

CHAPTER 70.1

PLUMBING CODE

1. **APPLICABILITY.** This Chapter shall have, along with the Code adopted hereby, the scope and applicability set out in said Code, except as modified by the provisions of this Chapter.

2. **CODE ADOPTED.** The same having been duly placed and remained on file as required by law, and subject to the additions, modifications, changes or deletions set out in this Chapter, the Plumbing Code (latest version), of the State of Illinois Department of Public Health, including all amendments, is hereby adopted by reference, the same to be known, and which may be cited, as the "Plumbing Code" of the City, and which shall have the scope and applicability as therein set out, except as modified by the provisions of this Chapter. (Amended, Ordinance No. 2011-60, October 3, 2011) (Amended, Ordinance No. 2001-70, September 17, 2001)

3. **AMENDMENTS.** The following numbered sections in said code are hereby amended and modified as herein indicated:

A. Section 890 Appendix A, Table A, such that said Agency note reads in its entirety as follows: "Drainage system below ground outside of building (building sewer) - minimum on PVC building sewer shall be schedule 40".

(Amended, Ordinance No. 2001-70, September 17, 2001)

B. Section 890 Appendix A, Table A, add note that reads in its entirety as follows: "Water Service Pipe - water service pipe shall be SDR9 with tracer wire or K-copper for services

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up to 2 inches. Over 2 inches the pipe shall meet the water main standards of the City of Decatur". (Amended, Ordinance No. 2011-60; Ordinance No. 2001-70)

C. Section 890.510 (Add C) For new restaurant buildings grease interceptors (traps) shall be located outside the building and shall be accessible for maintenance purposes. Interceptors thus located shall have a minimum capacity of 1,000 gallons. Exception: The City Construction and Housing Board of Appeals may grant a variance to the requirement (C above) if it is shown that due to circumstances beyond the petitioner's control locating the grease interceptor outside the building would be unduly burdensome and that no reasonable alternative exists. (Amended Ordinance 2014-18, April 21, 2014)

4. **WORK DONE WITHOUT PERMIT.** Except for work performed in response to an unanticipated emergency at a time other than the regular business hours of the Inspection Division and for which a permit is later obtained during the next succeeding regular business day of said Division, no plumbing shall be commenced unless and until a city permit for the same has been obtained from the Inspection Division in the manner provided by the Building Ordinance, and should any work for which a permit is required be commenced or be done before such permit is issued and obtained, the required permit may nonetheless be issued for such and subsequent work; however, the amount of the required fee as provided herein for all work; both that commenced before and that proposed to be done after said permit is issued, shall be double that otherwise so provided, and issuance of such permit shall not, and shall not be construed to be, an excuse from, or waiver of, or defense to or absolution from any liability or action otherwise provided for in said Code or this ordinance but shall be cumulative of and in addition thereto.

5. **FEES REQUIRED.** No permit shall be issued except upon prior payment of the total building fees as set forth in Chapter 67, Section 9. The fee schedule set forth is cumulative and is in addition to all other fees required by applicable provisions of the municipal code, unless specifically noted to the contrary. All applications for building permits shall be accompanied by complete and finalized plans, specifications, and cost estimates. (Amended, Ordinance No. 2020-05, January 6, 2020, Effective February 1, 2020)

6. **ENFORCEMENT.** This Chapter and the Code, as modified thereby, shall be administered by the Building Inspection Manager through the Inspection Division of the Community Development Department which, among other things, is authorized hereby to cause stop orders to be issued and enforced as to any work not in conformance and compliance with the provisions thereof, or of the reasonable rules and regulations promulgated to implement the same. (Amended, Ordinance No. 2020-05, January 6, 2020, Effective February 1, 2020) (Amended, Ordinance No. 2017-07, February 6, 2017) (Amended, Ordinance No. 2010-03; Ordinance No. 2000-11)

7. **TERM OF PERMIT.** Unless, because of the nature or extent of the work, the Superintendent of Inspections determines that a permit should be for a term longer than three months and so endorses such longer term on the face thereof, all permits not so endorsed shall expire and be void three months from the date the same are issued.

8. **PENALTY.** It shall be unlawful for any person, firm or corporation to install, repair, maintain, alter or extend plumbing, or a plumbing system, or plumbing fixture or appliance regulated by said Code or this Chapter or cause the same to be done, contrary to or in conflict with or in violation of any of the provisions hereof or thereof. It shall be unlawful to continue work after a stop order has been issued, served or posted under said provisions. Any

person, firm or corporation violating or found to be in violation of any of said provisions shall be fined not less than One Hundred Fifty Dollars (\$150.00) nor more than Five Hundred Dollars (\$500.00) for each offense, and each day upon which a violation occurs or is allowed to continue, or a condition is not brought into compliance after notice, shall be viewed and may be prosecuted as a separate and distinct offense. (Amended, Ordinance No. 2011-75)

9. **OTHER REMEDIES.** The imposition of the penalties herein prescribed shall not preclude the institution of appropriate action to prevent, abate or to stop acts, activities, or maintenance of work or systems not in compliance with code or this Chapter in or about any premises.

10. **RE-INSPECTION FEES.** A re-inspection fee of \$45.00 shall be assessed against the applicant for a construction permit, or in the case of a combined permit, against the licensed subcontractor, who has requested an inspection which cannot be completed and/or approved by the Inspection Division for any of the following reasons: (1) the work for which the inspection has been requested is not installed or completed to the extent that an inspection can be made; (2) the inspection reveals that there are more than three (3) material items which need substantial correction before an approval for code compliance can be made; or (3) the work for which the inspection has been requested has been covered up or hidden from view so that an inspection cannot be made. (Amended, Ordinance No. 2020-05, January 6, 2020, Effective February 1, 2020)

If an inspection can be made, but 3 or fewer items are found which need correction to fully comply with the Building Code, the permit applicant or licensed subcontractor shall be notified in writing by the Inspection Division of the corrections required, and a re-inspection fee of \$45.00 shall be assessed against the permit applicant or licensed subcontractor only when any

subsequently requested inspection reveals that any of the previously noted code violations have not been corrected. (Amended, Ordinance No. 2020-05, January 6, 2020, Effective February 1, 2020)

Fees assessed as herein provided may be appealed to the Construction and Housing Board of Appeals (Board) by filing a notice of such appeal with the City Clerk within fourteen (14) days of the mailing of notice of such assessment. An appeal shall stay the due date for payment until the date of the final order of the Board.

Such fees shall be assessed by mailing notice of same to the owner or other person by certified mail, return receipt requested. Payment thereof shall be due fourteen (14) days after mailing of such notice, which notice must contain a statement of the right of the owner or other person to appeal the same to the Board and the time limitation thereon.

In any judicial proceeding brought by the City to collect fees which have not been paid as required by the provisions hereof, failure to receive notice of the assessment of such fee may be a defense thereto, but only if such notice was not sent to the proper mailing address of the defendant or was received thereat by someone other than a person upon whom substituted service may be made pursuant to the Illinois Code of Civil Procedure.

Any fee or fees assessed as herein provided, and any judgment entered for same, shall be in addition to any fine imposed by the Circuit Court under Section 8 of this Chapter. No Certificate of Occupancy shall be issued for any building for which re-inspection fees are unpaid.

11. **WITHHOLDING OF PERMITS.** Building permits may be withheld from permit applicants, or in the case of combined permits from the licensed subcontractor, who is in violation of Chapters 67, 67.2, 68, 69, or 70.1 of the City Code at a location other than that for

which a permit is being sought. (Amended, Ordinance No. 2020-05, January 6, 2020, Effective February 1, 2020)

Such violation may include, but shall not be limited to the following:

A. Failure to arrange for inspections required under Chapters 67, 67.2, 68, 69, and/or 70.1 of the City Code within a reasonable time frame. (Amended, Ordinance No. 2020-05, January 6, 2020, Effective February 1, 2020)

B. Failure to take reasonable requested action to uncover work which requires inspection but has been hidden from view of the inspector.

C. Failure to pay required permit fees or re-inspection fees.

D. Failure to obtain a building permit for work which required a building permit.

E. Failure to take reasonable action to notify and obtain approval from the Inspections Division of changes made to approved building permits.

F. Falsifying information on building permit applications.

G. Performance of building permit work under an invalid or voided building permit.

H. Failure to obtain a required Certificate of Occupancy before occupying or allowing occupancy of new construction or change in use.

Permit applicants from which permits are to be withheld must be notified by mailing notice of same to the permit applicant or licensed subcontractor by certified mail, return receipt requested. Said notice shall inform the permit applicant or licensed subcontractor of the violations, which if corrected will allow the City to issue to the permit applicant or licensed subcontractor additional permits. Corrections shall be made within fourteen (14) days after mailing of such notice, which notice must contain a statement of the right of the permit applicant

or licensed subcontractor to appeal the same to the Construction and Housing Board of Appeals and the time limitation thereon.

The withholding of permits as herein provided may be appealed to the Construction and Housing Board of Appeals by filing a notice of such appeal with the City Clerk within fourteen (14) days of the mailing of notice of such withholding. An appeal shall stay the due date of corrections required until the date of the final order of the Board.

12. **WATER DISTRIBUTION SYSTEM.** In order to protect the water distribution system of the City, no plumbing system shall be connected thereto unless the same conforms and complies with the provisions of this Chapter and said Code, as modified, and any such plumbing system already connected to the water supply system may be shut off until the same is corrected, and may, until corrected, be disconnected.

13. **SEVERABILITY.** The provisions hereof are and shall be construed to be severable and invalidity of any section or provisions of this Chapter or of the codes and standards hereby adopted, shall not invalidate other sections or provisions hereof.

14. **RULES AND REGULATIONS.** The City Manager is hereby authorized to cause to be established, promulgated, published and enforced such reasonable rules, regulations and procedures, not in conflict with said provisions, as may to said officer appear to be necessary or convenient to administer the provisions of said Code and this Chapter and to carry out the intent and purpose thereof and hereof.