

## ARTICLE 6. PLUMBING AND GAS FITTING

5-601

### **PLUMBING CODE INCORPORATED.**

"The Uniform Plumbing Code, 1997 Edition," published by the International Association of Plumbing and Mechanical Officials, 2001 Walnut Drive South, Walnut, California, 91789, and all amendments and supplements thereto, are hereby incorporated by reference and made a part hereof as if fully set out herein save and except certain parts, sections or portions thereof specifically referred to and omitted therefrom or as amended or modified herein. Not less than three copies of said code, marked or stamped in the manner provided by K.S.A. 12-3010 with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments, shall be filed with the city clerk, and shall be open to inspection and available to the public at reasonable business hours. Official copies of such Code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010.

5-602

### **QUALIFICATION OF PLUMBERS.**

- (1) **Plumbing Contractor.** A plumbing contractor is a person who may conduct, carry on, or engage in the business of plumbing, has worked at the trade for a period of at least six (6) years, three (3) years as a journeyman plumber and has passed a creditable examination as a master plumber or has a master plumber in his or her employ, and is bonded to the City as described in Section 5-602.6, and 5-602.11.
- (2) **Master Plumber.** A master plumber is a person who works for a plumbing contractor and designs and/or installs plumbing systems, and who may supervise other plumbers, has worked at the trade for a period of at least six (6) years, and has passed a creditable examination as a master plumber. A master plumber may become a plumbing contractor by paying the required fee, and bonding with the City as described in Sections 5-602.7 and 5-602.12.
- (3) **Journeyman Plumber.** A journeyman plumber is a person who labors at the trade of plumbing as an employee of a registered plumbing contractor, has worked at the trade for a period of at least three (3) years, and has passed a creditable examination as a journeyman plumber as described in Section 5-602.7.
- (4) **Master Gas Fitter.** A master gas fitter is a person who may conduct, carry on, or engage in the business of gas fitting, and/or the sale or repair of gas burning appliances (such as, but not limited to, the sheet metal business), has worked at the trade for a period of at least six (6) years, three (3) years as a journeyman gas fitter and has passed a creditable examination as a master gas fitter, or has a master gas fitter in his or her employ, and is bonded to the City as described in Sections 5-602.7 and 5-602.12.
- (5) **Journeyman Gas Fitter.** A journeyman gas fitter is a person who labors at the trade of gas fitting as an employee of a registered master gas fitter, has worked at the trade for a period of at least three (3) years, and has passed a creditable examination as a journeyman gas fitter as described in Section 5-602.7.
- (6) **An apprentice plumber or gas fitter** is a person who labors at the trade of plumbing or gas fitting as an unlicensed employee of a registered plumbing contractor or master gas fitter in the presence of and under the direct supervision of a licensed craftsman as described in paragraphs (1), (2), (3), (4) and (5) above. The apprentice must serve as such for a period of three (3) or more years prior to making application for licensing. Not more than two (2) apprentices shall work under the direct supervision of one (1) licensed person. Direct supervision means a licensed person shall be in the vicinity of an apprentice for the purpose of giving information, discussion and demonstration while doing work that requires a license. Further, an apprentice shall have knowledge of the whereabouts of the supervising licensed person and shall prove his or her knowledge of

such upon request of the administrative authority. Vicinity shall mean surrounding area, such as a row of houses on a construction project.

5-602.1

**GENERAL PROVISIONS.**

- (1) It shall be unlawful for any person to conduct, carry on or engage in the business of plumbing or gas fitting or act in the capacity of a plumbing or gas fitting contractor without first having had issued a valid masters certificate of competency or registration by the board of plumber and gas fitter examiners, and is bonded to the City as provided in Section 5-602.12.
- (2) It shall be unlawful for any person to labor at the trade of plumbing or gas fitting in the capacity of a journeyman plumber or gas fitter without first having had issued a valid journeyman's certificate of competency or registration by the board of plumber and gas fitter examiners.
- (3) A person holding a certificate of registration as a gas fitter shall be prohibited from doing sanitary plumbing work or water supply piping unless he or she also holds a valid certificate as a master or journeyman plumber.

5-602.2

**UNLAWFUL ACTS.**

It shall be unlawful for any person to do any of the following:

- (1) To perform or cause to be performed any plumbing work in the City of Lawrence, which requires a permit without having first secured the appropriate permit from the City.
- (2) To perform or cause to be performed any plumbing work in the City of Lawrence which requires a permit without securing the services of a duly authorized and licensed plumbing contractor to perform and/or supervise the plumbing work, except as provided in Section 5-603.2.
- (3) For any person to conduct carry on or engage in the business of plumbing contracting without having first obtained a valid, current contractor's license from the City of Lawrence.
- (4) For any person holding a current, valid contractor's license to employ any other person or persons to perform any plumbing work in the City of Lawrence which requires a plumbing license who does not hold a current, valid plumbing license from the City of Lawrence as required by Section 5-602.7.
- (5) For any person to perform any plumbing work in the City of Lawrence which requires a plumbing license without first having obtained a current valid plumbing license from the City of Lawrence as required by Section 5-602.7.
- (6) For any person to employ any individual as an apprentice, as defined in Section 5-602.7 of this ordinance, to perform any plumbing work in the City of Lawrence without providing the proper supervision as defined in Section 5-602.7. Not more than two (2) apprentices will be supervised by one (1) licensed plumber at the same time.
- (7) For a person or persons through negligence or indifference to knowingly create a plumbing hazard and/or allow a plumbing hazard to exist.
- (8) For a person or persons through negligence or indifference to knowingly create a plumbing hazard and/or allow a plumbing hazard to exist that results in property damage or personal injury.
- (9) To violate any other provision of this ordinance.

5-602.3

**APPLICATION FOR CERTIFICATE OF QUALIFICATION.**

Any person, firm or corporation required by this Code to possess a certificate of qualification or registration shall make application therefor to the Board of Plumber and Gas Fitter Examiners and/or their secretary, on application blanks provided for that purpose by the secretary of the Board and pay the fee as hereinafter provided.

5-602.4

**BOARD OF PLUMBER AND GAS FITTER EXAMINERS.**

- (1) The Board of Plumber and Gas Fitter Examiners shall be under the department having jurisdiction provided by law and unless otherwise provided for shall consist of five (5) members: two (2) qualified plumbing contractors; two (2) qualified licensed plumbers; one (1) member from the local gas utility; or one member from the public at large. One (1) member of the Department shall act as Secretary and serve as an ex officio member.
- (2) The Board shall be appointed by and serve at the pleasure of the authority empowered to appoint such boards upon the adoption of this Code.
- (3) The members of the Board shall serve for three (3) years unless sooner removed for cause. One (1) or more members' term(s) shall expire each year.
- (4) The Board shall keep an accurate record of all its official transactions and render such reports and statistics as the Department having jurisdiction may require and direct.
- (5) The Board shall elect annually a Chair, and Co-chair from the members who shall preside at all meetings. The members shall adopt such rules and regulations as they see fit for the proper and efficient discharge of their official duties. The Board shall hold meetings monthly and at additional times as deemed necessary by the Board.

5-602.5

**DUTIES OF THE BOARD OF EXAMINERS.**

- (1) The Board of Plumber and Gas Fitters Examiners and/or their secretary shall issue a certificate of competency or registration to such persons as may be entitled thereto and conduct examinations for the purpose of determining the competency and knowledge of plumbing, gas fitting and drainage work of persons who are required by this Code to take such examinations. The Board of Examiners shall determine the character of the examination to be given any applicant and by majority vote accept or reject such application upon his or her showing as the case may be.
- (2) It shall be the duty of the Board to act as a Board of Appeals in making a correct determination of any appeal arising from actions of the administrative authority.
  - (a) Any owner, or agent thereof, desiring to appeal from any notice and order or any other section enforced by the administrative authority under this Code may do so by filing at the office of the Department, within thirty (30) days from the date of the service of such order, a written appeal containing:
    - (1) A heading with the phrase: "Before the Board of Plumbing and Gas Fitters Appeals of the City of Lawrence, Kansas."
    - (2) A caption reading: "Appeal of . . ." giving the names of all appellants participating in the appeal.
    - (3) A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.
    - (4) A brief statement, in ordinary and concise language of that specific order or action protested, together with any material facts claimed to

support the contentions of the appellants. Only those matters or issues specifically listed by the appellant shall be considered in the hearing of the appeal.

- (5) A brief statement, in ordinary and concise language, of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified, or otherwise set aside.
  - (6) The signatures of all parties named as appellants and their official mailing addresses.
  - (7) The same sworn statement (under penalty of perjury) of at least one appellant as to the truth of the matters stated in appeal.
- (b) Processing Appeal. The administrative authority shall forward any appeal filed in the office of the Codes Enforcement Division of Neighborhood Resources Department to the Board of Plumber and Gas Fitters Appeals.
  - (c) Scheduling and Noticing Appeal for Hearing. After receiving the written appeal, the Board of Plumbers and Gas Fitters Appeals shall set a date, time, and place for the hearing of the appeal. Such date shall not be more than seven (7) days from the date the appeal was filed with the administrative authority. Written notice of the time and place of the hearing shall be sent to each appellant by the secretary of the Board either by personal delivery or by mailing a copy to the address shown on the appeal.
  - (d) Disposition by the Board.
    - (1) The appellant shall cause to be made, at his or her own expense, any tests or research required by the Board to substantiate his claims.
    - (2) After hearing the evidence, the Board shall reach a decision on the appeal within five (5) days. A copy of the decision and the reasons therefor shall be delivered to the appellant personally or sent by certified mail, postage prepaid, return receipt requested.
  - (e) Failure of any person to file an appeal as set out above shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or to any portion thereof.

5-602.6.

**APPLICATION FEE.**

Every person applying initially for a certificate of competency or registration shall pay to the Secretary of the Board of Plumber and Gas Fitter Examiners at the time of making application a processing fee in an amount established by the Director of the Neighborhood Resources Department.

5-602.7

**ISSUANCE OF CERTIFICATE OF COMPETENCY.**

The Board of Plumber and Gas Fitter Examiners and/or their secretary shall issue certificates of competency or registration pursuant to the requirements of the state statute of Kansas providing for the examination, certification and licensing of plumbers and gas fitters and the following provisions:

- (1) Master plumber or master gas fitter certificates of competency or registration shall be issued to such persons that make application for such certificates, pay the required fee and successfully pass the examination conducted by the Board of Plumber and Gas Fitter Examiners. In lieu of an examination, the Board may issue such a registration to such person that makes application therefor, pays the required fee and possesses and

presents to the Board a valid certificate of competency or registration issued to him by any other governmental agency giving an examination, the scope and character of which, in the opinion of the Board, is at least equal to that given by the Board of Examiners.

- (2) Journeyman plumber or gas fitter certificates of competency or registration shall be issued to such persons who make application therefor, pay the required fee and successfully pass the examination conducted by the Board of Plumber and Gas Fitter Examiners. The Board may issue such registration to any person who makes application therefor, pays the required fee and possesses and presents to the Board a valid journeyman plumber's or gas fitter's certificate of competency or registration issued by any other governmental agency giving an examination, the scope and character of which, in the opinion of the Board, is at least equal to that given by the Board of Examiners.
- (3) Passing Grade. The passing grade shall be a minimum score of 75% for all license categories.

5-602.8

**RE-EXAMINATION.**

Any person who fails to pass the examination as prescribed by the Board of Plumber and Gas Fitter Examiners may apply for re-examination after the expiration of 30 days. Should such person fail to pass the second time, the Board may refuse a third application until after the expiration of six months.

5-602.9

**EXPIRATION OF CERTIFICATES OF REGISTRATION.**

Every certificate of registration shall remain in force and effect until its expiration date on the 31st day of December of each year.

5-602.10

**FEES FOR CERTIFICATES OF REGISTRATION.**

Plumbing Contractor	\$200;
Master Plumbers	\$20;
Master Gas Fitters	\$30;
Journeyman Plumbers	\$20;
Journeyman Gas Fitters	\$7.50.

5-602.11

**FEES FOR RENEWAL OF CERTIFICATES.**

Plumbing Contractors	\$50;
Master Plumbers	\$10;
Master Gas Fitters	\$15;
Journeyman Plumbers	\$10;
Journeyman Gas Fitters	\$3.

All certificates of registration, except certificates, which have been nullified, may be renewed from year to year upon request and payment of the required renewal fee shown herein, if received on or before December 31st of each year. If not received by December 31st, it may be done so by the end of regular office hours on the last working day of January of the New Year at double the renewing fee. All certificates not renewed before the last working day of January shall become null and void and shall be of inactive status. Reapplication by the person shall be mandatory to regain active status.

5-602.12

**BOND.**

Every person engaging in or working at the business or trade of plumbing and/or gas fitting in the city as a plumbing contractor or master gas fitter shall, before so engaging in or entering upon any job of plumbing or gas fitting in the City, file with the City Clerk a corporate surety bond in the principal sum of \$5,000 to be approved by the City Attorney as to form and by the Board of Commissioners to surety, conditioned that the principal therein will save the City free and harmless from all liability for any injury to persons or property which the principal, his agents, servants or employees may cause by reason of engaging in the business of plumbing or

gas fitting in the City, and further conditioned for a full compliance with the provisions of this Code and the prosecution of such business. The expiration dates where shown on a bond shall be December 31 and be renewable January 1 of each year.

EXCEPTION: Any gas utility company doing business under a franchise with the City shall not be required to secure a certificate or file a bond when engaged in the performance of duties, obligations or rights conferred upon such utility by the franchise. The employees and agents of the utility shall comply with the requirements of this Code in all respects when engaged in work required by the further provisions to be performed by gas fitters.

5-603

**ADMINISTRATION.**

Administration of the Uniform Plumbing Code shall be amended to read as follows:

5-603.1

**EXEMPT WORK.**

Section 103.1.2.1 The stopping of leaks in drains, soil, waste or vent pipes; replacing of traps, faucets or plumbing fixtures in an existing structure. The relocation of any fixture or addition thereto shall be considered as new work and a permit shall be procured and inspection made as hereinbefore provided.

EXCEPTION: Domestic garbage disposers and electrical dishwashers may be installed by dealers and/or their employees, only if connected to existing plumbing vents or drain lines above the floor, beneath the sink and outside the wall if existing plumbing is in accordance with applicable standards. Expressly, persons installing domestic garbage disposers and electrical dishwashers shall not install, change, alter or improve any electrical or plumbing appurtenance or device used by this appliance.

5-603.2

**LICENSING.**

Section 103.1.3 (Licensing) shall be amended to read as follows:

Section 103.1.3 Licensing. It shall be the obligation of every person who enters into contracts for the installation or repair of plumbing systems covered by this code, to comply with state or local rules and regulations concerning licensing which the applicable governing authority has adopted.

5-603.3

**PERMIT ISSUANCE:** Shall be amended by the addition of the following subsections:

- (1) (103.3.6) Permits to do or cause to be done any work regulated by this Code may be issued only to a person holding a valid unexpired, unrevoked and unsuspended plumbing contractor or master gas fitter's certificate of qualification or registration as required by Section 5-602.1 of this Article, except when and as otherwise hereinafter provided in this Section.
- (2) (103.3.7) Permits required by this Code may be issued to an owner to do any work regulated by this Code in a single family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such dwelling and accessory buildings and quarters, and that the same are occupied by the owner. The owner shall personally purchase all materials and shall personally perform all labor in connection therewith.
- (3) (103.3.8) A letter shall accompany the permit application stating that the owner is able to do the work, to pass all inspections, and will live in the dwelling for a minimum of one year from the date of the final inspection.

EXCEPTION: Permits required by this Code may be issued to Lawn Irrigation Contractors holding a certificate as a certified Cross-Connection Control Technician, provided the work to be done begins at the main valve of a lawn irrigation system, and is for the purpose of retrofitting an existing lawn irrigation system, which was installed prior to August 1, 1992, to bring the system into compliance with state and local law.

CPVC, PE or PVC water pipe approved for potable water manufactured and installed to recognized standards may be used for retrofits.

5-603.4

**FEES.**

Section 103.4.1(Fees) Shall be amended to read as follows:

Section 103.4.1 All permits are subject to the schedule of fees as listed in the Uniform Building Code. Applicants shall pay for each permit at the time of making an application.

5-603.5

**ADVANCE NOTICE.**

Section 103.5.4.1 (Advance Notice) shall be amended to read as follows:

Section 103.5.4.1. Advance Notice. It shall be the duty of the person doing the work authorized by the permit to notify the administrative authority orally or in writing that said work is ready for inspection.

5-604

**SLEEVES.**

Section 313.10.1 (Sleeves) shall be amended to read as follows:

Section 313.10.1 Sleeves shall be provided to protect all piping through concrete or masonry exterior bearing walls.

5-605

**PLUMBING FIXTURES.**

Section 406.0 (Prohibited fixtures) shall be amended by the addition of subsection (406.5).

Section 406.5 In no case shall tubs be installed head-to-head.

5-606

**WATER HEATERS AND VENTS.**

Section 509.0 (Prohibited locations) shall be amended by the addition of the following exception:

EXCEPTION: An existing water heater located in a bathroom may remain or be replaced by a heater equipped with an approved safety pilot and thermostat and connected to an approved vent outlet pipe in any such bathroom which has at least 400 cubic feet of air content with at least one window in one outside wall.

5-607

**WATER TREATMENT UNITS.**

Section 603.4.14(Water Treatment Units) shall be amended by the addition of subsection 603.4.14.1(Permits Required)

Section 603.4.14.1 Permits Required. It shall be unlawful for any person to install, or replace or cause be installed, or replaced any water treatment units that requires a wastewater discharge without first obtaining a permit from the Administrative Authority to do so.

5-607.1

**WATER DISTRIBUTION.**

Section 604.1 (Materials) shall be amended to read as follows:

Section 604.1\_Water pipe and fitting shall be of brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, galvanized steel, or other approved materials. CPVC, PE or PVC water pipe approved for potable water, manufactured and installed to recognized standards may be used for the purpose of retrofitting an existing lawn irrigation system, which was installed prior to August 1, 1992. All materials used in the water supply system, except valves and similar devices shall be of like material except where otherwise approved by the administrative authority.

(604.8) DELETED.  
Exception: DELETED.

5-608

**DRAINAGE SYSTEMS.**

Section 701.1.2 (Materials) shall be amended to read as follows:

Section 701.1.2, ABS or PVC installations are limited to residential construction. ABS and Cellular core PVC plastic pipe is not allowed in slab or underground. ABS and PVC DWV piping installations shall be limited to structures not exceeding three floors above grade. For the purpose of this subsection, the first floor of a building shall be that floor that has fifty (50) percent or more of the exterior wall surface area level with or above finished grade. One additional level that is the first level and is not designed for human habitation and used only for vehicle parking, storage, or similar use shall be permitted. (Ord. 6421)

EXCEPTION: 1. PVC piping is allowed underground in restaurants, drinking establishments, and convenience stores if all penetrations through the slab are made with properly supported metallic piping. 2. PVC piping is allowed for indirect, continuous waste and under counter traps used for carbonated drainage in restaurants, drinking establishments, and convenience stores if all wall penetrations are made with metallic piping. 2. PVC piping is allowed for indirect, continuous waste and under counter traps in restaurants, drinking establishments, convenience stores and other uses where direct carbonated drainage may occur if all wall penetrations are made with metallic piping. (Ord. 7351, Ord. 7390)

5-608.1

**DRAINAGE SYSTEMS.**

Section 707.0 (Cleanouts) shall be amended by the addition of subsection (707.15).

Section 707.15 An approved type cleanout fitting acceptable to the administrative authority shall be installed outside of a building and extended above grade from the waste or soil lines serving a building.

5-608.2

**DRAINAGE SYSTEMS.**

Section 710.1 (Drainage of fixtures located below the next upstream manhole or below the main sewer level.) shall be amended to read as follows:

Drainage piping serving fixtures, the flood level rims of which are located below the elevation of the curb or property line, at the point where the building sewer crosses under the curb or property line and above the crown level of the main sewer, shall drain by gravity into the main sewer and shall be protected from back flow of sewage by installing an approved type back water valve, and each such backwater valve shall be installed only in that branch or section of the drainage system which receives the discharge from fixtures located below the elevation of the curb or property line.

5-608.3

**BUILDING SEWERS.**

Section 717.0 (Size of building sewers) shall be amended to read as follows:

Section 717.0. The minimum size of any building sewer shall be determined on the basis of the total number of fixture units drained by such sewer, in accordance with Table 7-8; however no building sewer shall be less than four (4) inches in diameter.

5-608.3

**BUILDING SEWERS.**

Section 719.0 (Cleanouts) shall be amended by the addition of subsection (719.7):

Section 719.7. In all cases an approved cleanout shall be provided outside of all buildings. All cleanouts shall be extended to grade.

5-609

**VENTS AND VENTING.**

Section 902.0 (Vents Not Required) shall be amended by the addition of subsection (902.3).

Section 902.3. A vent is not required for a floor drain unless the floor drain is located 20 feet or more from a vented waste line or is located four feet or more above a ventilated waste line.

5-609.1

**VENTS AND VENTING.**

Section 903.1.2 (Materials) shall be amended to read as follows.

Section 903.1.2. ABS and PVC DWV piping installations shall be limited to residential construction. ABS and PVC DWV piping installations shall be limited to structures not exceeding three floors above grade. For the purpose of this subsection, the first floor of a building shall be that floor that has fifty (50) percent or more of the exterior wall surface area level with or above finished grade. One additional level that is the first level and is not designed for human habitation and used only for vehicle parking, storage, or similar use shall be permitted.

5-610

**MATERIAL FOR GAS PIPING.**

Section 1210.1 (Materials) shall be amended to read as follows:

Section 1210.1 All pipe used for the installation, extension, alteration, or repair of any gas piping shall be standard weight wrought iron or steel (galvanized or black) or corrugated stainless steel tubing (CSST). Approved PE pipe may be used in exterior buried piping systems.

5-611.1

**FUEL GAS PIPING.**

Section 1212.0 (Appliance Connectors) shall be amended by the deletion of subsection 1212.0(5) and the addition of Subsections (1212.0)(9) and (1212.0)(10):

Section 1212(5) DELETED.

Section 1212.0(9). In all cases, a boiler, and hot water tank must be connected with rigid piping material. However, if a manufacturer of a furnace or boiler furnishes a listed stainless steel connector with their equipment and all other conditions are met (gas shut off, drip leg, union) then that connector may be used for connection of that furnace or boiler.

Section 1212.0(10). Gas appliance connectors used in restaurants and commercial food preparation establishments must be approved stainless steel or protective coated stainless steel.

5-611

**PENALTY.**

Any person violating any of the provisions of this Article or the "Uniform Plumbing Code, 1997 Edition," as incorporated by Section 5-601 of this Article, shall be subject to a fine not to exceed five hundred dollars (\$500) or to imprisonment not to exceed three (3) months or both at the discretion of the court. Each day that any such violation continues shall constitute a separate offense.