

THE CITY OF WINNIPEG

BY-LAW NO. 119/2017

A By-law of THE CITY OF WINNIPEG to amend the Winnipeg Building By-law No. 4555/87 to establish the Prime Mechanical Contractor's Licence.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Winnipeg Building By-law amended

1 The Winnipeg Building By-law No. 4555/87 is amended by this by-law.

Section 3.3 amended

2 Section 3.3 is amended by adding the following, in alphabetical order:

***"Prime Mechanical Contractor"** means an individual, partnership, firm, corporation or government department contracted to undertake mechanical work that may or may not hold a valid Mechanical Contractor's Licence "M1" or Mechanical Contractor's Licence "M2" issued in accordance with this By-law.*

Section 14.8.2 amended

3 Section 14.8.2 is amended by:

(a) replacing subsection (1) with the following:

14.8.2(1) *An application for a mechanical permit may only be made by, and a mechanical permit may only be issued to:*

(a) *a licensed mechanical contractor; or*

(b) *a person who is authorized by a licensed mechanical contractor, in writing in a form acceptable to the Designated Employee, to apply for a mechanical permit on the licensed mechanical contractor's behalf.*

(b) adding the following after subsection (1):

14.8.2(1.1) *A mechanical permit is not transferable.*

- (c) replacing subsection 14.8.2(2) with the following:

14.8.2(2) An application for a mechanical permit must be accompanied by:

- (a) specifications or a description of the proposed work;*
- (b) the name and contact information of the licensed mechanical contractor who will be performing the proposed work; and*
- (c) where requested by the designated employee, a plan that shows:*
 - (i) the type, location, capacity and size of all equipment, ducts and dampers, and associated heating, venting, air movement and air handling equipment; or*
 - (ii) the type, location and size of all fire protection equipment and systems.*

Section 17.10.1 amended

4 Section 17.10.1 is amended:

- (a) in clause (c), by replacing “Mechanical Contractor’s Licence “M3”.” with “Mechanical Contractor’s Licence “M3”; or”;*
- (b) by adding the following after clause (c):*
 - (d) act as Prime Mechanical Contractor in respect of work described in clauses (a) or (b) without a valid Mechanical Contractor’s Licence “M-Prime”, unless they hold a valid Mechanical Contractor’s Licence “M1” or Mechanical Contractor’s Licence “M2”, as the case may be.*

Section 17.10.2 replaced

5 Section 17.10.2 is replaced with the following:

17.10.2(1) A Mechanical Contractor’s Licence may only be issued to an individual, partnership, firm, corporation or government department if the individual, or the partner, employee or official applying on behalf of the partnership, firm, corporation or government department:

- (a) holds a journeyperson certification; or*
- (b) is a factory-trained and factory-certified installer*

in the field in respect of which the Mechanical Contractor’s Licence is being sought.

17.10.2(2) *Notwithstanding subsection (1), a Mechanical Contractor's Licence "M-Prime" may be issued to an individual, or to the partner, employee or official applying on behalf of the partnership, firm, corporation or government department, who does not meet the requirements of subsection (1) if the individual, partnership, firm, corporation or government department acts as Prime Mechanical Contractor in respect of work described in clauses 17.10.1(a) or 17.10.1(b).*

Subsection 17.10.3(2) amended

6 Subsection 17.10.3(2) is amended by deleting “*for the year or portion of the year for which the licence is sought*”.

Section 17.10.4 amended

7 Section 17.10.4 is amended:

- (a) in subsection (1), by replacing “*on behalf of partnership, firm, corporation or government department is not longer*” with “*on behalf of a partnership, firm, corporation or government is no longer*”; and
- (b) in subsection (2), by replacing “*expires on December 31 of the year in which is was issued*” with “*may be issued for one- or three-year terms, and shall expire on the date indicated on the licence.*”.

Clause 17.10.6(1)(c) amended

8 Clause 17.10.6(1)(c) is amended by replacing “*Mechanical Contractor’s Association of Manitoba*” with “*Mechanical Contractors Association of Manitoba*”.

DONE AND PASSED this day of , 2017.

Mayor

City Clerk

Approved as to content:

Director of Planning, Property
and Development

Legally reviewed and certified as to form:

for Director of Legal Services
and City Solicitor