

Article B: Plumbing Code

Sec. 15-1-30 Purpose and Scope of Plumbing Code.

- (a) The purpose of this Plumbing Code is to provide minimum regulations, provisions and requirements in the City of Onalaska to insure safety and adequacy to persons and property wherever plumbing is installed and to all alterations or improvements, including replacement of any apparatus or device pertaining to plumbing.
- (b) The design and installation of all plumbing systems shall comply with the requirements of this Article; the State Plumbing Code as described in 15-1-31 below, the City Utility Code found in Title 9 of the City Ordinances and the City's Water Utility Rules approved by the Wisconsin Public Service Commission.
- (c) The provisions of this Article shall apply to every building, or portion of a building, devoted to a new use for which the requirements are in any way more stringent than the requirements covering the previous use.
- (d) This Article shall be known as the City of Onalaska Plumbing Code.

Sec. 15-1-31 State Regulations Adopted.

- (a) **Adopted by Reference.** Chapter 145, Wis. Stats.; the State Plumbing Code, Wis. Adm. Code; and SPS 381, 382, 383 and SPS 384, Wis. Adm. Code, together with all amendments and restatements are hereby adopted and by reference made a part of this Chapter with the same force and effect as though set out in full. Failure to comply with any of the provisions of the statutes or administrative rules, regulations and bulletins, shall constitute a violation of this chapter, punishable according to the penalties provided below.
- (b) **To be on File.** A copy of the State Plumbing Code shall be on file in the offices of the Department of Inspection.

Sec. 15-1-32 Conflicts.

No part of this Article shall be interpreted to prevent the enforcement of other City ordinances or regulations which prescribe standards equal to or more stringent than the standards established by this Article.

Sec. 15-1-33 Plumbing Defined.

In this Article, "plumbing" means and includes:

- (a) All piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners and water heaters connected with such water and drainage systems, and the installation thereof.

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- (b) The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewerage system terminal within the bounds of or beneath an area subject to easement for highway purposes, including private domestic sewage treatment and disposal systems, and the alteration of any such systems, drains or waste piping.
- (c) The water service piping from the outside or proposed outside foundation walls of any building to the main or other water utility service terminal within the bounds of or beneath an area subject to easement for highway purposes and its connections.
- (d) The water pressure systems other than municipal systems as provided in Ch. 281, Wis. Stats.
- (e) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals or retard the discharge from plumbing fixtures or permit sewer air to escape into the building; to prohibit cross-connection, contamination or pollution of the potable water supply and distribution systems; and to provide an adequate supply of water to properly service, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

Sec. 15-1-34 Plumbing Permits.

- (a) **Required.** No work contemplated by this Chapter shall be started until a permit therefor has been obtained from the Department of Inspection, provided no permit shall be required for minor repairs to faucets or the removal of stoppages in soil and waste pipes.
- (b) **Application.** The application shall be in writing upon forms which the Department of Inspection shall provide and shall include the name of the owner and the description of the property on which the work is to be done, along with such pertinent information as the Department of Inspection may require, and shall state that the property owner and the applicant will be bound by and subject to the provisions of this Article.
- (c) **Issuance, Term, Suspension and Revocation.** When the Department of Inspection is satisfied that the work proposed by the applicant can be done in conformity with the provisions of this Article and after the appropriate fees have been paid, the Department of Inspection shall issue the permit. Such permit shall allow for the continuous performance of the work named thereon. A permit shall automatically expire when work ceases for a period of sixty (60) days without good and reasonable cause for same as may be approved by the Department of Inspection and shall automatically expire on completion of the work for which it is used, provided the Department of Inspection may, upon notice, suspend or revoke such permit for violation of the provisions of this Article.
- (d) **Restrictions on Issuance.**
 - (1) No plumbing permit shall be issued to any person who is in violation of this Article until such violation has been corrected.
 - (2) No plumbing permit shall be issued to any person against whom an order issued by the Department of Inspection is pending, provided this restriction may be waived by the Department of Inspection.

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- (e) **Notification for Inspection.** The plumber or owner/occupant to whom the permit has been issued, or his/her agent, shall notify the Department of Inspection in the manner prescribed by the Department of Inspection when the work is ready for inspection and shall specify the street address and permit number under which the work is being done. Unless otherwise permitted by the Department of Inspection, all plumbing work shall be left uncovered until inspected and approved. The person making the request for inspection shall make such arrangements as will enable the Inspector to reach all parts of the building and shall provide the equipment and labor for making tests of the system.
- (f) **Final Inspection.** The plumber or owner/occupant to whom the permit has been issued, or his/her agent shall notify the Department of Inspection when the work is completed and ready for final inspection. The person making the request for final inspection shall make arrangement for entry into all parts of the building where the inspection is to be performed.
- (g) **Right to Entry.** The Inspector shall have the right to enter onto public or private property during reasonable hours to inspect plumbing work. Where entry is refused, the Inspector may seek an inspection warrant as provided in §66.0119, Wis. Stats. as may be amended.

Sec. 15-1-35 Plumbers to be Licensed.

No person shall carry on the business of plumbing or do any plumbing work until he/she shall have first obtained the proper license to do so from the state. An unlicensed person may remove stoppages in drain pipes or repair valves or faucets. No person shall install plumbing unless at all times a licensed Wisconsin master plumber is in charge, who shall be responsible for the proper installation.

Sec. 15-1-36 Plumbing Permit Fees.

The schedule of permit fees to be paid shall be set forth in the City of Onalaska Inspection Office and shall be set forth on the City of Onalaska Fee Schedule, and such fees shall be paid at the time the permit is issued:

- (a) **Scope.** The fees provided for in this Chapter include all plumbing fixtures, appliances, devices or traps to be installed or openings roughed-in for future installation, which will be, or are, connected to the water supply or drainage system, directly or indirectly, or both. This includes garbage disposal units, domestic water heaters, water softeners, roof drains and devices connected to the building storm drains, along with fees for the inspection of changes or alterations in building drains, stacks, vents and plumbing work where no fixtures are installed.
- (b) **Plumbing Permit Fees.** Permit fees shall be based upon the physical value of the work to be done (including time and materials) as determined by the Department of Inspection on the basis of current costs as set forth in the City of Onalaska Fee Schedule, fees are charged for the following items:

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1. **Installation Fee:** This fee is to be applicable for installation and inspection for connections to the main or end of the lateral at the curb to the buildings, as well as for septic tank and dry well installations, also for each tap and water service pipe connected to the City water main, including fire protection services.
2. **Underground Sprinklers.**
3. **Sewer Connection.**
4. **Sewer Relay.**
5. **Water Connection.**
6. **Water Relay.**
7. **Well Permits.**
8. **Lift Station Fees in Certain Areas.** In addition to the foregoing, there shall be a connection charge per service connection.
9. **Re-inspection Fee.** For re-inspection of incomplete conditions at the time of the initial inspection request.

(c) **Double Fees.** The above permit fees shall be doubled when construction is commenced before a permit is issued.

Sec. 15-1-37 Installation of Check Valves on All Plumbing.

Notwithstanding any other provisions of this Chapter, all residential units/homes within the City of Onalaska, within a secondary water pressure zone, shall have installed a check valve and a pressure-reducing valve. Said check valve is to be located on the home side of the water meter and said pressure reducing valve shall be installed on the street side of the water meter.

Sec. 15-1-38 Orders to Correct Plumbing Violations

- (a) **Time for Compliance.** The Inspector shall issue orders requiring that plumbing code violations be corrected within a specified time. The compliance time shall not be more than 30 days, depending upon the nature of the violation and the hazard involved.
- (b) **Duration of Order.** A written order to correct plumbing code violations must be complied with as stated in the written order, the order itself shall remain active for 24 months from date of issuance, meaning that any subsequent violations during the 24 month period may result in an immediate issuance of a municipal citation. A continued failure to correct a violation identified in an order may result in the issuance of a municipal citation to the person to whom the order was issued.

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(c) **Content of Orders.** Whenever the Inspector determines that there are reasonable grounds to believe that a violation of any provision of this chapter exists, he or she shall order the person responsible to correct the violation. The order shall be in writing and shall:

1. Include a description of the real estate sufficient for identification;
2. Specify the violation which exists and the remedial action required;
3. Allow a reasonable time for the performance of any act it requires;
4. Include the following disclaimer: "The findings of this inspection report are intended to identify code violations that are readily apparent at the time of inspection. The inspection did not involve a detailed examination of the mechanical systems or the closed structural and nonstructural elements of the building and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied."

(d) **Service of Orders.** Orders to correct plumbing violations shall be served upon the Permit Holder with a copy to the owner of record by first class mail at the address listed with the City Assessor's office or by delivering the order to the owner personally. When the owner of record does not have an address listed, the order may be served:

1. By delivering the order to the owner personally; or
2. By first class mail addressed to the owner at the last known address as shown on the most recent property tax bill for the property affected by the order; or
3. By posting the order in a conspicuous place on the exterior of the structure affected by the order.
4. If an order is served by first class mail, the person serving the order shall execute an affidavit which should include the following:
 - a. The date upon which the order was mailed.
 - b. An allegation that the envelope was postpaid.
 - c. The name of the person to whom the envelope was addressed.
 - d. The address on the envelope.
 - e. That the order was enclosed within the envelope.

(e) **Notice to Purchasers.** An owner shall notify a purchaser, in writing, that an order has been issued concerning a violation of this Article, whenever the condition of the property giving rise to the order has not been corrected. Any owner who fails to give written notice to a purchaser, prior to acceptance of a written offer to purchase, of any order concerning this property shall be subject to a forfeiture as provided below. No owner may accept an offer to purchase which was made prior to the disclosure required by this subsection, unless the purchaser acknowledges receipt of a notice of outstanding orders and a willingness to proceed despite such knowledge.

(f) **Extension of Time to Comply with Orders.** The owner/Permit Holder or other responsible person may, prior to the expiration of the compliance time specified in the order, request an extension of the compliance time. When the owner or other responsible person demonstrates that they are making a diligent effort to comply with the order, the Inspector may extend the time for compliance for not more than 30 days.

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Sec. 15-1-39 Enforcement Actions

- (a) **Forfeiture.** Any person who violates any provision of this Article, or fails to comply with a lawful order of the Inspector to correct a violation of this chapter shall, upon conviction of the violation, pay a forfeiture of not less than \$100.00 and not more than \$500.00 together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County jail until such forfeiture and costs of prosecution are paid, but not exceeding 90 days for a first offense.
- (b) **Refusal to Issue Plumbing Permit.** No person may obtain a permit to do plumbing work in the City of Onalaska while that person is failing or refusing to correct a plumbing violation after having been convicted of that violation.
- (c) **Suspension or Revocation of Plumbing Permit.** The Inspector may revoke or suspend a plumbing permit if the Inspector finds that the permit holder has:
 - 1. Made a material misstatement in the application for a permit or renewal thereof;
or
 - 2. Has failed to correct a plumbing code violation within 30 days after having received notice of the violation.
- (d) **Action to Enjoin.** The City Attorney may, in addition to, or in lieu of other remedies provided by law, bring an action to enjoin a person from committing repeated violations of this chapter.

Sec. 15-1-40 through Sec. 15-1-49 Reserved for Future Use.