

ORDINANCE NO. 1798

An ordinance to adopt a Plumbing Code for Jefferson County, Alabama.

WHEREAS, on the 22nd day of March, 2011, at a regular meeting of the Jefferson County Commission the following resolution was adopted:

BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION, AS FOLLOWS:

Section A. That the Jefferson County Commission proposes to consider the adoption of a plumbing code by ordinance as authorized by Act No. 676 of the Regular Session of the Legislature of Alabama of 1967, approved September 8, 1967, (Alabama Acts, 1967, pp. 1501-1503), and Act No. 1055 of the Regular Session of the Legislature of Alabama of 1975, approved October 10, 1975, (Alabama Acts, 1975, pp. 2116-2118), and will hold a public hearing thereon at the regular meeting of the Jefferson County Commission to be held in the Jefferson County Commission Chambers in the County Courthouse in Birmingham, Alabama, on the 12th day of April, 2011 at 9:00 a.m. Said code shall be known as the "Plumbing Code of Jefferson County, Alabama, 2009."

Section B. That three (3) copies of said proposed "Plumbing Code of Jefferson County, Alabama, 2009" shall be filed in the office of the County Commission Minute Clerk of Jefferson County, Alabama, Room 270-2, Courthouse; the office of the Director of Inspection Services of Jefferson County, Alabama, Room B200, Courthouse; and the office of the Commissioner of Inspection Services of Jefferson County, Alabama, Suite 220, Courthouse, by the 28th day of March, 2011 for the use and examination by the public during the regular business hours of said offices from said date until 9:00 a.m. on the 12th day of April, 2011.

Section C. That the Director of the Inspection Services Department of Jefferson County, Alabama, be and he is hereby authorized, empowered and directed to cause fifteen (15) days notice to be given of the time, place and purpose of the public hearing provided for in Section A of this resolution by publication of such notice once a week for three successive weeks in a newspaper of general circulation in Jefferson County, which said notice shall be in words and figures as follows:

NOTICE OF PROPOSAL BY THE JEFFERSON COUNTY COMMISSION TO ADOPT A PLUMBING CODE FOR JEFFERSON COUNTY, ALABAMA, BY ORDINANCE AND OF A PUBLIC HEARING THEREON.

Notice is hereby given that the Jefferson County Commission proposes to consider the adoption of a plumbing code for Jefferson County, Alabama, to be known as the "Plumbing Code of Jefferson County, Alabama, 2009" by ordinance, in order to revise, update and amend the "Plumbing Code of Jefferson County, Alabama, 2003," and that a public hearing thereon will be held at the regular meeting of the Jefferson County Commission, in the Courthouse in Birmingham, Alabama at 9:00 a.m. on the 12th day of April, 2011, for the consideration of the

same. Three (3) copies of said proposed “Plumbing Code of Jefferson County, Alabama, 2009” (consisting of the “2009 Edition of the International Plumbing Code” published by the International Code Council, Incorporated, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478, and the “Special Provisions” which modify, revise or are in addition to provisions contained in the “2009 Edition of the International Plumbing Code”) will be on file in the office of the County Commission Minute Clerk of Jefferson County, Alabama, Room 270-2, Courthouse; the office of the Director of the Inspection Services Department of Jefferson County, Alabama, Room B200, Courthouse; and the office of the Commissioner of Inspection Services of Jefferson County, Alabama, Suite 220, Courthouse, by the 28th day of March, 2011, for the use and examination by the public during the regular business hours of said offices from said date until 9:00 a.m. on the 12th day of April, 2011.

and

WHEREAS, the Jefferson County Commission now finds that all of the provisions of said resolution have been complied with:

NOW, THEREFORE, BE IT ORDAINED BY THE JEFFERSON COUNTY COMMISSION AS FOLLOWS:

Section 1. That the “2009 Edition of the International Plumbing Code” published by the International Code Council, Incorporated, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478, be incorporated by reference into this ordinance except as specifically altered by the “Special Provisions” promulgated by the Inspection Services Department of Jefferson County, Alabama. The “2009 Edition of the International Plumbing Code” and the “Special Provisions” are before this commission and have been on file in the office of the County Commission Minute Clerk, the office of the Commissioner of Inspection Services, and the office of the Inspection Services Department pursuant to resolution adopted by the Commission of Jefferson County, Alabama, on the 22nd day of March, 2011, and set forth in the preambles of this ordinance. The “2009 Edition of the International Plumbing Code” and the “Special Provisions,” are hereby adopted as “The Plumbing Code of Jefferson County, Alabama, 2009,” and shall be effective and operative as such on and after the 2nd day of May, 2011, and on and after said date shall be binding in all unincorporated areas of Jefferson County, Alabama, and also in those parts of said county lying within the corporate limits of municipalities which have not adopted and are not enforcing municipal plumbing codes.

Section 2. That, under this section, the Jefferson County Commission Minute Clerk shall spread said “Special Provisions” on the official minutes of the County Commission. (See the “Special Provisions” following Section 9 of this ordinance.)

Section 3. That Ordinance No. 1759, “Plumbing Code of Jefferson County, Alabama, 2003,” adopted by the Jefferson County Commission on October 23, 2003, be, and the same is hereby repealed as of the date upon which “The Plumbing Code of Jefferson, County, Alabama, 2009,” adopted by Section 1 of this ordinance, becomes effective as provided by said Section 1; provided, however, that no cause of action nor any fine, forfeiture, judgment, penalty, right, remedy or defense accrued at said date, nor any prosecution or complaint pending at said date

shall be in any manner released, affected, abated, or impaired by this ordinance or by the code adopted by this ordinance.

Section 4. That immediately after the adoption of this ordinance and in the presence of the Jefferson County Commission, the County Commission Minute Clerk shall further identify the “2009 Edition of the International Plumbing Code,” referred to in Section 1 hereof, which is before this Commission by appending thereto and signing a certificate in form substantially as follows:

“I, Diane C. Townes, County Commission Minute Clerk, hereby certify that the document (the “2009 Edition of the International Plumbing Code”) to which this certificate is appended is the document referred to in Section 1 of Ordinance No. 1798 adopted by the Jefferson County Commission at a regular meeting thereof held on this the 12th day of April, 2011, and that I have signed this certificate in the presence of said Commission at said regular meeting on said date.

Diane C. Townes, County Commission Minute Clerk.”

The County Commission Minute Clerk shall carefully preserve this ordinance and said document adopted by Section 1 hereof as the “Plumbing Code of Jefferson County, Alabama, 2009” as a part of the permanent records of her office.

Section 5. That it be, and hereby is proclaimed that the Code adopted by Section 1 hereof is on file with the Jefferson County Commission Minute Clerk where the same may be inspected by the public and that the public is hereby notified of this ordinance by publication as set forth in Section 7 hereof.

Section 6. That prior to the 2nd day of May, 2011, the effective date of the code adopted by Section 1 of this ordinance, a copy of this ordinance and of the code adopted by Section 1 of this ordinance shall be placed on the Jefferson County Web Site and also made available for use by the general public at the office of the Inspection Services Department. A copy of this ordinance may be obtained at the Inspection Services Department for the cost of reproduction as established by the Jefferson County Commission Administrative Order 03-1, As Amended.

Section 7. That the County Commission Minute Clerk shall cause a true copy of this ordinance to be promptly published in a newspaper published and of general circulation in Jefferson County, Alabama, and shall carefully preserve in her office a thus published copy of said ordinance as a part of the permanent records of her office.

Section 8. That any person who knowingly violates any of the provisions of the “Plumbing Code of Jefferson County, Alabama, 2009” shall be subject to the penalty provided for by State Laws.

Section 9. That the provisions of this Ordinance are severable. If any part of the Ordinance is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SPECIAL PROVISIONS

Delete Chapter 1 of the “2009 Edition of the International Plumbing Code” and substitute in lieu thereof the following Chapter 1.

CHAPTER 1 - ADMINISTRATION

SECTION 101 - TITLE AND SCOPE

101.1 TITLE

Provisions in the following chapters and sections shall constitute and be known and may be cited as the “Plumbing Code of Jefferson County, Alabama, 2009,” hereinafter referred to as “this Code.”

101.2 CODE REMEDIAL

101.2.1 General. This Code is hereby declared to be remedial, and shall be construed to secure the beneficial interests and purposes thereof-which are public safety, health, and general welfare-by regulating installation and maintenance of all plumbing.

101.2.2 Quality Control. Quality control of materials and workmanship is not within the purview of this Code except as it relates to the purpose stated herein.

101.2.3 Permitting And Inspection. The inspection or permitting of any building or plan by Jefferson County, under the requirements of this Code shall not be construed in any court as a warranty of the physical condition of such building or the adequacy of such plan. Neither Jefferson County nor any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building or plan, nor for any failure of any component of such building, which may occur subsequent to such inspection or permitting.

101.3 SCOPE

101.3.1 Applicability. The provisions of this Code shall apply in all unincorporated areas of Jefferson County and also in those parts of said County lying within the corporate limits of municipalities which have not adopted and are not enforcing municipal plumbing Codes to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances thereto.

101.3.2 Federal And State Authority. The provisions of this Code shall not be held to deprive any federal or state agency, or any applicable governing body having jurisdiction, of any power or authority which it had on the effective date of the adoption of this Code or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law.

101.3.3 Appendices. The appendices included in this Code are not intended for enforcement unless specifically referenced in the code text or specifically included in the adopting ordinance.

101.3.4 Referenced Standards. Standards referenced in this Code shall be considered an integral part of this Code without separate adoption. If specific portions of a standard are denoted by Code text, only those portions of the standard shall be enforced. Where Code provisions conflict with a standard, the Code provisions shall be enforced. Permissive and advisory provisions in a standard shall not be construed as mandatory.

101.4 MAINTENANCE

All plumbing installations, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this Code in an installation when erected, altered, or repaired, shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of plumbing installation.

101.5 SPECIAL HISTORIC BUILDINGS

The provisions of this Code relating to the installation, alteration, repair, enlargement, restoration, replacement or relocation of plumbing installations shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as Historic Buildings when such installations are judged by the Director of Inspection Services to be safe and in the public interest of health, safety and welfare regarding any proposed installation, alteration, repair, enlargement, restoration, relocation or replacement.

101.6 PLUMBING INSTALLATION OR MAINTENANCE BY HOMEOWNER

Nothing in this Code shall prevent any homeowner from installing or maintaining plumbing within his own property boundaries, provided such plumbing work is done by him and is used exclusively by him or his family. Such privilege does not convey the right to violate any of the provisions of this Code, or the terms of any state statute or any other applicable ordinance of Jefferson County, nor is it to be construed as exempting any such property owner from obtaining a permit with the applicable inspections and paying the required fees therefore. The Chief Plumbing, Gas and Mechanical Inspector shall examine and pass upon the qualifications of every person who may apply for a homeowner's permit to install plumbing.

SECTION 102 - ORGANIZATION

102.1 INSPECTION SERVICES DEPARTMENT

There is hereby established a department called the Inspection Services Department which is in the charge of the Director of Inspection Services.

102.2 INSPECTORS

The Governing Body of the County shall appoint such number of officers, inspectors, assistants, and other employees to carry out the provisions of this Code.

102.3 DEPUTY

The Director of Inspection Services may designate as his deputy an employee in the department who shall, during the absence or disability of the Director of Inspection Services, exercise all the powers of the Director of Inspection Services.

102.4 RESTRICTIONS OF EMPLOYEES

An officer, inspector, assistant or employee connected with the department, except whose only connection is as a member of the board established by this ordinance, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of plumbing installations or in the making of plans or of specifications therefore, except for property owned by him or her and after satisfying the Personnel Board rule of conflict of interest. No such officer or employee shall engage in any work which is inconsistent with his duties or with the interests of the department.

102.5 RECORDS

The Director of Inspection Services shall keep, or cause to be kept, a record of the business of the Plumbing Section. All records shall be kept for a minimum of thirteen (13) years as required by the Records Disposition Authority approved by the Jefferson County Commission on January 26, 2001. The records of the Plumbing Section shall be open to public inspection during regular business hours.

SECTION 103 - POWERS AND DUTIES OF THE DIRECTOR OF INSPECTION SERVICES

(As used herein the term "Director of Inspection Services" shall include officers, inspectors, assistants and employees.)

103.1 RIGHT OF ENTRY

Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Director of Inspection Services has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Director of Inspection Services may enter such building or premises in the areas described in Section 101.3.1 at all reasonable times to inspect the same or to perform any duty imposed upon the Director of Inspection Services by this Code, provided that if such building or premises is occupied, he shall first present proper credentials and request entry. If such building or premises is unoccupied, he shall first make a reasonable

effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Director of Inspection Services shall have recourse to every remedy provided by law to secure entry.

When the Director of Inspection Services shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect after the proper request is made as herein provided, to promptly permit entry therein by the Director of Inspection Services for the purpose of inspection and examination pursuant to this Code.

103.2 STOP WORK ORDERS

Upon notice from the Director of Inspection Services that work on any plumbing installation is being done contrary to the provisions of this Code or in a dangerous, unhealthy or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of such property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where any emergency exists, the Director of Inspection Services shall not be required to give a written notice prior to stopping the work.

103.3 REVOCATION OF PERMITS

The Director of Inspection Services may revoke a permit or approval, issued under the provisions of this Code, in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based. In all such cases permit fees shall not be refunded.

103.4 UNSAFE INSTALLATIONS

All plumbing installations, regardless of type, which are unsanitary or which constitute a hazard to human life, health, or welfare are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition, and such violations shall be brought to the attention of the owner or agent thereof with written instructions to have same corrected within ten (10) days after receipt of such notice in writing and said owner or agent shall be held responsible for such violations and if not corrected, abated or demolished in accordance herewith, the same shall be punishable in accordance with Section 113 hereof.

103.5 REQUIREMENTS NOT COVERED BY CODE

Any requirement necessary for the strength or stability of an existing or proposed plumbing installation, or for the public safety, health and general welfare of the occupants of a building or structure, not specifically covered by this Code, shall be determined by the Director of Inspection Services, subject to the right of appeal to the Plumbing and Fuel Gas Board of Adjustments and Appeals.

103.6 ALTERNATE MATERIALS AND METHODS OF INSTALLATIONS

103.6.1 Existing Premises. In existing buildings or premises in which plumbing installations are to be altered, repaired or renovated, the Director of Inspection Services has discretionary power to permit deviation from the provisions of this Code, provided that such proposal to deviate is first submitted for proper determination in order that health and safety requirements, as they pertain to plumbing, shall be observed. If the occupancy classification of an existing building is changed, the plumbing installation shall be made to conform to the intent of this Code as required by the Director of Inspection Services.

103.6.2 Approval. The provisions of this Code are not intended to prevent the use of any material, device, method of assemblage or installation, fixture or appurtenance not specifically authorized by this Code, provided any such alternate has been approved and its use authorized by the Director of Inspection Services. The Director of Inspection Services shall approve any such alternate materials and methods, provided he finds them to be in compliance with and at least the equivalent of the materials and methods prescribed in this Code.

103.6.3 Evidence of Compliance. The Director of Inspection Services shall require sufficient evidence to enable him to judge whether proposed alternates meet the requirements of this Code for safety and health.

103.6.4 Tests. When there is insufficient evidence to substantiate claims for alternates, the Director of Inspection Services may require tests of compliance as proof to be made by an approved agency at the expense of the applicant.

103.6.5 Test Procedure. Tests shall be made in accordance with generally recognized standards; but in the absence of such standards, the Director of Inspection Services shall specify the test procedure.

103.6.6 Repeated Tests. The Director of Inspection Services may require tests to be repeated if, at any time, there is reason to believe that an alternate no longer conforms to the requirements on which its approval was based.

103.7 LIABILITY

103.7.1 This Code shall not be construed as imposing upon Jefferson County any liability or responsibility for damages to any person or property caused by any defect in any plumbing or piping systems mentioned herein, or by installation thereof, nor shall Jefferson County or any officer, inspector, assistant or employee thereof, be held as assuming any such liability or responsibility by reason of the inspection authorized hereunder or the certificate of approval issued by the inspector.

103.7.2 Any officer, inspector, assistant, employee, or member of any Board, charged with the enforcement of this Code, acting for Jefferson County in the discharge of his duties, shall not thereby render himself personally liable, and he is hereby relieved from all personal liability for

any damage that may occur to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer, inspector, assistant, employee or member of any board because of such act performed by him in the enforcement of any provision of this Code shall be defended by the County Attorney until the final termination of the proceedings.

103.8 NON-CONFORMING WORK

Any person, firm, or corporation engaged in the plumbing business, or any other person lawfully doing work under the provisions of this Code, whose work does not conform to the regulations herein set out, shall on notice from the Director of Inspection Services make the necessary changes at once in order to remedy the same; if the work has not been so changed after ten (10) days notice from the Director of Inspection Services, the said Director of Inspection Services shall then refuse to issue any more permits until he, it or they, have conformed to all regulations applying to said work, or disconnect the premises on which such work is installed from the Jefferson County sewer mains or maintained sewers without further notice. The expense of disconnecting from said sewer shall be charged to the person, firm or corporation who installed such illegal work. Any person, firm or corporation having control of such work, failing or refusing to make said changes, shall be punished, on conviction, as provided in Section 113. It shall be unlawful for the owner or agent for any building, dwelling or dwelling unit to permit any drain, conduit or sewer connection to remain connected with any Jefferson County sewer mains or maintained sewers if the work has been improperly done, and no person shall permit the use of any water closet or other plumbing fixture connected with a sanitary sewer or septic tank without an adequate supply of water connected thereto for the purpose of properly flushing and cleaning same. When any water closet, sanitary appurtenance or conduit draining into a sanitary sewer or septic tank becomes stopped, clogged or otherwise out of repair, it shall be the duty of the owner or agent for the building, dwelling or dwelling unit to promptly cause the necessary repairs required for compliance with the provisions herein.

SECTION 104 -APPLICATION FOR PERMIT

104.1 WHEN REQUIRED

104.1.1 General. Any person, firm or corporation who desires to connect any plumbing work with any sewers, sanitary or storm, septic tanks or sewage disposal of any kind, or private connection or install fixtures or appliances in new or existing systems, structures or premises, or repair, or add to any existing plumbing which is regulated by this Code, shall first make application to the Director of Inspection Services and obtain the required permit for the work. When plumbing work is to be connected to a public sewer system the applicant shall pay an Impact Connection fee to the Jefferson County Environmental Services Department prior to issuance of plumbing permit.

104.1.2 Optional Procedure for Five Hundred Employee Companies. Any person, firm or corporation operating any manufacturing plant or establishment which now employs at least 500 persons in Jefferson County on a regular basis, herein called the company, and which regularly

employs one or more full time salaried engineers duly registered and licensed under the laws of the State of Alabama, and who desires to connect any plumbing work with any sewer, sanitary or storm, septic tank or sewage disposal of any kind or private connection or install plumbing fixtures or appliances in any new or existing system, structure or premises, or repair or add to any existing plumbing, and not be inspected as required in Section 107, shall first make application, signed by said engineer, for the plumbing permit, and submit plumbing permit fees, prior to commencing any plumbing work on any such system, structure, or premises, and provided further that the said engineer shall, when the plumbing work is completed, submit a Certificate-of-Completion on a form provided by the Director of Inspection Services that shall include the certificate of said engineer and the company, that the work was done in compliance with all provisions of this Code and all other pertinent county ordinances and codes and that said engineer and company assumes full responsibility therefore.

104.2 APPLICATION FORM

Permits shall be issued to any person, firm or corporation upon application bearing the signature of his, its or their authorized Master Plumber except as may be approved in 101.6 and 104.1.2. The applicant shall provide the necessary information to complete the application form furnished by the Director of Inspection Services. Application for a permit can be made in person or by mail. It shall be unlawful for any person, firm or corporation to proceed with any plumbing installation or repair before the required permit or permission thereof has been issued or granted except as may be approved in Section 106.4.2.

104.3 DRAWINGS AND SPECIFICATIONS

104.3.1 Requirements. Application for a permit to install plumbing shall be accompanied by drawings and specifications and other necessary information as required by the Director of Inspection Services to determine accurately the character of the work and compliance with this Code; provided, however, that drawings and specifications may not be required in the following types of installations:

1. For one or two family dwellings unless, in the opinion of the Director of Inspection Services, the complexity of the installation is such as to necessitate the filing of plans and/or specifications to ascertain compliance with this Code.
2. For one story buildings of areas not exceeding 7500 square feet gross floor area unless, in the opinion of the Director of Inspection Services, the complexity of the installation is such as to necessitate the filing of plans and/or specifications to ascertain compliance with this Code.

104.3.2 Additional Data. Drawings required shall clearly illustrate and, together with specifications, shall contain sufficient detail and data to indicate code compliance and character of the work substantially as follows:

1. Floor plan of each floor drawn to a scale of not less than $1/8'' = 1$ foot on a minimum sheet size of eleven inches by seventeen inches (11" x 17").

2. Plot plan drawn to scale of not less than 1" = 40 feet.
3. Isometric diagrams of building drainage system-no scale required.
4. Reference to Code: Such drawings and/or specifications shall be specific and this Code shall not be cited as a whole or in part nor shall the term "legal" or its equivalent be issued as a substitute for specific information.
5. All drawings and specifications required shall be submitted in duplicate.
6. All symbols shall be clearly identified in a symbol schedule.
7. The Director of Inspection Services may require that drawings be prepared by an architect or engineer duly registered in the State of Alabama.

104.4 EXAMINATION OF DRAWINGS AND SPECIFICATIONS

104.4.1 Plan Review. The Director of Inspection Services shall examine or cause to be examined each application for a permit and the drawings and specifications and accompanying data which may be filed therewith, and shall ascertain by such examination whether the plumbing installation indicated and described is in accordance with the requirements of this Code and all other pertinent county ordinances and codes.

104.4.2 Affidavits Accepted. The Director of Inspection Services may accept a sworn affidavit from a registered architect or engineer stating that the drawings and specifications submitted of the plumbing installation conform to all requirements of this Code and he may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the Director of Inspection Services upon completion of the installation, a Certificate-of-Completion that the plumbing installation has been installed in accordance with the requirements of this Code. Where the Director of Inspection Services relies upon such affidavit, the architect or engineer shall assume full responsibility for the compliance with all provisions of this Code and the architect or engineer shall state in the Certificate-of-Completion that he does assume full responsibility for compliance with all provisions of this Code and all other pertinent county ordinances and codes.

104.4.3 Affidavits Required. The Director of Inspection Services may require a sworn affidavit from the registered architect or engineer who prepared the plans stating requirements in the preceding paragraph have been met, whenever in the opinion of the Director of Inspection Services the size or complexity of the plumbing installation requires such affidavit.

SECTION 105 - PERMITS

105.1 ACTION ON APPLICATION

105.1.1 Permit Issuance. The Director of Inspection Services shall act upon an application for a permit without unreasonable or unnecessary delay. If the Director of Inspection Services is

satisfied that the work described in an application for permit and the drawings and specifications which may be filed therewith conform to the requirements of this Code, and other pertinent county ordinances and codes, he shall issue a permit therefore to the applicant.

105.1.2 Refusal To Issue Permits. If the application for permit and the drawings and specifications which may be filed therewith describe work which does not conform to the requirements of this Code or other pertinent county ordinances and codes, the Director of Inspection Services shall not issue a permit, but shall return the drawings to the applicant with his refusal to issue such a permit. Such refusal shall, when requested, be in writing and shall contain the reasons therefore.

105.1.3 Separate Permit On Each Building Or Structure. A separate permit shall be obtained for the work on each building or structure or for each separate piece of work of any description including alterations, additions, and general repairs, except for minor repairs. Any work done pursuant to a permit issued or to permission granted in accordance with this Code, shall be performed and completed fully in compliance with the provisions of this Code and with any prior conditions the Director of Inspection Services may set for issuance of such permits or for grant of such permission. Such work shall not be commenced unless it will not be left unattended in a condition which would violate any provision of this Code. Final approval of any such work may not be given until it has been completed in accordance with the provisions of this Code.

105.2 CONDITIONS OF THE PERMIT

A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of this Code, nor shall such issuance of a permit prevent the Director of Inspection Services from thereafter requiring correction of errors in plans or in construction, or of violations of this Code. Any permit issued shall become invalid unless the work authorized by it shall have been commenced within six (6) months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six (6) months after the time the work is commenced; provided, that for cause, extensions of time for a period not exceeding six (6) months each, may be allowed in writing by the Director of Inspection Services. However, the maximum number of extensions shall not exceed three (a total of 18 months). Work commenced under the initial permit shall be completed within a two (2) year period. Work not completed within a two and one-half (2 ½) year period shall require a new permit. Cost of the new permit shall be based upon the amount required to complete the project.

105.3 PERMITS NOT TRANSFERABLE

A permit is not transferable for any person, firm, or corporation to any other person, firm, or corporation.

105.4 PERMITS ISSUED UPON AFFIDAVITS

Whenever a permit is to be issued in reliance upon an affidavit as provided in 104.4.2 and 104.4.3 or whenever the work to be covered by a permit involves construction under conditions

which, in the opinion of the Director of Inspection Services are hazardous or complex, the Director of Inspection Services shall require that the architect or engineer who signed the affidavit or made the drawings or computations shall supervise such work, be responsible for its conformity with the approved drawings, and forthwith upon its completion make and file with the Director of Inspection Services a Certificate-of-Completion that the work has been done in conformity with the approved plans and with all the applicable provisions of this Code. The architect or engineer shall state in the Certificate-of-Completion that he assumes full responsibility for compliance with all provisions of this Code and all other pertinent county ordinances and codes. In the event such architect or engineer is not available, the owner shall employ in his stead an architect or engineer who shall make said certifications.

SECTION 106 - FEES

106.1 GENERAL

Before any permit is granted for the installation, alteration and maintenance of any plumbing and drainage, both storm and sanitary, the person making application for permit shall pay to the County a fee or fees in such amount as specified in Section 106.3.

106.2 FAILURE TO OBTAIN A PERMIT

If any person commences any work on a plumbing installation before obtaining the necessary permit from the County, he shall be subject to the penalty prescribed in Section 113.

106.3 SCHEDULE OF PERMIT FEES

Note: Minimum Permit Fee \$50.00

*Water Service	\$15.00 Each
Septic Tank Connection.....	\$15.00 Each
For each plumbing fixture, floor drain or trap including individual fixture water supply and drainage piping.....	\$10.00 Each
Water Distribution Pipe, Replacement Only, per outlet.....	\$10.00 Each
Drinking Fountain or Cooler.....	\$10.00 Each
*Water Heaters.....	\$10.00 Each
*Hot Water Storage Tanks.....	\$10.00 Each
Dishwasher.....	\$10.00 Each
Garbage Grinder.....	\$10.00 Each
Rain Leader and Roof Drain Piping.....	\$10.00 Each
Sump.....	\$10.00 Each
**For each fixture not above provided.....	\$10.00 Each

*Water heaters shall include electric water heaters but no wiring thereto. All wiring must be accomplished by an electrical contractor under permit from the Director of Inspection Services. Gas water heaters may be installed by the plumbing contractor under authority of the plumbing permit provided gas piping not to exceed ten (10) feet total developed length is installed and provided the unit is individually vented. All gas work is subject to and shall be installed in accordance with the provisions of the Jefferson County Gas Code.

**See definition of Plumbing Fixtures, Chapter 2.

Inspection:

In excess of 3 approved inspections, each inspection.....	\$20.00 Each
Re-Inspection or Re-Testing (when necessitated by faulty materials, equipment, apparatus or workmanship)	
1st Re-Inspection or Re-Testing.....	\$20.00
2nd Re-Inspection or Re-Testing.....	\$40.00
All additional Re-Inspections or Re-Testings.	\$50.00 Each

106.4 FEES, HOW PAID

106.4.1 General. All fees for permits and inspections required under this Code shall be paid at the offices of the Inspection Services Department, either in the Birmingham Courthouse or the Bessemer Courthouse.

106.4.2 Emergency Permits. Nothing herein shall make it unlawful for the Director of Inspection Services to issue a permit prior to receiving the required application and fee for work under emergency conditions, as may be determined by said Director of Inspection Services, provided all information required in written application under Section 104 of this Code is given orally along with request for emergency permit. Any person, firm or corporation obtaining an emergency permit or inspection shall within five (5) days (Sunday and holidays excluded) after the issuance of such emergency permit or the giving of such emergency inspection remit to the Director of Inspection Services at his office, fees in the amount required for such permit and/or inspection together with written application required under Section 104 of this Code. If such fees are not paid within the above five (5) days, a double fee shall be charged in accordance with Section 106.6. An emergency permit or inspection may be given only under the following condition: when it is necessary to immediately repair water or drainage piping or plumbing fixtures in order to protect the health, safety and welfare of occupants of any building or structure.

106.5 FEES FOR ADDITIONAL WORK

In the event that, during the performance of the work of installation or alteration permitted under the permit, additional installations or alterations are required, it shall be unlawful for the person who secured the original permit to fail to immediately remit to the Director of Inspection

Services, an amount equal to the additional fees for permits and inspections incurred by the additional installations or alterations.

106.6 WORK COMMENCING BEFORE PERMIT ISSUANCE

Whenever any person shall commence or proceed with any plumbing installation or construction work for which a permit is required by this Code, without having first obtained such permit, the person so commencing or proceeding with such work without a permit shall take out a belated permit covering such work and pay fees therefore, double the specific fees provided by law to be paid for a timely permit covering such work. Each additional violations within a twelve (12) month period of the last violation shall result in a double fee plus twenty-five \$25 dollars. The issuance of a belated permit hereunder shall not waive or otherwise affect in any manner a prosecution under Section 113 of this Code.

106.7 REFUND OF FEES

Refund of fees paid for a plumbing permit can be made if the following conditions have been met:

1. No work has begun under said permit; and
2. The filing by the permit holder of a refund claim with Jefferson County within six (6) months of the date of issuance of said permit. Provided, however, where the claim for refund involves the duplicating or permitting of the same job more than once by the same contractor, no refund shall be made on the most current permit after sixty (60) days from date of issuance of most current permit.

There shall be an administrative charge of \$30.00 on all refunds, and there shall be no refund of a minimum permit fee.

SECTION 107 INSPECTIONS

107.1 INSPECTION REQUIRED

All new plumbing work, and such portions of existing systems as may be affected by new work or any changes, shall be inspected to insure compliance with all the requirements of this Code and to assure that the installation and construction of the plumbing system is in accordance with approved plans.

107.2 NOTIFICATION

107.2.1 Advance Notice. It shall be the responsibility of the Master Plumber to give reasonable advance notice to the Director of Inspection Services when plumbing work is ready for test or inspection. The Director of Inspection Services upon notification from the Master Plumber shall make the following inspections of plumbing installations and such other inspections as may be

necessary, and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent of any violations to comply with this Code:

1. Underground Piping Inspection: To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
2. Roughing-In Inspection: To be made after the roof, framing, fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to the installation of wall or ceiling membranes.
3. Final Inspection: To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

107.2.2 Plumber's Responsibility. It shall be the responsibility of the Master Plumber to make sure that the work will stand the test prescribed before giving the above notice.

107.2.3 Re-Testing. If the Director of Inspection Services finds that the work will not pass the test, the Master Plumber shall be required to make the necessary corrections and the work shall then be re-submitted for inspection. Where additional inspections are necessary for re-testing there shall be an additional fee as provided for in Section 106.3.

107.2.4 Final Inspection. It shall be the responsibility of the Master Plumber to notify the office of the Director of Inspection Services within forty-eight hours after the completion of the job and before the plumbing system, alterations or additions are placed in service, that the work is ready for final inspection. It shall also be the responsibility of the Master Plumber to see that the premises and work are available and accessible to the Director of Inspection Services or his representative for final inspection. When the Director of Inspection Services determines that work has been completed under a permit, but no final inspection has been asked for, nor made, it shall be his duty to refuse to issue any permits to the Master Plumber for any new work until said completed work has satisfactorily passed a final inspection.

107.3 MATERIAL AND LABOR FOR TESTS

The equipment, material, power, and labor necessary for the inspection and tests shall be furnished by the Master Plumber.

107.4 TEST OF DRAINAGE AND VENT SYSTEMS

All the piping of the plumbing system shall be tested with water. After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The Director of Inspection Services may require the removal of any cleanouts, to ascertain if the pressure has reached all parts of the system.

107.5 METHODS OF TESTING DRAINAGE AND VENT SYSTEMS

107.5.1 Water Test. The water test shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening and the system filled with water to point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest openings of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 10 foot head of water. In testing successive sections at least the upper 10 feet of the next preceding section shall be tested, so that no joint or pipe in the building (except the uppermost 10 feet of the system) shall have been submitted to a test of less than a 10 foot head of water. The water shall be kept in the system, or in the portion under test, for at least 15 minutes before inspection starts; the system shall then be tight at all points.

107.5.2 Ball Test. All stacks and vents 3" or larger shall be subjected to the "Ball Test." The test shall consist of passing a wooden sewer ball of a diameter not smaller than 1/2" less than the diameter of the pipe under test. The ball shall pass freely, under the action of gravity, through the pipe under test. Water may be used to assist in floating the ball through the piping, however, no other means of assistance shall be used.

107.5.3 Final Test. The final test of the completed drainage and vent system shall be visual and in sufficient detail to insure that the provisions of this Code have been complied with, provided, however, that, for cause, the plumber may be required to subject the plumbing to a mint test. Where the mint test is preferred, 2 ounces of oil of mint shall be introduced for each line or stack.

107.6 TEST OF WATER-SUPPLY SYSTEM

Upon completion of a section or of the entire water-supply system, it shall be tested and proved tight under a water pressure not less than the working pressure under which it is to be used. The water used for tests shall be obtained from a potable source of supply. It shall be unlawful for compressed air or gases to be used for testing purposes.

107.7 TEST OF INTERIOR LEADERS OR DOWNSPOUTS

Leaders or downspouts and branches within a building shall be tested by water in accordance with Chapter 11.

107.8 COVERING THE WORK

107.8.1 Prior to Test. The plumbing system or part thereof shall not be covered until it has been inspected, tested and approved as prescribed in this section.

107.8.2 Uncovering of Work. If a plumbing system or part thereof is covered before being inspected, tested and approved as prescribed in this chapter, it shall be uncovered upon the direction of the Director of Inspection Services.

107.9 TEST OF DEFECTIVE PLUMBING

The drainage system of any building, where there is reason to believe that it has become defective, shall be subjected to test or inspection.

SECTION 108 - CERTIFICATE OF APPROVAL

108.1 ROUGHING-IN INSPECTION

Upon the satisfactory completion of the roughing-in inspection, approval shall be so noted on the Plumbing Permit Card. This approval shall give the date of the roughing-in inspection and the initials of the inspector.

108.2 FINAL INSPECTION

Upon the satisfactory completion and final test of the plumbing system, a Certificate of Approval, when requested, shall be issued by the Director of Inspection Services to be delivered to the owner and the building shall not be occupied prior to completion of said system and final inspection.

SECTION 109 - LICENSING AND BONDING OF PLUMBERS

109.1 GENERAL

Before any person, firm or corporation shall engage in the plumbing business, within the area described in 101.3.1, he shall be qualified as set forth herein and a license shall be obtained from the County and State as required and a proper bond posted. Where any plumbing work is being done, a Master or Journeyman Plumber shall at all times be present on the job, and in actual control, and in charge of the work being done.

109.2 QUALIFICATIONS OF PLUMBERS

109.2.1 State Of Alabama Requirements. Any person, firm or corporation engaged in or proposing to engage in, the business of doing, or contracting to do, or superintending the installation of plumbing, either or both, must be qualified as set forth in Act No. 92-182 of the 1992 Regular Session of the Alabama Legislature.

109.2.2 Definitions.

1. A "Master Plumber" is any person in continuous and responsible charge of the installation, alteration, repair and renovation of plumbing work and who possesses a current, valid and unrevoked Certificate of Competency issued by the Alabama Plumbers and Gas Fitters Examining Board as a Master Plumber.

2. A “Journeyman Plumber” is any person who engages in or works at the actual installation, alteration, repair and renovation of plumbing work and who possesses a current, valid and unrevoked Certificate of Competency issued by the Alabama Plumbers and Gas Fitters Examining Board as a Journeyman Plumber.

3. A “Plumber Apprentice” is any person who is over the age of sixteen (16) years and who is engaged in learning the plumbing trade by working with and assisting a plumber in the layout, installation, maintenance and repair of plumbing and who possesses a current valid Certificate as a plumber apprentice issued by the Alabama Plumbers and Gas Fitters Examining Board.

109.3 ISSUANCE OF A LICENSE

License shall be obtained from the proper Municipal, County or State authority after fully complying with Section 109.2.

109.4 ILLEGAL WORK

Any person, firm or corporation engaged in the plumbing business whose work does not conform to the rules and regulations of this Code, or whose workmanship or materials are of inferior quality, shall on notice from the Director of Inspection Services make necessary changes or corrections at once so as to conform to this Code; if work has not been so changed after ten (10) days notice, the Director of Inspection Services shall then refuse to issue any more permits for this project until such work has fully complied with the rules and regulations of this Code.

109.5 BOND REQUIRED OF PLUMBERS FOR PLUMBING, STEAM FITTING OR EXCAVATING, DRAIN LAYING OR BLASTING

Before any person, firm or corporation shall engage in the business of plumbing, steam fitting, excavating, drain laying or blasting as a Master Plumber within the County, he, it, or they, shall in addition to the required Certificate of Competency, have a business license issued by the Municipal, County or State authority and shall also deposit with the Jefferson County Commission and continuously maintain a good and sufficient bond in the sum of five thousand dollars (\$5,000.00) and made by a surety company duly authorized to do business in Alabama. Said bond shall be conditioned that the person, firm or corporation, to be known as the Principal in said bond, shall faithfully observe all ordinances and laws of the said County pertaining to said business or businesses, whether now or hereafter enacted, together with all rules and regulations established under the authority of said laws or ordinances; and shall perform in a workmanlike manner all work undertaken by said Principal in the prosecution of said business or businesses; and shall indemnify and save harmless the said County from all liability occasioned or arising from acts done or omitted by said Principal, its servants and agents, in doing said work, or from any unfaithful or inadequate work; and shall adequately safeguard all ditches and excavations which may be opened by said Principal in the streets, highways and alleys of said County; and shall restore, or cause to be restored, in a workmanlike manner, to their former condition, all such portions of said streets, highways and alleys excavated by said Principal, and pay the expenses thereof; and shall maintain said restored portions in a safe condition for the period of one year from the date of such excavation; and shall defend all suits brought against the County based, in

whole or in part, upon any act or default for which said Principal is responsible, and pay the costs and expenses thereof, and shall pay all such damages as any person, firm or corporation may sustain by reason of violation of said laws, ordinances or regulations by said Principal, its servants and agents, or by reason of the negligence of said Principal, its servants or agents, in the prosecution of said business or businesses. Any person, firm or corporation injured in person or property by reason of any violation of said laws, ordinances or regulations by said Principal, or by any act, default or omission constituting a breach of any of the conditions of this bond, may maintain a suit or action thereon for such injury. Said bond shall also provide that it may be cancelled by the surety by giving the Jefferson County Inspection Services fifteen (15) days notice in writing prior to the date of cancellation. Failure to comply with this section shall ipso facto revoke the business license of the said person, firm or corporation.

109.6 ALLOWING ONE'S NAME, LICENSE OR BOND TO BE USED TO OBTAIN PERMIT FRAUDULENTLY

No person, firm or corporation engaged in the business of plumbing shall allow his, its, or their names to be used by any other person, firm or corporation directly or indirectly, to obtain a permit, or for the construction of any work under his, its, or their names, license or bond; nor shall he, it or they make any misrepresentations or omissions in his, its, or their applications. No person holding a Master Certificate shall represent two or more businesses as such nor shall he represent any business as such while operating his own business.

SECTION 110 - PLUMBING AND GAS BOARD OF ADJUSTMENTS AND APPEALS

110.1 APPOINTMENT

There is hereby established a board to be called the Plumbing and Gas Board of Adjustments and Appeals, which shall consist of five (5) members who shall pass on matters pertaining to plumbing or gas installations, including alterations, repairs, replacements, equipment, appliances, fixtures, fittings and/or appurtenances thereto. One (1) member shall be a lawyer, one (1) member shall be a registered engineer who practices mechanical engineering, one (1) member shall be a representative of a public gas utility company and two (2) members shall be currently licensed and bonded plumbing and gas contractors. The said board shall be appointed by the Jefferson County Commission and the Jefferson County Commission may replace any member at any time and without notice. No member of the board shall receive any compensation for his services as such.

110.2 TERM OF OFFICE

Appointments to the Plumbing and Gas Board of Adjustments and Appeals shall be for a term of six (6) years except, that the respective term of the following members first appointed shall be: Three years for the lawyer and mechanical engineer, two year for the representative of the public gas utility company and five years for the plumbing and gas contractors. Continued absence of

any member from regular meetings of the Board shall, at the discretion of the Jefferson County Commission, render any such member liable to immediate removal from office.

110.3 QUORUM

Three members of the Board shall constitute a quorum. In varying the application of any provisions of this Code or in modifying an order of the Director of Inspection Services, affirmative votes of the majority present, but not less than three affirmative votes shall be required. A Board member shall not act in a case in which he has a personal interest.

110.4 RECORDS

The Director of Inspection Services shall act as Secretary of the Plumbing and Gas Board of Adjustments and Appeals and shall make a detailed record of all its proceedings, which shall include names of the members present, the reasons for the board's decisions, the vote of each member participating therein, and any failure of a member to vote.

110.5 PROCEDURE

The Board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this Code. The Board shall meet at regular intervals, to be determined by the Chairman, or in any event, the Board shall meet within twenty (20) days after notice of appeal has been received.

SECTION 111 – APPEALS

Whenever the Director of Inspection Services shall reject or refuse to approve the mode or manner of construction proposed to be followed or materials to be used in a building or structure, or when it is claimed that the provisions of this Code do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of this Code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or his duly authorized agent, may appeal from the decision of the Director of Inspection Services to the Plumbing and Gas Board of Adjustments and Appeals. Notice of appeal shall be in writing and filed within twenty (20) days after the decision is rendered by the Director of Inspection Services. A fee of \$50.00 shall accompany such notice of appeal. The fee is not refundable.

SECTION 112-DECISIONS OF THE PLUMBING AND GAS BOARD OF ADJUSTMENTS AND APPEALS

112.1 VARIATIONS AND MODIFICATIONS

112.1.1 Variances. The Plumbing and Gas Board of Adjustments and Appeals, when so appealed to and after a hearing, may vary the application of any provision of this Code to any

particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of this Code or public interest, or when, in its opinion the interpretation of the Director of Inspection Services should be modified or reversed.

112.1.2 Conditions of Variance. A decision of the Plumbing and Gas Board of Adjustments and Appeals to vary the application of any provision of this Code or to modify an order of the Director of Inspection Services shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefore.

112.2 DECISION

112.2.1 Decisions Are Final. Every decision of the Board of Adjustments and Appeals shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Director of Inspection Services, and shall be open to public inspection.

112.2.2 Action By Board. The Board of Adjustments and Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay.

112.2.3 Action by Director of Inspection Services. If a decision of the Board of Adjustments and Appeals reverses or modifies a refusal, order, or disallowance of the Director of Inspection Services, or varies the application of any provision of this Code, the Director of Inspection Services shall immediately take action in accordance with such decision.

SECTION 113 - VIOLATIONS AND PENALTIES

Any person, firm or corporation violating any provision of this Code or failing to comply with any of the provisions of this Code after ten (10) days written notice from the Director of Inspection Services, shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars (\$500) or thirty (30) days in jail, or both, and a penalty of fifty dollars (\$50) per day, each day during the continuance of the violation.

SECTION 114 – VALIDITY

If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Code.

Delete Section 312.10 in Chapter 3 of the "2009 Edition of the International Plumbing Code," Inspection and testing of backflow prevention assemblies, without substitution.

Delete Section 606.2 in Chapter 6 of the "2009 Edition of the International Plumbing Code" and substitute in lieu thereof the following Section 606.2

606.2 Location of shutoff valves.

606.2.1 Controls for Fixtures Within Dwellings and Dwelling Units. Each individual fixture shall have an accessible shutoff valve at each outlet which will permit each fixture to be shut off without interfering with the water supply to any other fixtures. The hose bibb or hose connection shutoff valve shall be the only shutoff valve required on washing machine connectors.

606.2.2 Buildings Other Than Dwellings or Dwelling Units. In all buildings other than dwellings and dwelling units, shutoff valves shall be installed which permit the water supply to all fixtures and equipment in each separate room to be shut off without interference with the water supply to any other room or portion of the building or each individual fixture and piece of equipment shall have a shutoff valve which will permit each fixture and piece of equipment to be shut off without interfering with the water supply to other fixtures or equipment.

Delete Section 917 in Chapter 9 of the "2009 Edition of the International Plumbing Code" and substitute in lieu thereof the following Section 917.

SECTION 917 AIR ADMITTANCE VALVES

917 When air admittance valves are to be used in a plumbing system, the system shall be designed by a registered engineer licensed in the State of Alabama. In the case of existing buildings, the administrative authority may allow the device to be installed without this requirement when the building construction is such that a conventional system would be prohibited.

Delete Chapter 12, Special Piping and Storage Systems, in the "2009 Edition of the International Plumbing Code" without substitution.

PRIVATE SEWAGE DISPOSAL

Where a public sewer is not available, an individual sewage disposal system shall be of a type that is acceptable and approved by the Administrative Authority or other governing authority having jurisdiction.

APPROVED BY THE
JEFFERSON COUNTY COMMISSION
DATE: 4-12-11
MINUTE BOOK: 161
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