

ORDINANCE NO. 10-044

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING CHAPTER 30 "PLUMBING AND GAS", ARTICLE I, "ADMINISTRATION", AND ARTICLE IV, "TECHNICAL PROVISIONS", BY REPLACING THE 2006 EDITION OF "THE INTERNATIONAL PLUMBING CODE" WITH THE "2009 INTERNATIONAL PLUMBING CODE", WITH AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE OF AUGUST 1, 2010; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, to be in compliance with the Texas Commission on Environmental Quality ("TCEQ"), City Staff (staff) recommends adopting, with certain amendments, the 2009 Edition of the International Plumbing Code ("2009 International Plumbing Code"); and,

WHEREAS, TCEQ requires each Texas municipality to adopt the International Plumbing Code as its standard plumbing code; and,

WHEREAS, the 2006 International Plumbing Code has been updated with revisions, and all updated revisions were included within the 2009 International Plumbing Code; and,

WHEREAS, in order to keep current with the industry and technology, staff recommends repealing the 2006 International Plumbing Code and adopting the 2009 International Plumbing Code, with amendments; and,

WHEREAS, staff sent the recommendations to the Building Code Committee, which approved adopting the 2009 International Plumbing Code, with amendments; and,

WHEREAS, staff recommends amending Chapter 30 "Plumbing and Gas", Article I, "Administration" of "The Code of the City of Galveston, as amended", to amend sections 30-5. "Application for permit", 30-6. "Permits", 30-7. "Fees and deposits", 30-10 "Licensing", by increasing the associated fee schedule, clarifying licensing and other provisions; repealing the 2006 edition of the International Plumbing Code and adopting the 2009 International Plumbing Code, with amendments; and,

WHEREAS, staff recommends amending Chapter 30 "Plumbing and Gas", Article IV "Technical Provisions" of "The Code of the City of Galveston, as amended", to amend sections 30-41, Technical provisions adopted", "section 30-43, "Specific provisions deleted and replaced", section 30-44, "Recurring references", section 30-45 "Same. All major and minor drain references", section 30-46 "Same. All gas line references" and section 30-47 "Right of appeal" by clarifying various provisions, repealing the 2006 edition of the International Plumbing Code and adopting the 2009 International Plumbing Code, with amendments; and

WHEREAS, the City Council of the City of Galveston, Texas deems it in the public interest to repeal the 2006 edition of the International Plumbing Code and adopt the 2009

International Plumbing Code, with amendments and amend Chapter 30 "Plumbing and Gas", Article I, "Administration" and Article IV "Technical Provisions" of "The Code of the City of Galveston, as amended"; and,

WHEREAS, the City Council hereby repeals all other ordinances or parts of ordinances in conflict herewith; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. Chapter 30, Plumbing and Gas" of "The Code of the City of Galveston 1982, as amended", Article I. "Administration", is hereby amended to read and provide as follows:

ARTICLE I. ADMINISTRATION

Sec. 30-5. Application for permit

Sec. 30-5(b) *Application blanks*: Application blanks for plumbing permits shall be furnished by the city ~~building~~ plumbing inspection department. Applications for a permit shall be submitted and accepted by fax, or in person. Permits shall be issued by fax, or in person. Payment can be by credit card submitted by fax or made in person.

(c) *Application for permit*: Upon application from a state-licensed master plumber or a property owner ~~of a building owned or occupied by him or his homestead~~ having a homestead exemption in place with the Galveston County appraisal District to install storm and sanitary sewers and to install plumbing fixtures, appurtenances and appliances for drainage, gas, water and/or sewer lines, and upon the conditions and requirements of this code having been complied with, the building official shall issue a permit card ~~in duplicate~~. No plumbing permit shall be issued until a building permit, if required, shall have first been issued.

Sec. 30-6. Permits

Sec. 30-6(d) *Exemption*. Projects conducted upon property owned by ~~the Galveston Independent School District, or the County of Galveston, or the federal~~ or state government or any of its ~~state~~ political subdivisions are exempt from the permit and fee requirements of this code; however, projects conducted upon privately owned property by any of the aforesaid exempt entities shall not be exempt from the permit and fee requirements.

Sec. 30-7. Fees and deposits

Sec. 30-7(b) *Failure to obtain a permit*: If any person commences on a plumbing installation before obtaining the necessary permit from the city, he shall be subject to the penalties

prescribed for violation of this code and shall pay double the amount of the applicable fees provided in schedule(c) below, with a minimum fee of one hundred (\$100.00) dollars.

(c) Schedule of permit and inspection fees:

(1) A fee of ~~six dollars (\$6.00)~~ eight dollars (\$8.00) for one (1) fixture or rough-in and ~~six dollars (\$6.00)~~ eight dollars (\$8.00) each for additional fixtures or roughing-in in the same building. The term "fixture," as used herein, shall mean each toilet water closet, sink (kitchen, service, bar, or floor) bathtub, basin (lavatory) or section of basin in battery, water closet, urinal, lavatory (basin), bathtub, shower bath, drinking fountain, electric water cooler or fountain, sink, soda fountain, laundry tray or section of laundry trays, washing machine, catch basins, sump, slop sink, clothes washer, dental unit with cuspidor, fountain cuspidor, dishwashing machine, hot water heater or hot water heater replacement, water softener, garbage disposal, floor drain, roof drain, laundry traps, trailer connections, drains cellar drains (connected directly with sanitary sewer), waste for any air conditioning or refrigeration apparatus, each non-testable (AVB) backflow prevention device and other receptacle appliances having a waste and/or water connection.

(2) A fee of ~~ten dollars (\$10.00)~~ twelve dollars (\$12.00) for each ~~trapped~~ sewer connection designed and constructed to provide a connection for one (1) trailer coach.

(3) A fee of ~~eight dollars (\$8.00)~~ for each sewer or sewer connection.

(4) (3) A fee of ~~ten dollars (\$10.00)~~ thirty dollars (\$30.00) for each sand trap.

(5) (4) A fee of ~~twelve dollars (\$12.00)~~ twenty-five dollars (\$25.00) for each gas line or gas connection up to two (2) floors. A fee of twelve dollars (\$12.00) for each additional floor.

(6) A fee of ~~six dollars (\$6.00)~~ for each roof drain.

(7) A fee of ~~thirty dollars (\$30.00)~~ for each private sewage disposal system, consisting of septic tanks, chemical toilets, privy and privy vaults (when approved by the city), and aerobic digesters.

(8) (5) A fee of ~~twenty dollars (\$20.00)~~ fifty dollars (\$50.00) for each ~~one~~ retest and/or re-inspection that may be required as follows:

a. If the work is not ready for inspection at or about the time ~~of the hour named set with the inspector.~~

b. If the work has to be retested due to failure under test or if the work does not meet the requirements of this code.

A fee of two-hundred (\$200.00) for each subsequent required retest and/or re-inspection.

(9)(6) The minimum fee for any permit requiring inspection shall be ~~twelve dollars (\$12.00)~~ twenty-five dollars (\$25.00). This fee may be waived pursuant to subsection (12) below.

(10) A fee of ~~eight dollars (\$8.00)~~ for water service cut-ins on all but new construction and remodeling.

(11) A fee of ~~twenty dollars (\$20.00)~~ for a vacuum breaker inspection for yard sprinkler systems.

(12) To encourage citizens to make voluntary repairs to reduce infiltration and inflow problems on private property, the city may waive the ten dollar (\$10.00) permit fee referred to in subsection (9) above. To be eligible for such waiver of the fee, a citizen must apply for the appropriate permit, make repairs to the citizen's household plumbing and private sewer service system between January 1, 1997, and June 30, 1998, and allow the city to inspect the repairs.

(13) Inspection fee after hours: ~~thirty-five dollars (\$35.00)~~ per hour.

(14) Certificate of occupancy for re-occupation of an existing structure: ~~fifty dollars (\$50.00)~~. The fifty dollar (\$50.00) fee shall apply only to structures that do not require a general building, electrical, HVAC, or plumbing permit.

- (15) Re-inspection fee for all trades: twenty-five dollars (\$25.00).
- (46)(7) Each backflow prevention device: thirty dollars (\$30.00).
- (8) Installation of grease trap: sixty dollars (\$60.00)
- (9) Installation of sampling well: thirty dollars (\$30.00)
- (10) Installation of sewage grinder pump, each pump: thirty-five dollars (\$35.00)
- (11) Installation of sewage, ejector pump, each pump: twenty-five dollars (\$25.00)

Sec. 30-10 – Licensing

Sec. 30-10(a) *General.* Before any person, firm, or corporation shall engage in the plumbing business within the city, ~~he or they~~ the person, the company owner or a company employee shall have ~~secured~~ a valid license, as required by V.T.C.A., Occupations Code ch. 1301, as amended.

(1) Before any person, firm, or corporation shall engage exclusively in the irrigation business within the city, the person, the company owner or a company employee shall have a valid irrigation license issued by the Texas Commission on Environmental Quality (TCEQ).

(2) Any person, firm, or corporation licensed by the Texas State Board of Plumbing Examiners may also perform irrigation work within the city. A firm licensed exclusively by the TCEQ for irrigation shall not perform plumbing work.

(3) All irrigation work must meet minimum standards and specifications for the design, installation, and operation of an irrigation system in accordance with State law (Section 1903.053), State Occupations Code, and TCEQ rules adopted under that section.

Note: Section 1903.053 does not apply to an on-site sewage disposal system, an irrigation system used on or by an agricultural operation, or an irrigation system connected to a groundwater well used by the property owner for domestic use.

(b) *License to do plumbing work:* All persons engaged in the actual installation of plumbing, except storm and sanitary sewers in public property, shall be licensed as required by V.T.C.A., Occupations Code ch. 1301, as amended.

(c) *Illegal work:* Any person, firm, or corporation engaged in the plumbing or sewer laying business whose work does not conform to these rules and regulations, or whose workmanship, or materials are of inferior quality, shall, on notice from the building plumbing official, 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 from the building plumbing official, the building plumbing official shall then refuse to issue any further permits until such nonconforming work has fully complied with the rules and regulations of this Code.

(d) *Allowing one's name or license to be used to obtain permit fraudulently:* No person, firm, or corporation engaged in the business of plumbing or laying sewers 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 or license; nor shall he, it, or they make any misrepresentations or omissions in his, its, or their returns.

(e) *Identification of service vehicles required:* All persons, firms, and corporations engaged in the plumbing business in the City of Galveston shall identify all vehicles used in such business with signs showing the name, business or home address, exchange and telephone number, and State License number of such business. This information shall be correct at all times and shall be painted on each side of such vehicles and shall be in full view and legible at all times.

(f) *Compulsory insurance coverage required of master plumbers:* Insurance is required to be filed with the Texas State Board of Plumbing Examiners as required by V.T.C.A., Occupations ch. 1301, as amended.

(g) *Registration:* When the Texas State Board of Plumbing Examiners shall have passed an applicant for examination for a master plumber's license; such license shall be presented to the city secretary. The plumbing inspector's office shall register the license as of the date of its issuance, showing the name and address of the licensee. No fee shall be required for registration. Registration expires on December 31st of each year and must be renewed annually.

(h) *Change in address; retirement:* Every licensed master plumber or irrigation licensee registered with the city shall give the inspector immediate notice of any change of his address and if he retires from business he shall notify the inspector who shall make a note thereof on the records of his office.

SECTION 3. Article IV. "Technical Provisions" is hereby amended to read and provide as follows:

ARTICLE IV. TECHNICAL PROVISIONS

Sec. 30-41. Technical provisions adopted.

The ~~2006~~ 2009 International Plumbing Code, hereinafter referred to as the "Plumbing Code of the City of Galveston" (Plumbing Code) copies of which have this day been exhibited to and approved by the city council and certified copies of which are on file in the respective offices of the city secretary and the building official of the city, is hereby adopted by reference and declared to be the code.

Sec. 30-43, Specific Provisions deleted and replaced.

(a) The following provisions of the ~~2006~~ 2009 International Plumbing Code are deleted: Appendix A--Plumbing Permit Fee Schedule, Section 106.5.3--Expiration, Section 106.5.4--Extensions, and Section 106.6--Fees. They are replaced by the Galveston City Code, Chapter 30, Article I, Sec. 30-5--Application for Permit, Section 30-6--Permits and Section 30-7--Fees and Deposits.

(b) The ~~2006~~ 2009 International Plumbing Code Section 1003.3.2, "Food Waste Grinders" is deleted and replaced by the following:

1003.3.2 Food Waste Grinders

Commercial food waste grinders must connect to grease traps and a solids interceptor shall separate the discharge before connecting to the grease trap. Solids interceptors and grease interceptors shall be sized and rated for the discharge of the food waste grinder. Water-jacketed or other similar type interceptors where the water supply system is used for coagulating grease are prohibited.

(c) The ~~2006~~ 2009 International Plumbing Code Section 1104.2, "Combining storm with sanitary drainage" is deleted and replaced by the following:

1104.2 Combining Storm with sanitary drainage

The sanitary and storm drainage systems of a structure shall be entirely separate. Combined systems are not allowed.

(d) The 2006 2009 International Plumbing Code Section 103, "Department of Plumbing Inspection": Title and all references to Department of Plumbing Inspection are replaced by Office of Plumbing Inspection.

Section 103.1 General is deleted in its entirety and replaced by the following:

103.1 General

The office of plumbing inspection is hereby created and the supervisor in charge thereof shall be known as the chief plumbing inspector.

Sec. 30-44. "Recurring references—All wet venting references" Shall be deleted in its entirety and replaced with the following:

Sec. 30-44. Reserved.

Section 30-45 "Same – All Major and Minor Drain references", Shall be amended to read as follows:

Sec. 30-45. ~~Same—All Major and Minor Drain References.~~ Water Piping; Waste and Vents; Sewers

No minor drains will be allowed over major drains.

(1) No air admittance valves allowed.

(2) Tub and shower taps must be 2 inches.

(3) Under slab main sewer piping must be minimum of 4 inches.

(4) No galvanized water pipe allowed for new installations. Galvanized water pipe repair or replacement for existing installations must have Plumbing Inspector's approval prior to beginning work.

(5) Water piping inside building must be CPVC, copper or PEX.

(6) Outside underground use of CPVC is allowed.

(7) Outside water piping not underground must be PVC (SCH 40) or copper (Type L).

(8) Penetrations through walls (e.g. hose bibs, water entry) must be copper or brass.

Section 30-46 "Same—All major and minor drain references", Shall be amended to read and provide as follows:

Sec. 30-46. Recurring references (same) All gas line references.

The only approved materials for use in the city are the following:

(1) Inside building. Schedule 40 or better Galvanized Pipe and Fittings required.

(2) Underground outside of building only. Schedule 40 or better Galvanized Pipe and Fittings, or Polyethylene gas piping with epoxy coated steel risers required.

(3) No gas piping allowed under any building slabs.

- (4) No black piping allowed.
(5) Minimum 1 inch size stubout at meter is required.
(6) For gas testing, high pressure diaphragm gauge at meter stubout is required.

Section 30-47 "Right of Appeal", Shall be amended to read as follows:

Sec. 30-47. Right of Appeal.

The ~~2006~~ 2009 International Plumbing Code Section 109, "Means of Appeal", is hereby deleted and replaced by the following:

SECTION 4. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 5. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 6. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

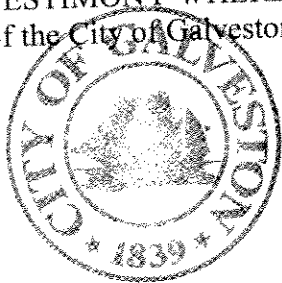
SECTION 7. This Ordinance shall be and become effective on August 1, 2010 in accordance with the provisions of the Charter of the City of Galveston.

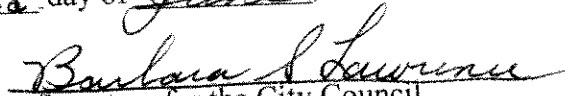
APPROVED AS TO FORM:


DONNA M. FAIRWEATHER
ASSISTANT CITY ATTORNEY

I, Barbara S. Lawrence, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its regular meeting held on the 27th day of May, 2010 as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 2nd day of June, 2010.




Secretary for the City Council
of the City of Galveston