

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 466

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO PLUMBING AND PLUMBERS; AMENDING SECTION 54-2601, IDAHO CODE, TO
2 REVISE PROVISIONS RELATING TO POLICY AND PURPOSE, TO REVISE PROVISIONS
3 RELATING TO THE UNIFORM PLUMBING CODE, TO ESTABLISH PROVISIONS RELATING
4 TO THE IDAHO STATE PLUMBING CODE, TO ESTABLISH PROVISIONS RELATING TO
5 CITIES ELECTING TO IMPLEMENT A PLUMBING CODE ENFORCEMENT PROGRAM, TO
6 ESTABLISH PROVISIONS RELATING TO CITIES AND THE IDAHO STATE PLUMBING
7 CODE, TO PROVIDE FOR A PUBLIC HEARING AND NOTICE; TO REVISE PROVISIONS
8 RELATING TO APPLICATION OF LAWS AND TO MAKE TECHNICAL CORRECTIONS.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 54-2601, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 54-2601. DECLARATION OF POLICY AND PURPOSE OF ACT -- IDAHO STATE
14 PLUMBING CODE. (1) The purpose of this act is to provide certain minimum
15 standards and requirements for the use of and the design, construction,
16 installation, improvement, extension and alteration of materials, piping,
17 venting, fixtures, appliances and appurtenances in relation to plumbing and
18 plumbing systems hereinafter defined, and to provide that all plumbing and
19 plumbing systems in the state shall be designed, constructed, installed,
20 improved, extended and altered in substantial accord with the Uniform
21 Plumbing Code published by the International Association of Plumbing
22 and Mechanical Officials, and as it shall be amended, revised, compiled
23 and published from time to time and as such subsequent editions, amendments
24 or revisions thereto shall be adopted by the Idaho plumbing board, ~~provided~~
25 ~~that the~~ through the negotiated rulemaking process. Any amendments, revi-
26 sions or modifications made to the uniform plumbing code by the board shall
27 be made by administrative rules promulgated by the board. The uniform plumb-
28 ing code together with any amendments, revisions or modifications made by
29 the board shall collectively constitute and be named the Idaho state plumb-
30 ing code. The board shall conduct a minimum of two (2) public hearings with
31 notice of such public hearings provided in accordance with the provisions of
32 section 67-2343, Idaho Code.

33 (2) Cities electing to implement a plumbing code enforcement program
34 shall do so only in compliance with the provisions of this section. Cities
35 may elect to implement a plumbing enforcement program by passing an ordi-
36 nance evidencing the intent to do so. Cities that perform plumbing code
37 enforcement activities shall, except as provided in subsection (3) of this
38 section, by ordinance adopt the uniform plumbing code together with any
39 amendments thereto made by the board, which shall collectively constitute
40 and be named the Idaho state plumbing code. The effective date of any edition
41 of the code adopted by the board shall be January 1 of the year following its
42 adoption.

1 (3) Cities may further amend the Idaho state plumbing code adopted by
2 the board in conformance with this section to address local concerns pro-
3 vided that such amendments prescribe at least an equivalent level of protec-
4 tion to that contained in the uniform plumbing code. Provided however, that
5 no code other than the uniform plumbing code together with any amendments,
6 revisions or modifications made by the board which collectively constitute
7 the Idaho state plumbing code may serve as the minimum standard for plumbing
8 installations in such city. A city electing to amend the Idaho state plumb-
9 ing code as adopted by the board may do so only after a finding by the city
10 that good cause exists for such an amendment and that such amendment is rea-
11 sonably necessary. Prior to making a finding of good cause for such an amend-
12 ment, the city shall conduct a public hearing. Notice of the time and place
13 of the public hearing shall be published in the official newspaper or paper
14 of general circulation within the city. Written notice of such public hear-
15 ing and the text of the proposed amendment shall be given by the city to the
16 board not less than thirty (30) days prior to such hearing.

17 (4) The remaining provisions of this act shall not apply, except as
18 hereinafter provided, to cities if such cities ~~have or~~ enact ordinances or
19 codes prescribing the Idaho state plumbing code and amendments it may make
20 thereto in accordance with this section for all plumbing installations which
21 shall be considered the equal minimum standards, and requirements including
22 the enforcement thereof as provided by this act.