

Section 30. Plumbing Code. General. Amendments. (Corresponding with Section 8-93 of the Manhattan City Code) The International Plumbing Code, adopted by this Resolution, is changed, altered, modified or otherwise amended as follows:

(A) Section 101.1 of the International Plumbing Code is hereby changed to read as follows: *Section 101.1 Title.* These regulations shall be known as the Plumbing Code of Pottawatomie County, Kansas, and hereinafter referred to as "this code."

(B) Section 106.6.2 of the International Plumbing Code is hereby changed to read as follows: *Section 106.6.2 Fee schedule.* The fees for all plumbing work requiring permit shall be \$25.00. For each re-inspection beyond the first re-inspection: \$50.00. Each inspection which is not deemed ready for inspection at the scheduled time shall be considered a failed inspection and subject to re-inspection. The re-inspection fee shall be paid within 10 calendar days of the date of the inspection causing the fee, and prior to a certificate of occupancy being issued for that project. Subsequent inspections for that permitted project shall not be conducted until all past due re-inspection fees have been paid. The Building Official shall have the authority to waive re-inspection fees as deemed necessary.

(C) Section 106.6.3 of the International Plumbing Code is hereby changed to read as follows: *Section 106.6.3 Fee refunds.* The code official (building official) shall authorize the refunding of fees as follows:

- (1) The full amount of any fee paid hereunder that was erroneously paid or collected.
- (2) Not more than 100% of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

(D) Section 108.4 of the International Plumbing Code is hereby changed to read as follows: *Section 108.4 Violation penalties.* Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a class B misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding six months, or by both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

(E) Section 108.5 of the International Plumbing Code is hereby changed to read as follows: *Section 108.5 Stop work orders.* Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one hundred (\$100) dollars or more than five hundred (\$500) dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

(F) Section 109 of said International Plumbing Code is hereby deleted.

(G) Section 305.4.1 of the International Plumbing Code is hereby changed to read as follows: *Section 305.4.1 Sewer depth.* Building sewers that connect to private sewage disposal systems shall be a minimum of 34 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 34 inches below grade.

(H) Section 306.5 of the International Plumbing Code is hereby added to read as follows: *Section 306.5 Excavation in public way.* No person shall excavate or cause excavation to be made in any street, alley, or public highway in that part of Pottawatomie County subject to these regulations without first obtaining a permit therefore from the Public Works Director. After inspection, all trenches or excavations located in the traveled way of streets, alleys, or public reservations shall be backfilled according to the specifications and requirements of the Department of Public Works of Pottawatomie County, Kansas.

(I) Section 306.6 of the International Plumbing Code is hereby added to read as follows: *Section 306.6 Protection.* All excavation of public grounds shall be protected at all times by approved barricades, warning devices and signing. All protective and warning devices shall meet County specifications and requirements and the "Manual on Uniform Traffic Control Devices."

(J) Section 403.1 of the International Plumbing Code is hereby changed to read as follows: *Section 403.1 Minimum number of fixtures.* Plumbing fixtures shall be provided in the minimum numbers as shown in Table 403.1 based on the actual use of the building or space. Uses not shown in Table 403.1 shall be considered individually by the code official. The number of occupants for purposes of section 403 shall be determined by the International Building Code or may be determined by the code official for specific occupancies. Individual fixtures may be waived by the code official when specific conditions warrant.

(K) Section 502.1 of the International Plumbing Code is hereby changed to read as follows: *Section 502.1 General.* Water heaters shall be installed in accordance with the manufacturer's installation instructions. Oil fired water heaters shall conform to the requirements of this code and the International Mechanical Code. Electric water heaters shall conform to the requirements of this code and the provisions of the National Electrical Code as adopted in this Resolution. Gas fired water heaters shall conform to the requirements of the International Fuel Gas Code.

(L) Section 607.2 of the International Plumbing Code is hereby changed to read as follows: *Section 607.2 Hot or tempered water supply to fixtures.* Where the developed length of hot water piping from the source of hot water supply to the farthest fixture exceeds 50 feet (15,240 mm), the hot water supply system shall be provided with a method of maintaining the temperature in accordance with the International Energy Conservation Code.

(M) Section 701.8 of the International Plumbing Code is hereby added to read as follows: *Section 701.8 Prohibited connection.* No roof drains, surface water, subsurface drainage including interior and exterior foundation drains, or sump pumps, shall be connected to the sanitary sewer system:

(N) Section 701.9 of the International Plumbing Code is hereby added to read as follows: *Section 701.9 Connection to public sewer.* No house, building, or premises shall be connected to the public sewer without permit issued by the administrative authority. All work of laying pipe shall be done by a licensed drainlayer or licensed plumber, in either case, licensed by Pottawatomie County or pursuant to reciprocity provisions. All connections to the public sewers shall be made through approved methods and materials only.

(O) Section 903.1 of the International Plumbing Code is hereby changed to read as follows: *Section 903.1 Roof extension.* All open vent pipes that extend through a roof shall be terminated at least 6 inches (153 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2,134 mm) above the roof.

Section 31. Plumbing Code. General. Definitions. (Corresponding with Section 8-100 of the Manhattan City Code) For the purposes of the plumbing provisions of this Code, the following words and phrases shall have the meanings respectively ascribed to them:

Assist shall mean to perform those tasks for which specialized training, education, experience or certification is not necessary.

Code Official shall mean the building official as set out in Section 3 of this Resolution.

Drainlaying shall mean the laying of sewer laterals from the public sewer to a point not less than two feet from the foundation walls of the building to be drained.

Master drainlayer shall mean any person who holds a master drainlayer's certificate issued by the County or another City or County pursuant to the reciprocity provisions set out in K.S.A. 12-1509(b) and (c).

Journeyman drainlayer shall mean any person who holds a journeyman drainlayer's certificate issued by the County or another City or County pursuant to the reciprocity provisions set out in K.S.A. 12-1509(b) and (c).

Master plumber shall mean any person who holds a master plumber's certificate issued by Pottawatomie County or another City or County pursuant to the reciprocity provisions set out in K.S.A. 12-1509(b) and (c).

Journeyman plumber shall mean any person who holds a journeyman plumber's certificate issued by Pottawatomie County or another City or County pursuant to the reciprocity provisions set out in K.S.A. 12-1509(b) and (c).

Plumber's apprentice shall mean any person who assists a master drainlayer, journeyman drainlayer, master plumber or journeyman plumber in performing plumbing work.

Plumbing contractor shall mean any person, firm, or corporation who is qualified as or employs master plumbers who are qualified to serve the public in the business of plumbing.

Plumbing work shall mean any work for which a permit is required by the International Plumbing Code, as adopted by this Resolution.

Section 32. Plumbing Code. Examination and Certification. Examination and certification of plumbers. Plumbers' examining board. (Corresponding with Section 8-116 of the Manhattan City Code) The Public Works Director of the County or his designee shall designate the type of examination of all applicants desiring to engage in or work at plumbing or drainlaying work within their jurisdiction.

Section 33. Plumbing Code. Examination and Certification. Examination and certification of plumbers. Application; examination.

(A) Any person desiring to engage in or work in the plumbing, or drainlaying business as a master or journeyman shall make application to the Public Works Director or his designee to be examined as to their qualifications to do such work. Applicants for plumber or drainlayer certificates shall be examined as to their practical knowledge and competency as plumbers or drainlayers. Two years of practical plumbing or drainlaying work is required to

take the journeyman examination and four years of practical experience is required to take the master examination. A score of 75 percent or higher is required to pass the examination. Any applicant failing to score a minimum of 75 percent on the examination may be reexamined upon payment of the examination fee. Applicants who successfully pass the examination shall, upon payment of the certificate fee, receive certificates authorizing them to engage in or work as master plumbers, master drainlayers, journeyman plumbers or journeyman drainlayers. Pursuant to the provisions of K.S.A. 12-1509 (b) and (c), the certificate of competency received by any person who passes an examination designated in K.S.A. 12-1508, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of plumbers practicing within such county or city. The Director of Public works shall issue the appropriate license to any applicant therefore who presents such a certificate of competency. The applicant shall pay the uniform fee to be charged all such applicants for licensure. Any person not entitled to a license pursuant to the reciprocity provisions of K.S.A. 12-1509 (b) and (c) shall be required to take and pass the examination described in K.S.A. 12-1508.

(B) Any person desiring to work as a plumber's apprentice shall make application to the Public Works Director or his designee. Applicants, upon payment of the certificate fee, shall receive a plumber's apprentice certificate authorizing them to work as a plumber's apprentice. Pursuant to the provisions of K.S.A. 12-1509 (b) and (c), the certificate of competency received by any person who passes an examination designated in K.S.A. 12-1508, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of plumbers practicing within such county or city. The Director of Public works shall issue the appropriate license to any applicant therefore who presents such a certificate of competency. The applicant shall pay the uniform fee to be charged all such applicants for licensure. Any person not entitled to a license pursuant to the reciprocity provisions of K.S.A. 12-1509 (b) and (c) shall be required to take and pass the examination described in K.S.A. 12-1508.

(C) Pursuant to the provisions of K.S.A. 12-1509 (b) and (c), a certificate of competency received by any person who passes an examination designated in K.S.A. 12-1508, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of plumbers practicing within such county or city. The Director of Public works shall issue the appropriate license to any applicant therefore who presents such a certificate of competency. The applicant shall pay the uniform fee to be charged all such applicants for licensure. Any person not entitled to a license pursuant to the reciprocity provisions of K.S.A. 12-1509 (b) and (c) shall be required to take and pass the examination described in K.S.A. 12-1508.

Section 34. Plumbing Code. Examination and Certification. Certificates.

(A) It is unlawful for any person, except as otherwise provided in this section, to perform any plumbing work, without possessing a valid, unrevoked master plumber's certificate or journeyman plumber's certificate issued pursuant to this Resolution. It is further unlawful for any person to engage in or work at the business of drainlaying without possessing a valid, unrevoked master drainlayer's certificate or a journeyman drainlayer's certificate issued under the provisions of this Resolution. Installation of lawn irrigation systems may be done with an irrigation sprinkler certification, available through Experior Assessments, and an irrigation sprinkler contractor's license. The fee for the irrigation system certification license

shall be the same as for a master plumber's license and the fee for an irrigation sprinkler system contractor's license shall be the same as for a plumbing contractor's license. Pursuant to the provisions of K.S.A. 12-1509 (b) and (c), the certificate of competency received by any person who passes an examination designated in K.S.A. 12-1508, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of plumbers practicing within such county or city. The Director of Public works shall issue the appropriate license to any applicant therefore who presents such a certificate of competency. The applicant shall pay the uniform fee to be charged all such applicants for licensure. Any person not entitled to a license pursuant to the reciprocity provisions of K.S.A. 12-1509 (b) and (c) shall be required to take and pass the examination described in K.S.A. 12-1508.

(B) It is unlawful for any person to work as a plumber's apprentice without possessing a valid, unrevoked plumber's apprentice certificate. Every plumbing apprentice shall carry a plumber's apprentice certificate, as issued pursuant to these Regulations, at all times while in the performance of their duties as a plumber's apprentice. Pursuant to the provisions of K.S.A. 12-1509 (b) and (c), the certificate of competency received by any person who passes an examination designated in K.S.A. 12-1508, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of plumbers practicing within such county or city. The Director of Public works shall issue the appropriate license to any applicant therefore who presents such a certificate of competency. The applicant shall pay the uniform fee to be charged all such applicants for licensure. Any person not entitled to a license pursuant to the reciprocity provisions of K.S.A. 12-1509 (b) and (c) shall be required to take and pass the examination described in K.S.A. 12-1508.

(C) Any person may perform plumbing work on the premises in which they own and reside, however, a permit must be secured for such plumbing work and such work shall be inspected and approved by the building official and applicable fees paid.

(D) It is unlawful for any person to permit or allow any number of plumbing apprentices to assist master plumbers, journeyman plumbers, master drainlayers or journeyman drainlayers in performing plumbing work in excess of the following ratio: two plumbing apprentices for every master plumber, journeyman plumber, master drainlayer or journeyman drainlayer.

Section 35. Plumbing Code. Examination and Certification. Fees. (Corresponding with Section 8-119 of the Manhattan City Code) The following fees for examinations, certificates and renewals of certificates under the Plumbing provisions of this Code shall apply:

- (A) *Master plumber:*
 - (1) Certification or renewal, per year \$20.00
 - (2) Examination (without certification fee), per exam 5.00
- (B) *Journeyman plumber:*
 - (1) Certification or renewal, per year 10.00
 - (2) Examination (without certification fee), per exam 5.00
- (C) *Master drainlayer:*
 - (1) Certification or renewal, per year 20.00
 - (2) Examination (without certification fee), per exam 5.00
- (D) *Journeyman drainlayer:*

- (1) Certification or renewal, per year 10.00
- (2). Examination (without certification fee), per exam 5.00
- (E) *Plumber's apprentice:*
 - (1) Certification or renewal, per year 10.00

Section 36. Plumbing Code. Examination and Certification. Registration of nonresident plumbers. (Corresponding with Section 8-120 of the Manhattan City Code) Pursuant to the provisions of K.S.A. 12-1509 (b) and (c), the certificate of competency received by any person who passes an examination designated in K.S.A. 12-1508, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of plumbers practicing within such county or city. The Director of Public works shall issue the appropriate license to any applicant therefore who presents such a certificate of competency. The applicant shall pay the uniform fee to be charged all such applicants for licensure. Any person not entitled to a license pursuant to the reciprocity provisions of K.S.A. 12-1509 (b) and (c) shall be required to take and pass the examination described in K.S.A. 12-1508. Such persons are hereby required to register the certificate with the Public Works Director before doing any plumbing or drainlaying work in the area of Pottawatomie County subject to these regulations. Registration of nonresident certificates shall be effective until December 31 of even-numbered years and may be renewed biennially thereafter upon payment of the required fee and submission of any required continuing education hours.

Section 37. Plumbing Code. Examination and Certification. Licensing. (Corresponding with Section 8-121 of the Manhattan City Code)

(A) It shall be unlawful for any person to engage in the business of plumbing within that part of Pottawatomie County subject to these regulations without a license to do so issued by the Public Works Director or his designee upon payment of a biennial license fee of \$200.00. All such licenses shall expire on December 31 of even-numbered years. Licenses shall be required of master plumbers engaged in the business of plumbing contracting and shall likewise be required of all persons engaged in the business as plumbing contractors and having in their full time employ qualified master plumbers; provided that it is the intent and purpose of this section to require one license fee only for each person engaged in the plumbing business as an individual unit; provided, further, that licenses shall be issued only to qualified master plumbers or to persons who have in their employ qualified master plumbers. For the purpose of this section and section (b), full time means at least 40 hours per week.

(B) It shall be unlawful for any person to engage in the business of drainlayer within that part of Pottawatomie County subject to these regulations without a license to do so issued by the Public Works Director or his designee upon payment of a biennial license fee of \$200.00. All such licenses shall expire on December 31 of even-numbered years. Licenses shall be required of master drainlayers engaged in the business of drainlaying contracting and shall likewise be required of all persons engaged in the business as plumbing contractors and having in their full time employ qualified master drainlayers; provided, that it is the intent and purpose of this section to require one license fee only for each person engaged in the drainlaying business as an individual unit; provided further, that licenses shall be issued only to qualified master drainlayers or to persons who have in their employ qualified master drainlayers.

(C) Pursuant to the provisions of K.S.A. 12-1509 (b) and (c), the certificate of competency received by any person who passes an examination designated in K.S.A. 12-1508, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of plumbers practicing within such county or city. The Director of Public works shall issue the appropriate license to any applicant therefore who presents such a certificate of competency. The applicant shall pay the uniform fee to be charged all such applicants for licensure. Any person not entitled to a license pursuant to the reciprocity provisions of K.S.A. 12-1509 (b) and (c) shall be required to take and pass the examination described in K.S.A. 12-1508.

Section 38. Plumbing Code. Examination and Certification. Renewal. Any certificate issued pursuant to this Code shall expire on December 31 of even-numbered years and may be renewed without reexamination by the Public Works Director or his designee and no proof having been presented that the holder is not entitled to renewal. In addition, proof of 12 clock hours of continuing education of a type acceptable to the Public Works Director or his designee shall be submitted biennially at the time of license renewal in order to renew. All certificates, which are nontransferable, must be registered with the building official not later than January 10 of the year following expiration or they will become void, and it is hereby made the duty of each master plumber to see that each journeyman plumber and apprentice working for him has been registered.

Section 39. Plumbing Code. Examination and Certification. Supervision of plumbing work; revocation of certificates. (Corresponding with Section 8-123 of the Manhattan City Code) The Public Works Director and the building official are hereby charged with the supervision of all plumbing construction work and all matters pertaining thereto in that part of Pottawatomie County subject to these regulations. The Public Works Director shall have the power to suspend for a definite period or to revoke, after a hearing, the license of any plumbing contractor or the certificate of any plumbing master or journeyman for violation of rules and regulations governing plumbing work or for other violation of this Code.

Section 40. Fuel Gas Code. General. Definitions. The following words and phrases, when used herein, shall have the meanings respectively ascribed to them:

Journeyman gas fitter means any person holding a certificate authorizing him to work as a gas fitter and who works under the direction and control of a master gas fitter.

Master gas fitter means a person who maintains a place of business and designs gas installations.

Code inspection officer shall mean the Building Official as set out in Section 3 of this Resolution.