

CHAPTER 145.

PLUMBING.

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145.01 Definitions. (1) **PLUMBING.** In this chapter, "plumbing" means and includes:

(a) All piping, fixtures, appliances and appurtenances in connection with the water supply and drainage systems within a building and to a point from three to five feet outside of the building.

(b) The construction and connection of any drain or waste pipe carrying domestic sewage from a point within three to five feet outside of the foundation walls of any building with the sewer service lateral at the curb or other disposal terminal, including private domestic sewage treatment and disposal systems and the alteration of any such system, drain or waste pipe, except minor repairs to faucets, valves, pipes, appliances and removing of stoppages.

(c) The water service piping from a point within 3 to 5 feet outside of the foundation walls of any building to the mains in the street, alley or other terminal and the connecting of domestic hot water storage tanks, water softeners, and water heaters with the water supply system.

(d) The water pressure system other than municipal systems as provided in chapter 144.

(e) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement, and to prevent with a margin of safety unequal air pressures of such force as might blow, syphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building.

(2) **MASTER PLUMBER.** A master plumber is any person skilled in the planning, superintending and the practical installation of plumbing and familiar with the laws, rules and regulations governing the same.

(3) **JOURNEYMAN PLUMBER.** A journeyman plumber is any person other than a master plumber, who is engaged in the practical installation of plumbing.

(4) **APPRENTICE.** A plumber's apprentice is any person other than a journeyman or master plumber who is engaged in learning and assisting in the installation of plumbing and drainage.

(5) **BOARD.** Board means the state board of health.

145.02 Powers of board. (1) The construction, installation and maintenance of plumbing in connection with all buildings in this state, including buildings owned by the state or any political subdivision thereof, shall be safe, sanitary and such as to safeguard the public health.

(2) The board shall have general supervision of all such plumbing and shall after ten days' notice in the official state paper and public hearing, prescribe, and publish and enforce minimum, reasonable standards therefor which shall be uniform so far as practicable. The state health officer or any employe designated by the board may act for the board in holding such public hearing.

(3) The board may exercise such powers as are reasonably necessary to carry out the provisions of this chapter. It may, among other things:

(a) Employ competent supervisors who shall be licensed plumbers, and other assistants, prescribe their qualifications and assign their duties. Except in the adoption of rules and regulations, the state health officer may act for the board.

(b) Conduct investigations and experiments for the advancement of technical knowledge relating to plumbing and may hold public meetings and attend or be represented at such meetings within or without the state.

(c) Enter and inspect at reasonable hours plumbing installations on private or public property and may disseminate information relative to the provisions of this chapter.

(d) Prepare and cause to be printed such codes, bulletins or other documents as may be necessary and furnish copies thereof to those engaged in the plumbing business and to the public upon request.

(e) Furnish upon request of the owner of the building or of the plumber making the plumbing installation, recommendations or a certificate of inspection.

(4) The board shall prescribe rules and regulations as to the qualifications, examination and licensing of master and journeyman plumbers and for the registration of plumbing apprentices. On March first of each year the board shall prepare a list giving the names and addresses of all licensed plumbers and registered plumbing apprentices.

145.03 Powers of board. (1) **EXAMINERS, TERM, DUTIES, PAY.** The board shall within thirty days after the taking effect of this chapter appoint, and may remove for cause, a committee of examiners consisting of three members, prescribe their qualifications and assign their duties, one of whom shall be a master plumber, one a journeyman plumber and one an employe of the board. The term of office shall be for a term of two years. Such examiners shall be exempt from the provisions of chapter 16. The said committee of examiners and other employes of the board shall when so directed, serve the board in an advisory capacity in the formulating of rules and regulations to be adopted by the board. Each member of the committee of examiners who is not an employe of the board shall be paid a per diem of ten dollars per day for the actual number of days served by such member in the performance of his duties, and in addition thereto shall be reimbursed his actual expenses necessarily incurred in the performance of his duties, such per diem and expenses to be paid from the appropriation to the state board of health in subsection (3) of section 20.43.

(2) **APPRENTICESHIP.** The board may determine and prescribe the conditions under which any person may serve a plumbing apprenticeship, as to preliminary and vocational school attendance requirements, and the credit for such school attendance in serving such an apprenticeship. Every person, regardless of age, commencing a plumbing apprenticeship after July 1, 1943, shall be indentured under chapter 106. The term of a plumbing apprentice shall be 5 years, but the industrial commission or the board may upon application of the apprentice or his employer or both extend such term for not to exceed one additional year. After the expiration of an apprenticeship term, no apprentice shall engage in the business of plumbing either as an apprentice or as a journeyman plumber unless after the expiration of the apprenticeship term he secures a journeyman plumber's license. In case of failure to pass the examination for such license, he may continue to serve as an apprentice but not beyond the time for reexamination for a journeyman plumber's license as prescribed by the rules and regulations of the state board of health. In order that the apprentice may qualify at the end of his apprenticeship as a skilled mechanic in the art of installing plumbing work, the board may prescribe the character of plumbing work that the apprentice may do during the fourth and fifth year under the direction or supervision of a master or journeyman plumber without either such master or journeyman being physically present, provided that the master plumber in charge shall be responsible for all such work.

(3) **TEMPORARY PERMITS.** The board may issue temporary revocable permits to master and journeyman plumbers pending examination, and for such purpose may appoint agents without compensation or may authorize one of its examiners or plumbing supervisors to hold a special permit examination, the result of which to be reported to the board in writing. The board may make rules and prescribe procedure governing the issuance of such permits.

Officials and employes are entitled to per actually and necessarily engaged in official diems for days spent in traveling to and duties whether in official meetings or other- from official meetings and for days when wise. 41 Atty. Gen. 190.

145.04 Waterworks and sewerage. (1) **ORDINANCE RULES.** A city of the first, second or third class having a system of waterworks or sewerage shall, and a village or city of the fourth class or any township or county or any metropolitan sewerage commission may, by ordinance, prescribe rules and regulations to safeguard the public health, not in conflict with the minimum standards prescribed by the board for the materials, construction, alteration and inspection of pipes, tanks and fixtures by which supply or waste water or sewage is used or carried, and provide that they shall not be placed in any building except in accordance with plans approved by the board of public works, where such board exists, or the board of health or such authority as the board or any metropolitan sewerage commission may designate, and that no plumbing shall be done, except repairing leaks, without permit upon prescribed conditions.

(2) **NO LOCAL LICENSES.** No city, village, township, county or metropolitan sewerage district commission shall require the licensing of plumbers or prohibit plumbers licensed under this chapter from engaging in or working at the business of plumbing.

(3) **REPORTS TO BOARD.** The authorities of any such city or metropolitan sewerage district shall report to the state board of health each failure on the part of a state licensed plumber to qualify as a journeyman or master plumber and each wilful violation of any plumbing regulation.

145.05 Plumbing supervisors, supervision. (1) The council of a city of the first, second or third class, having a system of waterworks or sewerage, or the officer or board in charge, shall appoint one or more plumbing supervisors, who shall be licensed plumbers, and unless under civil service shall serve for a term of 4 years or more subject to removal for just cause except as otherwise provided by ordinance when first appointed, but need not renew their licenses while they continue in office. The council of a city of the fourth class and the board of a village, township, county or the commissioner in charge of any metropolitan sewerage district may appoint one or more plumbing supervisors who shall be practical plumbers, skilled sanitarians, or competent persons familiar with plumbing and unless under civil service shall serve for a term of 4 years or more subject to removal for just cause except as otherwise provided by ordinance. They shall supervise all plumbing, new or alterations or repairs, and report to the appointing body violations of regulations, and perform such other appropriate duties as may be required. Their compensation shall be fixed by the council, board or commission.

(2) Where a system of waterworks or sewerage has been or shall be established in any city, village, town or metropolitan sewerage district which has not provided for a board or officer to supervise plumbing, drainage and sewerage, the board shall take immediate and entire control of plumbing, drainage and sewerage intended to be connected with public sewer or waterworks, and exercise all the powers conferred by this section until such municipalities or district provides for such supervision.

145.06 License required. (1) No person shall engage in or work at plumbing in any city or village having a system of waterworks and sewerage or in any metropolitan sewerage district or in any area platted under chapter 236 adjacent to such city or village unless licensed to do so by the board. A master plumber may work as a journeyman. No person shall act as a plumber's apprentice unless registered with the board.

(2) In such city or village, metropolitan sewerage district or in any area platted under chapter 236 adjacent to such city or village, no person, firm or corporation shall install plumbing unless at all times a licensed master plumber is in charge, who shall be responsible for proper installation. Licenses shall be issued only to individuals and no license shall be issued to or in the name of any firm or corporation. No such license shall be transferrable. It shall be unlawful for any licensed master plumber to allow the use of his license, directly or indirectly for the purpose of obtaining local permits for others. Nor shall he allow the use of his license by others to install plumbing work.

(3) Each member or employe of a copartnership or each officer or employe of a corporation engaging in the business of superintending plumbing installations shall be required to apply for and obtain a master plumber's license before engaging in the work of superintending plumbing installations.

A conviction of a person, who was not a master plumber, for installing plumbing by connecting water softeners to the water-supply system, without a licensed master plumber in charge, is set aside for failure of proof that a master plumber was not in charge. *State v. Clack*, 257 W 167, 42 NW (2d) 491. 36 Atty. Gen. 381 reconsidered and modified to conform to subsequent amendment of (1), by ch. 588, Laws 1949. 42 Atty. Gen. 113.

145.07 License examinations. (1) **EXEMPT PERSONS.** Any person heretofore not required to be licensed and who at the time of passage and publication of this act was engaged in or worked at the business of a master plumber in this state and as such owned a plumbing establishment or an interest therein shall be granted a master plumber's license without examination. Any journeyman plumber who was engaged at the time of the passage and publication of this act in the practical installation of plumbing and who is required to be licensed under this chapter shall be granted a journeyman plumber's license without examination. Applicants for either master or journeyman plumber's license under this subsection shall furnish the board with satisfactory evidence of qualification and make application therefor on a blank furnished by the board within ninety days after this section takes effect, and pay the prescribed license fees.

(2) **SEMIANNUAL.** Regular examinations shall be held at least twice each year and special examinations may be held at such time and place as may be fixed by the board.

(3) **APPLICATION.** Application for a master or journeyman plumber's examination, temporary permit or license shall be made to the board with fees. Unless the applicant

is entitled to a renewal of license, a license shall be issued only after the applicant passes a satisfactory examination showing fitness. No such license or permit shall be transferable.

145.08 Fees; expiration of license; registration. (1) The fees are as follows:

(a) For master plumber's examination, \$25. An applicant who fails upon examination shall be entitled to one re-examination without an additional fee. For each subsequent examination the fee shall be \$5.

(b) For master plumber's license, \$25 which shall be paid immediately upon notice from the board that the applicant has passed in examination. Upon failure to pay the license fee within 30 days after receiving such notice, no license shall be issued and the applicant shall again appear for examination and pay the examination fee. For each renewal of license, \$25, if application is made prior to February 1, annually; after that date an additional fee of \$5.

(c) For journeyman plumber's examination, \$5. An applicant who fails upon examination shall be entitled to one re-examination without an additional fee. For each subsequent examination the fee shall be \$5.

(d) For journeyman plumber's license \$5 and \$5 for each renewal of license if application is made prior to February 1, annually; after that date an additional fee of \$3.

(e) For temporary permit pending examination and issuance of license for master plumber, \$50; for journeyman \$10 and which shall also cover the examination fee prescribed and the license fee for the year in which issued.

(2) No license shall be issued for longer than one year and all licenses shall expire on December thirty-first in each year and such license may be renewed upon application made within 30 days preceding or following the date of expiration. The board may renew licenses upon application made after February first if it is satisfied that the applicant has good cause for not making application within the months of December or January, and upon payment of the renewal and additional fees prescribed.

(3) To establish a record of his beginning an apprenticeship every plumbing apprentice shall within 30 days after beginning of an apprenticeship register with the board without fees.

145.09 State comity. The board may, without examination and upon payment of the required fee, license an applicant to whom license was issued under the laws of any other state having provisions governing the licensing of plumbers which in the opinion of the board are substantially equivalent to the requirements of this chapter.

145.10 Investigations, hearings; suspension, revocation. (1) The board may on its own motion make investigations and conduct hearings and may, on its own motion or upon complaint in writing duly signed and verified by the complainant, and upon not less than ten days' notice to the licensee, suspend any plumber's license or temporary permit if it has reason to believe, and may revoke such license or permit in the manner hereinafter provided, if it finds that the holder of such license or permit has:

(a) Made a material misstatement in the application for license or renewal thereof or for temporary permit;

(b) Demonstrated incompetency to act as a plumber; or

(c) Has wilfully violated a second time any provisions of this chapter or any rule, regulation or order prescribed by the board.

(2) A copy of the complaint with notice of the suspension of license or permit, if ordered by the board, shall be served on the person complained against, and his answer thereto shall be filed, in the manner and within the time provided in subsection (3) of section 136.08, and the provisions of said subsection shall govern so far as applicable.

(3) No order revoking a license or permit shall be made until after a public hearing to be held before the board at the place, time and in the manner provided in section 136.09; and the procedure provided in said section for notice, conduct of hearing and determination by the board shall govern so far as applicable. One year after the date of revocation, application may be made for a new license.

145.11 Plumber's sign. (2) No person other than a licensed master plumber shall use or display the title "Master Plumber" or append his name to or in connection with such title or any other title or words which represent or may tend to represent him as a licensed master plumber. Every holder of such license shall promptly notify the board of any change of his business address.

145.12 Prohibitions and penalties. (1) Any person, firm or corporation who engages in or follows the business or occupation of, or advertises or holds himself or itself out as or acts temporarily or otherwise as a master plumber without first having secured the required license or permit, or who otherwise violates any provisions of this chapter, shall be

deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars or by imprisonment in the county jail for not less than thirty days, or by both such fine and imprisonment. Each day during which a violation continues shall be a separate offense.

(2) Any person who shall do any act prohibited in this chapter or fail to obey a lawful order of the board, or a judgment or decree of a court in connection with this chapter, shall be punished by imprisonment in the county jail for not more than three months or by a fine not exceeding one hundred dollars.

(3) Any master plumber who shall employ an apprentice on plumbing representing him to be a journeyman, or who shall charge for an apprentice a journeyman's wage, shall be punished by a fine of not more than twenty-five dollars, or by imprisonment in the county jail for not more than thirty days. Each day of violation shall be a separate offense.

145.13 Exceptions to section 145.06; promulgation of plumbers' code. (1) The provisions of section 145.06 shall not apply:

(a) To plumbing work done by a property owner in a building owned and occupied by him as his home, except where such license is required by local ordinance.

(b) To private residences and farm buildings located outside the incorporated limits of any city or village having either a public water or sewer system and outside areas platted under chapter 236 adjacent to such city or village and outside the limits of any metropolitan sewerage district.

(c) To state owned buildings except when the governing body having jurisdiction of any such state owned buildings shall so provide in its plan and specifications, or in its contracts for plumbing installations in either new or existing buildings.

(2) The provisions of the state plumbing code and amendments thereto as adopted by the board, defining plumbing work, prescribing minimum requirements for design, materials, appliances, workmanship and methods of installation shall after publication in the official state paper have the effect and force of law in the form of minimum standards state wide in application and shall apply to all types of buildings, private or public, rural or urban, including buildings owned by the state or any political subdivision thereof. All plumbing installations shall so far as practicable be made to conform with such code. Cities and villages may make additional regulations not in conflict with such code.