

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 533

Introduced by McKinney, 11.

Read first time January 17, 2023

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to cities and villages; to amend sections
2 18-1901 and 18-1907, Reissue Revised Statutes of Nebraska; to change
3 the plumbing board membership for cities of the primary class; to
4 state that a city or village without a plumbing board may still
5 require the licensure of plumbers; and to repeal the original
6 sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 18-1901, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 18-1901 (1) In cities of the metropolitan class, there shall be a
4 plumbing board of eight members. The plumbing board shall consist of an
5 architect licensed to practice in the State of Nebraska and engaged in
6 business in a city of the metropolitan class, a mechanical engineer
7 licensed to practice in the State of Nebraska and engaged in business in
8 a city of the metropolitan class, two journeymen plumbers, two master
9 plumbers, one member of the general public who is not associated with the
10 plumbing business, and a chief health officer who shall serve as a
11 nonvoting member of the board. Such members shall be appointed by the
12 mayor by and with the consent of the city council. A member shall
13 continue to serve until his or her successor has been appointed and
14 qualified.

15 (2) In cities of the primary class, there may be a plumbing board
16 consisting of ~~seven~~ five members. The plumbing board shall consist of the
17 Director of Building and Safety of the city, a registered professional
18 mechanical engineer licensed to practice in the State of Nebraska and
19 engaged in business in the city, the chief plumbing inspector for the
20 city, ~~two one master plumbers plumber, and one journeyman plumber~~ one
21 master gas fitter, and one registered water conditioning contractor. The
22 mechanical engineer, the master plumber, ~~and the journeyman plumber,~~ the
23 master gas fitter, and the water conditioning contractor shall be
24 appointed by the mayor by and with the consent of the city council or, in
25 cities having a city manager, by the city manager.

26 (3) In all cities of the first class, cities of the second class,
27 and villages, there may be a plumbing board of not less than four
28 members, consisting of at least one member to be known as the chief
29 health officer of the city or village, one member to be known as the
30 plumbing inspector of the city or village, one journeyman plumber, and
31 one master plumber. The journeyman and master plumbers shall be appointed

1 by the mayor by and with the consent of the city council, by the
2 chairperson by and with the consent of the village board of trustees, or,
3 in cities having a city manager, by the city manager.

4 (4) For purposes of this section, in cities where a city-county
5 health department has been established and is maintained as provided in
6 section 71-1628, chief health officer shall mean the health director of
7 such department.

8 (5) Except for cities of the metropolitan class and primary class
9 and as provided in subsection (4) of this section, the chief health
10 officer and plumbing inspector shall be appointed by and hold office
11 during the term of office of the mayor, city manager, or chairperson of
12 the village board of trustees, as the case may be. The terms of office of
13 the journeymen and master plumbers shall be for four years. Upon
14 expiration of the term of each appointed member, appointments shall be
15 made for succeeding terms by the same process as the previous
16 appointments.

17 (6) The plumbing inspector and journeymen and master plumbers shall
18 be licensed plumbers. The plumbers appointed to the plumbing board in
19 cities of the metropolitan class shall be licensed within such cities.
20 The chief plumbing inspector shall be licensed within such city or
21 village and shall act in a direct advisory capacity to the plumbing
22 board.

23 (7) In cities of the metropolitan and primary class, four voting
24 members of the plumbing board shall constitute a quorum, and in all other
25 cities and villages, three members of the plumbing board shall constitute
26 a quorum. The plumbing board shall organize by selecting a chairperson,
27 and in cities of the metropolitan class a recording secretary shall be
28 furnished to the plumbing board. The city or village shall make available
29 to the plumbing board a location for the board to meet and conduct
30 business at a time convenient for the members of the board. All vacancies
31 in the plumbing board may be filled by the mayor and city council, city

1 manager, or chairperson and village board of trustees as provided in this
2 section. Any member of the plumbing board may be removed from office for
3 cause by the district court of the county in which such city or village
4 is situated. The governing body of the city or village may require that
5 each member of the plumbing board give bond in the sum of one thousand
6 dollars, conditioned according to law, the cost of which may be paid by
7 such city or village.

8 (8) The plumbing board in a city of the metropolitan class shall
9 maintain a record of all complaints filed in the city regarding
10 violations of the plumbing code and a record of the disposition of each
11 such complaint.

12 (9) If two or more municipalities organize a joint plumbing board
13 pursuant to the Interlocal Cooperation Act, appointments shall be made
14 according to the agreements providing for such joint board and the
15 members of such board shall be residents of such cities or villages or
16 live within the extraterritorial zoning jurisdiction of such cities or
17 villages.

18 Sec. 2. Section 18-1907, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 18-1907 (1) Any person desiring to do any plumbing, or to work at
21 the business of plumbing, in any city or village which has established a
22 plumbing board, shall make written application to the plumbing board for
23 examination for a license, which examination shall be made at the next
24 meeting of the plumbing board, or at an adjourned meeting. The plumbing
25 board shall examine the applicant as to his or her practical knowledge of
26 plumbing, house drainage, ventilation, and sanitation, which examination
27 shall be practical as well as theoretical, and if the applicant has shown
28 himself or herself competent, the plumbing board shall cause its
29 chairperson and secretary to execute and deliver to the applicant a
30 license authorizing him or her to do plumbing in such city or village and
31 also within the area of extraterritorial zoning jurisdiction of cities of

1 the metropolitan class.

2 (2) Nothing in sections 18-1901 to 18-1920 shall prohibit a city or
3 village which has not established a plumbing board from requiring the
4 licensure of plumbers.

5 Sec. 3. Original sections 18-1901 and 18-1907, Reissue Revised
6 Statutes of Nebraska, are repealed.