

House Bill 3092

Sponsored by Representative BROWN (at the request of Oregon Association of Plumbing-Heating-Cooling Contractors)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Exempts complex structure plumbing system plans designed and stamped by professional engineer or registered architect from review for plumbing specialty code compliance. Provides that municipality administering and enforcing building inspection program is not required to review plans for plumbing specialty code compliance. Prohibits Department of Consumer and Business Services and municipalities from charging for reviewing plans for plumbing specialty code compliance.

Prohibits department or municipality from ordering work halted on plumbing system based on noncompliance with plumbing specialty code if system is being installed in accordance with plumbing system plans designed and stamped by professional engineer or licensed architect. Specifies exception.

A BILL FOR AN ACT

1
2 Relating to plumbing systems; creating new provisions; and amending ORS 455.483.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Department of Consumer and Business Services, with the approval**
5 **of the State Plumbing Board, shall adopt rules applicable in all jurisdictions in the state to**
6 **require plumbing specialty code plan review only if the plumbing system plans are for a**
7 **complex structure and are not exempt from review under subsection (2) of this section.**

8 **(2) The department or a municipality administering and enforcing a building inspection**
9 **program under ORS 455.148 or 455.150 may not require a plumbing specialty code plan review**
10 **for a complex structure if the plumbing system plans are designed and stamped by a pro-**
11 **fessional engineer registered by the State Board of Examiners for Engineering and Land**
12 **Surveying or an architect registered by the State Board of Architect Examiners.**

13 **(3) Notwithstanding ORS 455.465:**

14 **(a) A municipality offering plan review services is not required to review plans for**
15 **plumbing specialty code compliance. If plan review for a plumbing system is mandatory**
16 **under subsection (1) of this section, a municipality enforcing a building inspection program**
17 **may forward the plumbing system plans to the department for plan review.**

18 **(b) The department or a municipality may not assess a charge for reviewing plans for**
19 **plumbing specialty code compliance.**

20 **SECTION 2. (1) Notwithstanding ORS 455.020 or 455.775, the Department of Consumer and**
21 **Business Services or a municipality administering and enforcing a building inspection pro-**
22 **gram under ORS 455.148 or 455.150 may not issue a stop-work order for a plumbing project,**
23 **order a licensed plumbing business, certified journeyman plumber or plumber's apprentice**
24 **to cease and desist work on a plumbing project or otherwise seek to halt installation work**
25 **on a plumbing project because the plumbing project is not in compliance with the plumbing**
26 **specialty code or with local building codes, if the project is:**

27 **(a) Being installed in accordance with a reviewed and approved plan; or**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) In accordance with plans designed and stamped by a professional engineer registered**
2 **by the State Board of Examiners for Engineering and Land Surveying or an architect regis-**
3 **tered by the State Board of Architect Examiners.**

4 **(2) This section does not prevent an order or other action to halt work on a plumbing**
5 **project if the noncompliance with the plumbing specialty code or local building code presents**
6 **an imminent threat to the public health or safety.**

7 **SECTION 3.** ORS 455.483 is amended to read:

8 455.483. (1) The Department of Consumer and Business Services, with the approval of the [*ap-*
9 *propriate advisory boards*] **Electrical and Elevator Board**, shall adopt rules applicable in all juris-
10 ditions in the state to make electrical [*and plumbing*] **specialty** code plan review mandatory only
11 for complex structures.

12 (2) Notwithstanding any rules adopted pursuant to subsection (1) of this section, an owner of a
13 complex structure or the owner's agent may request and receive plan review and inspections for any
14 electrical [*and plumbing*] materials and installations that are subject to the state building code.

15 **SECTION 4. Section 1 (3) of this 2005 Act applies to a municipality administering a**
16 **building inspection program entered into before, on or after the effective date of this 2005**
17 **Act. However, the Department of Consumer and Business Services or a municipality may**
18 **charge for a plumbing specialty code plan review completed before the effective date of this**
19 **2005 Act.**