

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 4, "PLUMBING CODE," OF CHAPTER 4 OF THE INDEPENDENCE CITY CODE AND ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2018 Edition of the International Plumbing Code now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 4 of Chapter 4;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4.04.001, "Plumbing Code", of the Independence City Code, be and is hereby amended, to read as follows:

"SEC. 4.04.001. ~~UNIFORM ADOPTION OF INTERNATIONAL~~ PLUMBING CODE ~~ADOPTED.~~ The International Plumbing Code, 2018~~28~~ Edition, as published by the International Code Council, Inc., is hereby adopted as the Plumbing Code of the City of Independence, Missouri for the control of plumbing installation or construction, as herein provided, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code."

SECTION 2. That Sections 4.04.002 through 4.04.018, of the "Plumbing Code", of the Independence City Code, be and is hereby added, to read as follows:

"SEC. 4.04.002. ADDITIONS, INSERTIONS, DELETIONS, AND CHANGES.
The following numbered subsections and provisions of the approved edition of the Plumbing Code, adopted by Section 4.04.001, are hereby amended as follows:

Section 305.4.1 Amend to read as follows:

Section 305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be installed not less than 12 inches (304.8 mm) below finished grade at the point of septic tank connection. Building sewers shall be installed not less than 12 inches (304.8 mm) below grade.

Section 312.10 Amend to read as follows:

Section 312.10 Inspection and testing of backflow prevention assemblies. Inspection and testing of backflow prevention assemblies shall be in accordance with the rules and regulations of the Independence, Missouri Water Department's Water Service Line and Backflow Standards.

Section 312.10.1 Inspections. Delete

Section 312.10.2 Testing. Delete

Section 714 Backwater Valves. Delete

Section 903.1 Amend to read as follows:

Section 903.1 Roof extension. Open vent pipes that extend through a roof shall be terminated not less than 12 inches (304.8 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

Section 918.1 Amend to read as follows:

Section 918.1 General. Air admittance valve are only allowed when approved by the Building Official.

Section 918.2 Installation. Delete

Section 918.3 Where permitted. Delete

Section 918.3.1 Horizontal branches. Delete

Section 918.3.2 Stack. Delete

Section 918.4 Location. Delete

Section 918.5 Access and ventilation. Delete

Section 918.6 Size. Delete

Section 918.7 Vent required. Delete

Section 918.8 Prohibited installations. Delete

Section 1113.1.3 Amend to read as follows:

Section 1113.1.3 Electrical. Electrical service outlets, where required, shall meet the requirements of NFPA 70. Battery back-up power supplies for sump ejector pumps receiving storm water drainage are required.

Appendix A. Amend to read as follows:

Appendix A. Plumbing Permit Fee Schedule is located in the City's Schedule of Fees.

SEC. 4.04.00~~23~~**23**. ENFORCEMENT OF THE PLUMBING CODE.

The Plumbing Code shall be enforced by the Building Official. The Building Official may designate as plumbing inspectors such members of the Building Inspection Division as may be necessary to enforce the provisions of the Plumbing Code.

SEC. 4.04.00~~34~~**34**. BUILDING OFFICIAL DUTIES.

The Building Official shall administer the provisions of the approved edition of the ~~Uniform~~ **International** Plumbing Code as amended, and perform the following duties:

1. Issue all plumbing permits.
2. Require the submission of plans and specifications necessary to indicate clearly the character and extent of work for which a plumbing permit is requested.

3. Keep a permanent, accurate record of all licenses and permits issued and fees collected.
4. Inspect all plumbing and drainage work for which a permit has been issued.
5. Reject all plumbing and drainage work or materials used in such work that does not comply with the provisions of the **Uniform International** Plumbing Code.
6. Order changes in workmanship or materials in order to achieve compliance with the provisions of the **Uniform International** Plumbing Code.
7. Investigate all dangerous or unsanitary plumbing systems.
8. Maintain a register of all persons lawfully entitled to engage in the business of a plumbing contractor or to labor at the trade of plumbing.
9. Maintain a file of all matters relevant to the administration of the Plumbing Code.
10. Deposit all license and permit fees as required by the Director of Finance.

SEC. 4.04.0045. PLUMBING PERMIT NOT TRANSFERABLE.

A permit issued under the provisions of this Article is not transferable from one person to another person or from one location to another location.

SEC. 4.04.0056. PERSONS TO WHOM A PLUMBING PERMIT MAY BE ISSUED.

A plumbing permit shall be issued only to a master plumber licensed under the provisions of this Article or to any person personally performing plumbing work in a single family dwelling, including accessory buildings, that is detached and intended, or designed for occupancy by one (1) family and is owned and occupied by such person.

Exceptions:

A. A mobile home contractor licensed in the City of Independence, Missouri, may obtain the required plumbing permits necessary for the plumbing hookups to existing piping that was in service prior to such mobile home replacement.

B. The Building Official may issue a special permit subject to the following conditions:

1. That a special permit shall be issued for only a single period of ninety consecutive days, except that such special permit shall continue in force until the project for which such special permit was issued is completed in accordance with other provisions of the Code.

2. Any person obtaining a special permit under the provisions of this section shall not be eligible for another such special permit until a period of five (5) years has elapsed from the date of issuance of a previous special permit.

3. This special permit shall be limited to an owner who shall become the occupant for at least two (2) years after the issuance of the Certificate of Occupancy of a single family residential dwelling, which is either moved onto the owner's premises from another location, or is to be constructed by the owner. Any person applying for a permit shall, at the time application is made, sign an affidavit stating that they are the owner of the property and will become the occupant of the residence for at least two (2) years after issuance of the Certificate of Occupancy.

C. A fire sprinkler contractor with personnel who have a current Missouri Department of Natural Resources Public Drinking Water Program Certificate to install and test backflow prevention assemblies, may obtain a permit to install/test such devices in the City of Independence, Missouri.

SEC. 4.04.0067. SCHEDULE OF FEES.

A. Fees, as set forth in the City's Schedule of Fees, shall be paid upon the issuance of a permit to any person for the installing, altering, replacing or repairing any plumbing installation.

B. The minimum fee for any permit issued under the provisions of this section shall be set forth in the City's Schedule of Fees.

C. Any person who shall commence any plumbing work for which a plumbing permit required without first obtaining such permit shall be required to pay a permit fee that is equal to and in addition to the original permit fee as set forth in the City's Schedule of Fees for such plumbing work, except that emergency plumbing repair is exempt from this requirement.

D. The supplementary fee to cover any additional value not included in the original permit shall be the difference between the fee paid for the original permit and the fee which would have been required had the original Permit included the entire value.

E. Permit fees provide for the customary inspections only. Where additional inspections are made necessary by incomplete or faulty work or because of incorrect address given or because the building is locked, no fee shall be charged for the first re-inspection; however, a fee, as set forth in the City's Schedule of Fees, shall be charged for the second re-inspection and shall double for each additional re-inspection thereafter. All such re-inspection fees shall be paid by the permittee before another inspection can be requested.

SEC. 4.04.0078. EMERGENCY PLUMBING REPAIR.

A. Emergency plumbing repair work may be performed without first obtaining a plumbing permit as required by Section ~~101.3~~ **106.1** of the approved edition of the **Uniform International Plumbing Code** when such work is urgently necessary, and it is impractical to obtain a plumbing permit prior to the commencement of the emergency repair work.

B. Any person who performs emergency plumbing repair work without first obtaining a plumbing permit shall obtain a plumbing permit within seventy two (72) hours from the date that such emergency repair work is completed. Any person who fails to obtain a plumbing permit within the time stipulated herein shall pay a permit fee that is double the fee specified for such plumbing repair work.

SEC. 4.04.0089. EXPIRATION OF PLUMBING PERMIT.

A. Every plumbing permit issued by the Building Official under the provisions of this Article shall expire and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of issue of such permit, or if such work is commenced and subsequently suspended or abandoned for a period exceeding one hundred eighty days (180).

B. A permit issued under the provisions of this Article that has expired may be renewed upon payment of one half the appropriate fee required by ~~Section 4.04.019 of this Article~~ **Section 106.5.3 of the International Plumbing Code** provided that no changes have been made in the original plans and specifications for such work and further provided that any suspension or abandonment of work authorized by such permit has not exceeded one (1) year.

SEC. 4.04.00910. DANGEROUS OR INSANITARY PLUMBING SYSTEM.

A. It shall be unlawful for any person to maintain any plumbing system in a dangerous or insanitary condition.

B. Whenever the Building Official determines that any person is maintaining a plumbing system in a dangerous or insanitary condition, the Building Official shall order such person to discontinue the use of or to repair, alter, remove or demolish such plumbing system.

C. Whenever the Building Official determines that any gas piping or gas appliance is being maintained in a dangerous condition, the Building Official may order any person supplying gas to such gas piping or gas appliance to discontinue supplying gas thereto until such gas piping or gas appliance is repaired or replaced.

D. Any order issued by the Building Official under the provisions of this section shall be in writing, addressed to the person responsible for the premises in which such dangerous or insanitary condition exists and shall specify a date or time for compliance with such order.

SEC. 4.04.0101. NOTIFICATION BY PLUMBING PERMIT HOLDER.

A. Any person receiving a permit under the provisions of this Article shall notify the Building Official that the plumbing work for which such permit was issued is ready for inspection. Such notification shall be given at least twenty four (24) hours before the work is to be inspected.

B. Any person making such notification shall insure that the work authorized by the permit shall comply with the standards and meet the prescribed tests of the approved edition of the **Uniform International Plumbing Code**.

SEC. 4.04.0102. VEHICLE IDENTIFICATION.

Any vehicle used by a licensed plumbing contractor in the conduct of business shall carry the firm name, address and telephone number in letters at least two inches (2") high on both sides of such vehicle.

SEC. 4.04.0103. UNIT HEATER AND HEATING UNIT INSTALLATION.

Any plumbing contractor who is licensed under the provisions of this Article is hereby authorized to install any unit heater or heating unit not requiring the installation of duct work provided that such unit heater or heating unit is gas fired and further provided that the plumbing contractor has first obtained a permit for such installation.

SEC. 4.04.0104. UNLAWFUL SANITARY SEWER CONNECTIONS.

It shall be unlawful for any person to permit storm, surface or ground water to drain into any sanitary sewer system, or to make a connection that would permit effluent from any cesspool, septic tank or any sewage tank to drain into any such sanitary sewer system.

SEC. 4.04.0105. UNLAWFUL WATER SYSTEM CONNECTIONS.

A. It shall be unlawful for any person to install or maintain any potable water supply piping which fails to comply with Section ~~601.0~~ 604 of the **Uniform International Plumbing Code** or the standards set out in Title 1, Division 60, Chapter 11 of the Missouri Code of State Regulations (10 CSR 60 11.010, et seq.) Whenever there is a conflict between the **Uniform International Plumbing Code** and 10 CSR 60 11.010, et seq. of the Missouri Code of State Regulations, regarding potable water supply piping, the more stringent requirement shall apply.

B. The Director of the Water Department or his/her authorized representative shall have authority to inspect any premises when the Director has reasonable grounds to believe that any potable water supply piping fails to comply with Section ~~601.0~~ 604 of the **Uniform International Plumbing Code** or 10 CSR 60 11.010, et seq. of the Missouri Code of State Regulations. If the Director or his/her authorized representative is denied access to the premises for such inspection, a warrant shall be first obtained, pursuant to Section 1.22.010 of this Code.

C. Whenever the Director of the Water Department determines that any person is maintaining potable water supply piping in violation of the requirements of this section, he/she shall immediately order such person to discontinue the use of or to repair, alter, remove or demolish such potable water supply piping.

D. Whenever the Director of the Water Department determines that any potable water supply piping is being maintained in violation of the requirements of this section, he/she may discontinue water service to the potable water supply system until such potable water supply piping is repaired or replaced.

E. Any order issued by the Director of the Water Department under the provisions of this section shall be in writing, addressed to the person maintaining the potable water supply piping in violation of this section, and shall specify a date or time for compliance with such order.

F. The Right of Appeal set out in Section 4.04.02816, below, shall not apply to Unlawful Water System connections or to any action taken by the Director of the Water Department or his/her authorized representative under this Section 4.04.02715. Any person seeking relief from the provisions of this rule shall obtain a letter of exemption from the Department of Natural Resources as provided by Title 10, Division 60, Chapter 11, Section 10CSR 60 11 010, (3) (F) of the Code of State Regulations.

SEC. 4.04.0156. RIGHT OF APPEAL PROCEDURE.

A. Whenever any person is aggrieved by a decision of the Building Official in the interpretation of the approved edition of the **Uniform International** Plumbing Code, or when such person claims that the action of the Building Official is not in accordance with the provisions of such Code or when the Building Official disapproves the proposed use of alternate materials or methods by such person in plumbing installation, such person shall have the right to appeal to the Board of Building and Engineering Appeals as constituted in Article 10 of Chapter 4 of the Independence City Code.

B. Any person aggrieved by the decision of the Building Official in regard to the revocation of a license as provided in this Article shall have the right of appeal to the City Council. Such appeal shall be taken by filing with the City Clerk for transmittal to the City Council within fourteen (14) days after notice of the decision by the Building Official has been mailed to such person's last known address a written statement setting forth the grounds for the appeal. The City Council shall set the time and place for the hearing on such appeal. A notice of such hearing shall be given in the same manner as provided in Section 4.04.0145 (B) of this Article.

SEC. 4.04.0167. APPEAL FEE.

A fee of One Hundred Dollars (\$100.00) shall accompany any appeal filed under the provisions of Section 4.04.02816 of this Article.

SEC. 4.04.0178. PENALTY.

Any person violating any of the provisions of this Article shall upon conviction thereof be punished by a fine of not less than Twenty five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for each violation. Such punishment in the case of a licensed plumber shall be in addition to the revocation of a plumber's license as provided for in Section ~~4.04.018~~ **4.02.018** of this Article. Each and every day upon which such violation continues shall be deemed a separate offense.

SEC. 4.04.0189 - 4.04.999 RESERVED."

SECTION 2. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 3. That the effective date of this ordinance shall be January 1, 2019 and the previously adopted Plumbing Code shall remain in effect until that date.

SECTION 4. That Ordinance No. 18016 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That all other parts and provisions of Article 4 of Chapter 4 not amended or repealed herein shall remain in full force and effect.

SECTION 6. That correction of any scrivener's errors identified within Article 4 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2018, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.