

CHAPTER 56: NATURAL GAS SERVICES

Section

1756.01 Rules and Regulations Relating to Gas Service and Installation.

1756.02 License

1756.03 Gas Utility's Refusal of Service

1756.04 Applicable Standards

1756.05 Revocation or Suspension of License

1756.06 Duties and Functions of the City

1756.07 Liability of the City

1756.99 Penalty

§ 1756.01 DEFINITIONS.

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

CITY. The City of Henning, Minnesota.

BOARD or TRUSTEES. The Council of the City of Henning, Minnesota.

CONSUMER. Any person using gas, including gas for residential, commercial or industrial purposes or any combination of such purposes.

GAS. Artificial gas, natural gas, or mixed gas, consisting of both artificial and natural gas.

GAS APPLIANCE. Any domestic appliance such as a stove, heater, burner, water heater or other appliance or device used for burning gas or using gas in its operation.

GAS FACILITY. Piping, fittings, meters and other facilities used for the distribution, transmission or the delivery of gas or for use in gas appliances.

GAS FITTER. Any person who constructs, installs, extends, alters or repairs any gas facility or gas appliance.

CITY OF HENNING. The City of Henning, Minnesota (officer charged with the responsibility of inspecting gas facilities, gas appliances and performing other functions as herein prescribed, all as determined by the Council).

LICENSEE. The person having a valid permit issued hereunder.

PERSON. Any person, firm, partnership, association, corporation, company or organization of any kind.

(Ord. Effective 5-15-2001)

§ 1756.02 LICENSE.

(A) *License.* No person shall construct, install, extend, alter, repair or improve any gas facility or gas appliance within the city unless such person has first procured a gas fitter's license therefore from the City of Henning as provided herein. All applications for such license shall be in writing upon forms to be prescribed by the City of Henning. All licenses issued under the provisions of this section shall expire within one year from the date of issuance unless sooner revoked as herein provided, shall be non-transferable and shall be posted conspicuously to public view in the principal place of business of the licensee. The provisions of this section apply only to such work as is performed on the property or premises of consumers.

(B) *Bond.* With each application for such licenses a surety bond in the amount of at least \$1,000 shall be filed with the Clerk-Administrator but the Council may require a larger bond.

(C) *Insurance.* Copies of public liability and property damage insurance policies shall be filed with the Clerk-Administrator for the life of each license. Public liability insurance shall not be less than \$50,000 for injuries including accidental death of one person and, subject to the same limit for each person in the amount of not less than \$100,000 on account of one accident and property damage insurance in the amount of not less than \$25,000.

(D) *Emergencies.* In the event of any emergencies endangering the life, health, safety or property of any person necessitating immediate repairs to any gas facility or gas appliance the owners of such gas facility or appliance without first obtaining a license hereunder shall take for cause to be taken immediate emergency action for the protection of life, health, safety and property through such appropriate measure as may be required to cure or remedy the dangerous conditions.

(E) *Gas Utility Facility.* No person, unless in the employ of the gas company or having express authorization of the gas company shall repair, alter or open a gas facility of the gas company or set or remove a gas service meter or do any work on the gas supply system of the gas utility.

(F) *Defective Work or Materials.* If an inspection shall show that defective materials have been used or defective workmanship has been performed in the construction, installation, alteration, repair or extension of any gas fixture in or on any consumer's premises, such defective materials or work shall be replaced by the licensee within three days, after which the City of Henning shall reinspect the replaced materials or work.

(G) *Disconnection of Dangerous or Defective Facilities.* The City of Henning is authorized to cause to be disconnected any gas facility or appliance connected before a certificate of approval has been issued which upon inspection shall be found defective or in such condition as to endanger life, health, safety or property. In all cases where such disconnection is made a notice shall be affixed thereto and shall state that the same has been disconnected by the City of Henning, together with the reason or reasons therefore and it shall be unlawful for any person to remove said notice or to reconnect said gas facility or appliance until authorized by the City of Henning to do so.

(H) *Effect of License.* The issuance or granting of a license shall not be deemed or construed to be a license for or approval of any violation of the provisions of this section or any other law. No license purporting to give authority to violate or cancel the provisions of this section shall be valid. (Ord. Effective 5-15-2001)

§ 1756.03 GAS UTILITY'S REFUSAL OF SERVICE.

The gas utility is authorized to discontinue or refuse to supply gas for any facility, or gas appliance for which it may find to be defective or leaky or in such condition as to endanger life, health, safety or property. In such case, the gas utility shall immediately give written notice of discontinuance or refusal of service to the consumer. It shall be unlawful for any persons to reconnect such gas facility or appliance until authorized by the City of Henning. (Ord. Effective 5-15-2001)

§ 1756.04 APPLICABLE STANDARDS.

(A) The construction, installation, extension, maintenance, alteration or repair of any gas facility, gas appliance, vent or vent connector or any other work pertaining to gas facilities and gas appliances within the purview of this section shall be performed in accordance with the provisions of this section and with the requirements, "Standards and Provisions of the National Board of Fire Underwriters for the Installation of Gas Appliances and Gas Piping" - Bulletin NBFU No. 54. In the event any of the provisions of such codes conflict with any of the provisions of this section, the provisions of this section shall govern and be controlling. All amendments and additions to the provisions of such codes when ordered by the Council to be filed with the Clerk-Administrator shall thereupon become amendments and addition hereto and shall have the same force and effect as the original codes herein identified provided that if any provision of such amendments and additions are in conflict with any of the provisions of this section, the provisions of this section shall govern and be controlling.

(B) No person shall permit or suffer any vent to unduly annoy the residents, occupants or owners of any building in the neighborhood. If such annoyance is caused by any vent, the City of Henning shall cause the vent to be altered, relocated or improved or carried to such heights as may be necessary for the protection of the neighboring property.

(Ord. Effective 5-15-2001)

§ 1756.05 REVOCATION OR SUSPENSION OF LICENSE.

Any license granted under provisions of this section may be suspended or revoked by the City of Henning whenever it shall be made to appear that the person to whom the license is issued has violated any of the provisions of this section. In the event the City of Henning shall suspend or revoke such license, the City shall cause to be served upon the licensee a formal order of suspension or revocation of such license; the order shall recite the reason therefor. An appeal from any order of the City of Henning suspending or revoking a license granted hereunder may be taken to the Council within ten working days after service upon the licensee of the order of suspension or revocation. Action by the Council upon such revocation of a license shall not entitle the licensee to a refund of any unearned portion of the fee paid. Any order provided for in this section shall be served either by delivering a copy personally upon the licensee or by leaving a copy with some person of suitable age and discretion at the place of business of the licensee, by leaving such order in a conspicuous place on the premises and mailing a copy of the order to the licensee at his place of business as set forth in his or her application for a license.

(Ord. Effective 5-15-2001)

§ 1756.06 DUTIES AND FUNCTIONS OF THE CITY.

The City of Henning shall, and is authorized and directed to, enforce the provisions of this section and shall promulgate and enforce reasonable rules and regulations for carrying out its provisions and intent. The City of Henning, upon presentation of proper credentials, may enter any building or premises at reasonable times for the purpose of making inspections and ascertaining whether there has been compliance with the provisions of this section. It shall be the duty of the City of Henning to confer, from time-to-time, with the local health department and the local fire department and otherwise obtain from proper sources all helpful information and advice respecting the safe and proper operation of gas facilities and gas appliances, and shall present to the Council recommendations for its consideration with reference thereto.

(Ord. Effective 5-15-2001)

§ 1756.07 LIABILITY OF THE CITY.

This section shall not be construed as imposing upon the City or any official or employee thereof any liability or responsibility for damages to any person injured by any defect in any gas facility or appliance or by any work in connection therewith; nor shall the City or any official or employee thereof be deemed to have assumed any such liability or responsibility by reason of inspection authorized hereunder or by the issuance of any certificate of approval, permit or license hereunder by the City of Henning.

(Ord. Effective 5-15-2001)

§ 1756.99 PENALTY.

Any violation of the provisions of this section shall constitute a misdemeanor.

(Ord. Effective 5-15-2001)

