



## Legislation Details (With Text)

<b>File #:</b>	Ord 18-53	<b>Version:</b>	1
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
		<b>In control:</b>	City Council
		<b>Final action:</b>	11/14/2018
<b>Title:</b>	Amending Chapter 370 of the Legislative Code to update language to gender neutral format and change the journey person/trade worker ratio regarding warm air permits.		
<b>Sponsors:</b>	Amy Brendmoen		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Chapter 370 Memo dated September 26th 2018, 2. Letter of Support from Local 10 dated April 13th 2018		

Date	Ver.	Action By	Action	Result
11/20/2018	1	Mayor's Office	Signed	
11/14/2018	1	City Council	Adopted	Pass
11/7/2018	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
10/24/2018	1	City Council	Laid Over to Third Reading/Public Hearing	
10/17/2018	1	City Council	Laid Over to Second Reading	

Amending Chapter 370 of the Legislative Code to update language to gender neutral format and change the journey person/trade worker ratio regarding warm air permits. (Title changed on 3rd reading)

### THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

#### Section 1

Section 370.01 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 370.01. - Procedures; definitions.

The provisions of Chapter 310 of the St. Paul Legislative Code, entitled, "Uniform License Procedures," shall where appropriate be applicable to this chapter, except that certain terms shall be defined as follows:

*Building official.* Wherever the term "building official" is used in chapter 310 and in this chapter, it shall be held to mean the head of the building inspection division of the department of safety and inspections of the city.

*Department.* Wherever the term ("department") is used in chapter 310 and in this chapter, it shall be held to mean the department of safety and inspections of the city.

*Inspector.* Wherever the word "inspector" is used in Chapter 310, it shall be held to mean the building official or his the building official's designee.

*License or permit.* Wherever the word "license" or the word "permit" is used in Chapter 310, it shall be held to mean the building trades certificate of competency as provided in this chapter.

## Section 2

Section 370.02 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 370.02. - Certificate required.

For the purpose of controlling the quality of workmanship on buildings and structures within the City of Saint Paul, and by so doing to safeguard life, limb, property, public health and public welfare, there are hereby created certificates of competency which shall be required of the individual ~~tradesman~~ tradesperson who engages in any work included in the following list. Different classes of certificates are specified under each type of work to recognize different degrees of expertise:

(1) Fuel burner equipment and system installation and repair:

a. Gas:

1. Master gas installer-Class A (unlimited capacity).
2. Master gas installer-Class B (1,000,000 Btu per hour or less).

Note: No new Class B certificates of competency shall be issued; only those persons ~~now holding~~ currently holding a valid Class B certificates of competency may renew the Class B certificate.

3. ~~Journeyman~~ Journeyperson gas installer.

b. Oil:

1. Master oil burner installer-Class A (unlimited capacity).

2. Master oil burner installer-Class B (1,000,000 Btu per hour or less).

Note: No new Class B certificates of competency shall be issued; only those persons ~~now holding~~ currently holding a valid Class B certificates of competency may renew the Class B certificate.

3. ~~Journeyman~~ Journeyperson oil burner installer.

c. Fuels other than gas and oil:

1. Master installer.

2. ~~Journeyman~~ Journeyperson installer.

(2) Lathing and plastering:

a. Master plasterer (includes spray-on fireproofing).

b. ~~Journeyman~~ Journeyperson plasterer (includes spray-on fireproofing).

c. ~~Journeyman~~ Journeyperson lather.

(3) Plumbing:

a. Master plumber.

b. ~~Journeyman~~ Journeyperson plumber.

(4) Refrigeration equipment installation and repair:

a. Master installer-Class A. Holder of this certificate of competency shall be entitled to work at or engage in the installing, altering, repairing or servicing of refrigeration equipment with an unlimited capacity.

b. Master installer-Class B. Holder of this certificate of competency shall be entitled to install, alter, repair and service refrigeration equipment with a capacity of 60,000 Btu per hour or less.

Note: No new Class B certificates of competency shall be issued; only those persons ~~now holding~~ currently

holding a valid Class B certificates of competency may renew the Class B certificate.

c. ~~Journeyman~~ Journeyperson installer.

(5) Steamfitting and piping system installation and repair:

a. Master-Low pressure (steam 15 psi or less, or hot water 30 psi or less and under 250 degrees Fahrenheit).

b. ~~Journeyman~~ Journeyperson -Low pressure.

(6) Warm air heating work-Master installer.

(7) Ventilation work-Master installer.

(8) Warm air heating and ventilation-~~Journeyman~~ Journeyperson installer.

(9) Concrete mason and cement finisher:

a. Master:

1. Concrete mason and cement finisher.
2. Concrete mason.
3. Cement finisher.

b. ~~Journeyman~~ Journeyperson:

1. Concrete mason and cement finisher.
2. Concrete mason.
3. Cement finisher.

Note: Required for work on one- and two-family dwellings and their accessory structures only.

### **Section 3**

Section 370.05 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 370.05. - General requirements.

(a) *Application.* Any person submitting an application for a certificate of competency shall be at least eighteen (18) years of age and, if a license is available under state law, must be licensed by the state. The application shall be submitted to the building official in such form and contain such information as the building official may require, but shall contain a detailed statement of the applicant's training and experience. The application shall be made under oath.

(b) *Examination.* Each applicant shall be required to submit to an examination as to the applicant's qualifications and competence in the work for which a certificate of competency is desired. Said examination shall be given by a board of examiners, as provided in this chapter, and shall be given at a time and place as the board may select.

(c) Examination fees:

Master plumber ..... \$82.50

~~Journeyman~~ Journeyperson plumber ..... 82.50

All others:

Master ..... 82.50

~~Journeyman~~ Journeyperson..... 55.00

Examination fees are not refundable.

## Section 4

Section 370.06 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 370.06. - Board of examiners.

For the purpose of determining the suitability of individuals applying for certificates, there are hereby established the following boards of examiners with membership of each board as given:

(1) *Fuel burner installers.* This board shall be composed of the building official or the building official's designee as chair and four (4) appointive members, of whom two (2) shall be master gas and oil burner

installers holding Class A certificates of competency, and two (2) shall be a journeyman gas and oil burner installer holding a certificate of competency.

(2) *Lathers and plasterers.* This board shall be composed of the building official or ~~his~~ the building official's designee as chairman and four (4) appointive members, of whom one (1) shall be a registered architect, one (1) shall be a master plasterer holding a certificate of competency, one (1) shall be a journeyman journeyperson plasterer holding a certificate of competency, and one (1) shall be a journeyman journeyperson lather holding a certificate of competency.

(3) *Plumbers.* This board shall be composed of the building official or ~~his~~ the building official's designee as ~~chairman~~ chair, a city plumbing inspector, the general manager of the water utility of the City of Saint Paul or ~~his~~ the general manager of the water utility's designee, and three (3) appointive members, of whom two (2) shall be master plumbers holding certificates of competency, and one (1) shall be a journeyman journeyperson plumber holding a certificate of competency.

(4) *Refrigeration equipment installers.* This board shall be composed of the building official or the building official's designee as chair and four (4) appointive members, of whom two (2) shall be refrigeration equipment contractors licensed under Chapter 369 and holding the requisite Class A certificates of competency, and two (2) shall be journeyman refrigeration equipment installers holding certificates of competency.

(5) *Steamfitter and piping system installers.* This board shall be composed of the building official or ~~his~~ the building official's designee as ~~chairperson~~ and four (4) appointive members, two (2) shall be master steamfitters holding Hi-Lo certificates of competency, and two (2) shall be journeyman journeyperson steamfitters holding certificates of competency.

(6) *Warm air heating and ventilation installers.* This board shall be composed of the building official or ~~his~~ the building official's designee as chairman and four (4) appointive members, of whom one (1) shall be a mechanical engineer, one (1) shall be a journeyman journeyperson warm air heating and ventilation installer holding a certificate of competency, and two (2) shall be warm air heating and ventilation contractors licensed under Chapter 369 and having the requisite certificates of competency.

(7) *Concrete mason and cement finishers.* This board shall be composed of the building official or ~~his~~ the building official's designee as chairman and three (3) appointive members of whom one (1) shall be a registered engineer, one (1) shall be a master concrete mason and cement finisher holding a certificate of competency, and one (1) shall be a journeyman journeyperson concrete mason and cement finisher holding a certificate of competency.

## Section 5

Section 370.07 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 370.07. - Duties of boards.

(a) *Requirements; examinations.* Each board of examiners shall prescribe reasonable requirements as to experience, training and ability of the applicants, subject to the approval of the director of the department of safety and inspections. Each board shall formulate and hold all examinations of the applicants, whether written, oral or practical, or a combination thereof, subject to the approval of the director of the department of safety and inspections, as may be necessary to determine whether the applicant has sufficient knowledge, skill, training and experience to enable him/her to safely, competently and properly engage in or work at the business or trade for which a certificate of competency is desired. Each board may, in the event it is necessary or desirable to differentiate between levels of experience, skill, training, knowledge and ability, place classifications or conditions upon said certificates, or recommend the issuance of different classes of certificates of competency, subject to the approval of the said director. Existing classifications of certificates of competency may be retained.

(b) *Recommendation.* Each such board shall, after testing and evaluation of the applicant, make a recommendation that the applicant be issued or denied a building trades certificate of competency, and such recommendation shall be communicated to the building official, upon whom the recommendation is binding.

(c) *Meetings, when held.* Each board shall meet upon the call of the building official or his the building official's designee.

## Section 6

Section 370.11 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 370.11. - Renewal; reinstatement.

Each holder of a certificate of competency shall be entitled to a renewal of said certificate upon payment of the renewal fee required in section 370.09. The holder of an expired certificate of competency shall be entitled to renewal of said certificate upon payment of the renewal fee required by section 370.09 together with the late fee required by section 370.10. The holder of an expired certificate of competency, which certificate has been expired for more than one (1) year, shall be required to make application and pay the examination fee required by section 370.05 and shall be examined as to his the holder's qualifications and competence in the same manner as new applicants. Such holders, after successful re-examination, shall be required to pay only the renewal fee under section 370.09.

## Section 7

Section 370.15 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 370.15. - Reciprocity.

(a) *Warm air heating and ventilation.* Any master or ~~journeyman~~ journeyperson holding a valid certificate of competency for warm air heating and ventilation, installing or repair, from any other municipality in the State of Minnesota which has requirements for such certificate of competency equal to those of the City of Saint Paul, as shall be determined by the building official of the City of Saint Paul, may carry on ~~his~~ that occupation as such master or ~~journeyman~~ journeyperson in the city by registering their certificate of competency with the building official.

(b) *Lathers and plasterers.* Any ~~journeyman~~ journeyperson holding a valid certificate of competency as a lather or as a plasterer from any other municipality in the State of Minnesota which has requirements for such a certificate of competency equal to those of the City of Saint Paul, as determined by the building official of the City of Saint Paul, may carry on ~~his~~ that occupation as a ~~journeyman~~ journeyperson in the city by registering ~~his~~ their certificate of competency with the building official.

(c) *Oil, gas, plumbing, refrigeration and steamfitting.* Any master or ~~journeyman~~ journeyperson holding a valid Minneapolis certificate of competency for oil, gas, plumbing, refrigeration or steam fitting may carry on that occupation as such master or journeyman in the City of Saint Paul upon payment of the requisite fee, and registration of the Minneapolis certificate of competency with the building official, if it has been determined by the board of examiners of both cities that the Minneapolis requirements for the certificate of competency are equal to those of Saint Paul; provided, that Minneapolis reciprocates by accepting the applicable Saint Paul competency card. Except as specifically indicated in this section, all other provisions of this chapter shall be applicable to certificate holders who obtain their certificates under this reciprocal arrangement.

## Section 8

Section 370.16 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 370.16. - ~~Journeyman~~ Journeyperson to work under direction of master certificate holder.

All ~~journeyman~~ journeyperson's certificate of competency holders shall be required to work under the direction



and supervision of a duly licensed master.

## Section 9

Section 370.17 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 370.17. - Trade worker registration, direct supervision, and ratios.

(a) *Definition.* Trade worker shall mean any person performing the type of work described in section 370.02 who has not obtained a certificate of competency as a master or journeyman journeyperson for the applicable trade classification.

(b) *Registration required.* Every trade worker who works on any building or structure within the city shall be registered with the department of safety and inspections prior to performing any type of work covered by section 370.02. Each trade worker is required to register with the department of safety and inspections once each year he/she will be performing trade work covered by section 370.02. The registration shall include the full name, employer, trade classification, previous trade work experience and contact information of each trade worker.

(c) *Evaluation.* Trade workers seeking to register with the department of safety and inspections after four (4) years of experience in the trade shall complete and submit a trade worker evaluation/progress report to the department of safety and inspections at the time of their fifth and all subsequent years of registration as a trade worker. Information obtained through this process will be utilized by the department of safety and inspections to assess skill development, facilitate professional development, and review the fee requirement, trade experience documentation and competency test eligibility of trade workers with four (4) or more years of experience in their trade.

(d) *Registration fees.* Each trade worker registering to perform trade work covered by section 370.02 shall pay an annual registration fee based upon the following schedule.

(1) Tier 1 (zero to four (4) years) - Trade workers that have worked in the trade and have registered with the department of safety and inspections for four (4) years or less shall pay an annual registration fee as outlined in Chapter 310.18 of the Saint Paul Legislative Code.

(2) Tier 2 (five (5) to six (6) years) - Trade workers that have worked in the trade and have registered with the department of safety and inspections for five (5) to six (6) years shall pay an annual registration fee as outlined in Chapter 310.18 of the Saint Paul Legislative Code.

(3) Tier 3 (seven (7) years or more) - Trade workers that have registered with the department of safety and inspections for seven (7) or more years and have six (6) or more years of experience in the trade shall pay an annual registration fee equivalent to the fees required by section 370.05 for the applicable trade. In lieu of paying the tier 3 trade worker registration fee, trade workers with six (6) or more years of experience in the trade may make application and submit to an examination as to the trade workers qualifications and competency to obtain a certificate of competency in the trade pursuant to the requirements of section 370.05.

(e) *Direct supervision.* Registered trade workers may only work under the direct supervision of a journeyman journeyperson or master who holds an applicable certificate of competency to perform the relevant type of work. For the purposes of this section, the term "direct supervision" shall mean that:

(1) A supervising journeyman journeyperson or master certificate of competency holder in the type of work being performed by a registered trade worker and employed by the same employer shall be physically present and immediately available for assistance and direction;

(2) Electronic or telephonic supervision of any kind shall not be sufficient to meet the requirement that a supervising journeyman journeyperson or master be immediately available;

(3) The supervising journeyman journeyperson or master shall actually review the trade work being performed by the registered trade worker; and

(4) The supervising journeyman journeyperson or master shall be able to determine and shall determine that all trade work performed by the registered trade worker is performed in compliance with all applicable code requirements.

(f) *Ratios.* On any project the ratios of registered trade workers to journeymen journeyperson or master certificate of competency holders for the type of work covered by section 370.02 shall be as follows:

(1) *Fuel burner equipment and system installation and repair:*

a. Gas: No more than one (1) registered trade worker for three (3) ~~journeymen~~ journeypersons or master certificate of competency holders.

b. Oil: No more than one (1) registered trade worker for three (3) ~~journeymen~~ journeypersons or master certificate of competency holders.

c. Fuels other than gas and oil: No more than one (1) registered trade worker for three (3) ~~journeymen~~ journeypersons or master certificate of competency holders.

(2) *Lathing*: No more than one (1) registered trade worker for the first ~~journeyman~~ journeyperson or master certificate of competency holder, and thereafter no more than one (1) registered trade worker for three (3) ~~journeymen~~ journeypersons or master certificate of competency holders.

(3) *Plastering*: No more than one (1) registered trade worker for the first ~~journeyman~~ journeyperson or master certificate of competency holder, and thereafter no more than one (1) registered trade worker for three (3) ~~journeymen~~ journeypersons or master certificate of competency holders.

(4) *Plumbing*: No more than one (1) registered trade worker for three (3) ~~journeymen~~ journeypersons or master certificate of competency holders.

(5) *Refrigeration equipment installation and repair*: No more than one (1) registered trade worker for three (3) ~~journeymen~~ journeypersons or master certificate of competency holders.

(6) *Steam fitting and piping system installation and repair*: No more than one (1) registered trade worker for the first ~~journeyman~~ journeyperson or master certificate of competency holder, and thereafter no more than one (1) registered trade worker for three (3) ~~journeymen~~ journeypersons or master certificate of competency holders.

(7) *Warm air heating work - residential*: No more than one (1) registered trade worker for each ~~journeyman~~ journeyperson or master certificate of competency holder.

(8) *Ventilation work - commercial:* No more than one (1) registered trade worker for the first three (3) journeymen journeyperson or master certificate of competency holders, and thereafter no more than one (1) registered trade worker for three (3) journeypersons or master certificate of competency holders.

(9) *Concrete masonry and cement finishing:* No more than one (1) registered trade worker for the first journeyman journeyperson or master certificate of competency holder, and thereafter no more than one (1) registered trade worker for four (4) journeymen journeypersons or master certificate of competency holders.

### Section 10

This ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.