

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 5

BY-LAW NO. LI-0011-2003-004

A by-law authorizing the Licensing
of Plumbing and Drain Contractors

WHEREAS Section 165 of the *Municipal Act, 2001*, S.O. 2001, c. 25 permits The Regional Municipality of York (the “Region”) to licence, regulate and govern drain contractors, master drainlayers, plumbing contractors and master plumbers and persons who repair or reconstruct drains, and for revoking any such licence;

NOW THEREFORE, the Council of The Regional Municipality of York
HEREBY ENACTS as follows:

1. DEFINITIONS

- 1.1 “Commissioner” means the Medical Officer of Health and Commissioner of Health.
- 1.2 “Drain Contractor” means a person performing or engaged to perform Drain Work within the Region, has a regular place of business and has in his or her employ a licensed Master Drainlayer or Master Plumber.
- 1.3 “Drain Work” includes the laying of metallic or non-metallic pipe into trenches, sanitary building sewer, sanitary building drain, storm building sewer and storm building drain to form storm management systems, private sewers, private water supply systems as well as drain repairs and the removal of tree roots or other obstructions from sewers.

- 1.4 “Maintenance” means the repairing or replacement of valves, faucets, fixtures or the forcing out of a stoppage, but does not include the installation, alteration, construction or relocation of Plumbing or additions thereto.
- 1.5 “Master Drainlayer” means a person who is skilled in the planning, superintending and installing of Drain Work, is familiar with the laws, rules and regulations governing same, and who alone or by a person under his or her supervision performs Drain Work in the Region.
- 1.6 “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, and who alone or by qualified Plumbers under his or her supervision performs Plumbing work in the Region.
- 1.7 “Person” includes an individual, corporation, company, firm, organization, partnership or business.
- 1.8 “Plumber” means a person who has been issued a Certificate of Qualification in the trade of plumber under the *Trades Qualification and Apprenticeship Act*, R.S.O. 1990, c.T.17.
- 1.9 “Plumbing” has the same meaning as it has in the *Building Code Act*, 1992, S.O. 1992, c. 23, as amended from time to time, (the *Building Code Act*) and the regulations thereto as amended from time to time and any other term defined in the *Ontario Building Code Act* and the regulations thereto have the same meaning in this By-law.
- 1.10 “Plumbing Contractor” means a person performing or engaged to perform Plumbing services in the Region, has a regular place of business in Ontario, and is or has in his or her employ a Master Plumber.

- 1.11 “Region” means The Regional Municipality of York.
- 1.12 “Standard Master Plumbers Examination Program” means the program recognized by the Ontario Plumbing Inspectors Association and/or participating municipalities with jurisdiction over Plumbing for the formulation of standardized Master Plumber examinations.

2. LICENCES REQUIRED

- 2.1 No person shall engage in or work in the business of Plumbing or Drain Work without having obtained a current licence to do so from the Region.
- 2.2 No person shall hold themselves out to be a Master Plumber or Master Drainlayer without having obtained a current licence to do so from the Region.
- 2.3 No licence issued under this By-law is valid unless the fees for said licence as set out in Schedule “A” to this By-law are paid in full.
- 2.4 Notwithstanding Sections 2.1 and 2.2, no licence shall be required:
- (a) by an individual carrying out Drain Work or Plumbing in respect of a single detached or semi-detached dwelling unit owned and occupied by that individual provided that the Drain Work or Plumbing is subject to an inspection and the other laws applicable to Plumbing;
 - (b) by an owner, or an employee of an owner, carrying out Maintenance in respect of premises owned by that owner;
 - (c) by a Plumber carrying out Drain Work or Plumbing in respect of any commercial, institutional, educational or industrial establishment in its

own premises or by a municipality or a local board thereof, provided the Plumber is an employee of the establishment, municipality or local board;

- (d) by a person engaged in the business of installing, repairing or servicing water conditioners where the only Plumbing carried out is as follows;
 - (i) the installer may alter the water supply system to the extent of providing a cold water supply pipe, not exceeding twenty (20) feet in length, to the conditioner, and connecting a cold conditioned water supply pipe from the conditioner outlet to the existing cold water supply system;
 - (ii) a drain line may be installed from the conditioner so as to discharge indirectly to a floor drain, hub drain or Plumbing fixture;
 - (iii) all work done shall be subject to inspection and other requirements of relevant by-laws, the *Ontario Building Code* which is O. Reg. 403/97 to the *Building Code Act* as amended from time to time (the *Ontario Building Code*) and the other legislation respecting Plumbing;
- (e) by a person engaged in the business of replacing service water heaters, as defined in the *Ontario Building Code*, provided all work is done for the purpose of replacing service water heaters and is subject to inspection and all other laws respecting Plumbing.

3. LICENSING REQUIREMENTS

3.1 The licences required by this By-law are:

- (a) Plumbing Contractor Licence;
- (b) Drain Contractor Licence;

- (c) Master Plumber Licence;
- (d) Master Drainlayer Licence

- 3.2 Every application for a licence under this By-law shall be made in writing, on the appropriate forms to the Director, Health Protection for the Region. The Commissioner is hereby authorized to issue licences pursuant to this bylaw.
- 3.3 Applications for annual renewals of licences must be received no later than January 31st of the calendar year for which the licence relates.
- 3.4 All licences issued under this By-law shall be for the calendar year current at the time of issuance and shall be kept prominently displayed at all times by the licence holder in his or her place of business.
- 3.5 No licence issued under this By-law is transferable.
- 3.6 No person shall apply for a Master Plumber Licence or a Master Drainlayer Licence for anyone else.

4. QUALIFICATIONS

- 4.1 Every applicant for a Plumbing Contractor Licence or a Drain Contractor Licence shall have a regular place of business and shall include the mailing address of the business premises and shall have in his or her employ, a licensed Master Plumber or Master Drainlayer.
- 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 Contractor Licence or may continue to hold such a Licence.

- 4.3 No person other than a licensed Master Plumber or Master Drainlayer, or the regular full time employer of the Master Plumber or Master Drainlayer, may be issued a Drain Contractor Licence or may continue to hold such a licence.

Master Plumber

- 4.4 No person shall be licenced as a Master Plumber unless:
- (a) that person is the holder of a valid certificate of qualification as a Plumber issued pursuant to the regulations made under the *Apprenticeship and Certification Act, 1998*, S.O. 1998, or is otherwise authorized to work at the trade of a Plumber in accordance with the *Trades Qualification and Apprenticeship Act*, R.S.O. 1990, c. T.17 and the regulations thereto;
 - (b) that person is the holder of a valid Master Plumber Licence issued by at least one of the municipalities set out in Schedule “B” to this By-law, being a municipality participating in the Standard Master Plumbers Examination Program which has passed a by-law of like intent and meaning or a municipality that is a party to the Master Plumbing Reciprocal Licensing Program, and who submits a letter to the Director of Health Protection 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 successfully passed the Master Plumber examination for the municipality and is in good standing;
 - (c) that person provides proof of General Liability Insurance showing a minimum of \$2,000,000.00 coverage, which coverage is endorsed to indemnify The Regional Municipality of York; and
 - (d) that person is employed by a licensed Plumbing Contractor.

Plumbing Contractor

4.5 No person shall be licensed as a Plumbing Contractor under the By-law unless:

- (a) that person is a licensed Master Plumber or employs at least one licensed Master Plumber on a regular, full-time basis; and
- (b) that person provides proof of General Liability Insurance showing a minimum of \$2,000,000.00 coverage, which coverage is endorsed to indemnify The Regional Municipality of York.

Master Drainlayer

4.6 No person shall be licensed as a Master Drainlayer unless:

- (a) that person is the holder of a valid Drain Contractor or Master Drainlayer Licence issued by at least one of the municipalities set out in Schedule 'B' to this By-law, being a municipality which has passed a by-law of like intent and meaning, and who submits a letter to the Director of Health Protection for the Region, signed by the licensing authority of the municipality in which he or she holds an existing Master Drainlayer Licence or Drain Contractor Licence, certifying that he or she successfully passed an examination qualifying him or her to be licensed as a Drain Contractor or Master Drainlayer;
- (b) that person provides proof of General Liability Insurance showing a minimum of \$2,000,000.00 coverage, which coverage is endorsed to indemnify The Regional Municipality of York; and
- (c) that person is employed by a licensed Drain Contractor.

- 4.7 Every person holding a valid Master Plumber Licence shall be deemed to have obtained and to hold a Master Drainlayer Licence.

Drain Contractor

- 4.8 No person shall be licensed as a Drain Contractor under this By-law unless:

- (a) that person is licensed as a Master Drainlayer or Master Plumber or employs at least one licensed Master Drainlayer or Master Plumber on a regular, full-time basis; and
- (b) that person provides proof of General Liability insurance showing a minimum of \$2,000,000.00 coverage, which coverage is endorsed to indemnify The Regional Municipality of York.

5. REGULATIONS

- 5.1 No Plumber shall do any Plumbing within the Region except under the supervision of a licensed Master Plumber.
- 5.2 No Person shall do any Drain Work within the Region except under the supervision of a licensed Master Drainlayer or licensed Master Plumber.
- 5.3 No licensed Plumbing Contractor or licensed Drain Contractor shall perform or permit to be performed any Plumbing or Drain Work that is not under the supervision of a licensed Master Plumber or licensed Master Drainlayer.
- 5.4 No licensed Master Plumber shall carry out any Plumbing within the Region unless he or she is a licensed Plumbing Contractor or is employed by a licensed Plumbing Contractor.

- 5.5 No licensed Master Drainlayer shall carry out any Drain Work within the Region unless he or she is a licensed Drain Contractor or is employed by a licensed Drain Contractor.
- 5.6 No Master Plumber or Master Drainlayer shall act for more than one Plumbing Contractor or Drain Contractor at one time. Every person licensed as a Master Drainlayer or Master Plumber, upon ceasing to act for a Plumbing Contractor or Drain Contractor, shall notify the Director of Health Protection forthwith.

6. PROOF OF LICENCE

- 6.1 (a) Every person issued a licence pursuant to this By-law shall have printed or otherwise displayed on both sides of all vehicles owned, leased or used on a regular basis by the licensee in the course of business, in letters and numbers no less than 2.5 centimetres in height the licence number issued by the Region and the licensee's name; and
- (b) have printed or otherwise impressed on all business stationery, forms, bills, statements and advertising materials the licence number issued by the Region and the licensee's name.
- 6.2 No person shall advertise or promote or carry on a business except under the name stated on the licence.

7. PENALTY

- 7.1 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 set allowed under the *Provincial Offences Act*, R.S.O. 1990, c. P.33 or any successor thereof.

8. GENERAL APPLICATIONS

8.1 For the purposes of this By-law, unless the context otherwise requires, words importing the singular shall include the plural.

8.2 This By-law shall become effective on the day of its enactment.

9. REPEAL

9.1 By-Law No. LI-0010-2000-98, and any amendments thereto, are hereby repealed.

ENACTED AND PASSED this 11th day of December, 2003.

Denis Kelly
Regional Clerk

Bill Fisch
Regional Chair

SCHEDULE “A” TO BY-LAW NO. LI-0011-2003-004

ITEM	FEE
<u>ANNUAL LICENCE FEES</u>	
Plumbing Contractor Licence	\$100.00
Drain Contractor Licence	\$100.00
Master Plumber Licence	\$100.00
Master Drainlayer Licence	\$100.00

SCHEDULE “B” TO BY-LAW NO. LI-0011-2003-004

**Municipalities Participating in the Standard Provincial Examination Program
and the Master Plumber Reciprocal Licensing Program**

The following Municipalities are recognized by the Master Plumber Reciprocal Licensing Board as full participants for the Master Plumber Reciprocal Licensing Program and the Standard Provincial Examination Program:

Brantford	Peterborough
Cambridge	Sarnia
Cornwall	Sault Ste. Marie
Guelph	Stratford
Kitchener	
London	

The following Municipalities are recognized by the Master Plumber Reciprocal Licensing Board as participants in its Reciprocal Licensing Program only:

Barrie	Regional Municipality of Hamilton
Kingston	Thunder Bay
Metropolitan Toronto	Windsor