

ORDINANCE 093-012

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 5, ARTICLE III, OF THE CODE OF ORDINANCES OF THE TOWN OF ADDISON, TEXAS, TO PROVIDE MINIMUM STANDARDS TO SAFEGUARD LIFE OR LIMB, HEALTH, PROPERTY, AND PUBLIC WELFARE BY REGULATING THE ERECTION, INSTALLATION, ALTERATION, ADDITION, REPAIR, RELOCATION, REPLACEMENT, MAINTENANCE OR USE OF PLUMBING SYSTEMS. PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That Section 5-51, (a) and (b), of the Code of Ordinances of the Town of Addison, Texas, be amended to change the term "1985 Edition" to read "1991 Edition."

SECTION 2. That Section 5-52 of the Code of Ordinances of the Town of Addison, Texas, be amended to change the term "1985 Edition" to read "1991 Edition."

SECTION 3. That the Code of Ordinances of the Town of Addison, Texas, be amended by adding a Section 5-52.01 to read as follows:

Sec. 5-52.01 Violation and penalties.

Section 20.3 of the Uniform Plumbing Code is amended to read:

"Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum not to exceed two hundred dollars (\$200.00) and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense."

SECTION 4. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-53 to read as follows:

Sec. 5-53. Licensing and registration of contractors.

- (1) No person, corporation, firm, or contractor shall engage in the design, installation, construction, maintenance, service, repair, alteration or modification of a product or a plumbing system, without first obtaining a contractor's license, as issued by the State of Texas, and be registered with the Town of Addison.
- (2) To register with the Town of Addison as a plumbing or irrigation contractor, an application shall be made in writing on forms furnished for that purpose along with a fifty dollar registration fee, and filed with the Building Official. This application shall contain a copy of the person's state plumbing license.

Exception: A homeowner is not required to be licensed as a registered contractor to perform work in his own home.

- (3) The plumbing contractor's license shall be valid for one year from the date of registration.
- (4) The contractor shall be subject to the requirements and penalties of the Code of Ordinances of the Town of Addison.

SECTION 5. That the Code of Ordinances of the Town of Addison, Texas be amended by revising Section 5-53.01 to read as follows:

Sec. 5-53.01. Permit required.

Section 30.1(a) of Part I of the Uniform Plumbing Code is amended to read as follows:

It shall be unlawful for any person, firm or corporation to make any installation, alteration, repair, replacement or remodel any plumbing system regulated by this code except as permitted in subsection (6) of this section, or cause the same to be done without first obtaining a separate plumbing permit or submitting a subcontractor's voucher for each separate building or structure. A voucher is required when a valid building permit has been issued to allow work to erect, enlarge, repair, or remodel a building, structure or pool. A plumbing permit is required for all other work.

SECTION 6. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-53.02 to read as follows:

Sec. 5-53.02. Application for permit.

The first paragraph of Section 30.2(a) of Part I of the Uniform Plumbing Code is amended to read as follows:

"Any person applying for a permit or submitting a subcontractor's voucher must do so using forms provided by the Town of Addison for that purpose."

SECTION 7. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-54 to read as follows:

Sec. 5.54. Permit fees.

Section 30.4 of Part I of the Uniform Plumbing Code is amended to read as follows:

"There shall be no fee charged for vouchers. The fee for each permit shall be as set forth in Section 304 of the Building Code.

SECTION 8. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-54.01 to read as follows:

Sec. 5-54.01. Inspections.

Section 30.5(f), fourth paragraph of Part I of the Uniform Plumbing Code, is amended to read as follows:

To obtain reinspection, the applicant shall file an application in writing using a form furnished by the Town of Addison for that purpose, and pay the reinspection fee in accordance with Table No. 3-A in the Uniform Building Code.

SECTION 9. That the Code of Ordinances of the Town of Addison, be amended by revising Section 20.4 to read as follows:

Sec. 5-55. Board of appeals.

Section 20.4 of the Uniform Plumbing Code is amended to read:

"In order to determine the suitability of alternate materials and type of construction and to provide for reasonable interpretations of the provisions of this code, there shall be and is hereby created a board of appeals consisting of three (3) members and two (2) alternates appointed by the City Council. The building official shall be an ex officio member and shall act as secretary of the board. The board of appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing." The powers of the Board of Appeals shall be as follows:

- (1) To hear appeals from decisions of the building official.
- (2) To hear requests for the use of a material or method of construction not prescribed by the code and to authorize the use when, in the board's judgement, the material or method of construction is at least equivalent to that prescribed.
- (3) To hear complaints from the building official arising against any person, firm, or corporation licensed by the Town of Addison to perform plumbing work and shall have the power, after hearing, to revoke or suspend said license for the following reasons:
 - a. Chronic violation of the code
 - b. Misrepresentation of material facts in obtaining said license or renewal thereof
 - c. Chronic failure to secure permits, inspections, or approvals as required by the code, or
 - d. Use of said license to obtain a permit for another person, firm, or corporation.

SECTION 10. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-59 to read as follows:

Sec. 5-59. Lawn sprinkling systems.

Section 1003(m) of the Uniform Plumbing Code is amended to read as follows:

"(m) Lawn sprinkler systems shall be equipped with an approved backflow preventer installed at the point where sprinkler piping connects to potable water piping."

SECTION 11. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-59.01 to read as follows:

Sec. 5-59.01. Backflow prevention.

The last sentence of Section 1003(n) of the Uniform Plumbing Code is amended to read as follows:

"For multifamily uses and all nonresidential uses hose bibbs, other than those above, and lawn hydrants shall be protected by an approved non-removable type of backflow prevention device."

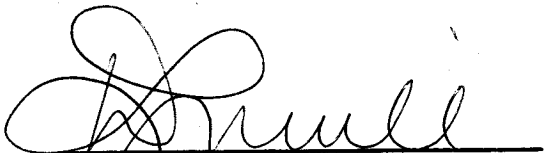
SECTION 12. That the Code of Ordinances of the Town of Addison, Texas, be amended by deleting Section 5-59.02.

SECTION 13. All other ordinances and parts of ordinances in conflict with this ordinance shall be repealed but the repeal of such ordinances or parts of ordinances shall not affect any right, property or claim which was or is vested in the Town of Addison, Texas, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this ordinance shall take effect; nor shall

said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this ordinance shall take effect under any of the ordinances or sections thereof so repealed.

SECTION 14. In the event that any section, paragraph, subdivision, clause, phrase, or provision of this ordinance or the Uniform Plumbing Code, 1991 Edition, or revisions thereof, adopted herein shall be adjudged invalid or held unconstitutional, the same shall not effect the validity of this ordinance of the Uniform Plumbing Code, 1991 Edition, or revisions thereof as a whole or any part or provision other than the part so decided to be invalid or unconstitutional.

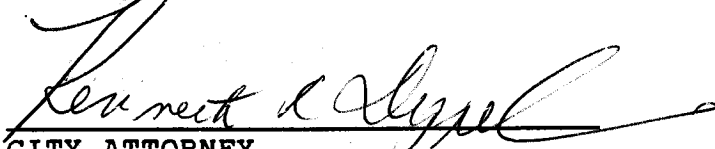
DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 23rd day of February, 1993.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY

2-23-93
EFFECTIVE DATE

ORDINANCE NO. 093-012

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