Chapter 13.10 - LICENSING OF THE MECHANICAL TRADE

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13.10.010 Title

This chapter shall be known as the Licensing of the Mechanical Trade, and may be so cited.

(Ord. 5781 § 3 (part), 2004)

13.10.020 Purpose And Scope

The purpose of this chapter is to provide for the licensing of the mechanical contractors ~~masters, journeymen and apprentices doing~~ performing mechanical work in Council Bluffs, Iowa, in order to protect public safety, health, and welfare. All mechanical licenses are issued through the state of Iowa.

(Ord. 5781 § 3 (part), 2004)

~~13.10.030 Definitions - Licensing Of The Mechanical Trade~~

~~For use in this chapter, the following terms are defined as follows:~~

~~Apprentice of the mechanical trade: A person employed by a licensed mechanical master under the supervision of a journeyman mechanical licensee. All apprentices will be involved in mechanical board of appeals approved training program of on-the-job and classroom training.~~

~~Journeyman of air conditioning limited: A person who is qualified and licensed to install, repair, alter or extend air conditioning, refrigeration, heating, ventilation, duct systems, piping vessels, insulation, and related appurtenances within a complete system, limited to twenty-five (25) tons cooling and five hundred thousand (500,000) BTU heating.~~

~~Journeyman of air conditioning unlimited: A person who is qualified and licensed to install, repair, alter or extend air conditioning, refrigeration, piping vessels, warm air heating, low pressure~~

~~boilers, ventilation systems, duct systems, insulation, and related appurtenances within a complete system unlimited in horsepower or tonnage.~~

~~Journeyman of HARV: A person who is qualified to install, maintain, repair, fabricate, alter or extend central air conditioning, refrigeration, heating and ventilating systems, including duct work and all appurtenances, apparatus, piping vessels, ducts and insulation used in connection therewith while employed or supervised by an air conditioning master or other mechanical master.~~

~~Journeyman of pipefitting: A person who is qualified to perform pipefitting work while employed or supervised by a pipefitting or unlimited mechanical master, or plumbing contractor.~~

~~Journeyman of limited refrigeration: A person who is qualified and licensed to install, repair, maintain, or alter any system of refrigeration limited to five tons or horsepower; provided, however, that such refrigeration is intended to be used for the purpose of food and product preservation, and is not to be used for comfort systems.~~

~~Journeyman of sheet metal: A person who is qualified to fabricate, install, repair, alter or extend sheet metal work while employed or supervised by a sheet metal master or mechanical master.~~

~~Licensed: Having passed a test and being granted a license under the terms of this chapter, unless otherwise specified in this chapter.~~

~~Licensed mechanical journeyman: A person who passes a certain test and meets all other provisions for licenses set forth in this chapter, and includes one who works in his or her field of expertise for a mechanical master.~~

~~Licensed mechanical master: A person who passes a certain test and meets all other provisions for licenses set forth in this chapter. The term also means any person who has the necessary qualifications, training, experience, and technical knowledge to do the equipment layout, plan and supervise the installation, repair, and maintenance of mechanical work in accordance with the code and regulations governing such work for a fixed sum, price, fee, percentage, or other compensation. The mechanical master is licensed for certain area(s) of work (classifications).~~

~~Limited: Confined to certain areas of expertise (classifications) of the trade.~~

~~Master of commercial air conditioning: A person who is qualified and licensed to install, repair, alter or extend any commercial or residential system of air conditioning and warm air heating and ventilation, unlimited in horsepower or tons, including any or all duct systems necessary to make a complete air conditioning system.~~

~~Master of low pressure boilers: A person who is qualified and licensed to install, alter, maintain, repair, and service steam and hot water boilers, low pressure boilers, related piping vessels, and~~ related appurtenances.

~~Master of unlimited boilers: A person who is qualified and licensed to install, alter, maintain, repair, and service steam and hot water boilers, including both low and high pressure boilers, related piping vessels, and related appurtenances.~~

~~Master of HARV: A person who is qualified and licensed to install, maintain, repair, alter, or extend heating, air conditioning, refrigeration, ventilation, and solar heating and cooling systems, unlimited in horsepower or tons, and their associated duct systems, appurtenances, apparatus, equipment, piping, and insulation of pipes and ducts.~~

~~Master of HARV 'C': A person who is qualified and licensed only to service air conditioning, heating, or refrigeration systems, including duct alterations on those systems.~~

~~Master of residential air conditioning: A person who is qualified and licensed to install, repair, alter or extend any residential system of air conditioning and warm air heating and ventilation in connection therewith, not to exceed five tons cooling capacity per unit, including any and all duct systems necessary to make complete an air conditioning system to serve one, two, or three-family residences.~~

~~Master of pipefitting: A person who is qualified and licensed to install, maintain, repair, alter, or extend piping for central air conditioning, refrigeration, and heating, boilers and unfired pressure vessel systems, lift station equipment and piping, pressure and process piping, pneumatic control piping, fuel tanks and pump installations, oil tanks, fire sprinkler systems and standpipes, air piping, vacuum line piping, oxygen lines, nitrous oxide piping, ink and chemical lines, and condensate drain piping.~~

~~Master of unlimited refrigeration: A person who is qualified and licensed to install, repair, maintain, or alter any system of refrigeration unlimited to tons or horsepower; provided, however, that such refrigeration is intended to be used for the purpose of food and product preservation, and is not to be used for comfort systems.~~

~~Master of sheet metal: A person who is qualified and licensed to manufacture, assemble, case, cut, shape, forge, fabricate, weld, repair, recondition, adjust and install sheet rolled metal of any kind or combination and all other air-veyor systems and air handling systems, regardless of materials used, including all equipment and all reinforcements in connection therewith.~~

~~Master unlimited: A person who is qualified and licensed to install, maintain, repair, alter, extend or design in all areas of expertise (classifications) of the trade which include central air conditioning, refrigeration, gas fitting, heating and ventilating, duct work, sheet metal, boilers and unfired pressure vessel systems, and all appurtenances, apparatus or equipment used in connection therewith~~

~~Mechanical equipment: All furnaces, boilers, heat pumps, and other heating equipment and devices; vents and ducts; cooling and refrigeration equipment; central air conditioners; and related apparatus or parts thereof.~~

~~Mechanical work: The installation, alteration, repair, removal, renewal, replacement, disturbance, connection, disconnection, and/or maintenance of mechanical equipment. This shall also include low voltage control wiring and electrical hookup of mechanical equipment from the disconnect to the unit and gas connection and disconnection from the gas valve to the unit, with inspector's approval.~~

~~Refrigeration system: A system employing a fluid which normally is vaporized and liquefied in an air conditioning system, food preservation measure or manufacturing process.~~

~~Registered: A person who was "grandfathered" "non-tested" into the licensing system and shall be used interchangeably with the word licensed; and the registered persons shall be classified as a registered master or a registered journeyman as defined herein.~~

~~Revocation: The act to annul by recalling or taking back of a license.~~

Shall: As used in this chapter, means that the act to be performed is mandatory.

Suspension: The temporary removal of privileges of a licensee.

(Ord. 5781 § 3 (part), 2004)

13.10.040 Examination - Application

Any person desiring any classification of mechanical master's or journeyman's license shall make application to the mechanical inspector for an examination. The mechanical inspector shall provide the forms for this purpose. Applicants will apply for testing to be a mechanical master or journeyman in certain areas of mechanical work (classifications). Applicants applying to be an unlimited master will be tested over all areas of the mechanical work (classifications). Applicants shall provide the board with documentation of their work experience providing previous years W-2 forms; notarized statements from employers; school certificates; and copies of licenses from other jurisdictions.

(Ord. 5781 § 3 (part), 2004)

13.10.050 Examination - Fee

Every person making application for each date of examination or reexamination for a mechanical license shall pay an application fee and an examination fee for each test as required by the testing agency.

(Ord. 5781 § 3 (part), 2004)

13.10.060 Examination - Methods

The mechanical inspector shall review and approve the experience of applicants for examination. The applicants shall clearly demonstrate in writing their qualifications for the particular classification of license desired, and shall show satisfactory knowledge of the methods and standards for doing mechanical work under the mechanical code of the city of Council Bluffs, Iowa. The examination shall be from a third-party testing agency, practical, and shall be of such a nature as to uniformly test the capabilities of all applicants for the same type of license. The passing percentage grade for the examinations shall be established by the mechanical board.

(Ord. 5781 § 3 (part), 2004)

(Ord. No. 6028, § 1, 1-26-2009)

13.10.70 Li**cense - Generally**

Classifications for the mechanical trade are as follows:

Master	Air conditioning commercial and/or residential; boiler low pressure and/or unlimited; HARV; heating; pipefitting; refrigeration limited and/or unlimited; sheet metal, and unlimited
Journeyman	Air conditioning limited and/or unlimited; pipefitting; HARV; limited refrigeration; and sheet metal

Apprentice	None specified

All Council Bluffs mechanical licenses shall expire annually on July 1st and may be renewed upon application of the licensee payment of fee to the city treasurer. All Council Bluffs mechanical licenses shall expire on July 1, 2009, at which time the city will be prohibited by the state from licensing the mechanical trade.

A. Any licensee whose license has expired shall have the right to renew such license, without examination, on or before sixty (60) calendar days after license expiration.
B. New licenses may be prorated on a half-year basis.
C. An identification card shall be furnished a mechanical licensee by the city of Council Bluffs at the time of the issuance of such license, and the identification card shall be worn or carried on the person of such licensee at all times during the working period of the licensee, and failure to do so shall be deemed a violation of the provisions of this chapter.
D. On or before April 1st of each renewal year, the city will send notice to the licensee's last known address informing them that their license is nearing expiration. The provision of this paragraph is as a courtesy to the licensees, and the failure of the city to send such a notice or the failure of the licensee to receive such a notice does not affect the expiration date of the license, so long as the license issued by the city showed an expiration date thereon.
E. All mechanical masters, journeymen, and apprentices shall be subject to the laws of the state of Iowa and the ordinances of the Municipal Code for the city of Council Bluffs.
F. In order to provide opportunity for the next available exam date, a mechanical craftsman that meets the qualifications to test and licensed as such by other jurisdictions can be issued a temporary journeyman's license for a period of up to four months with the administrative authority's authorization.

(Ord. 6000 § 1, 2008; Ord. 5985 § 1, 2008; Ord. 5781 § 3 (part), 2004)

13.10.080 License - Fees

Before a license shall be issued under this chapter, the applicant shall pay the license fees as set forth in the current schedule of fees, adopted by the city council. If an expired license is not renewed by the license expiration date, there will be a penalty fee as found in CBMC 2.08 in addition to the license fee.

(Ord. 6000 § 2, 2008: Ord. 5781 § 3 (part), 2004)

13.10.090 License - Reciprocation Conditions

Any mechanical licensee from another jurisdiction that uses a third-party test approved by the Council Bluffs mechanical board of appeals, and who can produce written credentials showing proper accreditation (passing test scores) and a valid license from that jurisdiction to work as a mechanical master or journeyman, shall be exempt from the examination required of this chapter, and a license shall be issued upon payment of the required fee.

A reciprocation agreement between the Council Bluffs mechanical board of appeals, the administrative authority, and another jurisdiction within the greater metro and surrounding

~~jurisdictions may be reached, but only with those jurisdictions that test and license the mechanical craftsmen with qualifications equal or greater than those in Council Bluffs.~~

~~(Ord. 5781 § 3 (part), 2004)~~

~~13.10.100 License – Suspension Or Revocation~~

~~In addition to the penalties provided in this chapter, the board may suspend or revoke the license of any licensed mechanical master, journeyman, or apprentice issued under the provisions of this chapter if the licensee has violated this chapter or the mechanical code of the city of Council Bluffs, Iowa. The licensee shall surrender the license either in person or by sending it by certified mail to the plumbing inspector within five days after the board sends notice of the suspension or revocation to the licensee's last known address. Any mechanical master, journeyman, or apprentice whose license has been suspended or revoked shall not be permitted to apply for another license for a period as determined by the board, not to exceed one year for the date of such suspension or revocation.~~

~~(Ord. 5781 § 3 (part), 2004)~~

13.10.110 License - Transfer Prohibited

If any licensee should or should attempt to transfer his/her license or to allow or permit the same to be used, directly or indirectly, by any other person for any purpose whatsoever, the licensee shall be subject to the penalties as outlined in CBMC 13.10.210.

(Ord. 5781 § 3 (part), 2004)

~~13.10.120 Mechanical Apprentices~~

~~A mechanical contractor may have employed registered mechanical apprentices to assist in mechanical work. Mechanical apprentices will be permitted to do work within the city limits of Council Bluffs, Iowa, if the following requirements are met:~~

- ~~A. An apprentice mechanical shall be employed by a mechanical master licensed by the city of Council Bluffs, Iowa.~~
- ~~B. All mechanical work performed by an apprentice shall be under the direct supervision of a mechanical master or journeyman licensed by the city of Council Bluffs, Iowa. The total number of apprentices on a job shall not exceed two times the number of mechanical masters and journeymen actively working the job.~~
- ~~C. The apprentice shall be involved in some type of on-the-job training which will be established by his/her employer.~~
- ~~D. The apprentice shall possess an apprentice certificate which may be obtained only through his/her employer who is a master licensed to do work in Council Bluffs, Iowa.~~
- ~~E. The master may obtain registrations for their apprentices from the city of Council Bluffs only after a proposed training program has been submitted, reviewed and approved by the board of appeals.~~
- ~~F. If, for any reason, the apprentice shall leave his/her employment with the master through whom he/she obtained his/her certificate, then the registration shall become void.~~
- ~~G. Apprentice registrations shall be renewed biennially.~~

~~Exception: The administrative authority and/or mechanical official may issue an apprentice registration to a licensed journeyman from another jurisdiction to work in this jurisdiction under~~

~~the supervision of locally licensed mechanical journeymen or master. The apprentice registration shall be valid until the completion of that job or until the apprentice had been approved by the mechanical board of appeals to test and has successfully completed the test. If the applicant does not pass the mechanical examination, then they must be enrolled in an approved apprentice program until they can qualify to retest and pass the test.~~

~~(Ord. 5781 § 3 (part), 2004)~~

~~13.10.130 Mechanical Journeymen~~

~~A mechanical master may employ a licensed mechanical journeyman to be responsible for the classifications and area(s) of mechanical work for which his/her journeyman's license was issued. All mechanical journeymen shall be examined according to CBMC 13.10.060.~~

~~The minimum experience required for a mechanical journeyman shall be four years (eight thousand (8,000) hours) of mechanical work experience (six months of board approved schooling equals one year of mechanical work experience for a maximum of three years' credit as work experience for formal training.) The mechanical journeyman shall be required to pass an examination according to CBMC 13.10.060 mechanical journeyman's test before being issued a license.~~

~~(Ord. 5781 § 3 (part), 2004)~~

~~13.10.140 Mechanical Masters~~

~~All mechanical masters shall be examined according to CBMC 13.10.060 or have been registered. The minimum experience required in order to obtain a mechanical master's license shall be six years of mechanical work experience in the area of mechanical work (classification) desiring to be licensed (an alternative is a maximum of three years technical schooling with a minimum of three years of field experience).~~

~~(Ord. 5781 § 3 (part), 2004)~~

13.10.150 Master's License Requirements

No company, partnership, firm, corporation, and/or association shall engage in business as a contractor doing mechanical work within the city of Council Bluffs, unless such company, firm, partnership, corporation, and/or association shall have obtained a Mechanical Master/Contractor License issued by the state of Iowa. ~~Council Bluffs mechanical masters license.~~ All mechanical license holders shall be subject to the laws of the state of Iowa and the ordinances of the City of Council Bluffs.

~~(Ord. 5781 § 3 (part), 2004)~~

~~13.10.160 Work On Pressure Vessels~~

~~A. Work may be performed on internal components of a pressure vessel (fired or not fired) by a person who is not licensed by the city, so long as they are working for a company that:~~
~~1. Has in its employ a boiler master, a pipefitter master, or an unlimited master; and~~
~~2. Has an "R" stamp issued by the National Board of Pressure Vessel Inspectors.~~
~~B. Electrical work performed in connection with such vessels will need to be performed in accordance with CBMC 13.16 and CBMC 13.17.~~

~~(Ord. 5781 § 3 (part), 2004)~~

13.10.170 Utilization Of Non-Licensed Personnel

A. It is acknowledged that, from time to time, construction projects will occur in our community which require a large number of employees who are skilled in a specific aspect of mechanical work, and for which there is not an adequate number of licensed personnel in the community to perform the needed work in a timely fashion. When such an insistence occurs, the licensed contractor who has been retained to perform the mechanical work on the project shall make written application to the mechanical board for permission to utilize non-licensed employees.

B. This application shall contain a description of the project, an estimate of the man-hours needed to complete the project, and a description of the special skills the employees would need to possess, along with a proposed method of quantifying such skills.

C. The board, upon its review of the application, shall decide whether or not it shall grant a waiver to the licensing requirement. The board shall base its decision on:

    1. The availability of licensed personnel; and
    2. A determination that the waiver of the licensing requirement would not have any adverse effect on public safety.

D. Any party adversely affected by a decision of the board may appeal the decision to the city council. This appeal must be in writing, and it must be served upon the city clerk within fifteen (15) days of the decision of the mechanical board.

E. If a waiver of the licensing requirement is granted, those unlicensed employees who will be permitted to perform mechanical work on a specific project shall be required to register with the city. At the time of registration, the individual shall submit the evidence that he or she possesses the special skills needed to perform the specific work involved and shall tender a registration fee in the amount set out in the prevailing schedule of fees. Upon the review and approval of each registrant by the building official or his or her designee, a registration card shall be provided to the registrant authorizing same to perform a certain type of work on a specific project. Registrant shall have the card in his or her possession at all times such work is being performed.

(Ord. 5781 § 3 (part), 2004)

13.10.180 Master - Insurance Required

A mechanical master shall furnish to the city clerk a certificate of insurance, subject to approval by the city attorney, evidencing commercial general liability insurance coverage or its equivalent in the minimum amount of one million dollars ($1,000,000.00) per occurrence for bodily injury, including death or damage to property of others, arising out of work performed or responsibilities assumed under the license. The aggregate limit shall be no less than one million dollars ($1,000,000.00). In addition, the mechanical master shall furnish a certificate of insurance, subject to approval by the city attorney, evidencing worker's compensation insurance sufficient to satisfy the laws of the state of Iowa; employer's liability insurance in the minimum amount of one hundred thousand dollars ($100,000.00); and auto liability insurance in the minimum amount of one million dollars ($1,000,000.00).

These limits may be provided by any combination of primary and excess policies. The insurance company shall endeavor to provide thirty (30) days' notice of cancellation or nonrenewal to the city clerk.

~~(Ord. 5846 § 2, 2005)~~

~~**13.10.190 Masters - Bond Required**~~

~~Before a mechanical master's license can be issued under the provisions of this chapter, the applicant thereof shall furnish a corporate surety bond, such bond to be approved by the city attorney, in the sum of not less than ten thousand dollars ($10,000.00), to secure the city of Council Bluffs and the public against damages that may arise by virtue of carelessness or neglect of the licensee to properly execute and protect the work, or for any penalty that may be imposed under the provisions of this chapter. The bond shall be executed by a qualified surety company, licensed to do business in the state of Iowa. The bond shall further be conditioned that the applicant shall furnish and install all work by his or her firm or corporation furnished and installed in strict compliance with the terms of this chapter.~~

~~(Ord. 5781 § 3 (part), 2004)~~

13.10.200 Advertising

Any mechanical master who advertises in a print medium distributed in Council Bluffs shall also include in the advertisement the mechanical master's license number.

(Ord. 5781 § 3 (part), 2004)

13.10.210 Violation - Penalty

Any person found guilty of a violation of the provisions of this chapter, shall upon conviction, be subject to the penalty provisions set forth in CBMC 8.02.020. Each day that a violation is allowed to continue shall constitute a separate and distinct violation. At the discretion of the city attorney, any violation of the provisions of this chapter may be pursued as a municipal infraction according to the terms of CBMC 1.95 in lieu of criminal prosecution.

(Ord. 5781 § 3 (part), 2004)