ORDINANCE NO. 115

An Ordinance of the City of Kent providing for the protection of public health and safety; requiring a permit and inspection for the installation or alteration of plumbing and drainage systems; creating an administration office; defining certain terms; establishing minimum regulations for the installation, alteration or repair of plumbing and drainage systems and the inspection thereof; providing penalties for its violation and repealing conflicting ordinances and adopting the WESTERN PLUMBING OFFICIALS UNIFORM PLUMBING CODE 1961 EDITION, including Appendices A through E, inclusive.

THE CITY COUNCIL OF THE CITY OF KENT DO ORDAIN as follows:

Section 1. Adoption of Western Plumbing Officials Uniform Plumbing Code, 1961 Edition, with Appendices A through E, inclusive. That there is hereby adopted by the City of Kent, for the purpose of establishing rules and regulations for the installation or alteration of plumbing and drainage systems, and the inspection thereof, that certain plumbing code known as "Western Plumbing Officials Uniform Plumbing Code, 1961 Edition", and the whole thereof, including Appendices A through E, inclusive, on pages 129 through 159, and any amendments thereto, save and except such portions as are hereinafter in this ordinance deleted, modified or amended, of which Western Plumbing Officials Uniform Plumbing Code, 1961, including Appendices A through E, not less than three copies have been and now are filed in the Office of the City Clerk of the City of Kent, and the said Western Plumbing Officials Uniform Plumbing Code, 1961 Edition, including Appendices A through E, as hereinafter amended, is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect the provisions thereof shall be controlling in the installation or alteration of plumbing and drainage systems, and the inspection thereof, within the corporate limits of the City of Kent.

Section 2. Definitions.

(a) Wherever the word "municipality", or "city" is used in the said code and amendments thereto, it shall be held to
mean the City of Kent.

(b) Wherever the term "corporation counsel" or "city attorney" is used in said code and amendments thereto it shall be held to mean the City Attorney of Kent.

Section 3. Saving Clause. Nothing in this ordinance, nor in the code hereby adopted, shall be construed to affect any suit or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance replaced hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section 4. Validity. If any section, subsection, sentence, clause, phrase, or portion of this code is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this code.

Section 5. Amendments and Deletions Made in said Code. The said code is amended and changed and certain sections deleted, in the following respects:

(a) Section 1.4(10), page 2a of Part One, and Section 1.10, page 5a, of Part One, Administration, is hereby deleted.

(b) Part Two, Qualification of Plumbers, pages 9a to 12a, inclusive, is hereby deleted.

(c) Section 201(k), of Chapter 2, page 14, is hereby deleted.

(d) Chapter 11, Building Sewers and Private Sewage Disposal Systems, pages 87 to 102, inclusive, is hereby deleted.

(e) Chapter 12, Fuel Gas Piping, Page 103 to Page 116 inclusive, is hereby deleted.

(f) Chapter 13, Water Heaters and Vents, Pages 117 to 126 inclusive, is hereby deleted.

(g) Section 1.1 - Administrative Authority and Assistants, of Part One, Administration, on Page 1a, is amended to read as follows:

"Whenever the term "administrative authority" is used in this code it shall be construed to mean the City Engineer or his authorized representative."
Section 1.2. Assistants, of Part One, Administration, on Page 1a, is amended to read as follows:

"Whenever the term 'assistants' is used in this code it shall be construed to mean the assistants of, or persons under the direction and control of, the City Engineer."

Section 1.3 - Department Having Jurisdiction, of Part One, Administration, Page 1a, is amended to read as follows:

"Unless otherwise provided for by law, the office of the Administrative Authority shall be a part of the Engineering Department of the City."

Section 1.7 - Violations and Penalties, of Part One, Administration, on Page 3a, is amended to read as follows:

"Any person, firm or corporation violating any of the provisions of this code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed One-hundred ($100.00) Dollars, or by a term of not to exceed thirty (30) days, or by both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

"The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which it authorized is lawful.

"The issuance or granting of a permit or approval of plans shall not prevent the Administrative Authority from thereafter requiring the correction of error in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any other ordinance or from revoking any Certificate of Approval when issued in error.

"Every permit issued by the Administrative Authority under the provisions of this code shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within sixty (60) days from the date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of sixty (60) days. Before such work may be recommenced a new permit shall be first obtained to do so."

Section 1.12 - Cat of Permit, of Part One, Administration, on Page 6a, is amended to read as follows:

"Every applicant for a permit to install, add to, alter, relocate or replace a plumbing or drainage system or part thereof, shall state in writing on the application form provided for that purpose, the character of work proposed to be done and the amount and kind in connection therewith, together with such information pertinent thereto as may be required.
"Such applicant shall pay for each permit issued at the time of issuance, a fee in accordance with the following schedule, and at the rate provided for each classification shown therein:

Schedule of Fees

For issuing each permit

In addition -

For each plumbing fixture or trap or
set of fixtures on one trap (including
water, drainage piping and backflow
protection therefor) $1.00

.75

"Any person who shall commence any plumbing work for which a permit is required by this code without first having obtained a permit therefor shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by this section for such work, provided, however, that this provision shall not apply to emergency work when it shall be proved to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefor before the commencement of the work. In all such cases a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.

"For the purpose of this section a sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached shall be construed to be a fixture. Fees for reconnection and retest of existing plumbing systems in relocated buildings shall be based on the number of plumbing fixtures involved.

"When interceptor traps or house trailer site traps are installed at the same time as a building sewer on any lot, no sewer permit shall be required for the connection of any such trap to an appropriate inlet fitting provided in the building sewer by the permittee constructing such sewer.

"When a permit has been obtained to connect an existing building or existing work to the public sewer or to connect to a new private disposal facility, backfilling of private sewage disposal facilities abandoned consequent to such connection is included in the building sewer permit."

Section 6. All Former Ordinances or Parts Thereof Conflicting or Inconsistent With the Provisions of this Ordinance, or of the Code Hereby Adopted Are Hereby Repealed.

Section 7. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication, as required by law.

Passed this 6 day of January, 1962

Approved this 7 day of January, 1962

Published the 17 day of January, 1962.