

## **TITLE 8 – CONTRACTOR CODE**

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### **CHAPTER 8-1 LICENSES AND PERMITS**

#### **8-1-1 LICENSES**

No individual or company shall engage in the business of plumbing, electrical work, or contract work consisting of, but not limited to, cement or concrete contracting, either flat, form, or masonry contracting; water or sewer line installer; dirt excavator; or sidewalk or street pavement improvements or repairs, within the city of Mobridge unless licensed as such under the provisions of the state of South Dakota where necessary, and the codes of this chapter. The licenses shall not be transferable. A fee of fifty dollars (\$50.00) shall be paid to the city finance officer and the license shall expire December 31<sup>st</sup> of each year.

#### **8-1-2 Insurance and Bonds**

Before any contractor does work for the city or within the city for the general public as listed in section 8-1-1 he/she shall file with the city finance officer a certificate of insurance showing proof of workman's compensation, where applicable, and public liability insurance with a combined single limit of \$500,000.

The contractor must also furnish a bond in the sum of one thousand dollars (\$1,000.00), conditioned for the faithful performance of all duties required by this ordinance or any rule or regulation of the city council. Said contractor agrees to repay the city, or those affected, all damages sustained by reason or neglect of work done or careless guarding of excavations made, or failure to put all streets or public places opened, in as good condition as before breaking up or opening up same or far any other causes growing out of the negligence or carelessness of such licensee or their employee.

### **CHAPTER 8-2 PLUMBING CODE**

#### **8-2-1 Code and Amendments**

The National Standard Plumbing Code that was adopted by the City and the rules and regulations therein provided shall be, and the same are hereby changed and amended to at all times comply with changes and amendments officially adopted by the State Plumbing Board under Chapter 36-25 of the South Dakota Compiled Laws, as amended.

In addition to the pipe provided for in the national plumbing code for drainage, waste and vents acrylo nitrile butadiene serene pipe may be used in all new construction or replacement.

### **8-2-2 Title and Scope**

**A. Title.** South Dakota State Plumbing Code, may be so cited and referred to in this Chapter as the "Code."

**B. Scope.** The provisions of this Code shall apply to governing plumbing as defined in the Code, including the practice, materials and fixtures used in the installation, maintenance, extension and alternation of all piping, fixtures, appliances and appurtenances, in connection with any of the following: sanitary drainage or storm drainage facilities, ventilating system, and the public or private water supply systems within or adjacent to any building or other structure or conveyance; also, the practice and materials used in the installation, maintenance, extension or alteration of storm water or sewage system of any premises or their connection with any point of public disposal or other terminal.

**C. Facilities.** It is recognized that certain facilities in or adjacent to public streets are referred to in this Code, only a portion of which is under the ownership or control of the owner or occupants of the building or premises to which this code applies.

**D. Administration and Enforcement.** The administration and enforcement of this Code shall be the duty of the Water Superintendent and /or Building Official and representatives of the State of South Dakota as provided in said Code, who are hereby authorized to take such action as may be reasonably necessary to enforce the provisions and purposes of this Code. Such persons may be appointed and authorized as assistants or agents of such administrative authority as may be necessary to carry out the provisions of this Code.

### **8-2-3 Duties of Building Inspector**

It shall be the duty of the Building Inspector to see that the construction and maintenance of the plumbing, draining and ventilation of all buildings in the City shall hereafter conform to and comply with the rules and regulations established by this Ordinance; to pass upon all plans submitted, and to keep a record of all work, including all notices served and applications received, permits granted, violations of these regulations and all other matters which may pertain thereto. The Building Inspector shall inspect all plumbing in course of construction, in new or old buildings, and shall see that the rules and regulations and regulations of the City Council are enforced. The Building Inspector shall approve or reject all plans within twenty-four hours, when practicable, and in no case to delay to do so for more than five days.

### **8-2-4 Supervision**

All plumbing work in the process of construction, alteration or repair, shall be under the supervision of the Building Inspector, who is hereby empowered to stop such work when the same is being done contrary to the provisions of this Ordinance, provided, that whenever questions arise in regard to renewing or changing pipes or fixtures not covered by this Chapter, the Building Inspector is in such cases authorized

to require such work to be done as he or she shall deem best and furnish specifications therefore.

### **8-2-5 Access**

The officers and employees of the Department of Building and Building Inspector shall have access to all buildings for the purpose of examining and carrying into effect all ordinances relating to health and ventilation.

### **8-2-6 Test**

The Building Inspector may, if he or she deems it necessary, before approving any plumbing, required either of the following tests: (1) by plugging all openings and filling with water to the highest point. (2) or by a pressure of air of not less than 15 pounds to square inch; such test to be made in the presence of some authorized officer or employee of the Building Inspector, and it shall include soil, waste, ventilation pipes, brass ferrules and soldering nipples in connection with the same, to finished line or face of the floor or sidewalk.

### **8-2-7 Permits**

**A. Issuance of Permit:** No plumbing work, unless excepted in this Section, shall be undertaken prior to the issuance of a permit therefore by the Building Official. A permit shall be issued to a licensed plumber, except as provided in paragraph B of the Section.

**B. Exception:** Any permit required by this Code may be issued to any person to do any work regulated by this Code in any structure owned by the applicant, where the plumbing work is to be done exclusively by the owner and the materials purchased by said owner for work on said property.

In addition to the exceptions and provisions contained in the National Plumbing Code Regulations, permits will not be required for the removal of stoppage in oil or waste pipe or for replacing broken fixtures, providing such fixtures conform to the regulations contained in this Chapter or Code, nor for replacing tanks or faucets or repairing leaks in waste pipes nor for the repair of water supply pipes or tanks.

**C. Application for Permit:** Application for permit shall be made on suitable forms provided by the Building Official. If application be for tapping water or sewer mains, the application must be accompanied by the fee provided for such tapping in Title 11 of this Ordinance.

### **8-2-8 Notice to Inspector**

Any plumber or person doing work under the provisions of this Code shall, when work is prepared for inspection as provided in this Code, notify the Building Official that such inspection is required, giving the location of premises, the time such work will be ready for inspection. The Building Official shall inspect such work within a period of two work days after notification that such work is ready for inspection.

## **CHAPTER 8-3 ELECTRICAL CODE**

### **8-3-1 General**

The administration and enforcement of this Ordinance shall be the duty of the Zoning Officer who is hereby authorized to take such action as may be reasonable necessary to enforce the purposes of the City's Electrical Code which is the same as the National Electric Code as adopted by the National Fire Protection Association. Such persons may be appointed and authorized as assistants or agents of such administrative authority as may be necessary to carry out the provisions of the Code.

### **8-3-2 Scope**

The provisions of this Code shall apply to govern electrical work as defined in the Code, including the practice, materials and fixtures used in all new installations, electrical conductors, fitting devices and fixtures for light, heat and power service equipment and all equipment used for power supply to radio and television receiving systems and amateur radio transmission systems and buildings and structures; and all alterations and/or extensions to existing wiring systems and within or adjacent to any building or other structure or conveyance or on any premises within the limits of the City.

### **8-3-3 Definitions**

The following terms, as defined herein, and as used in the Code are as follows:( other terms are defined in Article 100 of the National Electrical Code, as adopted)

1. ***Building Service Equipment.*** The mechanical, electrical and elevator equipment, including piping, wiring, fixtures and other accessories, which provide sanitation, lighting, heating, ventilating, fire fighting and transportation facilities essential for the habitable occupancy of the building or structure for its designated use and occupancy.

2. ***Electrical Equipment.*** All installations of electrical conductors, fittings, devices and fixtures within or on public and private buildings.

3. ***Electrical Service Equipment.*** The equipment located at point of entrance of supply conductors to a building which constitutes the main control of supply and means of cut-off of electricity, including circuit- breaker switches, fuses and electrical accessories.

### **8-3-4 License- Electricians**

If said electrician has provided the State Electrical Board a surety bond and proof of liability insurance as required by SDCL 36-16, such electrician shall not be required to post the bond of said amount hereinabove referenced, but shall provide proof of their State license to the City Council.

## **CHAPTER 8-4 GENERAL CONTRACTORS**

### **8-4-1 Definition**

It shall be unlawful to engage in business for the city as a general contractor without first having obtained a license there as herein provided.

The term "General Contractor" shall mean and include anyone engaged in the business of cement or concrete contracting, either flat, form, or wall work, or as a masonry contractor; or as a carpenter contractor; or as a general building contractor; water and sewer installer; dirt excavator; or any person engaged in the construction, alteration, or repair of buildings or other structures, or sidewalk or street pavements.

Engaging in the above-mentioned professions in the municipality for which a permit is required under the ordinances of the municipality shall be construed as doing business as a contractor in the municipality.

### **8-5-2 Subcontractors**

Any person, firm, or corporation doing business as a subcontractor shall be construed as engaged in the business of a general contractor for which a license is required by this ordinance.

### **8-5-3 Regulations**

It shall be the duty of all general contractors to comply with all ordinances relating to the construction of building or other structures, the construction of streets, sidewalks, masonry items, water or sewer line installation, or repair of excavation services, and all laws local, state, or national (federal) pertaining to or regulating the activities engaged in.

### **8-5-4 Revocation**

Any contractor's license may be revoked by the mayor or council for repeated violations of any ordinance relating to the construction of buildings, the use of streets, the replacement of streets, sidewalks or parkways, or any other ordinance relating to the work performed by such contractor. Such revocation may be in addition to any fine imposed for violating this ordinance.

### **8-5-5 Insurance and Bonding**

No permit shall be issued for the construction of a building or structure in the city, or for the repair or alteration of the exterior or interior of any building or structure, cement work, water or sewer repair work without a certificate or other proof showing the contractor carries workman's compensation, where applicable, and public liability insurance with a combined single limit of \$500,000.

Before any contractor doing any work for the city on any street or highway, or on any building or premises owned by the city commences work, he or she shall file with the clerk a certificate of other proof showing that he carries workman's compensation and public liability insurance as required by the ordinances and the terms of his contractor. Furthermore, each said contractor shall furnish a bond in the sum of one thousand dollars (\$1,000) and such proof shall be kept on file at City Hall.