

TITLE 5

PLUMBING REGULATIONS

CHAPTERS:

- 5.01 Plumbing Code Adopted
- 5.02 Enforcement
- 5.03 Licenses
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**CHAPTER 5.01
PLUMBING CODE ADOPTED**

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- 5.01.01 -- Adoption of the 1996 edition of the National Standard Plumbing Code
- 5.01.02 -- Amendments Made in code Adopted
- 5.01.03 -- Title and Scope
- 5.01.04 -- Definitions
- 5.01.05 -- Sewer Tapping Regulations

**5.01.01 - ADOPTION OF THE 1996 EDITION OF THE NATIONAL STANDARD
PLUMBING CODE:**

There is hereby adopted by the City of Sturgis, South Dakota, for the purpose of establishing rules and regulations governing plumbing as defined in the ordinance, including permits and penalties, unless otherwise herein provided, that certain plumbing code known as the National Standard Plumbing Code as adopted by the State of South Dakota, on July 15, 1997.

(Revision effective October 9, 1998 Ordinance 98-13)

5.01.02 - AMENDMENTS MADE IN CODE ADOPTED

If any provisions of this Title are in conflict with the South Dakota State Plumbing Code herein adopted, the provisions of this Title shall take precedence and said codes or standards shall be considered amended or modified.

5.01.03 - TITLE AND SCOPE

This code shall be known as the South Dakota State Plumbing code, may be so cited,

and will be referred to in this chapter as the "code."

The provisions of this code shall apply to govern plumbing as defined in the code, including the practice, materials and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following: sanitary drainage or storm drainage facilities, the venting system, and the public or private water supply systems, within or adjacent to any building or other structure or conveyance; also, the practice and materials used in the installation, maintenance, extension, or alteration of the storm-water or sewage system of any premises to their connection with any point of public disposal or other terminal.

It is recognized that certain facilities in or adjacent to public streets are referred to in this code only a portion of which is under the ownership or the control of the owner or occupants of the building or premises to which this code applies.

5.01.04 - DEFINITIONS

In addition to the terms defined in the South Dakota State Plumbing Code, the following terms shall have their respective meanings for the purposes of this Title.

1. Master Plumber: Any person, who, by his knowledge, training and experience is qualified and capable of doing plumbing and is in direct charge of making plumbing installations.

2. Journeyman Plumber: Any person who, by his knowledge, training and experience is qualified and capable of doing plumbing work, but such work shall be done only under the supervision of a licensed Master Plumber.

3. Apprentice Plumber: Any person engaged in assisting a Journeyman Plumber in doing plumbing work.

4. Plumbing contractor: Any person engaged in the business of installation of plumbing.

5. building Inspector: The Building Inspector is one and the same individual as that provided in Title 2, and he shall perform all such duties herein provided that are reserved for the Plumbing Inspector if, the Common Council so designates. All references in this Title, however, shall be made to the Plumbing Inspector.

5.01.05 - SEWER TAPPING REGULATIONS

No person shall cause any main sewer line of the City to be tapped without installing an approved saddle at the point of connection to the main sewer line.

**CHAPTER 5.02
ENFORCEMENT**

SECTIONS:

5.02.01 -- Plumbing Inspector

5.02.02 -- Duties

5.02.03 -- Authority

5.02.04 -- Appeal Decisions of Plumbing Inspector

5.02.01 - PLUMBING INSPECTOR

The Plumbing Inspector shall be appointed and may be removed in the same manner provided for the Building Inspector in Title 2, and he shall perform the duties herein listed for him.

5.02.02 - DUTIES

It shall be the duty of the Plumbing Inspector to enforce the provisions of this Title. He shall have the power to grant licenses as hereinafter provided. He shall, upon application, grant permits for the installation, alteration or additions of plumbing equipment and shall make inspections of plumbing installations, all as provided in this Title. He shall keep complete records of all permits and licenses issued, inspections and reinspection made and other official work performed in accordance with the provisions of this Title. He shall keep records of all licensed Master Plumbers, Journeyman Plumbers, Apprentice Plumbers and Plumbing Contractors in this City. He shall approve or reject plans within 24 hours when practicable and in no case delay over five days to do so.

5.02.03 - AUTHORITY

All plumbing work, in the process of construction, alteration or repair, shall be under the supervision of the Plumbing Inspector, who is empowered to stop such work if the same is contrary to the provisions of this Title. The Plumbing Inspector shall have all access to all buildings for the purpose of carrying into effect all ordinances relating to plumbing and house drainage.

5.02.04 - APPEAL DECISIONS OF PLUMBING INSPECTOR

Any decision that is made by the Plumbing Inspector under the provisions of this Title shall be subject to the right of appeal to the Common Council by any person approved by said decision. Said appeal shall be perfected and achieved as provided for appeals from the decisions of the Building Inspector as provided by Title 2.

**CHAPTER 5.03
LICENSES**

SECTIONS:

- 5.03.01 -- Unlawful Unless Licensed
- 5.03.02 -- License Required
- 5.03.03 -- Application
- 5.03.04 -- Qualification
- 5.03.05 -- License Fees
- 5.03.06 -- License Issued
- 5.03.07 -- Bond and Insurance
- 5.03.08 -- License Term and Renewal
- 5.03.09 -- License Non-transferable
- 5.03.10 -- Revocation of License
- 5.03.11 -- Removal of Location

5.03.01 - UNLAWFUL UNLESS LICENSED

No person shall work as a journeyman plumber, plumbing contractor or master plumber within this City unless licensed by this City and bonded as provided for in this Chapter. No license to do plumbing work in this City shall be issued to any person who does not have a current license of the same category issued by the State of South Dakota.

5.03.02 - LICENSE REQUIRED

Any person desiring to engage in the plumbing business as journeyman or master plumber, or plumbing contractor in this City shall have an established place of business and shall first secure from the Plumbing Inspector of this City a license as Master Plumber, Journeyman Plumber, or Plumbing Contractor. Every plumbing contractor shall be required at all times to have a master plumber in direct charge of installing plumbing as a condition for the maintenance of his license.

Every journeyman plumber shall at all times work under the control and supervision of a master plumber. However, nothing in this Chapter shall prevent an individual from being licensed as both a plumbing contractor and a master plumber.

Every apprentice plumber shall register with the Plumbing Inspector annually, and shall receive from the Plumbing Inspector an Apprentice Card on which is stated the number of years he has served as an apprentice.

5.03.03 - APPLICATION

Application for a license as a Master Plumber, Journeyman Plumber, or Plumbing Contractor, shall be made to the plumbing Inspector upon blanks furnished by the City and shall state the name of the person desiring such license; that he now desires to engage in the master

plumber, journeyman plumber, or plumbing contractor business, his proposed place of business, the name under which said business is to be carried on, and any and all other information which may be necessary for the Plumbing Inspector to determine the applicant's proper qualifications.

5.03.04 - QUALIFICATIONS

Applicants for a Master Plumber's, Journeyman Plumber's or Plumbing Contractor's license shall furnish the plumbing Inspector with satisfactory evidence of his or their qualifications as master plumbers, journeyman plumbers, plumbing contractors and shall, if deemed necessary by the Plumbing Inspector after he has received the application material, pass an examination on his or their qualifications, such examination to be in the form and manner prescribed in individual cases by the Plumbing Inspector. The Council or the Plumbing Inspector, when determining the qualifications of an applicant, may call upon any Master Plumber or other persons for assistance.

5.03.05 - LICENSE FEES

The applicant for any of the above licenses shall pay to the City Treasurer the following license fees, and they must be paid in full before any application is considered:

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|------------------------|------------------------------------|
| 1. Master Plumber | \$10.00 Annually |
| 2. Journeyman Plumber | \$ 2.00 Annually |
| 3. Plumbing Contractor | |
| Resident | \$25.00 Annually |
| Non-resident | \$100.00 Initial License |
| | \$25.00 Consecutive Annual Renewal |

A resident is a person within the City limits of Sturgis or within one mile thereof. All such fees shall be reduced to one half the amount if the effective term of such license shall be one half year or less.

5.03.06 - LICENSE ISSUED

After the proper fee has been paid and the application completed, the Plumbing Inspector shall examine all information on said application, make any further examinations or investigations which he may deem necessary, and finally to make the final decision on issuing or rejecting the license application.

5.03.07 - BOND AND INSURANCE

At the time of the filing of an application for an original license and annually thereafter, and before any license shall become effective, there shall be filed by each plumbing contractor and master plumber, with the City Auditor, the following:

1. A bond in the penal sum of \$1,000 drawn in favor of the City of Sturgis with sureties or surety company approved by the City Council; which bond shall be conditioned for the

satisfactory performance of all duties required by ordinances, rules or regulations of the City of Sturgis. There shall be further condition of said bond that the obligators will hold the City of Sturgis harmless from all damages to person or property sustained by reason of neglect or incompetence on the part of such Master Plumber or Plumbing Contractor in the work done; or careless guarding of excavations made or failure to put all streets or public places opened in as good conditions as they were before the work was done; or by reason of any cause growing out of the neglect or carelessness of such Master Plumber or Plumbing Contractor or the issuance of such license. Such bond shall be renewed each calendar year, and evidence of the renewal thereof, filed with the City Auditor at the time of payment of the yearly license fee, and such bond and license shall not be transferable.

2. A certificate of insurance showing that the licensee has in force the following Manufacturer's and Contractor's Liability, including Products and Completed operations and property damage insurance; in amounts not less than \$50,000.00 for damages caused by injury to one person, not less than \$100,000.00 for damages caused by injury to more than one person in one accident, and not less than \$50,000.00 property damage. Both bond and insurance shall be maintained during the term of the license.

5.03.08 - LICENSE TERM AND RENEWAL

Each license or card hereunder issued shall be for the calendar year, shall expire at midnight on December 31st following the date of issue, and may be renewed by the Plumbing Inspector without examination upon application by the holder, payment of the yearly license fees, and furnishing proof of bond and insurance where required, at any time within ten days form the date of expiration.

5.03.09 - LICENSE NON-TRANSFERABLE

All licenses issued under this Title are non-transferable. No person holding a plumbing license shall allow his name to be used by any other party, directly or indirectly, either for the purpose of obtaining permit, or doing work under such license under the penalty of having this license revoked by the Plumbing Inspector.

5.03.10 - REVOCATION OF LICENSE

The Plumbing Inspector may, on grounds of negligence, incompetency or failure to comply with City ordinances, revoke any license hereunder granted.

5.03.11 - REMOVAL OF LOCATION

Should any plumbing contractor holding a license for a given location for his place of business, desire to move to another location, he shall report such intention to the Plumbing Inspector, giving his proposed new place of business.

**CHAPTER 5.04
PERMITS**

SECTIONS:

- 5.04.01 -- Definitions
- 5.04.02 -- Permit Required
- 5.04.03 -- Application
- 5.04.04 -- Annual Permits
- 5.04.05 -- Fees
- 5.04.06 -- Exceptions
- 5.04.07 -- Issue and Content of Permit
- 5.04.08 -- Permits Kept on Premises

5.04.01 - DEFINITIONS

1. Plumbing Work: The term "plumbing work" as herein provided covers all waste and soil pipes used in the sewerage systems in all houses and buildings and to a distance of two feet outside the foundation wall, and all pipes used to ventilate such sewerage systems and installation of water piping. Also, all material and work used in construction of new, or reconstruction or placing of new or replacing of old pipes, fixtures and appurtenances thereto belonging, which are used to conduct supply or wastes in or about any buildings whatsoever. Also all pipes in connection with gas or vapor of any kind; also, all repairs on all the above described pipes and fixtures.

2. Fixtures: The term "fixtures" as hereby defined, shall be construed to include water closets, urinals, bathtubs, shower baths, kitchen and pantry sinks, and sinks for other purposes, laundry tubs, lavatory and wash basins, wash trays, floor drains, slop hoppers, range boilers and water heaters and special fixtures for bar and similar wastes.

3. Sanitary Drainage: This term hereby defined shall cover all metal or clay pipes and joints in the same, and construction of same, from a point four feet outside the building wall, to a connection with, and the entering of, the public main or lateral sewer.

5.04.02 - PERMIT REQUIRED

No person licensed hereunder shall do any plumbing work or shall begin work on the construction of any plumbing or sanitary drainage in any new building or shall make any major repairs, alterations, or additions to existing plumbing and sanitary drainage in or near any premises in the City, unless and until the licensed Plumbing Contractor or licensed Master Plumber in charge of such work has secured from the plumbing inspector a special written permit to do such work. No permits will be issued to any one but a licensed Plumbing Contractor or Master Plumber, except to a property owner who desires to do his own work. When a permit is issued to a property owner, he must do the work personally, and such work shall conform to the standards and shall be done in the same manner as if done by a licensed plumbing contractor or master plumber. All work to be done shall be stated on the permit and

upon completion of such work the Plumbing Inspector shall be required to inspect and improve the same as hereinafter provided. No permit shall be issued until satisfactory proof to the Plumbing Inspector has been made that the required fees have been paid to the City Treasurer. All plumbing permits shall expire and become invalid 12 months after the date of their issue. They may be renewed, without additional fee, by the plumbing Inspector.

5.04.03 - APPLICATION

In order to secure such permit, the plumbing Contractor or Master Plumber shall make a written application to the Plumbing Inspector upon blanks furnished by the City. Said application shall show the name of the owner, agent or the occupant of the premises, the Addition, Lot and Block, Street and Number, and the name and location of the plumbing contractor or master plumber having the work in charge, and complete description of the work to be done, setting forth the number and kind of fixtures, with sewer connections, and said application for such permit shall be countersigned as approved or rejected by the Plumbing Inspector.

5.04.04 - ANNUAL PERMITS

A. In lieu of an individual permit for each installation, addition, alteration or repair of any plumbing or plumbing work, an annual permit shall upon application therefor be issued to any licensed master plumber or plumbing contractor for the installation, addition, alteration or repair of any plumbing or plumbing work. The application for such an annual permit shall be made in writing to the Plumbing Inspector and shall contain a description of the premises on which work is to be done under the permit.

B. The person to whom an annual permit is issued shall keep a record of all plumbing work installed, altered, repaired or added to under such permit, and the Plumbing Inspector shall have access to such records. Each annual permit shall expire on December 31st of the year in which it is issued.

C. All plumbing work done under such an annual permit shall be subject to inspections and tests just as work done under individual permits.

D. The annual fee for this class of permit shall be \$25.00 per year.

5.04.05 - FEES

The following permit or inspection fees shall be paid by the applicant to the City Treasurer before any application for a permit is considered:

A. Residence:

\$10.00 for any new or reconstructed home plus an additional \$1.00 for each plumbing fixture above 12. This fee includes two inspections and an additional \$5.00 be paid for each inspection made above 2.

B. Commercial Unit:

\$5.00 per inspection plus \$1.00 for each plumbing fixture above 4 for each inspection made.

5.04.06 - EXCEPTIONS

No special permit is required for minor repair work, be the same done by a Plumbing Contractor, Master Plumber, Journeyman Plumber, Apprentice plumber, or owner or occupant of the premises affected. Minor repair work shall be defined as including only the repair of leaks in pipes, traps and fixtures; the opening up of waste and supply pipes, traps or drains; the repairing of broken fixtures or frozen pipes inside the walls of buildings. But where waste or fixtures are changed or any other major work is done, inspection shall be required and a special permit must be taken out and the Building Inspector notified before work is covered up.

5.04.07 - ISSUE AND CONTENT OF PERMIT

Upon the approval of the application for a permit, the plumbing inspector shall issue a permit in duplicate to the plumbing contractor or master plumber applying therefor, stating the name of the owner, each of the occupants of the premises where said work is to be done, the location of the premises, Lot, Block, Street and Number, and the name and location of the plumbing contractor having charge of such work, and a description of the work to be done, setting forth the number and kind of fixtures.

5.04.08 - PERMITS KEPT ON PREMISES

It shall be the duty of the plumbing contractors or master plumbers to keep all permits on the premises where the work is being done for which such permits were issued, until such time as such work is completed, tested and accepted by the Plumbing Inspector.

**CHAPTER 5.05
INSPECTIONS**

SECTIONS:

- 5.05.01 -- Inspection Required
- 5.05.02 -- Unlawful to Cover Work Before Inspections
- 5.05.03 -- Tests
- 5.05.04 -- Seal of Inspection
- 5.05.05 -- Re-inspection
- 5.05.06 -- Authority to Condemn Existing Plumbing

5.05.01 - INSPECTION REQUIRED

For all plumbing work that is done for which a permit is required under the provisions of the previous Chapter, the plumbing contractor or master plumber shall notify the plumbing inspector when such work has been completed, and the plumbing Inspector shall then inspect such work within 48 hours after having been notified that such work is ready for inspection. No plumbing equipment, installations, alterations, or fixtures of any kind shall be put into use until the inspection has been made and the Inspector has approved the work.

5.05.02 - UNLAWFUL TO COVER WORK BEFORE INSPECTION

It shall be unlawful to cover up or in any way conceal any plumbing work or pipe laying before the same has been inspected, tested and approved by the Plumbing Inspector.

5.05.03 - TESTS

At the time of inspecting all plumbing work, the Plumbing Inspector shall require all tests provided by the South Dakota State Plumbing Code to be carried out before issuing his approval, and he shall have the option of requiring any other tests which he deems advisable. When such tests are required, the plumbing contractor or master plumber shall provide and install the necessary plugs on their respective portions of the work. Tests shall be made in the presence of the plumbing Inspector.

5.05.04 - SEAL OF INSPECTION

At the time of the acceptance or approval by the Plumbing Inspector of any plumbing work for which an inspection is required, the Plumbing Inspector shall stick, paste or tie upon the plumbing, in some convenient place some symbolic device or seal clearly indicating acceptance and approval of the installation.

5.05.05 - RE-INSPECTION

If by reason of the non-compliance with the provisions of this Title, or any of them, or through the use of defective material or due to inferior workmanship, the approval of the

plumbing inspector is not given and either a subsequent re-inspection becomes necessary, the plumbing contractor or master plumber to whom the permits have been issued shall notify the plumbing inspector in writing when such work will be ready for such subsequent inspection, which shall be made in the same manner as herein before provided for such test as it may be. The plumbing contractor or master plumber shall pay for such subsequent inspection the sum of \$2.00 to be paid in the same manner as hereinbefore required for the payment of inspection or permit fees.

5.05.06 - AUTHORITY TO CONDEMN EXISTING PLUMBING

Authority is hereby granted to the Plumbing Inspector to condemn any existing plumbing installation which is hazardous or dangerous to human life. It shall be the duty of the property owner of the condemned system to vacate the premises or immediately eliminate the hazardous condition. Failure to follow the above remedies shall be a violation of the Title.