

AMENDMENTS TO LB709

Introduced by Urban Affairs.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 18-1901, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 18-1901 (1) In cities of the metropolitan class, there shall be a
6 plumbing board ~~for the examination of plumbers~~ of eight members. The
7 plumbing board shall consist of an architect licensed to practice in the
8 State of Nebraska and engaged in business in a city of the metropolitan
9 class, a mechanical engineer licensed to practice in the State of
10 Nebraska and engaged in business in a city of the metropolitan class, two
11 journeymen plumbers, two master plumbers, one member of the general
12 public who is not associated with the plumbing business, and a chief
13 health officer who shall serve as a nonvoting member of the board. Such
14 members shall be appointed by the mayor by and with the consent of the
15 city council. A member shall continue to serve until his or her successor
16 has been appointed and qualified.

17 (2) In cities of the primary class, there may be a plumbing board
18 ~~for the examination of plumbers~~ consisting of five members. The plumbing
19 board shall consist of the Director of Building and Safety of the city, a
20 registered professional mechanical engineer licensed to practice in the
21 State of Nebraska and engaged in business in the city, the chief plumbing
22 inspector for the city, one master plumber, and one journeyman plumber.
23 The mechanical engineer, the master plumber, and the journeyman plumber
24 shall be appointed by the mayor by and with the consent of the city
25 council or, in cities having a city manager, by the city manager.

26 (3) In all cities of the first class, cities of the ~~and~~ second
27 class, classes and villages, there may be a plumbing board ~~for the~~

1 ~~examination of plumbers~~ of not less than four members, consisting of at
2 least one member to be known as the chief health officer of the city or
3 village, one member to be known as the plumbing inspector of the city or
4 village, one journeyman plumber, and one master plumber. The journeyman
5 and master plumbers shall be appointed by the mayor by and with the
6 consent of the city council, by the chairperson by and with the consent
7 of the village board of trustees, or, in cities having a city manager, by
8 the city manager.

9 (4) For purposes of this section, in cities where a city-county
10 health department has been established and is maintained as provided in
11 section 71-1628, chief health officer shall mean the health director of
12 such department.

13 (5) Except for cities of the metropolitan class and primary class
14 ~~classes~~ and as provided in subsection (4) of this section, the chief
15 health officer and plumbing inspector shall be appointed by and hold
16 office during the term of office of the mayor, city manager, or
17 chairperson of the village board of trustees, as the case may be. The
18 terms of office of the journeymen and master plumbers shall be for four
19 ~~three~~ years. Upon expiration of the term of each appointed member,
20 appointments shall be made for succeeding terms by the same process as
21 the previous appointments.

22 (6) The plumbing inspector and journeymen and master plumbers shall
23 be licensed plumbers. The plumbers appointed to the plumbing board in
24 cities of the metropolitan class shall be licensed within such cities.
25 The chief plumbing inspector shall be licensed within such city or
26 village and shall act in a direct advisory capacity to the plumbing
27 board.

28 (7) In cities of the metropolitan class, four voting members of the
29 plumbing board shall constitute a quorum, and in all other cities and
30 villages, three members of the plumbing board shall constitute a quorum.
31 The plumbing board shall organize by selecting a chairperson, and in

1 cities of the metropolitan class a recording secretary shall be furnished
2 to the plumbing ~~such~~ board. The city or village shall make available to
3 the plumbing board a location for the board to meet and conduct business
4 at a time convenient for the members of the board. All vacancies in the
5 plumbing board may be filled by the mayor and city council, city manager,
6 or chairperson and village board of trustees as provided in this section.
7 Any member of the plumbing board may be removed from office for cause by
8 the district court of the county in which such city or village is
9 situated. The governing body of the city or village may require that each
10 member of the plumbing board give bond in the sum of one thousand
11 dollars, conditioned according to law, the cost of which may be paid by
12 such city or village.

13 (8) The plumbing board in a city of the metropolitan class shall
14 maintain a record of all complaints filed in the city regarding
15 violations of the plumbing code and a record of the disposition of each
16 such complaint.

17 (9) If two or more municipalities organize a joint plumbing board
18 pursuant to the Interlocal Cooperation Act, appointments shall be made
19 according to the agreements providing for such joint board and the
20 members of such board shall be residents of such cities or villages or
21 live within the extraterritorial zoning jurisdiction of such cities or
22 villages.

23 Sec. 2. Section 18-1902, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-1902 ~~The persons who compose the plumbing board shall, within ten~~
26 ~~days after their appointments, meet in their respective city or village~~
27 ~~building or place designated by the city council, city manager, or~~
28 ~~chairman and board of trustees, and organize by the selection of one of~~
29 the members ~~their number~~ as chairperson, ~~chairman~~; and the plumbing
30 inspector shall be the secretary of the said board. It shall be the duty
31 of the secretary to keep full, true, and correct minutes and records of

1 all licenses issued by it, together with their kinds and dates, and the
2 names of the persons to whom issued, in books to be provided by such city
3 or village for that purpose, which books and records shall be open for
4 free inspection by all persons during business hours.

5 Sec. 3. Section 18-1903, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 18-1903 ~~On The appointment of the plumbing board shall be made~~
8 ~~annually, at the first meeting of the city council or chairperson and~~
9 ~~board of trustees, or by the city manager, in August of each year, except~~
10 ~~as provided in section 18-1901. If the city or village has a chief health~~
11 ~~officer or health director and plumbing inspector, then they shall act as~~
12 ~~members of such board ex officio and shall receive no extra compensation,~~
13 ~~except that boards of cities of the primary class shall have members as~~
14 ~~provided in subsection (2) of section 18-1901. If there are no such~~
15 ~~officers in such city or village, then, on being appointed, the members~~
16 of the plumbing board they shall each receive as a salary an amount to be
17 determined by the city council or chairperson and village board of
18 trustees.

19 Sec. 4. Section 18-1904, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 18-1904 The plumbing board shall fix stated times and places of
22 meeting, which times shall not be less than once each year, ~~in every two~~
23 ~~weeks~~ and meetings may be held more often upon written call of the
24 chairperson ~~chairman~~ of the board. The plumbing board shall adopt rules
25 for the examination, at such times and places, of all persons who desire
26 a license to work at the construction or repairing of plumbing within the
27 city or village, and also within the area of the extraterritorial zoning
28 jurisdiction ~~outside the corporate limits~~ of cities of the metropolitan
29 class.

30 Sec. 5. Section 18-1906, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 18-1906 The plumbing board shall have power, and it shall be its
2 duty, to adopt rules and regulations, not inconsistent with the laws of
3 the state or the ordinances of the city or village, for the sanitary
4 construction, alteration, and inspection of plumbing and sewerage
5 connections and drains placed in, or in connection with, any and every
6 building in such city or village, in which it will prescribe the kind and
7 size of materials to be used in such plumbing and the manner in which
8 such work shall be done, which rules and regulations, except such as are
9 adopted for its own convenience only, shall be approved by ordinance by
10 the mayor and city council of such city or by the chairperson and village
11 ~~board of trustees of such village~~. The plumbing board shall have the
12 power to amend or repeal its rules and regulations, subject, except such
13 as relate to its own convenience only, to the approval of the mayor and
14 city council of such city or chairperson and village board of trustees ~~of~~
15 ~~such village~~. In cities of the metropolitan class, the plumbing board
16 shall have the power, without the approval of the mayor and city council,
17 to grant a variance from the ordinances, rules, and regulations in the
18 kind and size of materials to be used or in the manner in which the work
19 is to be performed. The variance shall apply only to a single building
20 and shall not be considered as a part of the ordinances, rules, and
21 regulations of the plumbing board. If there are practical difficulties or
22 unnecessary hardships in the manner of strictly carrying out such
23 ordinance, the plumbing board shall have the power, in passing upon a
24 variance, to vary or modify the application of any of the regulations or
25 provisions of such ordinance relating to the use, construction, or
26 alteration of buildings or structures or the use of land, so that the
27 intent of the ordinance shall be observed, public safety and welfare
28 secured, and substantial justice done. The plumbing board shall have
29 power to compel the owner or contractor to first submit the plans and
30 specifications for plumbing that is to be placed in any building or
31 adjoining premises to the board for approval before it shall be installed

1 in such building or premises. When an owner or contractor submits a
2 request for a variance, the plumbing board shall charge a reasonable fee,
3 payable to the general fund, as set by the city council or village board
4 of trustees not to exceed twenty-five dollars. The Building Board of
5 Review shall have the authority to hear appeals from the plumbing board
6 in matters regarding variances and interpretation of ordinances, plumbing
7 code changes, rules, and regulations. The Building Board of Review shall
8 adopt rules governing such appeals.

9 Sec. 6. Section 18-1908, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 18-1908 All original licenses may be renewed and all renewal
12 licenses may be renewed by the plumbing board at the dates of their
13 expiration. Such renewal licenses shall be granted, without a
14 reexamination, upon the written application of the licensee filed with
15 the plumbing board and showing that his or her purposes and condition
16 remain unchanged and that he or she has complied with all other
17 applicable regulations required by the city council or village board of
18 trustees. If ,—unless it is made to appear by affidavit before the
19 plumbing board that the applicant is no longer competent, or entitled to
20 such renewal license, then in which event the renewal license shall not
21 be granted until the applicant has undergone the examination hereinbefore
22 required pursuant to sections 18-1901 to 18-1913.

23 Sec. 7. Section 18-1911, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-1911 Fees for original and renewal licenses shall be as
26 established by the city council or village board of trustees. All license
27 fees shall be paid to the city treasurer or village treasurer The fee for
28 the original license of a journeyman plumber shall be one dollar for a
29 one-year license and two dollars for a two-year license. All renewal fees
30 shall be fifty cents for a one-year license and one dollar for a two-year
31 license. All license fees shall be paid, prior to the execution and

1 ~~delivery of the license, to the treasurer of the school district within~~
2 ~~the city or village for which the license was issued to be used~~
3 ~~exclusively for the support of the common schools therein.~~

4 Sec. 8. Section 18-1914, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 18-1914 Any person violating any of the provisions of sections
7 18-1901 to 18-1913, or of any lawful ordinance or rules and regulations,
8 authorized by such sections hereby, shall be deemed guilty of a
9 misdemeanor, and shall be fined not more than five hundred exceeding
10 fifty dollars nor less than fifty five dollars for each and every
11 violation thereof. If such person holds a plumber's license, he or she
12 shall forfeit the same, and it shall be void, and he or she shall not be
13 entitled to another plumber's license for one year after such forfeiture
14 is declared against him or her by the plumbing board.

15 Sec. 9. Original sections 18-1901, 18-1902, 18-1903, 18-1904,
16 18-1906, 18-1908, 18-1911, and 18-1914, Reissue Revised Statutes of
17 Nebraska, are repealed.