

LEGISTAR File No. 63536 Body

DRAFTER'S ANALYSIS: This ordinance makes numerous changes to Chapter 18 of the Madison General Ordinances to update the City's plumbing code. To simplify the changes, the entire chapter is being repealed and recreated. The notable changes are as follows:

1. Adjusting and increasing permit fees as part of our budget proposal to account for the recent and projected decrease in departmental revenue.
 - Broadly, adjusted fees are intended to primarily impact large commercial type construction. Impact on fees for residential housing and remodel work will be limited.
 - Fees adjustments are projected to account for a decrease in revenue stemming from a slowdown in overall project growth.
 - Fees have not been adjusted in over a decade as the continued rapid rate of growth in the City has offset the devaluation of fees during this time.
 - The projected adjustment will comply with State requirements that fees collected are intended to equal the cost of administering and maintaining the Building Inspection program.
2. Adjusting text and formatting to create an easier and more streamlined ordinance with more user-friendly design.
3. Aligning and establishing clear and consistent program administration language to more plainly define valid permit timeframes, expiration dates, and renewal procedures.

The Common Council of the City of Madison do hereby ordain as follows:

Chapter 18 entitled "Plumbing Code" of the Madison General Ordinances is hereby repealed and recreated to read as follows:

**"CHAPTER 18
PLUMBING CODE**

18.01 - ADMINISTRATION AND ENFORCEMENT.

- (1) The design and installation of all plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies, storm water and sewage disposal in buildings and exterior from property line to building shall comply with the requirements of this code.
- (2) To enforce the provisions of this code, there is hereby authorized and established the position of Plumbing Inspector. A Plumbing Inspector shall, under the direction of the Director of the Building Inspection Division, be responsible for the inspection of plumbing, water supply and drainage installations in conformity with the requirements of this code.
- (3) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed seventy-five dollars (\$75) per compliance inspection, as defined in Section 27.03(2), MGO, that does not result in compliance with the order. A thirty-five dollar (\$35) charge may be assessed when an inspector fails to gain entry to carry out a compliance inspection.
- (4) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the Finance Director, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of

land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.

18.02 - PURPOSE AND INTENT.

- (1) It is the purpose and intent of this code to establish minimum plumbing standards in terms of performance objectives, implemented by specific requirements, which will provide reasonable safeguards for sanitation to protect the public health against hazards of inadequate, defective or unsanitary plumbing installations.
- (2) The provisions of this Code shall be binding alike upon the owner of a building or premises, every person in charge of or responsible for or who causes the installation, repair, alteration or improvement of any plumbing devices, fixtures, or equipment.

18.03 - CONFLICT OF REGULATIONS.

No part of this code shall be interpreted to prevent the enforcement of other ordinances or local regulations which prescribe standards equal to or better than are provided herein.

18.04 - SEPARABILITY.

It is hereby declared to be the intention of the Common Council of the City of Madison that the provisions of this ordinance are separable in accordance with the following:

- (1) If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment.
- (2) If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid to a particular property, building or structure, such judgment shall not affect the application of the provision to any other property, building or structure not specifically included in said judgment.

18.05 - STATE LAWS ADOPTED BY REFERENCE.

The Wis. Admin. Code chs. SPS 325, SPS 380-387 and Wis. Stat. ch. 145, and subsequent amendments, additions and recodifications thereto are hereby adopted by reference and incorporated into this code to the extent and with the limitations provided by this ordinance. Wis. Admin. Code ch. SPS 325 shall apply to all new one- and two-family residential buildings as well as additions and alterations to all existing one- and two-family residential buildings, to accessory buildings, and to new portions of moved buildings.

18.06 - PLUMBER'S LICENSE REQUIRED.

- (1) It shall be unlawful for any person, firm or corporation to perform any plumbing in the City of Madison without holding a qualified license with the State of Wisconsin, except that repairs and stoppages as defined do not require license status.
- (2) No person, firm or corporation shall allow the use of their name directly or indirectly for the purpose of making application to perform plumbing in the City of Madison.

- (3) A permit application submitted by the applicant will not be approved unless such individual is qualified as required by State law, except that an application may be approved for plumbing work to be done by the owner in a single-family residence which is occupied by the owner.

Note: See Wis. Stat. ch. 145.

18.07 - PLUMBING PLAN APPROVAL AND REVIEW.

- (1) Plan Examination Required. Plans and specifications for plumbing to be installed within the City of Madison either inside of or outside of all buildings, structures, parks, areas or complexes in the following classifications shall be submitted to the Building Inspection Division of the Department of Planning and Development and written approval received before commencing work. However, the Building Inspection Division may issue a permit to commence work provided plan review is not completed within ten (10) days. The issuance of a permit shall not be construed as plan approval or approval for non-code complying designs or installations. All non-code complying portions of the plumbing system installed prior to complete plan review under this permit shall be removed or replaced.
 - (a) New installations, additions and alterations to drain systems, vent systems, water service systems, and water distribution systems involving 16 or more plumbing fixtures to be installed in public buildings.
 - (b) Grease interceptors to be installed for public buildings.
 - (c) Garage catch basins and oil interceptors to be installed for public buildings.
 - (d) Automatic car wash facilities.
 - (e) Sanitary dump stations.
 - (f) Turf sprinkler systems connected to a potable water system.
 - (g) Private water mains.
- (2) Plan Submission.
 - (a) Stamping and Signing Plans. Where plumbing plan submission is required, all plans shall be stamped and signed in accordance with Wis. Admin. Code chs. A-E 2.02 and A-E 8.10 by a registered architect, engineer or registered plumbing designer. A master plumber may design and submit for approval plumbing plans and specifications for a plumbing system which they are to install. Each sheet of plans and specifications the master plumber submits shall be signed, dated and include their Wisconsin master plumber license number. Where more than one sheet is bound together into one volume, only the title sheet or index sheet need be signed and dated by the master plumber responsible for their preparation, provided the signed sheet clearly identifies all of the other sheets comprising the bound volume.

- (b) Submission Data. All plans, preliminary or complete, shall be submitted in triplicate. Work shall not commence until written approval for the preliminary or complete plans is received from the Building Inspection Division of the Department of Planning and Development. The plans submitted shall be prints that are clear, legible and permanent. All pertinent data shall be a part of or shall accompany all plans submitted for review. Plans will be examined in the order of receipt.
 - (c) Additions and Alterations. This section shall apply to all additions and alterations exceeding three (3) plumbing fixtures as well as to all new buildings and shall also apply to all cases where there is a change of the type of occupancy or use of a building which requires changes to or intended use of the plumbing so as to comply with this chapter for that occupancy or use.
 - (d) Agent Municipalities. As an agent municipality the Building Inspection Division of the Department of Planning and Development shall examine plans, specifications and calculations and grant approvals as listed in Section 18.07(1)(a), (b), (c), (d), (e), (f), and (g) and Section 18.07(2)(c), MGO. All other plans and specifications as listed in Wis. Admin. Code § SPS 382.20 and SPS Table 382.20-2 Note C shall be submitted to the Wisconsin Department of Safety and Professional Services for examination.
- (3) Plan Examination Fees.
 - (a) Applicability.
 - 1. Fees. Plan examination fees for preliminary or complete plans shall accompany the plans and specifications when submitted. If the Building Inspection Division determines upon review of the plans that inadequate fees were provided, the necessary additional fee shall be provided prior to the Building Inspection Division's approval. Written approval shall not be granted until all applicable fees have been paid. This fee schedule applies to plan review and inspections done on buildings within the City and outside of the City of Madison within Dane County.
 - 2. Fee Adjustment. Examination fees may be adjusted biennially commencing on January 1, 1976 in direct proportion with the salary increases granted staff review personnel.
 - (b) Examination Fees. The plan examination fee shall be determined using the fee schedule found in SPS 302.64, Table 302.64-1.
- (4) Revisions. After written approval is granted, plans and specifications of plumbing systems shall not be changed without written consent of the Building Inspection Division of the Department of Planning and Development and the architect, engineer, designer or master plumber responsible for the design. Installations must be made to conform to approved plans.
- (5) Limitations. In granting approval of plans, specifications, products, devices, or materials, the Building Inspection Division of the Department of Planning and Development does not hold itself liable for any defects in construction, nor for any damages that may result from the specific installation.

- (6) Plan Availability. The architect, professional engineer, registered designer, owner or plumbing contractor shall keep at the construction site one set of plans bearing the stamp of approval of the Building Inspection Division of the Department of Planning and Development.

18.08 - APPLICATION FOR PERMIT TO INSTALL PLUMBING.

- (1) Any person desiring to do plumbing shall file a permit application with the City of Madison before starting any work, except as provided in Section 18.08(2), MGO. The permit application shall be made on forms furnished by the Building Inspection Division of the Department of Planning and Development. All permit applications shall be properly filled out and shall be signed by a person qualified as a licensed plumber registered with the Wisconsin Department of Safety and Professional Services. A permit application is not required when minor repairs are made to part of an existing plumbing system. When deemed necessary by the Building Inspection Division of the Department of Planning and Development, the applicant shall furnish drawings illustrating the installation.
- (2) The applicant shall file the permit application with the correct inspection fee as soon as possible after work has started, but no later than three (3) working days from the commencement of work.
- (3) The person responsible for the work shall sign the permit application and give name and address of business, plumber's license number and telephone number in the spaces provided on the application form.
- (4) The license holder responsible for the work shall complete any supplemental permit mailed to them and return it to the Director of the Building Inspection Division prior to commencing work. Failure to return the supplemental permit prior to commencing work shall be deemed to be working without a permit.
- (5) Plumbing permits shall lapse and be void unless the work authorized thereby is commenced within six (6) months from, and completed within twenty four (24) months of the date issued. Plumbing permits shall be eligible for an extension of a period of twelve (12) months from the date of expiration. Plumbing permits shall be eligible for a maximum of two extensions. The fees for such extension shall be one-half (1/2) of the original permit inspection fee. Upon lapse of a permit a new permit must be obtained pursuant to all the requirements of the code then in force.

18.09 - PLUMBING PERMIT FEE SCHEDULE.

Fee Schedule. Penalty for failure to obtain a permit before starting work shall be double the fees. This shall be in addition to any other penalties provided elsewhere in this ordinance; in addition, a penalty of one hundred dollars (\$100) shall be assessed for each day that any work requiring a permit progresses without a permit, calculated from the date the stop work notification is delivered to either the property owner or the contractor performing the work, until the date a permit is obtained.

When an application is submitted for a property where only the shell of the property is to be completed, the fee will be calculated at 50% of the total fee for that particular fee group. When an application is submitted for construction of the interior of a building where the shell of the building has been previously granted a permit, the fees shall be based on the square footage of that space as a percentage of the entire square footage of the subject building and that fee shall be calculated at 50% of the total fee for that particular fee group.

Project Type	Fees (Round up all fees to the next highest dollar)	
Group I – New Residential	\$.09 per sq. ft. Minimum Fee \$25.00	The use group shall include new construction and any additions to all single or two family residential buildings and to all commercial building space classified as R-2, R-3, or R4.
Group II – New Commercial Non Residential	\$.10 per sq. ft. Minimum Fee \$25.00	The use group shall include new construction and any additions to all commercial building space classified as A-1, A-2, A-3, A-4, A-5, B, E, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, or R-1.
Group III – New Industrial	\$.06 per sq. ft. Minimum Fee \$25.00	The use group shall include new construction and any additions to all commercial building space classified as F1, F2, S-1, S-2, or U and other buildings not classified in Groups I, II and IV.
Group IV – Alterations And Special Fees	\$8.00 per fixture Minimum Fee \$25.00	The use group shall include all alterations and repairs to existing structures.

Note: Any plumbing fixture or appliance that may include a two-bowl laundry tray, two-bowl kitchen sink, multi-bowl soda fountain, bar or similar fixtures constructed as a combined fixture shall be considered a single fixture. Other items that shall be counted as a single fixture include each replacement or alteration to a fixture or appliances as indicated on the application form furnished including but not limited to the replacement of water heaters, water softeners, each plugged or capped openings left for future installation of fixtures, each altered or repaired building sewer, building drain, soil, waste or vent pipes within an existing building.

18.10 - ALL PLUMBING WORK TO BE INSPECTED.

- (1) Within the boundaries of the City of Madison, all plumbing work within a building and exterior plumbing installations on private property shall be inspected and shall conform to this code, except work done on buildings and property owned by Federal, State and County governmental agencies. All inspections shall be made within two working days after a notice is given to the Building Inspection Division.
- (2) The plumber or the plumber's agent shall notify the Building Inspection Division of the Department of Planning and Development when work done is ready for inspection and shall specify, when possible, the street address and permit application number under which the work is being done. Unless otherwise authorized by a Plumbing Inspector, all plumbing work such as water supply piping, building sewers or drains shall be left uncovered until inspected and the work is approved. The plumber in charge shall make such arrangements as will enable a Plumbing Inspector to reach all parts of the building, and shall provide the equipment and labor for making such tests under the supervision of a Plumbing Inspector. The plumber shall notify the Building Inspection Division of the Department of Planning and Development when all plumbing work is completed and a Plumbing Inspector will make a final inspection as required. See Wis. Admin. Code § SPS 382.21, Testing and Inspection. Pursuant to Section 29.11, MGO, it is unlawful to occupy a building or permit a building to

be occupied until final inspections have been made and a Certificate of Occupancy has been issued.

- (3) Plumbing Inspectors provided for in this ordinance, shall have permission at any reasonable time and for proper purpose to enter upon any public or private premises to inspect such work performed or existing as provided by this code.
 1. All public sewers on public property shall be under the supervision of the City Engineer and no opening into or connection with a sewer service shall be made except under their direction and supervision.
 2. No person, firm or corporation shall open any street, alley or other public place for the purpose of connecting to a public sewer without obtaining a permit from the City Engineer.
 3. Excavation in streets is prohibited without a permit and approval by the City Engineer.
 4. The City Engineer shall maintain records locating sewer mains and connections thereto.

18.11 - DEFINITIONS.

For the purpose of this code, the following terms shall have the meanings indicated herein or as defined in Wis. Admin. Code ch. SPS 382. No attempt is made herein to define ordinary words which are used in accordance with their established dictionary meanings except where it is necessary to define their meanings as used in this code to avoid misunderstanding.

Note: For definitions of "plumbing," "master plumber," "journeyman," "restricted plumber licensee," "plumbing apprentice" and "registered learner" refer to Wis. Stat. ch. 145.01.

Approved means approved by the Building Inspection Division of the Department of Planning and Development of the City of Madison and by the Wisconsin Department of Safety and Professional Services, in conformity with the respective laws and regulations governing.

Place of employment means every place, whether indoors, outdoors or underground, and the premises appurtenant thereto, whether either temporarily or permanently an industry, trade or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade or business is carried on, and where any person is directly or indirectly employed by another for direct or indirect gain or profit, but shall not include any place where persons are employed in private domestic service or agricultural pursuits which do not involve the use of mechanical power.

Private sewer means that part of the sewerage system including structures, conduits, pipe lines, septic tank and effluent absorption area located on the same property as the building served. It does not preclude that portion that may be connected to the public sewer system.

Sanitary plumbing is understood in this chapter to denote plumbing so designed and installed that it can be kept clean if free from defects in construction, and which conforms in every respect to the provisions of this code and does not create a health hazard.

18.12 - SEWER AND WATER SERVICE.

- (1) Turning On Water Service. No person shall cause the water supply to be turned on to serve a use on a lot unless all plumbing work has been approved and service has been authorized by the Madison Water Utility.
 - (a) Minimum Size of Storm and Water Drains. The storm building sewer shall be of adequate size to drain the area or connection tributary. No such drain shall be less than four (4) inches inside diameter.

1. Contaminated storm water shall not be discharged into lakes or streams. See Section 7.47, MGO.
2. The following table shall be used to determine size of building storm sewer drains.

TABLE: SIZE OF BUILDING STORM SEWER DRAINS

<i>Surface Area in Square Feet</i>			
<i>Size of Pipe in Inches</i>	<i>A Grade 1/8" Per Foot</i>	<i>B Grade 1/4" Per Foot</i>	<i>C Grade 1/2" Per Foot</i>
4	1,160	1,640	2,320
5	2,180	3,080	4,430
6	3,630	5,150	7,270
8	8,110	11,500	16,300
10	15,100	21,400	30,200
12	25,000	35,400	54,000
15	46,200	65,400	96,000
18	76,100	108,000	150,000

- (b) Protection of Traffic. Every licensed master plumber must enclose any opening which the plumber may make with sufficient barriers, and must maintain sufficient lamps and must light the same at night, and must take all other necessary precautions to guard the public against all accidents from the beginning to the end of the work, and must lay drains on condition that they are to be liable for all damages that may result by reason of their neglect or the neglect of their agents in creating a hazard.

- (2) Catch Basins and Separators. No person shall discharge sewage into the sewer main unless an interceptor or separator has been installed to remove oil, grease, sand and other substances harmful or hazardous to the building drainage system, public sewer or sewage treatment plant or process.

The size, type and location of each interceptor and of each separator shall be approved by the Building Inspection Division of the Department of Planning and Development, and no wastes other than those requiring treatment or separation shall be discharged into any interceptor or separator.

No person shall deposit or permit to be deposited in any sewer or drain, or in any sewer or drain connecting with such public sewer or drain, any garbage, gas, tar, grease, rags or any other substance likely to cause any obstruction, nuisance or explosion therein, or to

do any act which may cause injury thereto. Any person who shall violate any provision of this section shall, in addition to the penalty hereinafter provided, be liable at the suit of the City for the cost of removing such obstruction and of repairing any injury resulting therefrom. Nothing contained in this section, however, shall prohibit the installation and operation of a garbage disposal or any similar device used for grinding and pulverizing kitchen garbage and refuse and the disposal of the remnants thereof in the City sanitary sewerage system, provided such installation is approved by the Building Inspection Division of the Department of Planning and Development.

- (a) Grease Interceptors. All grease interceptors shall be approved by the Building Inspection Division of the Department of Planning and Development as to type and capacity. The Building Inspection Division of the Department of Planning and Development will accept rating and testing procedures set in the standards of the Plumbing & Drainage Institute. An exterior grease interceptor shall be provided for all new, altered or remodeled plumbing systems for occupancies, other than dwelling units, which discharge grease, fats, oils or similar waste products unless otherwise approved by the Director of the Building Inspection Division or their designee. If there is insufficient space to install an exterior interceptor, an interior interceptor may be installed upon approval by the Building Inspection Division Director or their designee.
- (b) Interceptors in Laundries. Commercial laundries shall have interceptors equipped with a wire basket, removable for cleaning, to prevent string, rags, buttons and other solid materials from entering the drainage system.
- (c) Catch Basins in Garages and Service Stations. In garages and service stations where automobiles are serviced and washed, the catch basin shall have a minimum capacity of sixty-four (64) cubic feet. The depth shall be not less than three (3) feet below the invert. The outlet opening shall provide a water seal of not less than twelve (12) inches.
- (d) Monitoring Facilities Required. Monitoring facilities constructed in accordance with Section 35.02(6)(c)4., MGO, shall be installed in all sanitary sewer mains or building sewers serving factories, dairies, foundries, garages, service stations, cleaning and dyeing plants, plating and metal finishing plants and industries, food processing plants, hotels, bakeries, hospitals and restaurants but only restaurants which can be expected to discharge more than 5,000 gallons per day into the public sewerage system. The monitoring facilities shall be for the purpose of taking or collecting sewage or waste samples to determine the character of the sewage contributed to the public sewerage system. The City Engineer shall determine the amount and nature of the discharge into the public sewerage system and its impact on the total load of the public sewerage system and then may determine that a facility connected to the public sewerage system need not construct a monitoring facility as set forth above.

Note: See Section 7.47, MGO, for permit requirements and requirements for installation of manholes and sampling facilities as part of a storm sewer connection.

18.13 - PRIVIES AND WATERLESS TOILETS.

- (1) No privy, chemical or dry closet system or any waterless closet shall be installed or maintained within the boundaries of the City of Madison, except during periods of construction where no toilet facilities are available. Any temporary privy or other waterless toilet shall be removed as soon as connection can be made to the public sewer. Any such temporary system shall be ratproof, flyproof and so located as not to be affected by storm water. It shall be located so as to minimize any nuisance to adjoining property.
- (2) No septic or other sewerage tank shall be constructed on property to which the public sewer system is accessible. Where such facilities are not available, a domestic system

may be installed subject to approval by the City Board of Health and the Engineering Division.

18.14 - GARAGES, AUTOMOBILE LAUNDRIES AND SERVICE STATIONS TO BE CONNECTED TO SANITARY SEWER.

All floor drains in garages, automobile laundries and service stations shall be connected to the sanitary sewer. All floor drains in garages, automobile laundries and service stations whose normal operations result in the discharge of oily waste shall be intercepted by a catch basin before entering the sanitary sewer. The Director of the Building Inspection Division is to be responsible for the enforcement of this ordinance

18.15 - WATER HEATERS.

All freestanding water heaters shall be installed on a structurally sound noncombustible platform or an approved floor system.

18.16 - SIGNS ON VEHICLES.

Every plumbing contractor vehicle in use for the sale of plumbing services in the City of Madison shall display a sign of 225 square inches. The company name letters shall be at least two inches high. Failure to comply will subject the company to penalties under Section 18.17, MGO.

18.17 - PENALTY.

Any person who shall violate any of the provisions of this chapter or who shall neglect or refuse to comply with a lawful order of a Plumbing Inspector issued pursuant to the provisions of this chapter, or any person who shall do any plumbing work in the City of Madison without being licensed under the provisions of Wis. Stat. ch. 145, shall be fined not less than ten dollars (\$10) nor more than one thousand dollars (\$1000) pursuant to Wis. Stat. § 145.12(4), for each and every violation thereof. Each day of violation shall constitute a separate offense. Madison General Ordinances violations shall bear the following penalties for violations in a twelve-month period: First offense, fifty dollars (\$50) to three hundred dollars (\$300); second offense, three hundred dollars (\$300) to six hundred dollars (\$600); third offense, six hundred dollars (\$600) to one thousand dollars (\$1000). The offenses covered under this section are: Performing plumbing work without a license, performing plumbing work without a permit, failure to call for a plumbing inspection and failure to have a proper sign on a vehicle.“