

Ordinance No. 5896

**AN ORDINANCE INCORPORATING CHANGES TO THE ADMINISTRATION OF
TITLE 15 BUILDINGS AND CONSTRUCTION BY AMENDING CERTAIN PARTS OF
THE RAPID CITY GAS CODE IN CHAPTER 15.20 OF THE RAPID CITY
MUNICIPAL CODE**

WHEREAS, the City of Rapid City has adopted the Rapid City Gas Code in Chapter 15.20 of the Rapid City Municipal Code to prescribe regulations for persons doing any work in connection with gas fitting in and about any building, or to serve any building within the city with gas; and

WHEREAS, some provisions within Chapter 15.20 conflict or contradict the proposed administrative provisions in Chapter 15.04; and

WHEREAS, the Common Council wishes to amend provisions found within Chapter 15.20 Gas Code which conflict or contradict the administrative provisions proposed in Chapter 15.04; and

WHEREAS, Chapter 15.20 Gas Code provides for a Rapid City Gas Board to review orders, decisions, or determinations of the City under the Gas Code; and

WHEREAS, the City wishes the Building Board of Appeals established in Chapter 15.04 to review City decisions under the Gas Code; and

WHEREAS, the City wishes to amend provisions concerning the amounts of fees required by provisions in Title 15 to refer to the administrative provisions in Chapter 15.04.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Chapter 15.20 of the Rapid City Municipal Code is hereby amended as follows:

Chapter 15.20 Gas Code

Section

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- 15.20.250210 Use of flame restricted.
- 15.20.260220 Effect of provisions on liability for damages.
- ~~15.20.270 Rapid City Gas Board.~~

15.20.010 Short title.

This chapter shall be known as the Rapid City Gas Code.

15.20.020 Purpose of provisions–Compliance required.

The provisions of this chapter are established for the control of all persons doing any work in connection with gas fitting in and about any building, or to serve any building within the city with gas. No person shall do any such work except in accordance with the provisions of this chapter.

15.20.030 Definitions.

The following words, terms and phrases are defined and shall be interpreted as such throughout this chapter. Terms not defined in this section shall have the meaning customarily assigned to them.

A. **APPROVED.** Approved by the city’s Gas Inspector or the gas company.

B. **CITY GAS INSPECTOR** or **GAS INSPECTOR.** A qualified person appointed by the Mayor to who inspects and approves all gas fitting and to enforce the provisions of this chapter. ~~In the Gas Inspector’s absence, a qualified person will be selected as the interim Gas Inspector by the Building Official or his or her designee.~~

C. **GAS COMPANY** or **COMPANY.** The local natural gas supplier, Montana Dakota Utilities Company, its successors or assigns, and the local propane companies, their successors or assigns.

D. **GAS FITTER.** Any person, who, by his or her knowledge, training and experience, is qualified to do, and who, as his or her principal occupation is engaged in gas fitting. Any licensed plumber or gas fitting contractor shall be considered a gas fitter under this chapter.

E. **GAS FITTING.** The act of installing pipes, fittings, fixtures, equipment and apparatus for transporting and using fuel gases, such as natural gas, undiluted liquefied petroleum gases and liquefied petroleum gas air mixtures.

F. **GAS FITTING APPRENTICE.** Any person other than a gas fitter who is engaged in working as an employee of a gas contractor under the immediate and personal supervision of a gas fitter, learning and assisting in the installation of gas fitting.

G. **GAS FITTING CONTRACTOR.** A person qualified and skilled in the planning, superintending and the practical installation of gas fitting and gas piping, and who is otherwise qualified and registered to contract for gas fitting and gas piping installations, and who is familiar with the laws, rules and regulations governing the same.

H. **GAS PIPING.** Any pipe, tubing, or conduit, valves and fittings, conveying or holding field or illuminating gas, in and about any building or buildings, beginning at the outlet of the gas meter.

15.20.040 License required.

A. *Gas fitting contractor.* It is unlawful for any person to conduct, carry on or engage in the business of gas fitting and gas piping, or to act in the capacity of a gas fitting contractor, without having first secured a gas contractor's license pursuant to Chapter 15.04. A licensed plumbing contractor shall not be required to be licensed under this section in order to do gas fitting or gas piping.

B. *Gas fitter.* It is unlawful for any person to act, or to give the appearance of acting as a gas fitter without having first secured a gas fitter's license pursuant to Chapter 15.04. A person licensed as a plumber shall not be required to be licensed under this section in order to do gas fitting. Each gas fitter must work under the control and supervision of a gas fitting or plumbing contractor.

C. *Gas fitting apprentice.* It is unlawful for any person to act or give the appearance of acting as a gas fitting apprentice without having first secured a gas fitting apprentice license pursuant to Chapter 15.04.

15.20.050 License application.

~~—A.— The Building Inspection Department shall administer the provisions of this chapter. Before a gas fitting contractor or gas fitter's license may be issued, the applicant shall be required to submit to and pass an examination as to his or her qualifications and fitness to perform the work for which he or she wishes to be licensed. The examination shall be given under the direction of the Gas Board.~~

~~—B.— Any applicant who fails to pass the examination may apply for re-examination after 30 days from the date of the previous examination. Should any applicant fail to pass a second time,~~

~~the Board may refuse to permit a third examination until after the expiration of 6 months. License fees shall not be refunded if an applicant fails to pass the examination, and a re-examination fee is required in the amount of the license renewal fee.~~

~~—C.— Each gas fitter must work under the control and supervision of a gas fitting or plumbing contractor.~~

~~15.20.060 License fees and renewal.~~

~~—A.— *Fee schedule.* Every person making application for a license shall pay to the Finance Officer a fee as follows:~~

	<i>Initial Fee</i>	<i>Renewal Fee</i>
Gas Fitting Contractor	\$200	\$50
Gas Fitter	\$25	\$25
Gas Fitting Apprentice	\$10	\$10

~~—B.— *License term renewal.* All licenses issued under this chapter shall be renewed on or before December 31 of each year.~~

~~15.20.070 Work permits.~~

~~—A.— Before doing any work to install, alter or extend any gas piping or gas burning fixture, equipment or apparatus, the person desiring to do such work must obtain a permit from the gas inspector. No permit shall be required for work performed on gas mains, services, meters, regulators or other facilities necessary to the operation of the gas company's system.~~

~~—B.— The required permit shall be issued only to a licensed and bonded gas fitting or plumbing contractor, or to a property owner who wishes to perform work on his or her own single family residence, which he or she occupies. The property owner must do the work personally, and such work shall conform to the same standards and shall be done in the same manner as if done by a licensed gas fitter. All work must have inspection and approval by the gas inspector.~~

~~—C.— Before any permit request is issued, the person making application therefore shall pay a fee based upon the schedule contained in the current building codes as adopted by the city, except that the minimum fee shall be changed to \$37 for a valuation of \$1 to \$1,600.~~

~~—D.— All permits issued under this chapter shall expire and become void 12 months after the date of issuance.~~

15.20.080050 Inspection and testing of new installations.

A. Before any part of an installation authorized by a permit issued under Chapter 15.04 ~~this chapter~~ is covered from sight, a notification shall be given to the Gas Inspector who shall, within 48 hours, inspect the installation and give his or her written approval. Before an installation is put into service, all parts of the piping installation, equipment and appliances must be examined by the Gas Inspector and his or her written approval obtained. The inspection shall insure full compliance with this chapter in regard to pipe size, material, appliances, manner of installation and all other points which can be determined by examination.

B. The test for tightness shall be made by the plumber or gas fitter in the presence of the Gas Inspector with an air pump and mercury column gauge, or high grade test gauge having 1/4-pound graduations, furnished by the plumber or gas fitter. The pump and gauge shall be so attached to the piping that the gauge can be watched during the rise of pressure. All line cocks and valves in the system tested shall be open so that the pressure will be applied during the test to all outlets. All stop cocks or valves on the outlets or end of any system to be tested shall be removed and the pipe capped during the test. The cocks and valves shall be replaced after the pressure test and soap tested after gas is turned into the system. The test of the system shall be made at a pressure of at least 10 pounds per square inch and, to prove the system satisfactory, must be continued for a period of 15 minutes without showing a decrease in pressure. The Inspector may waive the requirement for the inspection of the air test. In the case of minor alterations to the piping system, not exceeding 10 feet in length, with a total of not more than 10 fittings added, soap testing will be allowed. The liability of the tests shall be the responsibility of the licensed gas or plumbing contractor performing the work. The gas supplier shall be notified of any such work in progress.

15.20.090060 Hazardous material, equipment or appliances.

No person may install or use, and the Gas Inspector may prohibit the installation and use of any gas material, equipment or appliances which constitute a distinct hazard to life or property.

15.20.100070 General standards for piping and appliances.

The standard of the National Board of Fire Underwriters and the American Insurance Association for the installation of gas appliances and gas piping, as recommended by the National Fire Protection Association (NFPA No.54) shall govern within the city, unless other specific standards are prescribed elsewhere in this chapter. All gas appliances shall bear the seal of approval of the American Standards Association (ASA), or American Gas Association (AGA), National Board of Fire Underwriters and/or its laboratories (NBFU), American Insurance Association (AIA), Factory Insurance Association (FIA), Factory Mutual (FM) and the like, for the type of gas served. In the absence of the seal, the appliance shall meet the approval of the gas company. This does not prohibit the use of appliances which do not carry the approval when the appliances are presently installed and in use, unless the Gas Inspector shall deem them to be hazardous.

15.20.110080 Pipe material.

A. Pipe used for interior gas piping shall be standard weight of the best quality wrought iron or black steel pipe and free from defect. All fittings, except stop cocks and valves, shall be of the best quality malleable iron. No cast iron fittings may be used.

B. Single-wall copper tubing which is liable to corrosion by gas may not be used, except that tin lined copper tubing may be used to connect outdoor appliances, such as gas lights.

C. Corrugated stainless steel tubing (CSST) may be used in place of wrought iron or black steel pipe. CSST must be installed by a certified installer. Installers must be certified by manufacturer of CSST or manufacturer's representative or distributor. CSST installations are limited to interior piping with no permanently concealed fittings.

15.20.120090 Work between main and meter.

No plumber or gas fitter, unless in the employ of the gas company, or having a permit from the gas company, shall repair, alter or open the service pipe carrying unmetered gas, or set or disconnect the gas meter, or do any other work on that part of the gas supply up to and including the meter. However, if gas is leaking from any part of the gas supply system in this section referred to, a plumber or gas fitter not in the employ of the gas company may shut off the gas or make temporary repairs and report same to the gas company to make permanent repairs.

15.20.130100 Disconnecting meter.

No plumber or gas fitter, unless in the employ of the gas company or having a permit from the gas company, shall disconnect the inlet side of a gas meter.

15.20.140110 Service lines.

A. Service lines to carry unmetered gas shall be installed only by the gas company.

B. The service line entrance to buildings without basements or with uncemented partial basements shall be made in an approved manner by bringing the line up outside the building and entering through the building wall above ground level.

C. Service line entrances through masonry basement walls shall be sealed on both sides to make them water and gas tight. Whenever possible, service lines shall be brought above ground outside the building and the entrance made through the building wall above ground level.

D. Service lines shall not be run under buildings or porches and garages or additions to buildings and may not be placed on top of existing service lines.

E. Gas service lines shall not be laid in the same trench with water lines, sewer lines or underground electric or telephone lines. In all cases, a minimum horizontal separation of 15 inches of earth shall be maintained.

F. Service lines for gas equipment of high demand shall be taken only from mains of adequate capacity and pressure approved by the gas company.

15.20.150120 Meter location.

Gas meters shall not be placed in any location where damage is likely to occur. Meters shall not be placed in closets or other small confined areas or in any inaccessible location. Temperature-compensated meters may be placed outdoors in a suitable location.

15.20.160130 Turning gas on.

No person, unless in the employ of the gas company, or having a permit from the gas company, shall turn the gas on at the meter cock. Where gas is shut off to permit installation or alteration of appliances or piping by others, the gas company must be called to re-establish service.

15.20.170140 Prohibited locations for heaters and furnaces.

A. Gas water heaters, radiant heaters and furnaces shall not be installed in any room used or designed to be used for sleeping purposes, in any bathroom or clothes closet, under any stairway or landing, or in any confined space which might create a hazard; provided, however, the heater or furnace may be installed under a stairway or landing if the stairway or landing is not part of the sole exit from any portion of the building. Gas heaters, water heaters, furnaces and wall furnaces shall be installed only in areas where a supply of uninterrupted combustion air is provided, and in all instances shall be connected to an effective approved flue.

B. Gas water heaters or space heaters with sealed combustion chambers or Lunstrum vents that take all combustion air from outside and discharge the products of combustion to the outside may be installed in small confined inhabited rooms; provided that, adequate clearance is maintained from combustible material.

C. No warm air gas furnace shall be located in or service any surgical operating room or other hazardous location.

D. Notwithstanding subsection A of this section, gas water heaters, space heaters or furnaces with sealed combustion chambers may be installed in sleeping rooms, closets or under any stairway or landing.

15.20.180150 Safety valves on water heaters.

A pressure and temperature relief valve must be installed on each gas water heater at the hot water outlet.

15.20.190160 Connection—Appliances.

A. Except as permitted in this section, gas appliances shall be connected to the appliance piping with rigid pipe or approved connectors.

B. For semi-portable appliances, such as domestic gas ranges, dryers and the like, flexible metal appliance connectors may be used, provided such connectors bear the listing seal of the American Gas Association, the National Board of Fire Underwriters or the American Insurance Association.

C. Semi-rigid appliance connectors shall be limited to 6 feet in length and shall not pass through any floor, ceiling, wall or partition. In installations such as mobile homes and travel trailers, and others of like nature, where the connectors do pass through walls, partitions and the like, they shall be grommeted in place by liners made for the purpose.

15.20.200170 Connections—Portable equipment.

Highly portable equipment, such as laboratory, shop and dental torches, Bunsen burners, and equipment of like nature, may be connected with flexible rubber hose or equivalent. The material shall be listed for the service and the hose will not pass through any floor, ceiling, wall or partition, nor be used where temperatures may exceed 125°F. A stopcock shall always be provided in the appliance piping immediately ahead of the tubing, and except where valves are integral and part of the method of operating the equipment, shall constitute the only means of shutoff or turn-on.

15.20.210180 Appliance pilots.

A. The following provisions shall apply to gas appliances with less than 400,000 BTU per hour input:

1. The gas supply line to the pilot or pilots shall be connected to vertical line or to the side or top of horizontal lines. Pilot lines shall be noncorrosive metals, approved for this purpose, the connection shall be made ahead of the main burner shutoff, and a separate gas stop provided. When the unit is provided with complete safety shutoff or complete manifold combination control, the pilot line shall be connected to the control in the position indicated by the manufacturer's instruction.
2. The main burner shall light from the flame that heats the safety actuating mechanism when such flame is turned down to where it will just actuate the safety pilot operating mechanism.
3. Construction of all safety pilots shall be such that, in the event of breakage or burning out of the thermal element, they shall fail in the safe position.
4. All thermostatically controlled appliances shall contain at least 1 safety pilot, failure of which shuts off the main burner gas supply. These provisions shall not prohibit the use of complete safety shut-off devices.

5. Pilot burners shall be rigidly supported so that their position relative to the main burner shall be fixed and so placed that they can be safely lighted and readily removed and replaced for servicing.

B. The following provisions apply to gas appliances with over 400,000 BTU per hour input:

1. Burners in this category shall be equipped with electronic flame safeguards responding within 4 seconds in the event of flame failure. Each burner shall be equipped with a pilot adequate to assure safe and reliable lighting of the burner under all conditions of operation. A sufficient number of pilots shall be installed to assure the proper ignition. On installations of over 400,000 BTU on which constant burning pilots are used, at least 1 pilot shall be electronic.
2. Under normal drafts, when the main burner or burners are turned on or off (manually or automatically) or during any pulsation of the main burner or burners, the pilot flames shall be stable.
3. In automatic ignition systems, electric ignition shall ignite only a pilot supervised by a flame safeguard. It shall not require more than 15 seconds to establish a pilot flame, and interrupted or expanding pilots shall not take longer than 15 seconds to extinguish.
4. A pilot turndown test shall be performed on all gas fired burners and boilers of over 400,000 BTU per hour input. When optical detectors are used, the test shall be run following the hot refractory hold-in test while the combustion chamber is still hot. The pilot turndown test shall be run by the installer in the presence of the Gas Inspector or gas company representative.

15.20.220190 Garage installations.

Central heating furnaces and boilers or other gas burning appliances shall not be installed in residential garages, or similar areas of confinement, when flammable liquids or materials may be stored which could be exposed to the atmosphere, except under the following conditions:

A. The installation shall comply if the gas unit is enclosed with fire resistant construction of masonry or cement plaster and completely sealed away from the garage or similar space. Access to the enclosure shall not be from the garage or similar space, but shall be only from the home or from outdoors. Clearances, air requirements and all other standard installation rules shall apply. No air or other openings into the garage or similar area shall be permitted.

B. Such installation shall comply if the sealed combustion zone or Lunstrum vent type with the lighting part of the heater is sealed away.

C. The installation shall comply if the unit is a suspended unit heater with minimum clearance of 6 feet from floor to bottom of unit.

D. The installation shall comply, if a space heater, water heater or other appliance, furnace or boiler in a garage is placed on a combustible pedestal or substantial support at 18 inches above the floor of the garage and if the appliance is vented and equipped for complete shut-off of gas. The gas appliance must be so located or protected that it will not be subject to physical damage by a moving vehicle.

15.20.240200 Electrical grounds.

A. Gas piping shall not be used for an electrical ground, nor shall electric circuits utilize gas piping, casing of controls, panels or other metal parts in lieu of wiring.

B. Electrical components of gas appliances shall be effectively grounded. Appliances equipped with grounding connections shall be connected to the ground. Other appliances may be grounded by providing a proper adapter at the convenience outlet end of the electric cord.

15.20.250210 Use of flame restricted.

A. In no case should a flame be allowed to touch a gas meter, meter connection or other gas piping. When an open flame light, as a match or candle, is used in a basement, it must be carried or set not more than 3 feet above the floor level. A gas fitter shall not smoke while working on piping which is filled with gas, or which has been filled with gas, nor permit others to smoke while near the work.

B. Every gas fitter shall be provided with an electric flash lamp or safety lamp which is adequately protected to prevent explosion or fire, if used in a gaseous atmosphere. No other type of lamp shall be used in the atmosphere when searching for a leak or when working on piping filled with live gas. The ordinary gas fitter's torch or furnace shall not be left within the premises from the end of one working day to the beginning of the next, unless the torch or furnace is placed in a fire-resistive receptacle.

15.20.260220 Effect of provisions on liability for damages.

This chapter shall not be construed to relieve from liability any party owning, operating, controlling or installing any gas equipment, or piping for the same, for damages to persons or property caused by any defect therein or negligence in the handling thereof, nor shall the city be held as assuming any such liability by reasons of any inspection or reinspection authorized by this chapter, or by any approval made or issued by the city or by its officers or employees, or any disapproval of any equipment, installation or piping authorized in this chapter.

~~15.20.270 Rapid City Gas Board.~~

~~—There is established the Rapid City Gas Board. The Board shall consist of 4 members composed of the Gas Inspector, 2 gas fitting contractors licensed by the city and 1 plumbing contractor, not serving on the Plumbing Board. Members shall be appointed for 2 year terms by~~

~~the Mayor subject to confirmation by the Council at its first regular meeting in January. The members of the Board, except for city staff, shall serve without compensation for the service. The Board shall be assisted by city staff as directed by the Director of the Board.~~

~~—A.— *Purpose of the Board.* The purpose of the Board is to protect the public health, safety and welfare and to guard against unsafe, unstable or short-lived products or services related to installation of pipes, fittings, fixtures, equipment and apparatus for transporting and using fuel gases. The Board shall also insure new or small volume contractors are able to obtain a license without hardship.~~

~~—B.— *Powers and duties of the Board.*~~

~~——1.— The Board is authorized to adopt the rules and regulations as shall become necessary with the approval of the Council. The Board shall notify all licensed contractors of the proposed rules and regulations within 30 days prior to the delivery of the rules and regulations to the Council.~~

~~——2.— The Board shall hold meetings as necessary for transaction of business; for examination of applicants, to determine the qualifications and fitness of all applicants; and to grant licenses and renewals to applicants who show proper qualifications.~~

~~——3.— The Board shall annually review all licenses issued hereunder and make recommendations to the Council concerning renewal and issuance.~~

~~——4.— The Board may hear appeals from determination of the Gas Inspector on interpretation and application of licensing ordinances. All decisions of the Board shall be eligible for final review by the Council.~~

~~—C.— *Violations and penalties.*~~

~~——1.— The Board may revoke any license if the holder thereof is doing work without a permit. The Board may revoke any contractor's license if the Board determines the contractor's work has been consistently substandard, the contractor has violated any applicable statute, ordinance, rule or regulation promulgated by the Board; or the contractor has demonstrated inability or unfitness to perform the work for which he or she has been licensed.~~

~~——2.— Should any applicant or licensee be aggrieved by a decision of the Board, he or she may, within 10 days, provide written notice of his or her intent to appeal the decision to the Council. The Council may affirm, modify or reverse the action of the Gas Board. All decisions of the Council shall be final.~~

~~——3.— Any person violating this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine, not to exceed \$100 or by imprisonment in the county jail, not to exceed 30 days, or by both fine and imprisonment. Each day shall be deemed to constitute a separate offense.~~

~~4. Any licensee or individual subject to investigation by the Board shall cooperate fully with the Board.~~

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)