereby repealed on the effective date of this By-law.

10. VALIDITY

10.1 If any section of this By-law is for any reason held to be invalid, the remaining sections shall remain in effect until repealed.

10.2 Where the provisions of this By-law conflict with the provisions of another By-law in force in the Corporation the provisions that establish the higher standards to protect the health, safety, and welfare of the general public shall prevail.

10.3 This By-law shall become effective January 1, 2006

Read a first, second and third time, signed and sealed, in open Council, this 14th day of November, 2005.


DENISE LABELLE-GÉLINAS
CITY CLERK


MAYOR PHIL POIRIER

SCHEDULE "A"

LICENSES

(INITIAL FEE) PLUMBING CONTRACTORS	\$111.00
(ANNUAL RENEWAL FEE) PLUMBING CONTRACTORS	\$78.00
(INITIAL FEE) MASTER PLUMBER	\$68.00
(ANNUAL RENEWAL FEE) MASTER PLUMBER	\$44.00

THE CORPORATION OF THE CITY OF CORNWALL

By-law # 2015-161

A By-law to amend By-law 202-2005, which By-law is to license, regulate and govern Plumbers, Master Plumbers and Plumbing Contractors pursuant to the provisions of the Municipal Act, R.S.O. 2001, S.O. 2001, Chapter 25, Section 9, and Section 150 and amendments thereto

Whereas it is advisable to amend By-law 202-2005 Master Plummer By-law;
and

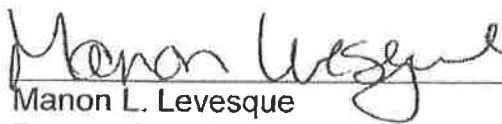
Whereas Council wishes to reduce the minimum number of years post provincial certification from three (3) years to two (2) years.

Now therefore be it resolved that the Council of The Corporation of the City of Cornwall enacts as follows:

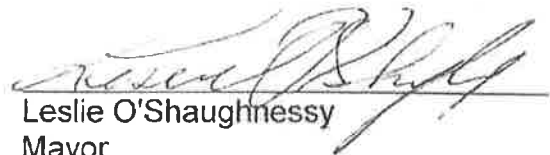
1. Section 4.3 (c) of By-law 202-2005 be and is hereby amended to read as follows:

(c) A minimum of two (2) years experience in the plumbing trade (proof required).

Read, signed and sealed in open Council this 9th day of November, 2015.



Manon L. Levesque
Deputy City Clerk



Leslie O'Shaughnessy
Mayor



By-law 202-2005.pdf

