

An Ordinance to implement and enforce the State Plumbing Code (Code of Maryland Regulations 09.20 State Board of Plumbing) as the Local Plumbing Code for Somerset County.

WHEREAS, Section 12-206 (Enforcement of Plumbing Codes) of The Business Occupations and Professions Article of the Annotated Code of Maryland, requires that a County shall adopt a Local Plumbing Code or enforce the State Plumbing Code; and

WHEREAS, Article 25 Section 3 (t-1) of the Maryland Annotated Code grants authority for Somerset County to adopt a plumbing code, provides for inspections and enforcement of the Code and to make reasonable charges for permits and inspections; and

WHEREAS, The Somerset County Commissioners have considered the adoption of a Local Plumbing Code versus the adoption of the State Plumbing Code as the County Code; and

WHEREAS, The Somerset County Commissioners have considered the hiring of qualified personnel to enforce a plumbing Code versus contracting with a qualified company to perform the plumbing inspection services; and

WHEREAS, The Somerset County Commissioners have discussed the issuance of plumbing permits and establishment of certain inspection fees.

BE IT THEREFORE RESOLVED by the Board of County Commissioners for Somerset County, Maryland, acting pursuant to the authority of Article 25 Section (t-1) and upon the expressed requirements of Section 12-206 of the Business Occupations and Professions Article of the Annotated Code of Maryland as follows:

SECTION I

That the Board of County Commissioners for Somerset County shall implement and enforce the State Plumbing Code as the Somerset County Plumbing Code:

- A. Before any person, firm or corporation shall undertake to perform Plumbing tasks, or to make any sewer connection to a public sewer within the jurisdiction of Somerset County, he, she, or they shall:

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1. Provide evidence that he, or a designated representative of the firm or corporation, continuously, actively engaged in the work of plumbing, has a valid Master Plumbers License issued by the State of Maryland, in accordance with Section 12-101 of the Business, Occupations and Professions Article of the Annotated Code of Maryland.
 2. A homeowner may install his own plumbing up to final connections. The work must be done in accordance with the State Plumbing Code.
- B. All persons, firms or corporations working within the jurisdiction of Somerset County will faithfully observe and comply with the State of Maryland Plumbing Regulations. Violations of these regulations shall constitute grounds for refusal of the issuance of permits. Continuous violations of the plumbing laws shall be reported to the State of Maryland Plumbing Licensing Department with a recommendation that appropriate action be taken. Should such recommendations become necessary, no additional Plumbing Permits will be issued pending final Board action.

SECTION II

The Board of County Commissioners for Somerset County, by Resolution, shall provide for the necessary inspections to implement the enforcement of the State Plumbing Code within Somerset County, establish inspection fees, and establish a permit application fee.

SECTION III

The Board of County Commissioners for Somerset County shall create the Somerset County Plumbing Board of seven members and appoint its members as follows:

- (a) Initial term of the Board shall be from the effective date of this Ordinance until July 1, 1991.
- (b) The Board shall consist of seven members.

(c) Effective July 1, 1991, the terms of the Board members shall be staggered by the Plumbing Board as follows:

2 Members - 1 Year

2 Members - 2 Years

3 Members - 3 Years

(d) Subsequent appointments or reappointments, following the initial staggered terms, shall be for three year terms.

SECTION IV

Members of the Somerset County Plumbing Board shall elect the following officers annually from its own membership as follows:

Chairman

Vice-Chairman

Secretary

The Somerset County Plumbing Board shall have the following duties and responsibilities related to this Ordinance:

- (a) The Board shall serve as an appeals mechanism for interpretation of the Somerset County Plumbing Code.
- (b) The Board shall serve as an appeal mechanism for inspection/implementation issues.
- (c) The Board shall review the Somerset County Plumbing Code and related implementation policies and make recommendations to the Board of County Commissioners as is necessary. Such a review shall be conducted on an annual basis.
- (d) The Board may have other related duties assigned by the Board of County Commissioners as deemed appropriate.

SECTION V

The Somerset County Plumbing Board shall function under the administrative assistance of the Somerset County Department of Technical and Community Services. The Department shall establish operational procedures for the Plumbing Board, application procedures for plumbing permits, procedures for collection of plumbing and inspection fees, and prepare the necessary operational reports for the Board of County Commissioners.

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SECTION VI

Failure to comply to the terms of this Ordinance shall be deemed a violation of the State of Maryland Plumbing Code with all remedies available applying to such infractions.

Somerset County reserves the right to pursue such violations in any other manner as is necessary including but not limited to civil citations, court injunctions and civil proceedings to assure compliance to this Ordinance.

SECTION VII

Should any section or part of a section or provision of the Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, this shall not affect the validity of any other section or part of a section or provision of this Ordinance, or the Ordinance as a whole, other than the part so declared to be invalid or unconstitutional.

SECTION VIII

This Ordinance shall be effective on July 1, 1991.

BOARD OF COUNTY COMISSIONERS
FOR SOMERSET COUNTY.

Phillip L. Gerald

Phillip L. Gerald, President

ATTEST:

Charles E. Massey
Charles E. Massey, Clerk

M. William Ward
M. William Ward, Vice President

Charles F. Fisher
Charles F. Fisher, Commissioner

Clarence I. Laird
Clarence I. Laird, Commissioner

James N. Ring
James N. Ring, Commissioner

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