

Amended by Ordinance No. 05-070  
(August 23, 2005)

## **ARTICLE I GENERAL PROVISIONS**

### **Section 1.01 Designation of Code**

The provisions of this Chapter, including the adopted portions of the **International Plumbing Code** and the **International Fuel Gas Code**, as amended, are hereby designated the **Plumbing Code** of the City of Arlington, also referred to in this Chapter as "the Code" or "this Code".

### **Section 1.02 Adoption of Code; Conflicts**

A. The International **Plumbing Code**, 2003 Edition, referred to in this Chapter as the "IPC" and the International Fuel Gas Code, 2003 Edition, referred to in this Chapter as the "IFGC", as adopted and published by the International Code Council are herein adopted and designated, together with the additions, deletions, and amendments hereinafter contained, as the **Plumbing Code** of the City, the same as though such Codes were copied at length herein. Copies of the IPC and IFGC adopted in this Section shall be kept on file in the office of the City Secretary. (Amend Ord 05-070, 8/23/05)

B. In the event of a conflict between the adopted provisions of the IPC and IFGC and other provisions of this Chapter, the other (non-IPC and non-IFGC) provisions of this Chapter shall be controlling.

### **Section 1.03 Intent**

The purpose of this Code is to provide minimum standards to safeguard life, limb, health, property and the public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operations and maintenance of piping systems, fixtures, **plumbing** equipment and systems used for water, sewage, and fuel gas **plumbing** systems.

### **Section 1.04 Scope**

A. The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of **plumbing** systems, fuel gas piping systems, fuel

gas utilization equipment and related accessories within this jurisdiction and outside the boundaries of the City, if same be connected to either the City water or sewer systems.

Provisions in the appendices shall not apply unless specifically adopted.

B. This ordinance shall not be applied to work done by the employees of the City in the scope of their employment or other companies furnishing water in the laying of water mains and services and City sewer mains and services, or to the installation of gas distributing mains and services in the streets and alleys by employees of the gas distributing company, or any work performed by such gas distributing company on any piping or connection up to and including the outlet connections of the service meter. Nothing in this Code shall be construed as prohibiting an individual from negotiating with the gas company for the repairs, replacements, or installation of yard or service lines (that line carrying the unmeasured gas) on his/her premises or as requiring a license or bond from any gas company. Such work shall be performed by qualified employees of the gas company in accordance with all State and Federal regulations.

### **Section 1.05 Amendments, Additions and Deletions - IPC**

The adoption by reference of the International **Plumbing** Code, as provided in Section 1.02 hereof, is made subject to the following terms and is modified and amended as follows:

- A. By the addition of Article II of this Chapter.
- B. By the addition of Article III of this Chapter.
- C. By the amendment, deletion and addition of the following sections of the IPC:
  - 1. Adoption of Appendices C and D.
  - 2. The amendment of the Table of Contents, Chapter 7, Section 714, to read as follows:

Section 714    Engineered Drainage Design .... 62
  - 3. The deletion of Sections 101.1, 101.2, and 101.3.

4. The amendment of Section 102.8, Referenced codes and standards, to read as follows:

**102.8 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 13 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where the requirements of reference standards or manufacturer's installation instructions do not conform to minimum provisions of this code, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and the manufacturer's installation instruction shall apply.

5. The amendment of Section 103.1, General, to read as follows.

**103.1 General.** The executive official in charge of **plumbing** inspection shall be known as the Code Official.

6. The amendment of Section 104.1, General, to read as follows:

**104.1 General.** The Code Official shall enforce all of the provisions of the ordinance governing **plumbing** and shall act on any question relative to the installation, alteration, repair, maintenance or operation of all **plumbing** systems, devices and equipment except as otherwise specifically provided for by statutory requirements or as provided for in Sections 104.2 through 104.8.

7. The amendment of Section 104.3, Applications and permits, to read as follows:

**104.3.1** A separate permit shall be obtained for each building or structure under the conditions stated in Article III of this Chapter.

**104.3.2** A person commits an offense if he/she allows another to do or cause to be done any work under a permit other than the permittee or an employee of the permittee.

**104.3.3** After issuing a permit or granting approval of plans and specifications, the Code Official shall remain empowered to:

**104.3.3.1** Require the correction of errors in plans and specifications;

**104.3.3.2** Prevent the commencement or continuation of construction operations conducted under such plans and specifications when such operations are in violation of this Chapter or other ordinance; and

**104.3.4** Every permit issued under this Chapter shall expire by limitation and become null and void if the work is suspended or abandoned for a period of one hundred twenty (120) days.

**104.3.5** When a permit expires under Subsection 104.3.4.2 of this Section, work may be recommenced upon the issuance of a new permit.

8. The amendment of Section 104.5, Right of entry, to read as follows:

**104.5 Right of entry.** Whenever it is necessary to make an inspection to enforce the provisions of this chapter, or whenever the Code Official has reasonable cause to believe that there exists in any building or upon any premises any conditions or violations of this chapter that make the building or premises unsafe, unsanitary, dangerous or hazardous, the Code Official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the Code Official by this chapter. If such building or premises is occupied, the Code Official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the Code Official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the Code Official shall have recourse to every remedy provided by law to secure entry.

When the Code Official shall have first obtained a proper inspection warrant pursuant to the "Municipal Court" Chapter of the Code of the

City of Arlington no owner or occupant or person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Code Official.

9. The amendment of Section 106.6, Fees, to read as follows:

**106.6 Fees.** Regulations and standards for fees shall apply as follows:

**106.6.1** No permit required by this Chapter shall be issued prior to payment of all applicable fees.

**106.6.2** If a permit fee is paid by check, such payment shall be considered contingent upon payment by the drawee. If the drawee returns the check marked account closed, or insufficient funds, the permit shall be considered invalid.

**106.6.3** Fees shall be charged in accordance with rates set by resolution of the City Council.

**106.6.4** If work requiring a permit is commenced prior to the issuance of a permit, and a permit is subsequently issued, the fee shall be twice the applicable amount as stated in the fee schedules.

**Exception:** this provision shall not apply to emergency work when it shall be proved to the satisfaction of the Code Official that such work was done out of urgent necessity and it was not practicable to obtain a permit prior to commencing the work. In all such cases, a permit must be obtained as soon as is practicable. If there is an unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.

**106.6.5** 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 **plumbing** systems in relocated buildings shall be based on the number of **plumbing** fixtures, gas systems, water heaters, etc., involved.

**106.6.6** When interceptor traps or mobile home 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.

**106.6.7** 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 permit.

### **106.6.8 Standards for Fee Administration**

**106.6.8.1** For any installation not clearly defined herein, the Code Official shall designate the applicable method of calculation.

**106.6.8.2** Final calculations shall be carried to the nearest whole dollar. Fractions greater than 0.49 shall be extended upward.

**106.6.8.3** No full refund shall be made of any fee paid unless a written request is submitted by the original permittee no later than sixty (60) days after the date of the fee payment, and:

**106.6.8.3.1** The permit has been issued, and no part of the work was commenced; or

**106.6.8.3.2** The permit has been issued through error on the part of the City, and it is found that the work applied for cannot be allowed.

**106.6.8.4** Refund of a fee paid for any administrative action other than a **plumbing** permit shall operate pursuant to the "Construction" Chapter of the Code of the City of Arlington.

**106.6.8.5** When it is determined after a permit has been issued that the scope of work is to be significantly changed, the Code Official may authorize and require that appropriate adjustments be made to the permit fee. Any increase in the permit fee shall be paid prior to performing any part of such increased scope of work. Any decrease in the permit fee which is based on previously approved work which will not be performed shall be refunded in the amount of fifty percent (50%) of the fee related to the work not to be performed, as determined by the Code Official. No refund shall be made, unless a written request is submitted by the original permittee not later than

sixty (60) days following approval of the permittee's change in scope of work.

**106.6.8.6** If, after a permit is issued, it is determined that the scope of the work is to be significantly changed, the Code Official may authorize and require that appropriate adjustments be made to the permit fee. Any resulting increase in permit fee shall be paid prior to performing any part of such increase scope of work.

Any resulting decrease in permit fee shall be refunded based on the following equation: (Percentage of work not to be performed multiplied by permit fee paid).

**106.6.8.6.1** The determination of such refund shall be made by the Code Official.

**106.6.8.6.2** The permittee shall make a written request for the refund.

**106.6.8.6.3** The Code Official shall make such refund to the permittee no later than sixty (60) days following approval of permittee's written request.

11. The amendment of Section 107.1, Required inspections and testing, by adding an exception to read as follows:

**EXCEPTION:** The owner of a property may choose to contract with a Third Party Provider that is properly registered with the City for inspections. Inspections performed by Third Party Organizations are subject to the terms of the program as authorized by resolution of the City Council of the City of Arlington. A Third Party Provider shall not be authorized to grant a Certificate of Occupancy.

12. The amendment of Section 108.4, Violation penalties, to read as follows:

**108.4 Violation penalties.** Provisions shall apply as listed in this Section.

**108.4.1** A person commits an offense if he/she knowingly, intentionally or recklessly installs, removes, enlarges, alters, repairs or replaces any **plumbing** system or any fixture or water heater or water treatment equipment in a building or premises in violation of any of the provisions of this Chapter.

**108.4.2** A person commits an offense if he/she knowingly, intentionally, or recklessly causes to be installed, removed, enlarged, altered, repaired or replaced any **plumbing** system or any fixture or water heater or water treatment equipment in a building or premise in violation of the provisions of this Chapter.

**108.4.3** A person commits an offense if he/she knowingly, intentionally or recklessly maintains or is in control of premises which are in violation of this Chapter.

**108.4.4** A person convicted of a violation of this Chapter shall be deemed guilty of a misdemeanor, and shall be punished by a fine not to exceed \$2,000.00.

**108.4.5** Each day that a violation of this Chapter continues shall constitute a separate offense.

**108.4.6** The issuance or granting of a permit that is required by this Chapter shall not be deemed or construed to be a permit for any violation of the provisions of this Chapter. A permit presuming to give authority to violate a provision of this Chapter shall be invalid to the extent that it gives such authority.

**108.4.7** The approval by the Code Official of plans and specifications shall not be deemed as an approval of any violation of any of the provisions of this Chapter.

13. The amendment of Section 108.5, entitled Stop work orders, to read as follows:

**108.5 Stop work orders.** Upon notice from the code official, work on any **plumbing** system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. No person shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition.

14. The amendment of Section 108.6, entitled Abatement of violation, to read as follows:

**108.6.1** A **plumbing** system found by the Code Official to be in violation of this Chapter is hereby declared to be a nuisance.

**108.6.2** The Code Official shall be empowered to abate such nuisances in the manner provided by Article IV of the "Nuisance" Chapter of the Code of the City of Arlington.

15. The deletion of Section 109, Means of appeal, in its entirety.

16. The amendment of Section 202 to amend the definition of "Code Official" and the addition of new definitions to read as follows:

**BUILDING CODE.** Building Code shall mean the Building Code as adopted by this jurisdiction.

**CODE OFFICIAL.** The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative. For the purpose of this code, the Code Official shall be the Building Official or designee.

**ELECTRICAL CODE.** Electrical Code shall mean the National Electrical Code as adopted by this jurisdiction. For the purpose of this code, all references to NFPA 70 shall be assumed to mean the Electrical code as defined herein.

**ENERGY CODE.** Energy Code shall mean the *International Energy Conservation Code* as adopted by this jurisdiction.

**FIRE PREVENTION CODE (FIRE CODE).** Fire Prevention Code shall mean the Fire Code as adopted by this jurisdiction.

**MECHANICAL CODE.** Mechanical Code shall mean the *International Mechanical Code™* as adopted by this jurisdiction.

**PLUMBING CODE.** **Plumbing** Code shall mean this code as adopted by this jurisdiction.

**SHALL.** Shall, as it applies to an act or duty to be performed by the Code Official pursuant to any section of the Code, is

discretionary. Its use in all other applications in this Code shall be mandatory.

17. The amendment of Section 301.3, Connections to drainage system, to add the following exception:

**Exception:** If first approved by the Code Official, bathtubs, showers, lavatories, clothes washers and laundry sinks shall not be required to discharge to the sanitary drainage system where such fixtures discharge to an approved gray water recycling system.

18. The amendment of Section 305.6, Freezing, to read as follows:

**305.6 Freezing.** Water, soil or waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subjected to freezing unless adequate provision is made to protect such pipe from freezing. Piping in unheated attic or crawl space areas, and piping in floor joist areas within five feet (5') (1524 mm) of an outside wall, shall be protected with not less than three-quarters of an inch (3/4") (19.05 mm) thickness of approved flexible elastomeric closed-cell pipe insulation. Piping within outside walls shall be protected with a minimum one-half inch (1/2") (12.7 mm) thickness of such insulation. Water service piping shall be not less than 12 inches (305 mm) deep or less than 6 inches (152 mm) below the frost line.

19. The amendment of Section 305.6.1, Sewer depth, to read as follows:

**305.6.1 Sewer depth.** Building sewers shall be a minimum of 12 inches (304 mm) below grade.

20. The amendment of Section 305.9, Protection of components of plumbing systems, to read as follows:

**305.9 Protection of components of plumbing system.** Components of a plumbing system installed within 3 feet along alleyways, driveways, parking garages or other locations in a manner in which they would be exposed to damage shall be recessed into the wall or otherwise protected in an approved manner.

21. The deletion of Section 310.4, Water closet compartment, in its entirety.

22. The deletion of Section 311.1, General, in its entirety.

23. The amendment of Section 312.2, Drainage and vent water test, to read as follows:

**312.2 Drainage and vent water test.** A water test shall be applied to the building drain system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and the system shall be filled with water to point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest openings of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 5-foot (1524 mm) head of water. In testing successive sections, at least the upper 5 feet (1524 mm) of the next preceding section shall be tested so that no joint or pipe in the building, except the uppermost 5 feet (1524 mm) of the system, shall have been submitted to a test of less than a 5-foot (1524 mm) head of water. The water shall be kept in the system, or in the portion under test, for at least 15 minutes before inspection starts. The system shall then be tight at all points.

24. The amendment of Section 312.6, Gravity sewer test, to read as follows:

**312.6 Gravity sewer test.** Gravity sewer tests shall consist of plugging the end of the building sewer at the point of connection with the public sewer, filling the building sewer with water, testing with not less than a 5 foot (1524 mm) head of water and maintaining such pressure for 15 minutes.

25. The amendment of Section 312.9.1, Inspections, to read as follows:

**312.9.1 Inspections.** When required by the Water Resources Services Division, annual inspections shall be made of all backflow prevention assemblies and air gaps to determine whether they are operable. In the absence of local provisions, the owner is responsible to ensure that testing is performed.

26. The amendment of Section 312.9.2, Testing, to read as follows:

**312.9.2 Testing.** Reduced pressure principle backflow preventer assemblies, double check-valve assemblies, double-detector

check valve assemblies and pressure vacuum breaker assemblies shall be tested at the time of installation, immediately after repairs or relocation and when required by the Water Resources Services Division. The testing procedure shall be performed in accordance with applicable local provisions. In the absence of local provisions, the owner is responsible to ensure that testing is done in accordance with one of the following standards:

ASSE 5010-1013-1, Sections 1 and 2

ASSE 5010-1015-1, Sections 1 and 2

ASSE 5010-1015-2

ASSE 5010-1015-3, Sections 1 and 2

ASSE 5010-1015-4, Sections 1 and 2

ASSE 5010-1020-1, Sections 1 and 2

ASSE 5010-1047-1, Sections 1, 2, 3 and 4

ASSE 5010-1048-1, Sections 1, 2, 3 and 4

ASSE 5010-1048-2

ASSE 5010-1048-3, Sections 1, 2, 3 and 4

ASSE 5010-1048-4, Sections 1, 2, 3 and 4

CAN/CSA B64.10

27. The amendment of Section 314.2, Evaporators and cooling coils, to read as follows:

**314.2 Evaporators and cooling coils.** Condensate drain systems shall be provided for equipment and appliances containing evaporators or cooling coils. Condensate drain systems shall be designed, constructed and installed in accordance with the Mechanical Code as adopted.

28. The deletion of Sections 314.2.1, Condensate disposal; 314.2.2., Drain pipe materials and sizes; and 314.2.3, Auxiliary and secondary drain systems, in their entirety.

29. The amendment of Section 403.1, Minimum number of fixtures, to read as follows:

**403.1 Minimum number of fixtures.** **Plumbing** fixtures shall be provided for the type of occupancy and in the minimum number as required by Chapter 29 of the Building Code as adopted.

30. The deletion of Section 403.1.1, Unisex toilet and bath fixtures; Section 403.2, Separate facilities; Section 403.3, Number of occupants of each sex; Section 403.4, Location of employee toilet facilities in occupancies other than assembly or mercantile; Section 403.4.1, Travel distance; Section 403.5, Location of employee toilet facilities in mercantile and assembly occupancies; Section 403.6, Public facilities; Section 403.6.1, Covered malls; Section 403.6.2, Pay facilities; and Section 403.7, Signage.

31. The deletion of Section 405.6, Plumbing in mental health centers, in its entirety.

32. The amendment of Section 409.2, Water connection, to read as follows:

**409.2 Water connection.** The water supply to a commercial dishwashing machine shall be protected against back-flow by an air gap or back-flow prevention in accordance with Section 608.

33. The amendment of Section 412.4, Public laundries and central washing facilities, to read as follows:

**412.4 Required location.** Floor drains shall be installed in the following areas.

1. Toilet rooms containing two (2) or more water closets or a combination of one (1) water closet and one (1) urinal, except in a dwelling unit.

2. Commercial kitchens. (In lieu of floor drains in commercial kitchens, the code official may accept floor sinks.)

3. In public coin-operated laundries and in the central washing facilities of multiple-family dwellings, the rooms containing automatic clothes washers shall have floor drains located to readily drain the entire floor area.

34. The amendment of Section 413.4, Water supply required, to read as follows:

**413.4 Water supply required.** All food waste grinders shall be provided with a supply of cold water. The water supply shall be protected against back-flow by an air gap or with the installation of a back-flow preventer in accordance with Section 608.

35. The addition of Section 414.3, Rain water, to read as follows:

**414.3 Rain water.** The receptacle receiving waste from the wash area shall be protected in such a manner as to prevent the intrusion of rain water.

36. The amendment of Section 417.5, Shower floors or receptors, to read as follows:

**417.5 Shower floors or receptors.** Floor surfaces shall be constructed of impervious, non-corrosive, nonabsorbent and waterproof materials. Thresholds shall be a minimum of 2 inches (51 mm) and a maximum of 9 inches (229 mm), measured from top of the drain to top of the threshold or dam. Thresholds shall be of sufficient width to accommodate a minimum twenty-two (22) inch (559 mm) door.

**Exception:** Showers designed to comply with CABO/ANSI A117.1.

37. The amendment of Section 417.5.2, Shower lining, to read as follows:

**417.5.2 Shower lining.** Floors under shower compartments, except where prefabricated receptors have been provided, shall be lined and made water tight utilizing material complying with Sections 417.5.2.1 through 417.5.2.4. Such liners shall turn up on all sides at least 3 inches (76 mm) above the finished threshold level and shall extend outward over the threshold and fastened to the outside of the threshold jamb. Liners shall be recessed and fastened to an approved backing so as not to occupy the space required for wall covering, and shall not be nailed or perforated at any point less than 1 inch (25.4 mm) above the finished threshold. Liners shall be pitched one-fourth unit vertical in 12 units horizontal (2-percent slope) and shall be sloped toward the fixture drains and be securely fastened to the waste

outlet at the seepage entrance, making a water-tight joint between the liner and the outlet.

38. The addition of Section 417.7, Test for shower receptors, to read as follows:

**417.7 Test for shower receptors.** Shower receptors shall be tested for water tightness by filling with water to the level of the rough threshold. The drain shall be plugged in a manner so that both sides of the pan shall be subject to the test at the point where it is clamped to the drain.

39. The amendment of Section 419.3, Surrounding material, to read as follows:

**419.3 Surrounding material.** Wall and floor space to a point 2 feet (610 mm) in front of a urinal lip and 4 feet (1219 mm) above the floor and at least 2 feet (610 mm) to each side of the urinal shall be waterproofed with a smooth, readily cleanable, hard, nonabsorbent material.

40. The addition of Section 502.5, Water heaters above ground or floor, to read as follows:

**502.5 Water heaters above ground or floor.** When the attic, roof, mezzanine, or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

**Exception:** Water heaters located immediately above lay-in type ceilings not more than 10 feet (3048 mm) in height.

41. The addition of Section 502.5, Illumination and electrical outlet requirements, to read as follows:

**502.5** Whenever the mezzanine or platform is not adequately lighted and/or access to a receptacle outlet is not available from the main level within 25 of water heater, lighting and a receptacle outlet shall be provided in accordance with Section 502.5.1.

42. The addition of Section 502.5.1, Electrical requirements, to read as follows:

**502.5.1 Electrical requirements.** A lighting fixture controlled by a switch located at the required passageway opening and a receptacle outlet shall be provided at or within 25 feet (7619 mm) of the equipment location in accordance with the electrical code.

43. The amendment of Section 504.6.1, Discharge, to read as follows:

**504.6.1 Discharge.** The relief valve shall discharge through full size piping to a safe place of disposal such as a floor drain, outside the building, or an indirect waste receptor. The discharge pipe shall not have any trapped sections. When the drain pipe run is exposed, in an area outside of the room where the water heater is located, in a manner that would make it subject to damage, the drain shall have a visible air gap or air gap fitting located in the same room as the water heater. The outlet end of the discharge pipe shall not be threaded and such discharge pipe shall not have a valve or tee installed. Relief valve piping shall be piped independent of other equipment drains or relief valve discharge piping to the disposal point. Such pipe shall be installed in a manner that does not cause personal injury to the occupants in the immediate area or structural damage to the building.

When discharging outside the building, the point of discharge shall be with the end of the pipe not more than two (2) feet (610 mm) nor less than six (6) inches (152 mm) above the ground or the floor level of the area receiving the discharge and pointing downward.

44. The addition of Section 604.4.1, Texas State maximum flow rate, to read as follows:

**604.4.1 Texas State maximum flow rate.** Where the State mandated maximum flow rate is more restrictive than those of this section, the State flow rate shall take precedence.

45. The amendment of Section 604.9, by the addition of an exception to read as follows:

**Exception:** In lieu of water-hammer arrestors, air chambers of the same piping size extending not less than 18 inches (457.2 mm) above the fixture supply may be installed in a concealed location.

46. The amendment of Table 605.3, entitled WATER SERVICE PIPE, by the deletion of "Polybutylene (PB) and Polyethylene (PE) plastic pipe and tubing".

47. The amendment of Table 605.4, entitled WATER DISTRIBUTION PIPE, by the deletion of "Polybutylene (PB) plastic pipe and tubing".

48. The amendment of Section 606.1 to delete items #3, 4 and 5, so that Section 606.1 reads as follows:

**606.1 Location of full-open valves.** Full-open valves shall be installed in the following locations:

1. On the building water service pipe from the public water supply near the curb.
2. On the water distribution supply pipe at the entrance into the structure.
3. On the entrance to every water supply pipe to a dwelling unit, except where supplying a single fixture equipped with individual stops.
4. On the water supply pipe to a gravity or pressurized water tank.
5. On the water supply pipe to every water heater.

49. The amendment of Section 606.2, Location of shutoff valves, to amend item 2 to read as follows:

2. On the water supply pipe to each sill cock when subject to freezing.

50. The amendment of Section 608.1, General, to read as follows:

**608.1 General.** A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from nonpotable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Back flow preventer applications shall conform to applicable local regulations, Table 608.1, and as specifically stated in Sections 608.2 through 608.16.9.

51. The amendment of Section 608.14, Location of backflow preventers, to read as follows:

**608.14 Location of backflow preventers.** Access shall be provided to backflow preventers as specified by the installation instructions of the approved manufacturer. Backflow prevention devices shall not be installed greater than 4 feet (1219.2 mm) above the finished floor level or an approved working platform.

52. The amendment of Section 608.16.5, Connections to lawn irrigation systems, to read as follows:

**608.16.5 Connections to lawn irrigation systems.** The potable water supply system to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

53. The addition of Section 608.16.10, Dental chairs, to read as follows:

**608.16.10 Dental chairs.** Each separate water supply to a dental chair shall be protected against backflow in accordance with Section 608.13.2.

54. The amendment of Section 608.17, Protection of individual water supplies, to read as follows:

**608.17 Protection of individual water supplies.** An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with applicable local regulations. In the absence of other local regulations, installation shall be in accordance with Sections 608.17.1 through 608.17.8.

55. The amendment of Section 701.2, Sewer required, to read as follows:

**701.2 Sewer required.** Every building in which **plumbing** fixtures are installed and all premises having drainage piping shall be connected to a public sewer, where available, or an approved private sewage disposal system in accordance with county regulation. The availability of the public sewer to the building, lot or premise shall be determined by the Water Utilities Department.

56. The amendment of Section 701.5, Damage to drainage system or public sewer, to read as follows:

**701.5 Damage to drainage system or public sewer.**

Wastes detrimental to the public sewer system or detrimental to the functioning of the sewer treatment plant, as determined by the Water Resources Division of the Water Utilities Department, shall be disposed of or treated as directed by the Water Resources Division of the Water Utilities Department. A sewer line receiving such waste or with potential to receive such waste shall be fitted with a test well specified by the Water Resources Division of the Water Utilities Department.

57. The amendment of Tables 702.2 and 702.3 by the deletion of the standard ASTM D 2949 from the table.

58. The amendment of Section 702.3, Building sewer pipe, to read as follows:

**702.3 Building sewer pipe.** Building sewer pipe shall conform to one of the standards listed in Table 702.3.

**Exception:** Plastic piping systems used underground shall not be PVC (Type SDR35, SDR41, PS50, or PS100).

59. The amendment of Section 702.5, Chemical waste system, to read as follows:

**702.5 Chemical waste system.** A chemical waste system shall be completely separated from the sanitary drainage system. The chemical waste shall be treated as required by the Water Resources Department before discharging to the sanitary drainage system. Separate drainage systems for chemical wastes and vent pipes shall be of an approved material that is resistant to corrosion and degradation for the concentrations of chemicals involved.

60. The amendment of Table 709.1, Drainage Fixture Units for Fixtures and Groups, by the amendment of the minimum size of trap for the item "Shower" to read "2".

61. The addition of Section 712.4.3, Dual pump system, to read as follows:

**712.4.3 Dual pump system.** All sumps shall be automatically discharged and, when in any "public use" occupancy where the sump

serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

62. The amendment of the title of Section 714 to be as follows:

### **ENGINEERED DRAINAGE DESIGN**

63. The amendment of Section 714.1, Design of drainage system, to read as follows:

**714.1 Design of drainage system.** The sizing requirement for **plumbing** drainage systems shall be determined by approved design methods.

64. The amendment of Section 802.4, Standpipes, to read as follows:

**802.4 Standpipes.** Standpipes shall be individually trapped. Standpipes shall extend a minimum of 18 inches (457mm) and a maximum of 42 inches (1066mm) above the trap. Access shall be provided to all standpipe traps and drains for rodding. No P-trap for a washing machine standpipe shall be installed below the floor.

65. The amendment of Section 803.2, Neutralizing device required for corrosive wastes, to read as follows:

**803.2 Neutralizing device required for corrosive wastes.** Corrosive liquids, spent acids or other harmful chemicals that destroy or injure a drain, sewer, soil or waste pipe, or create noxious or toxic fumes or interfere with sewage treatment processes, shall not be discharged into the **plumbing** system unless approved by the Water Resources Department and the Code Official. Such devices shall be automatically provided with a sufficient supply of diluting water or neutralizing medium so as to make the contents noninjurious before discharge into the drainage system. The nature of the corrosive or harmful waste and the method of its treatment or dilution shall be approved prior to installation.

66. The addition of Section 803.4, Backwash from swimming pools, to read as follows:

**803.4 Backwash from swimming pools.** Any backwash from a swimming pool shall discharge into the sanitary sewer system. An indirect connection shall be made by means of an air gap discharging into a tail piece with the opening installed a minimum of 6 inches (152 mm) above adjacent grade. A minimum size 3-inch (76 mm) p-trap installed not less than 12 inches (304 mm) below grade may connect to the yard cleanout riser by a sanitary tee fitting.

67. The amendment of Section 904.1, Roof extension, to read as follows:

**904.1 Roof extension.** All open vent pipes that extend through a roof shall be terminated at least six (6) inches (152mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet (2134mm) above the roof.

68. The deletion of Section 1002.10 in its entirety.

69. The amendment of Section 1003.2, Approval, to read as follows:

**1003.2 Approval.** All requirements regarding the size, type, location and listing of interceptors and/or separators shall be regulated by the Water Utilities Department. All installations of interceptors and/or separators shall be inspected by the code official.

70. The deletion of Sections 1003.3, 1003.4, 1003.5, 1003.6, 1003.7 and 1003.8 in their entirety.

71. The renumbering of Sections 1003.9 and 1003.10 to 1003.3 and 1003.4, respectively.

72. The addition of Section 1003.5, Test wells, to read as follows:

**1003.5 Test wells.** The size, type, location and listing of test wells shall be regulated by the Water Resources Department. A test well shall be installed on the outlet of each individual interceptor and/or separator. The installation of a test well shall include a retaining device as specified by the Water Resources Department. All installations of test wells shall be inspected by the code official.

73. The amendment of Section 1101.3, Prohibited drainage, to read as follows:

**1101.3 Prohibited drainage.** Storm water shall not be drained into sewers intended for sewage only or over sidewalks intended for public use.

74. The amendment of Section 1101.8, entitled Cleanouts required, to read as follows:

**1101.8 Cleanouts required.** Cleanouts shall be installed in the building storm drainage system and shall comply with the provisions of this code for sanitary drainage pipe cleanouts.

**Exception:** Subsurface drainage system.

75. The amendment of Section 1106.1, General, to read as follows:

**1106.1 General.** The size of the vertical conductors and leader, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on six (6) inches per hour rainfall rate.

76. The amendment of Section 1107.3, Sizing of secondary drains, to read as follows:

**1107.3 Sizing of secondary drains.** Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106. Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

77. The addition of Section 1202.2, Requirements for medical gas installations and installers, to read as follows:

**Section 1202.2 Requirements for medical gas installations and installers.** All persons, firms or individuals must be registered with the City of Arlington as required by this code in order to install or alter medical gas installations. In order to be qualified to register as a medical gas installer, the Responsible Master Plumber must also hold a current Medical Gas Installation

Endorsement as issued by the Texas State Board of **Plumbing** Examiners. All individuals installing and/or altering piping systems used to transport gases for medical purposes shall be a master or journeyman plumber that also holds a current Medical Gas Installation Endorsement as issued by the Texas State Board of **Plumbing** Examiners.

78. The addition of Section 1202.3, Testing and certification of medical gas systems, to read as follows:

**Section 1202.3 Testing and certification of medical gas systems.** All testing and certification of medical gas piping systems shall be performed by an individual that is certified to do so. All testing and certification shall be done in accordance with NFPA 99C. A certificate of compliance shall be submitted to the code official prior to requesting a final inspection.

(Amend Ord 05-070, 8/23/05)

#### **Section 1.06 Amendments, Additions and Deletions - IFGC**

The adoption by reference of the International Fuel Gas Code, as provided in Section 1.02, is made subject to the following terms and is modified and amended as follows:

- A. By the addition of Article II of this Chapter.
- B. By the addition of Article III of this Chapter.
- C. By the amendment, deletion and addition of the following sections of the IFGC:
  1. The adoption of IFGC appendices A, B and C.
  2. The deletions of IFGC Sections 101.1 and 101.4 in their entirety.
  3. The amendment of IFGC Section 102.8, Referenced codes and standards, to read as follows:

**102.8 Referenced codes and standards.** The codes and standards referenced herein shall be those that are listed in Chapter 7 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this

code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and the manufacturer's installation instructions shall apply.

4. The amendment of IFGC Section 103.1, General, to read as follows:

**103.1 General.** The executive official in charge of fuel gas inspection shall be known as the Code Official.

5. The deletion of IFGC Section 103.2, Appointment, in its entirety.

6. The amendment of IFGC Section 104.1, General, to read as follows:

**104.1 General.** The code official shall enforce all of the provisions of the ordinance governing the fuel gas piping and shall act on any question relative to the installation, alteration, repair, maintenance or operation of systems, except as otherwise specifically provided for by statutory requirements or as provided for in Sections 104.2 through 104.8.

7. The amendment of IFGC Section 104.3, Applications and permits, to read as follows:

**104.3 Applications and permits.** A separate permit shall be obtained for each building or structure under the conditions stated in Article III, Section 3.01, et.seq., of this Chapter.

**104.3.1** A person commits an offense if he/she allows another to do or cause to be done any work under a permit other than the permittee or an employee of the permittee.

**104.3.2** After issuing a permit or granting approval of plans and specifications, the code official shall remain empowered to:

**104.3.2.1** Require the correction of errors in plans and specifications,

**104.3.2.2** Prevent the commencement or continuation of construction operations conducted under such plans and specifications when such operations are in violation of this Chapter or other ordinance.

**104.3.3** Every permit issued under this Chapter shall expire by limitation and become null and void if the work is suspended or abandoned for a period of one hundred twenty (120) days.

**104.3.4** When a permit expires as described in section 104.3.3, work may be recommenced upon the issuance of a new permit, for which the amount shall be one-half (1/2) the amount required for a new permit provided:

**104.3.4.1** No changes have been made; and

**104.3.4.2** The suspension or abandonment did not exceed one (1) year.

8. The amendment of IFGC Section 104.5, Right of Entry, to read as follows:

**104.5 Right of entry.** Whenever it is necessary to make an inspection to enforce the provisions of this chapter, or whenever the Code Official has reasonable cause to believe that there exists in any building or upon any premises any conditions or violations of this chapter that make the building or premises unsafe, unsanitary, dangerous or hazardous, the Code Official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the Code Official by this Chapter. If such building or premises is occupied, the Code Official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the Code Official shall have the recourse to every remedy by law to secure entry.

When the Code Official shall have first obtained a proper inspection warrant pursuant to the Municipal Court Chapter of the Code of the City of Arlington no owner or occupant or person having charge, care of control of any building or premises shall fail or neglect, after proper

request is made as herein provided, to promptly permit entry therein by the Code Official.

9. The amendment of IFGC Section 106.5, Fees, to read as follows:

**106.5 Fees.** The standard for fee administration shall be as stated in IPC Section 106.6 as amended.

10. The deletion of IFGC Section 106.5.1, Work commencing before permit issuance; IFGC Section 106.5.2, Fee schedule; and IFGC Section 106.5.3, Fee refunds, in their entirety.

11. The amendment of IFGC Section 108.4, Violation penalties, to read as follows:

**108.4 Violation penalties.** The provisions for violations of this code shall be as specified in IPC Section 108.4 at Section 1.05 of this Chapter.

12. The amendment of IFGC Section 108.5, Stop work orders, to read as follows:

**108.5 Stop work orders.** The provisions for stop work orders shall be the same as Section 108.5 of the International **Plumbing** Code, as amended by this Chapter.

13. The amendment of IFGC Section 108.6, Abatement of violation, to read as follows:

**108.6 Abatement of violation.** A fuel gas piping system found by the Code Official to be in violation of the Chapter is hereby declared to be a nuisance. The Code Official shall be empowered to abate such nuisances in the manner provided by Article IV of the "Nuisance" Chapter of the Code of the City of Arlington.

14. The deletion of IFGC Section 109, Means of Appeal, in its entirety.

15. The amendment of IFGC Section 304.10, Louvers and grilles, to read as follows:

**304.10 Louvers and grilles.** The required size of openings for combustion, ventilation and dilution air shall be based on the net free area of each opening. Where the free area through a design of louver

or grille is known, it shall be used in calculating the size opening required to provide the free area specified. Where the design and free area are not known, it shall be assumed that wood louvers will have 25-percent free area and metal louvers and grilles will have 50-percent free area. Nonmotorized louvers and grilles shall be fixed in the open position. Motorized louvers shall be interlocked with the equipment so that they are proven to be in the full open position prior to main burner ignition and during main burner operation. Means shall be provided to prevent the main burner from igniting if the louvers fail to open during burner start-up and to shut down the main burner if the louvers close during operation.

16. The deletion of IFGC Section 305.5, Private garages, in its entirety.

17. The addition of IFGC Section 305.7, Clearances from grade, to read as follows:

**305.7 Clearances from grade.** Equipment and appliances installed at grade level shall be supported on a level concrete slab or other approved material extending above adjoining grade a minimum of 3 inches (76 mm) or shall be suspended a minimum of 6 inches (152 mm) above adjoining grade.

18. The amendment of IFGC Section 306.3, Appliances in attics, to read as follows:

**306.3 Appliances in attics.** Attics containing appliances requiring access shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest component of the appliance. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the equipment. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the equipment. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm) enough to allow removal of the largest appliance. As a minimum, access to the attic space of residential uses shall be provided by one of the following:

1. A permanent stair.

2. A pull down stair.
3. An access door from an upper floor level.

**Exception:** The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.

19. The amendment of IFGC Section 306.3.1, Electrical requirements, to read as follows:

**306.3.1 Electrical requirements.** A lighting fixture controlled by a switch located at the required passageway opening and a receptacle outlet shall be provided at or near the equipment location in accordance with the *ICC Electrical Code*. Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

20. The amendment of IFGC Section 306.4.1, Electrical requirements, to read as follows:

**306.4.1 Electrical requirements.** A lighting fixture controlled by a switch located at the required passageway opening and a receptacle outlet shall be provided at or near the equipment location in accordance with the *ICC Electrical Code*. Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

21. The amendment of IFGC Section 306.5.2, Electrical requirements, to read as follows:

**306.5.2 Electrical requirements.** A receptacle outlet shall be provided at or near the equipment location in accordance with the *ICC Electrical Code*. Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

22. The amendment of IFGC Section 401.5, Identification, to read as follows:

**401.5 Identification.** For other than black steel pipe, exposed piping shall be identified by a yellow label marked "Gas" in black letters. The marking shall be spaced at intervals not exceeding 5 feet (1524 mm). The marking shall not be required on pipe located in the same room as the equipment served.

Both ends of each section of medium pressure corrugated stainless steel tubing (CSST) shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING

½ to 5 psi gas pressure

DO NOT REMOVE"

23. The amendment of IFGC Section 402.3, Sizing, to add an exception to read as follows:

**Exception:** Corrugated stainless steel tubing (CSST) shall be a minimum of ½".

24. The amendment of IFGC Section 404.6, Piping in solid floors, to read as follows:

**404.6 Piping in solid floors.** Piping in solid floors shall be laid in channels in the floor and covered in a manner that will allow access to the piping with a minimum amount of damage to the building. Where such piping is subject to exposure to excessive moisture or corrosive substances, the piping shall be protected in an approved manner. As an alternative to installation in channels, the piping shall be installed in accordance with Section 404.11.

25. The amendment of IFGC Section 404.9, Minimum burial depth, to read as follows:

**404.9 Minimum burial depth.** Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) below grade.

26. The deletion of IFGC Section 404.9.1 in its entirety.

27. The amendment of IFGC Section 406.4, Test pressure measurement, to read as follows:

**406.4 Test pressure measurement.** Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. For

tests requiring a pressure of 3 psig, mechanical gauges shall utilize a dial with a minimum diameter of three and one half inches (3 ½"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psig for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, mechanical gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi.

28. The amendment of IFGC Section 409 to add Section 409.1.4, Valves in CSST installations, to read as follows:

**409.1.4 Valves in CSST installations.** Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

29. The addition of IFGC Section 410.1.1, Pressure regulators, to read as follows:

**410.1.1 Pressure regulators.** Access to regulators shall comply with the requirements for access to appliances as specified in IFGC Section 306, as amended.

**Exception:** A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

30. The amendment of IFGC Section 614.6, Domestic clothes dryer ducts, to read as follows:

**614.6 Domestic clothes dryer ducts.** Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of 4 inches (102 mm) in diameter. The entire exhaust system shall be supported and secured in place. The male end of the duct at overlapped duct joints shall extend in the direction of airflow. Clothes

dryer transition ducts used to connect the appliance to the exhaust duct system shall be metal and limited to a single length not to exceed 8 feet (2438 mm) and shall be listed and labeled for the application. Transition ducts shall not be concealed within construction. The size of duct shall not be reduced along its developed length nor at the point of termination.

31. The amendment of IFGC Section 614.6.1, Maximum length, to read as follows:

**614.6.1 Maximum length.** The maximum length of a clothes dryer exhaust duct shall not exceed 25 feet (7620 mm) from the dryer location to the outlet terminal with no more than two bends. When extra bends are installed, the maximum length of the duct shall be reduced 2.5 feet (762 mm) for each 45-degree (0.79 rad) bend and 5 feet (1524 mm) for each 90-degree (1.6 rad) bend that occur after the first two bends, measuring in the direction of airflow.

32. The amendment of IFGC Section 621.2, Prohibited use, to read as follows:

**621.2 Prohibited use.** One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

**Exception:** Existing approved unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the Code Official unless an unsafe condition is determined to exist as described in IFGC Section 108.7.

(Amend Ord 05-070, 8/23/05)

## **ARTICLE II MECHANICAL AND **PLUMBING** BOARD OF APPEALS**

### **Section 2.01 Board Created**

The Mechanical and **Plumbing** Board of Appeals as set forth in Article II of the "Mechanical" Chapter of the Code of the City of Arlington shall have authority relative to appeals, revocation and suspension of registration under this Chapter.

### **Section 2.02 Appeals Under the **Plumbing** Chapter**

Any person may register an appeal with the Secretary of the Mechanical and **Plumbing** Board of Appeals for the review of any decision of the Code Official made pursuant to the terms of this Code. Such appeal shall be made in writing and presented to the Office of the Secretary of the Board. An administrative fee set by resolution approved by City Council, shall accompany such notice of appeal, which shall be made on forms provided by the Code Official.

### **Section 2.03    Board Decisions: Variations and Modifications**

A.    The Board, when appealed to, shall conduct a hearing, and after such hearing, may vary the application of any provisions of this Code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of this Code or the public interest, or when, in its opinion, the interpretation of the Code Official should be modified or reversed.

B.    A decision of the Board to vary the application of any provision of this Code or to modify an order of the Code Official shall specify in what manner such variation or modification is made, the conditions upon which it is made, and the reasons therefor.

### **Section 2.04    Decisions; Procedure**

A.    Every decision of the Board shall be final, subject however, to such remedy as any aggrieved party might have at law or in equity. The decision shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Code Official, and shall be open to the public for inspection. A true and correct copy of the decision shall be sent by mail or otherwise to the appellant and a copy shall be publicly posted in the office of the Code Official for two (2) weeks after the filing thereof.

B.    The Board shall in every case reach a decision without unreasonable or unnecessary delay making specific effort to reach a decision not later than thirty (30) days (excluding Saturdays, Sundays, and holidays) from the date of registering of appeal with the Secretary of the Board.

C.    If a decision of the Board reverses or modifies a refusal, order, or disallowance of the Code Official, or varies the application of any provision of this Code, the Code Official shall immediately take action in accordance with such decision.

D. Any person, firm or corporation aggrieved by any decision of the Board may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Unless such petition (appeal) shall be presented to the court within ten (10) days of the decision of the Board, the decision of the Board shall become final. (Amend Ord 04-046, 5/11/04)

## **ARTICLE III REGISTRATION OF CONTRACTORS**

### **Section 3.01 Business Registration**

A. **Registration Required**. It shall be unlawful for any person, business, firm, or corporation to perform, or cause to be performed, any work described in this Code as requiring a permit unless such person, firm or corporation is the holder of a valid registration with the City to perform such work. Such person, firm or corporation shall be herein termed Registrant. In extending the rights and privileges of such registration, the City makes no statement of the technical competency of those so registered, and no manner of license is proffered.

B. **Information to be Provided**. An applicant for registration under this section shall provide to the Code Official the following information:

1. The complete name, complete mailing address and telephone number of the firm or corporation.

2. The name and private mailing address of a principal of the firm or corporation who is a person authorized to bind the firm or corporation in legal agreements.

3. The name and license identification of the licensed individual, whether Master Plumber or licensed Landscape Irrigator, through whom the person, firm or corporation is to be represented in all activities before the Building Official.

4. Other pertinent information deemed necessary by the Building Official.

Every Registrant doing work in any City rights-of-way shall carry Contractor's Public Liability Insurance with a combined single limit of

not less than \$500,000 per occurrence, with an aggregate of not less than \$500,000.

The Registrant shall make the City of Arlington a Certificate Holder and present proof of insurance at the time of registration and all subsequent renewals. Notice of policy cancellations, or failure to renew coverage shall be cause for revocation of registration, denial of inspections or cancellation of permits. (Amend Ord 03-034, 3/25/03)

C. **Transfer of Registration Prohibited**. No Registrant under this Section shall allow his registration, by name or other identification, to be transferred or assigned to, or in any manner directly or indirectly used by, any person, firm or corporation other than the one to whom issued by the Building Official, for any purpose.

D. **Exemption for Homeowner**. These registration requirements shall not apply to alteration or repair work to be performed on a residential structure when the person performing the alteration or repair work is the owner of the structure, and has his legal residence there, and is not assisted by any other person for remuneration. The homeowner shall be automatically considered a Registrant for the purposes of such a project. Notwithstanding such relief from registration, all requirements for permits for the work shall remain in force.

### **Section 3.02 Fees and Renewal**

A. **Business Registration Fee**. For a Business Registration each prospective registrant shall pay a fee as specified by Schedule 3-A which shall set forth the fee structure as approved by the City Council by resolution and which may be amended from time to time by the City Council.

B. **Expiration and Renewal of Business Registration**. Registration shall expire annually and shall be routinely reactivated by payment of a renewal fee if application information remains accurate. A registration may be renewed, as herein provided, at any time from sixty (60) days preceding the date of expiration. A registration not renewed for ninety (90) days beyond the date of expiration shall require the resubmission of registration information and payment of the fee as for initial registration.

### **Section 3.03 Permit and Responsibility**

A. **Permit Issued Only to Registrant.** A permit to perform, or cause to be performed, any work regulated by this Code shall only be issued to a Registrant, as provided for in subsection (a) above, and only after the requirements defined in this Article have been accomplished. For work requiring State licensing under this Article, no permit shall be issued unless Registrant designates the Master Plumber or Landscape Irrigator, whichever is applicable, who will be responsible to the Building Official for the prosecution and supervision of the work to be performed; only such designated licensee may request inspections. Prior to issuance of the permit, the Building Official may review the proposed project with other departments of the City to ensure that no conflict with other City regulations is created or perpetuated by issuance of the permit. An adverse determination in this review may be grounds for denial of the permit.

**EXCEPTION:** The owner of a property may choose to contract with a Third Party Provider that is properly registered with the City for plan review. Plan reviews performed by Third Party Organizations are subject to the terms of the program as authorized by resolution of the City Council of the City of Arlington. (Amend Ord 05-059, 7/26/05)

B. **Responsibilities of State Licensee and Registrant.**

1. **Operations:** State Licensees shall be responsible for the performance of permitted work in compliance with Article 6243-101, V.T.C.S.

2. **Administration:** Registrants shall be responsible for the employment of licensees to perform the permitted work, and for the payment of fees as required by this Code.

### **Section 3.04 Suspension and Revocation**

A. **Registration Suspended.** The Mechanical and **Plumbing** Board of Appeals shall have the authority to suspend any registration issued under this Code for any of the following acts by the Registrant: (Amend Ord 04-046, 5/11/04)

1. Forfeiting an appeal of a Stop Order by allowing work to continue on a project after the issuance of said Stop Order.

2. Forfeiting an appeal from the Board by initiating work or allowing another to initiate work in violation of the Board's decision or prior to the Board's decision.

3. Causing or permitting the unauthorized or prohibited use of a valid registration, by Registrant or another, such as to allow the rights and privileges of registration to be applied to one not duly registered.

4. Convictions of two (2) violations of any of the provisions of this Code or of Section 14 of Article 6243-101, V.T.C.S., committed within a period of twelve (12) consecutive months (except that remedy of the violation within twenty (20) days of notice of violation shall cause the waiver of such conviction for the purpose of this subsection).

Such suspension of registration shall be for a time not to exceed six (6) months. After expiration of such period of time as the Board shall have designated and after payment of any outstanding fines and routine renewal fee, if it has become due in the interim, the suspended registration shall again become valid and effective.

B. **Registration Revoked.** The Mechanical and **Plumbing** Board of Appeals shall have the authority to revoke any registration issued under this Code for any of the following acts by the Registrant: (Amend Ord 04-046, 5/11/04)

1. Conviction of a violation constituting the practice of any fraud or deceit in securing (a) a registration for Registrant or another or (b) a permit.

2. Convictions of three (3) violations of this Code or of Section 14 of Article 6243-101, V.T.C.S., committed within a period of twelve (12) consecutive months, subject to waiver provision in subsection (h)(4) above.

3. Accumulation of two (2) decisions of the Board for suspensions of registration.

4. Accumulation of two (2) forfeitures of appeals, as set forth in subsections (h)(1) and (h)(2) above, within a period of twelve (12) consecutive months.

Such revocation of registration by the Board shall be full and final cancellation of same, made effective on the date of the Board's decision. Any Registrant so judged by the Board shall not again be registered in the City.

C. **Suspension or Revocation Hearing.** In considering charges under this Section regarding suspension or revocation of a registration,

the Board shall proceed upon sworn information. Such information shall be in writing and shall be duly verified by the person familiar with the allegations made. The Board shall make an order setting the matter for hearing at a specified time and place, and the Secretary of the Board, with the advice of the City Attorney, shall cause a copy of the Board's order, and of the pertinent information, to be served upon the Registrant in person or by registered mail at least fifteen (15) days before the date set for the hearing. The Registrant may appear in person or by counsel at the time and place named in the order and present his/her defense to the Board. The City Attorney shall provide counsel for the Board. If the Registrant fails or refuses to appear, the Board may proceed to hear and determine the charge in his/her absence. If he/she pleads guilty or if, upon a hearing of the charge, the Board finds any of the charges to be true, it may enter an order suspending or revoking the registration. Failure to properly perfect an appeal in a court of competent jurisdiction within ten (10) days of receipt of the Board's decision shall render final the Board's decision. Suspension or revocation resulting from a decision of the Board shall preclude the Registrant from securing a permit for work controlled by that Registrant in the City, or from becoming so registered under alternate identification, as long as the suspension or revocation is in effect. (Amend Ord 99-55, 04/20/99)

**Disclaimer:**

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