

CITY OF KINGSTON

Ontario

BY-LAW NO. 2003-4

**A BY-LAW TO LICENSE, REGULATE AND GOVERN
CERTAIN TRADES AND OCCUPATIONS**

PASSED: December 17, 2002

As Amended By By-Law No:

(Office Consolidation)

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A BY-LAW TO LICENSE, REGULATE AND GOVERN CERTAIN TRADES AND OCCUPATIONS

PASSED: December 17, 2002

WHEREAS section 257.2 of the current *Municipal Act* authorizes the council of every local municipality to pass by-laws for licensing, regulating and governing any business, including trades and occupations, carried on within the municipality;

AND WHEREAS section 150 of the *Municipal Act, 2001* will continue to provide this authority when it comes into force on January 1, 2003;

AND WHEREAS the Council of the City of Kingston considers it desirable to exercise this authority for the purposes of health and safety and consumer protection;

THEREFORE the Council of the Corporation of the City of Kingston enacts as follows:

1. DEFINITIONS

In this by-law:

"*Appeals Committee*" means the committee established by the Council Procedure By-law (No. 98-1, as amended) and includes any successor committee designated by Council to carry out the responsibilities of this committee;

"*apprentice electrician*" means a person who is an apprentice, as defined in the *Trades Qualification and Apprenticeship Act*, in the trade of electrician;

"*apprentice plumber*" means a person who is an apprentice, as defined in the *Trades Qualification and Apprenticeship Act*, in the trade of plumber;

"*Building and Licensing Division*" means the Building and Licensing Division, Department of Planning and Development or, in the event of organizational changes, another unit designated by Council to carry out its responsibilities for the administration and enforcement of this by-law, and "*Division*" has the same meaning;

"*certificate of qualification*" means, with respect to an electrician or plumber, a certificate of qualification in that trade issued under the *Trades Qualification and Apprenticeship Act*;

"*City*" and "*City of Kingston*" mean The Corporation of the City of Kingston, as incorporated on January 1, 1998;

"*Council*" and "*City Council*" mean the Council of the City of Kingston;

"*electrical contractor*" means a person who,

- (a) is or employs a master electrician,
- (b) is engaged in the business of contracting for the installation and repair of electrical work, or
- (c) solicits, advertises or represents himself or herself to the public as doing the work of an electrician or as being an electrical contractor;

"*electrical work*" means the work, as described in a regulation under the *Trades Qualification and Apprenticeship Act*, which an electrician is qualified to perform;

"*electrician*" means a person who holds a valid certificate of qualification in the trade of electrician under the *Trades Qualification and Apprenticeship Act*;

"*institution*" includes a public hospital or other health care facility, a provincial correctional institution, a manufacturing or industrial premises, and a building or facility owned or occupied by the province, a university, college, community college, school, school board, or municipality other than the City;

"*journeyman electrician*" and "*journeyman plumber*" have the same meaning as "*electrician*" and "*plumber*", respectively;

"*licence*" means a licence issued under this by-law;

"*licensee*" means a person who holds a licence issued under this by-law and "*licensed*" has a corresponding meaning;

"*maintenance electrician*" means a person who holds a valid certificate of qualification in the trade of construction and maintenance electrician under the *Trades Qualification and Apprenticeship Act* and is employed as a staff employee to do electrical repairs on premises or equipment owned and occupied or operated by his or her employer;

"*master electrician*" means a person who:

- (a) is a journeyman electrician,
- (b) is skilled in the planning, superintending and installation of electrical work,
- (c) is familiar with the laws, rules and regulations governing the trade of electrician, and
- (d) has successfully passed the Master Electrician's examination under this by-law;

"*master plumber*" means a person who:

- (a) is a journeyman plumber,
- (b) is skilled in the planning, superintending and installation of plumbing work,
- (c) is familiar with the laws, rules and regulations governing the trade of plumber, and
- (c) has successfully passed the Master Plumber's examination under this by-law;

"*non-resident*" means a person who does not have a regular place of business in the City;

"*Ontario Building Code*" means the regulations made under the *Building Code Act, 1992* that establish standards for the construction and demolition of property;

"*person*" has the same meaning as in the *Interpretation Act*, and includes a corporation;

"*place of business*" means any place, premises or location, or part thereof, in which a business is carried on, and includes a shop, store or office, and an office in a dwelling unit which is accessible to the public;

"*plumber*" means a person who holds a valid certificate of qualification in the trade of plumber under the *Trades Qualification and Apprenticeship Act*;

"*Plumbers' and Electricians' Joint Examining Board*" means the committee established by the Council Procedure By-Law (No. 98-1, as amended) and includes any successor body established by Council to carry out the Board's responsibilities, and "*Examining Board*" has the same meaning;

"*plumbing contractor*" means a person who:

- (a) is or employs a master plumber,
- (b) is engaged in the business of contracting for the installation and repair of plumbing work, or
- (c) solicits, advertises or represents himself or herself to the public as doing the work of a plumber or as being a plumbing contractor;

"*plumbing work*" means the work, as described in a regulation under the *Trades Qualification and Apprenticeship Act*, which a plumber is qualified to perform;

"*premises*" means a building or part of a building or a location where a person carries on any trade to which this by-law applies;

"*proof of insurance*" means a certificate of insurance issued by a company authorized to carry on the business of insurance in the Province of Ontario that contains a provision or an endorsement naming the City and its agents as additional insured parties, and stating that the insurer will provide the City with at least thirty days' written notice of any cancellation, expiration or change to the terms of the insurance;

"regular place of business" means the place of business in which the business is normally carried on, but does not include a place, premises or location in which a business is conducted on a one-time or temporary basis; and

"resident" means a person who has a regular place of business in the City.

2. APPLICATION:

2.1 The requirements of this by-law apply to every person who carries on business in the following trades and occupations, except where exempted by section 5 of this by-law:

- electrical contractor;
- plumbing contractor;
- master electrician;
- master plumber.

2.2 The requirement to obtain a licence applies to every trade and occupation described in section 2.1, regardless of whether it is being carried on wholly or partly within the City, and even if it is being carried on from a location outside the City.

3. ADMINISTRATION:

3.1 The Building and Licensing Division and the Plumbers' and Electricians' Joint Examining Board are responsible for the administration and enforcement of this by-law.

3.2 Every application for a new licence or a renewal of an existing licence under this by-law shall be submitted to the Division in the form provided.

3.3 Every application for a new licence or a renewal of an existing licence shall be accompanied by the applicable licence fee and by all documentation and other information that is needed to determine whether the applicant is eligible to apply for a licence in that trade or occupation.

3.4 Where two or more persons propose to carry on business as a partnership, their application shall include the name and address of each member of the partnership even though the licence, if approved, will be issued in the name of one partner only.

3.5 Every application for a new licence will be reviewed to determine whether it meets all general requirements set out in Part 4 and the special conditions set out in the Schedule to this by-law which applies to that trade or occupation.

3.6 If it is determined that an application for a new licence meets these requirements, the Division will issue the licence.

3.7 In the event that a licence is subsequently lost or destroyed, the Division may, after reviewing the circumstances, issue a replacement licence to the licensee upon receipt of the applicable fee, as set out in Schedule 1.

3.8 If it is determined that an application for a new licence does not meet the requirements of the by-law, the Division will refuse to issue the licence.

3.9 Every application for the renewal of a licence will be renewed if the applicant:

- (1) has paid the applicable licence fee;
- (2) has filed all necessary documentation and other information; and
- (3) has carried on business in the trade or occupation in compliance with the requirements of this by-law and in a manner that affords reasonable cause to believe that the licensee will continue to carry on business in compliance with the requirements of this by-law, with all applicable law, and with honesty and integrity.

3.10 If it is determined that an application for a renewal of a licence does not fulfil the requirements set out in section 3.9, the Division will refuse to renew the licence.

3.11 A person holding an electrical contractor's or plumbing contractor's licence who does not renew the licence on or before December 31st of the year for which it was issued shall be required to pay a late payment fee, as set out in Schedule 1, in addition to the annual licence fee.

- 3.12 The licence of a person holding a master electrician's or master plumber's licence which is not renewed on or before March 31st of the year subsequent to the year for which the licence was issued shall be deemed to have expired.
- 3.13 In the event that a licence expires in accordance with section 3.12, the person who holds the expired licence shall be required to submit an application for a new licence and will be subject to all requirements that apply to such applications.
- 3.14 Every licensee or another person acting on the licensee's behalf shall notify the Division in writing within 14 days of any of the following events:
- (1) retirement of the licensee from business;
 - (2) death of the licensee;
 - (3) sale, transfer or termination of the business; or
 - (4) where the licence was obtained on the basis of an employee's certificate, the termination of that employee's employment.
- 3.15 A licensee who is unable to carry on business in the trade or occupation because of health problems or another person acting on the licensee's behalf may surrender the licence voluntarily to the Division together with a medical certificate or statutory declaration that provides evidence of the circumstances.
- 3.16 A licensee whose licence has been surrendered voluntarily in accordance with section 3.15 must, before resuming business, submit a medical certificate to the Division from a qualified medical practitioner certifying that the licensee is fit and able to resume carrying on business in the trade or occupation.
- 3.17 Upon receipt of the medical certificate, the Division will:
- (1) if the licence has not expired, reinstate or return it to the licensee;
 - (2) if it has expired and the medical certificate is submitted between January 1st and June 30th, renew the licence for the current calendar year, without penalty, upon the payment of the annual licence fee; or
 - (3) if it has expired and the medical certificate is submitted after June 30th, renew the licence for the current calendar year, without penalty, upon payment of 50 per cent of the annual licence fee.
- 3.18 If the City determines that the insurance required by a licensed electrical contractor or a plumbing contractor is due to expire on a certain date, the Division will suspend the licence coincidentally with the expiry of the insurance unless the licensee files further proof of insurance by the end of office hours on the date of expiry.
- 3.19 The Division will, upon determining that the insurance of a licensee is due to expire, notify the electrical contractor or plumbing contractor that his or her licence will be suspended unless further proof of insurance is filed on or before the date of expiry.
- 3.20 If, at any time, the Division determines, as a result of evidence that is provided, that a licensee is not carrying on business in a trade or occupation in compliance with the requirements of this by-law, it may suspend or revoke the licence in accordance with sections 7.1 and 7.2.
- 3.21 A person whose application for a new licence or a renewal of a licence has been refused, or whose licence has been suspended or revoked may, within fifteen days of being notified of the decision, apply to the Appeals Committee for a review of the decision.
- 3.22 Despite section 3.21, the review of a refusal to permit a person to sit for a Master's examination shall be conducted by the Examining Board in accordance with Schedule 2 of this by-law, and its decision is not subject to review by the Appeals Committee.
- 3.23 A person who has applied under section 3.21 for a review of a decision will be given an opportunity to make written representations to or to appear before the Appeals Committee when it reviews the matter.
- 3.24 The Appeals Committee will review the matter at its next meeting, and may confirm the decision, or direct the Division to issue, renew or reinstate the licence.
- 3.25 Decisions of the Appeal Committee under section 3.24 are final.
- 3.26 There will be no refund to a licensee or former licensee of all or any portion of the licence fees in the event of the suspension or revocation of a licence.

4. GENERAL LICENSING REQUIREMENTS:

- 4.1 No person shall carry on business within the City in a trade or occupation described in section 2.1 unless that person holds a valid licence from the City for that trade or occupation.
- 4.2 A person is not eligible to hold a licence if he or she provides misleading, false or incorrect information for the purposes of obtaining, renewing or retaining a licence.
- 4.3 A person is not eligible to hold a licence unless that person has paid the licence fee for that trade as set out in Schedule 1.
- 4.4 A person is not eligible to hold a licence unless he or she complies with all of the requirements of this by-law, including the special conditions set out in the Schedule to this by-law that applies to the trade or occupation.
- 4.5 A person is not eligible to hold a licence as an electrical contractor or plumbing contractor unless he or she maintains, without any lapse in coverage, insurance in accordance with section 8 of Schedule 3 of this by-law.
- 4.6 A licence is valid for one calendar year only and every licensee is required to submit an application for a renewal of his or her licence by December 31st of each year, together with the applicable licence fee.
- 4.7 A licensee shall not transfer his or her licence to another person without the approval of the Division, and an application for a transfer will be subject to the same requirements as an application for a new licence for that trade.
- 4.8 No person shall carry on business in a trade for which a licence is required under this by-law: (1) if the licence has expired or been revoked; or (2) while the licence is under suspension or has been voluntarily surrendered to the Division.
- 4.9 Every licensee shall carry his or her licence at all times and, where applicable, display evidence of the licence on the vehicles and other property used for the purposes of the business in accordance with Schedule 3 of this by-law.
- 4.10 Every licensee shall produce the licence for inspection upon the request of an authorized employee or agent of the City.
- 4.11 Every licensee shall allow, at any reasonable time, an authorized employee or agent of the City to inspect his or her place of business and any other premises, other than a place actually being used as a dwelling, equipment, vehicles and other personal property used for the business, to determine whether the requirements of this by-law are being complied with, and no person may obstruct, hinder or otherwise interfere with such an inspection.
- 4.12 Every licensee shall carry on business in the trade in compliance with the requirements of this by-law, with all applicable law, and with honesty and integrity.
- 4.13 Every licensee shall be responsible for the acts of any person employed by or associated with the licensee in carrying on business in the trade in the same manner and to the same extent as though such acts were done by the licensee.
- 4.14 No licensee shall permit his or her name to be used by any other person, whether licensed or unlicensed, for the purposes of promoting that person's business.

5. EXEMPTIONS:

- 5.1 The requirements of this by-law do not apply to:
 - (1) Persons who do electrical or plumbing work in the course of their employment with the City, Utilities Kingston and its subsidiary companies, or any local board of the City;
 - (2) Persons who replace hot water tanks and who hold valid certificates of qualification to do this work under the *Technical Standards and Safety Act, 2000*;
 - (3) Persons who maintain, service or replace mechanical or electrical components and accessories that form part of an appliance;
 - (4) Persons who drill and service water wells;
 - (6) Persons who are qualified to install, repair, service, clean and empty septic systems in accordance with the requirements of the *Ontario Building Code*; or
 - (7) Persons who do electrical or plumbing work solely on residential premises which they occupy or plan to occupy as a dwelling unit.

- 5.2 Institutions whose employees do electrical or plumbing work in the course of their employment are not required to obtain master electrician or master plumber licences for these employees.
- 5.3 Despite section 5.2, every institution shall employ, for its internal electrical and plumbing work, a licensed master electrician and master plumber, and shall provide the name of these persons each year to the Building and Licensing Division.
- 5.4 As an alternative to meeting the requirement set out in section 5.3, an institution may engage the services of a licensed electrical contractor and plumbing contractor for its internal electrical and plumbing work.

6. SCHEDULES:

- 6.1 The following Schedules are attached to and form part of this By-law:

Schedule 1 Licence Fees

Schedule 2 Plumbers' and Electricians' Joint Examining Board

Schedule 3 Electrical Contractors and Plumbing Contractors

Schedule 4 Master Electricians and Master Plumbers

7. OFFENCE AND PENALTY PROVISIONS:

- 7.1 Any licensee who does not carry on business in a trade in compliance with the requirements of by-law shall be subject to the following penalties:
 - (1) For the first occurrence – a one month suspension;
 - (2) For misrepresentation or fraudulent behaviour in dealing with customers -- a three month suspension; and
 - (3) For more serious misrepresentation, misconduct, or breach of a licensee's obligations -- a six month suspension.
- 7.2 The length of the suspensions described in section 7.1 may be doubled in the event of a second occurrence and tripled in the event of a third occurrence, and a licensee's licence may be revoked in the event of continuing occurrences.
- 7.3 Any person who contravenes the provisions of this by-law is guilty of an offence and, upon conviction, is subject to a fine as provided in the *Provincial Offences Act* and to any other applicable penalties.
- 7.4 If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 7.5 If this by-law is contravened and a conviction entered, the court may also order that the premises or part of the premises be closed to any use for a period not exceeding two years.

8. VALIDITY:

- 8.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

9. COMMENCEMENT:

- 9.1 This By-law comes into force on December 31, 2002.
- 9.2 In accordance with subsection 150(13) of the *Municipal Act, 2001*, this by-law expires five years after it comes into force.

SCHEDULES

SCHEDULE 1	LICENCE FEES		
Description of Licence		Licence Fee	
Licence "A" (Resident)			
Master Electrician			\$100.00
Electrical Contractor			\$200.00
Licence "A-1" (Non-Resident)			
Master Electrician			\$125.00
Electrical Contractor			\$250.00
Licence "A" (Resident)			
Master Plumber			\$100.00
Plumbing Contractor			\$200.00
Licence "A-1" (Non-Resident)			
Master Plumber			\$125.00
Plumbing Contractor			\$250.00
Replacement Licence Certificate (8-1/2 X11)			\$25.00
Replacement Wallet Card			\$10.00
Late Payment Fee for Electrical Contractors and Plumbing Contractors			\$150.00

SCHEDULE 2:	PLUMBERS' & ELECTRICIANS' JOINT EXAMINING BOARD
<ol style="list-style-type: none"> 1. A Plumbers' and Electricians' Joint Examining Board will be appointed by City Council, consisting of the Chief Building Official, the Plumbing Inspector, one Electrical Contractor, one Plumbing Contractor, one Master Electrician, one Master Plumber, one representative of the Electrical Safety Authority, the Supervisor, Building and Licensing, and a representative of the Licensing Section. 2. The Rules and Regulations for the examination of applicants regarding the fees to be paid upon examinations and all other matters necessary to the proper application of the provisions of this by-law are set out in Appendix A to this Schedule. 3. The Rules and Regulations referred to in section 2 may be amended by Council on the recommendation of the Examining Board. 4. Any person who fails to pass an examination for a licence may apply to the Examining Board to sit for a further examination and may be re-examined after the expiration of three months from the date of the first examination. 5. All persons applying for an examination or re-examination shall pay the examination fee set out in the Rules and Regulations in Appendix "A" to this Schedule. 6. Any person who fails to pass an examination for a second time shall appear before the Examining Board to show cause why he or she should be permitted to apply for a further examination. The Examining Board may, if the circumstances warrant it, direct that the person be re-examined on a date to be determined according to the Rules and Regulations. 7. If a licensee in a trade or occupation to which the examination requirement applies has not carried on business in the trade or occupation for five years or more, or if the workmanship of the licensee does not comply with the requirements of this by-law or the requirements set out in any relevant legislation, regulation or code, the Examining Board may require the licensee to submit to a re-examination. 8. Any person who is refused permission by the Examining Board: <ol style="list-style-type: none"> a. to sit for the examination by the Examining Board, or b. having failed, to sit for a further examination, <p>may apply for a review of the Examining Board's refusal within fifteen days of being notified of the decision by filing his or her written application with the Division, setting out in detail the grounds on which the applicant relies.</p> 9. The Division will provide written notice to the Examining Board of the receipt of any application for a review under section 8 at its next regular meeting. 10. The Examining Board, on receipt of the notice, will provide the applicant with a copy of its reasons for having refused to give its permission to the applicant. 11. The Examining Board will determine the time and date for the hearing and the Division will notify the applicant of the time and date by means of personal notice or registered mail. 12. The applicant may appear before the Examining Board to make representations and the onus will be on the applicant to show why he or she should be granted permission. 13. The hearing will be conducted in accordance with the <i>Statutory Powers Procedure Act</i>. 14. The Examining Board will provide its decision in writing to the Division either: <ol style="list-style-type: none"> a. within seven days of the date of the completion of the review hearing; or b. if a transcript of the review hearing is requested, within seven days of the date of the receipt of the transcript by the Examining Board. 15. The Division will notify the applicant of the decision immediately by sending a copy by personal notice or registered mail. 16. The decision of the Examining Board on this matter is final and binding. 	

APPENDIX A

Rules and Regulations for the Examination of Applicants

To Schedule 2:

1. An applicant wishing to write a Master Electrician's or Master Plumber's examination shall be in possession of a valid certificate of qualification in the trade of electrician or plumber, and shall provide evidence that he or she has held such certificate for a minimum of two years.
2. Any person who applies to write the exam shall complete and sign the application form and file it, along with the examination fee of \$125.00, with the Building and Licensing Division. The Division will forward it to the Examining Board between the first and fifteenth days of the months during which examinations are to be held.
3. The Division will, upon receipt of an application and the examination fee, make or cause to be made all investigations required under this by-law.
4. Upon completion of such investigations, the applicant will receive a written notice from the Division if he or she is to be permitted to sit for the examination, indicating the date, time and place of the examination.
5. No applicant shall be examined unless the Division has received the examination fee of \$125.00.
6. Examinations will be held quarterly in every year, or as required by the Examining Board.
7. The Examining Board has the sole responsibility for determining the nature of the examinations, the specific dates and times at which examinations will be held, and all other matters in connection with the examinations.
8. Examinations will be supervised by the person or persons appointed by the Examining Board.
9. At least two members of the Examining Board or two other persons will be appointed by the Examining Board as Examiners to conduct and mark the examinations without interference, and all Examiners shall be qualified electricians or plumbers, depending on the examination.
10. An applicant who takes the examination shall obtain a mark of at least 70 percent to be qualified for a Master Electrician's or Master Plumber's licence.
11. Subject to the provisions of subsections 8 to 16 of Schedule 2, the decision of the Examiners who are appointed under section 9 is final as to whether an applicant has sufficient experience and knowledge to receive a passing mark and is qualified for a Master's Licence.
12. Applicants will be examined as to their ability to perform:
 - a. In the case of the electrical examination, electrical work as defined in this by-law; the examination will be based on the applicants' knowledge of practical work being carried out in accordance with the electrical code requirements, and other related provincial and municipal regulations and by-laws; or
 - b. In the case of the plumbing examination, plumbing work as defined in this by-law; the examination will be based on the applicants' knowledge of practical work being carried out in accordance with the plumbing code requirements, and other related provincial and municipal regulations and by-laws.
13. An applicant may, if good cause is provided to the Chair of the Examining Board, be excused from attending one examination without having to file a new application, but an applicant will not be excused from a second examination.
14. Where an applicant is excused under section 13, the fee will not be forfeited.
15. Where an applicant who has not been excused under section 13 misses an examination, the fee shall be forfeited and the application shall be null and void.
16. Every Examiner who is appointed under section 9 to conduct and mark examinations, other than an employee of the City, will be paid a fee of \$75.00 for each paper that is marked
17. The fee will be paid by the City when the Examiners appointed under section 9 submit accounts for payment which have been approved by the Examining Board.

SCHEDULE 3:	ELECTRICAL CONTRACTORS & PLUMBING CONTRACTORS
Reason for Licensing/Conditions:	<ul style="list-style-type: none"> • Health & Safety • Consumer Protection
Special Conditions:	<ol style="list-style-type: none"> 1. Subject to the exemptions in Part 5 of this by-law: <ol style="list-style-type: none"> (1) no person shall apply to the Building and Licensing Division for an Electrical Contractor's or Plumbing Contractor's licence without providing confirmation of employment of a licensed Master Electrician or Master Plumber, respectively, upon whose qualifications the contractor's license will be obtained; (2) no person who is not licensed as an Electrical Contractor or Plumbing Contractor under this by-law shall contract for or receive payment for any electrical or plumbing work, respectively, in the City; (3) no person shall hire or employ an Electrical Contractor or Plumbing Contractor who is not licensed under this by-law to do any electrical or plumbing work, respectively, in the City; (4) no contractor who is not licensed under this by-law shall employ a Journeyman Electrician or Journeyman Plumber, or Apprentice Electrician or Apprentice Plumber to do any electrical or plumbing work, respectively, in the City; (5) no contractor licensed under this by-law shall employ any person other than a Journeyman Electrician or Journeyman Plumber, or Apprentice Electrician or Apprentice Plumber, to do any electrical or plumbing work, respectively, in the City; (6) no contractor licensed under this by-law shall permit an Apprentice Electrician or Apprentice Plumber in his or her employ to do any electrical or plumbing work, respectively, in the City, except under the supervision of a licensed Master in that trade; (7) no contractor shall hire or employ any person to do any electrical or plumbing work in the City except in accordance with the provisions of this by-law; and (8) a licence application from a corporation shall be made by an officer or employee who is authorized to act on its behalf, but the licence will be issued in the name of the corporation. 2. The following licences may be issued pursuant to this Schedule, upon satisfactory proof that the applicant is at least 18 years of age: <ol style="list-style-type: none"> (1) Licence "A" to a Resident Electrical Contractor or Resident Plumbing Contractor, indicating the licensed Master in his or her employ upon whose qualifications the licence has been obtained; (2) License "A-1" to a Non-Resident Electrical Contractor or Non-Resident Plumbing Contractor, indicating the licensed Master in his or her employ upon whose qualifications the licence has been obtained. 3. Upon application made in accordance with the provisions of this by-law, the Division will issue: <ol style="list-style-type: none"> (1) a License "A" to: <ol style="list-style-type: none"> (a) a Resident Electrical Contractor or Resident Plumbing Contractor whose regular place of business is within the City of Kingston, upon providing satisfactory proof that he or she: <ol style="list-style-type: none"> i) has insurance in accordance with the requirements of Section 8 of this Schedule; ii) is carrying on business as an Electrical Contractor or Plumbing

Contractor;

- iii) is either a licensed Master or employs a Master who holds a valid Master's licence from the City of Kingston under this by-law; and
- iv) complies with the other provisions of this by-law.

(2) a License "A-1" to:

- (a) a Non-Resident Electrical Contractor or Non-Resident Plumbing Contractor whose regular place of business is outside the City of Kingston, upon providing satisfactory proof that he or she:
 - i) has insurance in accordance with the requirements of Section 8 of this Schedule;
 - ii) is carrying on business as an Electrical Contractor or Plumbing Contractor;
 - iii) is either a licensed Master or employs a Master who holds a valid Master's licence from the City of Kingston under this by-law; and
 - iv) complies with the other provisions of this by-law.

4. An applicant for a Non-Resident Electrical Contractor's or Non-Resident Plumbing Contractor's licence will be eligible for a licence if the applicant provides proof in a form satisfactory to the Division that he or she holds a valid Contractor's licence from a municipality or agency listed in subsection 4(1) or 4(2) of this Schedule and complies with the other provisions of this by-law.

(1) In the case of a Non-Resident Electrical Contractor's licence, an applicant shall be required to provide proof that he or she holds a valid Electrical Contractor's License from one of the following:

- (a) the City of Barrie;
- (b) the City of Brantford;
- (c) the City of Cambridge;
- (d) the City of Guelph;
- (e) the City of Hamilton;
- (f) the City of Kitchener;
- (g) the City of London
- (h) the City of Ottawa;
- (i) the City of Thunder Bay;
- (j) the City of Toronto;
- (k) the City of Windsor; or
- (l) the Electrical Contractor Registration Agency.

(2) In the case of a Non-Resident Plumbing Contractor's licence, an applicant shall be required to provide proof that he or she holds a valid Plumbing Contractor's licence from one of the following:

- (a) the City of Barrie;
- (b) the City of Cambridge;
- (c) the City of Hamilton;

	<ul style="list-style-type: none">(d) the City of Kitchener;(e) the City of London;(f) the City of Sarnia;(g) the City of Sault Ste. Marie;(h) the City of Thunder Bay;(i) the City of Toronto; or(j) the City of Windsor. <p>5. The person upon whose qualifications the License "A-1" was obtained shall be responsible for the supervision of work on all jobs for which the License "A-1" was obtained.</p> <p>6. Every licensee under this Schedule shall:</p> <ul style="list-style-type: none">(1) attach to or paint a sign in a clearly visible position showing his or her name and licence number in letters and figures not less than 1.2 cm. (3 inches) in height on both sides of the body of all vehicles used for the transportation of equipment and materials in the course of the business; and(2) ensure that his or her name, licence number and business address are included on all stationery, forms, bills, invoices, statements and other printed or written advertising material, including any publications, used in the course of the business. <p>6. Every Contractor holding a Licence "A" or "A-1" shall, within three months from the date of the resignation, retirement or death of his or her Master Electrician or Master Plumber, employ another Master Electrician or Master Plumber.</p> <p>7. No person shall hold more than one type of license, either Licence "A" or License "A-1", at the same time.</p> <p>8. Every Resident Electrical Contractor, Resident Plumbing Contractor, Non-Resident Electrical Contractor and Non-Resident Plumbing Contractor shall file proof of insurance with the City in the amounts of:</p> <ul style="list-style-type: none">(1) public liability of not less than \$2,000,000.00 on account of bodily injuries to or death of one person and not less than \$1,000,000.00 on account of bodily injuries to or death of more than one person as a result of any one accident; and(2) property damage of not less than \$500,000.00.
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SCHEDULE 4:	MASTER ELECTRICIANS & MASTER PLUMBERS
Reason for Licensing/Conditions:	<ul style="list-style-type: none"> • Health & Safety • Consumer Protection
Special Conditions:	<ol style="list-style-type: none"> 1. Subject to the exemptions in Part 5 of this by-law: <ol style="list-style-type: none"> (1) no person shall hire or employ any Master Electrician or Master Plumber who is not licensed under this by-law to do any electrical or plumbing work respectively; (2) no Maintenance Electrician, as defined in this by-law, shall do any electrical work in the City except, <ol style="list-style-type: none"> (a) on premises or equipment owned and occupied or operated by his or her regular employer and which are in the nature of electrical repairs and maintenance only; or (b) the repair, servicing, maintenance or replacement of any electrical equipment or appliances. 2. Under no circumstances shall electrical conduit or wiring be installed by anyone except under the direction of a Master Electrician or an Electrical Contractor from the point or points of delivery of electrical power or energy up to the point or points where the power or energy can be consumed or used by any electrical equipment. 3. The following licences may be issued pursuant to this Schedule, subject to the applicant indicating his or her employer: <ol style="list-style-type: none"> (1) Licence "A" to a Resident Master Electrician or Resident Master Plumber; (2) Licence "A-1" to a Non-Resident Master Electrician or Non-Resident Master Plumber. 4. Upon application made in accordance with the provisions of this by-law, the Building and Licensing Division will issue: <ol style="list-style-type: none"> (1) a Master's Licence "A" to a resident electrician or plumber, upon providing satisfactory proof that he or she: <ol style="list-style-type: none"> (a) holds a valid certificate of qualification and has held such certificate for the two years preceding the application; (b) has worked as a Journeyman Electrician or Journeyman Plumber for a period of at least two years prior to making application; (c) complies with the provisions of this by-law; and (d) has passed the Master's examination in accordance with this by-law. (2) a Master's Licence "A-1" to a Non-Resident Electrician or Non-Resident Plumber, upon providing satisfactory proof that he or she: <ol style="list-style-type: none"> (a) holds a valid certification of qualification and has held such certificate for the two years preceding the application; (b) has been a Journeyman Electrician or Journeyman Plumber for a period of two years prior to making application; (c) complies with the provisions of this by-law; and (d) has passed the Master's examination in accordance with this by-law. 5. Despite section 4 of this Schedule, an applicant for a Master Electrician's or Master Plumber's licence will not be required to write the Master's examination if the applicant provides proof in a form satisfactory to the Division that he or she has successfully passed the Master's examination and holds a valid Master's licence from a municipality or agency listed in subsection 5(1) or 5(2) of this Schedule.

- (1) In the case of a Master Electrician's licence, an applicant shall be required to provide proof that he or she has passed the Master Electrician's examination and holds a valid Master Electrician's Licence from one of the following:
 - (a) the City of Barrie;
 - (b) the City of Brantford;
 - (c) the City of Cambridge;
 - (d) the City of Guelph;
 - (e) the City of Hamilton;
 - (f) the City of Kitchener;
 - (g) the City of London
 - (h) the City of Ottawa;
 - (i) the City of Thunder Bay;
 - (j) the City of Toronto;
 - (k) the City of Windsor; or
 - (l) the Electrical Contractor Registration Agency;
- (2) In the case of a Master Plumber's licence, an applicant shall be required to provide proof that he or she has passed the Master Plumber's examination and holds a valid Master Plumber's licence from one of the following:
 - (a) the City of Barrie;
 - (b) the City of Cambridge;
 - (c) the City of Hamilton;
 - (d) the City of Kitchener;
 - (e) the City of London;
 - (f) the City of Sarnia;
 - (g) the City of Sault Ste. Marie;
 - (h) the City of Thunder Bay;
 - (i) the City of Toronto; or
 - (j) the City of Windsor;
6. No Master Electrician or Master Plumber shall work for more than one Contractor at the same time.
7. A Master Electrician or Master Plumber shall notify the Division in writing within 48 hours after ceasing to act as a Master for an Electrical Contractor or Plumbing Contractor, and upon commencing to act as a Master for another Contractor.
8. No person shall hold more than one type of licence, either Licence "A" or Licence "A-1", at the same time.
9. The Division may issue a special licence, without an examination, to permit a qualified expert or specialist to install special wiring and connections for electrical experiments, or to undertake research work for new inventions at a specified location, provided that the other provisions of this by-law are complied with.

	<p>10. Electricians employed by visiting theatrical or performing companies may work without a licence as assistants to and under the supervision of a licensed electrician who holds a valid certificate of qualification.</p>
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