

## ORDINANCE NO. 802

### **AN ORDINANCE AMENDING THE JOHNSTON REVISED ORDINANCES OF 2007 BY AMENDING SECTIONS 156.03 AND 155.04 OF THE PLUMBING CODE TO UPDATE FROM THE 2003 INTERNATIONAL PLUMBING CODE TO THE IPC 2006 EDITION.**

#### **Be It Enacted by the City Council of the City of Johnston, Iowa That:**

**Section 1. PURPOSE.** The purpose of this ordinance is to update the Johnston Plumbing Code from the 2003 Edition of the International Plumbing Code to the 2006 Edition of the International Plumbing Code, and to reflect State of Iowa licensing of Plumbing Contractors.

**Section 2. Section 156.03 is hereby deleted in its entirety and the following new section is substituted in lieu thereof:**

**156.03 Code Adopted.** The 2006 Edition of the International Plumbing Code and its Appendices B, C, D, E, F and G, are hereby adopted, except as provided in this chapter, and shall be known as the “Johnston Plumbing Code.” An official copy of such code is on file in the office of the city clerk.

**Section 3. Section 156.04 is hereby deleted in its entirety and the following new section is substituted in lieu thereof:**

**156.04 Deletions, Modifications and Amendments.** The following deletions, modifications and/or amendments are made to the International Plumbing Code, 2006 Edition.

1. Section 101 Amended. Subsection 101.1 “Title” of the International Plumbing Code shall be amended as follows: Delete “Plumbing Code of [name of jurisdiction]” and substitute “Johnston Plumbing Code.”
2. Section 103 Amended. Subsection 103.1 “General” is hereby modified by deleting Department of Plumbing Inspections and inserting Building Department thereto.
3. Section 109 Amended. Section 109.1 “Application for Appeal” of the International Plumbing Code shall be amended as follows: The “Board of Appeals” referred to in the International Plumbing Code, shall be the board of appeals appointed pursuant to the Building Code of the City.

4. Section 106 Modified. Subsection 106.6.2 “Fee Schedule” is hereby modified by deleting (jurisdiction to insert appropriate schedule) and inserting the following table thereto:

<b>Plumbing Permit Fee Schedule</b>
<b>New Residential</b> - \$90.00 base fee per dwelling unit
<b>Residential Remodel/Addition/Miscellaneous</b> - \$45.00 base fee
<b>New Commercial/Addition</b> - \$90.00 base fee plus \$3.00 per fixture for the first 10 \$2.00 per fixture for all additional fixtures
<b>Commercial Remodel/Miscellaneous</b> - \$45.00 base fee plus \$3.00 per fixture for the first 10 \$2.00 per fixture for all additional fixtures
Except as provided by law, where work is started without obtaining a permit the Building Official may charge a fee not to exceed twice the original building fee.
At the Building Official’s discretion, inspections may be scheduled after normal working hours or on weekends. However, permit holders requesting such inspections shall pay \$90 per hour the inspector works, with a minimum charge for two hours.

5. Section 106 Amended. Subsection 106.6.3 “Fee Refund” of the International Plumbing Code shall be amended as follows: Whenever “Specify Percentage” is used in this section substitute eighty percent.

6. Section 106 Amended. Section 106 “Permits” of the International Plumbing Code is modified by adding a new subsection 106.7.1 Registration, Licenses and Fees at the end thereof as follows:

106.7.1 Licenses and Fees.

1. DEFINITIONS. The following definitions shall apply to this section. Upon notification from the State of Iowa this subsection will be null and void.

a. Master Plumber. The term “master plumber” shall include any person, firm or corporation engaged in planning, supervising and contracting for the installation of plumbing and who is licensed as a master plumber by the city.

A master plumber shall have a general knowledge of the purpose or method of construction of plumbing work, be competent to plan and supervise the installation of plumbing and shall be required to have some knowledge for mechanical drawings.

b. Journeyman Plumber. The term “journeyman plumber” shall include any persons who installs, alters or repairs plumbing, and who has a valid certificate of competency as a journeyman plumber.

A journeyman plumber must be able to read blue prints, do simple mathematical problems, and must know the rules and regulations of the State Board of Health governing plumbing. They shall have at least five Years practical experience as an apprentice assisting in the installation or Plumbing work.

c. Apprentice. The term “apprentice” shall include any person who, while learning the trade of plumbing, is assisting in the installation, alteration, or repair of plumbing and is actually with and in the presence of a duly certified journeyman plumber.

2. JOURNEYMANS PLUMBER LICENSE. No person, firm or corporation shall engage in the construction, reconstruction, alteration or repair of any plumbing or building drainage system in or for any building in the city, without first having obtained at least a journeyman plumber’s license. Upon notification from the State of Iowa only a State of Iowa Class A and B (with restrictions see FPN) Plumbing Contractors License will be acceptable. The Plumbing Contractor must register their State License with the City of Johnston and the Responsible Party/s for pulling permits within the City. No provisional licenses will be accepted.

FPN: The City of Johnston will accept only those Class B Licenses issued to current Master or Journeyman License holders. The applicant for a permit shall show proof of prior licensing within the City if Johnston and Current Class B license or proof of application to the State at time of application for a permit. On January 1 of the year following notification from the State of Iowa, only those holding a State Class A will be able to pull a permit within the City.

Exception: Homeowners may apply for a permit when performing work on their own primary or non-rental/non-commercial property.

3. QUALIFICATIONS FOR JOURNEYMAN PLUMBER’S LICENSE. Any person, firm or corporation may obtain a plumbing license as a journeyman plumber only when the active manager or managers of said firm or corporation hold a certificate of competency as a journeyman plumber. A license issued to such firm or corporation shall have upon its face the name of the active manager or managers who are holders of a certificate of competency. Whenever a firm or corporation licensed as a journeyman plumber fails to employ a manager who is the holder of a certificate of competency its plumbing license shall be automatically revoked. Any

change in the active manager or managers shall be immediately reported to the Building Department and the change noted upon the license. Said firm or corporation may engage as a journeyman plumber only when the business so transacted requiring a journeyman plumber shall be done by such managers as hold a certificate of competency. Upon notification from the State of Iowa this subsection will be null and void.

4. BOND AND INSURANCE REQUIREMENTS

A. No license shall be issued to any plumber until there has been filed a bond with the clerk with sureties acceptable to the city in the sum of one thousand dollars conditioned upon the full observance of city ordinances applicable to the plumbing business, and that said applicant will indemnify the city for all losses and damages sustained by it for reason of any negligence on the part of such licensees, his agents or employees while engaged in plumbing, excavating or backfilling, or because of such activity, or any plumbing or excavator until they shall have filed a certificate of insurance with the city clerk indicating that they are carrying public liability insurance in effect for the duration of the license, covering the acts of themselves, their agents, and employees for the minimum amount of \$500,000 general liability. Upon notification from the State of Iowa, this subsection will be null and void.

B. The license of a journeyman/master plumber or an excavator shall be suspended by the city clerk upon receipt by the city of a notification of the cancellation of their bond or liability insurance, and may be reinstated only upon filing a new bond or certificate. A journeyman plumber while doing plumbing work under a master plumber who has filed the required bond and insurance need not file such bond or certificate of insurance. Upon notification from the State of Iowa, this subsection will be null and void.

5. LICENSE FEES. All master/journeyman plumbers' licenses shall be made to expire on the Last day of December of 2009.No license shall be issued for a shorter time than the unexpired portion of the calendar year. Before issuing any master/journeyman plumber's license, the city clerk shall charge and collect from the person, firm or corporation, receiving the same, a fee therefor as follows:

For one year (or more than 11 months)	\$12.50
For more than 10 months and not exceeding 11 months	\$11.50
For more than 9 months and not exceeding 10 months	\$10.50
For more than 8 months and not exceeding 9 months	\$ 9.50
For more than 7 months and not exceeding 8 months	\$ 8.50
For more than 6 months and not exceeding 7 months	\$ 7.50
For more than 5 months and not exceeding 6 months	\$ 6.50
For more than 4 months and not exceeding 5 months	\$ 5.50

For more than 3 months and not exceeding 4 months	\$ 4.50
For more than 2 months and not exceeding 3 months	\$ 3.50
For more than 1 month and not exceeding 2 months	\$ 2.50
For 1 month or less	\$ 1.50

Licenses shall be issued, without examination, in the case of any person holding a masters/journeyman plumbers' license from the City of Des Moines, Iowa, or any another Iowa or National municipal corporation recognized by the city as having similar licensing standards. Upon notification from the State of Iowa, this subsection shall be null and void.

**6. EMPLOYMENT OF LICENSED PLUMBERS.** No person, firm or corporation shall employ any person, firm or corporation to engage in construction, reconstruction, alteration or repair or any plumbing or building drainage system in or for any building in the city, unless such person, firm or corporation has obtained a master/journeyman plumber's license. No master plumber shall hire or employ, or have in their employ, any apprentice who is not registered with the Building Department as such. At no time shall any apprentice perform any plumbing work unless they are actually in the presence of, and with, a duly certified journeyman plumber. Every apprentice shall register his name and address with the Building Department before the first day of January of each year. If employed as an apprentice after the first day of January they shall immediately so register. Upon notification from the State of Iowa, this subsection shall be null and void.

7. Section 108 Amended. Subsection 108.4 "Violation penalties" of the International Plumbing Code shall be deleted in its entirety. Refer to Chapter 3 of the Johnston Revised Ordinances of 2007.

8. Section 108 Amended. Subsection 108.5 "Stop Work Orders" of the International Plumbing Code shall be amended as follows: Insert \$100.00 where the first [amount] is printed and \$200.00 where the second [amount] is printed in the sentence.

9. Section 305 Amended. Subsection 305.6.1 of the International Plumbing Code is deleted in its entirety and the following substituted in lieu thereof:

305.6.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be governed and regulated by the Polk County Department of Health. Building sewers that connect to a public sewer shall be a minimum of twelve inches below frost line when it exits the structure.

10. Section 603 Amended. Section 603 "Water Service" of the International Plumbing Code is modified by adding a new subsection at the end as follows:

603.1.1 Materials. Service pipe from water main to meter shall be of copper with brass fittings. All other approved materials may be used after the meter with the approval of the Authority having Jurisdiction.

Exception: The Building Official and Public Works Director may accept other designs based on distance from main.

11. Section 904 Amended. Subsection 904.1 “Roof extension” of the International Plumbing Code shall be amended as follows: Insert 12 for [number] and insert 305 for (mm).
12. . Any and all references to “Double/Dual check-valve assemblies” within the 2007 International Plumbing Code for the purpose of back-flow prevention shall be deleted in their entirety as this is not an acceptable back-flow prevention assembly within the Johnston Jurisdiction.
13. Section 311 “Toilet Facilities For Workers” is deleted in its entirety.
14. Section 604 Amended. Subsection 604.10.3 “Access” is hereby modified by deleting the sentence in its entirety and adding the following sentence thereto:  
  
All manifolds/similar plumbing appurtenance shall be readily accessible.
15. Section 504.7.1 Pan size and drain is hereby modified by adding the following exception thereto:  
  
Exception: Schedule 40 PVC may be used for drain piping if one inch in size or larger.

**Section 4. SEVERABILITY CLAUSE.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**Section 5. WHEN EFFECTIVE.** This ordinance shall be in full effect from and after its final passage, approval, and publication as provided by the law.

Passed and approved by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2009.

---

PAULA S. DIERENFELD, MAYOR

ATTEST:

\_\_\_\_\_  
CYNDEE RHAMES, CITY CLERK

1st Reading: February 2, 2009  
2nd Reading: March 2, 2009  
3rd Reading: March 16, 2009

Passed: \_\_\_\_\_  
Signed: \_\_\_\_\_  
Published: \_\_\_\_\_

<u>ROLL CALL VOTE</u>	<u>1st Reading</u>		<u>2nd Reading</u>		<u>3rd Reading</u>		<u>Adopt &amp; Publish</u>	
	<u>Aye</u>	<u>Nay</u>	<u>Aye</u>	<u>Nay</u>	<u>Aye</u>	<u>Nay</u>	<u>Aye</u>	<u>Nay</u>
Kallen	<u>X</u>	___	<u>X</u>	___	___	___	___	___
Tingley	<u>X</u>	___	<u>X</u>	___	___	___	___	___
Clabaugh	<u>X</u>	___	<u>X</u>	___	___	___	___	___
Culbert	<u>X</u>	___	<u>X</u>	___	___	___	___	___
Hibbs	<u>X</u>	___	<u>X</u>	___	___	___	___	___