

Chapter 693

1973 REPLACEMENT PART

Plumbers

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GENERAL PROVISIONS

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 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) "Department" means the Department of Commerce.

(3) "Journeyman plumber" means any person holding a valid journeyman plumber's certificate of competency 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 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.

[Amended by 1971 c.753 §33]

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 447.010 to 447.140.

(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.

LICENSING

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 \$20 and a permit fee of \$1.

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

[Amended by 1969 c.540 §3]

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 \$20.

[Amended by 1973 c.734 §5]

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 Grounds for revocation or suspension of certificates; application for new certificate after revocation. (1) The board may revoke or suspend 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) 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.

[Amended by 1971 c.734 §152]

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 journeyman 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.

693.105 Certificate denial procedure; promulgation, review of rules and orders; hearing officers. (1) Where the board proposes to refuse to issue or renew any certificate under this chapter, or proposes to revoke or suspend any such certificate, opportunity for hearing shall be accorded as provided in ORS 183.310 to 183.500.

(2) Promulgation of rules, conduct of hearings, issuance of orders and judicial review of rules and orders shall be in accordance with ORS 183.310 to 183.500.

(3) The board may appoint, by an order in writing, its secretary or any competent person to preside at the hearing.

[1971 c.734 §154]

STATE BOARD

693.110 State Board of Plumber Examiners; creation, composition. (1) There is created in the Department of Commerce a State Board of Plumber Examiners consisting of three members appointed by the Director of Commerce.

(2) At least one of the examiners shall be a journeyman plumber, at least one a person registered to conduct a plumbing business and at least one a member or employe of the State Board of Health.

[Amended by 1971 c.753 §34]

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

[Amended by 1971 c.753 §35]

693.130 Specific examination conducted by one board member. The department 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.

[Amended by 1971 c.753 §36]

693.140 [Amended by 1969 c.314 §94; repealed by 1971 c.753 §74]

693.150 [Repealed by 1971 c.753 §74]

693.160 Disposition of receipts. All receipts from fees permitted under ORS 693.050 and 693.060 shall be collected by the department and, on the first day of each month for the preceding month, paid into the State Treasury and credited by the State Treasurer to the Building Code Account created by ORS 456.890.

[1973 c.834 §44]

PENALTIES

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

(2) Violation of subsection (2) of ORS 693.030 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.

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Thomas G. Clifford, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.
Done at Salem, Oregon,
on November 1, 1973.

Thomas G. Clifford
Legislative Counsel