



THE CORPORATION OF THE CITY OF THUNDER BAY

BY-LAW NUMBER 159-2005

A By-law pursuant to Section 150 of the *Municipal Act, 2001* to provide for the Licensing and Regulation of Master Plumbers and Plumbing Contractors for health, safety and consumer reasons, in the City of Thunder Bay, in the District of Thunder Bay.

Recitals

1. Section 150 of the *Municipal Act, 2001* authorizes Council to license and regulate a variety of businesses.
2. The authority in the *Municipal Act, 2001* includes: the power to issue Licenses on condition, revoke Licenses, suspend Licenses, to regulate or govern the place used in the carrying on of business, and many other matters.
3. Council considers it appropriate to license Master Plumbers and Plumbing Contractor businesses carried on in Thunder Bay. From a health and safety standpoint, licensing facilitates the training of Plumbers in these aspects of the trade, on things such as backflow prevention. From a consumer protection standpoint, licensing enables members of the public to be assured that practitioners are knowledgeable.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

ARTICLE 1.00: INTERPRETATION

1.01 **Definitions:**

Wherever a term set out below appears in the text of this By-law with its initial letter capitalized, the term is intended to have the meaning set out for it in this Section 1.01. Wherever a term below appears in the text of this By-law in regular case, it is intended to have the meaning ordinarily attributed to it in the English language.

- (a) “**Applicant**” means any person making application for a License, or renewal of a License pursuant to this By-law.
- (b) “**Apprentice**” means a person as set out and described in the *Trades Qualification and Apprenticeship Act*, and apprenticed as a Plumber.
- (c) “**Building**” includes a dwelling, Building or structure.

- (d) “**Business**” means the operation of a service industry that includes carrying on activities as a Master Plumber and/or Plumbing Contractor.
- (e) “**By-law**” means this By-law, as it may be amended from time to time, unless another by-law of the City is referenced by name or number. The Recitals to, and the Schedules attached to this By-law are considered integral parts of it.
- (f) “**Certificate of Qualification**” means a current certificate of qualification as a Plumber pursuant to the *Trades Qualification and Apprenticeship Act*.
- (g) “**Chief Building Official**” means the person within the City’s administration who fulfills the function of the chief building official as required by the *Building Code Act, 1992*, or his or her designate.
- (h) “**City**” means The Corporation of the City of Thunder Bay.
- (i) “**Committee**” means the committee of Council to which Council has delegated the responsibility of handling licensing matters. Where no such committee has been formed and authorized, the term refers to the Committee of the Whole.
- (j) “**Council**” means the elected municipal council for the City.
- (k) “**Examining Board**” means the board of persons appointed by Council to examine Applicants for Licenses and renewals of Licenses under this By-law.
- (l) “**Journeyman Plumber**” means a person who has been issued a certificate of qualification in the trade of plumber under the *Trades Qualification and Apprenticeship Act*.
- (m) “**License**” means a License to operate a Business issued pursuant to this By-law. There are two classes of License pursuant to this By-law, being a Master Plumber’s License and a Plumbing Contractor’s License.
- (n) “**Licensee**” means the holder of a License.
- (o) “**Master Plumber**” means a Journeyman Plumber who is skilled in the planning, superintending and installing of Plumbing, is familiar with the laws, rules and regulations governing the same, has a regular place of business in Ontario and who himself/herself, or by Journeyman Plumbers under his/her supervision, performs plumbing work.
- (p) “**Municipal Law Enforcement Officer**” means an officer with the Thunder Bay Police Services, a law enforcement officer or a person duly appointed within the City’s administration to enforce the By-laws of the City.

- (q) **“Operator”** is a person who has care and control of a Business at any given point in time. The term includes any one or more of the following persons:
- (i) the Owner of a location from which a Business is conducted;
 - (ii) the Operator of a Business;
 - (iii) the occupier of a location from which a Business is conducted;
 - (iv) one who assists or acts on behalf of the Owner or occupier of a location from which a Business is conducted, including a manager or supervisor;
 - (v) one who has the care or management of a location from which a Business is conducted; or
 - (vi) a Licensee.

The terms **“Operate”**, **“Operation”** and words of like import or intent have corresponding meanings.

- (r) **“Owner”** is a person with legal title to real or personal property. The terms **“Own”**, **“Ownership”**, and words of like import or intent have corresponding meanings.

- (s) **“Plumbing”** means any one or more of the following:
- (i) a system of connected piping, fittings, valves and appurtenances that receives water from a private source of supply or from a public water main and conveys the water into and within a Building or to a place of use on a property;
 - (ii) fixtures and fixture trim;
 - (iii) drainage piping, including all traps, fittings and appurtenances, within a Building;
 - (iv) storm drainage piping within a Building;
 - (v) a venting system, including all fittings and appurtenances; and
 - (vi) site services on property.

(t) **“Plumbing Contractor”** means any person who as principal, servant or agent, by himself or his associates, employees, servants or agents, performs for another person, any work involving Plumbing. The term applies whether or not the Plumbing Contractor receives remuneration.

(u) **“Thunder Bay”** means the geographic area under the jurisdiction of the City.

1.02 **Legislation, By-laws**

Each reference to Provincial legislation in this By-law is printed in Italic font and, unless otherwise specified, is a reference to the Revised Statutes of Ontario, 1990 edition, and, in every case, includes all applicable amendments to the legislation, including successor legislation. Each reference to another By-law in this By-law, unless otherwise specified, is a reference to a By-law of the City, and, in every case, includes all applicable amendments to this By-law, including successor By-laws.

1.03 **Construing this By-law**

The captions, articles and section names and numbers appearing in this By-law are for convenience of reference only and have no effect on its interpretation. This By-law is to be read with all changes of gender or number required by the context. The words **“include”**, **“includes”**, **“including”** and **“included”** are not to be interpreted as restricting or modifying the words or phrases which precede them.

1.04 **Severability**

If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered to be severed from the balance of the By-law, which will continue to operate in full force.

ARTICLE 2.00: ADMINISTRATION OF THIS BY-LAW

2.01 **Administration of By-law**

Unless otherwise indicated, the administration of this By-law is assigned to the Chief Building Official, who may delegate the performance of his or her functions under this By-law from time to time as occasion requires.

2.02 **Application**

Applications for all Licenses under the provisions of this By-law:

- (a) shall be made to the Licensing & Enforcement Division of the Development Services Department of the City, on forms to be provided;
- (b) when received by the Licensing & Enforcement Division office, will be stamped with the date of receipt and processed in the order in which they are received; and
- (c) must be finalized, unless a hearing before the Committee is pending, within thirty (30) days of the date referenced in (b).

2.03 **Application Information Required**

Every Applicant shall provide in full, at the time the application is submitted, all of the information requested on the application form as well as:

- (a) payment of the prescribed License fee as set out in By-law Number 297-2002;
- (b) if applicable, the identification of the site or sites to be authorized by the License;
- (c) in the case of an application for a Plumbing Contractor License, the identity and License information of the Master Plumber involved in the Business;
- (d) in the case of an application for a Master Plumber's License, the Examining Board's certificate regarding passage of the examination required by Section 4.07 of this By-law; and
- (e) any other document or information as may be required in any other part of this By-law.

2.04 **License Fee**

The fee for obtaining a License shall be as set out in By-law Number 297-2002. No fee is refundable except in the event that a License is revoked by reason of municipal staff error. In that case the Licensee is entitled to a full refund.

2.05 **Application Subject to Approval**

Every site for which the Applicant seeks a License is subject to investigation approvals from the City's Development Services Department.

2.06 **License Surrender**

A Licensee may at any time surrender a License. Surrender of a License does not entitle the Licensee to a refund of all or any portion of the license fee paid.

2.07 **Transfer Prohibited**

Every License, at all times, is Owned by the City and is valid only in respect of the person and/or the site named in the License. No License may be sold, purchased, leased, mortgaged, charged, encumbered or assigned. Should a Business relocate, the Licensee must apply for a new License for the new site.

2.08 **Circulation Requirement**

Before issuance of a License, the Applicant shall circulate the application to those persons or agencies as set out in the relevant application, as applicable to the class and status of the License.

2.09 **Negative Comments**

The circulation referred to in Section 2.08 may result in negative comments to the Chief Building Official. Negative comments may result in the denial of the License. Alternatively, negative comments may result in the issuance of a License upon specific conditions. Examples of negative comments may include:

- (a) the Applicant's premises or place of trade is the object of an order to comply made under the Property Standards By-law, or an order made under the Building Code Act, 1992;
- (b) the Applicant's premises (or use of those premises for the Business) is not in compliance with the Zoning By-law or any other applicable by-law of the City;
- (c) the Applicant's premises require corrective action pursuant to an order of the City's Fire Chief;
- (d) the Applicant has previously had his License or any certificate of qualification under the Trades Qualification and Apprenticeship Act, suspended or revoked;
- (e) the Applicant was previously convicted of an offence pursuant to this or a predecessor By-law; or
- (f) the Applicant is financially obligated to the City in some manner.

2.10 **Denial**

Where an application for a License is denied, the reasons for the denial shall be specified in writing, and the Chief Building Official shall provide the Applicant with the reasons.

2.11 **License Issuance**

Where no negative comments are received as a result of the circulation required by section 2.08, and where the Applicant's documentation and other pre-requisites to obtaining a License are in order, and the applicable fee has been paid, the Chief Building Official shall grant the License to the Applicant.

2.12 **License with Conditions**

The Chief Building Official may, in response to negative comments resulting from the circulation required in Section 2.08, issue a License subject to specific conditions. The conditions must address any deficiencies identified in the negative comments.

2.13 **Time Limit**

Except as otherwise provided in this By-law, Licenses shall come into effect on the date that they are issued and expire one year from the date of issue.

2.14 **Duplicate License**

A duplicate License may be issued by the Chief Building Official to replace any License previously issued which has been lost, stolen or destroyed, upon written application by the Licensee and upon payment of a fee as set out in By-law Number 297-2002.

2.15 **Revocation or Suspension**

No person enjoys a vested right in the continuance of a License. The Chief Building Official may recommend to the Committee that a License be revoked or suspended for a certain period of time in the following circumstances:

- (a) the Licensee is unable to hold the License or carry on the Business under this By-law or any other legislation;
- (b) the Licensee fails to comply with any condition imposed upon the License under Section 2.12 of this By-law; or
- (c) the Licensee has been convicted of an offence pursuant to this By-law on more than one (1) occasion within a twelve (12) month period.

2.16 **Annual Listing to Board**

The Chief Building Official shall forward to the Examining Board immediately after the last day of August in each year a listing of Master Plumbers who have renewed their Licenses for the current year, and a listing of the Master Plumbers who have not renewed their Licenses up to and including the date of notification to the Examining Board.

2.17 **Plumbing Permit Requirement for Statutory Declaration**

The application for either a Plumbing permit or certificate of inspection shall be accompanied by a statutory declaration by the Master Plumber or Plumbing Contractor to the effect that the work has been or will be performed under his direct supervision.

ARTICLE 3:00: REGULATIONS AND OFFENCES

3.01 **Plumbing Contractor and Master Plumber Requirement for a License:**

- (a) It is an offence for any person to install or maintain Plumbing without having first taken out a Master Plumber License from the City pursuant to this By-law.
- (b) It is an offence for any person to Operate as a Plumbing Contractor without having first taken out a Plumbing Contractor's License from the City pursuant to this By-law.

3.02 **Exemptions**

- (a) Section 3.01(a) does not apply to the keeping in repair of Plumbing, including the repair of taps and valves by replacing working parts. It does, however, apply to the installation, construction, reconstruction, relocation or replacement of Plumbing or additions to existing Plumbing systems.
- (b) Section 3.01(a) does not apply to prevent an individual Owner of a residential dwelling to personally do Plumbing work in or about the dwelling in which he resides, provided that all of the work is in accordance with all applicable laws and regulations other than this By-law.
- (c) Section 3.01(a) does not apply to prevent Plumbing undertaken by a Journeyman Plumber working under the supervision of a Master Plumber.

3.03 **Prerequisite for Plumbing Contractor License**

Every Plumbing Contractor must either:

- (a) be a Master Plumber; or
- (b) employ a Master Plumber on a full time basis, from the premises of the Business;

in order to qualify for a Plumbing Contractor License.

3.04 **Severance of Employment**

It is an offence for a Plumbing Contractor to fail to notify the Chief Building Official within forty-eight (48) hours of the change in identity of the Master Plumber upon whom the Plumbing Contractor relies to meet the requirement of Section 3.03.

3.05 **Journeyman Plumber to be Supervised by Licensed Master Plumber**

It is an offence for a Journeyman Plumber to undertake or perform any Plumbing work except under the personal supervision and direction of a duly licensed Master Plumber who remains in charge of, and directly responsible for, the superintendence of the Plumbing performed.

This Section does not operate to prohibit, limit or restrict the employment of Apprentices at the business or trade of Plumbing, provided that no such Apprentice shall do or perform any Plumbing work except under the direction and supervision of a duly certified Journeyman Plumber or a licensed Master Plumber.

3.06 **Apprentice**

It is an offence for any person to cause, require, permit or allow an Apprentice to perform Plumbing work except in the capacity of an assistant of, in the presence of and under the direct personal supervision of a Journeyman Plumber who is continually employed on the same contract or job.

3.07 **Licensee to Perform or Supervise Work**

It is an offence for a Master Plumber or a Plumbing Contractor to allow his name to be used for the purpose of obtaining a Plumbing permit or certificate of inspection for any work unless the work described in that permit or certificate has been or will be performed by him or under his direct supervision.

3.08 **Cessation or Sale of a Business**

It is an offence for a Plumbing Contractor to fail to report to the Chief Building Official the cessation or sale of his or her Business.

3.09 **Change of Address**

It is an offence for a Licensee to fail to report to the Chief Building Official every change of mailing address or telephone number of that Licensee within fifteen (15) days of the change.

3.10 **Posting Licenses**

It is an offence for a Plumbing Contractor to fail to post the License in a conspicuous place at the Business premises site to which the License applies. This Section of the By-law may be complied with through posting of a photocopy or other reproduction of the License, provided the original License is maintained at the site of the Business and can be readily produced upon request.

3.11 **Carrying Licenses**

It is an offence for a Master Plumber to fail to carry his or her License upon his or her person, together with identification sufficient to allow a Municipal Law Enforcement Officer to confirm that the Licensee and the person holding the License are the same person.

3.12 **Production of License**

It is an offence for a Licensee to fail to produce his or her License when called upon to do so by a Municipal Law Enforcement Officer.

ARTICLE 4:00: EXAMINING BOARD

4.01 **Establishment of Examining Board**

The Examining Board is established. The Examining Board's duty is to report upon the competency and qualifications of all Applicants for Master Plumber Licenses. The Board shall consist of:

- (a) three (3) Licensed Master Plumbers as voting members; and
- (b) an employee of the City, appointed by the Chief Building Official, as a non-voting member.

The three voting members of the Examining Board will be appointed by Council. The non-voting member of the Examining Board will be appointed by the Chief Building Official.

4.02 **Journeyman Plumbers – Attendance**

Two (2) Journeyman Plumbers shall be entitled to notice of and to attend at all proceedings of the Examining Board as observers only. They shall not be members of the Examining Board nor shall they be bound to perform any of the duties of the Board or authorized to exercise any of the powers of the Examining Board. The two (2) observers shall be appointed by the Council.

4.03 **Term**

The members of the Examining Board and the Journeyman Plumbers appointed as observers at proceedings of the Examining Board shall be appointed for terms expiring on the 31st day of December in the second calendar year following after the year in which they are appointed, or until such time as their successors are appointed and shall be eligible for re-appointment, subject always to the power of Council to revoke any such appointment at any time in its discretion.

4.04 **Chair of the Examining Board**

The voting members of the Examining Board shall appoint a chairperson from among themselves.

4.05 **Duties of Board**

- (a) It is the duty of the Examining Board to examine Applicants for Licenses and renewals of Licenses under this By-law.
- (b) The Examining Board shall convene meetings as required for the purpose of examining Applicants, and in any case, not less than one meeting in each calendar year. If there are no persons requiring an examination, the meeting of the Examining Board will be used to undertake a review of this By-law and make any recommended changes to the Chief Building Official.
- (c) The Examining Board is empowered to make rules and regulations for the examination of Applicants for Licenses under this By-law, and to set the examination itself, all subject to the approval of Committee.

- (d) The Examining Board shall evaluate the qualifications of Applicants for Master Plumber's Licenses who have obtained licenses in jurisdictions other than the City which are not parties to a reciprocal agreement under Article 7.00. The Examining Board may recommend to the Committee that a License be granted to an Applicant who is licensed elsewhere without an examination as provided for in this By-law.
- (e) Notwithstanding anything else in this By-law, where the Examining Board is satisfied with the qualifications of an Applicant for a Master Plumber's License, and where the Examining Board is satisfied that there is urgency in granting the application, the Examining Board may so notify the Chief Building Official who shall forthwith issue such License upon payment of the prescribed fee. The Examining Board shall further, in all such cases, forthwith notify the Committee in writing of the processing of the application and of the reasons for the Examining Board's decision as to the qualifications of the Applicant and the urgency in granting the License.

4.06 **Examination Fee**

Each Applicant shall pay the examination fee set out in By-law Number 297-2002.

4.07 **Duties of Applicant**

Every Applicant for a Master Plumber's License (or a renewal of a Master Plumber's License) shall appear before the Examining Board when called upon to do so, at the time and place as directed by the Examining Board and shall undergo such examinations as to his competency and qualifications as the Examining Board may direct.

- (a) Any person who has been a Journeyman Plumber for a minimum of two (2) years may qualify for a Master Plumber's License by applying for and successfully passing the examination administered by the Examining Board.
- (b) The Examining Board shall promptly report in writing to the Chief Building Official the results of the examinations conducted in accordance with this By-law. The Chief Building Official shall notify each Applicant in writing as to whether he or she has successfully passed the examination. The Chief Building Official shall further notify each Applicant who has been unsuccessful in passing the examination, or with respect to whom the Committee has received any report recommending against the granting of a License to him or her, that he or she has the opportunity of a hearing before the Committee prior to a final decision being made as to the granting of the License. Any notice may be given personally or by prepaid first class mail addressed to the Applicant at the address as shown in his or her application.

4.08 **Lapse of License for One Year**

Where a Master Plumber's License has lapsed for a period greater than one (1) year, that person must attend a meeting of the Examining Board for the purpose of reviewing his or her qualifications before his or her License can be renewed by the Chief Building Official. Payment of the examination fee prescribed in By-law 297-2002 will be required.

ARTICLE 5.00: INSPECTIONS

5.01 **Inspections**

A Municipal Law Enforcement Officer may, at reasonable times during regular business hours, inspect:

- (a) any premises or place where a Business is carried on or there are reasonable and probable grounds to believe a Business is being carried on; and/or
- (b) any goods, equipment, books, records or documents used or to be used by the Operator in connection with the Business.

5.02 **Hindering Inspections**

It is an offence for any person to hinder or obstruct or to attempt to hinder or obstruct any person exercising any power authorized by Section 5.01.

5.03 **Re-Inspection Fee**

When a re-inspection is required to:

- (a) confirm compliance with a condition imposed;
- (b) rectify a deficiency to prevent negative comments; or
- (c) because the Applicant or Operator failed to appear at a scheduled inspection;

a fee may be charged as set out in By-law Number 297-2002.

ARTICLE 6:00: COMMITTEE

6.01 Delegation to Committee

Pursuant to Section 468 of the *Municipal Act, 2001*, the general licensing powers contained in Part IV of the *Municipal Act, 2001* are assigned by the Council to the Committee. The Committee shall make all final decisions with respect to refusal to issue, suspension or revocation of a License under this By-law.

6.02 Applicant Request for Hearing

An Applicant may, upon payment of the fee set out in By-law 297-2002, request a hearing of the Committee to:

- (a) review the determination by the Chief Building Official under Section 2.10 that the Applicant is disqualified from holding a License;
- (b) review any conditions imposed upon a License pursuant to Section 2.12 of this By-law; or
- (c) contest his or her examination results.

The request for a hearing under Section 6.02(a) shall be provided to the Chief Building Official within fifteen (15) days of the date that the Applicant received the reasons for the denial under Section 2.10. The request for a hearing under Section 6.02(b) shall be provided to the Chief Building Official within fifteen (15) days of the date the License was issued. The request for a hearing under Section 6.02(c) shall be provided to the Chief Building Official within fifteen (15) days of the date that the Applicant receives the results of his or her examination.

6.03 Administration Request for Hearing

Where the Chief Building Official intends to recommend to the Committee that a License be revoked or suspended, he or she shall give notice of the intended recommendation to the Applicant or Licensee, together with the reason for the intended recommendation, as well as to such other persons, civic departments, boards, commissions, authorities or agencies as appear to have an interest in the recommendation. The notice shall include the details required by Section 6.04 of this By-law.

6.04 **Notice of Hearing**

The notice required by Section 6.03 shall:

- (a) contain a reference to sections 150 and 252 of the *Municipal Act, 2001* under which the hearing will be held;
- (b) contain the reasons for the proposed conditions, refusal, suspension or revocation;
- (c) specify the time, place and purpose of the hearing of the Committee at which the proposed refusal, suspension or revocation will be considered;
- (d) inform the affected Applicant or Licensee that he or she are entitled to attend the hearing and to present evidence and to make submissions regarding the proposal and that, in his or her absence, the Committee may proceed to consider the proposal, and the Applicant or Licensee will not be entitled to any further notice of the proceeding;
- (e) afford the affected Applicant or Licensee a reasonable opportunity, before the hearing, to show or achieve compliance with all lawful requirements for the retention of the License; and
- (f) be given at least fifteen (15) days notice prior to the date of the Committee hearing.

6.05 **Hearing by Committee**

At the hearing, the Committee may suspend, revoke or refuse to issue any License, may amend conditions imposed on a License, or may add conditions to a License:

- (a) for any reason that would disqualify the Licensee for a License if he were an Applicant;
- (b) where the Licensee or Applicant is in breach of a condition of the License or of this By-law;
- (c) if a report is filed subsequent to the date of the issuance of the License or by any department or agency which originally provided its approval to the issuance of the License which indicates that the Licensee no longer complies with any of the provisions of this By-law; or
- (d) if the conduct of an Applicant or Licensee affords reasonable cause to believe that the Applicant or Licensee will not carry on or engage in the Business in accordance with the law or with honesty or integrity.

6.06 **Committee Decision**

A decision of the Committee refusing, suspending, amending or adding conditions to, or revoking an application or License takes effect upon the rendering of such decision by the Committee.

ARTICLE 7:00: MUNICIPAL LICENSING RECIPROCITY

7.01 **Out-of-Town Master Plumbers**

No Applicant for a Master Plumber's License shall be required to submit himself for an examination under this By-law if he holds a valid Master Plumber's License issued by municipalities and agencies having a reciprocal licensing agreement with the City for Master Plumber's Licenses provided that he or she:

- (a) submits a letter to the Examining Board signed by or on behalf of the examining authority for Master Plumbers for the municipality in which he or she holds a subsisting Master Plumber's license, certifying that he or she has successfully passed the Master Plumber's examination for that municipality; or signed by the issuer of licenses for the municipality in which he or she holds a subsisting Master Plumber's license certifying that he or she has been continuously licensed as a Master Plumber by that municipality for a period of not less than ten (10) years immediately preceding the date of submission of the letter;
- (b) complies with all other provisions of this By-law; and
- (c) satisfies the Examining Board that he or she has obtained and familiarized himself with applicable local By-laws relating to Plumbing in Thunder Bay.

7.02 **Applicable Municipalities**

The municipalities and agencies which have signed a reciprocal licensing agreement with the City are:

- (a) The Corporation of the City of Sault Ste. Marie
- (b) The Corporation of the City of Barrie
- (c) The Corporation of the City of Kitchener
- (d) The Corporation of the City of London
- (e) The Corporation of the City of Sarnia
- (f) The Municipality of Metropolitan Toronto; and

(g) The Corporation of the City of Stratford.

ARTICLE 8:00: ENFORCEMENT AND PENALTIES

8.01 **Enforcement**

This By-law may be enforced by any Municipal Law Enforcement Officer.

8.02 **Penalties**

Every person who commits an offence pursuant to this By-law is liable, upon conviction, to the penalties prescribed in the *Provincial Offences Act*.

ARTICLE 9.00: PREDECESSOR BY-LAWS, EFFECTIVE DATE

9.01 **References to Predecessor By-laws:**

References in other by-laws of the City to any historically applicable licensing by-law for Master Plumbers and/or Plumbing Contractors are deemed to be references to this By-law.

9.02 **Effective Date**

This By-law shall come into force on January 1, 2006.

Enacted and passed this 19th day of December, A.D. 2005 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Lynn Peterson

Mayor

Bonnie Nistico

Deputy City Clerk