

ORDINANCE NO. _____

BILL NO. 59, CD1, FD1(2022)

A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.20B,
MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 16.20C,
MAUI COUNTY CODE, RELATING TO THE PLUMBING CODE

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Chapter 16.20B, Maui County Code, is repealed in its entirety.

SECTION 2. The “Uniform Plumbing Code, 2018 Edition,” as copyrighted and published in 2018 by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California 91761-2816, is incorporated by reference and made a part of this Ordinance, subject to the provisions of Chapter 16.20C, Maui County Code, as enacted by this Ordinance and as may be amended.

SECTION 3. Title 16, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

“Chapter 16.20C

PLUMBING CODE

Sections:

16.20C.100	The Uniform Plumbing Code Incorporated.
16.20C.101	Chapter 1 replaced.
16.20C.203.0	Section 203.0 amended.
16.20C.204.0	Section 204.0 amended.

16.20C.207.0	Section 207.0 amended.
16.20C.210.0	Section 210.0 amended.
16.20C.212.0	Section 212.0 amended.
16.20C.215.0	Section 215.0 amended.
16.20C.216.0	Section 216.0 amended.
16.20C.218.0	Section 218.0 amended.
16.20C.221.0	Section 221.0 amended.
16.20C.301.4	Section 301.4 amended.
16.20C.307.0	Section 307.0 amended.
16.20C.312.2	Section 312.2 amended.
16.20C.312.3	Section 312.3 amended.
16.20C.319.0	Section 319.0 deleted.
16.20C.412.1.1	Subsection 412.1.1 amended.
16.20C.414.3	Section 414.3 amended.
16.20C.422.0	Section 422.0 deleted.
16.20C.422.1	Table 422.1 deleted.
16.20C.601.2	Section 601.2 amended.
16.20C.603.2	Section 603.2 amended.
16.20C.603.4.2	Subsection 603.4.2 amended.
16.20C.609.6	Section 609.6 deleted.
16.20C.609.7	Section 609.7 deleted.
16.20C.609.11	Section 609.11 deleted.
16.20C.612.0	Section 612.0 deleted.
16.20C.702.1.1	Subsection 702.1.1 added.
16.20C.715.1	Section 715.1 amended.
16.20C.718.3	Section 718.3 amended.
16.20C.721.1	Section 721.1 amended.
16.20C.721.2	Section 721.2 deleted.
16.20C.813.1	Section 813.1 amended.
16.20C.814.1	Section 814.1 amended.
16.20C.906.1	Section 906.1 amended
16.20C.913.0	Section 913.0 added.
16.20C.1007.1	Section 1007.1 amended.
16.20C.1101.1	Section 1101.1 amended.
16.20C.1101.2	Section 1101.2 deleted.
16.20C.1101.6	Section 1101.6 deleted.
16.20C.1101.7	Section 1101.7 deleted.
16.20C.1101.8	Section 1101.8 deleted.
16.20C.1101.9	Section 1101.9 deleted.
16.20C.1101.10	Section 1101.10 deleted.
16.20C.1101.11	Section 1101.11 deleted.
16.20C.1101.12.1	Subsection 1101.12.1 amended.
16.20C.1101.14	Section 1101.14 deleted.
16.20C.1101.15	Section 1101.15 deleted.
16.20C.1101.16	Section 1101.16 deleted.
16.20C.1103.0	Section 1103.0 deleted.

16.20C.1104.0	Section 1104.0 deleted.
16.20C.1105.0	Section 1105.0 deleted.
16.20C.1210.1.6	Subsection 1210.1.6 amended.
16.20C.1210.1.8	Subsection 1210.1.8 added.
16.20C.1301	Chapter 13 deleted.
16.20C.1401	Chapter 14 replaced.
16.20C.1701	Appendix D deleted.
16.20C.1702	Appendix E deleted.
16.20C.1703	Appendix F deleted.
16.20C.1704	Appendix G deleted.
16.20C.1705	Appendix H deleted.
16.20C.1706	Appendix J deleted.
16.20C.1707	Appendix K deleted.
16.20C.1708	Appendix L deleted.
16.20C.1709	Appendix M deleted.

16.20C.100 The Uniform Plumbing Code incorporated. The “Uniform Plumbing Code, 2018 Edition,” including appendices A, B, C, and I, as copyrighted and published in 2018 by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California 91761-2816, is incorporated by reference and made a part of this code, subject to the amendments set forth in Chapter 16.20C, Maui County Code, as enacted and as may be amended. If a subsequent edition of the Uniform Plumbing Code becomes an interim Plumbing Code in accordance with Section 107-28(b) of the Hawaii Revised Statutes, all replacements, amendments, additions, and deletions made in this ordinance must remain in full force and effect, and the Authority Having Jurisdiction will determine how to best apply those amendments, additions, and deletions to the interim code.

16.20C.101 Chapter 1 replaced. Chapter 1 of the Uniform Plumbing

Code is deleted in its entirety and replaced with the following:

101.0 General.

101.1 Title. This document must be known as the Plumbing Code, may be cited as such, and will be referred to in this ordinance as “this code.”

101.2 Scope. The provisions of this code apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of plumbing systems within this jurisdiction. This code must not apply to the following plumbing work:

(1) In factory-built housing manufactured and certified in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, and related federal regulations. All factory-built homes installed within the County must bear the label of certification by the manufacturer verifying that the factory-built home complies with all applicable federal construction and safety standards. Any changes or additions to the factory-built dwelling plumbing installation, including the installation of a new fixtures and water and wastewater connections must require a permit and be subject to this code.

(2) In buildings or premises for any federal, state, or county governmental agency, if the agency requests an exemption in writing.

(3) In a right-of-way owned or maintained by any federal, state, or county governmental agency, or work involving existing or proposed municipal storm drainage, sanitary drainage, or water systems.

(4) On property that is designated as Hawaiian home lands.

(5) For plumbing delivering non-potable water not intended for human consumption or use, except that plumbing regulated by chapters 15 and 16 of this code must not be considered exempt under this provision and must comply fully with all provisions of this code.

(6) For irrigation, fire control, and other similar systems approved by the Authority Having Jurisdiction utilizing potable water, except that an appropriate backflow prevention device is installed between the potable water system and the exempted system. The installation of the backflow prevention device must not be considered exempt under this provision and must comply fully with all provisions of this code.

(7) Plumbing systems for temporary construction toolsheds, jobsite offices, or similar on the same property where construction is occurring under a valid building or grading permit, except that connections to water and sewer services must require a permit.

(8) Plumbing work, excluding gas piping and gas appliances, for special events, as long as the plumbing work is performed by a licensed plumbing contractor, and the plumbing installation is immediately removed upon conclusion of the special event.

(9) Installation, repair, or replacement of portable plumbing appliances or equipment.

101.3 Purpose. This code is an ordinance providing minimum requirements and standards for the protection of the public health, safety, and welfare.

101.4 Unconstitutional. Where a section, subsection, sentence, clause, or phrase of this code is, for a reason, held to be unconstitutional, such decision must not affect the validity of the remaining portions of this code. The legislative body declares that it would have passed this code, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, and phrases are declared unconstitutional.

101.5 Validity. Where a provision of this code, or the application of this code to a person or circumstance, is held invalid, the remainder of the code, or the application of the provision to other persons or circumstances, must not be affected.

102.0 Applicability.

102.1 Conflicts Between Codes. If there are two or more conflicting provisions in this code, or conflict between this code and any other ordinance, statute, rule, or standard covering the same subject matter, the provisions that provides the greater safety to life, property, or public welfare, as determined by the authority having jurisdiction, must prevail.

102.2 Existing Installations. Plumbing systems lawfully in existence at the time of the adoption of this code must be permitted to have their use, maintenance, or repair continued where the use, maintenance, or repair is in accordance with the original design and location and no hazard to life, health, or property has been created by such plumbing system.

102.3 Maintenance. The plumbing and drainage system, both existing and new, of a premises under the Authority Having Jurisdiction must be maintained in a sanitary and safe operating condition. Devices or safeguards required by this code must be

maintained in accordance with the code edition under which installed.

The owner or the owner's designated agent must be responsible for maintenance of plumbing systems. To determine compliance with this subsection, the Authority Having Jurisdiction must be permitted to cause a plumbing system to be reinspected.

102.4 Additions, Alterations, Renovations, or Repairs.

Additions, alterations, renovations or repairs must conform to that required for a new system without requiring the existing plumbing system to be in accordance with the requirements of this code. Additions, alterations, renovations, or repairs must not cause an existing system to become unsafe, insanitary, or overloaded.

Additions, alterations, renovations, or repairs to existing plumbing installations must comply with the provisions for new construction, unless such deviations are found to be necessary and are first approved by the Authority Having Jurisdiction.

102.4.1 Building Sewers and Drains. Existing building sewers and building drains must be permitted to be used in connection with new buildings or new plumbing and drainage work where they are found on examination and test to be in accordance with the requirements governing new work, and the proper Authority Having Jurisdiction must notify the owner to make changes necessary to be in accordance with this code. No building, or part of a building, may be erected or placed over a part of a drainage system that is constructed of materials other than those approved elsewhere in this code for use under or within a building.

102.4.2 Openings. Openings into a drainage or vent system, excepting those openings to which plumbing fixtures are properly connected or that constitute vent terminals, must be permanently plugged or capped in an approved manner, using the appropriate materials in accordance with this code.

102.5 Health and Safety. Where compliance with the provisions of this code fails to eliminate or alleviate a nuisance, or other dangerous or insanitary condition that involves health or safety hazards, the owner or the owner's agent must install such additional plumbing and drainage facilities or must make such repairs or alterations as ordered by the Authority Having Jurisdiction.

102.6 Changes in Building Occupancy. Plumbing systems that are a part of a building or structure undergoing a change in use or occupancy, as defined in the building code, must be in accordance with the requirements of this code that are applicable to

the new use or occupancy, unless deviations are approved by the Authority Having Jurisdiction.

102.7 Moved Structures. Parts of the plumbing system of a building or part of a building that is moved from one foundation to another, or from one location to another, must be in accordance with the provisions of this code for new installations and completely tested as prescribed elsewhere in this section for new work, except that walls or floors need not be removed during such test where other equivalent means of inspection acceptable to the Authority Having Jurisdiction are provided.

102.8 Appendices. The provisions in the appendices are intended to supplement the requirements of this code and must not be considered part of this code unless formally adopted as such.

103.0 Duties and Powers of the Authority Having Jurisdiction.

103.1 General. The Authority Having Jurisdiction must be the Authority duly appointed to enforce this code. For such purposes, the Authority Having Jurisdiction must have the powers of a law enforcement officer. The Authority Having Jurisdiction must have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as deemed necessary in order to clarify the application of the provisions of this code. The interpretations, rules, and regulations must comply with the intent and purpose of this code.

In accordance with the prescribed procedures and with the approval of the appointing authority, the Authority Having Jurisdiction must be permitted to appoint such number of technical officers, inspectors, and other employees as must be authorized from time to time. The Authority Having Jurisdiction must be permitted to deputize such inspectors or employees as necessary to carry out the functions of the code enforcement agency.

The Authority Having Jurisdiction must be permitted to request the assistance and cooperation of other officials of this jurisdiction so far as required in the discharge of the duties in accordance with this code or other pertinent law or ordinance.

103.2 Liability. The Authority Having Jurisdiction or any other County Officer or employee charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, must not be rendered liable, personally or in their capacity as employees of the County, nor must the County be liable as an entity for damages that may accrue to persons or property as a result of, or by reason of, any act or omission in the discharge of such duties. This code must not be construed to relieve or lessen the responsibility of any person owning, operating, or performing

plumbing work or installation from liability for injury or damage to property by any defect in an installation or performance.

103.3 Applications and Permits. The Authority Having Jurisdiction must be permitted to require the submission of plans, specifications, drawings, and such other information in accordance with the Authority Having Jurisdiction, prior to the commencement of, and at a time during the progress of, work regulated by this code.

The issuance of a permit upon construction documents must not prevent the Authority Having Jurisdiction from thereafter requiring the correction of errors in said construction documents or from preventing construction operations being carried on thereunder where in violation of this code or of other pertinent ordinance or from revoking a certificate of approval where issued in error.

103.3.1 Licensing. Provision for licensing must be determined by the Authority Having Jurisdiction.

103.4 Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the Authority Having Jurisdiction has reasonable cause to believe that there exists in a building or upon a premises a condition or violation of this code that makes the building or premises unsafe, insanitary, dangerous, or hazardous, the Authority Having Jurisdiction must be permitted to enter the building or premises at reasonable times to inspect or to perform the duties imposed upon the Authority Having Jurisdiction by this code, except that where the building or premises is occupied, the Authority Having Jurisdiction must present credentials to the occupant and request entry. Where the building or premises is unoccupied, the Authority Having Jurisdiction must first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. Where entry is refused, the Authority Having Jurisdiction has recourse to every remedy provided by law to secure entry.

Where the Authority Having Jurisdiction must have first obtained an inspection warrant or other remedy provided by law to secure entry, no owner, occupant, or person having charge, care, or control of a building or premises must fail or neglect, after a request is made to promptly permit entry by the Authority Having Jurisdiction for the purpose of inspection and examination under this code.

104.0 Permits.

104.1 Permits Required. It must be unlawful for a person, firm, or corporation to make an installation, alteration, repair, replacement, or remodel a plumbing system regulated by this code except as permitted in Section 104.2, or to cause the same to be

done without first obtaining a separate plumbing permit for each separate building or structure.

104.2 Exempt Work. A permit must not be required for the following:

(1) The stopping of leaks in drains, soil, waste, or vent pipe, except, however, that a trap, drain pipe, soil, waste, or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same must be considered as new work and a permit must be procured and inspection made as provided in this code.

(2) The clearing of stoppages, including the removal and reinstallation of water closets, or the repairing of leaks in pipes, valves, or fixtures, if the repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

(3) Replacement of existing plumbing fixtures at original locations, including replacement and minor realignment of exposed plumbing lines associated with replacement work, where no plumbing within structure walls, floors, foundations or similar are impacted.

(4) Emergency plumbing work by a person to whom a permit may be issued, except that an application for a permit for the work must be submitted no later than five business day following the commencement of the work.

Exemption from the permit requirements of this code must not be deemed to grant authorization for work to be done in violation of the provisions of the code or other laws or ordinances of this jurisdiction.

104.3 Application for Permit. To obtain a permit, the applicant must first file an application therefore in writing on a form furnished by the Authority Having Jurisdiction for that purpose. The Authority Having Jurisdiction may accept electronic applications, documents, signatures, stamps, submittals, and similar items necessary for processing of the permit.

104.3.1 Construction Documents. Construction documents, engineering calculations, diagrams, and other data must be submitted as required by the Authority Having Jurisdiction. The construction documents, computations, and specifications must be prepared by, and the plumbing designed by, a registered design professional. Construction documents must be drawn to scale with clarity to identify that the intended work to be performed is in accordance with the code.

Exception: The Authority Having Jurisdiction must be permitted to waive the submission of construction documents, calculations, or other data or

the requirement for a registered design professional where the Authority Having Jurisdiction finds that the nature of the work applied for is such that reviewing of construction documents or preparation by a registered design professional is not necessary to obtain compliance with the code.

104.3.2 Time Limitation of Application. Applications for which no permit is issued within one hundred eighty days following the date of application must expire by limitation, plans and other data submitted for review thereafter, must be returned to the applicant or destroyed by the Authority Having Jurisdiction. The Authority Having Jurisdiction must be permitted to exceed the time for action by the applicant for a period not to exceed one hundred eighty days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application must be extended more than once. In order to renew action on an application after expiration, the applicant must resubmit plans.

104.4 Permit Issuance. The application, construction documents, and other data filed by an applicant for a permit must be reviewed by the Authority Having Jurisdiction. The plans must be permitted to be reviewed by other departments of this jurisdiction to verify compliance with applicable laws under their jurisdiction. Where the Authority Having Jurisdiction finds that the work described in an application for permit and the plans, specifications, and other data filed therewith are in accordance with the requirements of the code and other pertinent laws and ordinances, and that the fees specified in Section 104.5 have been paid, the Authority Having Jurisdiction must issue a permit therefore to the applicant. Review by the Authority Having Jurisdiction must be completed within thirty days of submitting an application that has been deemed complete. If the Authority Having Jurisdiction fails to review and approve or deny the completed application within this time period, the application must be deemed approved.

104.4.1 Approved Plans or Construction Documents. Where the Authority Having Jurisdiction issues the permit where plans are required, the Authority Having Jurisdiction must endorse in writing or stamp the construction documents "APPROVED." The approved construction documents must not be changed, modified, or altered without authorization from the Authority Having Jurisdiction, and the work must be done in accordance with approved plans.

104.4.2 Validity of Permit. The issuance of a permit or approval of construction documents must not be construed

to be a permit for, or an approval of, a violation of the provisions of this code or other ordinance of the jurisdiction. No permit presuming to give authority to violate or cancel the provisions of this code is valid.

The issuance of a permit based upon plans, specifications, or other data must not prevent the Authority Having Jurisdiction from thereafter requiring the correction of errors in said plans, specifications, and other data or from preventing building operations being carried on thereunder where in violation of this code or of other ordinances of this jurisdiction.

104.4.3 Expiration. Every permit issued by the Authority Having Jurisdiction under this code must expire and be deemed void if the initial inspection required by this code is not approved within one year from the date of issuance of the permit. If a permit expires before work is completed, a new permit must be obtained and the permittee must pay a new permit fee. Once the initial inspection is approved, the permit must be valid for a period of five years from the date of issuance. In no event must a permit remain active longer than five years from the date of issuance of the permit.

104.4.4 Extensions. Any permittee with an unexpired permit may request an extension of time to obtain approval of the initial inspection required by this code. The Authority Having Jurisdiction may extend the deadline for the initial inspection approval only once, and for a period not to exceed one year.

104.4.5 Suspension or Revocation. The Authority Having Jurisdiction must be permitted to, in writing, suspend or revoke a permit issued under the provisions of this code where the permit is issued in error or on the basis of incorrect information supplied or in violation of other ordinance or regulation of the jurisdiction.

104.4.6 Retention of Plans. One set of approved construction documents and computations must be retained by the Authority Having Jurisdiction until final approval of the work.

One set of approved construction documents, computations, and manufacturer's installation instructions must be returned to the applicant, and said set must be kept on the site of the building or work at times during which the work authorized is in progress.

Exception: The Authority Having Jurisdiction may retain construction documents, calculations, and other related items in electronic form.

104.4.7 Cancellation. Permits may be canceled when requested in writing, subject to the approval of the Authority Having Jurisdiction. If the project has commenced, the Authority Having Jurisdiction may require a new permit application prior to cancellation of the original permit, to ensure continuation of the permitted work and responsibility for the permitted work.

104.4.8 Transfer of Permits. The permittee may transfer a valid permit to a new permittee with approval of the Authority Having Jurisdiction. The transferee must submit a new permit application and must pay a fee for the transfer of the permit, as set forth in the annual budget ordinance.

104.4.9 Building Permit Required. Whenever a building permit is required, the plumbing permit for the above ground building plumbing must not be issued until a valid building permit has first been issued for the project. This provision must not restrict the issuance of plumbing permits for sitework and other plumbing located under or outside the limits of the structure.

104.5 Fees. Fees as set forth in the annual budget ordinance must be paid to the County before issuance of any plumbing permit.

104.5.1 Work Commencing Before Permit Issuance. Where work for which a permit is required by this code has been commenced without first obtaining said permit, the permit fee must be as set forth in the annual budget ordinance.

104.5.2 Exemptions.

(1) No permit fee must be charged for County projects or projects that are funded in whole or in part by the County, and the director of the department responsible for the release of the County funds must certify that the project qualifies for this exemption.

(2) A residential workforce housing unit, as defined in section 2.96.020, Maui County Code, must be assessed 50 percent of the permit fee. Units in a residential development in which 100 percent of the units qualify as residential workforce housing units, as defined in section 2.96.020, Maui County Code, must be exempt from the permit fee.

104.5.3 Fee Refunds. The Authority Having Jurisdiction must be permitted to authorize the refunding of a fee as follows:

(1) The amount paid hereunder that was erroneously paid or collected.

(2) Fifty percent of the permit fee when no work has commenced, and the permit has not expired.

104.6 Persons To Whom Permits May Be Issued. A permit may be issued to:

(1) A contractor licensed to perform plumbing work within the scope of the contractor's specialty classification, under chapter 444, Hawaii Revised Statutes, as amended.

(2) A County agency with a designated master plumber or journey worker plumber for work related to County projects.

(3) A master plumber or a journey worker plumber who is applying for a permit for plumbing work on a dwelling owned by the master plumber or journey worker plumber.

104.7 Reconstruction of Plumbing Damaged in Disasters or Civil Defense Emergencies. When reconstruction of a structure damaged by a disaster or civil defense emergency, recognized by the governor under chapters 127 or 128, Hawaii Revised Statutes, is allowed under the building code, associated plumbing may also be reconstructed under the emergency reconstruction building permit, as allowed by the Authority Having Jurisdiction. Plumbing must be constructed per the plumbing code and must be properly inspected.

105.0 Inspections and Testing.

105.1 General. Plumbing systems for which a permit is required by this code must be inspected by the Authority Having Jurisdiction.

No plumbing system or portion of a plumbing system may be covered, concealed, or put into use until inspected and approved as prescribed in this code. Neither the Authority Having Jurisdiction nor the jurisdiction must be liable for expense entailed in the removal or replacement of material required to permit inspection. Plumbing systems regulated by this code must not be connected to the water, the energy fuel supply, or the sewer system until authorized by the Authority Having Jurisdiction.

105.2 Required Inspections. New plumbing work and such portions of existing systems as affected by new work, or changes, must be inspected by the Authority Having Jurisdiction to ensure compliance with the requirements of this code and to ensure that the installation and construction of the plumbing system is in accordance with approved plans. The Authority Having Jurisdiction must make the following inspections and other such inspections as necessary. The permittee or the permittee's authorized agent must be responsible for the scheduling of such inspections as follows:

(1) Underground inspection must be made after trenches or ditches are excavated and bedded, piping installed, and before backfill is put in place.

(2) Rough-in inspection must be made prior to the installation of wall or ceiling membranes.

(3) Final inspection must be made upon completion of the installation.

105.2.1 Uncovering. Where a drainage or plumbing system, building sewer system, private sewage system, or disposal system, or a part of such a system, that is installed, altered, or repaired, is covered or concealed before being inspected, tested, and approved as prescribed in this code, it must be uncovered for inspection after notice to uncover the work has been issued to the responsible person by the Authority Having Jurisdiction.

The requirements of this section must not be considered to prohibit the operation of plumbing installed to replace existing equipment or fixtures serving an occupied portion of the building in the event a request for inspection of the equipment or fixtures has been filed with the Authority Having Jurisdiction not more than seventy-two hours after such replacement work is completed, and before a portion of such plumbing system is concealed by a permanent portion of the building.

105.2.1.1 Water Supply System. No water supply system or portion of a water supply system may be covered or concealed until it first has been tested, inspected, and approved.

105.2.1.2 Covering or Using. No plumbing or drainage system, building sewer system, or private sewer disposal system, or a part of such a system, must be covered, concealed, or put into use until it has been tested, inspected, and accepted as prescribed in this code.

105.2.2 Other Inspections.

(1) In addition to the inspections required by this code, the Authority Having Jurisdiction must be permitted to require other inspections to ascertain compliance with the provisions of this code and other laws that are enforced by the Authority Having Jurisdiction.

(2) Miscellaneous Inspections. For an inspection of plumbing work not specified in this code or not associated with a permit, the person requesting the inspection must pay a fee as set forth in the annual budget ordinance for each hour, or increment of an hour, for inspection, research and processing of the

request. All miscellaneous inspections must be charged a minimum of two hours.

(3) Unscheduled inspections outside normal business hours, or at distant locations. The permittee may request plumbing inspections outside normal business hours, or at distant locations, including Hana, Molokai, and Lanai, earlier than regularly scheduled, subject to the availability of inspectors and transportation, and approval of the director. The request must be made at least forty-eight hours prior to the requested inspection time. The permittee must reimburse the County for any additional cost incurred by the County to perform the requested inspection. The cost reimbursement may include: employee overtime pay; air fare; travel per diem; meal allowance; automobile rental; employee fringe benefits; and administrative costs.

Exemptions:

(a) Exemption for adult residential care homes.

When inspection of an adult residential care home is required under Chapter 11-100.1, Hawaii Administrative Rules, as amended, no fee may be charged for an inspection.

(b) Exemption for licensing of day care centers.

When inspection of a day care center is under Chapter 17-1424, Hawaii Administrative Rules, as amended, no fee may be charged for an inspection.

105.2.3 Inspection Requests. It is the duty of the person doing the work authorized by a permit to notify the Authority Having Jurisdiction that the work is ready for inspection. The Authority Having Jurisdiction is permitted to require that a request for inspection be filed not less than two working days before the inspection is desired. The request must be submitted on the appropriate form or in the appropriate manner, at the option of the Authority Having Jurisdiction.

It is the duty of the person requesting inspections in accordance with this code to provide access to and means for inspection of such work.

105.2.4 Responsibility. It is the duty of the holder of a permit to make sure that the work will stand the test prescribed before giving the notification.

The equipment, material, and labor necessary for inspection or tests must be furnished by the person to

whom the permit is issued or by whom inspection is requested.

105.2.5 Reinspections. A reinspection fee must be permitted to be assessed for each inspection or reinspection where such portion of work for which inspection is called is not complete or where required corrections have not been made.

This provision must not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to be in accordance with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

Reinspection fees must be permitted to be assessed where the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the Authority Having Jurisdiction.

To obtain reinspection, the applicant must pay the reinspection fee as set forth in the annual budget ordinance.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

105.2.6 Work Concealed Without Inspections. When plumbing work has been concealed before inspection and the director has determined that it is impractical to re-expose such plumbing work, the property owner may, subject to the approval of the Authority Having Jurisdiction, submit a certificate, from the responsible plumbing contractor or a mechanical engineer, certifying that all plumbing work done without inspection complies with this code, and submit a unilateral hold harmless agreement executed by the property owner, agreeing to defend, indemnify, and hold harmless the County from any claim for loss, liability, or damage arising from the issuance of the plumbing permit, and pay a fee as set forth in the annual budget ordinance. The certificate must be in a form acceptable to the director, and the hold harmless agreement must be in a form acceptable to the corporation counsel. The hold harmless agreement must be recorded with the bureau of conveyances or the land court, State of Hawaii. The property owner or permittee must pay for all recordation fees and other applicable fees. Upon receiving an acceptable certificate and copy of the fully executed and recorded hold

harmless agreement, and payment of applicable fees and fines, if any, the director may approve the plumbing work.

105.3 Testing of Systems. Plumbing systems must be tested and approved in accordance with this code or the Authority Having Jurisdiction. Tests must be conducted in the presence of the Authority Having Jurisdiction or the Authority Having Jurisdiction's duly appointed representative, unless otherwise approved by the Authority Having Jurisdiction.

No test or inspection must be required where a plumbing system, or part of a plumbing system, is set up for exhibition purposes and has no connection with a water or drainage system. In cases where it would be impractical to provide the required water or air tests, or for minor installations and repairs, or when otherwise deemed appropriate, the Authority Having Jurisdiction must be permitted to make such inspection as deemed advisable in order to be assured that the work has been performed in accordance with the intent of this code. Joints and connections in the plumbing system must be gastight and watertight for the pressures required by the test.

105.3.1 Defective Systems. An air test must be used in testing the sanitary condition of the drainage or plumbing system of building premises where there is reason to believe that it has become defective. In buildings or premises condemned by the Authority Having Jurisdiction because of an insanitary condition of the plumbing system, or part of a plumbing system, the alterations in such system must be in accordance with the requirements of this code.

105.3.2 Retesting. Where the Authority Having Jurisdiction finds that the work will not pass the test, necessary corrections must be made, and the work must be resubmitted for test or inspection.

105.3.3 Approval. Where prescribed tests and inspections indicate that the work is in accordance with this code, a certificate of approval must be issued by the Authority Having Jurisdiction to the permittee on demand.

105.4 Connection to Service Utilities. No person must make connections from a source of energy or fuel to a plumbing system or equipment regulated by this code and for which a permit is required until approved by the Authority Having Jurisdiction. No person must make connection from a water supply line or connect to a sewer system regulated by this code and for which a permit is required until approved by the Authority Having Jurisdiction. The Authority Having Jurisdiction must be permitted to authorize

temporary connection of the plumbing equipment to the source of energy or fuel for the purpose of testing the equipment.

106.0 Violations and Penalties.

106.1 General. It must be unlawful for a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain plumbing or permit the same to be done in violation of this code. The owner of property with plumbing in violation of this code must also be responsible for all violations.

106.2 Notices of Correction or Violation. Notices of correction or violation must be written by the Authority Having Jurisdiction and must be in accordance with administrative rules and section 19.530.030, Maui County Code.

Refusal, failure, or neglect to comply with such notice or order, must be considered a violation of this code and must be subject to the penalties set forth by the governing laws of the jurisdiction.

106.3 Penalties. A person, firm, or corporation violating a provision of this code must be punishable by a fine set forth by the governing laws and rules of the jurisdiction. Each separate day or portion of a day during which a violation of this code occurs or continues is a separate offense.

106.4 Stop Orders. Where work is being done contrary to the provisions of this code, the Authority Having Jurisdiction must be permitted to order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done, and such persons must forthwith stop work until authorized by the Authority Having Jurisdiction to proceed with the work. A written stop work order must be permitted to be posted at the site of the work, mailed, or delivered to the permittee or their authorized representative.

106.5 Authority to Disconnect Utilities in Emergencies. The Authority Having Jurisdiction must have the authority to disconnect a plumbing system to a building, structure, or equipment regulated by this code in case of emergency where necessary to eliminate an immediate hazard to life or property.

106.6 Authority to Condemn. Where the Authority Having Jurisdiction ascertains that a plumbing system or portion of a plumbing system, regulated by this code, has become hazardous to life, health, or property, or has become insanitary, the Authority Having Jurisdiction must order in writing that such plumbing either be removed or placed in a safe or sanitary condition. The order must fix a reasonable time limit for compliance. No person must use or maintain defective plumbing after receiving such notice.

Where such plumbing system is to be disconnected, written notice must be given. In cases of immediate danger to life or property, such disconnection must be permitted to be made immediately without such notice.

107.0 Variances and Appeals.

107.1 Variances. The board of variances and appeals must hear and determine all variance requests. A variance from the provisions of this code may be granted if the board of variances and appeals finds:

(1) That the strict application, operation, or enforcement of the code provision appealed from would result in practical difficulty or unnecessary hardship to the applicant;

(2) That the variance would not be detrimental to the public health, safety, or welfare;

(3) That the variance would not be injurious to adjoining lots and the buildings thereon; and

(4) That the variance would not be contrary to the purposes of this code and the public interest.

107.2 Appeals. (1) Any person desiring to use materials, methods, standards, or procedures of construction other than as specified by this code may appeal to the Authority Having Jurisdiction for approval, and such appeal may be approved if the Authority Having Jurisdiction believes the general intent of this code will be met.

(2) The board of variances and appeals must hear and determine all appeals alleging error from any person aggrieved by a decision of the Authority Having Jurisdiction in the administration of this code. The board may grant an appeal only if it finds one of the following:

(a) That the subject decision or order was based on an erroneous finding of material fact or erroneously applied the law;

(b) That the subject decision or order was arbitrary and capricious in its application; or

(c) That the subject decision or order was a manifest abuse of discretion.

16.20C.203.0 Section 203.0 amended. Section 203.0 of the Uniform

Plumbing Code is amended by adding and amending the following definitions to read as follows:

Air Admittance Valve. A one-way valve designed to allow air to enter the plumbing drainage system when negative pressures develop in the system. The device closes by gravity, without springs or other mechanical means, and seals the vent terminal at zero differential pressure (no flow conditions) and under positive internal pressure. The purpose of an air admittance valve is to provide a method of allowing air to enter the plumbing drainage system without the need for a vent extended outdoors to open air and to prevent sewer gases from escaping into the building.

Authority Having Jurisdiction. The organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, installations, or procedures. The Authority Having Jurisdiction shall be a federal, state, local, or other regional department or an individual such as a plumbing official, mechanical official, labor department official, health department official, building official, or others having statutory authority. In the absence of a statutory authority, the Authority Having Jurisdiction may be some other responsible party. This definition shall include the Authority Having Jurisdiction's duly authorized representative. Unless otherwise noted or clear due to the nature, the Authority Having Jurisdiction for the County must be the Director of the Department of Public Works. The Authority Having Jurisdiction for County owned water systems must be the Director of Water Supply. The Authority Having Jurisdiction for County-owned Wastewater Systems and systems related to waste discharge quality (e.g., Grease Interceptors) must be the Director of Environmental Management. The Authority Having Jurisdiction for Fire Protection systems must be the Fire Chief. The Authority Having Jurisdiction for the water quality of private water systems and individual wastewater systems must be the Health Officer.

16.20C.204.0 Section 204.0 amended. Section 204.0 of the Uniform Plumbing Code is amended by amending the definition of "building drain" to read as follows:

Building Drain. That part of the lowest piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning [2 feet (610 mm)] 5 feet (1524 mm) outside the building wall.

16.20C.207.0 Section 207.0 amended. Section 207.0 of the Uniform Plumbing Code is amended by adding the following definitions to read as follows:

Emergency Plumbing Work. The repair of a plumbing installation to restore proper functioning of the plumbing system after an unforeseen event, to protect against immediate health risks or property damage.

16.20C.210.0 Section 210.0 amended. Section 210.0 of the Uniform Plumbing Code is amended by adding the following definitions to read as follows:

Health Officer. The director of the department of health, State of Hawaii, or the director's authorized representative.

16.20C.212.0 Section 212.0 amended. Section 212.0 of the Uniform Plumbing Code is amended by adding the following definitions to read as follows:

Journey Worker Plumber. A person licensed as a journey worker plumber by the board of electricians and plumbers, State of Hawaii, in accordance with chapter 448E, Hawaii Revised Statutes, as amended.

16.20C.215.0 Section 215.0 amended. Section 215.0 of the Uniform Plumbing Code is amended by adding the following definitions to read as follows:

Master Plumber. A person licensed as a master plumber by the board of electricians and plumbers, State of Hawaii, in accordance with chapter 448E, Hawaii Revised Statutes, as amended.

Mechanical Engineer. A person licensed as a professional engineer qualified in the mechanical branch by the State of Hawaii, in accordance with chapter 464, Hawaii Revised Statutes, as amended.

16.20C.216.0 Section 216.0 amended. Section 216.0 of the Uniform Plumbing Code is amended by adding the following definitions to read as follows:

Non-Sewered Area. Any property that is not required to be connected to a public wastewater system under sections 14.25A.070 or 14.25A.130, Maui County Code, or section 11-62-06 (b), Hawaii Administrative Rules.

16.20B.218.0 Section 218.0 amended. Section 218.0 of the Uniform Plumbing Code is amended by adding the following definitions to read as follows:

Plumbing Contractor. A person licensed to perform plumbing work as a specialty contractor by the State of Hawaii in accordance with chapter 444, Hawaii Revised Statutes, as amended.

16.20B.221.0 Section 221.0 amended. Section 221.0 of the Uniform

Plumbing Code is amended by adding the following definitions to read as follows:

Sewered Area. Any property that is required to be connected to a public wastewater system under sections 14.25A.070 or 14.25A.130, Maui County Code, or section 11-62-06 (b), Hawaii Administrative Rules.

Single Stack Vent System. A specially designed plumbing system wherein a common stack serves as a drainage pipe as well as a vent pipe.

Special Events. Carnivals, fairs, food and beverage events, sporting events, and similar events where structures and installations are not intended for use for more than fourteen consecutive calendar days.

16.20C.301.4 Section 301.4 amended. Section 301.4 of the Uniform

Plumbing Code is amended to read as follows:

301.4 Flood Hazard Areas. [Plumbing systems must be located above the elevation in accordance with the building code for utilities and attendant equipment or the elevation of the lowest floor, whichever is higher.

Exception: Plumbing systems shall be permitted to be located below the elevation in accordance with the building code for utilities and attendant equipment or the elevation of the lowest floor, whichever is higher, provided that the systems are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to such elevation.

301.4.1 Coastal High Hazard Areas. Plumbing systems in buildings located in coastal high hazard areas shall be in accordance with the requirements of Section 301.4, and plumbing systems, pipes, and fixtures shall not be mounted on or penetrate through walls that are intended to breakaway under flood loads in accordance with the building code.] Plumbing work within flood hazard areas must be subject to this code and chapter 19.62, Maui County Code, pertaining to flood hazard areas.

16.20C.307.0 Section 307.0 amended. Section 307.0 of the Uniform

Plumbing Code is amended to read as follows:

307.0 Location.

307.1 System. Except as otherwise provided in this code, no new plumbing system[, drainage system, building sewer, private sewage disposal system, or parts thereof] shall be located in a lot other than the lot that is the site of the building, structure, or premises served by such facilities unless an easement, agreement or other legal means allowing such plumbing system can be demonstrated to the satisfaction of the Authority Having Jurisdiction. If a new plumbing system is connecting to an existing plumbing system that passes through a lot other than the lot that is the site of the building, structure, or premises served by such facilities, then verification of an easement, agreement or other legal instrument allowing such existing plumbing system is not required for the existing system as long as plumbing work and connection to the existing system is done within the lot that is the site of the building, structure, or premises served by such existing system.

307.2 Ownership. No subdivision, sale, or transfer of ownership of existing property shall be made in such manner that the area, clearance, and access requirements of this code are decreased.

16.20C.312.2 Section 312.2 amended. Section 312.2 of the Uniform

Plumbing Code is amended to read as follows:

312.2 Installation. Piping in connection with a plumbing system shall be so installed that piping or connections will not be subject to undue strains or stresses[, and provisions shall be made for expansion, contraction, and structural settlement. No plumbing piping shall be directly embedded in concrete or masonry]. No structural member shall be seriously weakened or impaired by cutting, notching, or otherwise, as defined in the building code.

16.20C.312.3 Section 312.3 amended. Section 312.3 of the Uniform

Plumbing Code is amended to read as follows:

312.3 Building Sewer and Drainage Piping. No building sewer or other drainage piping or part thereof, constructed of materials other than those approved for use under or within a building, shall be installed under or within [2 feet (610 mm)] 5 feet

(1524 mm) of a building or structure, or less than 1 foot (305 mm) below the surface of the ground.

16.20C.319.0 Section 319.0 deleted. Chapter 3 of the Uniform Plumbing Code is amended by deleting section 319.0 and all its subsections.

16.20C.412.1.1 Subsection 412.1.1 amended. Section 412.1 of the Uniform Plumbing Code is amended by amending subsection 412.1.1 to read as follows:

412.1.1 Nonwater Urinals. Nonwater urinals shall have a liquid barrier sealant to maintain a trap seal. Nonwater urinals shall permit the uninhibited flow of waste through the urinal to the sanitary drainage system. Nonwater urinals shall be cleaned and maintained in accordance with the manufacturer's instructions after installation. Where Nonwater urinals are installed, not less than one water supplied fixture rated at not less than 1 water supply fixture unit (WSFU) shall be installed upstream on the same drain line to facilitate drain line flow and rinsing. [Where nonwater urinals are installed, they shall have a water distribution line rough-in to each individual urinal location to allow for the installation of an approved backflow prevention device in the event of a retrofit.]

16.20C.414.3 Section 414.3 amended. Section 413.3 of the Uniform Plumbing Code is amended to read as follows:

414.3 Drainage Connection. Domestic dishwashing machines shall discharge [indirectly] directly through an air gap fitting in accordance with section 807.3. into [a waste receptor,] a wye branch fitting on the tailpiece of a kitchen sink, or dishwasher connection of a food waste disposer. Where the waste line connects to a kitchen tailpiece or food waste disposer, it must rise and be securely fastened to the underside of the sink rim or counter. Commercial dishwashing machines shall discharge indirectly through an air break or direct connection. The indirect discharge for commercial dishwashing machines shall be in accordance with section 807.1, and the direct discharge shall be in accordance with section 704.3.

16.20C.422.0 Section 422.0 deleted. Chapter 4 of the Uniform Plumbing Code is amended by deleting section 422.0 and all its subsections.

16.20C.422.1 Table 422.1 deleted. Chapter 4 of the Uniform Plumbing

Code is amended by deleting Table 422.1 in its entirety.

16.20C.601.2 Section 601.2 amended. Section 601.2 of the Uniform

Plumbing Code is amended to read as follows:

601.2 [Hot and Cold] Water Required. Except where not deemed necessary for safety or sanitation by the Authority Having Jurisdiction, each plumbing fixture shall be provided with an adequate supply of [potable] running water piped thereto in an approved manner, so arranged as to flush and keep it in a clean and sanitary condition without danger of backflow or cross-connection. Water closets and urinals shall be flushed by means of an approved flush tank or flushometer valve.

Exception: Listed fixtures that do not require water for their operation and are not connected to the water supply.

In occupancies where plumbing fixtures are installed for private use, hot water shall be required for bathing, washing, laundry, cooking purposes, dishwashing or maintenance. [In occupancies where plumbing fixtures are installed for public use, hot water shall be required for bathing and washing purposes. This requirement shall not supersede the requirements for individual temperature control limitations for public lavatories and public and private bidets, bathtubs, whirlpool bathtubs, and shower control valves.]

16.20C.603.2 Section 603.2 amended. Section 603.2 of the Uniform

Plumbing Code is amended to read as follows:

603.2 Approval of Devices or Assemblies. Before a device or an assembly is installed for the prevention of backflow, it shall have first been approved by the Authority Having Jurisdiction. [Devices or assemblies shall be tested in accordance with recognized standards or other standards acceptable to the Authority Having Jurisdiction.] Backflow prevention devices and assemblies shall comply with Table 603.2, except for specific applications and provisions as stated in Section 603.5.1 through Section 603.5.21.

Devices or assemblies installed in a potable water supply system for protection against backflow shall be maintained in good working condition by the person or persons having control of such devices or assemblies. [Such devices or assemblies shall be tested at the time of installation, repair, or relocation and not less than on an annual schedule thereafter, or more often where required by the

Authority Having Jurisdiction.] Where found to be defective or inoperative, the device or assembly must be repaired or replaced. No device or assembly shall be removed from use or relocated or other device or assembly substituted, without the approval of the Authority Having Jurisdiction.

[Testing or maintenance shall be performed by a certified backflow assembly tester or repairer in accordance with ASSE Series 5000 or otherwise approved by the Authority Having Jurisdiction.]

16.20C.603.4.2 Subsection 603.4.2 amended. Section 603.4 of the Uniform Plumbing Code is amended by amending subsection 603.4.2 to read as follows:

603.4.2 Testing. The premise owner or responsible person shall maintain [have] the backflow prevention assembly in good working condition. The Authority Having Jurisdiction over the water system being protected by the backflow prevention assembly may require [tested] testing by a certified backflow assembly tester at the time of installation, repair, or relocation or periodic testing as needed to ensure the proper function of the backflow prevention assembly. [and not less than on an annual schedule thereafter, or more often where required by the Authority Having Jurisdiction.] The [periodic] testing shall be performed in accordance with the procedures referenced in ASSE Series 5000 by a tester qualified in accordance with those standards.

16.20C.609.6 Section 609.6 deleted. Chapter 6 of the Uniform Plumbing Code is amended by deleting section 609.6.

16.20C.609.7 Section 609.7 deleted. Chapter 6 of the Uniform Plumbing Code is amended by deleting section 609.7.

16.20C.609.11 Section 609.11 deleted. Chapter 6 of the Uniform Plumbing Code is amended by deleting section 609.11 and all of its subsections.

16.20C.612.0 Section 612.0 deleted. Chapter 6 of the Uniform Plumbing Code is amended by deleting section 612.0 and all of its subsections.

16.20C.702.1.1 Subsection 702.1.1 added. Section 702.1 of the Uniform

Plumbing Code is amended by adding subsection 702.1.1 to read as follows:

702.1.1 Bathtub to Shower Retrofits. For a bathtub to shower retrofit, a 1 1/2"(40 mm) trap and trap arm must be permitted for showers with a maximum size of 36 inches (914 mm) in width and 60 inches (1524 mm) in length and a dam/threshold of not less than 3 inches (76.2 mm) in height.

16.20C.715.1 Section 715.1 amended. Section 715.1 of the Uniform

Plumbing Code is amended to read as follows:

715.1 Materials. The building sewer, beginning [2 feet (610 mm)] 5 feet (1524 mm) from a building or structure, shall be of such materials as prescribed in this code.

16.20C.718.3 Section 718.3 amended. Section 718.3 of the Uniform

Plumbing Code is amended to read as follows:

718.3 Protection from Damage. No building sewer or other drainage piping or part thereof, which is constructed of materials other than those approved for use under or within a building or building foundation line, shall be installed under or within [2 feet (610 mm)] 5 feet (1524 mm) of a building or structure, or part thereof, nor less than 1 foot (305 mm) below the surface of the ground. The provisions of this subsection include structures such as porches and steps, whether covered or uncovered; breezeways; roofed porte cocheres; roofed patios; carports; covered walks; covered driveways; ground floor parking garages; and similar structures or appurtenances.

16.20C.721.1 Section 721.1 amended. Section 721.1 of the Uniform

Plumbing Code is amended to read as follows:

721.1 Building Sewer. [Except as provided in Section 721.2, no building sewer shall be located in a lot other than the lot that is the site of the building or structure served by such sewer nor shall a] No building sewer shall be located at a point having less than the minimum distances referenced in Table 721.1.

16.20C.721.2 Section 721.2 deleted. Chapter 7 of the Uniform Plumbing

Code is amended by deleting Section 721.2.

16.20C.813.1 Section 813.1 amended. Section 813.1 of the Uniform

Plumbing Code is amended to read as follows:

813.1 General. [Pipes carrying wastewater from swimming or wading pools, including pool drainage and back-wash from filters, shall be installed as an indirect waste. Where a pump is used to discharge waste pool water to the drainage system, the pump discharge shall be installed as an indirect waste.] Pool wastewater, including pool drainage and back-wash from filters, must not be directly or indirectly discharged to the sanitary sewer system. Pool wastewater must be discharged in a manner and location approved by the Authority Having Jurisdiction.

16.20C.814.1 Section 814.1 amended. Section 814.1 of the Uniform

Plumbing Code is amended to read as follows:

814.1 Condensate Disposal. Condensate from air washers, air-cooling coils, condensing appliances, and the overflow from evaporative coolers and similar water-supplied equipment or similar air-conditioning equipment shall be collected and discharged to an approved plumbing fixture or disposal area. Where discharged into the drainage system, equipment shall drain by means of an indirect wastepipe. The waste pipe shall have a slope of not less than 1/8inch per foot (10.4 mm/m) or 1 percent slope and shall be of approved corrosion-resistant material not smaller than the outlet size in accordance with Section 814.3 or Section 814.4 for air-cooling coils or condensing appliances, respectively. Condensate or wastewater shall not drain over a public way and must not be discharged to a sanitary drainage system or building sewer unless otherwise approved by the Authority Having Jurisdiction.

16.20C.906.1 Section 906.1 amended. Section 906.1 of the Uniform

Plumbing Code is amended to read as follows:

906.1 Roof Termination. Each vent pipe or stack shall extend through its flashing and must terminate vertically not less than 6 inches (152 mm) above the roof nor less than 1 foot (305 mm) from a vertical surface. [ABS and PVC piping exposed to sunlight shall be protected by water based synthetic latex paints.]

16.20C.913.0 Section 913.0 added. Chapter 9 of the Uniform Plumbing

Code is amended by adding a new section 913.0 to read as follows:

913.0 Air Admittance Valves.

913.1 General. Vents must be permitted to terminate with the use of an air admittance valves where installed in accordance with this section. Individual air admittance valves must comply with ASSE 1051.

913.1.1 Vent Required. A minimum of one appropriately sized stack vent or vent stack must extend to the open air on every building and vent system utilizing air admittance valves.

913.2 Installation. Air admittance valves must be installed in accordance with the manufacturer's installation instructions.

913.3 Where Permitted. Individual air admittance valves must be allowed for use on island sinks, washing machines, or washing machine and laundry tray in a set installed on the exterior of a residential structure or dwelling.

913.4 Location. Individual air admittance valves on island sinks must be located not less than 4 inches (102 mm) above the horizontal branch line or fixture drain being vented. Washing machine air admittance valves must be installed above the flood level rim of the washing machine. Air admittance valves must be installed not less than 6 inches (152 mm) above any insulation materials.

913.5 Access and Ventilation. Air admittance valves must be accessible. The valves must be located within a ventilated space that allows air to enter the valve.

913.6 Size. The air admittance valve must be sized for the fixture unit discharge and drainage pipe size of the connected drain.

913.7 Prohibited Installation. Air admittance valves must not be installed in the following applications.

- 1. Vents for chemical or special waste systems.**
- 2. Vent sumps or receiving tanks.**
- 3. Located in supply or return plenums.**

16.20C.1007.1 amended. Section 1007.1 of the Uniform Plumbing Code

is amended to read as follows:

1007.1 General. Floor drains or similar traps directly connected to the drainage system [and subject to infrequent use] shall be protected with a trap seal primer, or a barrier type trap seal device. [except where not deemed necessary for safety or sanitation

by the Authority Having Jurisdiction.] Trap seal primers shall be accessible for maintenance.

16.20C.1101.1 Section 1101.1 amended. Section 1101.1 of the Uniform

Plumbing Code is amended read as follows:

1101.1 Applicability. This chapter shall govern the materials, design, and installation of building storm water drainage systems.

16.20C.1101.2 Section 1101.2 deleted. Chapter 11 of the Uniform

Plumbing Code is amended by deleting Section 1101.2.

16.20C.1101.6 Section 1101.6 deleted. Chapter 11 of the Uniform

Plumbing Code is amended by deleting Section 1101.6 and all its subsections.

16.20C.1101.7 Section 1101.7 deleted. Chapter 11 of the Uniform

Plumbing Code is amended by deleting Section 1101.7.

16.20C.1101.8 Section 1101.8 deleted. Chapter 11 of the Uniform

Plumbing Code is amended by deleting Section 1101.8.

16.20C.1101.9 Section 1101.9 deleted. Chapter 11 of the Uniform

Plumbing Code is amended by deleting Section 1101.9.

16.20C.1101.10 Section 1101.10 deleted. Chapter 11 of the Uniform

Plumbing Code is amended by deleting Section 1101.10.

16.20C.1101.11 Section 1101.11 deleted. Chapter 11 of the Uniform

Plumbing Code is amended by deleting Section 1101.11.

16.20C.1101.12.1 Subsection 1101.12.1 amended. Section 1101.12 of

the Uniform Plumbing Code is amended by amending subsection 1101.12.1 to read as follows:

1101.12.1 Primary Roof Drainage. Roof areas of a building shall be drained by roof drains or gutters. The location and sizing of drains and gutters shall be coordinated with the structural design and pitch of the roof. Unless otherwise required by the Authority Having Jurisdiction, roof drains, gutters, vertical conductors or leaders, and horizontal storm drains for primary drainage shall be sized based on a storm of 60 minutes duration and 100 year return period. Refer to [Table D 101.1 (in Appendix D) for 100 year, 60 minute storms at various locations] the latest rainfall data provided by the National Weather Service.

16.20C.1101.14 Section 1101.14 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1101.14.

16.20C.1101.15 Section 1101.15 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1101.15 and all its subsections.

16.20C.1101.16 Section 1101.16 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1101.16 and all its subsections.

16.20C.1103.0 Section 1103.0 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1103.0 and all its subsections.

16.20C.1104.0 Section 1104.0 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1104.0 and all its subsections.

16.20C.1105.0 Section 1105.0 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1105.0 and all its subsections.

16.20C.1210.1.6 Subsection 1210.1.6 amended. Section 1210.1.6 of the Uniform Plumbing Code is amended by amending subsection 1210.1.6 to read as follows:

1210.1.6 Piping Underground Beneath Buildings.

Where gas piping is installed underground beneath buildings, it shall be encased in an independent concrete jacket with a minimum wall thickness of one and one-half (1-1/2) of an inch (38.1 mm). The protective coating must extend at least one (1) inch (25.34

mm) above the point of entry into the slab and above the point of exit from the slab for the appliance riser. The piping must not be in physical contact with other metallic objects such as reinforcing rods or electrical neutral conductors. [The piping shall be either of the following:

(1) Encased in an approved conduit designed to withstand the imposed loads and installed in accordance with Section 1210.1.6.1 or Section 1210.1.6.2.

(2) A piping or encasement system listed for installation beneath buildings. [NFPA 54:7.1.6]]

1210.1.6.1 Conduit with One End Terminating Outdoors.

The conduit must extend into an accessible portion of the building and, at the point where the conduit terminates in the building, the space between the conduit and gas piping shall be sealed to prevent the possible entrance of a gas leakage. Where the end sealing is of a type that retains the full pressure of the pipe, the conduit shall be designed for the same pressure as the pipe. The conduit shall extend at least four inches (102 mm) outside the building, be vented outdoors above finished ground level, and be installed to prevent the entrance of water and insects. [NFPA 54:7.1.6.1]

1210.1.6.2 Conduit with Both Ends Terminating Indoors.

Where the conduit originates and terminates within the same building, the conduit shall originate and terminate in an accessible portion of the building and shall not be sealed. [NFPA 54:7.1.6.2]

16.20C.1210.1.8 Subsection 1210.1.8 added. Section 1210.1 of the

Uniform Plumbing Code is amended by adding subsection 1210.1.8 to read as follows:

1210.1.8 Caution Tape. Caution tape with the words “Caution Gas Line Buried Below” or similar must be installed approximately six inches (152 mm) above the buried gas line.

16.20C.1301 Chapter 13 deleted. Chapter 13 of the Uniform Plumbing Code is deleted in its entirety.

16.20C.1401 Chapter 14 replaced. Chapter 14 of the Uniform Plumbing Code is deleted in its entirety and replaced with the following:

1401.0 General.

1401.1 Applicability. Piping penetrations of required fire-resistance-rated walls, partitions, floors, floor/ceiling assemblies, roof/ceiling assemblies, or shaft enclosures must be protected in accordance with the requirements of the building code.

16.26C.1701 – Appendix D deleted. Appendix D, pertaining to sizing storm water drainage systems, is deleted.

16.26C.1702 – Appendix E deleted. Appendix E, pertaining to manufactured/mobile home parks and recreational vehicle parks, is deleted.

16.26C.1703 – Appendix F deleted. Appendix F, pertaining to firefighter breathing air replenishment systems, is deleted.

16.26C.1704 – Appendix G deleted. Appendix G, pertaining to sizing of venting systems, is deleted.

16.26C.1705 – Appendix H deleted. Appendix H, pertaining to private sewage disposal systems, is deleted.

16.26C.1706 – Appendix J deleted. Appendix J, pertaining to combination of indoor and outdoor combustion and ventilation opening design, is deleted.

16.26C.1707 – Appendix K deleted. Appendix K, pertaining to potable rainwater catchment systems, is deleted.

16.26C.1708 – Appendix L deleted. Appendix L, pertaining to sustainable practices, is deleted.

16.26C.1709 – Appendix M deleted. Appendix M, pertaining to peak water demand calculator, is deleted.”

SECTION 4. Work performed under a permit issued before the effective date of this Ordinance and that is inspected on or after the effective date must

be approved if it meets the requirements of either Chapter 16.26C, Maui County Code, or the chapter in the Maui County Code being replaced by this Ordinance.

SECTION 5. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 6. This Ordinance takes effect on approval.

APPROVED AS TO FORM
AND LEGALITY:

/s/ Michael J. Hopper
MICHAEL J. HOPPER
Deputy Corporation Counsel

it:misc:098abill04:lma

DIGEST

ORDINANCE NO. _____
BILL NO. 59, CD1, FD1 (2022)

A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.20B,
MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 16.20C,
MAUI COUNTY CODE, RELATING TO THE PLUMBING CODE

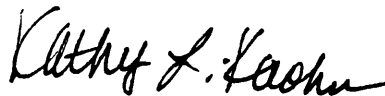
This bill proposes to update the County's Plumbing Code to incorporate the Uniform Plumbing Code, 2018 Edition, with additional revisions recommended by the Department of Public Works.

I, KATHY L. KAOHU, County Clerk of the County of Maui, State of Hawaii, DO
HEREBY CERTIFY that the foregoing BILL NO. 59, CD1, FD1 (2022) was passed on
First Reading by the Council of the County of Maui, State of Hawaii, on the 22nd day of
April, 2022, by the following vote:

AYES: Councilmembers Gabriel Johnson, Natalie A. Kama, Kelly T. King,
Michael J. Molina, Tamara A. M. Paltin, Shane M. Sinenci,
Yuki Lei K. Sugimura, Vice-Chair Keani N. W. Rawlins-Fernandez,
and Chair Alice L. Lee.

NOES: None.

DATED at Wailuku, Maui, Hawaii, this 27th of April, 2022.



KATHY L. KAOHU, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk,
County of Maui, for use and examination by the public.