

THE CORPORATION OF THE  
T O W N     O F     P E L H A M  
BY-LAW NO. 1593 (1993)

**Being a by-law to license, regulate and govern  
plumbers in the Town of Pelham**

WHEREAS, Section 236, Subsection 12 of the Municipal Act, R.S.O. 1990, chapter M.45, permits that by-laws may be passed by the councils of towns having a population of less than 100,000 for licensing, regulating and governing plumbing contractors, master plumbers and journeyman plumbers;

AND WHEREAS the Council of the Town of Pelham deems it necessary to update the by-laws of the Town of Pelham by enacting a new by-law to license, regulate and govern plumbing contractors, master plumbers and journeyman plumbers;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

1.        **SHORT TITLE:**

- (a) This by-law may be cited as the "Plumbers Licensing By-law"

2.        **DEFINITIONS:**

For the purpose of this By-law:

- (a) "Journeyman Plumber" means a person who has been issued a certificate of qualification in the trade of plumber under the Trades Qualification Act;
- (b) "Master Plumber" means a person who is skilled in the planning, superintending and installing of plumbing, is familiar with the laws, rules and regulations governing the same, has a regular place of business in Ontario and who alone or by journeyman plumbers under his or her supervision performs plumbing work;
- (c) "Plumbing" means plumbing as defined in the Building Code Act;

3.        **LICENSING:**

- (a) No person shall within the limits of the Town of Pelham hold himself or herself out as a master plumber or

journeyman plumber, or act as a master plumber or journeyman plumber, or do any plumbing work unless he or she holds a licence issued under the authority of this by-law;

- (b) Any applicant for a master plumber's licence must be a journeyman plumber;
- (c) An identification card indicating the licence number and words describing the type of licence held, the name of the municipality and signature of the Chief Building Official shall be issued to each person licensed hereunder at the time he or she receives his or her licence and the identification card shall be carried by him or her at all times while engaged in plumbing work;
- (d) Every application for a licence or renewal thereof shall be made upon forms from time to time prescribed by the Corporation of the Town of Pelham and fully completed application forms shall be submitted to the Chief Building Official for approval;
- (e) Every applicant for a licence or renewal thereof shall pay to the Corporation of the Town of Pelham the fee as prescribed in Schedule "A" to this by-law for the class of licence requested;
- (f) Every licence issued under the authority of this by-law shall expire on the 30th day of April next following the date it is expressed to become effective;
- (g) No person shall be eligible to apply for a Master Plumber's licence until he or she has submitted proof to the Chief Building Official that he or she holds a current Certificate of Qualification as a journeyman plumber and submits evidence that he or she has been a journeyman plumber for at least two (2) years and has performed plumbing work under the direct supervision of a licensed master plumber for at least two (2) years;
- (h) A person shall be entitled to obtain a Master Plumber's licence without submitting the proof required in subsection (g) above if:
  - i) he or she was licensed as a master plumber by the Corporation of the Town of Pelham for the year preceding the year for which he or she seeks a licence; or

- ii) he or she is the holder of a current and subsisting master plumber's licence from another Ontario municipality which has in effect a by-law to license, regulate and govern plumbers;
- (i) No licence issued under the authority of this by-law is transferable;
- (j) Any person who wishes to install plumbing as a journeyman plumber in the Town of Pelham may make application for a journeyman plumber's licence by submitting proof that he has obtained a certificate of qualification under the Trades Qualification Act, by completing an application form and upon payment of the fee as prescribed in Schedule "A" to this by-law;

4. GENERAL PROVISIONS:

- (a) No master plumber, journeyman plumber or other person shall permit or cause to permit an apprentice or helper or other unlicensed person to perform any plumbing work within the meaning of this by-law and the Building Code except as an assistant to and in the presence of and under the direct personal supervision of a master plumber or journeyman plumber continuously employed on the same job;
- (b) No person who is not licensed under the authority of this by-law and no journeyman plumber shall perform any plumbing work or engage in the plumbing trade or occupation except under the personal supervision and direction of a master plumber in charge of and directly responsible for the superintendence of the plumbing work performed;
- (c) Notwithstanding Subsections (a) and (b) above, any owner of property may perform plumbing work upon his or her own permanent residence without holding a licence;

5. PENALTIES:

- (a) Every person who contravenes any of the provisions of this by-law is guilty of an offence and liable upon conviction to a penalty as prescribed under the Provincial Offences Act.

6. **SEVERABILITY:**

- (a) Every provision of this by-law is declared to be severable from the remainder of the by-law and if any provision of this by-law is declared invalid by a Court of competent jurisdiction, such declaration shall not affect the validity of the remainder thereof.

7. **BY-LAWS REPEALED:**


- (a) By-law No. 233 (1974) and sections (2) and (3) of By-law 1305 (1989) shall be and are hereby repealed.

8. **FORCE AND EFFECT OF BY-LAW:**

- (a) This by-law shall come into force, take effect and be passed on the third reading and final passage thereof.

READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED BY COUNCIL  
THIS 4th DAY OF OCTOBER, 1993 A.D.

  
MAYOR

  
CLERK