

## ORDINANCE NO. 2244

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING CHAPTER 4: BUILDING REGULATIONS, SECTION 8: GAS CODE OF THE REVISED CODE OF ORDINANCES OF THE CITY OF TERRELL; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

### SECTION I.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS THAT THE REVISED CODE OF ORDINANCES OF THE CITY OF TERRELL, CHAPTER 4: BUILDING REGULATIONS, SECTION 8: GAS CODE BE AMENDED TO READ AS FOLLOWS:

(a) *International Fuel Gas Code adopted.* There is hereby adopted by the City of Terrell, Texas for the purpose of establishing rules and regulations for the installation of gas piping, gas appliance and other related accessories for fuel gases such as natural gas, manufactured gas, undiluted liquefied petroleum gases and liquefied petroleum gas/air mixture within the city limits of the City of Terrell, Texas that certain fuel code recommended by the International Code Council, known as the International Fuel Gas Code, being particularly the 2003 edition, including all appendices and all subsequent revisions, standards, or supplements hereto, except as hereinafter amended. One copy of said code is on file in the office of the building inspector, and the same is hereby adopted and incorporated as fully as if set out at length herein, and the same shall be controlling all equipment/repairs to any fuel gas system in the city.

(b) *Amendments to the International Fuel Gas Code. Reserved.*

(c) *Fuel Gas Contractors to register with the City of Terrell.*

- (1) Registration required annually. It shall be unlawful for any person, firm or corporation in the business of installing, repairing or maintaining gas piping or appliances who is not registered by the city as a Master Plumbing contractor to secure permits as provided herein except as provided below. The fuel gas contractor may designate individual(s) to perform the administrative requirements to obtain fuel gas permit(s) provided that they are identified in writing on a form provided by the City and submit a fee for each individual as prescribed in Appendix 1 of this Code of Ordinances. Each Master Plumbing contractor shall register with the city prior to doing any installation, repair or maintenance of gas piping or appliances within the city in any current year. Each renewal thereof shall expire one (1) year from the date of registration. Every person obtaining a fuel gas permit will be required to show a valid form of identification having picture identification.
- (2) Method of registration. To register with the City of Terrell as a contractor, application shall be made in writing on forms furnished for this purpose and filed with the gas inspector. The application shall show the contractor's name, local address and telephone number, and such other information as may reasonably be required to properly identify the contractor. Every person registering as a plumbing contractor will be required to show two valid forms of identification, with at least one form having picture identification. No registration shall be issued except upon the filing of a certificate of liability insurance of the minimum coverage of three hundred thousand (\$300,000) per occurrence. It shall be unlawful for any person, firm or corporation to represent himself or themselves as a registered contractor within the city, unless said person, firm or corporation is, in fact, registered with the city.

(d) *Evidence of registration to be carried and exhibited when requested.*

(e) *Bond required.*

(f) *Gas inspector and assistants.*

(g) *Failure to obtain a permit.*

(h) *Records and Reports.*

(i) *Fuel gas work permit fees and re-inspection fees.* The fees for fuel gas permits and re-inspection fees shall be as prescribed in Appendix 1 of this Code of Ordinances.

(j) *Violations and penalties.*

(k) *Appeals.* Any person who feels aggrieved by a decision of the fuel gas inspector and/or his interpretation of the International Code as provided herein may appeal such decision to the Construction Board of Adjustments and Appeals. Such appeal shall be taken in writing within 15 days of such decision in accordance with procedures set forth in section 21 of this chapter.

(l) *Supervision of work by licensed master plumber required.* The actual work of installing, maintaining, altering or repairing of fuel gas for which a permit is required by this code shall have supervision by a licensed master plumber as provided by the Texas State Plumbing Licensing Law and this code. The owner of a plumbing contracting business who is not a licensed master plumber shall have constantly in his employ a licensed master plumber. Such master plumber shall be designated by the owner of such place of business to the plumbing inspector as the person responsible for, and supervising, the fuel gas work done by the plumbing contractor. Such designated master plumber shall be the supervisory plumber of only one plumbing contractor within the city at any one time. Should such supervision not be constantly provided, the plumbing inspector may order the work being done by such plumbing contractor to be discontinued until proper supervision and control has been provided and the name of the new master plumber disclosed to the plumbing inspector.

(m) *License required; display of license.*

- (1) It shall be unlawful for any person who is not licensed as a plumber in accordance with the provisions of the laws of the State of Texas to install fuel gas work or supervise fuel gas work as defined herein.
- (2) Nothing herein shall be construed as prohibiting the employment of a journeyman plumber to engage in, and work at the actual installation, alteration, repairing and renovating fuel gas systems, or the employment of a plumbers' apprentice who, as his principal occupation, is engaged in the learning and assisting in the installation of fuel gas systems, or the employment of unskilled laborers to handle, haul or carry material when working under the immediate supervision of the master plumber.
- (3) Each holder of a license as a master plumber shall display his license in a conspicuous place in his principal place of business. Each holder of a master or journeyman plumber's license shall carry evidence of proper registration on his person at all time while doing plumbing work and shall produce and exhibit same when requested by any inspector or officer of the city.

(n.) *Application for fuel gas work permit.* Before issuance of a permit for the performance of any plumbing work as required by the Texas Plumbing Licensing Law and this code an application shall be filed with the plumbing inspector on the form provided by the Municipal Development Department describing the scope of work. No deviation shall be made in the details for the plumbing work described on the application without permission from the plumbing inspector in writing.

**SECTION II.**

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION III.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and section to this Ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION IV.**

This Ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED ON FIRST READING THIS THE 21<sup>ST</sup> DAY OF SEPTEMBER, 2004.  
PASSED AND ADOPTED ON SECOND READING THIS THE 5<sup>TH</sup> DAY OF OCTOBER, 2004.

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Frances Anderson, Mayor

Attest:

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John Rounsavall, City Secretary

Approved as to Form:

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Mary Gayle Ramsey, City Attorney