

CHAPTER 1 ADMINISTRATION

101 TITLE AND SCOPE

101.1 Title

The 1994 *Standard Plumbing Code*® published by the *Southern Building Code Congress International, Inc.* as modified by the 1999 Louisiana amendments shall constitute and be known and may be cited as "the *Louisiana State Plumbing Code*" hereinafter referred to as "this Code."

101.1.1 Purpose. The purpose of this chapter is to provide for the administration and enforcement of this Code.

101.2 Code Remedial

101.2.1 General. This Code is hereby declared to be remedial, and shall be construed to secure the beneficial interests and purposes thereof-which are public safety, health and general welfare-by regulating the installation and maintenance of all plumbing.

101.2.2 Quality Control. Quality control of materials and workmanship is not within the purview of this Code except as it relates to the purpose stated herein.

101.2.3 Permitting and Inspection. The inspection or permitting of any building or plan by any jurisdiction, under the requirements of this Code shall not be construed in any court as a warranty of the physical condition of such building or the adequacy of such plan. No jurisdiction nor any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building or plan, nor for any failure of any component of such building, which may occur subsequent to such inspection or permitting.

101.3 Scope

101.3.1 Applicability. The provisions of this Code shall apply to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances.

101.3.2 Federal and State Authority. The provisions of this Code shall not be held to deprive any Federal or state agency, or any applicable governing authority having jurisdiction, of any power or authority which it had on the effective date of the adoption of this Code or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights provided by law.

101.3.3 Appendices. The appendices included in this Code are not intended for enforcement unless specifically referenced in the Code text, stated in the appendix or specifically included in the adopting ordinance or promulgated regulations.

101.3.4 Referenced Standards. Standards referenced in this Code shall be considered an integral part of this Code without separate adoption. If specific portions of a standard are denoted by Code text, only those portions of the standard shall be enforced. Where Code provisions conflict with a standard, the Code provisions shall be enforced. Permissive and advisory provisions in a standard shall not be construed as mandatory.

101.3.5 Maintenance. All plumbing systems, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this Code when constructed, altered, or repaired, shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of the plumbing system.

101.4 Existing Buildings

101.4.1 General. Alterations, repairs or rehabilitation work may be made to any existing plumbing installations without requiring the installations to comply with all the requirements of this Code provided that the alteration, repair or rehabilitation work conforms to the requirements of this Code for new construction. The Plumbing Official shall determine the extent to which the existing plumbing installation shall be made to conform to the requirements of this Code for new construction.

101.4.2 Change of Occupancy. If the occupancy classification of an existing building is changed, the plumbing installation shall be made to conform to the intent of this Code as required by the Plumbing Official.

101.5 Special Historic Buildings

The provisions of this Code relating to the installation, alteration, repair, enlargement, restoration, replacement or relocation of plumbing installations shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such installations are judged by the Plumbing Official to be safe and in the public interest of health, safety and welfare regarding any proposed installation, alteration, repair, enlargement, restoration, relocation or replacement.

102 POWERS AND DUTIES OF THE PLUMBING OFFICIAL

102.1 Authority

Pursuant to R.S. 40:4.A(7) the State Health Officer is required to promulgate the Plumbing Code and pursuant to R.S. 40:5(3) the State Health Officer has the authority to enforce the Plumbing Code. Any enforcement action by the State Health Officer shall be in accordance with Chapter 1 of

the Sanitary Code of the State of Louisiana and/or applicable state laws.

102.2 Right of Entry

102.2.1 Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Plumbing Official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Plumbing Official may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Plumbing Official by this Code, provided that if such building or premises is occupied, he shall first present proper credentials and request entry. If such building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Plumbing Official shall have recourse to every remedy provided by law to secure entry.

102.2.2 When the Plumbing Official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons 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 Plumbing Official for the purpose of inspection and examination pursuant to this Code.

102.3 Enforcement

Upon determination that any plumbing system is in violation of, or not in conformity with, the provisions of this Code, the Plumbing Official may initiate enforcement action in accordance with applicable laws, regulations and/or ordinances.

102.4 Revocation of Permits

102.4.1 Misrepresentation of Application. The Plumbing Official may revoke a permit or approval, issued under the provisions of this Code, in case there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.

102.4.2 Violation of Code Provisions. The Plumbing Official may revoke a permit upon determination by the Plumbing Official that the installation, erection, alteration or repair of the plumbing installation for which the permit was issued is in violation of or not in conformity with, the provisions of this Code.

102.5 Unsafe Installations

All plumbing installations regardless of type, which are unsafe or which constitute a hazard to human life, health or welfare are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition.

102.6 Requirements Not Covered By Code

Any requirements necessary for the strength or stability of an existing or proposed plumbing installation, or for the public safety, health and general welfare, not specifically covered by this Code, shall be determined by the Plumbing Official.

102.7 Alternate Materials and Methods of Construction

The provisions of this Code are not intended to prevent the use of any material or method of construction not specifically prescribed by this Code, provided any such alternate has been approved by the Plumbing Official. The Plumbing Official shall approve any such alternate, provided he finds that the alternate for the purpose intended is at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, durability and safety. The Plumbing Official shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding its use.

103 PERMITS

A person, firm or corporation shall not install, enlarge, alter, repair, improve, remove, convert or replace any plumbing work, or cause the same to be done, without first obtaining a plumbing permit (where such permits are required by state, parish, city or other local laws or ordinances) from the Plumbing Official. Where such permits are not available the property owner, contractor and installer shall be jointly responsible for the installation being in compliance with the requirements of the Code.

104 TESTS

The Plumbing Official may require tests or test reports as proof of compliance. Required tests are to be made at the expense of the owner or his agent, by an approved testing laboratory or other approved agency.

105 VARIANCES

The Plumbing Official may vary the application of any provision of this Code to any particular case when, in his/her opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of this Code or public interest.

106 SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code.

107 VIOLATIONS AND PENALTIES

Any person, firm, corporation or agent; contractor; and/or installer who violates a provision of this Code shall be subject to enforcement action by the Plumbing Official in accordance with applicable laws, regulations and/or ordinances.