

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 24.12 of the Lincoln Municipal Code, the
2 Lincoln Plumbing Code by amending Section 24.12.020 relating to requests for inspections by
3 homeowners; amending Section 24.12.025 to increase plumbing permit fees; amending Section
4 24.12.030 relating to the Plumbing Board of Appeals to provide for appeal hearing procedures;
5 amending Section 24.12.450 to increase underground irrigation system permit fees; and repealing
6 Sections 24.12.020, 24.12.025, 24.12.030, and 24.12.450 of the Lincoln Municipal Code as hitherto
7 existing.

8 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

9 Section 1. That Section 24.12.020 of the Lincoln Municipal Code be amended to
10 read as follows:

11 **24.12.020 Section 103 Amended; Inspections and Tests.**

12 Section 103.0 of the Uniform Plumbing Code is amended to read as follows:

13 **103.0 Inspections and Tests.**

14 **103.1** It shall be the duty of the person installing, altering, or repairing plumbing or drainage
15 systems authorized by a permit under this code to notify the Administrative Authority orally or in
16 writing that said plumbing work is ready for inspection. Such notification shall be given not less
17 than twenty-four hours before the plumbing or drainage work is ready for inspection. It shall be the
18 duty of the permittee doing the work authorized by a permit to provide reasonable access and means
19 for accomplishing proper inspection. In the event that the registered master plumber, identified
20 under Lincoln Municipal Code 24.12.025 as authorized to take out a permit, is intending for the
21 owner of the property to request a final inspection, said registered master plumber shall provide the
22 owner of the property with information on requesting a city inspection. The owner of the property
23 shall have the duty of requesting the final inspection and provide access and a means for proper
24 inspection. For all inspections, the work to be inspected must properly withstand all tests
25 prescribed and all equipment shall be operational before giving the above notification. If the
26 Administrative Authority shall find that the work will not withstand the prescribed tests or is not

1 operational, the permittee or owner shall be required to renotify the Administrative Authority as
2 provided above and shall be subject to a reinspection fee charge.

3 **103.2** No person shall cover or conceal from view any plumbing or drainage work in any
4 building or premises so as to prevent a proper inspection thereof by the Administrative Authority.
5 Whenever any plumbing or drainage work in any building or premises has been covered or
6 concealed before the Administrative Authority has had an opportunity to inspect same, the
7 Administrative Authority shall have authority to order the opening of such cover at the permittee's
8 expense in order to make a proper inspection. No plumbing or drainage system shall be used or the
9 water permanently turned on until such system has been finally inspected and approved by the
10 Administrative Authority.

11 **103.3** All rough and finish plumbing shall be tested with air or water as prescribed in this
12 code. When it is necessary to cover a portion of the work before all of the rough plumbing is ready
13 for inspection, the Administrative Authority must be notified and a test made by filling the same
14 with water under a pressure that will be equal to the entire plumbing system when filled to the top
15 of the highest vent pipe. If the groundwork is to be connected to the sewer, there shall be a suitable
16 fitting left in the main soil pipe not more than one foot from where the soil pipe enters the building,
17 so that a testing plug can be inserted. The Administrative Authority, upon approving the rough
18 plumbing or drainage work, shall place thereon a notice stating that the same has been inspected and
19 approved.

20 **103.4 Stop Orders.** Whenever any plumbing or drainage system is being installed, altered,
21 or repaired contrary to the provisions of this code, the Administrative Authority shall order the work
22 stopped by notice served on any person or persons engaged in the doing or causing such work to be
23 done, and any such work shall forthwith stop until the administrative authority has authorized the
24 work to proceed again.

25 The Administrative Authority shall investigate all cases reported or referred to him
26 alleging the use of improper material or workmanship on any work involving installation, alteration,
27 or repair of a plumbing or drainage system by any person and may stop such work in a manner as
28 above described.

29 **103.5 Reports and Records.** The Administrative Authority shall keep a complete record
30 of all inspections and tests made pursuant to the provisions of this code. An accurate accounting of
31 fees and other monies collected and received under the provisions of this code shall be deposited
32 with the City Treasurer.

33 **103.6 Condemnation Procedures.** Whenever defective or improperly operating plumbing
34 equipment or work is found, the Administrative Authority shall condemn such equipment or work
35 by notification to the master plumber contractor, owner of the premises, or agent thereof in writing
36 noting the deficiencies and requiring correction thereof within not less than ten days after receiving
37 such notification. Failure or neglect to correct deficiencies or make necessary corrections within
38 the time designated by the Administrative Authority shall constitute a violation of this ordinance and
39 shall be subject to prosecution as hereinafter provided.

40 Section 2. That Section 24.12.025 of the Lincoln Municipal Code be amended to
41 read as follows:

1 **24.12.025 Section 104.0 Added; Permit Required.**

2 Section 104.0 is added to the Uniform Plumbing Code to read as follows:

3 **104.0 Permit Required.**

4 **104.1** No person shall install, alter, or repair any plumbing or drainage work or cause the
5 same to be done, without first obtaining a permit therefor from the Administrative Authority as
6 hereinafter required; provided, no permit, license, or registration shall be required for minor repair
7 work. Minor repair work as used in this section is defined as maintenance of the plumbing system,
8 such as the repair of a damaged or leaking trap, water pipe, or drain pipe with approved materials;
9 opening up and cleaning drain pipes; repairing and/or resetting of existing fixtures; or the replace-
10 ment of faucets, faucet washers, float valves, ball stops, hoses, or sump pumps. The replacement
11 and/or relocation of water pipes, drain pipes, vent pipes, fixtures, or the change in type or kind of
12 fixture shall require a permit.

13 **104.2** A permit shall be issued only to a properly registered master plumber contractor of
14 the City of Lincoln; provided, a permit may be issued to the owner of a single-family dwelling to
15 do plumbing or drainage work in such dwelling where the same is used exclusively for the purposes
16 of such owner. Such plumbing or drainage work performed by an owner shall be performed by
17 himself without compensation or pay to any other person therefor. Any owner doing plumbing or
18 drainage work hereunder shall apply for the required permit, pay the prescribed fee therefor, call for
19 inspections and do all work in accordance with the provisions of this code.

20 EXCEPTION: A utility contractor working in the public right-of-way or within
21 dedicated public easements, under the authorization of the Department Public Works and Utilities
22 or the authority of an executive order, shall be allowed to take out plumbing permits. Such permits
23 shall be limited to the reconnection of the portion of existing building sewer services which lie
24 within the public right-of-way or dedicated public easement, and will tap into the new parallel or
25 replacement sewer main. Public Works and Utilities Administration providing inspection on such
26 utility projects shall be responsible to ensure permits are taken out in accordance with the plumbing
27 code, and the records for the new connections and taps, including accurate measurements providing
28 size and location, are forwarded to the Department of Building and Safety in a timely manner.

29 **104.3 Application for Permit.** A plumbing permit may be obtained by filing a written
30 application therefor on a form furnished by the Administrative Authority. Such form shall require
31 a description of the character of the work proposed to be done under the permit, the location,
32 ownership, occupancy and use of the premises in connection therewith, and such other information
33 as may reasonably be necessary to carry out the purpose of this code. All applications for a
34 plumbing permit shall be signed by the applicant. The Administrative Authority may further require
35 that two sets of plans and specifications or details be submitted with each application for a permit
36 and that such plans and specifications or details be prepared, designed, and sealed by a licensed
37 engineer or architect of the State of Nebraska. All plans and specifications shall include a schematic
38 riser diagram and shall be of sufficient clarity to indicate the nature and extent of the work proposed,
39 and shall show in detail that such work will conform to the provisions of this code and all relevant
40 laws, ordinances, rules, and regulations.

41 **104.3.1 Online Permit Application.** A permit may be obtained online through the
42 Administrative Authority’s electronic permit application form. The Administrative Authority shall
43 establish and maintain written procedures and requirements for issuing the master plumber
44 contractor a unique personal identification number to be used in combination with an authenticated

1 personal computer under the exclusive control of the master plumber contractor. The written
 2 procedures shall list the acceptable verification or authentication services, payment and use of which
 3 shall be the sole responsibility of the master plumber contractor. If a permit is applied for
 4 electronically, the applicant shall affix a signature by use of a digital or electronic signature that
 5 complies with the requirements of state law. The use of a digital or electronic signature shall have
 6 the same force and effect as the use of a manual signature and the master plumber contractor shall
 7 be responsible for all aspects of the proper use or misuse of either the electronic signature or the
 8 unique personal identification number.

9 **104.4 Permits.** The application for a plumbing permit together with the plans and specifi-
 10 cations filed therewith shall be examined by the Administrative Authority and if he is satisfied that
 11 the work proposed conforms to the requirements of this code, he shall issue a permit to the applicant
 12 upon payment of the prescribed permit fee. Every permit issued by the Department of Building and
 13 Safety shall under these provisions expire by limitation and become null and void if the building or
 14 work authorized by such permit is not commenced within 120 days from the date of such permit ,
 15 or if the building or work authorized by such permit is suspended or abandoned at any time after the
 16 work has commenced for a period of 180 days. Upon issuance of the permit, the Administrative
 17 Authority shall stamp one set of plans and specifications “approved” such work as approved shall
 18 not be changed, modified, or altered without authorization from the Administrative Authority.

19 **104.5 Fees.** A fee for each plumbing permit shall be paid to the Administrative Authority
 20 as follows:

21 **SCHEDULE OF FEES¹**

22	Minimum permit fee charge	\$15.00
23	For each plumbing fixture², or trap, or set of fixtures-	
24	on one trap, including water, drainage piping and	
25	backflow protection therefor	4.25
26	For each water heater replacement and/or vent	4.25
27	For each indirect waste connection³	4.25
28	For each domestic water supply connection to any boiler	6.25
29	For water service for fire suppression system	12.00
30	For change in location of plumbing fixture	4.25
31	For change in location or alteration of any existing	
32	water, building sewer, drainage or vent piping,	
33	inside a building	7.50

1	For each roof drain of a rainwater system connected	
2	to an interior rainwater conductor which is connected	
3	to and part of a storm sewer system	4.25
4	For each 100 lineal feet or fraction thereof of	
5	building sanitary sewer	
6	4 inches or less in diameter	12.00
7	Greater than 4 inches in diameter	20.00
8	For each building storm sewer	20.00
9	Reinspection fee (wrong address, plumbing work that does	
10	not pass inspection, work not complete, inaccessibility)	18.00
11	For each industrial waste pretreated interceptor,	
12	including its trap and vent, except kitchen-type grease	
13	interceptors functioning as plumbing fixture traps	6.25
14	For each automobile garage-type mud trap and sand	
15	trap or basin for car wash establishments	6.25
16	For each mobile home unit or trailer unit sanitary	
17	sewer riser connection to the mobile home court or	
18	trailer court sewer system	7.50
19	For each 100 lineal feet or fraction thereof of	
20	private sewer service	20.00
21	Decorative gas log	25.00
22	Each exhauster vacuum pump of an infrared iron pipe	
23	heating system	28.00
24	For each individual mobile home unit or trailer unit	
25	water service riser connection from the mobile home	
26	court or trailer court water distribution system	7.50
27	For each water tap on private water main	7.50
28	For each 100 lineal feet or fraction thereof of	
29	private water service	
30	1 inch or less in diameter	12.00
31	Greater than 1 inch in diameter	20.00

1 ~~For any storm sewer or sanitary sewer repair work~~
2 ~~outside of a building~~ ~~7.50~~

3 ~~For each fixture or piece of equipment regulated by~~
4 ~~this code but not listed herein (per unit)~~ ~~4.25~~

5 On and after January 1, 2004, the fees for each plumbing permit shall be paid to the Administrative
6 Authority as follows:

7 Minimum permit fee charge ~~\$18.00~~ 25.00

8 For each plumbing fixture², or trap, or set of fixtures
9 on one trap, including water, drainage piping and backflow
10 protection therefor ~~6.00~~ 7.00

11 For each water heater replacement and/or vent ~~6.00~~ 7.00

12 For each indirect waste connection³ ~~6.00~~ 7.00

13 For each domestic water supply connection to any boiler ~~6.00~~ 7.00

14 ~~For water service for fire suppression system~~ ~~12.00~~

15 For change in location of plumbing fixture ~~6.00~~ 7.00

16 For change in location or alteration of any existing
17 water, building sewer, drainage or vent piping,
18 inside a building ~~7.50~~ 10.00

19 For each roof drain of a rainwater system ~~6.00~~ 7.00

20 For each 100 lineal feet or fraction thereof of
21 building sanitary sewer
22 4 inches or less in diameter ~~18.00~~ 22.00
23 Greater than 4 inches in diameter ~~30.00~~ 40.00

24 For each building storm sewer ~~30.00~~ 35.00

25 Man Holes ~~50.00~~ 60.00

26
27 Reinspection fee (wrong address, plumbing work that does
28 not pass inspection, work not complete, inaccessibility) ~~25.00~~ 30.00

1	For each industrial waste pretreated interceptor,	
2	including its trap and vent, except kitchen-type grease	
3	interceptors functioning as plumbing fixture traps	6.25 <u>7.00</u>
4	For each automobile garage-type mud trap and sand	
5	trap or basin for car wash establishments	6.00 <u>7.00</u>
6	For each mobile home unit or trailer unit sanitary	
7	sewer riser connection to the mobile home court or	
8	trailer court sewer system	7.50 <u>10.00</u>
9	For each 100 lineal feet or fraction thereof of	
10	private sewer service	20.00 <u>25.00</u>
11	Decorative gas log	30.00 <u>35.00</u>
12	Each exhauster vacuum pump of an infrared iron pipe	
13	heating system	28.00 <u>35.00</u>
14	For each individual mobile home unit or trailer unit	
15	water service riser connection from the mobile home	
16	court or trailer court water distribution system	7.50 <u>10.00</u>
17	For each water tap on private water main	10.00 <u>15.00</u>
18	For each 100 lineal feet or fraction thereof of	
19	private water service	
20	1 inch or less in diameter	18.00 <u>22.00</u>
21	Greater than 1 inch in diameter	30.00 <u>40.00</u>
22	For any storm sewer or sanitary sewer repair work	
23	outside of a building	7.50 <u>10.00</u>
24	For each fixture or piece of equipment regulated by	
25	this code but not listed herein (per unit)	6.00 <u>7.00</u>
26	¹ (Note: Water softener, lawn sprinkler system, swimming pools, and water-	
27	cooled air conditioning permit fees are covered elsewhere in this code.)	
28	² (Note: A plumbing fixture shall be construed as any unit which has waste	
29	and/or water connections. A combination shower over a tub shall be	
30	construed as one plumbing fixture.)	
31	³ (Note: Applies to appliance device or apparatus not classed as a plumbing	
32	fixture but which has drip or drainage outlets.)	

1 Where work for which a permit is required by this code is started prior to obtaining the prescribed
2 permit, the fees above specified shall be doubled; provided, in the event of an emergency where it
3 is absolutely necessary to perform the plumbing work immediately before a permit can be secured,
4 such as on nights, weekends, or holidays, said fee shall not be doubled if a permit is secured at the
5 earliest possible time after the emergency plumbing work has been performed. The payment of such
6 double fees shall not relieve any person from fully complying with the requirements of this code or
7 from any penalties prescribed herein. There shall be no refunds or credits given on unused permits
8 which have expired. Permit holders returning an unused permit prior to the expiration date of the
9 permit shall be limited to a maximum refund amounting to two-thirds of the original fee, with the
10 remaining one-third not to exceed \$25.00 to be used to pay in part the cost of processing the permit.

11 Section 3. That Section 24.12.030 of the Lincoln Municipal Code be amended to
12 read as follows:

13 **24.12.030 Section 105.0 Added; Plumbing Board of Appeals.**

14 Section 105.0 is added to the Uniform Plumbing Code to read as follows:

15 **105.0 Plumbing Board of Appeals**

16 **105.1 Creation.** In order to review determinations of the Administrative Authority as to
17 the suitability of alternate materials and types of installation and in order to review interpretations
18 of the provisions of this code by the Administrative Authority, there is hereby created and
19 established a Plumbing Code Board of Appeals consisting of five members who shall be qualified
20 by experience and training to pass upon matters pertaining to plumbing and drainage work. Two
21 members shall be master plumber contractors registered with the City of Lincoln. The
22 Administrative Authority shall be ex officio member and shall act as Secretary of this Board. The
23 five members of the Appeals Board shall be appointed by the Mayor and shall hold office at his or
24 her pleasure. The Board may adopt reasonable rules and regulations for the conduct of its
25 investigations and shall render all decisions and findings in writing to the Administrative Authority
26 with a duplicate copy to the person appealing to it.

27 **105.2 Filing Fees.** (a) Any person who is aggrieved by any decision, notice or order of
28 the Administrative Authority relating to the suitability of alternate materials and types of installation
29 and interpretation of any provision of this code may obtain review of such decision upon filing a
30 written request for review by the Plumbing Code Board of Appeals in the office of the
31 Administrative Authority within thirty days from the date of such decision and payment of a filing
32 fee as provided below:

33 (1) A twenty dollar fee for review of a decision of the Administrative Authority
34 interpreting any provision or provisions of this code;

35 (2) A forty dollar fee for review of a decision of the Administrative Authority
36 concerning the suitability of alternate materials or type of installation.

37 ~~The Administrative Authority may waive the fee for a hearing if it feels there is~~
38 ~~reasonable cause to do so.~~

39 ~~Enforcement of any decision, notice, or order of the Administrative Authority issued~~
40 ~~under this code shall be stayed during the pendency of an appeal therefrom which is properly and~~
41 ~~timely filed.~~

1 (b) The Administrative Authority shall refer all properly and timely filed appeals
2 to the Plumbing Code Board of Appeals for hearing. The secretary of said board shall in each appeal
3 notify the appellant in writing of the date, time, and place of hearing before the board, which date
4 shall be no later than thirty days from the filing of the appeal. Such notice shall be served upon the
5 appellant by personal service or certified mail.

6 (c) Hearings on appeal need not be conducted according to technical rules relating to
7 evidence and witnesses. Oral evidence shall be taken only on oath or affirmation. Any relevant
8 evidence shall be admitted if it is the type of evidence upon which responsible persons are
9 accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law
10 or statutory rule which may make improper the admission of such evidence over objection in civil
11 actions in courts of competent jurisdiction in this state. Irrelevant and unduly repetitious evidence
12 shall be excluded. The appellant, the board members, the Administrative Authority, and any other
13 party to an appeal hereunder shall have these rights, among others:

14 (1) To call and examine witnesses on any matter relevant to the issues of the
15 hearing:

16 (2) To introduce documentary and physical evidence;

17 (3) To cross-examine opposing witnesses on any matter relevant to the issues of
18 the hearing; and

19 (4) To rebut evidence.

20 (d) The Plumbing Code Board of Appeals shall then within a reasonable time after the
21 hearing render a written decision which shall state its findings and conclusions. Decisions of the
22 Plumbing Code Board of Appeals may be appealed as provided by law.

23 (e) Enforcement of any decision, notice, or order of the Administrative Authority issued
24 under this code shall be stayed during the pendency of an appeal therefrom which is properly and
25 timely filed, except in cases of emergency, where enforcement of the same is necessary for the
26 protection of persons or property.

27 Section 4. That Section 24.12.450 of the Lincoln Municipal Code be amended to
28 read as follows:

29 **24.12.450 Chapter 18 Added; Underground Irrigation System.**

30 The Uniform Plumbing Code is amended by adding a new Chapter 18 to read as follows:

1
2

CHAPTER 18
UNDERGROUND IRRIGATION SYSTEM

3 **1801.0 General Provisions.** The provisions of this chapter shall control the design and
4 installation of all underground irrigation systems. Irrigation system shall mean a permanently
5 installed watering system, either manual or automatic, used for the watering of lawn turf, gardens,
6 flowers, and similar types of plantings.

7 **1802.0 Irrigation System Contractor; Definition.** Irrigation system contractor shall
8 mean anyone engaging in the installation of an irrigation system at a location other than their own
9 personal residence.

10 **1803.0 Permit Required.** It shall be unlawful for any person to construct or install any
11 underground irrigation system without first having obtained permits therefor as hereinafter required.
12 Any person who shall construct or install an underground irrigation system without first having
13 obtained the required permits shall pay permit fees which are twice the amount of the applicable fees
14 hereinafter prescribed, and such person shall not in any way be relieved from complying with all of
15 the provisions of law applicable to the construction and installation of underground irrigation
16 systems.

17 **1804.0 Application for Permit.** Application shall be made to the Administrative Authority
18 for a permit for the installation of any underground irrigation system. All such applications when
19 required by the Administrative Authority shall be accompanied by plans and specifications in
20 duplicate and in sufficient detail to show clearly the underground supply piping, pipe sizes, depth
21 of pipes below ground surface, location of valves, backflow preventer devices, adjacent curbs, side-
22 walks, property lines, and such other data as may be pertinent to the installation. Said plans shall
23 show in particular all piping that is proposed to be located in the public right-of-way, and such
24 piping may be permitted, provided, however, that such permission and the issuance of a permit for
25 the installation of an underground irrigation system wholly or partly in the public right-of-way shall
26 be granted as a privilege. Said plans shall further show in detail the location of the water meter in
27 relation to the water service and the location at which the underground irrigation system is
28 connected to the water service pipe, and a diagram locating all heads, valves, shut offs, drains, and
29 distribution pipes.

30 **1805.0 Permit to Install Water Supply Piping from Water System.** A permit to install
31 new or replacement water supply piping from the public water supply system to and including the
32 reduced pressure backflow preventer, or pressure vacuum breakers, as the case may be, shall be
33 issued only to a registered master plumber contractor or homeowner complying with Section
34 24.12.025, 401.1 through 401.2, who shall be required to make application and pay fees as pres-
35 cribed elsewhere in this code. Said plumber or homeowner shall call for inspections and be
36 responsible for code compliance for his portion of the work. The irrigation contractor has the
37 responsibility for the location and coordinating the proper installation of the backflow prevention
38 device in relation to the irrigation system installation downstream from the backflow device.

39 **1806.0 Permit to Install Irrigation System.** A permit to install all water piping
40 downstream of the backflow devices shall be issued to an irrigation contractor or homeowner
41 complying with Section 24.12.025, 401.1 through 401.2. Application by the contractor shall also
42 indicate the name of the registered master plumber contractor who will install the backflow preven-

tion device. The irrigation contractor shall be required to make the permit application and pay the fees prescribed below. He shall call for inspections and be responsible for the work to be installed as shown on the plans approved by the Administrative Authority. No inspection or permit is required for the repair of existing irrigation systems downstream from the backflow prevention device.

1807.0 Fees. The required fee for each underground irrigation system shall be included with each permit application filed with the Administrative Authority. A permit fee shall be paid based upon the size of backflow devices installed in the irrigation system as set forth below.

PERMIT FEES

SIZE OF BACKFLOW DEVICE AMOUNT PER DEVICE

One inch and smaller	\$ 20.00 <u>\$25.00</u>
One and one-fourth and one and one-half inch	35.00 <u>50.00</u>
Two inch	50.00 <u>60.00</u>
Three inch or larger	100.00
Additions to existing systems	10.00 <u>12.00</u>

1808.0 Installation.

1808.1 Underground irrigation systems when connected to a potable water supply or public water supply system shall be installed in accordance with these regulations. Underground irrigation systems shall be equipped with one or more pressure-type vacuum breakers or a reduced pressure backflow preventer to prevent back-siphonage or backflow. Pressure-type vacuum breakers and reduced pressure backflow preventers shall be of the type approved by the Lincoln Water System. The pressure vacuum breakers shall be installed not less than twelve inches above the highest underground sprinkler head and in no event less than twelve inches above the highest point of elevation of the surrounding front, rear, and/or side yard ground of the property being served.

1808.2 The potable water piping within the building and/or including the back-siphonage or backflow device or devices shall be of materials approved for water distribution in this code. Water piping within the underground irrigation system protected by backflow devices above described may be of any material approved by the Administrative Authority, including approved plastic piping. All irrigation system piping installed above ground shall be approved metallic pipe or approved plastic pipe protected from physical damage and sunlight.

1808.3 Electrically controlled irrigation systems shall be connected in accordance with the Lincoln Electrical Code. The control cabinet shall be wired direct or connected to a permanently installed grounded receptacle within six feet of the controller and with a three wire cord not exceeding six feet in length and approved for heavy duty use.

1808.4 Underground irrigation system installations shall be inspected by the Administrative Authority to ensure compliance with the requirements of this code and with Chapter 14.92

1 of the Lincoln Municipal Code. It shall be the duty of the person doing the work authorized by the
2 permit to notify the Administrative Authority orally or in writing that said work is ready for
3 inspection, and for said person doing the work to provide access and means for proper inspection.
4 It shall be the duty of the person doing the work to call for inspection of the irrigation system
5 installation not later than three days after the completion of the installation.

6 **1808.5** The initial and any required subsequent inspection, testing, and repair of the
7 backflow prevention devices shall be administered by the Lincoln Water System in accordance with
8 Title 17, Section 17.18.080 of the Lincoln Municipal Code.

9 **1809.0 Certificate of Insurance.**

10 **1809.1** Before any irrigation system contractor may be issued a permit under the
11 provisions of this code, such contractor shall be required to:

12 (1) At all times maintain public liability insurance coverage for all claims arising
13 out of all work in the City of Lincoln and within three miles of the corporate limits thereof done by
14 or under the supervision of the irrigation system contractor under the provisions of this code. Such
15 insurance shall be in the form of a commercial or comprehensive general liability policy, or an
16 acceptable substitute policy form as permitted by the City Attorney, with a minimum combined
17 single limit of \$500,000.00 aggregate for any one occurrence on any job for which a permit is
18 required under this code, provided the City of Lincoln shall be named an additional insured
19 thereunder. The coverages required herein shall be subject to review and approval by the City
20 Attorney for conformance with the provisions of this section.

21 (2) At all times keep on file with the Administrative Authority a current certifi-
22 cate of insurance signed by a qualified agent of an insurance company licensed to do business in
23 the State of Nebraska and approved by the City Attorney for conformance with the provisions of this
24 section evidencing the existence of valid and effective policies of insurance naming the city as an
25 additional insured for the coverage required by subsection (1) of this section, the limits of each
26 policy, the policy number, the name of the insurer, the effective date and expiration date of each
27 policy, the deductibles or self-insurance retainers of each policy, and a copy of an endorsement
28 placed on each policy requiring thirty days notice by mail to the Administrative Authority before
29 the insurer may cancel the policy for any reason, and upon request of the Administrative Authority
30 or the City Attorney, a copy of any endorsements placed on such policies or the declarations page
31 of such policies. Any termination, reduction, or lapse of such insurance shall automatically
32 terminate the privilege of the irrigation system contractor to be issued permits under the provisions
33 of this code, unless other insurance meeting the requirements of this section is provided and in full
34 force and effect at the time of such termination or cancellation.

35 **1810.0 Violations and Penalties.**

36 **1810.1** Any person, firm, or corporation violating any of the provisions of this code
37 shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate
38 offense for each and every day or portion thereof during which any violation of any of the provisions
39 of this code is committed, continued, or permitted; and upon conviction of any such violation, such
40 person shall be punishable by a fine in any sum not to exceed \$500.00, or be imprisoned in the
41 county jail for a period not to exceed six months, or both; except that each person so convicted shall

1 be fined in a sum of not less than \$200.00 for the first offense, not less than \$250.00 for a second
2 offense, and not less than \$300.00 for the third offense and each offense thereafter.

3 **1810.2** Any plumbing or drainage work or equipment which is installed, operated,
4 or maintained in violation of this code is hereby declared to be a nuisance.

5 Section 5. That Sections 24.12.020, 24.12.025, 24.12.030, and 24.12.450 of the
6 Lincoln Municipal Code as hitherto existing be and the same are hereby repealed.

7 Section 6. That this ordinance shall take effect and be in force from and after its
8 passage and publication in one issue of a daily or weekly newspaper of general circulation in the
9 City, according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2009: _____ Mayor
