

PLUMBING REGULATION

WHEREAS; The proper installation of plumbing systems is necessary in protecting the Public Health; and

WHEREAS; The State of Ohio has in place an Ohio Plumbing Code OAC 4101:3-1 to 4101:2-13; and

WHEREAS; The Combined Allen County General Health District has a plumbing inspection program in place; and

WHEREAS; Revisions to this regulation are necessary from time to time; and

WHEREAS; Adequate funding of this program is crucial to the effectiveness in protecting the public health and safety.

NOW THEREFORE BE IT RESOLVED by the Board of Health of the Combined Allen County General Health District, that Chapter 4101:3-1 to 4101:2-13 of the Ohio Administrative Code is hereby adopted by incorporation by reference as if fully rewritten herein with the following regulations as authorized by Sections 3707.01 and 3709.21 of the Ohio Revised Code.

SECTION 1.00 DEFINITIONS

- 1.01 Alter means to change plumbing by making additions, deletions, within an existing system.
- 1.011 Backflow Pressure created by any means in the water distribution system, which by being in excess of the pressure in the water supply mains causes a potential backflow condition.
- 1.012 Cross Connection Any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other either water of unknown or questionable safety or steam, gas or chemical, whereby there exists the possibility for flow from one system to the other, with the direction of flow depending on the pressure differential between the two systems.
- 1.02 Department means the Health Commissioner or Plumbing Inspector(s) of the Combined Allen County General Health District.
- 1.03 Dwelling means any building or place used, or intended to be used by human occupants as a single family, two family, or three family residence,
- 1.04 Engaged in the business of plumbing means installing, altering, replacing and/or repairing plumbing systems for a consideration.
- 1.05 Industrialized Unit means a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized Unit" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized Unit" does not include a manufactured home as defined by division (C)(4) of Section 3781.06 of the Ohio Revised Code or a mobile home as defined by division (O) of Section 4501.01 of the Ohio Revised Code.
- 1.06 Journeyman Plumber means a person who has sufficient practical knowledge and mechanical competency to do plumbing under the supervision of a registered plumbing contractor.

- 1.061 Limited Plumbing Contractor means a person, who may not hold an Ohio Plumbing Contractor's License and wishes to be registered with the health district solely for the purpose of installing residential water heaters or any lawn irrigation system, water softener or other drinking water treatment devices.
- 1.07 Minor repair means cleaning or removing stoppages or the maintenance of leaks in pipes, valves, or fixtures.
- 1.08 Owner means a person who has legal title to a premise or tract of land with buildings thereon.
- 1.09 Person means the state, any political subdivision, public corporation, partnership, firm, association, individual, or other entity.
- 1.10 Plumbing Contractor or Master Plumber means a person who has demonstrated theoretical and practical knowledge of plumbing systems; ability to prepare and/or follow plans and specification; ability to supervise and/or engage in construction, installation, alteration, and repair of plumbing systems as determined by the department. Plumbing Contractors must have a State of Ohio plumbing contractor's license, issued by the Ohio Construction Industry Licensing Board (OCILB) for registration beginning with the 2009 registration period.
- 1.11 Plumbing Inspector means a person who has qualified and has been certified in accordance with Chapter 3701-37, Ohio Administrative Code relative to plumbing inspectors in health districts.
- 1.12 Public Building means any structure used as a place of resort, assembly, education, entertainment, lodging, trade, manufacture, repair, storage, traffic or occupancy by the public and all other buildings or parts and appurtenances thereof, but does not include a single family, two family or three family residence.
- 1.14 Registration means a document certifying any act of record.

#### SECTION 2.00 DUTIES OF THE DEPARTMENT, OWNERS AND CONTRACTORS

- 2.01 This department may inspect the plumbing of all buildings, industrialized units and premises within the meaning of Section 3781.06 and 3781.10 of the Revised Code, and all dwellings and premises where there is good and sufficient reason to believe that sanitary conditions are such as to endanger life or health.
- 2.02 The department shall condemn all unsanitary, defective or hazardous plumbing found in connection with all buildings and dwellings. The Board of Health shall order repair or changes found in defective plumbing as are necessary to insure the safety, welfare, and health of the public or persons occupying a structure.
- 2.03 The department shall inspect and enforce compliance with Chapter 4101:3-1 to 4101:2-13 (Plumbing Code and Chapter 3745-95 Cross Connection Backflow Prevention) of the Ohio Administrative Code wherever plumbing is done within the jurisdiction or the Combined Allen County General Health District.
- 2.04 It shall be the duty of the plumbing contractor, or owner to notify the department when plumbing is ready for inspections and/or tests during installation and completion and before the building, dwelling, or premise is used or occupied for its intended purpose.
- 2.05 Whenever the department finds that plumbing has been done contrary to the provisions of the Ohio Administrative Code and/or these regulations the department may order the plumbing in progress stopped by notice in writing served upon any person engaged in the doing or causing such plumbing to be done, and such person shall forthwith stop such work until authorized by the department or Board of Health to proceed.

- 2.06 Any actions of the department, such as stop orders or notices of violation, may be appealed to the Board of Health. Appeals shall be in writing and the appellant may appear before the Board of Health and/or be represented by an attorney, and may introduce evidence to support their claims. Appeals shall be heard at reasonable times at the convenience of the Board of Health not later than thirty days after the receipt thereof.
- 2.07 Whenever inspections or tests of plumbing are requested as provided in Section 2.04 of this regulation, and the plumbing is not ready and/or is found to be faulty or improper and a re-inspection or visit to the site is necessary to approve the plumbing as requested, such person shall be charged a re-inspection fee as established in Section F (1)(e) of the Uniform Systems of Fees Regulation as adopted by the Board of Health.

### SECTION 3.00 DRAWINGS, PLANS AND SPECIFICATIONS

- 3.01 Isometric drawing, plans and specification of all plumbing to be altered or installed in public buildings shall be submitted to and approved by the department before a permit required by Section 5.01 of this regulation will be issued.
- 3.02 The department may require that all the provisions of Section 3.01 of this regulation be performed before or at any time during alteration or installation of plumbing in a single family, two family and three family dwellings.
- 3.03 Upon submission of plans, a plan review fee shall be paid in accordance with Section F (1) (b) of the Uniform Systems of Fees Regulation as adopted by the Board of Health. No plan review fee shall be charged for plumbing in a single-family dwelling where the work is performed by a Plumbing Contractor.
- 3.04 The issuance of a permit upon drawings, plans, specifications shall not prevent the department from thereafter requiring the corrections of errors in said drawings, plans, and specifications, or from preventing construction operations being carried on hereunder, when in violation of this regulation or of any pertinent code or ordinance or from revoking any certificate of approval when issued in error.

### SECTION 4.00 REGISTRATION OF CONTRACTORS

- 4.01 Application for registration as Plumbing Contractor, Limited Plumbing Contractor or Journeyman Plumber shall be made on an application form provided by the department. The completed application and fee for registration as described in Section F (c), (d) or (f) of the Uniform Systems of Fees Regulation as adopted by the Board of Health, shall be submitted to the Combined Allen County General Health District.
- 4.02 Each registration issued shall expire annually and a renewal application for registration shall be submitted to the Board of Health prior to December 31<sup>st</sup> of each year.
- 4.03 Whenever the Health Commissioner or Plumbing Inspector finds that a Plumbing Contractor, Limited Plumbing Contractor or Journeyman Plumber has performed plumbing in violation of the provisions of this regulation or Chapter 4101:3-1, to 4101:2-13 Ohio Plumbing Code, and the Contractor refused or fails to comply after being notified of the infraction, the Board of Health shall give notice in writing to the registrant describing the alleged refusal or failure to comply with these regulations and state that an opportunity for a hearing will be provided by the Board of Health to show cause why the Registration should not be revoked.
- 4.04 Application for registration as a Plumbing Contractor or Limited Plumbing Contractor shall be in writing and contain pertinent information as required by the Board of Health including a surety bond, in the sum of \$10,000.00 in favor of the Board of Health, conditioned upon restraints' faithful compliance with plumbing regulations and standards as approved by the Board of Health. Also the applicant shall provide evidence of registration with Department of Taxation, Compliance with Worker's Compensation Laws and proof of commercial general liability insurance of not less than \$300,000.00 dollars.

- 4.05 A Plumbing Contractor or Limited Plumbing Contractor making application for registration shall furnish a bond to be approved by the Board of Health in the penal sum of \$10,000.00 conditioned to reimburse the Board of Health or any of its employees for actual damage by any act, omission, or improper plumbing. The purpose of said bond is to guarantee the proper installation or alteration of plumbing and to hold the said Board of Health, any of its agents or employees free and harmless from any and all claims for damages on account of negligence, misfeasance, or improper plumbing. Said bond shall remain in full force and effect until released by the Board of Health.

#### SECTION 5.00 PERMITS – FEES

- 5.01 It shall be unlawful for any person to install or alter plumbing or make sewer and/or water connection within any residential, commercial, industrial or industrialized unit in the Combined Allen County General Health District without first obtaining a permit from the department to do so, provided however, no permit shall be required for; minor repair within existing plumbing systems, Limited Plumbing Contractor working within their limitations or Manufactured Homes which are licensed under O.R.C. 3733.
- 5.02 Any person proposing to alter and/or install plumbing shall make application for a permit on a form provided by the Board of Health. The applicant shall pay a fee for each permit including a fee for each trap, vented fixture, appliance, or device to be installed in a plumbing system as established in Section F (1)(a) of the Uniform System of Fees. A separate application and permit shall be required for each building, structure or unit, except as determined by the Board of Health.
- 5.03 Permits to do plumbing shall be issued after the department has received the permit fee, required drawings, plans or specifications and bears the signature of the person who will perform the plumbing and accompanied by a bond to be approved by the Board of Health, in the penal sum of \$10,000.00 conditioned to reimburse the Board of Health, any of its employees, or any member of the public for actual damage by any act, omission, or improper plumbing. The purpose of said bond is to guarantee the proper installation or alteration of plumbing and to hold the said Board of Health, any or its employees, or any member of the public free and harmless from any and all claims for damages on account of negligence, misfeasance, or improper plumbing. Said bond shall remain in force and effect until released by the Board of Health.
- 5.04 Any permit to do plumbing issued by the department becomes invalid when it does not bear the signature of the person performing the plumbing. All permits shall expire one year from date of issuance unless a written request for an extension is made and approved by the department.

#### SECTION 6:00 GENERAL PLUMBING STANDARDS AND REQUIREMENTS

- 6.01 No person shall perform plumbing within the Combined Allen County General Health District, except for minor repairs as set forth herein, unless they hold a valid Plumbing Contractor or Limited Plumbing Contractor registration issued to them by the Board of Health.
- 6.02 An owner shall not be required to have a registration as a Plumbing Contractor for performing plumbing in a single family dwelling where they live or intends to live.
- 6.03 All plumbing installation or alterations, within or on a public building, as defined herein, shall be performed by either a Plumbing Contractor, Limited Plumbing Contractor or Journeyman Plumber or may be performed by non-registered persons under the direct (on site) supervision of a Plumbing Contractor or Journeyman Plumber.
- 6.04 Underground building drains and building sewers shall be bedded true to line and grade with uniform and continuous support from a firm base. Blocking shall not be used to bring the pipe to grade. Backfill material shall be properly placed and compacted to provide lateral restraint against deflection and/or damage to the pipe during final filling of the trench.

- 6.05 Building drains constructed of materials which are approved as waste piping within a building shall not be run or laid in the same trench with water service pipes or any underground water pipes unless both of the following requirements are met: (1) the bottom of the water pipe, at all points, shall be at least 12 inches above the top of the sewer line; (2) the water pipe shall be placed on a solid shelf excavated at one side of the common trench.
- 6.06 Roof water, foundation drain, cistern overflow, surface drainage or regeneration water (backwash-brine-fresh water rinse) from water treatment appliances shall not be allowed to enter the building drain or building sewer where a private sewage disposal or treatment system serves the building.
- 6.07 Fixture-supply pipe sizes, as stated in Chapter 6 Section 6.03.1 of the Ohio Plumbing Code, must originate from not less than a ¾ inch water distribution line, except a ½ inch branch may be used to supply more than one fixture providing a six fixture-unit value is not exceeded. Unit values of fixtures are shown in Table 709.1, Ohio Plumbing Code.
- 6.08 A valve controlling the water service within a building shall be readily accessible at all times.
- 6.09 In new construction where the structure is connected to sanitary sewers, all plumbing fixtures installed below grade or in basements shall be drained through a sewage lift station.

SECTION 7:00 CROSS CONNECTION AND BACKFLOW PREVENTION

- 7.01 No water service connection shall be installed or maintained to any premises where actual or potential cross connections exist which may contaminate any potable water supply or groundwater aquifers unless protected by an approved backflow prevention assembly.
- 7.02 An approved backflow prevention assembly shall be installed and maintained on each service line that is not a residential one, two or three family dwelling. Backflow prevention is required on all fire lines.
- 7.03 It shall be the duty of the property owner of any premises, on which a backflow prevention assembly is required by these regulations, to ensure they are installed, inspected, tested and repaired as needed in accordance with the following schedule or more often where inspections indicate a need.
- A) Air separation shall be inspected at the time of installation and at least every twelve months thereafter.
  - B) Double Check Valve Assemblies. Reduced Pressure Principle Backflow Prevention Assemblies and Pressure Vacuum Breaker Assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve months thereafter.
  - C) Inspections, tests and overhaul of backflow prevention assemblies listed in this regulation shall be performed at the expense of the property owner and be made by a person certified by the State of Ohio for backflow.
  - D) Backflow prevention assemblies inspections required in (B) above shall be forwarded to the Combined Allen County General Health District by the date due together with an Administrative test fee as established in Section F (1)(g) of the Uniform System of Fees Regulation as adopted by the Board of Health.
- 7.04 Failure to renew backflow prevention assembly inspections on an approved form as required in this regulation may result in notification to the Ohio Environmental Protection Agency and/or the Public Water System to recommend termination of water service.



SECTION 8:00 VARIANCE

8.01 Any person may apply to the Board of Health for a variance from rules of Chapter 4101:3-1 to 4101:2-13 OAC, or regulations of the Board of Health (Plumbing Regulations) in writing and shall include a statement of the particular rule or regulation from which variance is sought, a description of the proposed plumbing system or modification, and the necessity for the variance. The Board of Health shall not grant a variance unless the applicant demonstrates that: (1) there will be an unusual and unnecessary hardship in complying with the rule or regulation; (2) the use of the variance sought will not cause any damage or harm to the health or property of others; (3) the health of persons using the plumbing system or part thereof will not be endangered as a result of construction and operation of the system as proposed by the variance application; and (4) no other technically feasible and economically reasonable means exist for handling plumbing wastes or distributing necessary potable water for vented fixtures, appliances or devices.

SECTION 9:00 RELIEF FROM PERSONAL LIABILITY

9.01 The Health Commissioner or any person charged with the enforcement of any provisions of the Plumbing Regulation, shall not be personally liable while acting for the Board of Health of the Combined Allen County General Health District and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his official duties.

SECTION 10:00 AVAILABILITY OF OHIO PLUMBING CODE

10.01 A complete copy of Chapter 4101:3-1 to 4101:2-13 Ohio Plumbing Code (Ohio Administrative Code) is on file with the secretary of the Board of Health for inspection by the public, and is also on file in the Allen County Law Library. Copies of Chapter 4101:3-1 through 4101:3-13 Ohio Plumbing Code are available for purchase at the cost of printing and shipping or at [www.allencountyhealthdepartment.org](http://www.allencountyhealthdepartment.org).

SECTION 11:00 PENALTIES

11.01 Any person who violates any provision of this regulation shall be subject to penalties provided in Section 3707.99 (C) and/or 3709.99 Ohio Revised Code.

SECTION 12:00 EFFECT OF PARTIAL INVALIDITY

12.01 Should any part of this regulation be declared invalid or unconstitutional for any reason any remainder of this regulation shall not be affected thereby.

SECTION 13:00 REPEAL OF EXISTING PLUMBING REGULATIONS

13.01 All regulations or parts of regulations in conflict with this regulation are hereby repealed.

SECTION 14:00 EFFECTIVE DATE

14.01 These amendments to the Plumbing Regulation shall become effective on and after the 1<sup>st</sup> day of December 2008, as adopted this 14th day of November 2008, by The Combined Allen County General Health District Board of Health.

F. Plumbing Fees

1. The following schedule of fees shall be in effect for the purposed of administering and enforcing the Requirements of Chapter 4101:3-1 to 4101:2-13 of the Ohio Administrative Code and The Combined Allen County General Health District Plumbing Regulation.

(a) An applicant for a plumbing permit shall pay a fee of \$25.00 for the permit and \$16.00 for each trap, vented fixture, appliance device to be installed in a plumbing system.

(b) The review fee for plumbing plans shall be based on the fixture count of the project as listed below:

0 – 20	Fixtures - \$ 30.00
21 - 40	Fixtures - \$100.00
41– plus	Fixtures - \$200.00

(c) The registration fee for Plumbing Contractors shall be \$150.00 annually.

(d) The registration fee for Journeyman Plumbers shall be \$15.00 annually.

(e) A re-inspection fee as defined in Section 2.07 of the Plumbing Regulation shall be \$50.00.

(f) The registration fee for a Limited Plumbing Contractor shall be \$100.00

(g) The administrative test fee for backflow prevention assemblies shall be \$25.00 per water account, public water system or private water system and includes the first backflow prevention assembly. The administrative test fee for each additional backflow prevention assembly on the same water line account, public water system or private water system shall be \$10.00 for each additional backflow prevention assembly. No fee shall be charged for backflow operation assemblies owned by a governmental body.

(h) A 25% penalty fee shall be paid to the Board, by the applicant, for a permit if the Board of Health determines that the installation of plumbing was commenced prior to a permit being issued for installation or alteration of a plumbing permit.