



**Marion County Health Dept.
98 McKinley Park Blvd.
Marion, Ohio 43302**

**Phone: (740) 387-6520
Fax: (740) 383-2546**

The Marion County Health Department is located in the Public Health Wing of Marion General Hospital

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PLUMBING PROGRAM RULES Number 140.00

140.01 Definitions

140.01-1 Alter means to change plumbing by making additions, or deletions, within an existing plumbing system.

140.01-2 Commercial Establishment shall have the same meaning as Public Building.

140.01-3 Department means the Health Commissioner or Plumbing Inspector(s) or other authorized representative of the Marion County General Health District.

140.01-4 Dwelling means any building or place used, or intended to be used by human occupants as a single family, two-family, or three-family residence.

140.01-5 Engaged in the business of plumbing means installing, altering, replacing and/or repairing plumbing systems for a consideration.

140.01-6 Manufactured Unit means a manufactured home, mobile home, double wide, modular home or any unit that is manufactured offsite and requires transportation to a manufactured home park or individual building lot and is set on a temporary or permanent foundation. Manufactured unit does not mean a recreational vehicle.

140.01-7 Minor repair means cleaning or removing stoppages or minor maintenance issues of a plumbing system, or of leaks in pipes, valves, or fixtures.

140.01-8 Owner means a person who has legal title to a premise or tract of land with buildings thereon.

140.01-9 Person means the state, any political subdivision, public corporation, partnership, firm, association, individual, or other entity.

140.01 Definitions (Continued)

140.01-10 Plumbing means the practice, materials, and fixtures utilized in the installation, maintenance, extension, and alteration of all piping, fixtures, plumbing appliances and plumbing appurtenances, within or adjacent to any structure, in connection with sanitary drainage or storm drainage facilities; venting systems; and public or private water supply systems. Not included in this definition are installations of chilled water piping in connection with refrigeration, process and comfort cooling; hot water piping in connection with building heating; and piping for fire protection systems.

140.01-11 Plumbing Contractor means a person who has theoretical and practical knowledge of plumbing systems; ability to prepare and/or follow plans and specification; ability to supervise and/or engage in construction, installation, alteration, and repair of plumbing systems.

140.01-12 Plumbing Inspector means a person who has qualified and has been certified in accordance with Chapter 3701-37, Ohio Administrative Code relative to plumbing inspector in health districts.

140.01-13 Public building means any structure used as a place of resort, assembly, education, entertainment, lodging, trade, manufacture, repair, storage, traffic or occupancy by the public and all other buildings or parts and appurtenances thereof, but does not include a single family, two family, or three family residence.

140.01-14 Registration means a document certifying any act of record.

140.01-15 Service Provider means any company, and/or person(s), or individual providing services within the jurisdiction of the Marion County General Health District.

140.02 DUTIES OF THE DEPARTMENT, OWNERS, AND CONTRACTORS

140.02-1 The department may inspect the plumbing of all buildings, manufactured units and premises within the meaning of Section 3781.06 and 3781.10 of the Revised Code, and all dwellings, manufactured units, and premises where there is good and sufficient reason to believe that sanitary conditions are such as to endanger life or health.

140.02-2 The department shall condemn all unsanitary, defective or hazardous plumbing found in connection with all buildings, manufactured units, and dwellings. The Board of Health shall order repair or changes found in defective plumbing as are necessary to insure the safety, welfare, and health of the public or persons occupying any of the above.

140.02-3 The department shall inspect and enforce compliance with Chapter 4101:3-1 to 4101:3-13 of the Ohio Administrative Code, hereafter referred to as the "Ohio Plumbing Code" and Chapter 3745-95 of the Ohio Administrative Code, hereafter referred to as "Cross Connection Backflow Prevention" wherever plumbing is done within the jurisdiction of the Marion County General Health District.

140.02 DUTIES OF THE DEPARTMENT, OWNERS, AND CONTRACTORS

(Continued)

140.02-4 It shall be the duty of the plumbing contractor, and/or owner to notify the department when plumbing is ready for inspections and/or tests during installation and competition and before the building, dwelling, manufactured unit or premise is used or occupied for its intended purpose.

140.02-5 Whenever the department finds that plumbing has been done in violation of provisions of the "Ohio Plumbing Code", the "Cross Connection Backflow Prevention", or this regulation, the department may order the plumbing in progress stopped by notice in writing served upon any person engaged in the doing or causing such plumbing to be done, and such person shall forthwith stop such work until authorized by the Board of Health, the Plumbing Inspector or the Plumbing Inspector's authorized representative to proceed.

140.02-6 Any actions of the department, such as stop orders or notices of violation, may be appealed to the Board of Health. Appeals shall be submitted within ten (10) days of the issuance of the department action, stop order and/or notice of violation, and shall be submitted in writing to the Marion County General Health District. The appellant and/or his attorney may appear before the Board of Health, and may introduce evidence to support their claims. Appeals shall be heard at the next regularly scheduled Board of Health meeting after the receipt of the appeal thereof.

140.02-7 Whenever inspections or tests of plumbing are requested as provided in 140.02-4 of this regulation, and the plumbing is not ready and/or is found to be faulty or improper and a re-inspection or visit to the site is necessary to approve the plumbing as requested, such person shall be charged a re-inspection fee as established in the Plumbing Fees Schedule of the Marion County General Health District.

140.03 DRAWINGS, PLANS, AND SPECIFICATIONS

140.03-1 Isometric drawing, plans and specification of all plumbing to be altered or installed in public buildings shall be submitted to and approved by the department before a permit required by 140.05-1 of this regulation will be used.

140.03-2 The department may require that all the provisions of 140.03-1 of this regulation be performed before or at any time during alteration or installation of plumbing in a single family, two-family, or three-family dwelling, at the discretion of the Plumbing Inspector or authorized representative.

140.03-3 Upon submission of plans, a plan review fee shall be paid in accordance with the Plumbing Fees Resolution as adopted by the Board of Health. No plan review fee shall be charged for plumbing in a single family, two-family, and three-family dwelling where the work is performed by a registered Plumbing Contractor.

140.03 DRAWINGS, PLANS, AND SPECIFICATIONS (Continued)

140.03-4 The issuance of a permit upon submitted drawings, plans, and specifications shall not prevent the department from thereafter requiring the corrections of errors in said drawings, plans, and specifications, or from preventing construction operations being carried on thereunder, when in violation of this regulation or of any pertinent code or ordinance or from revoking any certificate of approval when issued in error.

140.04 REGISTRATION OF CONTRACTORS

140.04-1 Application for registration as a Plumbing Contractor shall be made on an application form provided by the department. All applicants for registration as a Plumbing Contractor shall meet the registration requirements of the Registered Programs Rules Number 100.00 as adopted by the Marion County General Health District.

140.04-2 Each plumbing registration issued shall expire annually and a renewal application for registration shall be submitted to the Board of Health prior to January 31st of each year. (Reference Registered Programs Rules, Number 100.00, Sections II and III.)

140.04-3 Whenever the Health Commissioner or Plumbing Inspector finds that a Plumbing Contractor has performed plumbing in violation of provisions of the "Ohio Plumbing Code", the "Cross Connection Backflow Prevention", or this regulation, and the Plumbing Contractor refuses or fails to comply after being notified of the violation, the Board of Health shall give notice in writing to the registrant describing the alleged refusal or failure to comply with these regulations and state that an opportunity for a hearing will be provided by the Board of Health to show cause why the registration should not be revoked.

140.05 PERMITS

140.05-1 It shall be unlawful for any person to install or alter plumbing or make sewer and/or water connection(s) in any commercial establishment within the Marion County General Health District without first obtaining a permit from the department to do so.

140.05-2 It shall be unlawful for any person to install or alter plumbing or make sewer and/or water connection(s) in any residential, commercial, or manufactured unit in the Marion County General Health District without first obtaining a permit from the department to do so, provided however, no permit shall be required for minor repair within existing plumbing systems of single family, two-family, and three-family, or manufactured units placed in a Manufactured Home Park licensed under O.R. C. 3733.

140.05-3 Any person proposing to alter and/or install plumbing shall make application for a permit on a form provided by the Board of Health. The applicant shall pay a fee for each permit including a fee for each trap, vented fixture, appliance, or device to be installed in a plumbing system as established in the current Schedule of Plumbing Fees as adopted by the Marion County General Health District. A separate application and permit shall be required for each building, structure or unit, except as determined by the Board of Health.

140.05 PERMITS (Continued)

140.05-4 Any person proposing to make sewer or water connections to a manufactured unit in a location other than a licensed manufactured home park shall make application for a plumbing permit on a form provided by the Board of Health. The applicant shall pay a fee for each permit as established in the current Schedule of Plumbing Fees as adopted by the Marion County General Health District.

140.05-5 Permits to do plumbing shall be issued after the department has approved all required drawings, plans or specifications; the permit bears the signature of the person(s) and/or authorized representative of the company who will perform the plumbing.

140.05-6 Any permit to do plumbing issued by the department becomes invalid when it does not bear the signature of the person(s) and/or authorized representative of the company who will perform the plumbing.

140.05-7 All plumbing permits shall expire one year from date of issuance, with an option to renew the permit IF approved by the Marion County Health Department.

140.05-8 A plumbing permit may be transferred only once, from the initial permit holder to a second permit holder who shall be a registered plumbing contractor and/or owner of the property; and then only when both permit holders sign the back of the original permit as follows:

140.05-8(A) I (initial permit holder signature & date) hereby relinquish all rights regarding this plumbing permit herein and assign said rights herein to (second permit holder name). I (second permit holder signature & date) hereby accept this plumbing permit herein and agree to assume any and all responsibilities associated with this plumbing permit.

140.06 GENERAL PLUMBING STANDARDS AND REQUIREMENTS

140.06-1 No person shall perform plumbing within the Marion County General Health District, except for minor repairs as set forth herein, unless they hold a valid Plumbing Contractor's registration issued to them by the Board of Health.

140.06-2 An owner shall not be required to have a registration for performing plumbing in a single family dwelling owned by them and/or owner occupied.

140.06-3 All plumbing installations or alterations, within or on a public building, as defined herein, shall be performed by either a registered Plumbing Contractor or persons listed on said registered Plumbing Contractor's registration form.

140.06-4 No plumbing installations or alterations, within or on a public building, as defined herein, shall be performed by any company, and/or person(s), or individuals not registered and bonded as a registered Plumbing Contractor or persons listed on said registered Plumbing Contractor's registration form.

140.06 GENERAL PLUMBING STANDARDS AND REQUIREMENTS

(Continued)

140.06-5 Underground building drains and building sewers shall be bedded true to line and grade with uniform and continuous support from a firm base. Blocking shall not be used to bring the pipe to grade. Backfill material shall be properly placed and compacted to provide lateral restraint against deflection and/or damage to the pipe during final filling of the trench.

140.07 VARIANCE

140.07-1 Any person may apply to the Board of Health for a variance from the "Ohio Plumbing Code", the "Cross Connection Backflow Prevention", or this regulation, and shall include a statement, in writing, of the particular rule or regulation from which variance is sought, a description of the proposed plumbing system or modification, and the necessity for the variance. The Board of Health shall not grant a variance unless the applicant demonstrates that: (1) there will be an unusual and unnecessary hardship in complying with the rule or regulation; (2) the use of the variance sought will not cause any damage or harm to the health or property of others; (3) the health of persons using the plumbing system or part thereof will not be endangered as a result of construction and operation of the system as proposed by the variance application; and (4) no other technically feasible and economically reasonable means exist for handling plumbing wastes or distributing necessary potable water for vented fixtures, appliances or devices.

140.08 RELIEF FROM PERSONAL LIABILITY

140.08-1 The Health Commissioner, Plumbing Inspector, or other authorized person charged with the enforcement of any provisions of the Plumbing Program Rules, shall not be held personally liable while acting for the Board of Health of the Marion County General Health District and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of their official duties.

140.09 AVAILABILITY OF OHIO PLUMBING CODE, CROSS CONNECTION BACKFLOW PREVENTION, AND THE COMMENTARY ON THE INTERNATIONAL PLUMBING CODE

140.09-1 Complete copies of the "Ohio Plumbing Code", the "Cross Connection Backflow Prevention" chapter, and a copy of the current edition of the Commentary on the International Plumbing Code, are on file with the Environmental Division of the Marion County General Health District for inspection by the public, and copies of these documents are also on file at the Marion Public Library.

140.09-2 Copies of the "Ohio Plumbing Code", the "Cross Connection Backflow Prevention" chapter, and a copy of the current edition of the Commentary on the International Plumbing Code may be purchased through the Marion County General Health District at current cost, plus a service fee of seven percent of the total cost(s) necessary to obtain said materials.

140.10 PENALTIES

140.10-1 Any person who violates any provision of this regulation shall be subject to penalties provided in Section 3707.99 (C) and/or 3799.00 Ohio Revised Code.

140.11 EFFECT OF PARTIAL INVALIDITY

140.11-1 Should any part of this regulation be declared invalid or unconstitutional for any reason any remainder of this regulation shall not be affected thereby.

140.12 REPEAL OF EXISTING PLUMBING REGULATIONS

140.12-1 All regulations or parts of regulations in conflict with this regulation are hereby repealed.

140.13 EFFECTIVE DATE

140.13-1 This regulation shall become effective on the 31st day of January, 2004, as adopted under Resolution 2003-107, this 17th day of December, 2003 by the Marion County General Health District Board of Health.

President of the Board of Health

Secretary of the Board of Health