

Ordinance No. 6104

**AN ORDINANCE TO AMEND CERTAIN PROVISIONS
IN THE RAPID CITY PLUMBING CODE BY AMENDING CHAPTER 15.24
OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City of Rapid City has adopted regulations concerning buildings and construction in Title 15 of the Rapid City Municipal Code; and

WHEREAS, Rapid City has adopted a plumbing code in R.C.M.C. Chapter 15.24 and in R.C.M.C. 15.24.010 the Common Council adopted the 2009 Uniform Plumbing Code; and

WHEREAS, in its 2016 legislative session, the South Dakota legislature passed Senate Bill 57 adopting the 2015 Uniform Plumbing Code to be enforced by the State Plumbing Commission; and

WHEREAS, accordingly, the City now wishes to amend its ordinances to adopt the 2015 Uniform Plumbing Code used by the state; and

WHEREAS, currently the City licenses plumbers, plumber's apprentices, and water softening contractors pursuant to R.C.M.C. 15.24.060 and 15.24.070; and

WHEREAS, these licenses are duplicative of licenses issued by the State of South Dakota; and

WHEREAS, the City wishes to eliminate the trade licenses for plumbers, plumber's apprentices, and water softening contractors and to only require licenses for plumbing contractors; and

WHEREAS, the Common Council believes it to be in the best interests of the health, safety, and general welfare of its citizens to amend certain provisions in R.C.M.C. Chapter 15.24 to adopt the 2015 Uniform Plumbing Code and to streamline the licensing process for plumbers.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 15.24.010 of the Rapid City Municipal Code is hereby amended to read in its entirety as follows:

15.24.010 Adoption.

There is adopted by the eCity the ~~2009~~2015 Uniform Plumbing Code, as adopted by the South Dakota State Plumbing Commission. A copy of the same is on file in the office of the Community Planning and Development Services Department.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 15.24.020 of the Rapid City Municipal Code is hereby amended to read in its entirety as follows:

15.24.020 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

~~—A. **PLUMBER.** Any person other than a plumbing contractor who, as his or her principal occupation, is engaged as an employee of, or otherwise working under, the direction of a plumbing contractor in the installation of plumbing, and who is lawfully qualified and registered as a plumber pursuant to the provisions of this chapter.~~

~~—B. **PLUMBER'S APPRENTICE.** Any person other than a plumber or plumbing contractor who is engaged in working as an employee of a plumbing contractor under the immediate and personal supervision of either a plumbing contractor or plumber in learning and assisting in the installation of plumbing.~~

CA. **PLUMBING CONTRACTOR.** Any person qualified and skilled in the planning, superintending and the practical installation of plumbing, and otherwise qualified and registered to contract for plumbing installations and conduct the business of plumbing, and familiar with the laws, rules and regulations governing the same.

~~—D. **WATER SOFTENING CONTRACTOR.** A person who may engage in the trade or business of installing water softening equipment and apparatus and of maintaining and servicing the same, including the operation, adjustment, repair, removal and renovation of same; provided that no other plumbing activity or work be performed.~~

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 15.24.060 of the Rapid City Municipal Code is hereby deleted in its entirety:

~~**15.24.060 License Required Plumbers.**~~

~~—It is unlawful for any person to labor at the trade of plumbing in the capacity of a plumber without first having had issued to him or her a valid plumber's license by the State of South Dakota. It is also unlawful for any person to labor at the trade of plumbing in the capacity of a plumber without first having had issued to him or her a valid plumber's license by the Building Official pursuant to Chapter 15.04.~~

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 15.52.070 of the Rapid City Municipal Code is hereby deleted in its entirety:

~~**15.24.070 License Required Plumber's apprentice.**~~

~~—It is unlawful for any person to labor at the trade of plumbing in the capacity of a plumbing apprentice without first having had issued to him or her a valid plumbing apprentice license by the State of South Dakota. It is also unlawful for any person to labor at the trade of plumbing in the capacity of a plumber's apprentice without first having had issued to him or her a valid plumber's license by the Building Official pursuant to Chapter 15.04.~~

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 15.52.080 of the Rapid City Municipal Code is hereby deleted in its entirety:

~~15.24.080 License Required Water softening contractors.~~

~~—It is unlawful for any person to engage in the business or trade of installing water softening equipment or act in the capacity of a water softening contractor without first having had issued to him or her a valid water softening contractor's license by the Building Official pursuant to Chapter 15.04.~~

CITY OF RAPID CITY

Mayor

ATTEST

Finance Officer

(seal)

First Reading:
Second Reading:
Published:
Effective: