

MODEL ORDINANCE ADOPTING NEW CODE

## I

TITLE

This code shall be known as the "Standard Gas Code."

## II

SCOPE

An ordinance to promote the health, safety, and welfare of the public and to safeguard property by regulating the minimum requirements for gas appliances and the installation of gas piping and the installation, alteration, maintenance and use of gas equipment connected thereto.

## III

PROVISIONS REGULATING THE SALE OF GAS APPLIANCES

- (a) All gas appliances, equipment, and accessories hereafter installed, sold, or offered for sale shall conform to reasonable standards of safety.
- (b) The presence on a gas appliance or accessory of a safety seal or label of a nationally recognized testing agency or a certificate or letter of approval from such agency or the inclusion of an appliance or accessory in an approved listing by such agency shall be prima facie evidence that such appliance or accessory conforms to reasonable standards of safety. Such nationally recognized testing agency shall be one qualified and equipped to perform and one that does perform periodic inspections of current models of gas appliances and accessories.

## IV

PROVISIONS REGULATING THE INSTALLATION OF APPLIANCES

- (a) All gas appliances, equipment, accessories, and piping systems shall be installed to conform to reasonable standards of safety.
- (b) Installation of appliances, equipment, accessories, and piping that complies with the standards recommended by the American National

(continued)

Standards Institute in its manual entitled "National Fuel Gas Code, Z223.1-1974," or subsequent revision thereof, shall be considered prima facie as conforming to reasonable standards of safety.

- (c) It shall be unlawful for any person, firm, or corporation, excepting an authorized agent or employee of the gas supplier, to turn on or reconnect gas service in or on any premises where and when gas service is not at the time being rendered. This shall not prohibit an installer from turning on the supply of gas temporarily for the purpose of testing the installation made by him or from turning on gas that he had temporarily turned off for the purpose of connecting an appliance or making repairs.

## V

ENFORCEMENT

- (a) No person, firm, or corporation shall sell or offer for sale or install any gas appliance, equipment, or accessory or gas piping system if the same when installed for use would be in violation of any of the provisions of this code or would be unsafe or dangerous.
- (b) The department having jurisdiction is hereby authorized to disconnect or to order disconnection of any gas appliance, equipment, accessory, or gas piping which does not conform to the requirements of this ordinance or which may be found defective and in such condition as to endanger life or property. Where such disconnection has been made, a notice shall be attached to such appliance, equipment, accessory, or gas piping which shall state that it has been disconnected and the reasons therefore, and such notice shall not be removed nor shall the appliance equipment, accessory, or gas piping be reconnected until it shall have been made to conform with the requirements of this ordinance and its reconnection has been authorized by the department having jurisdiction.

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Recommendations from Wisconsin Public Service Corporation  
to Municipalities on the Subject of an Ordinance Prescribing  
Minimum Standards for Gas Burning Appliances and Their  
Installation to Promote Safety of Persons and Property

January, 1975

(continued)

EXPLANATORY MATERIAL

- I. In order that the health and safety of people may at all times be protected, it is usually necessary that there be enacted ordinances prohibiting those things which jeopardize and requiring other things which promote the general welfare of the community and its citizens.
- II. Gas being a widely used utility service, it is important that gas appliances be required to meet generally accepted standards of construction, performance, and installation.
- III. Many municipalities, recognizing a need, have requested suggestions and recommendations to guide them in the fulfillment of these needs.
- IV. The American National Standards Institute (ANSI) through the sponsorship of the American Gas Association, the American Society of Mechanical Engineers, and the National Fire Protection Association has prepared "American National Standard NATIONAL FUEL GAS CODE, Z223.1-1974."

Part 1 of the new standard is: Installation of Gas Piping and Gas Equipment on Nonindustrial Premises. This Part 1 updates and supersedes Standard Z21.30-1964, which many communities have adopted.

Part 2 of the new standard is: Installation of Gas Piping and Gas Equipment on Industrial Premises and Certain Other Premises. It updates and supersedes Standard Z83.1-1970. No effort has been made to have communities adopt Z83.1, because we knew Z21.30 was being revised and thought we would make an effort to have Z21.30, revised edition, adopted along with the relatively new Z83.1.

- V. Standard Z223.1-1974 was prepared by representatives of many interested agencies:

Air-Conditioning and Refrigeration Institute

American Gas Association

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American Insurance Association  
American Mutual Insurance Alliance  
American Petroleum Institute  
The American Society of Mechanical Engineers  
American Society for Testing and Materials  
Canadian Standards Association  
The Construction Specifications Institute  
Factory Insurance Association  
Factory Mutual System  
Fire Marshals Association of North America  
Gas Appliance Manufacturers Association, Inc.  
General Services Administration  
Insurance Services Office  
International Association of Plumbing and Mechanical  
Officials  
Manufacturers Standardization Society of the Valve and  
Fittings Industry  
National Association of Home Builders  
National Association of Plumbing-Heating-Cooling  
Contractors  
National Bureau of Standards  
National Fire Protection Association  
National LP-Gas Association  
National Park Service  
National Safety Council  
Southern Building Code Congress  
Underwriters' Laboratories, Inc.  
U.S. Bureau of Mines

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- VI. Such American standards contain the agreement of able experts on the details of promoting safety and efficient operation. This tends to reduce conflicting and unnecessary requirements between communities and thereby reduces difficulties and expenses to customers, enforcement agencies, installers, sellers, and manufacturers. At the same time, the collaboration of many experts is strong assurance that there are no serious errors or omissions.
- VII. ANSI Standard Z223.1 covering all types of gas equipment and installation, although clearly and simply written, is of necessity, lengthy and profusely illustrated. To incorporate it completely or substantially in a municipal code and then satisfy requirements for publication would be impractical.
- VIII. To adopt such American standards in a code "by reference" might be considered in Wisconsin to be a "delegation of legislative authority" and, hence, invalid.
- IX. To overcome the impractical detailed inclusion of such American standards or the possibility of invalidity due to a "by reference" handling, it is suggested that the ordinance simply require "reasonable safety" and prescribe that compliance with the American standards is prima facie evidence of "reasonable safety."
- X. Copies of ANSI Standard Z223.1-1974 on the subject can be supplied to all interested parties.
- XI. Without prejudice, there is no recommendation on licensing of sellers or installers or any provisions for permits, fees, penalties or administration. In those communities where it would not create an impractical situation, inspection of all installations of gas space heating in dwellings is strongly recommended. A permit and inspection procedure

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through the industrial commission of Wisconsin is in effect on installations in buildings with three or more apartments and commercial and industrial establishments.

- XII. Company representatives will be glad to confer with municipal officials or representatives on any details.
- XIII. Company representatives are prepared to assist in training dealers, installers, and municipal employees on the subject of gas equipment and installation requirements.
- XIV. Attached is the recommendation for the essential sections of an ordinance in the field of safety.

AN ORDINANCE AUTHORIZING WISCONSIN PUBLIC SERVICE CORPORATION,  
A WISCONSIN CORPORATION, ITS SUCCESSORS AND ASSIGNS, TO DISTRIBUTE  
AND SELL GASEOUS FUEL, NATURAL, MANUFACTURED OR MIXED,  
IN THE TOWN OF Pine Lake, Crawford COUNTY, WISCONSIN.

The Town Board of the Town of Pine Lake, Crawford County,  
Wisconsin does ordain as follows:

Section 1. In accordance with the provisions of Section 196.58 (6)  
of the Wisconsin Statutes, Wisconsin Public Service Corporation, its successors  
and assigns, is hereby authorized to distribute and sell gaseous fuel, natural,  
manufactured, or mixed, for heat, power, light and other purposes in the Town  
of Pine Lake, Crawford County, Wisconsin.

Section 2. In accordance with the provisions of Section 86.16 (1)  
of the Statutes, permission and authority is hereby granted to said Wisconsin  
Public Service Corporation to construct, install, lay, operate, maintain,  
extend, improve and add to, mains, pipes, and other facilities for the purpose  
of transmitting and delivering such gas along, across, in, and within, the  
limits of any public highway, street, alley, sidewalk, public ground, and all  
other places under control of said Town of Pine Lake, and to that end said  
Wisconsin Public Service Corporation shall have the right to take up such  
pavements, and to make such excavations, as may be necessary, to lay, take up,  
repair and maintain gas pipes below the surface of the ground.

Section 3. Permission and authority is hereby granted to said  
Wisconsin Public Service Corporation to construct, install, operate, maintain,  
extend, improve and add to, such buildings, plants, equipment, properties,  
apparatus and other facilities, as may be necessary, to receive, manufacture,  
store, transmit, distribute and sell such gas.

Section 4. Authority granted herein is subject to all conditions  
and provisions of the Statutes of the State of Wisconsin in such case made  
and provided.



Section 5. Any damage caused to public installations by reasons of said construction, operation, maintenance and extension, shall be repaired within a reasonable time by Wisconsin Public Service Corporation.

Passed Feb 13, 1963

Donald Stordberg  
Ted Miller  
Armin Bernsten

Town Board of the Town of Pine Lake,  
Ozaukee County, Wisconsin.

Carl Peterson  
Clerk of the Town of Pine Lake,  
Ozaukee County, Wisconsin.

CERTIFICATE

STATE OF WISCONSIN     )  
                                      ) SS.  
COUNTY OF Oneida     )

The undersigned hereby certifies that he is the duly elected, qualified and acting Clerk of the Town of Oneida, Oneida County, Wisconsin; that he has compared the document attached hereto with the original records in his office and that the same is a true and complete copy of an ordinance duly adopted by the Town Board at a duly called meeting on Feb 13, 1963 by a majority vote of the supervisors present, a quorum being present; that said Town has no official newspaper, and that on Feb 16, 1963 he posted a copy of said ordinance in four public places in said Town, to-wit:

1. Community Bldg
2. Intersection of Pauls End. Pkwy Rd
3. " Co. W & Oneida "
4. Co C near Millh Tavern

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said Town this 16 day of Feb, 1963.

Carl Peterson  
Town Clerk