

Chapter 693

Plumbers

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CROSS REFERENCES

Plumber's Code Account available for purposes of this chapter, 447.090	693.100	Rules and regulations, making and filing, Ch. 183
Plumbing Code, Ch. 447	693.110	Provisions applicable to state agencies generally, Ch. 182
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693.010 Definitions. As used in this chapter, unless the context requires otherwise:

(1) "Apprentice plumber" means any person who is indentured by the State Apprenticeship Council, registered with the State Board of Health and employed by the holder of a registration to conduct a plumbing business for the purpose of assisting the journeyman plumber and learning the plumbing trade.

(2) "Board" means the State Board of Health.

(3) "Journeyman plumber" means any person holding a valid journeyman plumber's certificate of competency issued by the State Board of Health and who performs the actual labor of installing, altering or repairing plumbing with his own hands.

(4) The holder of a certificate of "registration to conduct a plumbing business" is one who has made application to the State Board of Health and paid a registration fee to engage in the business of furnishing labor and material, or labor only, to install, alter and repair plumbing. This registration does not entitle the holder to work as a journeyman plumber.

693.020 Application of chapter to persons doing own plumbing work and to municipal regulation of plumbers. (1) This chapter does not prevent:

(a) Any person from doing his own work in his own building, on his own premises if he complies with all the rules and regulations of the board and ORS chapter 447.

(b) Any city from enacting ordinances regulating the business of journeymen plumbers and imposing a license fee or revenue thereon if permitted by charter.

(2) In communities having a population of 250 or less, any person may make repairs or installations under laws and regulations applicable thereto.

693.030 Permit and other requirements for plumbers, journeymen and apprentices. (1) No person shall engage in the trade or business of journeyman plumber without a permit or certificate of competency as provided by this chapter.

(2) No person registered to conduct a plumbing business shall:

(a) Employ any person to work as a journeyman plumber who does not hold a valid journeyman plumber's certificate of competency.

(b) Employ as an apprentice plumber a

person not indentured by the State Apprenticeship Council.

(c) Employ an apprentice on any plumbing work, representing him to be a journeyman plumber.

(d) Charge for the services of an apprentice a journeyman plumber's wage.

693.040 Registration of apprentices. (1) Every apprentice must register with the board, giving the length of time he has served and with whom he has been employed.

(2) The board shall issue to such apprentice a permit to work at the trade of plumbing so long as he works under the supervision of a certified journeyman plumber.

693.050 Application for journeyman plumber's certificate; examination and permit fees. (1) All journeymen plumbers working with tools or actually performing work of installing, altering, repairing and renovating plumbing, drainage or plumbing ventilation in this state, shall, on or before July 1 of each year, make application to the board for permission so to do on a form furnished by the board. The form shall state the applicant's name in full, his address and experience.

(2) Application for examination for journeyman plumber's certificate of competency shall be accompanied by an examination fee of \$10 and a permit fee of \$1.

(3) If the applicant passes the examination the \$1 permit fee shall apply on the certificate fee.

693.060 Issue of journeyman's certificate of competency; limitation on issue; certificate fee. (1) The board shall issue a certificate of competency to such persons as have by the examination provided for by this chapter shown themselves fit, competent and qualified to engage in the business, trade or calling of a journeyman plumber.

(2) No certificate of competency under this section shall be issued to any journeyman until the applicant therefor has complied with the rules and requirements of the board and has paid to the board a certificate fee of \$10.

693.070 Certificate issue and expiration dates. All certificates of competency shall bear the date of issue and shall expire on July 1 next following the date of issue.

693.080 Automatic revocation of permit. Permits are automatically revoked:

(1) If the applicant fails to appear when

notified unless he can furnish a reasonable excuse.

(2) When notified of failure to pass examination.

693.090 Revocation of certificates, procedure; application for new certificate after revocation. (1) The board may revoke any journeyman plumber's certificate of competency if:

(a) The certificate was obtained through error or fraud.

(b) The holder thereof is shown to be grossly incompetent.

(c) The holder has a second time willfully violated any of the rules or regulations prescribed by the board.

(2) Before any certificate of competency is revoked, the holder thereof shall have written notice enumerating the charges against him, shall be given a hearing by the board and have an opportunity to produce testimony in his behalf, at a time not less than 10 days after service of, and at a place specified in the notice.

(3) The board may appoint, by an order in writing, its secretary or any competent person to take testimony, who shall have power to administer oaths, issue subpoenas and compel the attendance of witnesses.

(4) The decision of the board shall be based upon its examination of the testimony taken and the records produced.

(5) Any person whose certificate of competency has been revoked may, after the expiration of one year from the date of revocation, but not before, apply for a new certificate of competency.

693.100 Board power to issue certificates and permits; power to make rules and regulations. (1) The board is empowered to grant and issue certificates of competency and permits to persons desiring or intending to engage in the trade or calling of journeymen plumber, in the manner and upon the terms and conditions provided in this chapter.

(2) The board shall prescribe, amend and enforce rules and regulations consistent with this chapter for the examination and certification of journeymen plumbers.

693.110 Examining Board of Plumbers, creation, composition, term, vacancies. (1) There is created a board to be known as the Examining Board of Plumbers, to be composed of three plumbing examiners.

(2) One of the examiners shall be a jour-

neyman plumber, one a person registered to conduct a plumbing business and one a member or employe of the State Board of Health.

(3) Upon the expiration of the term of either of the two members of the examining board who are not employed by the State Board of Health, the State Board of Health shall appoint a new member for a term of four years.

(4) The State Board of Health may fill vacancies on the examining board by appointment and may remove the plumbing examiners.

693.120 Duties of examining board. The Examining Board of Plumbers shall examine for fitness and qualifications all persons applying to the State Board of Health for certificates to engage in the business, trade or calling of a journeyman plumber, and certify the results thereof promptly to the State Board of Health.

693.130 Specific examination conducted by one board member. The State Board of Health may, if it deems it necessary, authorize one member only of the examining board to hold and conduct a certain specific examination and report the result as provided in ORS 693.120.

693.140 Compensation of examiners. (1) Each member of the examining board, except a paid officer, member or employe of the State Board of Health, shall receive compensation of not less than the prevailing rate for journeymen plumbers and expenses for each day in which such member is actually engaged in attendance upon the meetings of the examining board, to be audited and paid out of the General Fund and charged against the Plumber's Code Account.

(2) Expenditures from the Plumber's Code Account made pursuant to this section shall be made according to ORS 447.090.

693.150 Disposal of sums collected under chapter. All receipts from fees, charges, costs, expenses and fines provided for in this chapter shall be collected by the board, which shall pay the same into the State Treasury monthly. The State Treasurer shall place such receipts to the credit of the Plumber's Code Account in the General Fund.

693.990 Penalties. (1) Except as otherwise provided in this section, violation of this chapter or of the board rules and regulations provided for in this chapter, or re-

fusal to perform within the prescribed time any duty lawfully enjoined upon him by the board, or failure, neglect or refusal to obey any lawful order of the board, is punishable, upon conviction, by a fine of not less than \$10 nor more than \$50 or by imprisonment in the county jail for not more than 30 days. Each day of such violation constitutes a sep-

arate offense. The justices of the peace shall have jurisdiction in the premises.

(2) Violation of subsection (2) of ORS 693.020 is punishable, upon conviction, by a fine of not more than \$25 or by imprisonment in the county jail for not more than 30 days. Each day of such violation constitutes a separate offense.

