

ORDINANCE NO. 133

AN ORDINANCE REGULATING THE INSTALLATION, ALTERATION, AND MAINTENANCE OF ALL PIPING EXTENDING FROM THE POINT OF DELIVERY OF GAS FOR USE AS A FUEL AND DESIGNED TO CONVEY OR CARRY THE SAME TO GAS APPLIANCES, AND REGULATING THE INSTALLATION AND MAINTENANCE OF APPLIANCES DESIGNED TO UTILIZE SUCH GAS AS A FUEL, WITHIN THE CORPORATE LIMITS OF THE CITY OF COTTER, ARKANSAS; PROVIDING FOR THE INSPECTION OF SAID PIPING AND CERTAIN APPLIANCES; PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE INSTALLATION OF SAID PIPING AND CERTAIN APPLIANCES AND THE COLLECTION OF INSPECTION FEES THEREFOR; PROVIDING FOR THE LICENSING OF PERSONS ENGAGING IN THE BUSINESS OF INSTALLING, REPAIRING, OR MAINTAINING SAID PIPING OR CERTAIN APPLIANCES; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE, AND REPEALING ALL CONFLICTING ORDINANCES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTER, BAXTER COUNTY.

CHAPTER 1. TITLE

This ordinance shall be known as the "Gas Code" of the City of Cotter and may be cited as such.

CHAPTER 2. PURPOSE AND SCOPE

The purpose of this ordinance is to provide minimum standards, provisions and requirements for safe installation of consumer's gas piping and gas appliances. All such gas piping and gas appliances installed, replaced, maintained, or repaired within the corporate limits of the City of Cotter shall conform to the requirements of this ordinance and to the specifications, rules, and regulations entitled "Installation of Consumer's Gas Piping and Gas Appliances" Southern Standard Gas Code, which specifications, rules, and regulations are hereby incorporated herein by reference and made a part of this ordinance as if fully set forth herein. Copies of such specifications, rules, and regulations shall be kept on file in the office of the Clerk of the City of Cotter.

CHAPTER 3. USE OF EXISTING PIPING AND APPLIANCES

Notwithstanding any provision in this ordinance to the contrary, consumer's piping installed prior to the adoption of this ordinance or piping installed to supply other than natural gas may be converted to natural gas, if the Inspector finds, upon inspection and proper tests, that such piping will render reasonably satisfactory gas service to the consumer and will not in any way endanger life or property; otherwise, such piping shall be altered or replaced, in whole or in part, to conform with the requirements of this ordinance.

CHAPTER 4. BOND AND LICENSE

(a) No person shall engage in or work at the installation, extension, alteration, of consumer's gas piping or certain gas appliances, until such person shall have secured a license as hereinafter provided, and shall have executed and delivered to the City of Cotter a good and sufficient bond in the penal sum of \$1,000.00, with corporate surety, conditioned for the faithful performance of all such work, entered upon or contracted for, in strict accordance and compliance with the provisions of this ordinance. The bond herein required shall expire on the first day of January next following its approval by the Clerk, and thereafter on the first day of January of each year a new bond, in form and substance as herein required, shall be given by such person to cover all such work as shall be done during such year.

(b) Upon approval of said bond, the person desiring to do such work shall secure from the Clerk a non-transferable license which shall run until the first day of January next succeeding its issuance, unless sooner revoked.

The person obtaining a license shall pay an annual license fee of \$ 5.00 to the _____ Clerk; provided, however, any license obtained after the 1st day of July of any year shall be computed at the rate of one half (1/2) of the annual fee.

(c) Nothing herein contained shall be construed as prohibiting an individual from installing or repairing his own appliances or installing, extending, replacing, altering, or repairing consumer's piping on his own premises, or as requiring a license or a bond from an individual doing such work on his own premises; provided, however, all such work must be done in conformity with all other provisions of this ordinance, including those relating to permits, inspection, and fees.

CHAPTER 5. GAS INSPECTOR AND ASSISTANTS

To provide for the administration and enforcement of this ordinance, the office of Gas Inspector is hereby created. The Inspector, and such assistants as may be necessary in the proper performance of the duties of the office, shall be appointed by the Mayor of the City of Cotter, and the compensation for such office shall be determined at the time of appointment.

CHAPTER 6. POWERS AND DUTIES OF INSPECTOR

(a) The Inspector is authorized and directed to enforce all of the provisions of this ordinance, and the Inspector, upon presentation of proper credentials, may enter any building or premises at reasonable times for the purpose of making inspections or preventing violations of this ordinance.

(b) The Inspector is authorized to disconnect any gas piping or fixture or appliance for which a certificate of approval is required but has not been issued with respect to same, or which, upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a disconnection is made, a notice shall be attached to the piping, fixture, or appliance disconnected by the Inspector, which notice shall state that the same has been disconnected by the Inspector, together with the reason or reasons therefor, and it shall be unlawful for any person to remove said notice, or reconnect said gas piping or fixture or appliance without authorization by the Inspector and such gas piping or fixture or appliance shall not be put in service or used until the Inspector has attached his certificate of approval in lieu of his prior disconnection notice.

(c) It shall be the duty of the Inspector to confer from time to time with representatives of the local Health Department, the local Fire Department, and the Gas Company, and otherwise obtain from proper sources all helpful information and advice, presenting same to the appropriate Officials from time to time for their consideration.

CHAPTER 7. PERMITS

(a) No person shall install a gas conversion burner, floor furnace, central heating plant, vented wall furnace, water heater, boiler, consumer's gas piping, or convert existing piping to utilize natural gas without first obtaining a permit to do such work from the _____ Clerk; however, permits will not be required for setting or connecting other gas appliances, or for the repair of leaks in house piping.

(b) When only temporary use of gas is desired, the Inspector may issue a permit for such use, for a period of not to exceed sixty (60) days, provided the consumer's gas piping to be used is given a test equal to that required for a Final Piping Inspection.

(c) Gas Company shall not be required to obtain permits to set meters, or to extend, relocate, remove, or repair its service lines, mains, or other facilities, or for work having to do with its own gas system.

CHAPTER 8. INSPECTION

(a) ROUGH PIPING INSPECTION shall be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been attached thereto.

(b) FINAL PIPING INSPECTION shall be made after all piping authorized by the permit has been installed and after all portions thereof which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been attached thereto. This inspection shall include a pressure test, at which time the piping shall stand an air pressure equal to not less than the pressure of a column of mercury six (6) inches in height, and the piping shall hold this air pressure for a period of at least ten (10) minutes without any perceptible drop. A mercury column gauge shall be used for the test. All tools, apparatus, labor, and assistance necessary for the tests shall be furnished by the installer of such piping.

CHAPTER 9. CERTIFICATES

The Inspector shall issue a certificate of approval at the completion of the work for which a permit for consumer piping has been issued, if after inspection it is found that such work complies with the provisions of this ordinance. A duplicate of each certificate issued covering consumer's gas piping shall be delivered to the Gas Company and used as its authority to render gas service.

CHAPTER 10. FEES

(a) The total fees for inspection of consumer's gas piping at one location (including both rough and final piping inspection) shall be \$1.50 for one to four outlets, inclusive, and \$0.50 for each outlet above five.

(b) The fees for inspecting conversion burners, floor furnaces, boilers, or central heating plants shall be \$1.50 for each unit.

(c) The fees for inspecting vented wall furnaces and water heaters shall be \$1.00 for each unit.

(d) If the Inspector is called back, after correction of defects noted, an additional fee of \$1.00 shall be made for each such return inspection.

(e) Any and all fees shall be paid by the person to whom the permit is issued.

CHAPTER 11. VIOLATIONS AND PENALTIES

Any person that shall fail to comply with or violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$ 5.00 nor more than \$ 100.00, or the license of such person may be revoked, or both fine and revocation of license may be imposed.

CHAPTER 12. NON-LIABILITY

This ordinance shall not be construed as imposing upon the City of Cotter any liability or responsibility for damages to any person injured by any defect in any gas piping or appliance mentioned herein, or by installation thereof, nor shall the City of Cotter, or any official or employee thereof, be held as assuming any such liability or responsibility by reason of the inspection authorized hereunder or the certificate of approval issued by the Inspector.

CHAPTER 13. VALIDITY

If any section, sub-section, sentence, clause or phrase of this ordinance is, for any reason held to be unconstitutional (or invalid) such (holding) shall not affect the validity of the remaining portion of this ordinance. The Council of the City of Cotter hereby declare(s) that it would have passed this ordinance and each section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, or phrases be declared unconstitutional or invalid.

CHAPTER 14. DEFINITIONS

The following definitions are provided for the purpose of interpretation and administration of this ordinance:

(a) "Inspector" means the person appointed as Inspector, and shall include each Assistant Inspector (if any), from time to time acting as such under this ordinance by appointment of the Mayor of the City of Cotter.

(b) "Person" means any individual, partnership, firm, corporation, or any other organized group of individuals.

(c) "Gas Company" means any person distributing gas within the corporate limits of the City of Cotter, or authorized and proposing to so engage.

(d) "Certificate of Approval" means a document or tag issued and/or attached by the Inspector to the inspected material, piping, or appliance installation, filled out, together with date, address of the premises, and signed by the Inspector.

(e) "Certain Appliances" means conversion burners, floor furnaces, central heating plants, vented wall furnaces, water heaters and boilers.

CHAPTER 15. ORDINANCES REPEALED

All ordinances, or parts of ordinances, in conflict with this ordinance are hereby repealed.

Passed this 21 day of Sept., 1965.

Approved this 21 day of Sept., 1965.

George H. Wallack
Mayor

Attest:

Barbara Smith
Recorder