

ORDINANCE NO. 863

AN ORDINANCE REGULATING THE SALE, INSTALLATION, REPAIR AND MAINTENANCE OF GAS PIPING AND GAS APPLIANCES; PROVIDING FOR LICENSES AND FEES THEREFOR; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. TITLE. This Ordinance shall be designated and known as CHAPTER 87, GAS CODE, Appended to the 1952 Compiled Ordinances of the City of Grand Junction, Colorado, and may be cited as such.

Section 2. PURPOSE. The purpose of this ordinance is to establish minimum standards and requirements to insure the safe installation of gas appliances and/or gas piping and to regulate the sale, maintenance and repair of such appliances and/or piping.

Section 3. SCOPE. In addition to the provisions as set forth in this Ordinance, all gas piping, venting and/or the installation of gas fixtures and appliances shall conform to the provisions set forth in the "Gas Installation Rules and Regulations" adopted by the City Council of the City of Grand Junction.

Section 4. RESPONSIBILITY OF ENFORCEMENT. The responsibility of the enforcement of this Ordinance shall be vested in the Building Inspector and/or the Assistant Building Inspector, who, under the direction of the City Manager shall have full power of enforcement. Until such time as a Building Inspector is appointed, the City Engineer shall act as Building Inspector.

Section 5. DUTIES OF INSPECTOR. It shall be the duty of the Building Inspector and/or his authorized assistant to see that the installation of all gas piping, venting, and the installation of all gas appliances conform to and comply with the provisions of this Ordinance and the "Gas Installation Rules and Regulations" adopted by the City Council of the City of Grand Junction.

Section 6. RECORD OF INSPECTION. The Inspector shall approve or cause to be approved all plans of installation submitted, and keep a record of his work, including licenses granted, permits issued, inspections made, violations committed and all other matters which may pertain thereto. He shall make a monthly report to the City Manager covering the same, including the amount of fees collected.

Section 7. RIGHT OF ENTRY. The Inspector or his authorized assistant shall have the right during reasonable hours to enter any public or private building or structure in the discharge of his official duties, or for the purpose of making any

inspection or test of the piping system or gas appliances, fixtures or equipment contained therein.

Section 8. AUTHORITY TO DISCONNECT. (a) The Inspector or his authorized Assistant shall have the authority to cause the turning off of the gas supply to any gas piping and/or appliance which shall be found not to conform to the requirements of the "Gas Installation Rules and Regulations" or which may be found defective and in such condition as to endanger life or property.

(b) Where such disconnection has been made, notice shall be attached to such gas piping and/or appliance, which shall state the same has been disconnected, together with the reason therefor.

(c) Such attached notice shall not be removed nor shall the gas piping and/or appliance be reconnected until authorized so to do by the Inspector.

(d) It shall be unlawful to remove or disconnect any gas fixture and/or appliance without capping or plugging with a screw-joint fitting the outlet from which said gas fixture and/or appliance was removed.

(e) All gas outlets to which gas fixtures and/or appliances are not connected shall be left capped or plugged with a screw-joint fitting, gas tight, on any gas piping system which has been installed, altered, extended or repaired.

Section 9. LICENSE REQUIRED. No person, firm or corporation shall engage in or work at the installation, extension, alteration or repair of any gas appliances or gas piping pertaining to or in connection with gas installations nor sell or offer for sale at retail or to the ultimate consumer or his agent, any gas burning appliance within the City of Grand Junction without first procuring a license therefor in accordance with Section 10 of this Ordinance.

Section 10. LICENSES, BONDS, FEES. (a) Gas Installer's License. Any person, firm or corporation desiring to engage in the business of contracting for the installation, construction, reconstruction, adjustment or repairs of gas piping, gas appliances, fixtures or equipment or any changes thereto, shall first make application to the City Clerk for a Gas Installer's License. Such application shall be made on forms to be furnished by the City Clerk. The application shall be accompanied by a good and sufficient surety bond in the penal sum of Two Thousand (\$2,000.00) Dollars payable to the City of Grand Junction, to be approved by the City Council, conditioned that all gas piping, gas appliances, fixtures or equipment work by such person, firm or corporation or his or its employees shall be in accordance with the requirements of this ordinance and the "Gas Installation Rules and Regulations" of this City. Such bond shall save and keep harmless the City of Grand Junction and all persons therein of and from all accidents, damages and loss which may accrue to said City or any of its inhabitants, by reason of his or their failure to comply with or by reason of the carelessness or negligence in connection with their failure to comply with or by reason of the

carelessness or negligence in connection with any such work. Before being issued such license the applicant will be required to pay to the City Treasurer of the City of Grand Junction, an annual license fee of Fifteen (\$15.00) Dollars.

Upon compliance with the above provisions the City Clerk will issue to the applicant a Gas Installer's License which shall expire on the last day of December in the year in which it was issued.

Any person, firm or corporation being issued such a license shall be required to have a master gas fitter, who shall have a Master Gas Fitter's license issued by the City of Grand Junction, Colorado, in charge at all times, who shall be responsible for the proper installation of all gas piping, gas appliances, fixtures or equipment installation work.

(b) Master Gas Fitter's License. Such license will be issued by the City Clerk to all master gas fitters upon the payment of the annual license fee of Four (\$4.00) Dollars to the City Treasurer and upon the presentation of a Certificate of Approval from the Board of Examiners showing that he has successfully passed the required examination and possesses the qualification of a master gas fitter. Such license shall expire on the last day of December in the year in which it was issued, and may be renewed annually thereafter upon the payment of the annual fee.

(c) Journeyman Gas Fitter's License. Such license will be issued by the City Clerk to all journeyman gas fitters upon the payment of the annual license fee of Two (\$2.00) Dollars to the City Treasurer and upon the presentation of a Certificate of Approval from the Board of Examiners showing that he has successfully passed the required examination and possesses the qualifications of a journeyman gas fitter. Such license shall expire on the last day of December in the year in which it was issued and may be renewed annually thereafter upon the payment of the annual fee.

(d) Gas Fitter's Helper. A gas fitters helper will not be required to have a license or pass an examination. He shall at all times be in a subordinate position and never in responsible charge of any gas fitting work. He must at all times work under the immediate personal direction of a licensed gas fitter.

(e) Gas Appliance Dealer's License. No person, firm or corporation shall sell or offer for sale at retail or to the ultimate consumer or his agent any gas burning appliance designed for attachment to or to be installed on any gas piping system (including liquified petroleum gas) in the City of Grand Junction, without first procuring from the City Clerk an "Appliance Dealers License." Before being issued such license, the applicant will be required to pay an annual fee of Two Dollars (\$2.00) to the City Treasurer. Such license shall expire on the last day of December in the year in which it was issued, and may be renewed annually upon payment of the annual fee. Any person, firm or corporation holding such a license shall be required to prepare and deliver to the Inspector, weekly, a list of all appliances sold, together with the names and addresses of the purchasers.

Section 11. BOARD OF EXAMINERS. (a) There shall be and hereby is created a Board of Examiners to pass upon the qualifications of all persons engaged in or desiring to engage in the business of any or doing gas piping or gas appliance installations in the City of Grand Junction. Said Board of Examiners shall consist of the following: the City Manager, Building Inspector, Plumbing Inspector, Electrical Inspector and the City Engineer, irrespective if more than one of the above positions are held by the same person. The Board shall select from its own members, a chairman and secretary.

(b) It shall be the duty of the members of said Board, under such rules and regulations as they shall prescribe, to conduct examinations and hold meetings at such times as may be fixed by the Board for the purpose of passing upon the qualifications of persons engaged in or desiring to engage in gas piping or gas appliance installation work in the City of Grand Junction. The Board may, if it deems it necessary so to do, authorize and empower one member of said Board, to hold and conduct the examinations.

(c) The Board of Examiners shall have the power to suspend for a definite time, or to cancel or revoke at the discretion of the Board, any certificate of examination granted or license issued in accordance with the provisions of this ordinance, if after notice and opportunity to be heard, the person, firm or corporation holding the certificate or license is found guilty by the said Board, of violating the terms and conditions governing gas piping work, appliance installation and/or sale of appliances or the rules and regulations established by said Board or the City of Grand Junction.

(d) No person, firm or corporation shall lend his or its Gas Installer's License, Master Gas Fitter's License, Journeyman Gas Fitter's License or Gas Appliance Dealer's License, as the case may be, to any other person, firm or corporation nor shall any such licensed person, firm or corporation apply for or secure permits in his or its name for the use of any other person. If found guilty of such violation, the license or licenses under which the violation was committed shall be revoked or suspended.

Section 12. EXAMINATION REQUIRED. (a) No person, whether employer or employee, (except helpers as provided herein,) shall engage in the work of gas piping or appliance installation in the City of Grand Junction without first applying to said Board and passing an examination as to his competency as a Master Gas Fitter or Journeyman Gas Fitter, and if upon examination, said applicant is found competent to do such work, said Board of Examiners shall, upon payment of the examination fee of Eight Dollars (\$8.00) for Master Gas Fitters and/or Four Dollars (\$4.00) for Journeyman Gas Fitters as the case may be, issue a certificate of examination to said applicant, which will authorize the City Clerk to issue to him a Master Gas Fitters license or a Journeyman Gas Fitters license as the case may be, providing he has paid to the City Treasurer the required license fee.

(b) If any applicant shall fail to pass the required examination, he shall not be entitled to re-examination for a period of thirty (30) days from the date of first examination.

Section 13. APPLICATION FOR PERMIT. (a) No person shall install any gas appliances or extend, alter, or repair any gas piping pertaining to or in connection with gas installations, or cause said installation, extension, alteration, or repair to be done, without first obtaining a permit therefor from the Inspector; PROVIDED HOWEVER, that permits shall not be required for minor repairs or adjustments or on the service pipe from main to meter, but said work shall be done in accordance with the provisions of this Ordinance, and shall be performed by a duly licensed person.

(b) No permit required by this Ordinance shall be issued by the Inspector to any person, unless said person shall be duly licensed as provided in Sections 10 and 12 of this Ordinance.

(c) In all cases where permits are required, the person desiring to obtain said permit shall file with the Inspector, an application therefor in writing on blanks to be furnished for that purpose.

(d) The application filed by an applicant shall be checked by the Inspector and if found to be in conformity with the requirements of this Ordinance, and all other laws, ordinances, rules and regulations applicable thereto, the Inspector shall issue a permit for the proposed work, provided the applicant has paid to the City Treasurer the required permit fee.

(e) Any person, firm, or corporation making application for a permit covering the piping and/or installation of any gas appliance required under this or any other ordinance to be vented, shall be charged with full responsibility for the proper venting of any and all appliances connected thereto.

Section 14. PERMIT FEES. In any case where gas piping, extensions to or alterations of or the installation of any appliances, are authorized in any permit, there shall be paid to the City Treasurer, before said permit is issued, an inspection fee or fees in accordance with the following schedule:

For all Residential appliances or fixtures	\$1.00 each
For all Commercial appliances or fixtures	\$1.50 each
For all Industrial appliances or fixtures	\$2.00 each

Section 15. INSPECTIONS. (a) Upon completion of the installation of any piping and/or appliance installation, and prior to the use thereof, the Inspector shall be notified that such piping and/or appliance installation is ready for inspection.

(b) The Inspector shall make the following inspections and shall either approve that portion of the work as completed, or shall notify the permit holder wherein the same fails to comply with this Ordinance or the "Gas Installation Rules and Regulations."

1. Rough Piping Inspection. This inspection shall be made after all gas piping authorized by the permit has been installed, and before any such pipe has been concealed, or fixture or appliance has been attached thereto. This inspection will include a determination that the gas pipe size, material, and installation meet the requirements of this Ordinance and the "Gas Installation Rules and Regulations."

2. Final Pipe Inspection. This inspection shall be made after all piping authorized by the permit has been installed and after all portions thereof which are to be covered or concealed are so concealed and before any fixtures or appliances have been attached thereto.

It shall include a pressure test, at which time the gas piping shall stand an air pressure of ten (10) pounds per square inch gauge pressure, and shall hold this pressure for a period of ten (10) minutes with no perceptible drop. For welded piping, the above test pressure shall be fifty (50) pounds per square inch. This test shall be made using air only, and shall be made in the presence of the Inspector. All necessary apparatus for conducting this test shall be furnished by the permit holder.

(c) In cases where the work authorized by the permit consists of additional piping to be installed on gas piping already connected to a gas meter, the foregoing inspections may be waived. In this event, the Inspector will make such inspections as he deems advisable in order to insure himself that the work has been performed in accordance with the intent of this Ordinance and the "Gas Installation Rules and Regulations."

(d) The provisions of this section shall not be deemed or construed to prohibit the making of a first and final inspection at one and the same time, in the event that the gas piping is not concealed, covered, or enclosed in any manner that will prevent or interfere with a thorough inspection and examination thereof.

Section 16. CERTIFICATE OF INSPECTION. (a) The Inspector shall issue a Certificate of Inspection at the completion of all the work for which a specific permit has been issued, if, after inspection, it is found that such work complies with the provisions of this Ordinance, the "Gas Installation Rules and Regulations," and any other law or ordinances applicable thereto. Said Certificate shall indicate the nature of the work covered in the inspection, and such other information as the Inspector may deem

necessary. A copy of the Certificate of Inspection shall be issued to the Gas Utility supplying gas to the premises.

(b) It shall be unlawful for any persons to use any gas through or by means of any gas piping and/or fixtures or gas appliances for which a permit is issued or required until such gas piping and/or fixtures or gas appliance has been inspected and a Certificate of Inspection issued, and it shall be unlawful for any person, firm, or corporation to furnish or supply gas to be used through or by means of such gas piping and/or fixture or gas appliance until such Certificate of Inspection shall have been issued.

(c) The Inspector shall, upon the examination and inspection of appliance installations, certify to the Gas Utility such installations as in his judgment are safe and comply with the requirements governing such installations, as well as such installations as are not adequate or proper for the use contemplated, either as to equipment or the manner in which the installations are made.

Section 17. POWER OF GAS UTILITIES. Gas Utilities supplying or furnishing gas are hereby authorized to discontinue or refuse to supply gas for any gas piping and/or fixtures or gas appliance which may appear to be defective or leaking, or otherwise thought to endanger life or property; PROVIDED HOWEVER, that immediate notice to that effect shall be given to both the Inspector and owner, tenant, or occupant of the building or premises where such gas supply is discontinued or refused, and said notice shall state the reasons for such discontinuance or refusal.

In all cases where the supplying of gas has been so discontinued or refused the supplying of the gas shall not be resumed until authorized by the Inspector to resume said supplying of gas.

Section 18. NON-LIABILITY OF THE CITY. This Ordinance and the "Gas Installation Rules & Regulations" shall not be construed as imposing upon the City of Grand Junction any liability or responsibility for damages to any person injured or property damaged by any defect in any gas piping and/or appliances herein mentioned, or by the installation thereof, nor shall the City of Grand Junction or any official or employee thereof, be held as assuming any said liability or responsibility by reason of the inspection authorized hereunder or the Certificate of Inspection issued by the Inspector.

This Ordinance shall not be construed to relieve or lessen the responsibility of any person or persons, firms or corporations owning, operating or installing any gas piping, appliances, fixtures or equipment, for damage to persons or property by any defect therein.

Section 19. VIOLATIONS AND PENALTIES. It shall be unlawful for any person to violate any of the provisions of this Ordinance or of the said "Gas Installation Rules & Regulations," or to cause, permit or suffer the same to be done; and any person

violating any of the provisions of this Ordinance or of the said "Gas Installation Rules & Regulations" shall be deemed guilty of a misdemeanor, and each said person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance or of the said "Gas Installation Rules & Regulations" are committed, continued or permitted, and upon conviction shall be punished by a fine of not less than One Dollar (\$1.00) nor more than Three Hundred Dollars (\$300.00).

Section 20. VALIDITY. If any section, sub-section, sentence, clause, word or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, said decision shall not effect the validity of the remaining portions of this Ordinance. The City Council of the City of Grand Junction hereby declares that it would have passed this Ordinance and each section, sub-section, sentence, clause, word or phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, words or phrases be declared unconstitutional or invalid.

Section 21. REPEAL. All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed.

Section 22. EMERGENCY CLAUSE. Due to the fact that many residents are desirous of converting immediately to the use of gas, the City Council is of the opinion, and it hereby finds, determines and declares that this Ordinance is necessary for the preservation of the public peace, health and safety, and that a special emergency exists, and it shall become effective upon its passage.

APPROVED AND ADOPTED this 17th day of September, 1952.

/s/ W. D. Ela
President of the City Council

ATTEST:

/s/ Helen C. Tomlinson
City Clerk

I HEREBY CERTIFY that the foregoing emergency ordinance entitled, "AN ORDINANCE REGULATING THE SALE, INSTALLATION, REPAIR AND MAINTENANCE OF GAS PIPING AND GAS APPLIANCES: PROVIDING FOR LICENSES AND FEES THEREFOR: AND PROVIDING PENALTIES FOR VIOLATION THEREOF," was introduced, read, passed, numbered 863 and ordered published by the unanimous vote of the members of the City Council of the City of Grand Junction at a regular meeting of said Council held on the 17th day of September, 1952.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 17th day of September, 1952.

/s/ Helen C. Tomlinson
City Clerk

Published Sept. 18, 1952