

BILL NO. 22-2023

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND RESTATING ARTICLE 1705 OF THE CODIFIED ORDINANCES OF THE CITY OF BETHLEHEM, TITLED “REQUIREMENTS AND QUALIFICATIONS TO OBTAIN LICENSING TO PERFORM PLUMBING WORK WITHIN THE CITY OF BETHLEHEM”

THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Article 1705 of the Codified Ordinances of the City of Bethlehem, titled “Requirements and Qualifications to Obtain Licensing to Perform Plumbing Work Within the City of Bethlehem” shall be amended and restated as follows: (underlined text denotes additions, whereas ~~strikeouts~~ denote deletions):

**ARTICLE 1705**

Requirements and Qualifications to Obtain Licensing  
to Perform Plumbing Work Within the  
City of Bethlehem

- ~~1705.01~~ ~~Plumbers Examining Board.~~
- 1705.02<sup>1</sup> Definitions-
- 1705.02 Applicants’ Applications and Examinations
- 1705.03 Reciprocity
- 1705.04 Owner Performance-
- 1705.05 Fees-
- 1705.06 Proof of Responsibility
- 1705.07 Suspensions or Revocations
- 1705.08 Non-Licensed Work
- 1705.09 False Statements
- 1705.10 Escrow
- 1705.11 Abolition of Plumbers Examining Board
- 1705.99 Penalties and Enforcement

**CROSS REFERENCES**

- Pennsylvania Uniform Construction Code – See BLDG. Art. 1701
- Mechanical food waste disposals - See BLDG. Art. 1717
- Plumbing or plumbing fixtures - See BLDG. Art. 1733

Required plumbing facilities in rooming houses - See BLDG. Art. 1735

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#### ~~1705.01 PLUMBERS EXAMINING BOARD~~

##### ~~(a) Membership~~

~~There is hereby established a Plumbers Examining Board (hereinafter referred to as the Board) to consist of five (5) members. One member shall be a registered master plumber with at least five (5) years of experience as a plumbing contractor. One member shall be a journeyman plumber with at least five (5) years experience as a journeyman. One member shall be a registered professional engineer with at least five (5) years experience in the field of plumbing design. One member shall be a layman who is a voting taxpayer in the City of Bethlehem. One member shall be a plumbing inspector who shall act as secretary to the Board and shall vote only in the event of a tie.~~

##### ~~(b) Terms~~

~~Each member, except the plumbing inspector, shall be appointed by the Mayor for a term of four (4) years except at the formation of the Board when appointments shall be made for 1,2,3 and 4 years respectively so that only one (1) member is appointed annually thereafter.~~

~~Upon the death or resignation of a member the Mayor shall appoint a successor, equally qualified to fill the unexpired term.~~

~~Members may be reappointed to the Board for additional terms.~~

##### ~~(c) Organization~~

~~The Board shall meet and organize within thirty (30) days after the passage of this Ordinance and shall elect a Chairman who shall conduct meetings of the Board. Thereafter, the Board shall meet at such intervals as may be necessary for the proper performance of its duties, but not less than twice in any one calendar year.~~

~~At the first meeting in any calendar year the Board shall reorganize and elect a chairman to serve for the ensuing year. Members of the Board shall be paid a fee of twenty-five dollars (\$25.00) for each attendance or meeting held in connection with official business of the Board.~~

##### ~~(d) Duties~~

~~It shall be the duty of the Board to establish standards and procedures for the qualification, examination and licensing of Master and Journeyman plumbers and approve appropriate licenses to each person who meets the qualifications thereof, and successfully passes the examination given by the Board.~~

~~———— The Plumber’s Examining Board shall schedule an Annual date for examinations for licenses.~~

~~———— Examination shall be based upon the rules and regulations contained in this Code, the basic laws of hydraulics as applied to the plumbing industry, and the knowledge of mathematics as applied to a practical utilization of the foregoing requirements.~~

~~———— It shall be the duty of the Board to supervise enforcement and interpretation of this Code by the Plumbing Inspector and to suggest amendments or revisions of this Code, as it deems necessary.~~

~~———— It shall be the duty of the Board to receive complaints from persons who are aggrieved by decisions of the Plumbing Inspector, to set a date for a formal hearing of the complaint and to rule upon the matter, provided such ruling is within a reasonable interpretation of this Code.~~

~~———— Appeals from decisions of the Board shall be made to the Board of Appeals.~~

1705.01~~2~~ DEFINITIONS

(a) Master Plumber

A master plumber is a person who regularly engages in and works at the plumbing trade, who employs and directs journeyman plumbers and apprentice plumbers, and who is entitled to secure permits for the installation or repair of plumbing.

(b) Journeyman Plumber

A journeyman plumber is a person who regularly engages in and works at the plumbing trade and is employed and supervised by a licensed Master Plumber.

~~(c) Apprentice Plumber~~

~~———— An apprentice plumber is a person who is learning the plumbing trade and is employed and supervised by a licensed Master Plumber.~~

(c) Code

“Code”, or “the Code”, shall mean the version of the International Plumbing Code in effect as adopted by Article 1701 of the Codified Ordinances of the City of Bethlehem.

(d) Corporation or similar entity

“Corporation or similar entity” shall have the same meaning as that term is prescribed in

Rule 2176 of the Pennsylvania Rules of Civil Procedure.

1705.02 APPLICANTS' APPLICATIONS AND EXAMINATIONS

(a) Applications: Every application for a license shall be made in writing in such form and shall furnish such information as the Chief Code Official may, from time to time, require.

(b) Examinations: Written examinations shall be prepared by the International Code Council (ICC) and administered by it to applicants to test each applicant's knowledge of the provisions of the Code and the work covered thereby and no license shall be issued unless the applicant attains a passing mark in such examination.

1705.03 RECIPROCITY

~~Master Plumbers, registered in First, Second or Third Class Cities of Pennsylvania, but not registered in the City of Bethlehem who desire to engage in plumbing within the City, shall without examination secure the necessary plumbing permit before engaging upon said work. The Chief Code Official will accept, as a Master Plumber or a Journeyman Plumber, valid licenses from other municipalities, provided that such other municipalities have a testing process for their own licensees, and provided that such licensees from such other municipalities comply with all other applicable provisions of the Code, including payment of the applicable license fee.~~

1705.04 OWNER PERFORMANCE

~~(a) Single Family Dwellings. Any permit required by the this Article Ordinance may be issued to a bona fide owner, occupant of a single family dwelling, which is to be occupied exclusively for living purposes, to do any work regulated by ~~this the~~ Code on the said dwelling and on the condition that the said owner personally purchase all material and perform all labor in connection ~~herewith~~ therewith.~~

1705.05 FEES

~~(a) Examination Fees:~~

|                       |          |
|-----------------------|----------|
| Master's Exam Fee     | \$50.00  |
| Journeyman's Exam Fee | \$30.00  |
| Special Exam Tests    | \$250.00 |

~~(b) License Fees:~~

|                                    |         |
|------------------------------------|---------|
| Master Plumber (annual)            | \$75.00 |
| Journeyman <u>Plumber</u> (annual) | \$50.00 |

#### 1705.06 PROOF OF RESPONSIBILITY

At the time of, and as a condition of, issuance of a license under this Article, the applicant shall furnish a certificate evidencing proof of Workmen's Compensation, Bodily Injury and Property Damage Insurance applicable to the applicant, unless such evidence is currently on file in the Bureau of Inspections.

#### 1705.07 SUSPENSIONS OR REVOCATIONS

Every holder of a license, upon retiring from the plumbing business or upon the occurrence of any other cause for suspension or revocation of such license, shall notify the Chief Code Official in writing of such fact, at the same time enclosing the license certificate. The Chief Code Official may, by an order in writing, suspend or revoke any license issued by him for good cause shown, including but not limited to the following: permitting unauthorized or fraudulent use of the license by another, failure to file applications for certificates performing work which fails to meet the Code, fraudulent dealing, or misrepresentation. Any licensee whose license has been suspended or revoked shall have the right to file an appeal to, and receive a hearing before, the Board of Appeals pursuant to Article 150 of the Codified Ordinances of the City of Bethlehem.

#### 1705.08 NON-LICENSED WORK

(a) No person shall perform plumbing work, including but not limited to as a Master Plumber or Journeyman Plumber, without being issued a license by the Chief Code Official pursuant to this Article. No person, proprietorship, partnership, or corporation or similar entity shall permit any employee or independent contractor thereof to perform plumbing work, including but not limited to as a Master Plumber or Journeyman Plumber, if such employee or independent contractor has not been issued the appropriate license required by this Article.

(b) Only Master Plumbers may apply for a permit to perform plumbing work in the City. An application for a plumbing permit shall be made to the Chief Code Official, and the Chief Code Official shall issue plumbing permits only to Master Plumbers.

#### 1705.09 FALSE STATEMENTS

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Any person who, with intent to defraud or deceive, knowingly makes, causes, procures to be made, or aids and assists in the making of a false statement in an application for a license, or the renewal of a license, in an application for a permit, in any application provided for in this Article, in any proof or instrument in writing in connection therewith, or who shall in any examination hereunder, deceive or substitute, shall be in violation of this Article.

#### 1705.10 ESCROW

The holder of any valid license as herein defined may, upon written request to the Chief Code Official, have the Chief Code Official hold said license in escrow for a period of up to five (5) years, during which time the licensee may not perform any work which would, under the provisions of the Code, require the issuance of a license. Upon proper application for renewal of the license being held in escrow, the applicant shall be granted same without examination contingent upon payment of the applicable annual license fee as set forth in Section 1705.05.

#### 1705.11 ABOLITION OF PLUMBERS EXAMINING BOARD

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The Plumbers Examining Board of the City of Bethlehem is hereby abolished.

#### 1705.99 PENALTIES AND ENFORCEMENT

(a) Any person, proprietorship, partnership, or corporation or similar entity who violates any provision of this Article shall be subject to the following penalties: (1) First Violation - A fine of \$200, or thirty days imprisonment, or both; (2) Second Violation - A fine of \$500, or sixty days imprisonment, or both; (3) Third and Subsequent Violations - A fine of \$1,000, or ninety days imprisonment, or both.

(b) The Director of Community and Economic Development is hereby granted the power to designate those having the power to enforce this Article and issue citations.

SECTION 2: That all ordinances and sections thereof that are inconsistent with this Ordinance are hereby repealed.

Sponsored by \_\_\_\_\_

\_\_\_\_\_

Passed finally in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
City Clerk

This Ordinance approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Mayor