

PLUMBING AND DRAINAGE ORDINANCE

WHEREAS, Section 1-2-4 and 1-3-2 of the Illinois Municipal Code, and Section 1002 of Chapter 85, Illinois Revised Statutes, 1975 provide that, where rules and regulations for the construction of new buildings and safe use and occupancy of existing buildings or any parts thereof have been printed in book or pamphlet form, such rules and regulations or portions thereof may be adopted by reference, and

WHEREAS, three (3) copies of each of the pamphlet and amendments thereto containing the rules and regulations hereinafter adopted have been filed in the office of the City Clerk for use and examination by the public at least thirty (30) days prior to their adoption, as provided by said Statute, and

WHEREAS, the City of Urbana, Illinois, on the date hereof contains a population in excess of 25,000 persons and is therefore a Home Rule Unit under the provisions of the Illinois Constitution 1970, and this Ordinance is to be regarded as an exercise in Home Rule Powers of said City.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. Adoption of Illinois State Plumbing Code, 1976.

That the Illinois State Plumbing Code, 1976, promulgated by the Division of Sanitary Engineering, Department of Public Health, State of Illinois, is hereby adopted by reference, subject to the following additions, insertions, deletions, exceptions, and changes:

Article 14 is hereby amended by adding each of the following:

- a. by adding a second paragraph to 14.4.1(a) entitled, Issuance of Permit.

The wording and format of this new paragraph shall be as follows:

Plumbing work necessary to prevent imminent danger to health of persons or to prevent imminent damage to property may be made prior to applying for or securing a plumbing permit by persons elsewhere in this Ordinance authorized to receive a plumbing permit, provided the person doing such emergency work shall, within a period of one (1) working day (of the City Plumbing

Inspector), following the time when such emergency work is performed, make a complete application for the permit for the emergency work and provided that no such emergency work is performed on public property such as but not limited to streets, alley, and within the City Limits, easements dedicated to the Public or the City of Urbana.

- b. by adding a second paragraph following the existing paragraph of the subsection 14.4.1(b) entitled, Application for Permit. The wording and format of this new paragraph shall be as follows:

No permit shall be issued unless the person to whom such permit is proposed to be issued shall submit, in writing and in a form satisfactory to the administrator of the Department of Community Development Services, a written agreement undertaking to save and hold harmless the City of Urbana, a Municipal Corporation of the State of Illinois, from any and all liabilities and/or claims of liability arising out of or in connection with the performance of work pursuant to such permit, including any and all legal costs including attorney's fees incident to the defending against such claim whether such claim be groundless or not. Along with such statement, the said person shall further provide to the Administrator a certificate of insurance showing general liability coverage conditioned upon 10-day notice to the City of Urbana in the event of material change, or cancellation or termination of such insurance. In addition thereto, if the proposed work under the permit to be issued contemplates an excavation on public property such as, but not limited to, streets, alleys, and within the City Limits, easements dedicated to the Public of the City of Urbana, it shall be required that the person to whom such permit is to be issued shall comply with the requirements of section 29.11 of the Municipal Code of Urbana.

- c. by adding additional paragraphs following the existing paragraph of the subsection 14.4.2 entitled, Permit Fees. The wording and format of these new paragraphs shall be as follows:

14.4.2(a) FEE SCHEDULE

- 1. The fee for a plumbing permit shall be based on the number of fixtures (or installations) as determined by the plumbing inspector with a minimum fee of ten (\$10.00) dollars. Further, for all work commenced without a permit for which a permit is required, the fee shall be double the regular fee.

- 2. Five (\$5.00) dollars shall be the fee for each of the following installations or fixtures:

- Drip Trap
- Water Closet
- Bath Tub
- Lavatory
- Shower Bath
- Kitchen Sink
- Slop Sink
- Pair Laundry Trays
- Dish Washer
- Garbage Disposer
- Urinal
- Floor Drain
- Clothes Washer
- Grease Trap
- Dental Cuspidor
- Soda Fountain
- Drinking Fountain
- Sump Pump Connection
- Water Heater
- Connection to a Storm
- Water Service
- Roof Drains

- 3. In case of abandonment or discontinuance, an adjustment of the fee may be made and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of a prescribed ten (\$10.00) dollar minimum fee shall be made. If such discontinuance is due to revocation of a permit, a similar adjustment and return may be made; provided that no refund shall be made until all penalties incurred or imposed by due authority have been collected. After such a refund has been made, no work shall be resumed until a new application has been made and a new permit has been issued. In case plumbing work which has been inspected is destroyed, a new permit shall be secured and a fee shall be paid for the replacement of the destroyed work. Such fee shall be one-half of a standard fee.

4. The Plumbing Inspector of the Department of Community Development Services shall issue all permits required by this Ordinance. Said inspector shall retain one copy in his office and shall forward the original to the person applying for same.

5. The owner or agent in charge of any premises upon which such plumbing or storm drainage work is to be done shall not permit the performance of each plumbing to storm drainage work unless a permit therefor shall have been issued as provided herein.

d. by adding a new subsection to the existing subsection 14.4.4 entitled, Enforcement. The wording and format of this subsection shall be as follows:

14.4.4(c) CONDEMNED MATERIALS

The presence of any material, other than that provided for in this Ordinance, about a joint or on any part of a plumbing system or on, or near the site of work, shall be sufficient excuse for condemning such joint, part of the system, or the entire work.

If test of inspection discloses defective materials, or unworkmanlike construction which does not conform to the requirements of this Ordinance, or leakage, such defective materials, or unworkmanlike construction shall be condemned.

Condemned materials not yet installed shall be removed forthwith from the site of the work and construction already installed shall be removed within three (3) days following the condemnation thereof or as the Plumbing Inspector may direct.

14.4.4(d) REFUSAL TO CORRECT VIOLATIONS

The rights and privileges of a Licensed Plumber to work or perform as such in the City of Urbana shall become void in the City of Urbana when he shall refuse or neglect, within a reasonable time after notification thereof, to make such necessary corrections to plumbing work as shall have been ordered by the Plumbing Inspector, or if he shall permit the use of his name by a person or persons other than his employees for the purpose of obtaining a permit to do plumbing work.

14.4.4(e) PENALTIES

Any person who violates any provision of this Ordinance, or who fails or refuses to perform any duty or obligation imposed upon such person by this Ordinance, shall be fined in an amount not to exceed two-hundred (\$200.00) dollars. Each day that a violation shall continue shall be deemed a separate offense.

In addition, the City may seek relief by way of injunction or mandamus against any person violating any of the provisions of this Ordinance or to prevent a failure in performance by such person of any provisions hereof.

- e. by adding a new subsection following the entire subsection entitled, 14.4.4, as amended above. The wording and format of this new section shall be as follows:

14.4.5. EXPIRATION OF PERMIT

If the work is not commenced under any permit within six (6) months after the issuance of said permit, the permit shall be considered as having expired. If work is suspended on a project longer than six (6) months, the permit shall be considered as having expired. All permits shall be for a period of one (1) year. Upon receipt of written request the Plumbing Inspector shall issue, without fee, permit extensions up to two (2) years for work of large magnitude or when conditions beyond the control of the permit holder prevent completion sooner.

- f. by adding a new section following the entire subsection entitled, 14.4.5 Expiration of Permit, as added by amendment above. The wording and format of this new subsection shall be as follows:

14.5 APPEAL BOARD

14.5.1 CREATION, COMPOSITION AND TERMS OF OFFICE

An Appeal Board shall be created consisting of five (5) members to serve without compensation. The Board shall elect its own Chairman. The members of the Building Code Board of Appeals serving on the effective date of this Ordinance are hereby appointed to the board in the same capacity at the time the Ordinance becomes effective _____

for the term each respectively held. The successor to each member so appointed shall serve for a term of five years. The Board shall include two (2) licensed plumbers, one (1) registered Professional Engineer, one (1) builder or superintendant of construction with not less than ten (10) years experience as such, and one (1) member as a layman representing the public at large.

14.5.2. APPEALS

An appeal may be prosecuted by the owner of any building or structure, or his duly authorized agent, from any decision of the Plumbing Inspector, and such appeal shall be perfected by filing with the Administrator of the Department of Community Development Services, a written notice of such appeal within thirty (30) days of receipt of notice of the Plumbing Inspector's decision, stating briefly the decision complained of and a request for a hearing of the same by the Appeal Board. The Administrator of the Department of Community Development Services or his designated agent shall be administrative secretary to the board.

14.5.3. HEARINGS

Such board shall meet upon notice of the Chairman within a reasonable time of a filing of an appeal. The board shall establish reasonable rules and regulations as to the time of regular meetings and as to procedure before the board, not inconsistent with the terms of this Ordinance. Hearings on appeals shall be open to the public.

Four

(4) members of the Appeal Board shall constitute a quorum. The appellant or his representative, any officer of the municipality and any other person whose interest may be affected by the matter on appeal shall be given an opportunity to be heard, but no notice of the appeal shall be required to be given to anyone other than to the appellant and the Department of Community Development Services.

14.5.4. DETERMINATIONS

The concurring vote of four (4) members shall be necessary for the reversal of the decision of the Plumbing Inspector, or any other decision or determination favorable to the appellant. The failure of such concurring vote shall be deemed to be a confirmation of the judgement of the Plumbing Inspector. Every action of the Board shall

be by resolution, copies of which shall be certified to the Administrator, Department of Community Development Services. No member of the Board shall participate in any cases in which he is personally interested.

14.5.5. DUTY TO REVIEW

It shall also be one of the duties of the Appeals Board to periodically study and recommend amendments to this Plumbing Ordinance as may be required due to changes in materials and practices.

Section 2. Saving Clause

Nothing in this Ordinance or in the Illinois State Plumbing Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any right acquired, or liability incurred, nor any cause or causes of action existing, under any act or ordinance repealed hereby.

Section 3. Inconsistent Ordinances Repealed.

This Ordinance hereby repeals the Plumbing Ordinance of 1975 adopted March 3, 1975 and approved March 13, 1975.

Ordinances or parts thereof in force at the time that this Ordinance shall take effect and inconsistent herewith, are hereby repealed.

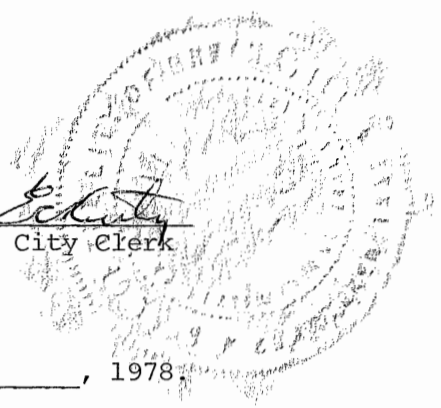
Section 4.

This Ordinance shall be in full force and effect ten (10) days after its passage and publication as required by law.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 15th day of May, 1978.

PASSED by the City Council this 15th day of May, 1978.

Duane Eckerty
Duane Eckerty, City Clerk



APPROVED by the Mayor this 9th day of June, 1978.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

I, Duane Eckerty, City Clerk, City of Urbana, Illinois do herewith certify that I caused the above Ordinance to be duly published in pamphlet form on the 12th day of June, 1978.

Duane Eckerty
Duane Eckerty, City Clerk

