

CHAPTER 157

PLUMBING CODE

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157.01 PURPOSE. It is the purpose of this chapter to require architects, builders, contractors, property owners, their agents and others, to meet their responsibilities with respect to proper construction, construction techniques, and premises safety and to provide for inspection as a means of compelling compliance therewith. It is not the purpose of this chapter to create any duty on the part of the City, its officers, agents, or employees, owing to any individual member of the public or to protect any particular or circumscribed class of persons. Specifically, it is not the intent of this chapter to create any duty or liability by the City, its officers, agents, or employees, to premises occupants, owners, tenants, or any other person.

157.02 WARNING. NO PERSON SHALL PLACE RELIANCE UPON THIS CHAPTER, ANY INSPECTIONS PERFORMED OR CERTIFICATES ISSUED PURSUANT TO THIS CHAPTER, AS INDICATING THE SAFETY OF OR QUALITY OF CONSTRUCTION OF ANY PARTICULAR PREMISES. NEITHER THIS CHAPTER NOR INSPECTIONS MADE PURSUANT THERETO NOR CERTIFICATES ISSUED ARE INTENDED TO ASSUME THE DUTY OF ANY PERSON TO ADEQUATELY CONSTRUCT AND MAINTAIN A PREMISES OR PROVIDE A SAFE PREMISES OR TO, IN ANY WAY, INDICATE A DECREASE IN THE RISK ASSOCIATED WITH THE USE OR OCCUPANCY OF ANY PREMISES. A CERTIFICATION THAT A PREMISES HAS BEEN INSPECTED PURSUANT TO THIS CHAPTER SHALL NOT IN ANY WAY CONSTITUTE A WARRANTY OR GUARANTEE OF THE SAFETY OR QUALITY OF THAT PREMISES.

157.03 INTERPRETATION. The foregoing statements of legislative intent shall govern and take precedence over any other language contained in this chapter or the *International Plumbing Code* 2003 Edition adopted herein.

157.04 ADOPTION. The *International Plumbing Code* 2003 Edition, except those provisions thereof which are hereinafter deleted, modified or amended, is hereby

adopted as and shall constitute the “Plumbing Code of the City of Clive, Iowa” to regulate the practice, materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances of sanitary plumbing facilities, potable water facilities and other plumbing systems within or adjacent to or connected with buildings, structures and premises in the City of Clive, Iowa, and the same is, by this reference, incorporated herein as fully and completely as if set forth in full. The use of the term *International Plumbing Code* 2003 Edition in this chapter shall be interpreted to refer to the *International Plumbing Code* 2003 Edition.

157.05 SHORT TITLE. This chapter shall be known as the “Clive Plumbing Code” and may be cited as such and may also be known, referred to and cited as the “Plumbing Code.”

157.06 SCOPE. The provisions of this Code shall apply to:

1. New Construction. The installation of new plumbing systems within or on public and private buildings and their premises.
2. Existing Buildings.
 - A. Additions to, alterations of, and repairs to existing plumbing system or equipment, if covered by this code. The Plumbing Inspector may, when such additions, alterations or repairs are made, order other reasonable additions or alterations in a building, structure, or on premises, when a danger to life or property may result if such other additions or alterations were not made.
 - B. Installations, which were in compliance with the code in existence at the time such installations were made, shall be presumed to be safe and proper, which presumption can be rebutted by evidence that the installation may be dangerous to life or property.
 - C. If the classification of a building has been changed due to a change in occupancy, the mechanical systems in the entire building shall comply with all the plumbing standards applicable to the new classification. If the occupancy of a building has been changed to a mixed occupancy, with the required fire separation between the mixed occupancy, each occupancy shall comply with its own particular classification and shall be installed in compliance with the plumbing standards of its particular classification.

157.07 INDEMNIFICATION. The applicant for any permit under this Code, by making such application, assumes and agrees to pay for all loss or damage to property whatsoever, and injury to or death of any person or persons whomsoever, including all costs and expenses incident thereto, however arising from or in connection with or related to the issuance of such permit or the doing of anything thereunder, or the failure of such applicant, or the agents, employees or servants of such applicant, to abide by or comply with any of the provisions of this Code or any other ordinances of

the City; and such applicant, by making such application, forever indemnifies the City, its officers and employees and agrees to save it and them harmless from any and all claims, demands, lawsuits or liability whatsoever for any loss, damage, injury or death, costs and expenses, by reason of the foregoing even though acts or omissions of the City, its officers or employees may have caused or contributed thereto. The foregoing provisions shall be deemed to be a part of the permit issued under this Code whether expressly recited therein or not.

157.08 PERMIT REQUIRED. No new installation, alteration or change shall be made in or upon the plumbing systems or equipment of any building, nor shall any plumbing system or equipment be connected to any existing plumbing system or apparatus without first securing a permit from the Clive Community Development Department.

157.09 ISSUANCE OF PERMIT. After proper application on forms provided by the Clive Community Development Department, permits shall be issued in the name of the person doing the work as the contractor and the name of the firm or corporation with whom the contractor is associated. A person identified as the contractor shall secure permits only for work done by the firm or corporation named on the contractor's permit. Permits are not transferable. No permits shall be issued to any person or company who has fees outstanding or who has outstanding violations of this code or any other laws or ordinances of this City.

157.10 PERMIT FEES. There shall be a fee paid for the issuance of permits. Permit fees and fees for other inspections shall be set forth in a fee schedule established and approved from time to time by the City Council. Fees on all buildings or structures constructed by any unit of the government or nonprofit organization may be waived by the City Council. No fees shall be collected on buildings or structures constructed by or for the City of Clive.

157.11 EXPIRATION OF PERMIT. Every permit issued under the provision of this Code shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within ninety days from the date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 60 days. Before such work can be recommenced, a new permit shall be first obtained, and the fee therefor shall be one-half of the amount required for a new permit for such work, provided that such suspension or abandonment has not exceeded 120 days.

157.12 REVOCATION. Any permit required by the provisions of this Code may be summarily revoked by the Plumbing Inspector upon the violation of any provision of this Code.

157.13 INSPECTION. Except as otherwise provided in this Code, no person shall cover or conceal or cause to be covered or concealed any plumbing supply or waste system for which a permit has been issued, until such plumbing supply or waste system has been inspected and approved as required by this Code. The Plumbing

Inspector shall have authority to remove or cause the removal of any obstructions, which may prevent the proper inspection of plumbing systems. Upon the completion of the plumbing of any building, it shall be the duty of the company, firm or individual doing the same to notify the Plumbing Inspector, who shall inspect the same on receipt of such notice for conformance to the provisions of this Code. Certificates of Occupancy shall not be issued unless the plumbing supply and waste systems, shall be in conformity with the rules and regulations set forth in this Code.

157.14 DELETIONS. The following deletions are hereby made to the *International Plumbing Code* 2003 Edition.

1. Section 101.1, Title, of the IPC is hereby deleted and there is enacted in lieu thereof the following section:

Section 101.1 Title. These regulations shall be known as the Plumbing Code of the City of Clive, hereinafter known as “this code.”

2. Section 103.1 of the IPC is hereby deleted and there is enacted in lieu thereof the following section:

Section 103.1 General. “Administrative Authority” shall be the Construction Services Administrator. Also, for the purpose of this section, the Construction Services Administrator may be referred to as the Plumbing Inspector.

157.15 AMENDMENTS, MODIFICATIONS AND ADDITIONS. The following amendments, modifications and addition are hereby made to the *International Plumbing Code* 2003 Edition:

1. Section 105.2, Alternate Materials, Methods and Equipment, of the IPC is hereby amended by adding the following Section 105.2.1 and exception:

Section 105.2.1 - Uniform Plumbing Code, 2000 Edition. The Uniform Plumbing Code, 2000 Edition, as prepared and edited by the International Association of Plumbing and Mechanical Officials, as amended and adopted by the Iowa State Health Department, is hereby approved as an alternate equivalent method for complete plumbing systems.

Section 105.2.1, Administration Exception 1. Administrative regulations shall be as prescribed in the International Plumbing Code, 2003 Edition, as amended in this ordinance.

2. Section 106 Permits. Add the following subsection.

106.1.1 Upon approval of the application provided for in this Section, the Community Development Department shall issue a permit to the person, firm or corporation holding a valid City of Clive Plumbing Contractors License applying therefor. No permit shall be issued for additional plumbing work in any

building where the plumbing is found defective, or has been installed, or is being maintained contrary to the provisions of this Code, other ordinances of the City of Clive, Iowa, or the rules and regulations of the local County and State Boards of Health, unless such plumbing is to be corrected, and the permit is taken out to cover the correction of such work.

3. Section 106.6, Fees, of the IPC is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 106.6 Fees. A permit shall not be issued until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

4. Section 106.6.1, Work Commencing Before Permit Issuance, of the IPC is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 106.6.1 Work Commencing Before Permit Issuance. Any person who commences any work on a plumbing system before obtaining the necessary permits shall be subject to a fee established by the Construction Services Administrator that shall be in addition to the required permit fees.

5. Section 106.6.2, Fee Schedule, of the IPC is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 106.6.2 Fee Schedule. Permits shall not be issued until the fees, as set forth and established by resolution of the City Council, have been paid to the City of Clive. An amended permit or a supplemental permit for additional construction shall not be issued until the permit fee for the additional work has been paid.

6. Section 106.6.3, Fee Refunds, of the IPC is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 106.6.3 Fee Refunds. The Construction Services is authorized to establish a refund policy.

7. Section 108.4, Violation Penalties, of the IPC is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 108.4 Violation Penalties. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any such violation is committed, continued or permitted. Upon conviction of any such violation, such person shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than thirty (30) days.

8. Section 108.5, Stop Work Order of the IPC is hereby amended by deleting said section and inserting in lieu thereof the following sections:

Section 108.5 Stop Work Order.

Section 108.5.1 Authority. Whenever the Construction Services Administrator finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the Construction Services Administrator is authorized to issue a stop work order.

9. Section 405.4.1 Floor Flanges, of the IPC is hereby amended by adding the following subsection:

Section 405.4.1.1 Basement Water Closets. No floor flange shall be required for a basement water closet within a dwelling unit when the floor is of concrete.

10. Section 108.5 Violations, of the IPC is hereby amended by adding the following subsection:

Section 108.5.2. The stop work order shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. Where an emergency exists the Construction Services Administrator shall not be required to give notice prior to stopping the work.

11. Section 605.1 Materials, Joints and Connections, of the IPC is hereby amended by adding the following subsection:

Section 605.1.1. All service pipes connected to mains shall meet City of Clive Water Department Standards, specifically with regard to corporation cocks, valves and curb stops. All service pipes that are connected to mains with a tapping sleeve and valve shall have a "valve box" extending from said valve, to the surface.

Section 605.1.2 Water Meters. Water meters must remain easily accessible at all times.

Section 605.1.3 City Right-of-Way All work in the City right-of-way must be in compliance with Urban Standard Specifications for Public Improvements.

Section 605.1.4 Underground Copper. Copper tube for underground piping shall have a weight of not less than type K.

12. Section 608, Protection of Potable Water Supply, of the IPC is hereby amended by adding the following section:

Section 608 Protection of Potable Water Supply.

Subsection 608.1.1. Clive Water Department Rules and Regulations will take precedence over any requirements as noted in this section.

13. Section 703, Building Sewer, of the IPC, is hereby amended by adding the following subsection:

703.6 Minimum Building Sewer Size. The minimum diameter for a building sewer shall be four (4) inches.

14. Section 708, Cleanouts, of the IPC, is hereby amended by adding the following section:

Section 708.10 Test Tees. Test tees shall be installed within five feet (5') of the property line.

15. Section 710, Drainage System Sizing, of the IPC, is hereby amended by adding the following subsection:

Section 710.1.3. No main building drain or sewer shall be less than four inches (4") in diameter. All duplexes shall have separate connections to the public sewer for each unit, or provisions made for cleanouts so each unit sewer line can be cleaned and opened to the public sewer, without the necessity of entering the other unit. All multi-family and commercial connections shall be properly sized to carry fixture units in accordance with Table 7-8.

16. Section 715.1 Sewage Backflow, of the IPC is hereby amended by adding the following:

Section 715.1 Sewage Backflow Exception 1 The requirements of this section shall apply when determined necessary by the Construction Services Administrator based on local conditions.

17. Section 716, Private Sewer System, of the IPC, is hereby amended by adding the following section:

Section 716 Private Sewer System. When a sewer is not available, buildings shall be connected with private sewage disposal works complying with provisions of the local County Health Department and State of Iowa regulations. No private sewage disposal works shall be constructed where the public sewer is available.

A plan showing the location and design of the private disposal units and also the location of any and all wells within seventy-five feet (75') of the site shall be filed with the application for a permit. A permit must be obtained from local County Health Department and the City of Clive.

18. Section 901.2.1, Venting Required, of the IPC is hereby amended by adding the following exception:

Section 901.2.1 Venting Required Exception 1. A vent is not required on a three inch basement floor drain provided its drain branches into the building drain on the sewer side at a distance of five feet or more from the base of the stack and the branch line to such floor drain is not more than twelve feet in length.

19. Section 903, Vent Stacks and Stack Vents, of the IPC is hereby amended by adding the following section:

Section 903.6 Future Vents. In every basement in which future fixtures are “roughed-in” there shall be not less than one two (2) inch dry vent pipe installed accessible to the basement for future use. The piping shall be identified to indicate that the connection is a future vent.

157.16 OUTSTANDING PERMITS. If any plumbing permit is outstanding, the provisions of this chapter, and the *Plumbing Code* adopted hereby, shall apply to the work authorized by such permit, except to the extent that the Plumbing Inspector shall determine that the application of such provisions to said work would be unreasonable. The burden shall be upon the owner of such permit to show the unreasonableness of such provisions.

157.17 PLUMBING CONTRACTOR’S LICENSE.

1. Definitions. The following definitions apply to this section:
 - A. Master Plumber. Any person who has satisfactorily passed the examination for a master plumber’s certificate of competency.
 - B. Plumbing Contractor. The term “Plumbing Contractor” includes any person, firm or corporation engaged in contracting for the installation of plumbing.
2. Exceptions. Except as otherwise provided herein, no person, firm or corporation shall engage in, or represent himself or herself to the public as engaging in; the activity or business of installing, altering or repairing any plumbing or building drainage systems for which permits are required by this Code; unless such person or firm shall have first obtained from the City of Clive, Iowa, a Plumbing Contractors License. Exceptions to license requirements shall be as follows:
 - A. A Plumbing Contractors License shall not be required in the following cases:
 - (1) Public or private sewers, other than a building or house sewer;
 - (2) Lateral sewer stubs, extending from a public sewer to the property line, when built in compliance with the Urban

Standard Specifications for Public Improvement and inspected by the City.

B. The Clive Water Department shall not be required to hold a Plumbing Contractor's License in order to perform the following work:

- (1) Minor adjustments to a water service in order to terminate water service.
- (2) Minor temporary water service repairs and adjustments to control flows in emergency situations where damage is caused or hazard is created.
- (3) Minor plumbing work performed in or on City-owned buildings or equipment.
- (4) Sewer repair and maintenance.

3. Qualifications for Plumbing Contractor License. Any person, firm or corporation may obtain a Plumbing Contractor License when the active manager or managers of said firm or corporation holds a Master Plumber certificate of competency. A license issued to such firm or corporation shall have upon its face the name of the active manager or managers who are holders of a certificate of competency. Whenever a firm or corporation licensed as a Plumbing Contractor fails to employ an active manager who is the holder of a certificate of competency, its plumbing license shall be automatically revoked. Any change in the active manager or managers shall be immediately reported to the Construction Services Administrator and the change noted upon the license.

157.18 BOND.

1. Bonds. Before a Plumbing Contractor License shall be issued, the applicant shall file with the Community Development Department a bond in the sum of five thousand dollars (\$5,000.00), to be approved by the Community Development Director, to save the City harmless on account of any and all failures on the part of the said applicant to comply in all particulars with the provisions of this Code, other ordinances of the City of Clive and the rules and regulations of the City of Clive and the rules and regulations of the local and State Boards of Health.

2 License Fees. All Plumbing Contractor Licenses shall expire on the thirty-first day of December next ensuing after the issuance thereof. Before issuing any Contractor License, the City Clerk of the City of Clive, Iowa, shall charge and collect from the person, firm or corporation, receiving the same, a fee in accordance with the fee schedule established from time to time and approved by the Council.

3 Employment of Licensed Plumbers. No person, firm or corporation shall employ any person, firm or corporation to engage in construction, reconstruction, alteration or repair of any plumbing or building drainage

system in or for any building in the City of Clive, Iowa, unless such person, firm or corporation has obtained a Plumbing Contractor License.

157.19 INSTALLATION BY OWNER. In cases where the owner desires to perform the installation of minor plumbing supply or waste system fixtures in said owner's own residence, the owner may do so after demonstrating to the Construction Services Administrator that he or she is competent to do the specific work for which he or she desires a permit and obtaining a permit from the City Community Development Department.

157.20 PLUMBING INSPECTOR. It shall be the duty of the Construction Services Administrator, appointed under provisions of the Clive Community Development Director, to administer and enforce the provisions of this chapter and to make any required inspection or tests. For the purposes of this Code he/she may also be referred to as the Plumbing Inspector. A person or persons may be appointed as assistants or agents of the Construction Services Administrator as may be necessary to carry out the provisions of this chapter. For the purpose of making inspections, tests, or otherwise discharging his/her official duties, the Plumbing Inspector shall have the right to enter at any time any building, area, or manhole upon notifying the company or individual owning or having charge or control of the same. Whenever, in the judgment of the Plumbing Inspector, any plumbing system or appliance shall be defective or dangerous, or whenever from, any cause the premises shall be in such defective condition as to be in danger of fires, or accident to workmen or the general public, the Plumbing Inspector shall at once order the removal of such defects and the remedying of such improper condition.

157.21 SITE MAINTENANCE. All persons constructing, erecting, altering, furnishing materials, performing services or performing construction of any nature for any building or other structure within the City shall prevent refuse, debris, and junk from blowing, drifting, or otherwise being deposited upon adjacent properties and streets. Construction debris shall be kept on site in some manner of containment and shall be removed from the site in a timely manner.

157.22 STREET PROTECTION. No person performing construction of any nature or furnishing materials or performing services within the City shall drive across or cause any vehicle, trailer, implement, equipment, materials or supplies to cross any street curbing without adequately protecting the street curbing from damage thereby.

157.23 CONFLICTING PROVISIONS. In any case where the provisions of this chapter, or the Code adopted hereby, are found to be in conflict with a provision of the Code of Iowa or a provision of any zoning, building, fire, safety or health ordinance or code of the City of Clive, Iowa, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

157.24 VIOLATIONS. Any person, firm or corporation, violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day during

which any violation of any of the provisions of this Code is committed, continued, or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than \$500.00 or by imprisonment of not more than 30 days or by municipal infractions as prescribed by law.

157.25 APPEALS. Any person affected by a decision of the Plumbing Inspector may request and shall be granted a hearing on the decision, as described in Chapter 160 of this Code of Ordinances.

(Ch. 157 amended by Ord. 823 – Mar-05 Supp.)

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