

SECOND READING AND PUBLIC HEARING
PROPOSED REGULATION # 147R
MAY 12, 2022

A REGULATION PERTAINING TO THE ADOPTION BY REFERENCE, THE OHIO PLUMBING CODE, OHIO ADMINISTRATIVE CODE (OAC) CHAPTER 4101: 3, INCLUSIVE RELATIVE TO PLUMBING; THE REGISTRATION OF PLUMBING CONTRACTORS, AND WHICH REQUIRES THE POSTING OF A SURETY BOND, THE REQUIREMENT FOR PERMITS; AND THE REPEAL OF EXISTING REGULATION # 147.

BE IT ORDAINED by the Board of Health of the Wayne County Combined General Health District, State of Ohio (“Board of Health”), acting under authority vested in it by section 3709.21, of the Ohio Revised Code (ORC), may adopt regulations necessary for the public health and safety and the prevention and restriction of disease that:

Section I — Purpose Adoption by Reference, Applicability

It is the purpose of this regulation to adopt by reference the Ohio Plumbing Code, OAC Chapter 4101:3, to provide for the proper enforcement of such provisions to protect the public health, and to make these regulations adopted pursuant thereto applicable to single, two, and three family dwellings, and to any building governed by 3781.06 ORC.

Section 2 — Registration of Plumbing Contractors

- 2.1 Plumbing contractors who are licensed with the Ohio Construction Industry Licensing Board(OCILB) shall make application to have his/her name placed on a register of plumbing contractors with the Board of Health. Such application shall be on a form provided by the Board of Health, must be submitted prior to January 1 of each year, and must be accompanied by a registration fee and proof of licensure with the OCILB as a plumbing contractor as determined by the Board of Health.
- 2.2 No permit to do plumbing shall be issued by the Board of Health to any person whose name is not registered as a plumbing contractor with the Board of Health, except owners of a single-family dwelling who propose to install or alter plumbing themselves in their home in which they live or intend to live provided, that the owners, themselves, must install the plumbing for which the permit was obtained.

Section 3 — Revoke or Suspend the Registration of Plumbing Contractors

The Board of Health, after affording a registered plumbing contractor a hearing, may suspend or revoke registration of a plumbing contractor for refusal or failure to comply with the Ohio Plumbing Code or the regulations of the Board of Health. Suspended registration may be reinstated upon demonstration of compliance with the Ohio Plumbing Code or the regulations of the Board of Health. Revoked registrations require new registration application.

Section 4 — Plumbing Contractor Surety Required

Upon approval of an application for placement on the register of plumbing contractors, those applicants must post a surety bond with the department in the sum of \$10,000.00 in favor of the Board of Health, conditioned upon the registrant's faithful compliance with the Ohio Plumbing Code and applicable regulations of the Wayne County Board of Health. This surety bond is required to be deposited with the department on or before January 31st each year.

Section 5 — Permit Required, Fees

- 5.1 No person shall install or alter plumbing in any single, two or three family dwelling or in any building governed by 3781.06 ORC, until a permit has been obtained from the Board of Health. Permits are not required for repairs or replacements exempted from tests under OAC 4101:3 unless these require moving any fixtures, drains, waste or vents, from their original location. Permits shall be issued to a registered plumbing contractor upon application; except permits will be issued to any owners of a single- family dwelling who desire to install themselves plumbing in the home in which they live or intend to live.
- 5.2 An application for permit to install or alter plumbing shall be made prior to starting work. The application shall be on a form provided by the Board of Health. If alteration permits are found to be needed while performing emergency repairs on plumbing systems, the permit must be obtained the next business day.
- 5.3 Each application for permit to install or alter plumbing for a single, two, or three-family dwelling shall be accompanied by an application fee and a fee for each trap, vented fixture, appliance, water heater replacement or other similar device, as established by the Board of Health.
- 5.4 Each application for permit to install or alter plumbing for a building governed by 3781.06 ORC and 3781.10 ORC shall be accompanied by application fee and a fee for each trap, vented fixture, appliance, water heater or replacement, or other similar device.
- 5.5 Whenever a re-inspection is made necessary by the failure of the applicant or plumbing contractor to have the work ready for inspection when so reported or by reason of faulty or improper installation, such person shall pay a fee established by the Board of Health for each such re-inspection and a fee established by the Board of Health for each partial inspection requested.
- 5.6 The permit shall be posted in a conspicuous place on the property where the work is being done.
- 5.7 No permit shall be issued to any person to install plumbing who is not registered or whose name is not on the register maintained by the Wayne County Board of Health as provided in Section 2.2 of these regulations, except to owners of single family dwelling to install plumbing themselves in the home in which they live or intend to live.
- 5.8 Permits may be transferred with permission of the original plumbing contractor and/or property owner.

Section 6 — Penalty

Any person who violates any provision of this regulation shall be in violation of, and subject to the penalties provided in section 3709.99 of the Ohio Revised Code.

Section 7 — Effect of Partial Invalidity

Should any provision of this regulation be declared unconstitutional or invalid for any reason, the remainder of this regulation shall not be affected thereby.

Section 8 — Repeal

Existing sanitary regulations and sections or paragraphs or regulations of the Board of Health in conflict or inconsistent with this regulation are hereby repealed.

Section 9 — Effective Date

This regulation shall be effective on and after the first day of December, 2022.

Adopted by the Board of Health of the Wayne County Combined General Health District this ____ day of _____, 2022.

Jerry Herman
President, Board of Health

Nicholas Cascarelli, EdD
Secretary, Board of Health

I, Nicholas Cascarelli, Secretary of the Board of Health of the Wayne County Combined General Health District, hereby certify that the above regulation was published in the Wooster Daily Record on _____ and on _____, 2022.

Nicholas Cascarelli, EdD
Secretary, Board of Health