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## Regulation of Plumbing

*Local Law No. 9, 1988, as amended by Local Law No. 6, 2004*  
(Local Law No. 6, 2004 provides for transfer of the plumbing function from the Onondaga County Department of Health to the Onondaga County Department of Water Environment Protection effective March 20, 2004)

Onondaga County, New York  
A local law of the County of Onondaga  
**Establishing rules, regulations, and fees for plumbing installations**

BE IT ENACTED by the Onondaga County Legislature, Onondaga County, State of New York, as follows:

### **Section 1. Definition of Terms**

Whenever used in any Onondaga County Department of Water Environment Protection Local Law, the following respective terms, unless otherwise therein expressly defined, shall mean and include each of the meanings herein respectively set forth.

- (a) Mechanical Trade Section:** That section of the Onondaga County Department of Water Environment Protection that enforces the plumbing code of the County of Onondaga as well as any publication amendatory thereof or supplementary thereto.
- (b) Local Law or Ordinance:** Any local law or ordinance duly adopted and posted as an Onondaga County Department of Water Environment Protection Local Law or Ordinance.
- (c) Owner:** Any person, firm, association, co-partnership or other entity have title to land, with or without buildings, within the County of Onondaga.
- (d) Examining Board for Plumbers:** A ten member board created by the Board of Supervisors as per Resolution No 167 dated April 3, 1967.
- (e) Plumbing Inspector:** Any person duly appointed by the Onondaga County Commissioner of Water Environment Protection or his agents as a Plumbing Inspector.
- (f) Permits:** A Plumbing Permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms of the conditions thereof.
- (g) Person:** Any natural person, corporation, company, association, joint stock association, firm, co-partnership or other entity.

**(h) Code:** The Onondaga County Plumbing Code shall consist of the general provisions and definitions pertaining to the plumbing requirements (including facilities for the physically handicapped) that are contained within the New York State Fire Prevention and Building Code in addition to any and all requirements for the implementation of said Code as set forth by the Onondaga County Examining Board for Plumbers.

**(i) Certificate Holder:** Any person who has qualified himself with the Onondaga County Examining Board for Plumbers as competent to engage in the business of plumbing in Onondaga County and has met all current requirements of the Onondaga County Department of Water Environment Protection.

**(j) Journeyman Plumber:** Any person who has met the requirements of the Onondaga County Examining Board for Plumbers and has further met all current requirements of the Onondaga County Department of Water Environment Protection.

## **Section 2. Regulations**

### **(a) Permits:**

1. Only those persons who are certified as competent by the Onondaga County Examining Board for Plumbers as Master Plumbers, Plumbing Contractors Class B or Plumbing Contractors Class C and are duly licensed as such by the Onondaga County Department of Water Environment Protection may obtain Permits for installing plumbing in the County of Onondaga except as otherwise provided in this section. Any person who obtains a Permit for any other individual, partnership or corporation violates this local law. A Permit must be obtained from the Onondaga County Department of Water Environment Protection before starting any work under this authority.
2. Homeowners may be issued a Permit in compliance with subdivision 4- article (b) of Section 2.

### **(b) Installations:**

All work under this authority may be done only pursuant to a duly issued permit by the Onondaga County Department of Water Environment Protection and must be performed by:

1. Properly licensed Master Plumbers or Class B or C plumbing contractors.
2. Properly licensed journeyman plumbers.
3. Properly registered apprentice plumbers.
4. Any person who desires to remodel add-to or in any way alter the plumbing system in his or her own home under the following conditions:
  - a. The title to said premises must be either in the name of the person to do the work or jointly in the name of his or her spouse.
  - b. Said home must be no larger than one family size.
  - c. Said person must submit a letter of intent and request to the Plumbing Control Section for permission and approval.
  - d. All work done by said person must be inspected by an Onondaga County Plumbing Inspector and must conform to local code.
  - e. It shall be prohibited for any such person to connect a private sewer to any public sewer within the County of Onondaga.

### **Section 3. Fees**

[See WEP website for current fee schedule: <http://www.ongov.net/WEP/we1602.html>.]

### **Section 4. Violations**

The following are hereby deemed to be violations of this local law:

- (a) Any person who installs plumbing work within the County without first obtaining a permit as set forth in 2.
- (b) Any person who installs plumbing work within the County of Onondaga without inspection, approval and conformity to the code. Each violation of the code shall constitute a separate violation of this Local Law.
- (c) Any person who installs plumbing work within Onondaga County and does not comply with paragraph (b) of this law.
- (d) Any person who allows harmful deposits (as defined by the Code) to enter any of the Onondaga County Sanitary District Sewers.

### **Section 5. Penalties Civil and Criminal**

Any person, firm, association, co-partnership, corporation or other entity violating any of the provisions of this Local Law, or any rule or regulation therein contained, shall be guilty of an offense and shall, upon conviction thereof, be liable to a penalty or fine of not more than Five Hundred Dollars (\$500.00) or imprisonment for not more than one hundred (100) days or both; Such fine and imprisonment for each and every offense.

In lieu of criminal action against any person, firm or corporation for any such violations, a fine or penalty in an amount not to exceed Five Hundred Dollars (\$500.00) for each violation may be recovered by the County of Onondaga and in addition thereto any Permit issued pursuant to the provisions of such regulations may be suspended or revoked for violations of said provisions, or otherwise when deemed necessary for the protection of public health, all as provided in Section 6 of this Local Law.

### **Section 6. Civil Enforcement**

In regard to all violations of this Local Law and penalties there under, the Onondaga County Commissioner of Water Environment Protection shall have authority to hold hearings, make findings of fact, determine whether violations of the Local Law have occurred, make orders and assess penalties in accordance with the following provisions:

1. The Commissioner shall cause a formal hearing to be held on any complaint, circumstances, or alleged violation of this Local Law prior to issuing any determination or order, fine or penalty.
2. Such formal hearing shall be on 10 days notice to the person or persons concerned, as the circumstances may require, and shall be set down for a day certain: a. The notice of the hearing shall set forth: (1) the time and place of the hearing; (2) the purpose of the hearing; (3) charges and violations complained of, if any, with specific reference to the provisions and sections of the involved; (4) the right to present evidence; (5) the right to examine and cross examine witnesses; (6) the right to be represented by counsel.
3. On the return day of the hearing, the commissioner or his authorized representative, including any member of the Examining Board for Plumbers, shall note the appearance of the persons attending the hearing. a. Witnesses shall be sworn and testimony shall be recorded b. The testimony shall be transcribed within a reasonable time after the conclusion of the hearing.

4. The commissioner, or his authorized representative, including any member of the Examining Board for Plumbers shall thereafter prepare findings of facts and conclusions, upon which the commissioner shall make a determination and decision, which shall be set forth in a formal order, setting forth the determination conditions, if any, to be complied with, and penalties, if any.
5. The order provided for in subdivision 4 of this section shall be filed in the department and a copy thereof shall be served on all persons concerned.
6. The penalty provided for may be sued and recovered by the Onondaga County Commissioner of Water Environment Protection in any Court of competent jurisdiction.

#### **Section 7. Repealer**

Upon enactment of this Local Law, Local Law No. 10 1982 is hereby repealed and superseded.

#### **Section 8. Effective Date**

This Local Law shall take place immediately upon proper filing pursuant to Section 27 of the Municipal Home Rule Law