

***Nevada Association
of Mechanical Contractors***



December 10, 2015

To: Sparks City Council and Mayor

Re: Bill No. 2699 (Removal of Plumber and Electrician Licensing)

Mayor Martini and City Council Members:

On behalf of the Nevada Association of Mechanical Contractors (NAM), thank you for the opportunity to provide public comment regarding the ordinance to remove plumbing and electrician certification requirements from the Sparks municipal code.

NAM is a strong advocate for the certification of plumbers and electricians. Certification helps protect public health and safety by ensuring that plumbers and electricians, operating within the City of Sparks limits, are knowledgeable of code requirements. Plumbing and electrical work is dangerous, and individuals who do not understand appropriate precautions and standards can very quickly and easily become a danger to themselves and others.

Certification requirements for the plumbing and electrical trades are not unique to Sparks. 44 states in the U.S. require plumbers to be certified. Nevada is one of the few states that does not require plumbers to obtain certification, however Clark County requires at least one Journeyman plumber on every job site.

During the past few weeks, you have been told journeyman certification requirements exist to benefit labor unions – this is absolutely untrue. NAM believes that it is important to point out that the politics of signatory versus non-signatory companies have nothing to do with ensuring plumbers and electricians have proper certification. There are several paths to obtaining certification, a union sponsored apprenticeship only being one of them. Employees can obtain a State of Nevada Journeyman plumbing card simply by proving 8,000 hours of experience in the trade and passing an exam. If an employer that is not signed to a labor agreement wishes to enroll his employees in an apprentice program, there are options available.

You have been told that the City of Sparks has not enforced its plumber/electrician certification ordinance in 23 years – while this is a great talking point, it is not true. The City of Sparks has checked employees for certification on several occasions within the last 10 years, most notably on jobs at what was the Silver Club.

NAM requests that the City Council do not vote to remove this ordinance until all sides have the opportunity to discuss amongst each other if there is more appropriate language, like we did in the City

of Reno. Attached to this letter is a draft ordinance that is the result of productive discussions between all parties – Signatory and non-signatory contractors, commercial contractors, residential contractors, developers and labor unions.

The draft ordinance would provide for the following:

- Require one journeyman plumber/electrician for every 6 employees on residential construction, which is 3 stories or less of type V construction.
- Allow non-journeyman employees to work on residential construction without enrolling in a state-approved training program as long as they complete 16 hours of continuing education credits per year.
- Require all plumbers/electricians on commercial construction to hold a valid Journeyman certification or be enrolled in a state-approved training program.
- Journeyman certification would be issued by the Nevada State Board of Plumbing Examiners, not the City of Sparks.
- Any violations would be dealt with in accordance with the International Building Code for commercial projects and International Residential Code for residential projects.

We acknowledge that Chapter 15 of the Sparks municipal code is not perfect. What we are proposing is to allow all of the stakeholders the opportunity to find middle ground, and the attached draft proposal is a starting point. NAM believes that the citizens of the City of Sparks deserve to have this issue vetted. Please do not vote to delete the minimum standards for plumbers and electricians from the Sparks municipal code.

Thank you,



Craig Madole, Executive Director
Nevada Associated Mechanical Contractors
5400 Mill Street
Reno, NV 89502
(775) 329-7638

Chapter 15 – Certification of qualification

Delete Section 15.05.115 in its entirety and replace with the following:

Certificates required under the Uniform Plumbing Code.

- (a) No person, company or corporation shall do, cause or permit to be done any installations, alterations or additions of a plumbing system, any of which would require a permit issued by the department, unless such person, company or corporation possesses a valid certificate as required by the provisions of this article.

Exceptions:

- (1) Home owners performing work in accordance with NRS 624.031.
 - (2) Those individuals performing site utility or irrigation work which is outside of the scope-of-work of the permit issued by the Department of Building and Safety.
- (b) Required certifications shall be made available upon the request of the Building Official, Deputy Building Official, or other Building and Safety employees acting on his/her behalf.
- (c) Violations of this article shall be addressed as indicated in Sections 114 and 115 of the 2012 International Building Code for Commercial projects and Sections 113 and 114 of the 2012 International Residential Code for residential projects.
- (d) All certifications issued under the provisions of this article shall be renewed in accordance with the requirements of the issuing body.

Apprentice Plumbing Certificate.

- (a) No person shall engage in the trade of apprentice plumber who does not hold a valid Apprentice Plumbing Certificate issued by a State of Nevada recognized apprenticeship program.

Exceptions:

- (1) Individuals working on residential projects 3 stories and less of type V construction and under the direct supervision of a State of Nevada Licensed Plumber or a certified Journeyman Plumber.

The working ratio shall be a maximum of one journeyman or licensed plumber to six (6) subordinate employees.

A written agreement shall be provided to the City of Sparks Building and Safety Division indicating the names, contact information and copies of certifications of those responsible for providing direct supervision of all subordinate employees. Such agreement shall be kept up to date at all times.

Employees working in accordance with exception 1 must obtain a minimum of 16 hours of continuing education credit every calendar year. Such education credit shall be

directly related to the most current **Plumbing Code**. Adequate records shall be maintained by the employee and shall be made available upon request.

(2) Pre-apprentices enrolled in a State of Nevada recognized apprenticeship program may work with a Pre-Apprentice certificate while obtaining specific training prior to their full indenturement into such apprenticeship program. Such certificates may only be issued by a State of Nevada recognized program.

- (b) All apprentice plumbers shall be certified by and actively enrolled in a state approved plumbing apprentice program governed by the provisions of NRS Chapter 610. Unless exempted under items 1, or 2 above.
- (c) An apprentice plumber shall be an employee of a licensed plumbing contractor, and shall be under the direct supervision of a certified journeyman plumber under like employment.

Journeyman Plumber Certificate.

- (a) No person shall engage in the trade of journeyman plumber who does not hold a valid Journeyman Plumber Certificate issued by the Nevada Board of Plumbing Examiners. All such journeymen shall be employed by and under the supervision of a State of Nevada Licensed Plumbing Contractor.
- (b) An applicant for a Journeyman Plumbing Certificate shall show proof of experience as required by the Nevada Board of Plumbing Examiners and pay all required fees.
- (c) All testing, issuance of certificates, and renewals are processed by the Nevada Board of Plumbing Examiners or appropriate testing agency.
- (d) All reciprocal licenses require verification of experience. Individuals who have a Journeyman license must obtain certification from the State of Nevada within 1 year of Nevada residency.

Chapter 15 – Certification of qualification

Certificates required under the National Electric Code.

- (a) No person, company or corporation shall do, cause or permit to be done any installations, alterations or additions of electrical wiring or equipment, any of which would require a permit issued by the department, unless such person, company or corporation possesses a valid certificate as required by the provisions of this article.

Exceptions:

- (1) Home owners performing work in accordance with NRS 624.031.
 - (2) Those individuals performing site utility work which is outside of the scope-of-work of the permit issued by the Department of Building and Safety.
- (b) Required certifications shall be made available upon the request of the Building Official, Deputy Building Official, or other Building and Safety employees acting on his/her behalf.
- (c) Violations of this article shall be addressed as indicated in Sections 114 and 115 of the 2012 International Building Code for Commercial projects and Sections 113 and 114 of the 2012 International Residential for residential projects.
- (d) All certifications issued under the provisions of this article shall be renewed in accordance with the requirements of the issuing body.
- (e) The provisions of this section shall not apply to:
 - (1) Installations and connections of branch circuits by state licensed heating or air-conditioning contractors to their respective equipment, provided that such branch circuits do not exceed ten feet in length and comply with all other provisions of this chapter.
 - (2) Installations of non-power or power-limited wiring within any residential dwelling unit where such installations are independent of other dwelling units and do not exceed 50 volts.

Apprentice Electrical Certificate.

- (a) No person shall engage in the trade of apprentice electrician who does not hold a valid apprentice electrical certificate issued by a State of Nevada recognized apprenticeship program.

Exceptions:

- (1) Subordinate employees working on residential projects 3 stories and less of type V construction and under the direct supervision of a State of Nevada Licensed Electrician or a certified Journeyman Electrician.

The working ratio shall be a maximum of one journeyman or licensed electrician to six (6) subordinate employees.

A written agreement shall be provided to the City of Sparks, Building and Safety Division indicating the names, contact information and copies of certifications for those responsible for providing direct supervision of all subordinate employees. Such agreement shall be kept up to date at all times.

Employees working in accordance with exception 2 must obtain a minimum of 16 hours of continuing education credit every calendar year. Such education credit shall be directly related to the most current **Electrical Code**. Adequate records shall be maintained by the employee and shall be made available upon request.

(2) Trainees/pre-apprentices enrolled in a State of Nevada recognized apprenticeship program may work with a Pre-Apprentice certificate while obtaining specific training prior to their full indenturement into such apprenticeship program. Such certificates may only be issued by a State of Nevada recognized program.

- (b) All apprentice electricians shall be certified by and actively enrolled in a state approved electrical apprentice program governed by the provisions of NRS Chapter 610. Unless exempted under items 1, or 2 above.
- (c) An apprentice electrician shall be an employee of a licensed electrical contractor, and shall be under the direct supervision of a certified journeyman electrician under like employment.

Journeyman Electrician Certificate.

- (a) No person shall engage in the trade of journeyman electrician who does not hold a valid Journeyman Electrician Certificate issued by the International Code Council. All such journeymen shall be employed by and under the supervision of a State of Nevada Licensed Electrical Contractor.

Exception: (1) Those individuals performing site utility work which is outside of the scope-of work of the permit issued by the Department of Building and Safety.

- (b) An applicant for an Electrical Journeyman Certificate shall show proof of experience as required on the City of Sparks application form and pay all required fees.
- (c) All testing, issuance of certificates, and renewals are processed by the International Code Council or appropriate testing agency.
- (d) All reciprocal licenses require verification of experience. Individuals who have a Journeyman license must obtain certification from the State of Nevada within 1 year of Nevada residency.