

ORDINANCE NO. 1845-2

An ordinance to adopt a Plumbing Code for Jefferson County, Alabama.

WHEREAS, on the 9th day of July 2020, at a regular meeting of the Jefferson County Commission the following resolution was adopted:

BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION, AS FOLLOWS:

Section A. That the Jefferson County Commission proposes to consider the adoption of an amendment of Ordinance 1845 plumbing code by ordinance as authorized by Act No. 676 of the Regular Session of the Legislature of Alabama of 1967, approved September 8, 1967, (Alabama Acts, 1967, pp. 15011055), and Act No. 1055 of the Regular Session of the Legislature of Alabama of 1975, approved October 10, 1975, (Alabama Acts, 1975, pp. 2116-2118), and will hold a public hearing thereon at the regular meeting of the Jefferson County Commission to be held in the Jefferson County Commission Chambers in the County Courthouse in Birmingham, Alabama, on the 9th day of July 2020 at 9:00 a.m. Said code shall be known as the "Plumbing Code of Jefferson County, Alabama, 2018."

Section B. That three (3) copies of said proposed "Plumbing Code of Jefferson County, Alabama, 2018" shall be filed in the office of the Director of Development Services of Jefferson County, Alabama, Room B200 by the 17th day of June, 2020 for the use and examination by the public during the regular business hours of said offices from said date until 9:00 a.m. on the 9th day of July 2020.

Section C. That the Director of the Development Services Department of Jefferson County, Alabama, be and is hereby authorized, empowered and directed to cause a fifteen (15) day notice to be given of the time, place and purpose of the public hearing provided for in Section A of this resolution by publication of such notice for three successive weeks in a newspaper of general circulation in Jefferson County, which said notice shall be in words and figures as follows:

NOTICE OF PROPOSAL BY THE JEFFERSON COUNTY COMMISSION TO ADOPT A
PLUMBING CODE FOR JEFFERSON COUNTY, ALABAMA, BY ORDINANCE AND OF A
PUBLIC HEARING THEREON.

Notice is hereby given that the Jefferson County Commission proposes to consider the adoption of an amendment to the previously adopted plumbing code for Jefferson County, Alabama, to be known as the "Plumbing Code of Jefferson County, Alabama, 2018" by ordinance, in order to update and amend the Ordinance 1845 and that a public hearing thereon will be held at the regular meeting of the Jefferson County Commission, in the Courthouse in Birmingham, Alabama at 9:00 a.m. on the 9th day of July 2020, for the consideration of the same. Three (3)

copies of said proposed " Plumbing Code of Jefferson County, Alabama, 2018" (Consisting of the "2018 Edition of the International Plumbing Code" published by the International Code Council, Incorporated, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478, and the "Special Provisions" which modify, revise or are in addition to provisions contained in the "2018 Edition of the International Plumbing Code") will be on file in the office of the Director of the Development Services Department of Jefferson County, Alabama, Room B200, Courthouse by the 17th day of June, 2020, for the use and examination by the public during the regular business hours of said offices from said date until 9:00 a.m. on the 9th day of July 2020; and

WHEREAS, the Jefferson County Commission now finds that all of the provisions of said resolution have been complied with:

NOW, THEREFORE, BE IT ORDAINED BY THE JEFFERSON COUNTY COMMISSION AS FOLLOWS:

Section 1. That Ordinance 1845-2 amendment updates identified scrivener's errors, updates format and layout, and updates fees to be consistent with online permitting software. The "2018 Edition of the International Plumbing Code" and the "Special Provisions," are hereby adopted as "The Plumbing Code of Jefferson County, Alabama, 2018," and shall be effective and operative as such on and after the 3rd day of August, 2020, and on and after said date shall be binding in all unincorporated areas of Jefferson County, Alabama, and also in those parts of said county lying within the corporate limits of municipalities which have not adopted and are not enforcing municipal plumbing codes.

Section 2. That, under this section, the Jefferson County Commission Minute Clerk shall spread said "Special Provisions" on the official minutes of the County Commission. (See the "Special Provisions" following Section 9 of this ordinance.)

Section 3. That Ordinance No. 1845-2, "Plumbing Code of Jefferson County, Alabama, 2018," adopted by the Jefferson County Commission on July 9, 2020, be, and the same is hereby amended, becomes effective as provided by said Section I; provided, however, that no cause of action nor any fine, forfeiture, judgment, penalty, right, remedy or defense accrued at said date, nor any prosecution or complaint pending at said date shall be in any manner released, affected, abated, or impaired by this ordinance or by the code adopted by this ordinance.

Section 4. That immediately after the adoption of this ordinance and in the presence of the Jefferson County Commission, the County Commission Minute Clerk shall further identify the "2018 Edition of the International Plumbing Code," referred to in Section I hereof, which is before this Commission by appending thereto and signing a certificate in form substantially as follows:

"I, Millie Diliberto, County Commission Minute Clerk, hereby certify that the document (the "2018 Edition of the International Plumbing Code") to which this certificate is appended is the document referred to in Section I of Ordinance No. 1845-2 adopted by the Jefferson County Commission at a regular meeting thereof held on this the 9th day of July 2020, and that I have signed this certificate in the presence of said Commission at said regular meeting on said date.

Millie Diliberto,
County Commission Minute Clerk

The County Commission Minute Clerk shall carefully preserve this ordinance and said document adopted by Section I hereof as the "Plumbing Code of Jefferson County, Alabama, 2018" as a part of the permanent records of her office.

Section 5. That it be, and hereby is proclaimed that the Code adopted by Section I hereof is on file with the Jefferson County Commission Minute Clerk where the same may be inspected by the public and that the public is hereby notified of this ordinance by publication as set forth in Section 7 hereof.

Section 6. That prior to the 3rd Day of August, 2020, the effective date of the code adopted by Section I of this ordinance, a copy of this ordinance and of the code adopted by Section I of this ordinance shall be placed on the Jefferson County Web Site and also made available for use by the general public at the office of the Development Services Department. A copy of this ordinance may be obtained at the Development Services Department for the cost of reproduction as established by the Jefferson County Commission Administrative Order 03-1, As Amended.

Section 7. That the County Commission Minute Clerk shall cause a true copy of this ordinance to be promptly published in a newspaper published and of general circulation in Jefferson County, Alabama, and shall carefully preserve in her office a thus published copy of said ordinance as a part of the permanent records of her office.

Section 8. That any person who knowingly violates any of the provisions of the "Plumbing Code of Jefferson County, Alabama, 2018" shall be subject to the penalty provided for by State Laws.

Section 9. That the provisions of this Ordinance are severable. If any part of the Ordinance is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SPECIAL PROVISIONS

Delete Chapter 1 of the “2018 Edition of the International Plumbing Code” and substitute in lieu thereof the following Chapter 1.

CHAPTER 1 – ADMINISTRATION

SECTION 101 – TITLE AND SCOPE

101.1 – TITLE

Provisions in the following chapters and sections shall constitute and be known and may be cited as the “Plumbing Code of Jefferson County, Alabama, 2018,” hereinafter referred to as “this Code.”

101.2 – CODE REMEDIAL

101.2.1. General - This Code is hereby declared to be remedial, and shall be construed to secure the beneficial interests and purposes thereof (which are public safety, health, and general welfare) by regulating installation and maintenance of all plumbing.

101.2.2. Quality Control - Quality control of materials and workmanship is not within the purview of this Code except as it relates to the purpose stated herein.

101.2.3. Permitting and Inspection - The inspection or permitting of any building or plan by Jefferson County, under the requirements of this Code shall not be construed in any court as a warranty of the physical condition of such building or the adequacy of such plan. Neither Jefferson County nor any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building or plan, nor for any failure of any component of such building, which may occur subsequent to such inspection or permitting.

101.3 – SCOPE

101.3.1. Applicability - The provisions of this Code shall apply in all unincorporated areas of Jefferson County and also in those parts of said county lying within the corporate limits of municipalities which have not adopted and are not enforcing municipal plumbing Codes to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances thereto.

101.3.2. Federal and State Authority - The provisions of this Code shall not be held to deprive any federal or state agency, or any applicable governing body having jurisdiction, of any power or authority which it had on the effective date of the adoption of this Code or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law.

101.3.3. Appendices - The appendices included in this Code are not intended for enforcement unless specifically referenced in the code text or specifically included in the adopting ordinance.

101.3.4. Referenced Standards - Standards referenced in this Code shall be considered an integral part of this Code without separate adoption. If specific portions of a standard are denoted by Code text, only those portions of the standard shall be enforced.

Where Code provisions conflict with a standard, the Code provisions shall be enforced. Permissive and advisory provisions in a standard shall not be construed as mandatory.

101.4 – MAINTENANCE

All plumbing installations, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this Code in an installation when erected, altered, or repaired, shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of plumbing installation.

101.5 – SPECIAL HISTORIC BUILDINGS

The provisions of this Code relating to the installation, alteration, repair, enlargement, restoration, replacement or relocation of plumbing installations shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as Historic Buildings when such installations are judged by the Building Official to be safe and in the public interest of health, safety and welfare regarding any proposed installation, alteration, repair, enlargement, restoration, relocation or replacement.

101.6 – PLUMBING INSTALLATION OR MAINTENANCE BY HOMEOWNER

Nothing in this Code shall prevent any homeowner from installing or maintaining plumbing within his own property boundaries, provided such plumbing work is done by him/her and is used exclusively by him/her or their family. Such privilege does not convey the right to violate any of the provisions of this Code, or the terms of any state statute or any other applicable ordinance of Jefferson County, nor is it to be construed as exempting any such property owner from obtaining a permit with the applicable inspections and paying the required fees therefore. The Chief Plumbing, Gas and Mechanical Inspector shall examine and pass upon the qualifications of every person who may apply for a homeowner's permit to install plumbing.

SECTION 102 – ORGANIZATION

102.1 – BUILDING OFFICIAL

A Building Official shall work in the Development Services Department and be appointed by the County Manager. Typically, the Building Official is the Building Inspection Services Manager or manager of the Building Division. The Building Official shall have the authority to render interpretations of this code and to adopt policies and procedures to clarify the application of its provisions. Such interpretations, policies, and procedures shall comply the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

102.2 – INSPECTORS

The Governing Body of the County may appoint such number of officers, inspectors, assistants, and other employees to carry out the provisions of this Code. The Building Official and inspectors shall carry proper identification when inspection structures or premises in the performance of duties under this code.

102.3 – DEPUTIES

The Building Official may designate as his deputy an employee in the department who shall, during the absence or disability of the Building Official, exercise all the powers of the Building Official.

102.4 – RESTRICTIONS OF EMPLOYEES

An officer, inspector, assistant or employee connected with the department, except whose only connection is as a member of the board established by this ordinance, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of plumbing installations or in the making of plans or of specifications therefore, except for property owned by him or her and after satisfying the Personnel Board rule of conflict

of interest. No such officer or employee shall engage in any work which is inconsistent with his duties or with the interests of the department.

102.5 – RECORDS

The Building Official shall keep, or cause to be kept, a record of the business of the Plumbing Section. All records shall be kept for a minimum of seven (7) years as required by the Records Disposition Authority for County Commissions approved by the Jefferson County Commission on January 16, 2001 and amended by the Authority on April 22, 2015. The records of the Plumbing Section shall be open to public inspection during regular business hours.

102.6 – MODIFICATIONS

Where there are practical difficulties involved in carrying out the provisions of this code, the Building Official shall have the authority to grant modifications for the individual cases, upon application of the owner or the owner's authorized agent, provided that the Building Official shall first find that special individual reason makes the strict letter of the code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety or structural requirements. The details of action granting modification shall be recorded and entered in the files of the Department of Development Services.

SECTION 103 – POWERS AND DUTIES OF THE BUILDING OFFICIAL

103.1 – RIGHT OF ENTRY

Whenever it is necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation that makes such building or premises unsafe, dangerous or hazardous, the Building Official may enter such building or premises in the areas described in 101.2 – CODE REMEDIAL at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by this Code, provided that if such building or premises is occupied, he shall first present proper credentials and request entry. If such building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Building Official shall have recourse to every remedy provided by law to secure entry.

When the Building Official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official for the purpose of inspection and examination pursuant to this Code.

103.2 – STOP WORK ORDERS

Upon notice from the Building Official, work on any building, structure or system that is being done contrary to the provisions of this Code or in a dangerous or unsafe manner, shall immediately cease. Such notice shall be both posted on the job site and provided in writing to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, the Building Official shall not be required to give a written notice to stop the work.

103.3 – REVOCATION OF PERMITS

The Building Official may revoke a permit or approval, issued under the provisions of this Code, in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based. Administrative, technology or permit fees shall not be refunded in case of a revocation.

103.3.1. Misrepresentation of Application. The Building Official may revoke a permit or approval, issued under the provisions of this Code, in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based. Permit fees shall not be refunded in case of revocation.

103.3.2. Violation of Code Provisions. The Building Official may revoke a permit upon determination by the Building Official that the construction, erection, alteration, repair, moving or demolition of the building for which the permit was issued is in violation of, or not in conformity with, the provisions of this Code.

103.4 – NON-CONFORMING WORK

Any person, firm, or corporation engaged in the plumbing business, or any other person lawfully doing work under the provisions of this Code, whose work does not conform to the regulations herein set out, shall on notice from the Building Official make the necessary changes at once in order to remedy the same; if the work has not been so changed after a ten (10) day notice from the Building Official, the said Building Official shall then refuse to issue any more permits until the permit holder has conformed to all regulations applying to said work, or disconnect the premises on which such work is installed from the Jefferson County sewer mains or maintained sewers without further notice. The expense of disconnecting from said sewer shall be charged to the person, firm or corporation who installed such illegal work. Any person, firm or corporation having control of such work, failing or refusing to make said changes, shall be punished, on conviction, as provided in Section 113. It shall be unlawful for the owner or agent for any building, dwelling or dwelling unit to permit any drain, conduit or sewer connection to remain connected with any Jefferson County sewer mains or maintained sewers if the work has been improperly done, and no person shall permit the use of any water closet or other plumbing fixture connected with a sanitary sewer or septic tank without an adequate supply of water connected thereto for the purpose of properly flushing and cleaning same. When any water closet, sanitary appurtenance or conduit draining into a sanitary sewer or septic tank becomes stopped, clogged or otherwise out of repair, it shall be the duty of the owner or agent for the building, dwelling or dwelling unit to promptly cause the necessary repairs required for compliance with the provisions herein.

103.5 – UNSAFE INSTALLATIONS

All plumbing installations, regardless of type, which are unsanitary or which constitute a hazard to human life, health, or welfare are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition, and such violations shall be brought to the attention of the owner or agent thereof with written instructions to have same corrected within ten (10) days after receipt of such notice in writing and said owner or agent shall be held responsible for such violations and if not corrected, abated or demolished in accordance herewith, the same shall be punishable in accordance with Section 113 hereof.

103.6 – REQUIREMENTS NOT COVERED BY CODE

Any requirement necessary for the strength or stability of an existing or proposed plumbing installation, or for the public safety, health and general welfare of the occupants of a building or structure, not specifically covered by this Code, shall be determined by the Building Official, subject to the right of appeal to the Plumbing and Fuel Gas Board of Adjustments and Appeals.

103.7 – ALTERNATE MATERIALS AND METHODS OF INSTALLATIONS

103.7.1. Existing Premises - In existing buildings or premises in which plumbing installations are to be altered, repaired or renovated, the Building Official has discretionary power to permit deviation from the provisions of this Code, provided that such proposal to deviate is first submitted for proper determination in order that health and safety requirements, as they pertain to plumbing, shall be observed. If the occupancy

classification of an existing building is changed, the plumbing installation shall be made to conform to the intent of this Code as required by the Building Official.

103.7.2. Approval - The provisions of this Code are not intended to prevent the use of any material, device, method of assemblage or installation, fixture or appurtenance not specifically authorized by this Code, provided any such alternate has been approved and its use authorized by the Building Official. The Building Official shall approve any such alternate materials and methods, provided he finds them to be in compliance with and at least the equivalent of the materials and methods prescribed in this Code.

103.7.3. Evidence of Compliance - The Building Official shall require sufficient evidence to enable him/her to judge whether proposed alternates meet the requirements of this Code for safety and health.

103.7.4. Tests - When there is insufficient evidence to substantiate claims for alternates, the Building Official may require tests of compliance as proof to be made by an approved agency at the expense of the applicant.

103.7.5. Test Procedure - Tests shall be made in accordance with generally recognized standards; but in the absence of such standards, the Building Official shall specify the test procedure.

103.7.6. Repeated Tests - The Building Official may require tests to be repeated if, at any time, there is reason to believe that an alternate no longer conforms to the requirements on which its approval was based.

103.8 LIABILITY

103.8.1. This Code shall not be construed as imposing upon Jefferson County any liability or responsibility for damages to any person or property caused by any defect in any plumbing or piping systems mentioned herein, or by installation thereof, nor shall Jefferson County or any officer, inspector, assistant or employee thereof, be held as assuming any such liability or responsibility by reason of the inspection authorized hereunder or the certificate of approval issued by the inspector.

103.8.2. Any officer, inspector, assistant, employee, or member of any Board, charged with the enforcement of this Code, acting for Jefferson County in the discharge of their duties, shall not thereby render himself personally liable, and he is hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer, inspector, assistant, employee or member of any board because of such act performed by him in the enforcement of any provision of this Code shall be defended by the County Attorney until the final termination of the proceedings.

SECTION 104 – APPLICATION FOR PERMIT

104.1 – WHEN REQUIRED

104.1.1. General - Any person, firm or corporation who desires to connect any plumbing work with any sewers, sanitary or storm, septic tanks or sewage disposal of any kind, or private connection or install fixtures or appliances in new or existing systems, structures or premises, or repair, or add to any existing plumbing which is regulated by this Code, shall first make application to the Building Official and obtain the required permit for the work. When plumbing work is to be connected to a public sewer system the

applicant shall pay an Impact Connection fee to the Jefferson County Environmental Services Department (and apply for a Grease Control Permit with Jefferson County Grease Control, if applicable) prior to issuance of plumbing permit.

104.1.2. Optional Procedure for Five Hundred Employee Companies - Any person, firm or corporation operating any manufacturing plant or establishment that actively employs at least 500 persons in Jefferson County (herein called the company) and employs one or more full-time salaried engineers duly registered and licensed under the laws of the State of Alabama, and who desires to connect any plumbing work with any sewer, sanitary or storm, septic tank or sewage disposal of any kind or private connection or install plumbing fixtures or appliances in any new or existing system, structure or premises, or repair or add to any existing plumbing, and not be inspected as required in SECTION 107 - INSPECTIONS, shall first make application, signed by said engineer, for the plumbing permit, and submit plumbing permit fees, prior to commencing any plumbing work on any such system, structure, or premises, and provided further that the said engineer shall, when the plumbing work is completed, submit a Certificate of Completion on a form provided by the Building Official that shall include the certificate of said engineer and the company, that the work was done in compliance with all provisions of this Code and all other pertinent county ordinances and codes and that said engineer and company assumes full responsibility therefore.

104.2 – APPLICATION FORM

Permits shall be issued to any person, firm or corporation upon application bearing the signature of his/her, its, or their authorized Master Plumber except as may be approved in 104.1 – WHEN REQUIRED. 104.1.2. The applicant shall provide the necessary information to complete the application form furnished by the Building Official. The application shall be signed or electronically affirmed by the owner or his authorized agent. It shall be unlawful for any person, firm or corporation to proceed with any plumbing installation or repair before the required permit or permission thereof has been issued or granted except as may be approved in 105.5 EMERGENCY PERMITS.

104.3 DRAWINGS AND SPECIFICATIONS

104.3.1. Plumbing Requirements - Application for a permit to install plumbing shall be accompanied by drawings and specifications and other necessary information as required by the Building Official to determine accurately the character of the work and compliance with this Code; provided, however, that drawings and specifications may not be required in the following types of installations:

1. For one- or two-family dwellings unless, in the opinion of the Building Official, the complexity of the installation is such as to necessitate the filing of plans and/or specifications to ascertain compliance with this Code.
2. For residential dwellings not exceeding 7500 square feet gross floor area unless, in the opinion of the Building Official, the complexity of the installation is such as to necessitate the filing of plans and/or specifications to ascertain compliance with this Code.

104.3.2. Additional Data - Drawings required shall clearly illustrate and, together with specifications, shall contain sufficient detail and data to indicate code compliance and character of the work substantially as follows:

1. Floor plan of each floor drawn to a scale of not less than 1/8" = 1 foot on a minimum sheet size of eleven inches by seventeen inches (11" x 17") or electronically submitted.
2. Plot plan drawn to scale of not less than 1" = 40 feet.
3. Isometric diagrams of building drainage system-no scale required.
4. Reference to Code: Such drawings and/or specifications shall be specific, and this Code shall not be cited as a whole or in part nor shall the term "legal" or its equivalent be issued as a substitute for specific information.
5. All drawings and specifications required shall be submitted in duplicate.
6. All symbols shall be clearly identified in a symbol schedule.
7. The Building Official may require that drawings be prepared by an architect or engineer duly registered in the State of Alabama.

104.4 – TIME LIMITATION

Application. An application for a permit for any proposed work shall be deemed to have been abandoned, becoming null and void 90 days after the date of application filing if no inspections have occurred.

Permit. An issued permit shall be deemed to have been abandoned, becoming null and void 180 days after the last scheduled inspection, unless the owner, or their agent, provides a written request to extend the permit demonstrating justifiable cause on a form provided by the County to the Building Official within 30 business days of expiration of said permit. The Building Official is authorized to grant one or more extensions of time for additional periods not to exceed 180 days each. Approved extensions shall incur a fee for each permit extension request. Permits that expire will need to have new a permit application and approval to continue work and will be assessed the original building valuation fee.

104.5 – EXAMINATION OF DRAWINGS

104.5.1. Plan Review - The Building Official shall examine or cause to be examined each application for a permit and the drawings and specifications and accompanying data which may be filed therewith, and shall ascertain by such examination whether the plumbing installation indicated and described is in accordance with the requirements of this Code and all other pertinent county ordinances and codes.

104.5.2. Affidavits Accepted - The Building Official may accept a sworn affidavit from a registered architect or engineer stating that the drawings and specifications submitted of the plumbing installation conform to all requirements of this Code and they may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the Building Official upon completion of the installation, a Certificate of Completion that the plumbing installation has been installed in accordance with the requirements of this Code. Where the Building Official relies upon such affidavit, the architect or engineer shall assume full responsibility for the compliance with all provisions of this Code and the architect or engineer shall state in the Certificate of Completion that they assume full responsibility for compliance with all provisions of this Code and all other pertinent county ordinances and codes.

1.04.5.3. Affidavits Required - The Building Official may require a sworn affidavit from the registered architect or engineer who prepared the plans stating requirements in the

preceding paragraph have been met, whenever in the opinion of the Building Official the size or complexity of the plumbing installation requires such affidavit.

SECTION 105 – PERMITS

105.1 – ACTION ON APPLICATION

105.1.1. Permit Issuance - The Building Official shall act upon an application for a permit without unreasonable or unnecessary delay. If the Building Official is satisfied that the work described in an application for permit and the drawings and specifications which may be filed therewith conform to the requirements of this Code, and other pertinent county ordinances and codes, he shall issue a permit therefore to the applicant.

105.1.2. Refusal To Issue Permits - If the application for the permit and the drawings and specifications that are filed describe work that does not conform to the requirements of this Code or other pertinent county ordinances and codes, the Building Official shall not issue a permit, but shall return the drawings to the applicant with his refusal to issue such a permit. Such refusal shall, when requested, be in writing or email and shall contain the reasons for denial.

105.2 – CONDITIONS OF THE PERMIT

105.2.1. Permit Intent - A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of this Code, nor shall such issuance of a permit prevent the Building Official from thereafter requiring a correction of errors in drawings or in construction or of violations of this Code. See 104.4 TIME LIMITATION.

105.2.2. Permit Transferability - A permit may be transferable only for good cause, such as instances from death of the applicant/designee for said permit, terminating of the permit holder for work not complete, or other good cause as determined by the Building Official and approved by Director of Development Services, or designee. The permit shall not be in conflict with any other part of this Code, County code or State law and all outstanding fees shall be paid prior to permit transfer. There will be an administrative fee to transfer a permit.

105.2.3. Failure to Obtain a Permit - If any person commences any work on a gas installation before obtaining the necessary permit from the County is subject to the penalty prescribed in SECTION 113 – VIOLATIONS AND PENALTIES.

105.2.4. Suspension or Revocation - The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this Code.

105.2.5. Placement of Permit - The Plumbing Permit or copy shall be kept on the site of the work until the completion of the project. See 105.2.7 Posting of Permit for posting requirements.

105.2.6. Validity of the Permit - The issuance or granting of a permit shall not be interpreted to be a permit for, or an approval of, any violation of any of the provisions of this code or other ordinances of the County. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not

prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is authorized to prevent occupancy or use of a structure where in violation of this code or any of the ordinances of Jefferson County.

105.2.7. Posting of Permit - Work requiring a Plumbing Permit shall not commence until the permit holder or their agent posts the Plumbing Permit in a conspicuous place on the front of the premises, however it is preferred to keep the Plumbing Permit with any required drawings inside a permit/doc box. The location of the Plumbing Permit and any drawings shall be protected from the weather and located in such position as to allow the Building Official, or their authorized representative, to conveniently review and notate. When there is not a suitable place to post the Plumbing Permit and any associated plans, a permit/doc box shall be used not to exceed thirty-six (36) inches in any dimension. The Plumbing Permit shall be maintained and posted by the permit holder until the final inspection is issued by the Building Official.

105.3 – EMERGENCY PERMITS

Nothing herein shall make it unlawful for the Building Official to issue a permit prior to receiving the required application and fee for work under emergency conditions, as may be determined by said Building Official, provided all information required in written application under SECTION 104 – APPLICATION FOR PERMIT of this Code is given orally along with request for emergency permit. Any person, firm or corporation obtaining an emergency permit or inspection shall within five (5) business days after the issuance of said emergency permit or the issuance of such emergency inspection, remit to the Building Official at their office any fees in the amount required for said permit and/or inspection including mandatory application(s) required under SECTION 104 – APPLICATION FOR PERMIT of this Code. If said fees are not paid within the above five (5) business days, a double fee shall be charged in accordance with SECTION 106 – FEES. An emergency permit or inspection may be given only under the following condition: when it is necessary to immediately repair water or drainage piping or plumbing fixtures in order to protect the health, safety and welfare of occupants of any building or structure.

105.4 – WORK COMMENCING BEFORE PERMIT ISSUANCE

Whenever any person commences or proceeds with any plumbing installation or construction work when a permit is required by this Code, without having obtained a permit for said work, the person(s) commencing or proceeding with said work without a permit shall obtain a permit covering said work and any required fees paid including but not limited to double the specific fees provided by law to be paid for said permit. If a proper inspection cannot be completed for work done without a permit, the unpermitted work may need to be re-installed to enable necessary inspections. Each additional violation or Stop Work Order within a twelve (12) month period of the last violation shall also result in a double fee. The issuance of a belated permit hereunder shall not waive or otherwise affect in any manner a prosecution under SECTION 113 – VIOLATIONS AND PENALTIES of this Code.

SECTION 106 – FEES

106.1 – PRESCRIBED FEES

Before any permit is granted herewith, the person making application for such permit shall pay to the County a fee in such amount as specified herein.

106.2 – ACCOUNTING

The Building Official shall keep an accurate accounting of all permit fees and other monies collected, the names and vital contact information of all persons upon whose account the same was paid, the date and the amount thereof. Such accounting records shall be maintained for a minimum period of seven (7) years in accordance with state law.

106.3 – VOIDING OF PLUMBING PERMITS

Before a plumbing permit can be voided, it shall be the duty of the general contractor in charge of said permit to issue a statement to the Building Official, on their company letterhead, requesting the plumbing permit be voided. In the same manner, a homeowner in charge of said permit may also request that a plumbing permit be voided by presenting to the Building Official a written or statement with their signature and a copy of their State Issued ID, or U.S. issued Passport, to be placed on file with their statement. The original permit shall be voided, any applicable fees paid, prior to issuance of a new permit.

106.4 – SCHEDULE OF PERMIT FEES

If the installation, alteration, or maintenance of any plumbing is a part of an overall permit for construction or renovation of a structure, the fees are included in the building fee. All additional fees incurred during construction for a particular property must be paid by the contractor or authorized agent prior to release of the utilities, the Certificate of Occupancy, or Certificate of Completion. Failed inspections fees are due prior to re-inspection and may be paid electronically.

106.4.1. Plumbing Fees - If the plumbing work is independent of an overall building permit, the fees shall be as follows:

1. Administrative Processing Fee -- \$50.00 for all permit types and non-refundable.
2. Technology Cost -- \$10.00 for all permit types and non-refundable.
3. Permit Extension Cost:
 - a. \$50.00 Residential permits
 - b. \$100.00 Commercial permits
4. Trade Permit:
 - a. For a valuation up to and including \$5,000.00, the fee shall be \$50.00.
 - b. For a valuation over \$5,000.00, the fee shall be \$9.00 per thousand or fraction hereof.
5. Inspection:
 - a. Passed inspection – No charge
 - b. Incomplete or failed inspections -- \$55.00 each occurrence
 - c. After Hours inspections fee:
 - Up to 4 hours -- \$300.00
 - Each additional hour over 4 hours -- \$75.00
6. Work Commencing Before Permit Issuance – First Offense: Double Permit Cost
Additional Offense: Triple Permit Cost
7. Stop Work Order – Double Permit Cost, per instance.

106.5 – INSTALLATION, ALTERATION OR MAINTENANCE OF PLUMBING

If, in the opinion of the Building Official, the valuation of the plumbing work appears to be underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimated costs to meet the approval of the Building Official. Permit valuations shall include total costs for the work allowed by the permit.

106.6 – FEES, HOW PAID

All fees for permits and inspections required under this code shall be paid to the offices of the Development Services Department in the Birmingham Courthouse in person or electronically.

Cash payments are accepted but shall be exact change. Debit or Credit card payments are encouraged.

106.7 – REFUND OF FEES

Refund of fee's may be requested, however, where the claim for refund involves the duplicating or permitting of the same job more than once, no refund shall be made on the most current permit after sixty (60) days from date of issuance of most current permit.

- a. Refund of some fees paid for a building permit may be provided if the following conditions have been met:
 1. No work has begun by permit holder under said permit; and
 2. The filing by the permit holder of a refund claim with Jefferson County is made within six (6) months of the date of issuance of said permit.

The Administrative Processing Fee and Technology Cost fee are not refundable as processing of the permit application has already been performed.

SECTION 108 – INSPECTIONS

108.1 – INSPECTION REQUIRED

All new plumbing work, and such portions of existing systems as may be affected by new work or any changes, shall be inspected to insure compliance with all the requirements of this Code and to assure that the installation and construction of the plumbing system is in accordance with approved plans.

108.2 – NOTIFICATION

108.2.1. Advance Notice - It shall be the responsibility of the Master Plumber to give reasonable advance notice to the Building Official when plumbing work is ready for test or inspection. The Building Official upon notification from the Master Plumber shall make the following inspections of plumbing installations and such other inspections as may be necessary, and shall either approve that portion of the construction as completed or shall notify the permit holder or their agent of any violations to comply with this Code. The minimum test or inspections, including but not limited to, are:

1. Underground Piping Inspection: To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
2. Rough Inspection: To be made after the roof, framing, fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to the installation of wall or ceiling membranes.
3. Final Inspection: To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

108.2.2. Plumber's Responsibility - It shall be the responsibility of the Master Plumber to make sure that the work will stand the test prescribed before giving the above notice.

108.2.3. Re-Testing - If the Building Official finds that the work will not pass the test (aka failed inspection), the Master Plumber shall be required to make the necessary corrections and the work shall then be re-submitted for inspection. Where additional

inspections are necessary for re-testing there shall be an additional inspection fees as provided for in 106.3 - FEES, HOW PAID.

108.2.4. Final Inspection - It shall be the responsibility of the Master Plumber to notify the office of the Building Official by either electronic permit software or within forty-eight hours after the completion of the job and before the plumbing system, alterations or additions are placed in service, that the work is ready for final inspection. It shall also be the responsibility of the Master Plumber to insure the premises and work are available and accessible to the Building Official, or their representative, for final inspection. When the Building Official determines that work has been completed under a permit, but no final inspection has been asked for, nor made, it shall be their duty to refuse to issue any permits to the Master Plumber for any new work on that site until said completed work has satisfactorily passed a final inspection.

108.3 - MATERIAL AND LABOR FOR TESTS

The equipment, material, power, and labor necessary for the inspection and tests shall be furnished by the Master Plumber.

108.4 - TEST OF DRAINAGE AND VENT SYSTEMS

All the piping of the plumbing system shall be tested with water. After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The Building Official may require the removal of any cleanouts, to ascertain if the pressure has reached all parts of the system.

108.5 - METHODS OF TESTING DRAINAGE AND VENT SYSTEMS

108.5.1. Water Test - The water test shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening and the system filled with water to point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest openings of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 10 foot head of water. In testing successive sections at least the upper 10 feet of the next preceding section shall be tested, so that no joint or pipe in the building (except the uppermost 10 feet of the system) shall have been submitted to a test of less than a 10 foot head of water. The water shall be kept in the system, or in the portion under test, for at least 15 minutes before inspection starts; the system shall then be tight at all points.

108.5.2. Ball Test - All under slab drainage piping, stacks and vents 3" or larger shall be subjected to the "Ball Test." The test shall consist of passing a wooden sewer ball of a diameter not smaller than 1/2" less than the diameter of the pipe under test. The ball shall pass freely, under the action of gravity, through the pipe under test. Water may be used to assist in floating the ball through the piping, however, no other means of assistance shall be used.

108.5.3. Final Test - The final test of the completed drainage and vent system shall be visual and in sufficient detail to insure that the provisions of this Code have been complied with, provided, however, that, for cause, the plumber may be required to subject the plumbing to a mint test. Where the mint test is preferred, 2 ounces of oil of mint shall be introduced for each line or stack.

108.6 - TEST OF WATER-SUPPLY SYSTEM

Upon completion of a section or of the entire water-supply system, it shall be tested and proved tight under a water pressure not less than the working pressure under which it is to be used. The

water used for tests shall be obtained from a potable source of supply. It shall be unlawful for compressed air or gases to be used for testing purposes.

108.7 - TEST OF INTERIOR LEADERS OR DOWNSPOUTS

Leaders or downspouts and branches within a building shall be tested by water in accordance with Chapter 11.

108.8 COVERING THE WORK

108.8.1. Prior to Test - The plumbing system or part thereof shall not be covered until it has been inspected, tested and approved as prescribed in this section.

108.8.2. Uncovering of Work - If a plumbing system or part thereof is covered before being inspected, tested and approved as prescribed in this chapter, it shall be uncovered at the permit holders expense upon the direction of the Building Official.

108.9 - TEST OF DEFECTIVE PLUMBING

The drainage system of any building, where there is reason to believe that it has become defective, shall be subjected to test or inspection.

SECTION 109 - CERTIFICATE OF COMPLETION

109.1 - ROUGH INSPECTION

Upon the satisfactory completion of the roughing-in inspection, approval shall be so noted on the Plumbing Permit Card. This approval shall give the date of the roughing-in inspection and the initials of the inspector.

109.2 - FINAL INSPECTION

Upon the satisfactory completion and final test of the plumbing system, a Certificate of Completion, when requested, shall be issued by the Building Official to be delivered to the owner and the building shall not be occupied prior to completion of said system and final inspection.

SECTION 110 - LICENSING OF PLUMBERS

110.1 - GENERAL

Before any person, firm or corporation shall engage in the plumbing business, within the area described in 101.3.1, he shall be qualified as set forth herein and a business license shall be obtained from the County and State card, as required. Bonds are no longer required in Jefferson County. Where any plumbing work is being done, a Master or Journeyman Plumber shall at all times be present on the job, and in actual control, and in charge of the work being done.

110.2 - QUALIFICATIONS OF PLUMBERS

110.2.1. State Of Alabama Requirements - Any person, firm or corporation engaged in or proposing to engage in, the business of doing, or contracting to do, or superintending the installation of plumbing, either or both, must be qualified as set forth in Title 34, Chapter 37, Plumber and Gas Fitter, as amended by Act No. 2015-496.

109.2.2 Definitions.

1. A "Master Plumber" is any person or legal entity that engages in or works at the actual installation, repair, or replacement of plumbing systems, that has successfully fulfilled the examination requirements of the Alabama Plumbers and Gas Fitters Examining Board, has been issued a Master Plumber Certificate by the

Board, and that possesses a valid and current annual certificate issued by the Board. The Master Plumber shall have in his or her possession a current annual certificate. The certificate shall be available for inspection on request.

2. A “Journeyman Plumber” is any person who engages in or works at the actual installation, repair, or replacement of plumbing systems, who has successfully fulfilled the examination requirements of the Alabama Plumbers and Gas Fitters Board, has been issued a journeyman plumber certificate by the Board, and possesses a valid and current annual certificate issued by the Board. The journeyman plumber shall have in his possession a current annual certificate. The certificate shall be available for inspection on request.
3. An “Apprentice Plumber” is a person other than a Master or Journeyman Plumber, who is engaged in learning or assisting in the installation of plumbing, equipment, apparatus, and appliances, and shall work directly under the supervision of a Journeyman or Master Plumber, and who has successfully fulfilled the registration requirements of the Alabama Plumbers and Gas Fitters Examining Board and has been duly registered by the Board as such for the current year. The apprentice shall have in his or her possession a current annual certificate. The certificate shall be available for inspection on request.

110.3 - ISSUANCE OF A LICENSE

License shall be obtained from the proper Municipal, County or State authority after fully complying with Section 109.2.

110.4 - ILLEGAL WORK

Any person, firm or corporation engaged in the plumbing business whose work does not conform to the rules and regulations of this Code, or whose workmanship or materials are of inferior quality, shall on notice from the Building Official make necessary changes or corrections at once so as to conform to this Code; if work has not been so changed after a ten (10) day notice, the Building Official shall then refuse to issue any more permits for this project until such work has fully complied with the rules and regulations of this Code.

110.5 - ALLOWING ONE'S NAME OR LICENSE TO BE USED TO OBTAIN PERMIT FRAUDULENTLY

No person, firm or corporation engaged in the business of plumbing 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 applications. No person holding a Master Certificate shall represent two or more businesses as such nor shall he represent any business as such while operating his own business.

SECTION 111 - PLUMBING AND GAS BOARD OF ADJUSTMENTS AND APPEALS

111.1 - APPOINTMENT

There is hereby established a board to be called the Plumbing and Gas Board of Adjustments and Appeals, which shall consist of five (5) members who shall pass on matters pertaining to plumbing or gas installations, including alterations, repairs, replacements, equipment, appliances, fixtures, fittings and/or appurtenances thereto. One (1) member shall be a lawyer, one (1) member shall be a registered engineer who practices mechanical engineering, one (1) member shall be a representative of a public gas utility company and two (2) members shall be currently licensed plumbing and gas contractors. The said board shall be appointed by the Jefferson County

Commission and the Jefferson County Commission may replace any member at any time and without notice. No member of the board shall receive any compensation for his services as such.

111.2 - TERM OF OFFICE

Appointments to the Plumbing and Gas Board of Adjustments and Appeals shall be for a term of six (6) years except, at the formation of the Board, the term of the following members first appointed shall be: Three years for the lawyer and mechanical engineer, two year for the representative of the public gas utility company and five years for the plumbing and gas contractors. Thereafter the terms shall be for six (6) years. Continued absence of any member from regular meetings of the Board shall, at the discretion of the Jefferson County Commission, render any such member liable to immediate removal from office.

111.3 - QUORUM

Three members of the Board shall constitute a quorum. In varying the application of any provisions of this Code or in modifying an order of the Building Official, affirmative votes of the majority present, but not less than three affirmative votes shall be required. A Board member shall not act in a case in which he has a personal interest.

111.4 - RECORDS

The Building Official shall act as Secretary of the Plumbing and Gas Board of Adjustments and Appeals and shall make a detailed record of all its proceedings, which shall include names of the members present, the reasons for the board's decisions, the vote of each member participating therein, and any failure of a member to vote.

111.5 - PROCEDURE

The Board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this Code. The Board shall meet at regular intervals, to be determined by the Chairman, or in any event, the Board shall meet within twenty (20) days after notice of appeal has been received.

SECTION 112 – APPEALS

Whenever the Building Official shall reject or refuse to approve the mode or manner of construction proposed to be followed or materials to be used in a building or structure, or when it is claimed that the provisions of this Code do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of this Code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or his duly authorized agent, may appeal from the decision of the Building Official to the Plumbing and Gas Board of Adjustments and Appeals. Notice of appeal shall be in writing and filed within twenty (20) days after the decision is rendered by the Building Official. A fee of \$50.00 shall accompany such notice of appeal. The fee is not refundable.

SECTION 113-DECISIONS OF THE PLUMBING AND GAS BOARD OF ADJUSTMENTS AND APPEALS

113.1 - VARIATIONS AND MODIFICATIONS

113.1.1 Variances. The Plumbing and Gas Board of Adjustments and Appeals, when so appealed to and after a hearing, may vary the application of any provision of this Code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of this Code or public interest, or when, in its opinion the interpretation of the Building Official should be modified or reversed.

113.1.2. Conditions of Variance - A decision of the Plumbing and Gas Board of Adjustments and Appeals to vary the application of any provision of this Code or to modify an order of the Building Official shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefore.

113.2 DECISION

113.2.1. Decisions Are Final - Every decision of the Board of Adjustments and Appeals shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Building Official, and shall be open to public inspection.

113.2.2. Action By Board - The Board of Adjustments and Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay.

113.2.3. Action by Building Official - If a decision of the Board of Adjustments and Appeals reverses or modifies a refusal, order, or disallowance of the Building Official, or varies the application of any provision of this Code, the Building Official shall immediately take action in accordance with such decision.

SECTION 114 - VIOLATIONS AND PENALTIES

Any person, firm or corporation violating any provision of this Code or failing to comply with any of the provisions of this Code after ten (10) days written notice from the Building Official, shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00) or thirty (30) days in jail, or both, and a penalty of fifty dollars (\$50.00) per day, each day during the continuance of the violation.

SECTION 115 – VALIDITY

If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Code.

Delete Section 312.10 in Chapter 3 of the "2018 Edition of the International Plumbing Code," Inspection and testing of backflow prevention assemblies, without substitution.

Delete Section 606.2 in Chapter 6 of the "2018 Edition of the International Plumbing Code" and substitute in lieu thereof the following Section 606.2

606.2 Location of shutoff valves

606.2.1 Controls for Fixtures Within Dwellings and Dwelling Units. Each individual fixture shall have an accessible shutoff valve at each outlet which will permit each fixture to be shut off without interfering with the water supply to any other fixture. The water supply to each sillcock shall have a shutoff valve. The hose bibb or hose connection shutoff valve shall be the only shutoff valve required on washing machine connections.

606.2.2 Buildings Other Than Dwellings or Dwelling Units. In all buildings other than dwellings and dwelling units, shutoff valves shall be installed which permit the water supply to all fixtures and equipment in each separate room to be shut off without interference with the water supply to any other room or portion of the building or each individual fixture and piece of equipment shall have a shutoff valve which will permit each fixture and piece of equipment to be shut off without interfering with the water supply to other fixtures or equipment.

Delete Section 708.1.5 Exception #2 in Chapter 7 of the “2018 Edition of the International Plumbing Code.”

Add to Chapter 7, Section 708 of the “2018 Edition of the International Plumbing Code.”

Regarding cleanouts:

1. A cleanout shall be provided at the base of each soil or waste stack.
2. A cleanout shall be provided outside the foundation wall at the building sewer and building drain junction.

Delete Section 918 in Chapter 9 of the “2015 Edition of the International Plumbing Code” and substitute in lieu thereof the following Section 918

SECTION 918 - AIR ADMITTANCE VALVES

When air admittance valves are to be used in a plumbing system, the system shall be designed by a registered engineer licensed in the State of Alabama, and shall include not less than one stack vent or vent stack extending outdoors to the open air per plumbing system. In the case of existing buildings, the administrative authority may allow the device to be installed without these requirements when the building construction is such that a conventional venting system is proven to the administrative authority to be prohibitive.

Delete Chapter 12, Special Piping and Storage Systems, in the “2018 Edition of the International Plumbing Code” without substitution.

PRIVATE SEWAGE DISPOSAL

Where a public sewer is not available, an individual sewage disposal system shall be of a type that is acceptable and approved by the Administrative Authority or other governing authority having jurisdiction.