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WHAT THE LAW SAYS

(1) Under OAR 918-785-0200(1)(a), no person, firm, or corporation shall do plumbing or effective October 1, 2001, medical gas systems work in the State of Oregon without first obtaining a plumbing permit or minor label when required and paying the appropriate fees to the authorized permit issuing agency.

(2) Under ORS 693.030(1), a person may not engage in the trade of a journeyman plumber without a journeyman plumber's license.

(3) Under ORS 447.040(1), a person may not work as a plumbing contractor, or advertise or purport to be a plumbing contractor, and a member or employee of a firm, partnership or corporation may not engage in the layout or superintending of plumbing installations, without having obtained the plumbing contractor license required.¹

STIPULATED AGREEMENT

You and the Board agree to resolve this matter, without a hearing, by the entry of this Consent Order subject to the following terms and conditions:

(1) The Board hereby assesses a \$6,000 civil penalty for violation of OAR 918-785-0200(1)(a), ORS 693.030(1) and ORS 447.040(1) of which \$4,500 will be suspended for a period of five year under the following terms:

(1.1) You agree to pay \$1,500 of the assessed civil penalty;

(1.2) An additional \$500 of the total assessed penalty will be suspended if you are able to pay \$1,000 by the date on the invoice. **(An invoice will be included with the Respondent's copy of the Final Order after it is signed by the Board.)**

(2) You agree not to commit further violations of the Building Code Division's Statutes or rules.

(3) You understand that if you fail to comply with any of the terms of this consent agreement that the entire civil penalty, including the amount suspended, will be immediately due and payable. Failure to comply includes failure to pay the civil penalty amount on the Final Demand Notice by the due date, or failure to make payments according to the terms of any payment arrangement or Final Demand Notice.

¹ OAR 918-030-0010(8) states that for purposes of ORS 447.040, 479.620, 480.630 and any other license regulated by ORS chapter 455, "engaging in the business" means to advertise or solicit, contract or agree to perform, or to perform, work for which a license or permit is required under Oregon law, including but not limited to a single instance.

1 (4) You understand and agree that any violation of the terms of this Consent Order will
2 result in further enforcement action.

3 (5) You understand and agree that any violation of the Building Code Division's statutes or
4 rules not alleged in this Order, whether committed before or after the execution of this Consent
5 Order, may be the basis for further enforcement action.

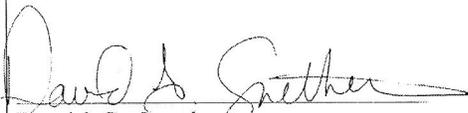
6 (6) You understand the suspended civil penalty will be waived five years after the execution
7 of this Consent Order, provided you comply with its terms and have not committed any further
8 violations of Building Code Division's statutes and rules.

9 (7) You have read and fully understand the terms of this Consent Order, freely and
10 voluntarily consent to the entry of this Order without further hearing, without any force or duress,
11 and expressly waive all rights to hearing or appeal in this matter.

12 (8) You understand that, upon signature of all parties, this Consent Order will be a FINAL
13 ORDER.

14 (9) You further agree by signing this Consent Order that you are the Respondent or
15 authorized representative for the Respondent in this matter.

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18 **FOR THE RESPONDENT**

19 
20 David G. Snethen

Date: September 1, 2013

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23 **FOR THE BOARD**

24 
25 Andrea Simmons for
Chairman
Plumbing Board
State of Oregon

Date: 9/16/13