

1ST READING: 8/26/94
REFERRED TO (NAME OF) COMMITTEE: PS&RS
PUBLIC HEARING:
2ND READING AND FINAL PASSAGE: 9-30-94

94-Or-135

# AN ORDINANCE of the CITY OF MINNEAPOLIS

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presents the following ordinance:

**Amending Title 13, Chapter 277 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Building Trades Licenses.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 277.3127 of the above-entitled ordinance be amended to read as follows:

**277.3127. Definitions.** The following words and phrases when used herein shall have the meanings respectively ascribed to them:

**Fire sprinkler PROTECTION system.** "Fire sprinkler PROTECTION system" shall mean any sprinkler, and/or standpipe, and hose system, OR OTHER SPECIAL HAZARD SYSTEM for fire protection purposes only, which THAT is composed of an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards as set forth in Standard for Installation of Sprinkler System (N.F.P.A. 13) and Standard for Installation of Standpipe and Hose Systems (N.F.P.A. 14) published by the National Fire Protection Association, INC CONNECTED TO A POTABLE WATER SOURCE. Notwithstanding the definitions contained in N.F.P.A. 13 for the purposes of this chapter, the definition of "Fire sprinkler PROTECTION system" shall DOES not include the water service piping to a city water main, or piping used for potable water purposes, nor for piping used for heating or cooling purposes. Openings from such POTABLE WATER piping for fire sprinkler PROTECTION systems shall MUST be made by persons properly licensed under sections 277.390 or 277.1130 of this chapter MINNESOTA STATUTE 326.40. PERSONS PROPERLY LICENSED UNDER MINNESOTA STATUTE 326.40 MAY ALSO SELL, DESIGN, INSTALL, MODIFY OR INSPECT A STANDPIPE, HOSE SYSTEM ONLY.

**Master Fire sprinkler PROTECTION contractor.** "Master Fire sprinkler PROTECTION contractor" shall mean a duly licensed person, firm or corporation engaged in the installation, connection, alteration, repair or addition to or of a fire sprinkler system WHO CONTRACTS TO SELL, DESIGN, INSTALL, MODIFY, ALTER, OR INSPECT A FIRE PROTECTION SYSTEM OR ITS PARTS OR RELATED EQUIPMENT.

**Journeyman sprinkler fitter.** "Journeyman sprinkler fitter" shall mean a person who is certified as competent to engage in the installing, connecting, altering, repairing, or adding to a sprinkler FIRE PROTECTION system for and under the supervision of a master fire sprinkler PROTECTION contractor.

**Apprentice sprinkler fitter.** "Apprentice sprinkler fitter" shall mean a person who is registered with the Minnesota director of apprenticeship training of the Minnesota Department of Labor and Industry and OTHER THAN A FIRE PROTECTION CONTRACTOR OR JOURNEYMAN SPRINKLER FITTER, WHO is regularly engaged in the industry learning the business TRADE under the direct supervision of a master LICENSED Fire sprinkler PROTECTION contractor or journeyman sprinkler fitter and whose duties are those of a helper only to such master fire sprinkler contractor or journeyman sprinkler fitter IS REGISTERED WITH A STATE OR FEDERAL APPROVAL AGENCY.

Section 2. That Section 277.3128 of the above-entitled ordinance be and is hereby repealed.

**277.3128. License required.** No person, firm or corporation shall install, connect, repair, alter or add to any fire sprinkler system for any structure in the city without first having obtained a license to do so. Said license shall be issued by the city council in accordance with the provisions of this article. And further, no person, firm or corporation licensed by this article shall permit or allow any person in his employ to do or perform any work regulated by this article unless such employee is the holder of a valid certificate of competency as a journeyman installer or is properly registered as an apprentice installer.

Section 3. That Section 277.3129 of the above-entitled ordinance be and is hereby repealed.

**277.3129. Application for license.** Any person, firm or corporation desiring a license as required by this article shall make written application to the city council stating therein the name of the applicant and place of business. No such license shall be issued unless such person or, where the applicant is a firm or corporation, an employee of such firm or officer of such corporation, at the time of making application is in possession of a master fire sprinkler contractor's certificate of competency from the board of examiners of fire sprinkler system installers, as hereinafter provided.

Section 4. That Section 277.3130 of the above-entitled ordinance be and is hereby repealed.

**277.3130. Examining board; membership; term.** The director of inspections or duly designated deputy, the chief of the Minneapolis Fire Department or duly designated deputy, an engineer registered in the State of Minnesota, and one duly certified master fire sprinkler contractor, and one duly certified journeyman sprinkler fitter, to be appointed by the city council after receiving recommendations from the director of inspections, shall constitute and be a board of examiners to examine and pass upon the applications of all applicants for a certificate of competency to engage in or work at the business of fire sprinkler systems installation. Such master fire sprinkler contractor and journeyman sprinkler fitter and registered engineer so appointed shall continue as members of the board until their successors are duly appointed and qualified. All appointments to the board of examiners, except when made for the unexpired portion of an uncompleted term, shall be for a term of three (3) years beginning the first day of November, 1982. All members of the examining board shall serve without remuneration and the necessary expenses of such examining board shall be paid from any funds in the city treasury available therefor. An interim board of examiners may be appointed by the city council upon recommendation of the director of inspections, to serve until such time as a permanent board may be established.

Section 5. That Section 277.3140 of the above-entitled ordinance be and is hereby repealed.

**277.3140. Organization of examining board.** Said examining board shall organize within fifteen (15) days after appointment by the city council and shall elect a president and secretary, whose duty it shall be to keep records of all applications, examinations, certificates issued and renewals thereof, other activities of said board and all fees received, and to pay into the city

treasury as soon after their receipt as practicable all monies collected by the board. A regular meeting of said board shall be held in each quarter of the calendar year, and additional or special meetings may be held when necessary at the call of the president of the board.

Section 6. That Section 277.3150 of the above-entitled ordinance be and is hereby repealed.

**277.3150. Duties of examining board.** The board shall subject each applicant for a certificate of competency to such examination and investigation as it may deem necessary to determine whether said applicant has sufficient knowledge, skill, training and experience to enable the applicant to properly carry on the business of, or work at, the installation, connection, repair, alteration, addition to or of a fire sprinkler system and to issue to each applicant who satisfactorily passes such examination and investigation the desired certificate of competency upon applicant's payment of the required fee therefor. Master fire sprinkler contractors' and journeyman sprinkler fitters' certificates shall expire on December first of each year. In case any certificate of competency shall lapse for a period of two (2) years or more, then it shall be necessary for the person who held such certificate to seek approval from the examining board before receiving a renewal of the certificate, upon payment of the renewal fees for same. Provided, however, that the examining board may issue a renewal certificate without examination to persons whose certificates have lapsed while they were serving on active duty in the Armed Forces of the United States, when proper application therefor is made within sixty (60) days after separation from such service, and upon payment of the required fee. Such examining board shall have the power to prescribe all reasonable requirements as to the experience, training and character of all applicants for such certificates of competency, to formulate and hold under such rules as they may establish all examinations of such applicants, both written and oral, and to pass upon the competency and fitness of each such applicant, and to issue certificates of registration as apprentices upon application therefor.

Section 7. That Section 277.3160 of the above-entitled ordinance be and is hereby repealed.

**277.3160. Application for certificates; examining fees.** Each person desiring a certificate of competency as herein provided shall file a notice of intent to take the examination with the examining board at least thirty (30) days prior to the date of examination, in order to allow such board ample time to investigate the applicant's record and qualifications. Such notice of intent shall contain information relative to the applicant's training, experience and education, and a chronological record of his or her employment. This information will be evaluated by the examining board and, if the candidate is found ineligible for examination at that time, he or she will be notified of the reasons therefor and no expense will have been incurred. If the applicant is apparently eligible for examination, he or she will be so notified, and a form will be provided by the board on which to make application for a certificate of competency. This application shall be submitted to the examining board together with an examination fee of seventy-five dollars (\$75.00) if for a master fire sprinkler contractor's examination, and fifty dollar, (\$50.00) if for a journeyman sprinkler fitter's examination. No such examination fee so paid shall be subject to refund, and each examination fee so paid shall be in addition to the fee charged such applicant for a certificate of competency as herein provided.

Section 8. That Section 277.3170 of the above-entitled ordinance be and is hereby repealed.

**277.3170. Grandfather clause; exception to examination.** Persons, firms or corporations who submit satisfactory proof to the examining board that they have been actively engaged in fire sprinkler systems installation either as master fire sprinkler contractors or journeyman sprinkler fitters for a period of four (4) years prior to the effective date of this article, and who apply for certificates of competency within sixty (60) days after the effective date of this article, shall not be required to comply with the provisions of this article which pertain to examination by the board of examiners or to pay an examination fee, but shall be granted a certificate of competency as a master fire sprinkler contractor or journeyman sprinkler fitter upon payment of the required fee for such certificate.

Section 9. That Section 277.3180 of the above-entitled ordinance be and is hereby repealed.

**277.3180. Temporary certification pending examination; journeyman sprinkler fitter.** The examining board may issue a temporary certificate which shall be held valid until the next scheduled examination has been held and the results of said examination certified by the board. Each person desiring such temporary certificate as herein provided shall, before issuance of the certificate, submit to the examining board an application for examination on forms provided by the board, and shall pay the examination fee of fifty dollars (\$50.00). The recipient of a temporary certificate as herein provided shall be permitted to work on fire sprinkler systems only under the immediate supervision of a licensed master fire sprinkler contractor in possession of a current certificate of competency issued by the examining board. No person shall be issued more than one temporary certificate as herein provided without approval of the examining board.

Section 10. That Section 277.3190 of the above-entitled ordinance be and is hereby repealed.

**277.3190. Reexamination.** Any applicant who shall fail to pass the examination imposed by this article and conducted by the examining board may file a new application for a certificate and shall thereupon be eligible to file an application for a second examination by the board. However, should any applicant fail to pass the second examination, he or she shall not be eligible to take a third examination until the elapse of one year from the date of the second examination. Any such applicant may, upon the expiration of said year, again make application for a certificate and shall then be entitled, after payment of the required fees, to take a third examination to be conducted by the examining board at the next date set by said board for the conducting of examinations for certificates to be issued hereunder.

Section 11. That Section 277.3191 of the above-entitled ordinance be and is hereby repealed.

**277.3191. Reciprocity.** Whenever a master's certificate of competency or license or journeyman's certificate of competency is required by the terms of this chapter, any applicant for the license or certificate who has and presents a valid and subsisting license or certificate from the City of St. Paul in which the technical, mechanical, and examination fee requirements for

securing the appropriate license or certificate are equal to those of Minneapolis, as shall be determined by the appropriate examining board, may receive the appropriate license or certificate to carry on a trade or occupation in the city without examination or payment of examination fees; provided that St. Paul reciprocates by accepting the applicable Minneapolis certificate of competency or license. However, nothing in this section shall exempt such an applicant from full compliance with all other requirements of this chapter, including payment of license and certificate fees. Where a competency card holder or licensee fails to make required corrections after being duly notified by the department of inspections where work has been done, such failure or lack of compliance will then be recorded and information relative thereto will be forwarded to any locality where a reciprocal card or license could be held.

Section 12. That Section 277.3200 of the above-entitled ordinance be and is hereby repealed.

**277.3200. Fees; certificates and renewals.** The applicant shall pay to the examining board for the first and original certificate of competency and each renewal thereof, and for each apprentice registration certificate, a fee of fifteen dollars (\$15.00). Each such fee shall be paid before issuance of such certificate. Whenever a certificate of competency has not been renewed by or before December thirty-first of the renewal year, a double fee shall be imposed. Certificate of registration as an apprentice shall be held valid and in force until applicant has completed an apprenticeship not to exceed five (5) years. Such apprenticeship registration certificates must be renewed after five (5) years.

Section 13. That Section 277.3210 of the above-entitled ordinance be and is hereby repealed.

**277.3210. License fee; transfer and expiration.** The fee for each license as provided in section 277.3128 shall be one hundred nineteen dollars (\$119.00) to be paid at the time of the filing of the application for license. Said license shall terminate December first next succeeding issuance. No such license shall be transferable or assignable.

Section 14. That Section 277.3220 of the above-entitled ordinance be and is hereby repealed.

**277.3220. Place of business required; to be recorded.** Every applicant for a license must maintain a place of business in the State of Minnesota. On receiving a license, the licensee shall have the same recorded in the office of the director of inspections, together with the place of business, giving the street and number. In case of removal therefrom, licensee shall immediately notify the director of inspections of the new address of his or her place of business.

Section 15. That Section 277.3230 of the above-entitled ordinance be and is hereby repealed.

**277.3230. Bond.** With each application for license to be issued by the city council through the director of licenses and consumer services, the applicant shall furnish a surety bond in the amount of two thousand dollars (\$2,000.00) to the city, conditioned that the licensee shall in all material and equipment furnished and in all work done by said licensee in connection

with the installing, connecting, altering, repairing or adding to fire sprinkler systems, comply strictly with the provisions of all ordinances, laws and regulations pertaining thereto. Such bond shall be for the benefit of the obligee and all persons sustaining any damages by reason of the breach of any of the conditions thereof.

Section 16. That Section 277.3240 of the above-entitled ordinance be amended to read as follows.

277.3240. Permit required; to whom issued. (a) Except as provided in section 277.3245, no person shall commence or proceed with any work on any fire sprinkler PROTECTION system as herein defined in the city without first obtaining and having a permit therefor from the director of inspections FIRE DEPARTMENT, or fail or neglect to comply with the provisions of this Code relating to such work. All work shall be done subject to the inspection and approval of the department of inspections FIRE DEPARTMENT. No permit, as required herein, shall be issued to any person other than a duly licensed master fire sprinkler contractor UNLESS SUCH PERSON IS LICENSED AS A FIRE PROTECTION CONTRACTOR UNDER MINNESOTA STATUTE 299M SUBDIVISION 1.

(b) NO PERMIT SHALL BE ISSUED UNLESS THE APPLICANT PROVIDES TO THE FIRE DEPARTMENT DOCUMENTATION SHOWING THAT EVERY PERSON TO BE ENGAGED IN INSTALLING, CONNECTING, ALTERING, REPAIRING OR ADDING TO THE FIRE PROTECTION SYSTEM IS CERTIFIED AS A JOURNEYMAN SPRINKLER FITTER PURSUANT TO MINNESOTA STATUTE 299M.03 SUBDIVISION 2 OR IS REGISTERED AS AN APPRENTICE SPRINKLER FITTER WITH A STATE OR FEDERAL APPROVAL AGENCY.

Section 17. That Section 277.3250 of the above-entitled ordinance be amended to read as follows:

277.3250. Notice to inspector. Any person performing work under permit as issued under section 277.3240 shall, upon completion of such work or completion of such portion thereof, notify the department of inspections FIRE DEPARTMENT and request an inspection of such work before concealment of the same.

Section 18. That Section 277.3260 of the above-entitled ordinance be and is hereby repealed.

277.3260. Supervision of work. All installation, connection, repair, alteration and addition to any fire sprinkler system in the city shall be done under the supervision and control of a duly licensed master fire sprinkler contractor.

Section 19. That Section 277.3270 of the above-entitled ordinance be and is hereby repealed.

277.3270. Forfeiture or revocation of license. No person, firm or corporation licensed herein shall allow his, her or their name to be used by any other person for the performance of any work regulated by the provisions of this article, and no such licensee shall permit or allow any person employed by such licensee to perform any work regulated by this article unless such employee is the holder of a valid certificate of competency as a master fire sprinkler contractor, journeyman sprinkler fitter, or is properly registered as an apprentice sprinkler fitter as issued by the examining board. Upon the presentation of satisfactory proof to the city council that such

licensee has engaged in unlawful acts as herein stated or has failed to conform with any ordinance provisions or regulation of the city relating to work on fire sprinkler systems under this article, the city council may revoke such license, and any license issued hereunder may be revoked as provided by the City Charter. When such license has been issued in the name of a firm, partnership or corporation obtaining the same, a revocation or forfeiture of such license shall be deemed to affect each individual composing said firm, partnership or corporation.

Section 20. That Section 277.3280 of the above-entitled ordinance be and is hereby repealed.

**277.3280. What master fire sprinkler contractor may do.** A master fire sprinkler contractor is a person in possession of a certificate of competency as such master issued to him or her by the examining board as herein provided and, by reason thereof, is qualified to obtain a license for and engage in and carry on the business of installing, altering, connecting, repairing or adding to a fire sprinkler system as defined herein.

Section 21. That Section 277.3290 of the above-entitled ordinance be and is hereby repealed.

**277.3290. What journeyman sprinkler fitter may do.** A journeyman sprinkler fitter is a person in possession of a certificate of competency as such journeyman issued to him or her by the examining board as herein provided and, by reason thereof, is authorized to do and perform fire suppression systems work under the supervision and direction of a duly licensed master fire sprinkler contractor. No person shall hereafter engage in the occupation of or work as a journeyman sprinkler fitter in the city without first having secured a certificate of competency as a journeyman sprinkler fitter. No person shall be issued such certificate unless he or she has submitted to the examining board proof of four (4) years of verifiable experience in the installation of fire sprinkler systems, or has served an apprentice period in accordance with the standards approved for apprentice sprinkler fitters, except as provided in section 277.3170.

Section 22. That Section 277.3300 of the above-entitled ordinance be and is hereby repealed.

~~277.3300.~~ What apprentice sprinkler fitter may do. An apprentice sprinkler fitter is a person regularly engaged in learning the trade under the direct supervision of a qualified master fire suppression contractor or journeyman sprinkler fitter, and in possession of an apprentice sprinkler fitter's registration certificate issued by the board of examiners as herein provided. No person shall hereafter engage in or work as an apprentice sprinkler fitter in the city without first having secured a certificate of registration as such apprentice from the examining board. At the expiration of four (4) years of service as an apprentice sprinkler fitter, any person who has so served shall become eligible to make application to said examining board for a journeyman sprinkler fitter's certificate of competency.

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Dziedzic	X						Thurber	X					
Campbell	X						McDonald	X					
Biemat	X						Mead	X					
Rainville	X						Schulstad	X					
Niland	X						Minn	X					
Scott	X						President						
Herron	X						Cherryhomes	X					

PASSED SEP 30 1994 DATE APPROVED - NOT APPROVED - VETOED OCT 5 1994 DATE

*Johni Chung*  
 \_\_\_\_\_  
 PRESIDENT OF COUNCIL

*Alan Bayler Bett*  
 \_\_\_\_\_  
 MAYOR

ATTEST *Mary Kege*  
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 CITY CLERK