

A Resolution Setting Chapter 100 Plumbing Rules for 2009

**MANSFIELD/ONTARIO/RICHLAND COUNTY
BOARD OF HEALTH RESOLUTION
#BOH/EH-2009-01**

WHEREAS, the Mansfield/Ontario/Richland County Combined Health District is a health district having all powers and duties conferred by law; and,

WHEREAS, acting under the authority vested in it by Section 3709.21, of the Ohio Revised Code, may adopt regulations necessary for the public health and safety and the prevention and restriction of disease, and;

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 4101:3-13,

WHEREAS, The State of Ohio has in place "Cross Connection Backflow Prevention", OAC Chapter 3745-95,

WHEREAS, The Mansfield/Ontario/Richland County Combined Health District has a plumbing inspection program in place; and

WHEREAS, Updates and revisions to the Plumbing Program Rules are necessary from time to time: and

NOW THEREFORE, be it resolved by the Board of Health of the Mansfield/Ontario/Richland County Combined Health District comprised of fourteen members, by a majority concurring:

Section 1. That Chapter 4101:3-1 to -13 of the Ohio Administrative Code, also known as the Ohio Plumbing Code, and Chapter 3745-95 of the Ohio Administrative Code, also known as "Cross Connection Backflow Prevention" 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:

Chapter 100 PLUMBING PROGRAM RULES

100.01 Definitions

100.01-1 Alter means to change plumbing by making additions, or deletions, within an existing plumbing system.

100.01-2 Commercial Establishment shall have the same meaning as Public Building.

100.01-3 Department means the Health Commissioner or Plumbing Inspector(s) or other authorized representative of the Mansfield/Ontario/Richland County Health Department.

100.01-4 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.

100.01-5 Engaged in the business of plumbing means installing, altering, replacing and/or repairing plumbing systems for a consideration.

100.01-6 Manufactured Unit means a manufactured home, mobile home, double wide, modular home or any unit that is manufactured offsite and requires transportation to a manufactured home park or individual building lot and is set on a temporary or permanent foundation. Manufactured unit does not mean a recreational vehicle.

100.01-7 Minor repair means cleaning or removing stoppages or minor maintenance issues of a plumbing system, or of leaks in pipes, valves, or fixtures.

100.01-8 Owner means a person who has legal title to a premise or tract of land with buildings thereon.

100.01-9 Person means the state, any political subdivision, public corporation, partnership, firm, association, individual, or other entity.

100.01-10 Plumbing means the practice, materials, and fixtures utilized in the installation, maintenance, extension, and alteration of all piping, fixtures, plumbing appliances and plumbing appurtenances, within or adjacent to any structure, in connection with sanitary drainage or storm drainage facilities; venting systems; and public or private water supply systems. Not included in this definition are installations of chilled water piping in connection with refrigeration, process and comfort cooling; hot water piping in connection with building heating; and piping for fire protection systems.

100.01-11 Plumbing Contractor means a person who has 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.

100.01-12 Plumbing Inspector means a person who has qualified and has been certified in accordance with Chapter 3701-37, Ohio Administrative Code relative to plumbing inspector in health districts.

100.01-13 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.

100.01-14 Registration means a document certifying any act of record.

100.01-15 Service Provider means any company, and/or person(s) providing any other type of services other than that of a plumbing contractor within the jurisdiction of the Mansfield/Ontario/Richland County Health Department where equipment such as a water softener, water filtration system, or any other device is installed in the plumbing system.

100.02 DUTIES OF THE DEPARTMENT, OWNERS, AND CONTRACTORS

100.02-1 The department may inspect the plumbing of all buildings, manufactured units and premises within the meaning of Section 3781.06 and 3781.10 of the Revised Code, and all dwellings, manufactured units, and premises where there is good and sufficient reason to believe that sanitary conditions are such as to endanger life or health.

100.02-2 The department shall condemn all unsanitary, defective or hazardous plumbing found in connection with all buildings, manufactured units, 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 any of the above.

100.02-3 The department shall inspect and enforce compliance with Chapter 4101:3-1 to 4101:3-13 of the Ohio Administrative Code, hereafter referred to as the "Ohio Plumbing Code" and Chapter 3745-95 of the Ohio Administrative Code, hereafter referred to as "Cross Connection Backflow Prevention" wherever plumbing is done within the jurisdiction of the Mansfield/Ontario/Richland County Health Department.

100.02-4 It shall be the duty of the plumbing contractor, service provider, and/or owner to notify the department when plumbing is ready for inspections and/or tests during installation, upon completion, and before the commercial building, dwelling, manufactured unit or premise is used or occupied for its intended purpose.

100.02-5 Whenever the department finds that plumbing has been done in violation of provisions of the "Ohio Plumbing Code", the "Cross Connection Backflow Prevention", or this regulation, 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 Board of Health, the Plumbing Inspector or the Plumbing Inspector's authorized representative to proceed.

100.02-6 Any actions of the department, such as stop orders or notices of violation, may be appealed to the Board of Health. Appeals shall be submitted within ten (10) days of the issuance of the department action, stop order and/or notice of violation, and shall be submitted in writing to the Mansfield/Ontario/Richland County Health Department. The appellant and/or his attorney may appear before the Board of Health, and may introduce evidence to support their claims. Appeals shall be heard at the next regularly scheduled Board of Health meeting after the receipt of the appeal thereof.

100.02-7 Whenever inspections or tests of plumbing are requested as provided in 100.02-4 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 the Plumbing Fees Schedule of the Mansfield/Ontario/Richland County Health Department.

100.03 DRAWINGS, PLANS, AND SPECIFICATIONS

100.03-1 Isometric drawings, plans and specifications 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 100.05-1 of this regulation will be issued.

100.03-2 Upon submission of plans, a plan review fee shall be paid in accordance with the Plumbing Fees Resolution as adopted by the Board of Health.

100.03-4 The issuance of a permit upon submitted drawings, plans, and 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.

100.04 REGISTRATION OF CONTRACTORS

100.04-1 Application for registration as a Plumbing Contractor, or as a Service Provider, shall be made on an application form provided by the department. All applicants for registration as a Plumbing Contractor shall meet the registration requirements of the Mansfield/Ontario/Richland County Health Department.

100.04-2 Anyone wishing to register as a Plumbing Contractor must submit proof of a current state license with Ohio Construction Industry Licensing Board as a plumbing contractor.

100.04-3 Each Plumbing Contractor or Service Provider registration issued shall expire annually and a renewal application for registration shall be submitted to the Board of Health prior to January 1st of each year, or a late registration fee will be charged for anyone registered during the previous year.

100.04-4 Whenever the Health Commissioner or Plumbing Inspector finds that a Plumbing Contractor or Service Provider has performed plumbing in violation of provisions of the "Ohio Plumbing Code", the "Cross Connection Backflow Prevention", or this regulation, and the Plumbing Contractor refuses or fails to comply after being notified of the violation, 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.

100.05 PERMITS

100.05-1 It shall be unlawful for any person to install or alter plumbing or make sewer and/or water connection(s) in any dwelling or commercial establishment within the jurisdiction of the Mansfield/Ontario/Richland County Health Department without first obtaining a permit from the department.

100.05-2 Anyone who starts or performs work, which would normally require a plumbing permit, will be charged a late permit fee as listed in the Mansfield/Ontario/Richland County Health Department fee schedule in addition to the regular permit fee.

100.05-3 No permit shall be required for minor repair within existing plumbing systems of any dwelling or commercial establishment.

100.05-4 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 the

current Schedule of Plumbing Fees as adopted by the Mansfield/Ontario/Richland County Health Department. A separate application and permit shall be required for each building, structure or unit, except as determined by the Board of Health.

100.05-5 Permits to do plumbing shall be issued after the department has approved all required drawings, plans or specifications. The permit application must bear the signature of the person and/or authorized representative of the company who will perform the plumbing.

100.05-6 All plumbing permits shall expire one year from date of issuance, with an option to renew the permit if requested in writing and if approved by the Mansfield/Ontario/Richland County Health Department.

100.05-7 A plumbing permit may only be transferred once, from the initial permit holder to a second permit holder who shall be a registered plumbing contractor or owner of the property; and then only when both permit holders sign the back of the original permit as follows:

100.05-7(A) I (initial permit holder signature & date) hereby relinquish all rights regarding this plumbing permit herein and assign said rights herein to (second permit holder name). I (second permit holder signature & date) hereby accept this plumbing permit herein and agree to assume any and all responsibilities associated with this plumbing permit.

100.06 GENERAL PLUMBING STANDARDS AND REQUIREMENTS

100.06-1 No person shall perform plumbing within the jurisdiction of the Mansfield/Ontario/Richland County Health Department, except for minor repairs as defined in 100.01-7, unless they hold a valid Plumbing Contractor's registration issued to them by the Board of Health.

100.06-2 No person shall install or alter any device such as a water softener or water filtration system within the jurisdiction of the Mansfield/Ontario/Richland County Health Department, except for minor repairs as defined in 100.01-7, unless they hold a valid Service Provider's registration issued to them by the Board of Health.

100.06-3 An owner shall not be required to be a registered plumber to perform plumbing in their own personal residence.

100.06-4 Service Providers shall only perform services for which they are registered with the Mansfield/Ontario/Richland County Health Department. .

100.07 RELIEF FROM PERSONAL LIABILITY

100.07-1 The Health Commissioner, Plumbing Inspector, or other authorized person charged with the enforcement of any provisions of the Plumbing Program Rules, shall not be held personally liable while acting for the Board of Health of the Mansfield/Ontario/Richland County Health Department 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 their official duties.

100.08 AVAILABILITY OF OHIO PLUMBING CODE, CROSS CONNECTION BACKFLOW PREVENTION, AND THE COMMENTARY ON THE INTERNATIONAL PLUMBING CODE

100.08-1 Complete copies of the "Ohio Plumbing Code", the "Cross Connection Backflow Prevention" chapter, and a copy of the current edition of the Commentary on the International Plumbing Code, are on file with the Environmental Division of the Mansfield/Ontario/Richland County Health Department for inspection by the public.

100.08-2 Copies of the "Ohio Plumbing Code", the "Cross Connection Backflow Prevention" chapter, and a copy of the current edition of the Commentary on the International Plumbing Code may be purchased through the Ohio Department of Commerce.

100.09 PENALTIES

100.09-1 Any person who violates any provision of this regulation shall be subject to penalties as provided in Chapter 3707.99 of the Ohio Revised Code, and/or Chapter 4101:3-1 to 4101:3-13 of the Ohio Administrative Code also known as the Ohio Plumbing Code.

100.10 EFFECT OF PARTIAL INVALIDITY

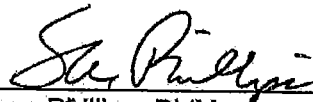
100.10-1 Should any part of this regulation be declared invalid or unconstitutional for any reason any remainder of this regulation shall not be affected thereby.

Section 2. Repeal.

All regulations of the Mansfield/Ontario/Richland County Combined Health District in conflict or inconsistent with the provisions of these regulations are hereby repealed.

Effective Date: The effective date of this regulation shall be the earliest date allowed by law.

ADOPTED this 26th day of January, 2009, by a majority of the Mansfield/Ontario/Richland County Combined Health District Board of Health affirming.



Steven Phillips, DVM
President - MORCHD Board of Health



Stan Saalman, Health Commissioner &
Secretary - MORCHD Board of Health