

COMMON COUNCIL

May 18, 1999

Mayor Robert Raphael presided at a regular meeting of the Common Council held at 7 PM on May 18, 1999, at One Court Plaza.

Present:

Mayor Robert Raphael
Ald. Thomas Anderson
Ald. Patrick McNeil
Ald. Robert Rabinowitz
Ald. Sharon Jeffer
Ald. Joseph Biviano

Absent:

Ald. Jeffrey Thornton
Supervisor J. Dolan
Supervisor L. Natoli

Also:

Attorney Joseph McBride
Director of Finance/Clerk William Roberts
Director of H.R. Deborah DeForest
Police Chief Joseph Angelino
Fire Chief Gary Lynk
Asst. Fire Chief Leroy Burlingame
CD Director David Wagoner
Deputy Clerk Donna Russell

-- Ald. McNeil moved to dispense with the reading and approve the minutes of the regular meeting of April 20, 1999 and the work session of May 11, 1999. Seconded by Ald. Jeffer and duly adopted, ayes all.

PUBLIC HEARINGS:

-- Mayor Raphael opened the public hearing at 7:03 PM relative to an ordinance amending the Hawkers, Peddlers and Solicitors Ordinance of the City of Norwich.

- ♦ Jay Travis, Norwich, NY, mobile vendor, said his only objection to the amendment is relative to special events, that a vendor with an annual permit would be required to obtain an additional permit if his space is located within the special event area. He suggested that if it is additional revenue the City is seeking, the City raise the amount of the annual permit and noted that he would rather pay a higher rate for one permit than to have to purchase two permits. Ald. McNeil explained the intent of the ordinance is that if the special event occurs within an annual permit holder's designated area, the vendor would not be required to purchase an additional permit. However, if the event is not within the area, the vendor would then have to purchase a special event permit. Director of Finance Roberts suggested that a sentence be added to the resolution clarifying that annual permit holders are exempted from the special event permit fee providing the vendor stays within their designated area.

Mr. Travis also questioned setting up on public property vs. private property. Ald. Biviano explained that the clause is to insure that someone can't just set up on private property unless they have obtained a permit or are the owner of the property.

- ♦ Casey Jones, 4 Maydole Street, owner of businesses at 24 East Main Street and 5 South Broad Street, expressed concern about the public/private property clause under special event permit. He also noted the ordinance does not include the definition of a "vendor" and it does not specify what a vendor can sell. He said the ordinance does not state what the Council was saying about the ordinance. Attorney McBride stated the legislative intent of the ordinance is accurately stated.

-- There being no further comments, the Mayor closed the hearing at 7:23 PM.

OPEN FORUM:

No one wished to be heard.

BIDS:

No bids were received.

CORRESPONDENCE:

MS Society – Mayor Raphael reported the MS Society is again requesting permission to use the bleachers from Weiler Park for the Doug Stone Concert being held in June at the Chenango County Fairgrounds. The bleachers would be picked up on Saturday night and returned after the concert on Sunday night. The Parks Commission requests that the City assist with the moving of the bleachers. Ald.

McNeil moved to approve the use of the bleachers by the MS Society. Seconded by Ald. Biviano and duly adopted on a roll call vote, 5-0.

Memorial Day Parade – Ald. Jeffer moved to approve a request to hold the annual Memorial Day Parade on May 31, 1999 at 9:30 AM on East Main Street, under the direction of the Police Chief. Seconded by Ald. McNeil and duly adopted on a roll call vote, 5-0.

Ag Career Day – Ald. McNeil moved to approve a request from SUNY Morrisville to hold annual Ag Career Day on May 21, 1999 from 6 PM - 9 PM at the Hayes Street Parking Lot, under the direction of the Police Chief. Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 5-0.

ABATE Parade – Ald. McNeil moved to approve a request from ABATE of New York to hold annual procession on May 22, 1999 from 1 PM to 1:30 PM, under the direction of the Police Chief. Seconded by Ald. Jeffer and duly adopted on a roll call vote, 4-1 (Ald. McNeil). Prior to the vote, Ald. McNeil asked if the participants would be wearing helmets, noting that the law requires that helmets be worn. Chief Angelino said that as this would be considered a parade, he was not sure if helmets would be worn. The Chief stated that the organization has obtained a certificate of insurance.

Liquor License – Ald. McNeil moved to receive and file correspondence from Gregory Grosvenor notifying the City of his application to sell liquor for consumption at the Music Shop Pub, 26 South Broad Street. Seconded by Ald. Rabinowitz and duly adopted on a roll call vote, 5-0.

Gazebo/Electricity Request – Ald. Biviano moved to approve a request from the Norwich City Band to use the gazebo and electricity in East Side Park for six consecutive Friday evenings beginning on July 9, 1999. Seconded by Ald. Jeffer and duly adopted on a roll call vote, 5-0. Prior to the vote, it was noted that the organization has received permission from the County for use of the park. The Council discussed the electricity usage in the park and referred the matter to the Finance Committee.

DEPARTMENT, BOARD AND COMMISSION REPORTS

- ◆ Community Development/Planning monthly report for April, 1999
- ◆ Fire Department/Codes monthly report for April, 1999
- ◆ Historian monthly report for April, 1999
- ◆ Police Department monthly report for April, 1999
- ◆ Public Works/Water Department monthly report for April, 1999
- ◆ Records Management monthly report for April, 1999
- ◆ Youth Bureau monthly report for April, 1999
- ◆ Civil Service Commission minutes of March 25, 1999
- ◆ Parks Commission minutes of April 12, 1999
- ◆ Plumbing Board minutes of April 22, 1999
- ◆ Traffic Commission minutes of May 12, 1999
- ◆ Water Commission minutes of April 21, 1999
- ◆ Youth Board minutes of April 13, 1999
- ◆ Zoning Board of Appeals minutes of May 10, 1999

-- Ald. Biviano moved to receive and file the department, board and commission reports. Seconded by Ald. McNeil and duly adopted, ayes all.

WARD AND COMMITTEE REPORTS

- ◆ Personnel Committee meeting of April 5, 1999
- ◆ Public Safety Committee meeting of April 27, 1999
- ◆ Public Works Committee meeting of April 22, 1999
- ◆ Ald. Anderson reported that he discussed several concerns with various department heads. He has received positive feedback from residents on Conkey Avenue relative to the traffic change and it seems to have alleviated the congestion problems. Relative to the spring clean up, he has received calls from residents that have not had their leaves and brush picked up. It was noted that spring cleanup has been extended through May 21. Ald. Anderson said he has received concerns from residents about the condition of Elm Street. Ald. McNeil noted that it was agreed that streets would be patched until the street can be reconstructed in conjunction with main replacement. He noted that the reconstruction of Cortland and Canasawacta Streets has been delayed as well. The Council discussed the street reconstruction program and the possibility of bidding additional streets as alternates.
- ◆ Ald. McNeil reported storm drains are falling apart throughout the City. He reiterated, relative to spring clean up, that leaves need to be placed in clear bags and twigs need to be bundled.
- ◆ Ald. Rabinowitz reported, relative to the street program, the soiling and seeding has been completed. He also reported that he has referred several items to the Public Works Department.

- ◆ Ald. Jeffer reported she has referred several items of concern to the appropriate department heads.
- ◆ Ald. Biviano reported he has a matter to discuss in executive session relative to public safety.

-- Ald. Biviano moved to receive and file the reports. Seconded by Ald. Jeffer and duly adopted, ayes all.

OLD BUSINESS

RESOLUTION # 28 - 1999. AMENDING RESOLUTION NO. 121 OF 1998

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the Common Council, on December 22, 1998, adopted Resolution No. 121 of 1998, approving transfer within the NYS Police and Fire Retirement System, to rectify an error in the enrollment of several employees within the System; and

WHEREAS, it has been determined that City of Norwich Firefighter Michael E. Powell was also incorrectly enrolled; now, therefore be it

RESOLVED, that Resolution No. 121 of 1998, Approving Transfer Within the NYS Police and Fire Retirement System, be and hereby is amended to include the following addition:

Michael E. Powell be approved to transfer his retirement benefits from the NYS Retirement System plan 375G, Tier 2 to the NYS Police and Fire Retirement System plan 384-D

and, further be it

RESOLVED, that this resolution shall be forwarded to the New York State Assembly for approval at their next available session.

Seconded by Ald. Rabinowitz and duly adopted on a roll call vote, 5-0.

-- Prior to the vote, the Mayor noted that this resolution was pre-authorized by emergency telephone poll of the Council (5-0) on April 23, 1999, and forwarded to Assemblyman Crouch for presentation to the State Assembly.

RESOLUTION # 29 - 1999. ACCEPTING HOME RULE REQUEST FOR ASSEMBLY BILL #A8041 AND SENATE BILL #S5511

Ald. McNeil introduced the following and moved its adoption:

BE IT RESOLVED, that the Common Council be and hereby accepts the Home Rule Request for Assembly Bill #A8041 and Senate Bill #S5511 entitled, "Authorizes persons employed by Norwich City Police or Fire Departments to elect to participate in the optional 20 year retirement plan of the New York State Police and Fire Retirement System".

Seconded by Ald. Rabinowitz and duly adopted on a roll call vote, 5-0.

-- Prior to the vote, the Mayor noted that this resolution was pre-authorized, 6-0, by emergency telephone poll on April 28, 1999, and forwarded to Assemblyman Crouch for presentation to the State Legislature.

NEW BUSINESS

Appointments

- ◆ Fire Department Volunteers – Ald. Rabinowitz moved to accept the following volunteer appointments to the Fire Department: William Long, Norwich, to the George Rider Hook and Ladder Company and Aaron DeMun, Norwich, from Explorer Post to Alert Hose Company. Seconded by Ald. McNeil and duly adopted, ayes all. Chief Lynk introduced William Long and the Council welcomed him aboard.
- ◆ Plumbing Inspector – Ald. Biviano moved the appointment of Charles Green, 63 Silver Street, Norwich, NY as Plumbing Inspector for the City of Norwich, as recommended by the Plumbing Board. Seconded by Ald. Jeffer and duly adopted on a roll call vote, 5-0.
- ◆ Planning Commission – Due to the resignation of Charlotte O'Dea, the Mayor made the following appointment to the Planning Commission: Michael McCollough, 33 Hayes Street, for the remainder

of a three year term expiring December 31, 2001. Mayor Raphael noted that Mr. McCollough has been serving as an Alternate on the Planning Commission.

Proposed Ordinance No. 4 of 1999 – Ald. Biviano moved to receive proposed Ordinance No. 4 of 1999, an ordinance to amend the Plumbing and Heating Ordinance and set a public hearing for June 15, 1999. Seconded by Ald. Jeffer and duly adopted, 5-0, on a roll call vote.

ORDINANCE NO. (4)
OF 1999

AN ORDINANCE TO AMEND THE PLUMBING ORDINANCE
OF THE CITY OF NORWICH

BE IT ORDAINED by the Common Council of the City of Norwich, New York, as follows:

Section 1. Chapter 67, Plumbing and Heating Code of the City of Norwich, New York, is hereby amended by replacing it in its entirety as follows:

SECTION I

G E N E R A L

1. Title.

This Ordinance shall be known as the Plumbing and Heating Code of the City of Norwich, New York.

2. Statement Of Purpose.

Since there is danger to individual life, health, and property, as well as a hazard to the general public health, inherent in the installation of plumbing and heating equipment and related appliances, this ordinance is enacted to regulate the installation, alteration or repair of plumbing and associated equipment in or on all real property within the City of Norwich, New York, and the licensing of those individuals wishing to perform this line of work, excluding minor repairs made by property owners themselves.

3. State Plumbing Code Adopted.

All Plumbing, Heating and related appliance installations heretofore mentioned shall be made in conformity with the requirements of the New York State Uniform Fire Prevention and Building Code (hereinafter referred to as the State Code).

3-a) Sewers under public ways and within property lines, underground sanitary drainage piping within buildings, above ground sanitary drainage piping within buildings and the fittings for such piping shall be not less than ABS or PVC, DWV Schedule 40 or heavier pipe.

Except where such pipe enters or exits floors, walls, partitions, ceilings, roofs, fire stop devices shall be installed to prevent the passage of heat, smoke and fire gases in the event of fire.

4. Appointment And Qualifications Of Inspector.

The City Council will appoint one or more plumbing inspectors upon recommendation of the Examining Board of Plumbers, herein noted as the Plumbing Board, who will, in turn make such recommendation based upon the qualifications of the potential appointee. All plumbing inspectors who are so appointed shall not be engaged directly, or indirectly, in the business of plumbing, heating, or related appliance installation, during the period of employment as inspector. They shall be citizens and actual residents of the City of Norwich or Chenango County, and before entering upon the discharge of their duties as such inspectors, they shall be required to obtain a certificate of competency from the Examining Board of Plumbers. The compensation for such plumbing inspector(s) shall be fixed by the City Council of Norwich. In the absence of the duly appointed plumbing inspector, qualified members of Plumbing Board (excluding ex-officio members) shall make all necessary inspections. No member of this Board shall inspect installations or work performed by himself or his firm.

5. Duties Of The Inspectors.

It shall be the duty of the plumbing inspector to report in writing to Code Enforcement Officer (CEO), whose duty it shall be to enforce all the provisions of this Code, all violations of or deviations from or omissions of the provisions of the State Code, and of all local laws, ordinances and the Building Code as referred to in this Ordinance, insofar as any of the same apply to plumbing, heating or related appliances. The inspector shall make inspections and re-inspections of the plumbing installations in and on properties in the City of Norwich upon the written request of an authorized official of the City of Norwich or as herein provided. The inspector is authorized to make inspections and reinspections of plumbing, heating and related appliance installations, devices, appliances and equipment, in and on properties within the City of Norwich where he deems it necessary for the protection of life, health and property. In the event of an emergency, it is the duty of the inspector to make inspections upon the oral request of an official or officer of the City of Norwich. It shall be the duty of the inspector to furnish written reports to the proper official of the City of Norwich and owners and/or lessees of property where defective installations and equipment are found upon inspection. He shall issue a certificate of compliance to the permit holder when installations and equipment are in conformity with this Ordinance, and shall issue a copy of the certificate of compliance to the City of Norwich to the attention of the Code Enforcement Officer.

6. Violations Of The Ordinance.

It shall be a violation of this Ordinance for any person, firm or corporation to install or cause to be installed, or to alter or repair plumbing or heating equipment or related appliances or connect or cause to be connected any plumbing or heating appliance to any City sewer or water system or any New York State Electric & Gas pipeline in or on properties in the City of Norwich without benefit of an unexpired, unsuspended, unrevoked Master Plumbing or Heating license and an application for a permit being filed with the Code Enforcement Officer of the City of Norwich and/or the New York State Electric & Gas.

7. Penalty For Violations.

Any person, firm or corporation who shall violate any of the provisions of this Ordinance or any rule or regulation made pursuant thereto shall be guilty of a violation and upon conviction thereof may be punished by a fine of not more than two hundred fifty dollars (\$250.) or imprisonment not to exceed fifteen (15), or both, and each day on which such violations continue shall constitute a separate offense.

8. Ordinance Not Applicable In Certain Cases.

This Ordinance shall not apply to any building which is owned or leased in its entirety by the Government of the United States or the State of New York, nor shall it apply to manufacturing units, which employ regular plumbing and heating maintenance personnel.

9. No Waiver Or Assumption Of Liability.

This Ordinance shall not be construed to relieve from or lessen the responsibility of any person owning, operating, controlling or installing any plumbing or heating devices, appliances or equipment for loss of life or damage to person or property caused by a defect therein, nor shall the City of Norwich, New York be deemed to have assumed any such liability by reason of any inspection made pursuant to this Ordinance. Any firm or person engaged commercially in plumbing, heating or installation of related appliances shall carry a minimum insurance policy within limits of five hundred thousand dollars (\$500,000) general aggregate and three hundred thousand dollars (\$300,000) bodily injury and three hundred thousand dollars (\$300,000) property damage and Workers' Compensation as required by the State of New York. This requirement shall be satisfied immediately, by those contractors not on file with the City of Norwich Code Enforcement Office, upon enactment of this ordinance.

10. Severability.

If any section, sub-section, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance, and all the remainder of this Ordinance not so declared to be invalid shall continue to be in full force and effect. The Common Council of the City of Norwich, New York, hereby declares that it would have passed this Ordinance and each section, sub-section, sentence, clause, or phrase thereof irrespective of the fact that any part thereof may in the future be declared unconstitutional or invalid.

11. Repealing Provisions.

All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed. This Ordinance also specifically repeals the plumbing codes of the City of Norwich, New York, as adopted in 1940 and any amendments thereto.

12. Conflict With Other Ordinances.

In the event of conflict between the provisions of this Ordinance and those of the State Code, whichever is more restrictive shall prevail. In the event of conflict between this Ordinance and the Building Code of the City of Norwich, enacted August 15, 1967 and replaced September 22, 1987, said Building Code shall prevail.

In the event of a conflict between any other law or ordinance of the City of Norwich, New York, this Ordinance shall prevail in matters of plumbing, heating, or the installation of related appliances.

13. Liability For Damages.

This Ordinance shall not be construed to affect the responsibility or liability of any party owning, operating, controlling, or installing any plumbing, heating or related equipment for damages to persons or property caused by any defect in such equipment or in the installation thereof, nor shall either any duly designated plumbing inspector of the City of Norwich, any member of the Plumbing Board of the City of Norwich, nor the City of Norwich assume any liability by reason of inspections, re-inspections, the issuance of permits, or the issuance of licenses.

14. Appeals To The Provisions Of This Ordinance.

From time to time, it is anticipated that, in the opinion of the Code Enforcement Officer, a violation of the code exists. Since, neither the plumbing inspector or the Code Enforcement Officer of the City of Norwich, are empowered to allow violations of the letter of the ordinance, a written notice shall be issued to the alleged violator. The notice shall specify the sections of the code of which the individual is in violation and shall require that the individual comply within fourteen (14) days of the date of the notice or to file an appeal to the Board of Appeals as established by the City of Norwich Common Council. The penalties for failure to comply are as noted under Part 7 of Section I.

In such instances in which the State Code shall create such difficulties or hardship, an appeal may be taken to the Regional Board of Review, established pursuant to Part 440 of the State Code.

An appeal shall stay all proceedings in furtherance of the action, unless the Code Enforcement Officer, from whom the appeal is taken, certifies that the stay would cause imminent peril to life and property.

15. Effective Date.

This Ordinance shall take effect as of the first day of July , 1999, as approved by the Mayor and the Common Council of the City of Norwich, New York.

16. Direction To Publish.

This Ordinance constitutes a revision of the Plumbing and Heating Code of the City of Norwich, New York, and the Director of Finance of the City of Norwich, New York, is hereby directed to publish this Ordinance in pamphlet form for the cost to the public of five dollars (\$5.).

SECTION II

EXAMINING BOARD OF P L U M B E R S

1. Qualifications Of Board Members.

There is hereby created an Examining Board of Plumbers, herein noted as the Plumbing Board which shall consist of the City Engineer who shall be ex-officio member of the Board; one member of the City Board of Health, who shall be ex-officio member; two plumbing or heating contractors who are engaged in the business of installation of plumbing or heating equipment and who hold an unexpired, unsuspended, unrevoked Master Plumber's or Heating license for not less than ten (10) years; one licensed journeyman with like experience. The Code Enforcement Officer shall perform the duties of the Secretary of the Board and shall have no voting powers. Each duly appointed member of the Board, including ex-officio members, shall have equal voice in all matters coming before the Board.

2. Appointment And Terms Of Members.

Each of the Board members shall be appointed by the Mayor. Each member, other than ex-officio members, shall be appointed for three (3) year terms, one of which shall expire on December 31 of each year.

3. Conflict Of Interest.

Employment of one member of the Board by another member of the Board for as long as two (2) consecutive calendar months shall automatically disqualify the employed member for as long as he is so employed, and his successor shall thereupon be appointed by the Mayor to serve the remainder of his appointed term.

4. Operating Rules.

The Plumbing Board shall have the power to make and promulgate its own rules governing its meetings and proceedings, including selection of a Chairman, subject to the provisions of this Ordinance. Three (3) members of the Board shall constitute a quorum. Three (3) affirmative votes shall be necessary to carry any business of the Board.

5. Records.

The Secretary of the Board shall keep a record of all examinations held and of all applicants examined and the results thereof, together with any other records as the Board may direct. The records of the names of all applicants and the number, date and results of all examinations taken by each applicant shall be kept permanently. Other records or papers may be destroyed pursuant to the provisions of the New York State Education Law.

6. Licensing Examinations.

It shall be the duty of the Board to determine by written examination the qualifications of each applicant for the particular grade of license for which he has applied. Examination questions shall be typed, printed, mimeographed, or produced or reproduced by photocopier or similar equipment. The configuration of answers shall be as required by the testing agency or as dictated by the examination format.

7. Outline Of Examinations.

All examinations for licenses shall be supplied and graded by an impartial qualified testing agency, as agreed on and approved by the Plumbing Board.

The Master Plumbing License exam shall be devoted to questions based upon the State Code applicable to Plumbing. The exam shall be designed to test the applicant's technical competence in his field. The examination shall be as follows: Part I to be a two-hour closed book exam, the applicant shall not be permitted to use any codes, books, tables, notes, or any aids; Part II to be a one-hour open book exam, the applicant shall be allowed the use of only the reference materials listed on the examination contents sheet; Part III to be a three hour open book exam, using the same noted reference material. Reference materials will be check before commencement of the examination. A hand held calculator will be allowed during Parts II and III. Some of the questions will be based on field experience and knowledge of basic trade practices. Questions will not be limited to the references. The grade percentage for each part of the examination will be as follows: Part I will be 40% of the total grade, Part II will be 20% of the total grade and part III will be 40% of the total grade, with the final grade to be a weighted average of all parts. A minimum grade of seventy percent (70%) shall be required as a passing grade.

The Journeyman Plumbing License exam shall be devoted to questions based upon the State Code applicable to Plumbing. The examination shall be designed to test the applicant's technical competence in his field. The examination shall be as follows: Part I to be a three-hour closed book examination, the applicant shall not be

permitted to use any codes, books, tables, notes, or any aids, Part II to be a three-hour open book exam, the applicant shall be allowed the use of only the reference materials listed on the examination contents sheet. Reference materials will be check before commencement of the examination. A hand held calculator will be allowed during Part II. Some of the questions will be based on field experience and knowledge of basic trade practices. Questions will not be limited to the references. The grade percentage for each part of the examination will be as follows: Part I will be 50% of the total grade and Part II will be 50% of the total grade, with the final grade to be a weighted average of all parts. A minimum grade of seventy percent (70%) shall be required as a passing grade.

The Master Heating License exam shall be devoted to questions based upon the State Code applicable to Heating. The examination shall be designed to test the applicant's technical competence in his field. The examination shall be a three-hour opened book exam, the applicant shall be permitted to use only those reference materials listed on the examination contents sheet. Reference materials will be check before commencement of the examination. A hand held calculator will be allowed during the examination. Some of the questions will be based on field experience and knowledge of basic trade practices. Questions will not be limited to the references. A minimum grade of seventy percent (70%) shall be required as a passing grade.

The Journeyman Heating License exam shall be devoted to questions based upon the State Code applicable to Heating. The examination shall be designed to test the applicant's technical competence in his field. The examination shall be a three-hour opened book examination, the applicant shall be permitted to use only those reference materials listed on the examination contents sheet. Reference materials will be check before commencement of the examination. A hand held calculator will be allowed during the examination. Some of the questions will be based on field experience and knowledge of basic trade practices. Questions will not be limited to the references. A minimum grade of seventy percent (70%) shall be required as a passing grade.

The Master Plumbing or Heating examination and the Journeyman Plumbing or Heating examination shall be based on the State Code and any additional technical questions shall be comprehensive in natural as they pertain to the scope of the license, except the Journeyman's examination shall be less difficult than the Master's examination.

From time to time the Plumbing Board may, at their discretion and without prior notification, change certain particulars of the examination; ie: content, test agency, testing duration, testing schedule, passing grade or allowable reference materials.

8. Grading Of Examinations.

Two (2) people approved by members of the Board shall proctor all examinations of three or more applicants, and such members shall supervise the applicants during the entire course of such examinations. Examinations shall be held one day every three months, when there are qualified applicants, for a period of time as required by the testing agency, the exact time and place for each such period to be set by the Plumbing Board and advertised as required by law.

The Plumbing Board shall cause the examination to be graded by the testing agency of record. The examination shall be forwarded by overnight mail or carrier service on the next business day following the examination. The testing agency shall certify to the Board Secretary, within seven (7) days of the date of the examination, the grade for which the applicant has achieved. A minimum grade of seventy percent (70%) shall be required as a passing grade. Upon certification and the payment of a fee herein prescribed, and evidence of insurance where required, the applicant shall be issued a license of the grade he has been certified, which license shall be signed by a minimum of four (4) Board members.

9. Re-Examination Privilege.

No applicant who fails to pass his first examination shall be examined again prior to the expiration of three (3) calendar months from the date of such first examination. No applicant who fails to pass his second (2) examination shall be examined again prior to the expiration of three (3) calendar months from the date of his second examination. No applicant who fails to pass his third examination shall be examined again prior to the expiration of six (6) calendar months from the date of his third examination. No applicant who fails to pass his fourth examination shall be examined again prior to the expiration of one (1) calendar year from the date of his fourth examination. Any applicant who fails to pass five (5) examinations for any license shall be entitled to an examination for such license once each calendar year thereafter.

10. Notification Of Grade.

The Plumbing Board shall notify any applicant of his grade within thirty (30) days after the date of the examination.

SECTION III

L I C E N S E S

1. Grades Of Licenses.

There shall be two (2) grades of licenses for each of two (2) types of trades and one (1) Apprentice Training Permit as follows:

- 1) A Master Plumber's License which shall entitle the holder to contract for and engage in the business of plumbing or the installation of related appliances of any nature and to employ and supervise Journeyman Plumbers, Installers and Apprentices.
- 2) A Journeyman Plumber's License which shall entitle the holder thereof to perform any type of plumbing, or related appliance installation work under the supervision of a licensed Master Plumber. In no case shall any person who holds only a Journeyman Plumber's License contract for, advertise by any media for, or engage

in, any manner of business for, or installation of related appliances, nor shall he perform work of any nature regarding the business of plumbing in the City of Norwich except under the supervision of a properly licensed Master Plumber Contractor.

- 3) A Master Heating Contractor's License which shall entitle the holder to contract for and engage in the business of heating system installation or repair and to employ and supervise Journeyman Heating Equipment Installers and Apprentices.
- 4) A Journeyman Heating Equipment Installer's License which shall entitle the holder thereof to perform any type of heating system installation or repair on gas, oil, or coal fired equipment, under the supervision of a holder of a Master Heating license. In no case shall a person who holds only a Journeyman Heating License contract for, advertise by any media for or engage in any manner of business for, nor shall he perform work of any nature regarding the business of heating in the City of Norwich, except under the supervision of a properly licensed Master Heating Contractor.
- 5) Apprentice Training Permit. An Apprentice Training Permit, which shall entitle an unlicensed helper or apprentice to perform work in any of the two (2) trades laid out for him and is being supervised by the holder of an unexpired, unsuspended, unrevoked license of the grade entitling such holder to perform such work, provided that not more than two (2) such unlicensed helpers or apprentices are being supervised at any one time by a holder of a City of Norwich Master license.
- 6) At this time, the installation of appliances, does not require that the individual be licensed. The work that an individual may perform is limited for the installation of washing machines, dishwashers, dryers, stoves, ovens, garbage disposals, etc., or repair work on units connected to the building domestic water supply or gas piping system. The work shall be performed no more than four feet from the appliance, any distance greater than four feet shall required the work be performed by the holder of a City of Norwich Plumbing License. This does not imply that the individual is allowed to do electrical wiring or installation or to work upon coal, oil or gas fired heating plants, nor shall an installer work on plumbing fixtures or piping for such items as sinks, basins, tubs, showers, urinals, water closets, etc.

2. Applications For License.

Every person desiring to engage in any business or perform any work for which a license is required herein for doing so shall appear before the Plumbing Board and pass any examination as to his qualifications and competency of license desired by him as required by this or otherwise provide by the provisions of this ordinance.

An applicant for a license shall file written application with the Secretary of the Examining Board of Plumbers at least thirty (30) days before the date set for the next regular examination, stating the grade of license for which he wishes to be examined for, and submitting documentary proof satisfactory to the Plumbing Board of his qualifications to take such an examination, and shall pay to said Secretary the fee hereinafter provided when said application is filed. If an applicant fails to meet the qualification to sit for an exam, a letter of explanation will state the reasons for denial. The application fee, less a fifteen dollars (\$15.) processing fee will be returned. An applicant for a temporary working permit shall file a written application with the Secretary of the Plumbing Board 30 days before commencement of any work in the City, failure to do so will automatically double the temporary license fee.

3. Examination Fee And Qualifications For Master's License.

Applicants for Master Plumber's or Master Heating Licenses shall pay an examination fee as established by resolution of the Common Council, shall be of good moral character and:

- a) shall have a minimum of six (6) years work experience in the installation of those particular types of equipment for which he is making license application, at least three (3) continuous years of which shall have been as a Journeyman; or
- b) in lieu of such experience shall have graduated with a bachelor's degree in engineering from a regionally accredited college or university and shall have had at least one (1) year of practical experience as a Journeyman in the installation of plumbing, or heating equipment; or
- c) in lieu of such experience shall have graduated from a regionally accredited college or university with an associate's degree in engineering or be a graduate of a recognized trade school and shall have had at least two (2) years of practical experience in the installation of plumbing, or heating equipment, at least one (1) year of which shall have been as a Journeyman in the trade for which he is applying; or
- d) in lieu of such experience the applicant shall document to the Examining Board that he has a minimum of ten years experience and a certification of any training in the trade for which he is applying for a license. Upon review and confirmation of the information supplied in the application, the applicant shall be required to take and pass the Journeyman's examination and after a period of six months shall be allowed to take the Master's test; or
- e) those individuals that hold a Master's license from a non-reciprocal municipality or state, after review and confirmation of the information supplied in the application, shall be required to take and pass the Journeyman's examination and after a period of six months shall be allowed to take the Master's test.

4. Examination Fee And Qualifications For A Journeyman License.

Applicants for Journeyman's License in any one of the two trades covered herein shall pay an examination fee as established by resolution of the Common Council, and shall be of good moral character. Applicants for Plumber or Heating Journeyman's Licenses shall have had a minimum of three (3) years work experience in the installation of applicable equipment, such equipment being apropos to the type of license for which he is making. If the Journeyman has a break in service, the time served will be credit toward the required three (3) years. Unemployment time shall not be credited towards the three (3) years.

5. Qualifications For Apprentice Training Permits.

Apprentice Training Permits shall be issued without charge by the Secretary of the Plumbing Board to unlicensed workers of good moral character making written application to the Secretary of the Board for such permits. The permit holder shall be employed by a holder of an unexpired, unsuspended, unrevoked Master Plumbing or Heating license. No experience is required for obtaining Apprentice Training Permits. There shall be no examination nor an examination fee for Apprentice Training Permits.

No persons under the age of twenty-one years shall be issued a Master's or Journeyman's License and no persons under the age of 18 shall be issued an Apprentice Training Permit.

6. Forfeiture.

Any applicant who passes an examination for any grade of license and fails to obtain the license of that grade by paying the fee as prescribed herein within a period of one (1) year shall forfeit his right to obtain such license until he again qualifies himself by passing another examination as required herein for the first examination. Each examination given, regardless of the number taken by any applicant, shall be accompanied by the full fee prescribed herein for the grade of examination given. Examination fees cannot be applied as part of the license fees prescribed herein.

7. Insurance Requirements For Master.

All holders of Master's license, shall carry compensation insurance, unemployment insurance, and disability insurance when required by State law; and all such holders of such licenses shall furnish liability insurance, exclusive of motor vehicles, of not less than three hundred thousand (\$300,000.) for one person and five hundred thousand dollars (\$500,000.) for more than one person, and three hundred thousand dollars (\$300,000.) property damage, and Workers' Compensation as required by the State of New York, proof of which shall be registered with the Secretary of the Plumbing Board at the time of renewal. Any holder of any such license who is found to be operating without the above specified insurance shall have his license revoked until the requirements of this article are met, but in no case for less than fifteen (15) days for the first offense, sixty (60) days for the second offense, and six calendar months for the third offense. During the period of such suspension, such license shall be and become null and void. After the termination of any such period of suspension, such license shall be again valid and effective, provided that renewal fees which have become due thereon, as hereinafter set out, were paid when due. If within any three (3) year period, the holder of any license issued under the terms hereof shall have been suspended three (3) or more times for violations of this Article, the Plumbing Board of the City of Norwich may revoke and cancel such license, and upon such revocation and cancellation said license shall be and become null and void and cannot be renewed thereafter.

8. Suspension Provision - General.

The Plumbing Board of the City of Norwich, upon recommendation of either the Chairman or the Secretary of the Board, or upon recommendation of any duly designated plumbing inspector, may suspend any license issued or renewed under the terms of this Ordinance if, after a hearing, it is established that such holder of such license has violated any of the terms of this Ordinance, or any of the inspection requirements set forth in the Building Code of the City of Norwich, New York, by the holder of such license until the requirements of the Building Code are met, but in no case for less than fifteen days (15) for the first offense, sixty (60) days for the second offense, and six (6) calendar months for the third offense. During the period of such suspension, such license shall be and become null and void. After the termination of any such period of suspension, such license shall be again valid and effective, provided that renewal fees which have become due thereon, as hereinafter set out, were paid when due. If within any three (3) year period, the holder of any license issued under the terms hereof shall have been suspended three (3) or more times for violations of the provisions of this Ordinance, the Examining Board of Plumbers of the City of Norwich, may revoke and cancel such license, and upon such revocation and cancellation said license shall be and become null and void and cannot be renewed thereafter.

9. Revocation Provisions - General.

The Plumbing Board of the City of Norwich may revoke and cancel any license issued or renewed under the terms of this Ordinance if and when it has evidence that the holder of any license is incompetent or otherwise unfit to perform in a safe manner equipment installations as provided herein; or if and when a Court of Law, after trial, has found that the holder of any license is not of good moral character by reason of any act committed by him against any person or property in or on any premises where work is being done, estimated, or contemplated, and upon such revocation and cancellation, such license shall be and become null and void, and cannot be renewed thereafter until the person who held such license presents to the Board a Certificate of Good Conduct issued by the New York State Department of Correction, and/or a similar certificate of good conduct issued by the United States Government.

10. Suspension And Revocation For Violations Of This Ordinance.

It shall be a violation for any person, firm, or corporation to make any plumbing installation or to perform any plumbing work without complying fully with the plumbing inspection requirements set forth in the Building Code of the City of Norwich, New York.

Upon conviction for a violation of any provision of this Ordinance in any court having jurisdiction thereof of any holder of any license issued or renewed under the terms of this Ordinance, such person so convicted shall have his license automatically suspended for a period of six (6) months for the first such conviction, for a period of one (1) year for the second such conviction, and for a period of two (2) years for the third such conviction and during the time of such suspension, such license shall be and become null and void. After the termination of such period of suspension, provided that such suspension is for less than two (2) years, such license shall again be valid and effective, provided that renewal fees which may have become due thereon, as hereinafter set out, were paid when due. If, within any three (3) year period, the holder of any license issued under the terms hereof shall have been convicted three (3) or more times for a violation of any of the provisions of this Ordinance such holder of such license shall have his license automatically revoked and canceled, and upon such revocation and cancellation, said license shall be and become null and void and cannot be renewed thereafter.

11. Fees For Master, Journeyman And Apprentice Licenses.

Annual fees for all Master, Journeyman and Apprentice licenses issued under provisions of this ordinance shall be established by resolution of the Common Council.

12. Inactive Status.

Any holder of any license of any grade may place his license on inactive status by notifying the Secretary of the Plumbing Board in writing of such intent and by refraining from actively engaging in any phase of the business of supervising or of performing any work whatsoever. The annual renewal fee for any license which has been placed on inactive status shall be one-fifth (1/5) of the active annual renewal fee for the license in question as listed hereinabove. Active engagement by the holder of any license on inactive status in any phase of his business or the trade is unlawful unless such holder first converts his license from an inactive status to an active status by notifying the Secretary of the Plumbing Board in writing of such intent and by paying to the Secretary of the Plumbing Board the difference in the renewal fee between inactive and active status.

13. Expiration Of Licenses.

Any license issued under the terms of this Ordinance shall expire thirty (30) days after the annual renewal date of January 1, the license fee thereon becomes due and payable unless said fee is paid before the expiration of said thirty (30) days period.

Any holder of any license of any grade who shall fail to pay the annual renewal fee due for a renewal of such license within thirty (30) days of the date the same becomes due shall be required to pay as a renewal fee for such license twice the amount as the fee for the first full year, being the amount hereinabove set out.

Any holder of any renewable license of any grade who shall fail to pay any renewal fee due for such license within one (1) year after the date such fee becomes due shall forfeit such license, and the same shall be and become null and void from and after the expiration of said one (1) year period.

14. Violation For Performing Unlicensed Work.

It shall be a violation for any person, firm, or corporation who is not the holder of an unexpired, unsuspended, unrevoked license to engage in any business or perform any work in connection with constructing, installing, extending, repairing or replacing any plumbing or heating apparatus, or equipment except that a helper or an apprentice who is the holder of an Apprentice Training Permit may perform work laid out for him by a holder of a license if he is being supervised by the holder of such license, and if the license is such as to permit the holder thereof to do such work, and if not more than two (2) such helpers or apprentices are being supervised by any one holder of a license. This clause shall not, however, abrogate the right of a homeowner to apply for a permit to do work on his own premises.

15. Work Performed Under Improper Class Of License.

It shall be a violation for any holder of any license issued under the provisions of this Ordinance to engage in any phase of the Plumbing or Heating business or perform any work other than such business or work authorized by the class of license held by him, except that a helper or an apprentice who is the holder of an Apprentice Training permit may perform work laid out for him by a holder of a license enabling such holder to do such work and then only while he is being supervised by the holder of a license. Not more than two (2) unlicensed helpers or apprentices will be permitted to be supervised by any one holder of a license.

16. Fraudulent Use Of License.

It shall be a violation for any holder of any license of any grade to allow his name or license to be used by any other person, firm, or corporation, directly or indirectly, for the purpose of obtaining a permit or performing work under his license.

17. Applicability Of City Building Code.

It shall be a violation for any person, firm, or corporation to make any plumbing, heating or associated appliance installation or perform any related work without complying fully with the inspection requirements set forth in the Building Code of the City of Norwich, New York.

18. Reciprocal Licensing Provision.

Any person, presently licensed as a Master Plumbing or Heating Contractor, in a community having a signed reciprocal agreement with the City of Norwich, who can demonstrate that he meets the background, competency, bonding and insurance requirements of a Master, shall be entitled to a Master License for the City of Norwich.

Any person, presently licensed as a Journeyman in Plumbing or Heating, in a community having a signed reciprocal agreement with the City of Norwich, shall be entitled to a Journeyman's license for the City of Norwich and shall be employed by a holder of a City of Norwich Master Plumbing or Heating license or a reciprocal license holder.

The licenses described immediately above shall entitle the holders thereof to the same privileges and demand from them the same responsibilities as attached to license holders of the City of Norwich. An application for a reciprocal license shall be filed with the Secretary of the Plumbing Board 30 days before commencement of any work in the City, failure to do so will automatically double the license fee.

19. Temporary Licensing Provisions.

Any person, not presently licensed in the City of Norwich, who can demonstrate to the satisfaction of the Plumbing Board that he meets the background, competency, bonding and insurance requirements of a Master Plumber or Heating Equipment Installer, is so licensed in another municipality in the State of New York, or is a member in good standing of a recognized plumbing union shall be entitled to a temporary Master's license, upon payment of the Master Plumbing or Heating Temporary License fee.

Any person, not presently licensed in the City of Norwich, who can demonstrate to the satisfaction of the Plumbing Board that he meets the background and competency requirements of a Journeyman Plumber, is so licensed in another municipality in the State of New York, or is a member in good standing of a recognized plumbing union shall be entitled to a Temporary Journeyman's, upon payment of the Journeyman's Plumbing or Heating Temporary License fee.

The Temporary licenses described immediately above shall entitle the holders thereof to the same privileges and demand from them the same responsibilities as attached to permanent licenses, except that the temporary licenses are effective for work on one job or contract per year.

See Attached Fee Schedule

The description qualifications and fees above described for a Temporary Master Plumber's License and Temporary Journeyman Plumber's License shall apply respectively to temporary licenses for Master Heating and Journeyman Heating Equipment Installers. An application for a temporary working permit shall be filed with the Secretary of the Plumbing Board three (3) days before commencement of any work in the City, failure to do so will automatically double the license fee.

20. Requirement That License Be Held By A Natural Person.

Any corporation doing business in the trade, and/or calling of a and /or Heating Installation Contractor, within the City of Norwich, shall designate an officer or local manager to procure a Master Plumbing or a Master Heating License. Licenses now held in the names of firms or corporations may continue to be so held and renewed subject to all other terms of this Ordinance and all other pertinent Ordinances. Each person so designated shall prove to the Board that he has the necessary qualifications.

21. Age Requirement.

No person under twenty-one (21) years of age shall be issued a Master's or Journeyman's License and no persons under the age of eighteen (18) shall be issued an Apprentice License.

22. No Transfer Provision.

No license in effect, issued, or renewed under the terms of this Ordinance shall ever be transferred to or used by any other person, firm or corporation other than the one to whom or to which the same is or shall be issued.

23. Presentation Of License Certificate.

All persons shall carry their licenses on their persons at all times or be able to produce them within forty-eight (48) hours while performing work requiring a license by the provisions of this Ordinance, and such persons shall produce and present such licenses immediately or within forty-eight (48) hours upon request of any member of the Examining Board of Plumbers or duly designated plumbing inspector of the City of Norwich. Large duplicate copies, suitable for framing, shall be issued to all holders of Master licenses for office use.

23. List Of License Holders.

Each holder of a license of any grade shall furnish the Secretary of the Plumbing Board with a written notice of his permanent address, and each holder of a Master's License of any grade shall furnish the Secretary of the Plumbing Board with a written notice of his permanent address, telephone number and a list of employees including the type of license held by each employee. Such lists shall be kept up to date and current at all times by the holders of such licenses.

SECTION IV

P E R M I T S

1. Permit Required.

Within the Corporate limits of the City of Norwich no plumbing, heating or related appliances shall be installed within or on any building, structure, or premises, publicly or privately owned, nor shall any alteration or addition be made to any such existing equipment without a permit having first been secured therefor from the City Code Enforcement Office.

No permit will be required for minor repairs, ordinary maintenance work, maintenance contracts, and emergency work; except that application for permit shall be made on the first normal working day for all emergency work resulting in major repairs or alterations. All emergency work may be completed before issuance of permit.

2. Application For Permits.

Application for such permits required in Article 1 next above shall be made to the City Code Enforcement Office by the holder of the Master's license who is to supervise the work and installations for which the permit is sought. A homeowner may apply for the permit to do work on his own premises.

3. Display Of Permit.

Plumbing permit numbers and the name of the holder of the Master's license or homeowner to whom it was issued shall be publicly and prominently displayed at the site of any installation for which a permit has been issued.

4. Expiration Of Permit.

If no work has been done at the end of three (3) calendar months from the date of issue of a permit for such work, such permit shall be and become null and void from and after the expiration of said three (3) months period.

5. Correction Of Violations.

Any holder of any Master's license of any grade who obtains a permit to correct violations issued by the duly designated plumbing inspector of the City of Norwich shall proceed with such corrective measures within forty eight (48) hours and shall complete such measures within ninety (90) days of the date of issuance of such permit. Where the required repairs are extensive enough to require a longer period of time to complete than ninety (90) days, the Plumbing Board shall grant as many ninety (90) day extensions as are necessary to complete the job, provided that the applicant for the time extensions furnished proof satisfactory to the Board that reasonable and continuous progress has been made to remove the defects and complete the required repairs without any unnecessary delays.

6. Permit Required For Each Building.

A separate permit shall be required for each separate building in which work is to be done.

7. Permit Only To License Holder.

No permit for constructing, installing, altering, extending, maintaining, repairing or replacing any plumbing, heating, or appliance installation work shall be issued to any person, firm or corporation other than a holder of a Master's license to entitle such holder to lawfully do or supervise the work to be done by virtue of said permit, except that a homeowner may apply for a permit to do work on his own premises.

8. Required Information On Permit.

Applications for permits shall include the correct address, the type of occupancy or occupancies, and the name of the owner of the premises. Plans specifications and estimated cost to be submitted in duplicate.

9. Permit Not Approval.

The issuance of a permit shall not be construed as approval of plans, specifications, or schedules or of work contemplated by such permit.

10. Fee Schedule.

The Common Council shall establish by resolution such fees for plumbing permits, as it shall deem appropriate.

Section 2. This ordinance shall take effect July 1, 1999.

Proposed Ordinance No. 5 of 1999 – Ald. Jeffer moved to receive Proposed Ordinance No. 5 of 1999, an ordinance to amend the Electrical Ordinance of the City of Norwich and set a public hearing for June 15, 1999. Seconded by Ald. Rabinowitz and duly adopted, 5-0, on a roll call vote.

ORDINANCE NO. (5)
OF 1999

AN ORDINANCE TO AMEND THE ELECTRICAL ORDINANCE
OF THE CITY OF NORWICH

BE IT ORDAINED by the Common Council of the City of Norwich, New York, as follows:

Section 1. Chapter 35, Electrical Code of the City of Norwich, New York, is hereby amended by replacing it in its entirety as follows:

SECTION I

GENERAL

1. Title.

This Ordinance shall be known as the Electrical Code of the City of Norwich, New York.

2. Statement of Purpose.

Since there is danger to life and property inherent in the use of electrical energy, this electrical ordinance is enacted to regulate the installation, alteration or repair of wiring for electric lights, heat or power, and signal systems

operating on seventy-five (75) volts, or more, including all fire alarm systems, in or on all real property within the City of Norwich, New York, and the licensing of those individuals wishing to perform this line of work. Property owners may do their own repair work.

3. National Electrical Code Adopted.

All electrical installations heretofore mentioned shall be made in conformity with the requirements of the National Electrical Code (NEC) and applicable sections of the New York State Uniform Fire Prevention and Building Code except where provisions of this ordinance or any other local law, ordinance, or building code of the City of Norwich shall be more stringent and shall differently prescribe, in which event compliance with the provisions of such local law, ordinance or building code shall be recognized as proper compliance with this ordinance. The requirements of the National Electrical Code shall be those known as National Fire Protection Association Pamphlet No. 70, as adopted by the American Standards Association, and as amended from time to time.

4. Permit System Authorized.

The Fire Chief, as the Code Enforcement Officer, of the City of Norwich is hereby authorized to establish an electrical permit system in the City for the issuance of permits to allow electrical installations and to promulgate rules and regulations concerning such issuance in accordance with the provisions of this ordinance. The Common Council of the City of Norwich, by resolution, may establish whatever fees it shall deem necessary and proper for the issuance of such permits.

5. Electrical Inspector.

Any duly appointed inspector of any inspection agency at all times authorized to perform inspections on behalf of the New York State Electric & Gas Corporation, or its successors, are hereby authorized and deputized as agents of the City of Norwich to make inspections and re-inspections of all electrical installations heretofore and hereafter described, and to approve or disapprove the same. These inspections are to be made under the auspices of the Fire Chief of the City of Norwich. In no event, however, will the cost or expense of such inspections and re-inspections be a charge against the City of Norwich.

6. Duties of Inspector.

It shall be the duty of the inspector to report in writing to the Code Enforcement Officer, whose duty it shall be to enforce all the provisions of this code, all violations of or deviations from or omissions of the electrical provisions of the National Electrical Code (NEC), and of all local laws, ordinances and the Building Code as referred to in this ordinance, insofar as any of the same apply to electrical wiring. The inspector shall make inspections and re-inspections of the electrical installations in and on properties in the City of Norwich upon the written request of an authorized official of the City of Norwich or as herein provided. The inspector is authorized to make inspections and reinspections of electrical wiring installations, devices, appliances, and equipment, in and on properties within the City of Norwich where he deems it necessary for the protection of life and property. In the event of an emergency, it is the duty of the inspector to make electrical inspections upon the oral request of an official or officer of the City of Norwich. It shall be the duty of the inspector to furnish written reports to the proper official of the City of Norwich and owners and/or lessees of property where defective electrical installations and equipment are found upon inspection. He shall authorize the issuing of a certificate of compliance when electrical installations and equipment are in conformity with this ordinance. He shall direct that a copy of the certificate of compliance be sent to the City of Norwich to the attention of Code Enforcement Officer.

7. Violations of the Ordinance.

It shall be a violation of this ordinance for any person, firm or corporation to install or cause to be installed, or to alter or repair electrical wiring for light, heat or power, in or on properties in the City of Norwich until an application for inspection has been filed with an inspection agency authorized to perform inspections on behalf of the New York State Electric & Gas Corporation, or its successors. It shall be a violation of this ordinance for a person, firm or corporation to connect or cause to be connected electrical wiring in or on properties for light, heat or power to any source of electrical energy supply without the issuance of a temporary certificate, or a certificate of compliance by an authorized inspection agency. It shall be a violation of this ordinance for any person, firm or corporation to permit to remain connected defective electrical wiring, installations or equipment for light, heat or power after inspection and written notice of such defect.

8. Penalty for Violations.

Any person, firm or corporation who shall violate any of the provisions of this ordinance or any rule or regulation made pursuant thereto shall be guilty of a violation and upon conviction thereof may be punished by a fine not less than two hundred fifty (\$250.) dollars, imprisonment not to exceed fifteen (15) days or both and each day on which such violations continue shall constitute a separate offense.

9. Ordinance not Applicable.

The provisions of this ordinance shall not apply to the electrical installations in mines, ships, railway cars, automotive equipment or the installations or equipment employed by a railway, electrical or communications utility in the exercise of its function as a utility and located outdoors or in the buildings used exclusively for that purpose. This ordinance shall not apply to any work involved in the manufacture, assembly, test or repair of electrical machinery, apparatus, materials and equipment by a person, firm or corporation engaged in electrical manufacturing as their principal business. This ordinance shall not apply to manufacturing units, which have regular electrical maintenance personnel. It shall not apply to any building, which is owned or leased in its entirety by the Government of the United States or the State of New York.

10. No Waiver or Assumption of Liability.

This ordinance shall not be construed to relieve from or lessen the responsibility of any person owning, operating, controlling or installing any electrical wiring, devices, appliances or equipment for loss of life or damage to person or property caused by a defect therein, nor shall the City of Norwich or any authorized inspection agency be deemed to have assumed any such liability by reason of any inspection made pursuant to this ordinance. Any firm or person engaged commercially in electrical wiring shall carry a minimum insurance policy within limits of five hundred thousand dollars (\$500,000.) general liability, three hundred thousand dollars (\$300,000.) bodily injury, three hundred thousand dollars (\$300,000.) property damage and Workers' Compensation as required by the State of New York. This requirement shall be satisfied immediately, by those contractors not on file with the City of Norwich Code Enforcement Office, upon enactment of this ordinance.

11. Severability.

If any section, sub-section, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance, and all the remainder of this ordinance not so declared to be invalid shall continue to be in full force and effect. The Common Council of the City of Norwich, New York, hereby declares that it would have passed this ordinance and each section, sub-section, sentence, clause or phrase thereof irrespective of the fact that any part thereof may in the future be declared unconstitutional or invalid.

12. Registration of Inspectors.

Any agency authorized to perform inspections on behalf of the New York State Electric & Gas Corporation shall register with the City of Norwich, and shall agree to furnish within ten (10) days reports to the City of Norwich. No such agency shall be permitted to inspect prior to registration.

13. Removal of Inspectors.

For willful misconduct, failure to submit reports as provided by this ordinance, lack of performance, or for other just cause, the Fire Chief may recommend to the Common Council, or the Common Council upon its own motion may move, that one or more agency or agencies be suspended or removed. Within 30 days of such action, the Common Council shall hold a hearing to determine whether such action should be taken. The agency shall be given written notice of the hearing, personally served or by certified mail, at least eight days prior to such hearing and shall have the opportunity to be heard. The Common Council may suspend an agency found to be in violation for a period of not less than three months or more than five years, or remove an agency for at least five years. The decision of the Council shall be rendered within 30 days after the conclusion of a hearing.

14. Inspections in General.

No agency shall inspect any work and furnish an interim or final report for any job which has previously been inspected by another authorized agency. An agency that performs the initial inspection shall perform all subsequent inspections through the final inspection.

15. Repealing Provisions.

All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall repeal the Electrical Code for the City of Norwich, New York, adopted on March 1, 1964.

16. Appeals to the Provisions of this Ordinance.

From time to time, it is anticipated that, in the opinion of the Code Enforcement Officer, a violation of the code exists, at which time he shall issue a written notice to the alleged violator. The notice shall specify the sections of the code of which the individual is in violation and shall require that the individual comply within fourteen (14) days of the date of the notice or to file an appeal to the Board of Appeals as established by the City of Norwich Common Council. The penalties for failure to comply are as noted under Part 8 of Section I.

In such instances in which the State Code shall create such difficulties or hardship, an appeal may be taken to the Regional Board of Review, established pursuant to Part 440 of the State Code.

An appeal shall stay all proceedings in furtherance of the action, unless the Code Enforcement Officer, from whom the appeal is taken, certifies that the stay would cause imminent peril to life and property.

17. Effective Date.

This ordinance shall take effect as of the first day of July, 1999, as approved by the Mayor and Common Council of the City of Norwich, New York.

18. Direction to Publish.

This ordinance constitutes a revision of the electrical licensing ordinances of the City of Norwich, New York, the Director of Finance is hereby directed to publish this ordinance in pamphlet form for general distribution to the public at a price per pamphlet of five dollars (\$5.00).

SECTION II

APPLICATION OF THE PROVISIONS OF THIS ORDINANCE

The provisions of this ordinance shall apply to all installations of electrical conductors; fittings; devices; raceways; signs; fixtures; motors; generators; starters; controllers; control wiring and related equipment for heating units; that part of elevator installations consisting of feeder conductors and raceways to motor and generator

disconnect switches and controllers; service, supply equipment, and receptacles for trailer connections and to all electrical equipment used for power supply to radio and television transmitting equipment hereinafter referred to as "electrical equipment" within or on public or private buildings and premises, except that the provisions of this ordinance shall not apply to:

- 1) Special radio and television equipment used exclusively for transmission by persons or organizations license to operate by the Federal Communications Commission;
- 2) Installations in mines, ships, railway cars, or automotive equipment;
- 3) Installations used by electricity supply agencies in the generation, transmission, or distribution of electricity or for the installation, alteration, or repair of electrical equipment which is under the sole jurisdiction of an electricity supply agency for the use of such an agency in the generation, transmission, distribution, or metering of electricity or to their employees making such installations for such agencies;
- 4) Installations used by communications agencies for the operation of signals or the transmission of intelligence or for the installation, alteration, or repair of electrical equipment for the operations of signals or the transmission of intelligence or to their employees making such installations for such agencies;
- 5) Installations and equipment used by a railway utility in the exercise of its functions as a utility and used exclusively for that purpose, such as train signaling devices, track operating devices, and communication equipment, or to their employees making such installations for such railway utilities;
- 6) Replacement of lamps or the connection of portable electrical equipment to suitable and approved permanently installed receptacle outlets;
- 7) Temporary connections used by manufacturers for testing electrical equipment or apparatus, except that this exemption shall not include any permanent wiring.

SECTION III

EXAMINING BOARD OF ELECTRICIANS

1. Qualifications of Board Members.

There is hereby created an Electrical Board which shall consist of the Fire Chief of the City of Norwich or his duly appointed representative who shall be an ex officio member of the Board; one Alderman of the City of Norwich who shall be an ex officio member; the Code Enforcement Officer of the City of Norwich who shall serve as the Secretary of the Board and shall be an ex officio member; three (3) electrical contractors who are employing or master electricians engaged in the business of the installation of electrical equipment and who has held, for a period of ten (10) years, an unexpired, unsuspended, unrevoked Master Electrician's licenses, and; one concerned citizen of the City of Norwich having a general knowledge of the trade. Each duly appointed member of the Board, including ex officio members, shall have equal voice in all matters coming before the Board.

2. Appointment and Term of Board Members.

Each of the Board members shall be appointed by the Mayor. Each member, other than ex officio members, shall be appointed for three (3) year terms, one of which shall expire on December 31 of each year.

3. Conflict of Interest.

Employment of one member of the Board by another member of the Board for as long as two (2) consecutive calendar months shall automatically disqualify the employed member for as long as he is so employed, and his successor shall thereupon be appointed by the Mayor to serve the remainder of his appointed term.

4. Operating Procedures.

The Electrical Board shall have the power to make and promulgate its own rules governing its meetings and proceedings, including selection of a Chairman, subject to the provisions of this ordinance. Four members of the Board shall constitute a quorum. Four (4) affirmative votes shall be necessary to carry any business of the Board.

5. Records.

The Secretary of the Board shall keep a record of all examinations held and of all applicants examined and the results thereof, together with any other records as the Board may direct. The records of the names of all applicants and the number, date, and the results of all examinations taken by each applicant shall be kept permanently. Other records or papers may be destroyed pursuant to the provisions of the New York State Education Law.

6. Licensing Examinations.

It shall be the duty of the Electrical Board to determine by written examination the qualifications of each applicant for the particular grade of license for which he has applied. Examination questions shall be typed, printed, mimeographed, or produced or reproduced by photocopier or similar equipment. The configuration of answers shall be as required by the testing agency or as dictated by the examination format.

7. Outline of Examinations.

All examinations for licenses shall be supplied and graded by an impartial testing agency, as agreed on and approved by the Electrical Board.

The Master Electrician License examination shall be devoted to questions based upon the State Code as applicable to Electricity, and the National Electric Code (NEC). The examination shall be designed to test the applicant's technical competence in his field. The examination shall be as follows: Part I to be a one-hour closed book examination, the applicant shall not be permitted to use any codes, books, tables, notes, or any aids whatsoever, Part

II to be a two-hour open book exam, the applicant shall be allowed the use of only the listed reference material, Part III to be a three hour open book exam, using the same noted reference material. A hand held calculator will be allowed during part II and III. Some of the questions will be based on field experience and knowledge of basic trade practices. Questions will not be limited to the references. During the open book section of the examination, the applicant may refer to only those reference materials listed on the examination contents sheet. The grade percentage for the each part of the examination will be as follows: Part I will be 21% of the total grade, Part II will be 29% of the total grade and part III will be 50% of the total grade, with the final grade to be a weighted average of all parts. A minimum grade of seventy percent (70%) shall be required as a passing grade.

The Journeyman Electrician License exam shall be devoted to questions based upon the State Code applicable to Electricity, and the National Electric Code (NEC). The examination shall be designed to test the applicant's technical competence in his field. The examination shall be as follows: Part I to be a one-hour closed book examination, the applicant shall not be permitted to use any codes, books, tables, notes, or any aids whatsoever, Part II to be a two-hour open book exam, the applicant shall be allowed the use of only the listed reference materials, Part III to be a three hour open book exam, using the same noted reference material. A hand held calculator will be allowed during Parts II and III. Some of the questions will be based on field experience and knowledge of basic trade practices. Questions will not be limited to the references. During the open book section of the examination, the applicant may refer to only those reference materials listed on the examination contents sheet. The grade percentage for each part of the examination will be as follows: Part I will be 25% of the total grade, Part II will be 25% of the total grade and Part III will be 50% of the total grade, with the final grade to be a weighted average of all parts. A minimum grade of seventy percent (70%) shall be required as a passing grade.

From time to time the Electrical Board may, at their discretion and without prior notification, change certain particulars of the examination, ie: content, testing agency, test duration, testing schedule, passing grade or allowable reference materials.

8. Grading of Examinations.

Two (2) persons approved by members of the Board shall proctor all examinations of three or more applicants, and such members shall supervise the applicants during the entire course of such examinations. Examinations shall be held one day every three months, when there are qualified applicants, for a period of time as required by the testing agency, the exact time and place for each such period to be set by the Electrical Board and advertised as required by law.

The Examining Board of Electrician shall cause the examination to be graded by the testing agency of record. The examination shall be forwarded by overnight mail or carrier service on the next business day following the examination. The testing agency shall certify to the Board Secretary, within seven (7) days of the date of the examination, the grade for which the applicant has achieved. A minimum grade of seventy percent (70%) shall be required as a passing grade. Upon certification and the payment of a fee herein prescribed, and evidence of insurance where required, the applicant shall be issued a license of the grade he has been certified, which license shall be signed by four member of the Examining Board of Electricians.

9. Re-examination Privilege.

No applicant who fails to pass his first (1st) examination shall be examined again prior to the expiration of three (3) calendar months from the date of such examination. No applicant who fails to pass his second (2nd) examination shall be examined again prior to the expiration of three (3) calendar months from the date of his second (2nd) examination. No applicant who fails to pass his third (3rd) examination shall be examined again prior to the expiration of six (6) calendar months from the date of his third (3rd) examination. No applicant who fails to pass his fourth (4th) examination shall be examined again prior to the expiration of one (1) calendar year from the date of his fourth (4th) examination. Any applicant who fails to pass five (5) examinations for any license shall be entitled to an examination for such license once each calendar year thereafter.

10. Basis of Test.

The Master Electrician's examination and the Journeyman Electrician's examination shall be based on the National Electrical Code generally; and any additional technical electrical questions shall be comprehensive in nature, except that the Journeyman Electrician's examination shall be less difficult than the Master Electrician's examination.

11. Notification of Grade.

The Electrical Board shall notify any applicant of his grade within thirty (30) days after the date of the examination.

SECTION IV

LICENSES

1. Grades of Licenses.

There shall be two (2) grades of licenses and one (1) Apprentice Training Permit as follows:

- 1) A Master Electrician's License, which shall entitle the holder to contract for and engage in the business of electrical wiring of any nature, and to employ and supervise, licensed Journeyman Electricians of any grade.
- 2) A Journeyman Electrician's License, which shall entitle the holder thereof to perform any type of electrical work under the supervision of a licensed Master Electrician. In no case shall a person who holds only a Journeyman Electrician's License contract for, advertise by any media for or engage in any manner of

business for, nor shall he perform work of any nature regarding the business of electricity in the City of Norwich, except under the supervision of a properly licensed Master Electrician.

- 3) An Apprentice Training Permit, which shall entitle an unlicensed helper or apprentice to perform work laid out for him while he is being supervised by the holder of an unexpired, unsuspended, unrevoked license of the grade entitling such holder to perform such work, provided that only two (2) such unlicensed helpers or apprentices are being supervised at any one time by any one (1) holder of a license.

2. Application for License.

Every person desiring to engage in any business or perform any work for which a license is required herein for doing so shall appear before the Electrical Board and pass any examination as to his qualifications and competency of license desired by him as required by this or otherwise provide by the provisions of this ordinance.

An applicant for a license shall file written application with the Secretary of the Electrical Board at least thirty (30) days before the date set for the next regular examination, stating the grade of license for which he wishes to be examined, and submitting documentary proof satisfactory to the Electrical Board of his qualifications to take such an examination, and shall pay to said Secretary the fee hereinafter provided when said application is filed. If an applicant fails to meet the qualification to sit for an exam, a letter of explanation will state the reasons for denial. The application fee, less a \$15.00 (fifteen) dollars processing fee will be returned. An applicant for a temporary working permit shall file a written application with the Secretary of the Electrical Board three (3) days before commencement of any work in the City, failure to do so will automatically double the temporary license fee.

3. Examination Fee and Qualifications for Master's License.

Applicants for a Master Electrical License shall be of good moral character and shall have at least eight (8) years of work experience in the installation of electrical equipment exclusive of any other experience in connection with radios, television equipment, airplanes, or appliances, at least four (4) years of which shall have been as a Journeyman Electrician; or

in lieu of such experience shall have graduated, after majoring in electrical engineering, from an accredited college or university and shall have had at least one (1) year of practical electrical experience in the installation of electrical equipment as defined by Section 1, Article 1 of this Ordinance exclusive of any other experience in connection with radios, television equipment, airplanes, or appliances; or in lieu of the above requirements, shall have had either two (2) years of college credit while majoring in electrical engineering at an accredited college or university or be a graduate of a recognized electrical trade school and shall have had at least four (4) years of practical electrical experience in the installation of electrical equipment as defined by Section 1, Article 1, of this ordinance exclusive of any other experience in connection with radios, television equipment, airplanes, or appliances, at least two (2) years of which shall have been as a Journeyman Electrician; or

in lieu of such experience the applicant shall document to the Examining Board that he has a minimum of ten years experience and a certification of any training in the trade for which he is applying for a license. Upon review and confirmation of the information supplied in the application, the applicant shall be required to take and pass the Journeyman's examination and after a period of six months shall be allowed to take the Master's test; or

those individuals that hold a Master's license from a non-reciprocal municipality or state, after review and confirmation of the information supplied in the application, shall be required to take and pass the Journeyman's examination and after a period of six months shall be allowed to take the Master's test.

4. Examination Fee and Qualifications for a Journeyman's License.

Applicants for a Journeyman Electrician License shall be of good moral character, and shall have had at least four (4) years of work experience in the installation of electrical equipment as defined by Section 1, Article 1 of this Ordinance exclusive of any other experience in connection with radios, television equipment, airplanes or appliances.

5. Qualifications for Apprentice Training Permits.

An Apprentice Training Permit shall entitle an unlicensed electrical worker to perform any electrical work which has been laid out for him by the holder of a license entitling such holder to perform such work when such apprentice or helper is being supervised by the holder of such license. A holder of an unexpired, unsuspended, unrevoked Master Electrician license shall employ the permit holder. No experience is required for obtaining Apprentice Training Permits. There shall not be an examination or a fee for Apprentice Training Permits.

6. Issuance of Apprentice Training Permits.

Apprentice Training Permits shall be issued by the Secretary of the Electrical Board to unlicensed electrical workers of good moral character making written application to the Secretary of such Board for such permits. No experience is required for obtaining Apprentice Training Permits.

7. Licensing and Permit Fees.

Upon the successful completion of the examination for the required license, the payment of a fee herein prescribed, and evidence of insurance where required, the applicant shall be issued a license of the grade for which he has been certified, which license shall be signed by a minimum of four (4) Board members.

The Common Council, by resolution, shall adopt such fees for licensing and permits described within this ordinance, as it shall deem appropriate.

8. Forfeiture.

Any applicant who passes an examination for any grade of license and fails to obtain the license of that grade by paying the fee as prescribed herein within a period of one year shall forfeit his right to obtain such license until he again qualifies himself by passing another examination as required herein for the first examination. The full fee prescribed herein for the grade of examination given shall accompany each examination given, regardless of the number taken by any applicant. Examination fees cannot be applied as any part of the license fee prescribed herein.

9. Insurance Requirements for Master.

All holders of Master Electrician Licenses, shall carry compensation insurance, unemployment insurance, and disability insurance when required by State Law; and all such holders of such licenses shall furnish liability insurance, exclusive of motor vehicles, of not less than three hundred thousand (\$300,000.) bodily injury, five hundred thousand dollars (\$500,000.) general liability three hundred thousand dollars (\$300,000.) property damage, and Workers' Compensation as required by the State of New York, proof of which shall be registered with the Secretary of the Electrical Board at the time of renewal. Any holder of any such license who is found to be operating without the above specified insurance and bond requirements shall have their license revoked until the requirements of this article are met, but in no case for less than fifteen (15) days for the first offense, sixty (60) days for the second offense and six (6) calendar months for the third offense. During the period of such suspension, such license shall be and become null and void. After the termination of any such period of suspension, such license shall be again valid and effective, provided that renewal fees which have become due thereon, as hereinafter set out, were paid when due. If within any three (3) year period, the holder of any license issued under the terms hereof shall have been suspended three (3) or more times for violations of this Article, the Electrical Board of the City of Norwich may revoke and cancel such license, and upon such revocation and cancellation said license shall be and become null and void and cannot be renewed thereafter.

10. Suspension Provisions - General.

The Electrical Board of the City of Norwich, upon recommendation of either the Chairman or the Secretary of the Board, or upon recommendation of any duly designated electrical inspector, may suspend any license issued or renewed under the terms of this Ordinance if, after a hearing, it established that such holder or such license has violated any of the terms of this Ordinance, or any or the electrical inspection requirements set forth in the Building Code of the City of Norwich, New York, by the holder of such license until the requirements of the Building Code are met, but in no case for less than fifteen (15) days for the first offense, sixty (60) days for the second offense, and six (6) calendar months for the third offense. During the period of such suspension, such license shall be and become null and void. After the termination of such period of suspension, such license shall be again valid and effective, provided that renewal fee which have become due thereon, as hereinafter set out, were paid when due. If, within any three (3) year period, the holder of any license issued under the terms hereof shall have been suspended three (3) or more times for violations of the provisions of this Ordinance, the Electrical Board of the City of Norwich may revoke and cancel such license, and upon such revocation and cancellation, said license shall be and become null and void and cannot be renewed thereafter.

11. Revocation Provisions - General.

The Electrical Board of the City of Norwich may revoke and cancel any license issued or renewed under the terms of this Ordinance if and when it has evidence that the holder of any license has been convicted of a felony or other capital offenses, has been found incompetent or otherwise unfit to perform in a safe manner electrical equipment installations as provided herein; or it and when a Court of Law, after trial, has found that the holder of any license is not of good moral character by reason of any act committed by him against any person or property in or on any premises when electrical work is being done, estimated, or contemplated; and upon such revocation and cancellation, such license shall be and become null and void, and cannot be renewed thereafter until the person who held such license presents to the Board and Certificate of Good Conduct issued by the New York State Department of Correction, and/or a similar certificate of good conduct issued by the United States Government.

12. Suspension and Revocation for Violations of this Ordinance.

Upon conviction for a violation of any provision of this ordinance in any court having jurisdiction thereof any holder of license issued or renewed under the terms of this Ordinance, such person so convicted shall have his license automatically suspended for a period of six (6) months for the first such conviction, for a period of one (1) year for the second such conviction, and during the time of such suspension, such license shall be and become null and void. After termination of such period of suspension, provided that such suspension is for less than two (2) years, such license shall again be valid and effective, provided that renewal fees which may have become due thereon, as hereinafter set out, were paid when due. If, within any three (3) year period, the holder of any license issued under the terms hereof shall have been convicted three (3) or more times for a violation of any of the provisions of this Ordinance, such holder of such license shall have his license automatically revoked and canceled, and upon such revocation and cancellation, said license shall be and become null and void and cannot be renewed thereafter.

13. Inactive Status.

Any holder of any license of any grade may place his license on inactive status by notifying the Secretary of the Electrical Board in writing of such intent and by refraining from actively engaging in any phase of the business of supervising or of performing any electrical work whatsoever. The annual renewal fee for any license which has been placed on inactive status shall be one fifth (1/5) of the active annual renewal fee for the license in question as listed here in above. Active engagement by the holder of any license on inactive status in any phase of the electrical business or the electrical trade is unlawful unless such holder first converts his license from an inactive status to an active status by notifying the Secretary of the Electrical Board in writing of such intent and by paying to the Secretary of the Electrical Board the difference in the renewal fee between inactive and active status.

14. Expiration of Licenses.

Any license issued under the terms of this Ordinance shall expire thirty (30) days after the annual renewal date of January 1, the license fee thereon becomes due and payable unless said fee is paid before the expiration of said thirty (30) days period.

Any holder of any license of any grade who shall fail to pay the annual renewal fee due for a renewal of such license within thirty (30) days of the date the same becomes due shall be required to pay as a renewal fee for such license twice the amount as the fee for the first full year, being the amount here in above set out.

15. Violation for Performing Unlicensed Work.

It shall be a violation for any person, firm, or corporation who is not the holder of any un-expired, un-suspended, un-revoked license to engage in any business or perform any work in connection with constructing, installing, extending, repairing or replacing any electrical wiring, apparatus, or equipment of any voltage in excess of seventy-five (75) volts, except that a helper or an apprentice electrician who is the holder of an Apprentice Training Permit may perform work laid out for him by a holder of a license if he is being supervised by the holder of such license, and if the license is such as to permit the holder thereof to do such work, and if not more than two (2) such helpers or apprentices are being supervised by any one (1) holder of a license.

16. Work Performed under Improper Class of License.

It shall be a violation for any holder of any license issued under the provisions of the Ordinance to engage in any phase of the electrical business or perform any electrical work other than such business or work authorized by the class of license held by him, except that a helper or an apprentice electrician who is the holder of an Apprentice Training Permit may perform work laid out for him by a holder of a license enabling such holder to do such work.

17. Fraudulent Use of License.

It shall be a violation for any holder of any license of any grade to allow his name or license to be used by any other person, firm, or corporation, directly or indirectly, for the purpose of obtaining a permit or performing work under his license.

18. Applicability of City Building Code.

It shall be a violation for any person, firm, or corporation to make any electrical installation or to perform any electrical work without complying fully with the electrical inspection requirements set forth in the Building Code of the City of Norwich, New York. Every person desiring to engage in any business or perform any work for which a license is required herein for doing so shall appear before the Electrical Board and pass any examination as to his qualifications and competency of license desired by him as required by the provisions of this Ordinance.

19. Reciprocal Licensing Provision.

Any person, presently licensed as a Master Electrical Contractor, in a community having a signed reciprocal agreement with the City of Norwich, and can demonstrate that he meets the background, competency, bonding and insurance requirements of a Master, shall be entitled to a Master License for the City of Norwich.

Any person, presently licensed as a Journeyman Electrician, in a community having a signed reciprocal agreement with the City of Norwich, shall be entitled to a Journeyman's license for the City of Norwich and shall be employed by a holder of a City of Norwich Master Electrical license or a reciprocal license holder.

The licenses described immediately above shall entitle the holders thereof to the same privileges and demand from them the same responsibilities as attached to license holder of the City of Norwich. An application for a reciprocal license shall be filed with the Secretary of the electrical Board 30 days before commencement of any work in the City, failure to do so will automatically double the license fee.

20. Age Requirement for a License.

No person under twenty-one (21) years of age shall be issued a Master's or Journeyman's License and no persons under the age of 18 shall be issued an Apprentice License.

21. Requirement that License Be Held by a Natural Person.

Any corporation doing business in the trade, and/or calling of any Electrician, within the City of Norwich, shall designate an officer or local manager to procure a Master Electrician's License. Each person so designated shall prove to the Board that he has the necessary qualifications.

22. No Transfer Provision.

No license in effect, issued, or renewed under the terms of this Ordinance shall ever be transferred to or used by any other person, firm, or corporation other than the one to whom or to which the same is or shall be issued.

23. Presentation of License Certificate.

All persons shall carry their licenses on their persons at all times or be able to produce them within forty-eight (48) hours while performing work requiring a license by the provisions of this Ordinance, and such persons shall produce and present such licenses immediately or within forty-eight (48) hours upon request of any member of the Electrical Board or duly designated electrical inspector of the City of Norwich. Large duplicate copies, suitable for framing, shall be issued to all holders of Master Licenses for office use.

24. List of License Holders.

Each holder of a license of any grade shall furnish the Secretary of the Electrical Board with a written notice of his permanent address, and each holder of a Master's License of any grade shall furnish the Secretary of the Electrical Board with a written notice of his permanent address and telephone number. Such lists shall be kept up to date and current at all times by the holders of such licenses.

25. Temporary Licensing Provisions.

Any person, not presently licensed in the City of Norwich, who can demonstrate to the satisfaction of the Electrical Board, that he meets the background, competency and insurance requirements of a Master Electrician, and is so licensed in another municipality, or is a member in good standing of a recognized electrical union shall be entitled to a temporary Master's License, upon payment of the Master Electrician's Temporary License fee, the temporary license is effective for work on one job or contract per year. (See Attached Fee Schedule)

Any person, not presently licensed in the City of Norwich, who can demonstrate to the satisfaction of the Electrical Board that he meets the background and competency requirements of a Journeyman Electrician, and is so licensed in another municipality, or is a member in good standing of a recognized electrical union shall be entitled to a temporary Journeyman's license, upon payment of the Journeyman's Electrician Temporary License fee and shall be employed by a holder of a City of Norwich Master or Temporary Master Electrician license or a reciprocal license holder, the temporary license is effective for work on one job or contract per year. (See Attached Fee Schedule)

The temporary license described in the preceding paragraph shall entitle the holders thereof to the same privileges and demand from them the same responsibilities as attached to permanent licenses, except that the temporary licenses are effective for work on one job or contract only. An application for a temporary license permit shall be filed with the Secretary of the Electrical Board 30 days before commencement of any work in the City, failure to do so will automatically double the license fee.

FEE SCHEDULE -- See attached fee schedule.

SECTION V

PERMITS

1. Correction of Violations.

Any holder of any Master's License of any grade who obtains a permit to correct violations issued by any duly designated electrical inspector of the City of Norwich shall proceed with such corrective measures within forty-eight (48) hours and shall complete such measures within ninety (90) days of the date of issuance of such permit. Where the required repairs are extensive enough to require longer period of time to complete than ninety (90) days, the Electrical Board shall grant as many ninety (90) day extensions as are necessary to complete the job, provided that the applicant for the time extensions furnished proof satisfactory to the Board that reasonable and continuous progress has been made to remove the electrical defects and complete the required repairs without any unnecessary delays.

Section 2. This ordinance shall take effect July 1, 1999.

RESOLUTION # 30 - 1999. APPROVING ORDINANCE AMENDING THE HAWKERS, PEDDLERS AND SOLICITORS ORDINANCE OF THE CITY OF NORWICH

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the Common Council received proposed Ordinance No. 3 of 1999 on April 20, 1999, such ordinance amending the Hawkers, Peddlers and Solicitors Ordinance of the City of Norwich, relative to definitions, application, licenses, fees and violations and penalties; and

WHEREAS, a public hearing has been held on May 18, 1999, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No.3 of 1999, relative to amending the Hawkers, Peddlers and Solicitors Ordinance of the City of Norwich, as presented to the Common Council on April 20, 1999, be and hereby is approved.

Seconded by Ald. Biviano and duly adopted, 5-0, on a roll call vote.

RESOLUTION # 31 - 1999. AUTHORIZING TRANSFERS FOR GOLD STREET WATER AND SEWER MAIN REPLACEMENT

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of the Gold Street water and sewer main replacement project; and

WHEREAS, the Water Commission, Public Works, and Finance Committees have made certain recommendations; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers in the 1999 Water and Sewer Capital Reserves and Projects Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR31-599	Water Main Reserve - Appropriated Fund Balance	\$ 5,000.00
HR34-878	Sewer Main Reserve - Appropriated Fund Balance	\$65,000.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H37-5031	Interfund Transfer from Capital Reserve - Water Main	\$ 5,000.00
H41-5031	Interfund Transfer from Capital Reserve - Sewer Main	\$65,000.00

Seconded by Ald. Jeffer and duly adopted, 5-0, on a roll call vote.

RESOLUTION # 32 - 1999 ESTABLISHING FEE FOR USE OF LIGHTS IN WEILER PARK

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the Common Council, on July 15, 1997, approved an ordinance to establish a procedure for obtaining a permit for temporary exclusive use of park property of the City of Norwich; and

WHEREAS, such ordinance authorizes the Common Council to establish uniform fees for use of city parks facilities; and

WHEREAS, the Parks Commission and the Finance Committee have made certain recommendations; now, therefore be it

RESOLVED, that the following fee for use of lights at Angelino Fields in Weiler Park be and hereby is established:

\$15.00 Per night for each night of use

and, further be it

RESOLVED, that this resolution shall take effect immediately.

Seconded by Ald. Rabinowitz and duly adopted, 5-0, on a roll call vote.

-- Prior to the vote, Director of Finance Roberts noted that the resolution will not result in an increase of cost to what the Men’s Softball League has been paying already.

RESOLUTION No. # 33 - 1999. AUTHORIZING RESTRUCTURING OF ECONOMIC DEVELOPMENT LOAN TO NEW YORK INTERNATIONAL

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the Common Council passed Resolution #160 of 1996 on December 17, 1996, authorizing an economic investment program loan to New York International Corporation (the “Borrower”) in the amount of \$55,000.00, and

WHEREAS, the full amount of the loan was advanced in August, 1997, and

WHEREAS, subsequent financial circumstances and significant modifications in the long term plans of the Borrower require changes to the original terms of the loan, and

WHEREAS, the Finance Committee has made certain recommendations; now, therefore be it

RESOLVED, that the Mayor be and is hereby authorized, under the advice of the City Attorney, to act on behalf of the City in all matters related to modifying the original terms and conditions of the Loan and Security Agreement with the Borrower to provide for the following effects as recommended by the Finance Committee:

1. The total of unpaid principal and interest charges still outstanding as of April 30, 1999, plus a restructuring fee of \$457.60, shall be reduced by a down payment from the Borrower in the amount of \$8,000.00, leaving a net balance to be refinanced in the amount of \$51,854.19 (the “Refinanced Amount”);

2. The Refinanced Amount shall be paid over a term of seven years at the original interest rate of 6.4%, with prepayment of principal in full permitted at any time without penalty;

3. Late charges applicable to the unpaid principal and interest charges still outstanding as of April 30, 1999 shall be waived, but the late charge provision of the original loan and security agreement shall remain in effect for the payment term of the Refinanced Amount.

Seconded by Ald. McNeil and duly adopted, 5-0, on a roll call vote.

-- Prior to the vote, it was noted that the other lending sources are also refinancing their loans in an effort to assist with economic development and the retention/creation of jobs.

RESOLUTION # 34 - 1999. AMENDING VEHICLE AND TRAFFIC ORDINANCE RELATIVE
TO LOADING ZONE ON LACKAWANNA AVENUE

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, pursuant to Article II, Section 90-4 of the Vehicle and Traffic Ordinance of the City of Norwich, the Common Council has been granted the authority to make, promulgate and enforce reasonable rules and regulations governing and designating parking, parking spaces, safety and loading zones, one-way streets and streets for through traffic; and

WHEREAS, the Traffic Commission has made certain recommendations concerning designating a loading zone on Lackawanna Avenue; now therefore be it

RESOLVED, that Section 90-53, Loading Zones, of the Vehicle and Traffic Ordinance of the City of Norwich, be and hereby is amended as follows:

LACKAWANNA AVENUE - south side, beginning at a point of 120 feet east of the intersection of North Broad Street for a distance of 50 feet to the end of the loading zone.

Underlined material is new.

Seconded by Ald. Jeffer and duly adopted, 5-0, on a roll call vote.

Payment of Bills -- Ald. Rabinowitz moved to pay the bills after proper audit and certification as follows:

	<u>Prepaid</u>	<u>5/18/99</u>	<u>Grand Total</u>
General Fund	27,876.12	48,507.03	76,383.15
Sewer Fund	1,062.29	15,089.63	16,151.92
Water Fund	439.16	21,823.14	22,262.30
Trust	18,629.83	0.00	18,629.83
Debt Service	0.00	0.00	0.00
B.I.D.	0.00	0.00	0.00
Reserves	0.00	0.00	0.00
Unemployment	0.00	0.00	0.00
C.D.	0.00	384.00	384.00
EDZ/LDC	381.00	610.06	991.06
Capital Projects	10,589.92	29,192.41	39,782.33
TOTALS	\$58,978.32	\$115,606.27	\$174,584.59

Seconded by Ald. McNeil and duly adopted, 5-0, on a roll call vote.

Executive Session – Ald. Biviano moved to go into executive session at 8:15 PM to discuss the possible sale or lease of property where the price may be affected, contract negotiations and a matter of public safety. Seconded by Ald. McNeil and duly adopted, ayes all.

Ald. Biviano moved to go out of executive session at 8:35 PM. Seconded by Ald. Jeffer and duly adopted, ayes all.

Ross Avenue building – Ald. Biviano moved that the City Engineer, Fire Chief, Code Enforcement Officer and City Attorney be directed to look into the matter of a dilapidated row house building on Ross Avenue. Seconded by Ald. McNeil and duly adopted, ayes all.

Adjournment –Ald. McNeil moved to adjourn at 8:40 PM. Seconded by Ald. Anderson and duly adopted, ayes all.