

gineering, agricultural engineering or other approved engineering curriculum related to plumbing. Such applicants shall submit their college transcripts to the department along with their licensure applications. Department acceptance of such applications shall be contingent upon the approval of the applicant's college transcripts.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.

ILHR 81.05 Plumbing licensure examinations. (1) GENERAL. Not less than 4 examinations for the licensing of journeyman and master plumbers and journeyman plumber and master plumbers-restricted shall be conducted annually at such time and place as the department may direct. Application forms for examination for licensure may be obtained from the department.

(2) APPLICATIONS. (a) All applications for licensure examination shall be received by the department at least 4 weeks prior to the date of the examination. Failure to have the application on file with the department within the required time shall necessitate postponement of the applicant's appearance to the next examination.

(b) All applications shall expire after a period of one year from the date of filing.

(c) All applicants for licensure examinations shall submit the appropriate proof of experience, skill and proof of completion of the required educational instruction as required by either s. ILHR 81.02 (5) or 81.03 (5) including, but not limited to, grades for competency examinations and course examinations.

Note: See s. ILHR 81.04 and ss. 145.07 and 145.09, Stats., for the types of experience, skill and instruction required.

(3) FEES. Fees for the examinations are regulated by s. 145.08, Stats. Fees for licensure examination shall be nonrefundable.

(4) NOTICE OF EXAMINATION TO APPLICANTS. Notice of the time and place of examination shall be sent by first class mail to those who have approved applications on file. Such notice shall be mailed to the address given on the application form and shall be presented by the applicant to gain admittance to the examination room. Failure to receive the notice due to change in address shall not be the responsibility of the department.

(5) NONATTENDANCE AT EXAMINATION. Failure to appear at a scheduled licensure examination without giving prior notice to the department shall necessitate the submittal of a reexamination fee in order to maintain a valid examination application.

(6) CHARACTER OF EXAMINATIONS. (a) The examination shall be conducted by the plumbers' council. The examination shall consist of written and practical tests. No oral examinations shall be given. The examination shall cover the theory and practice of plumbing, the interpretation of charts, blueprints and plans of plumbing installations, and such other tests as the committee may deem necessary.

(b) Examinations shall consist of the following:

1. Written work based on the state uniform plumbing code;

2. Chart work based on the state uniform plumbing code; and

3. Practical plumbing work.

(c) Applicants shall participate in all portions of examination and shall acquire a passing grade in each portion to become eligible for licensure. A grade of 75% or greater in each portion shall be considered a passing grade.

(d) The department may conduct oral reviews with applicants after completion of the examination.

(7) MATERIALS USED IN EXAMINATION. Applicants shall furnish the necessary tools and material for the examination as requested by the examiners.

(8) REEXAMINATION. (a) Qualified applicants failing a licensure examination may apply for reexamination in accordance with the procedures of sub. (2).

Note: Pursuant to ss. 145.03, 145.06, and 145.14, Stats., after the expiration of an apprenticeship term or a learner's registration term, no apprentice or registered learner may engage in or work at plumbing, unless the person secures a journeyman plumber license, a journeyman plumber-restricted license or is re-indentured as an apprentice or is re-registered as a learner.

(b) Applicants failing a licensure examination shall be reexamined only in those portions failed.

(9) APPLICATION FOR LICENSE. An applicant who has successfully passed a licensure examination may submit an application for the appropriate license within 60 days from the date the department has mailed the examination results. Failure to apply for a license within this time period shall necessitate reexamination.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; r. (8) (b), renun. (8) (c) to be (8) (b), Register, May, 1988, No. 389, eff. 6-1-88.

ILHR 81.06 Temporary permits. The department may issue a temporary permit upon receipt of a completed application and the appropriate fee for a qualified person to engage in plumbing work as a master plumber, master plumber-restricted, journeyman plumber or journeyman plumber-restricted. Applicants for temporary permits shall comply with all other applicable rules and statutes.

(1) SPECIAL EXAMINATION. (a) The department shall require passage of a special examination to determine the qualifications of an applicant before a temporary permit may be issued.

(b) Special examinations for temporary permits shall be conducted in accordance with s. ILHR 81.05 (6).

(2) EXPIRATION. Temporary permits shall become void upon the date of the first corresponding licensure examination following issuance of a temporary permit and shall be surrendered to the department.

(3) LIMITATIONS. Not more than 2 temporary permits shall be issued to an individual in any 12-month period.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.

ILHR 81.07 Exchange of license without examination. All master plumbers or master plumbers-restricted in good standing and currently licensed by the department who work as journeyman plumbers or journeyman plumbers-restricted may, upon application and upon payment of the appropriate initial license fee, be issued either journeyman plumber licenses or journeyman plumber-restricted licenses, respectively, without licensure examination. A currently licensed journeyman plumber or journeyman

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plumber-restricted who has renewed a master plumber's license within 5 years preceding the date of application for exchange, may be relicensed as either a master plumber or master plumber-restricted, respectively, upon the payment of the renewal fee and without licensure examination.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.

ILHR 81.08 Plumber license-retiree. The department may issue to a person who has a valid license as a master plumber, master plumber-restricted, journeyman plumber or journeyman plumber-restricted and who is at least 62 years old or is physically unable to carry out the responsibilities of the profession, a plumber's license designated as retiree for the respective category.

(1) **ISSUANCE.** A plumber license-retiree shall be issued upon receipt of a completed application and the fee as specified in ch. ILHR 2.

(2) **EXPIRATION.** A plumber license-retiree shall not have an expiration date, but may be suspended or revoked as specified in s. ILHR 81.14.

(3) **RESTRICTION.** A person holding a plumber license-retiree may not engage or offer to engage in any plumbing work except that which is permitted under s. 145.06 (4), Stats.

(4) **RENEWAL.** A person holding a plumber license-retiree may renew their old active license without licensure examination provided the appropriate license renewal fee as specified in ch. ILHR 2.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; correction in (1) and (4) made under s. 13.93 (2m) (b) 7, Stats., Register, June, 1992, No. 438.

ILHR 81.09 Utility contractor license and registration of pipe layers. (1) PROOF OF EXPERIENCE. Proof of experience and skill in the planning, superintending and practical installation shall be provided by all persons making application for a utility contractor license. The application shall be presented to the department on forms provided by the department. The application shall be accompanied by the appropriate license fee specified in ch. ILHR 2. In addition, the following documents shall be provided to the department:

(a) At least 2 letters from municipalities, or metropolitan sewage districts, where utilities were installed, or an architect or engineer, evidencing skill in the planning, superintending and practical installation of sanitary sewers, storm sewers or water service piping installations;

(b) An indication of the length of skilled utility contracting experience;

(c) A description of all related experience and training of the person seeking licensure; and

(d) A document providing such other information the department may require.

(2) **APPLICATION AND QUALIFICATION.** (a) All applicants for a utility contractor license, if not self-employed, shall provide the name of their employer.

(b) Should the licensed utility contractor leave the employ of a utility contracting firm, the firm may not be qual-

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ified to do business as a utility contracting firm after 30 days unless another employe becomes licensed as a utility contractor.

(3) **REGISTRATION.** The person who qualifies a utility contracting firm shall register with the department, on forms furnished by the department.

(4) **PIPE LAYERS.** The utility contractor shall be responsible for employing registered pipe layers.

(a) *Registration.* The utility contractor shall submit the names of employes to be registered as pipe layers with the department. Registration forms shall be furnished by the department. The name, age, education, beginning date of employment of each pipe layer and such other information as the department may require shall be submitted.

(b) *Qualifications for registration.* All applicants for registration as pipe layers shall be at least 18 years of age.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; correction in (1) (intro.) made under s. 13.93 (2m) (b) 7, Stats., Register, June, 1992, No. 438.

ILHR 81.10 Licensing of automatic fire sprinkler fitters and contractors. (1) APPRENTICESHIP. (a) General. The department may determine and prescribe the conditions under which any person may serve an automatic fire sprinkler system apprenticeship. Credit shall be granted for educational and training programs approved by the department. Every person, regardless of age, commencing an automatic fire sprinkler system apprenticeship after July 1, 1973, shall be indentured under ch. 106, Stats. The term of an automatic fire sprinkler system apprentice shall be 4 years, but the department may upon application of the apprentice or the apprentice's employer or both, extend the term, but an extension shall not exceed one year. After expiration of an apprenticeship term no apprentice may engage in the business of automatic fire sprinkler system work either as an apprentice or as journeyman automatic fire sprinkler fitter unless after the expiration of the apprenticeship term the apprentice secures a journeyman automatic fire sprinkler fitter's license. In case of failure to pass the examination for the license, the apprentice may continue to serve as an apprentice but not beyond the time for reexamination for a journeyman automatic fire sprinkler fitter's license, as prescribed in sub. (4) (f).

(b) *Registration.* Every automatic fire sprinkler system apprentice shall register with the department within 30 days after beginning the apprenticeship. Registration forms shall be furnished by the department. All applicants shall indicate their name, age, preliminary schooling, beginning date of indenture, name and address of employer and such other information as the department may require.

(c) *Qualifications.* All applicants for registration as apprentices shall have reached the age of 16 years and have completed the 12th grade in school or its equivalent. Applicants who have not completed the 12th grade or its equivalent shall attend part-time school at least 4 hours per week during the entire period of their apprenticeship or until such time the apprentice graduates from 12th grade.

(d) *Practical training.* 1. The apprentice shall receive instruction and experience in all branches of automatic fire sprinkler system installations.

2. During the first 2 years of apprenticeship, the apprentice shall be given the opportunity to install automatic fire sprinkler system material as the apprentice's skill permits. The apprentice shall be under the immediate supervision of a journeyman automatic fire sprinkler fitter licensed in Wisconsin.

3. During the third and fourth years of apprenticeship an apprentice may, under general supervision of a licensed journeyman automatic fire sprinkler fitter, make only those automatic fire sprinkler system installations as the apprentice's skill permits.

(e) *School credits.* Apprentice applicants who have attended accredited trade school courses in automatic fire sprinkler systems may receive up to 6 months credit toward their apprenticeship for each school year completed. Any attendance of less than one year may not receive recognition.

(f) *Responsibility of employer.* The contractor for whom the apprentice is to work shall be equipped and qualified to train apprentices. Shop and school training requirements established in s. 106.01 (5) (d), Stats., shall be met. Any changes made in relation to the continued employment and training of apprentices shall be reported to the department.

(g) *Suspension.* If an apprenticeship ceases to exist, if registration is accepted with incomplete or inaccurate information, or if willful noncompliance with the shop and school training requirements exists, the department shall suspend a registration until the deficiencies are remedied. The department may cancel registration. A registration which has lapsed either through suspension or cancellation may be renewed in the same manner as new registrations. The department may grant credit toward completion of the 4-year apprenticeship.

(2) JOURNEYMAN AUTOMATIC FIRE SPRINKLER FITTER LICENSE. (a) *Application.* Application for a journeyman automatic fire sprinkler fitter license shall be made on forms provided by the department.

(b) *Proof of experience.* Proof of experience, skill and related instruction shall be provided by all applicants for licenses as part of the application. Proof shall consist of a completed accredited apprenticeship program in automatic fire sprinkler systems installation or a list of 5 installations installed in a one-year period prior to March 1, 1967, with the following items included for each specific installation listed:

1. Installation hours per job and number of sprinkler heads installed in each system. Sprinkler heads taken off domestic water supply shall not qualify;

2. A minimum of 1,000 hours per year engaged in automatic fire sprinkler systems installation; and

3. Other information the department may require.

(3) AUTOMATIC FIRE SPRINKLER CONTRACTOR LICENSE. (a) *Application.* Application for an automatic fire sprinkler contractor license shall be made on forms provided by the department.

(b) *Proof of experience.* Proof of experience, skill and background shall be provided by all applicants for an automatic fire sprinkler contractor license. Proof shall consist of a letter of past business contact from a general contractor, a customer, an architect or engineer and the approving agency, such as, but not limited to, an insurance company and a list of 5 installations of automatic fire sprinkler systems installed in a one-year period prior to March 1, 1967, with the following items included for each specific installation listed:

1. Installation hours per job and number of sprinkler heads installed in each system. Sprinkler heads taken off domestic water supply shall not qualify;

2. Approval agency for each installation listed; and

3. Other information the department may require.

(c) *Responsibility.* The individual making application or writing the examination for the automatic fire sprinkler contractor license shall be a principal or officer of the firm who shall be knowledgeable and responsible for the design, installation and certification of all automatic fire sprinkler systems or portions of systems installed by the licensed contractor.

(d) *Termination.* The individual who has qualified the contractor for licensure shall remain as a principal or officer of the firm. Upon separation of such individual for any reason from the contractor's employ, the firm shall be required to have the replacement show evidence of qualifications by application to the department. The change shall be registered with the department within 90 days. Where deemed necessary, the department may require a written or oral examination to evaluate the qualification of the replacement. An individual may qualify only one automatic fire sprinkler contracting firm at any one time.

(e) *Registration.* The automatic fire sprinkler contractor shall register with the department the principal or officer who qualifies the contractor for licensure on forms provided by the department.

(4) EXAMINATIONS. (a) *General.* At least 2 automatic fire sprinkler system examinations for the licensing of journeyman and contractors shall be conducted annually at such time and place as the department may direct. An apprentice shall be eligible to make application for examination 90 days prior to the expiration and completion date of the indentured apprenticeship. A license shall be issued upon receipt of a passing grade in the examination and expiration of the apprenticeship. Application forms for examination for licensure and renewal of licenses may be obtained from the department.

(b) *Date of filing application.* All applications for examination shall be received by the department at least 4 weeks prior to the date of examination. Failure to have the application on file with the department within the required time shall necessitate postponement of the applicant's appearance to the next examination. All applications shall expire after a period of one year from the date of filing.

(c) *Notice of examination.* Notice of the time and place of examination shall be sent by first class mail to those who have approved applications on file. Such notice shall be mailed to the address given on the application form and

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shall be presented by the applicant to gain admittance to the examination room. Failure to receive the notice due to change in address shall not be the responsibility of the department.

(d) *Character of examinations.* 1. The examination shall be conducted by the automatic fire sprinkler system contractors and journeymen council. The examinations shall consist of written tests and may be practical or oral in part. The examination shall cover the theory and practice of automatic fire sprinkler systems, the interpretation of charts, blueprints and plans of automatic fire sprinkler system installations, and such other tests as the committee may deem necessary.

2. Applicants shall participate in all portions of the examination and shall acquire a grade of 75% or greater to be eligible for licensure. Applicants who fail to acquire a passing grade shall be required to rewrite the complete examination.

(e) *Materials used in examination.* Applicants shall furnish the necessary tools and materials for the examination as requested by the examiners.

(f) *Reexamination.* Applicants failing an initial examination may be reexamined within 3 months. Applicants may not be eligible for a second reexamination until the expiration of 6 months after the first reexamination, and not for the third and subsequent reexaminations until the expiration of one year after the last reexamination.

(5) **TEMPORARY PERMITS.** Temporary permits shall become void upon the date of the first examination following issuance of the permit and shall be surrendered to the department. Not more than 2 temporary permits may be issued to an individual or contractor in any 12-month period, or not more than 3 temporary permits shall be issued in a 5-year period. Applicants for temporary permits shall comply with all other applicable rules and statutes.

(6) **ALLOWABLE MAINTENANCE.** The weekly or monthly testing of sprinkler alarm equipment, fire pumps, valves, or appurtenances; the refilling of storage and pressure tanks; or the replacement of automatic fire sprinkler heads under emergency conditions, shall not require licensure under ch. 145, Stats.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; am. (1)(a), (d)2. and 3. and (g), Register, January, 1984, No. 337, eff. 2-1-84.

ILHR 81.11 Registration for the maintenance of automatic fire sprinklers. (1) **GENERAL.** Unless a temporary permit is secured in accordance with sub. (4), a business establishment shall obtain a registration certificate from the department prior to initiating any repair or maintenance activities to an existing automatic fire sprinkler system within its facilities.

(2) **APPLICATION FOR REGISTRATION CERTIFICATE.** A business establishment applying for an automatic fire sprinkler maintenance registration certificate shall:

(a) Submit to the department a completed application on forms furnished by the department;

Note: Application for registration certificate is to be made on form SBD 6796.

(b) Submit to the department the registration fee specified in ch. ILHR 2; and

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(c) Employ at least one person:

1. Who is to be responsible for the repair and maintenance activities to the existing automatic fire sprinkler system; and

2. Who has demonstrated a knowledge of repairing and maintaining an automatic fire sprinkler system by passing a department examination.

(3) **DEPARTMENT EXAMINATION.** (a) At least 3 department examinations for a person of a business establishment which is seeking an automatic fire sprinkler maintenance registration certificate shall be conducted annually at such time and place as the department may direct.

(b) All applications for examination shall be received by the department at least 4 weeks prior to the date of examination. Failure to have the application on file with the department within the required time shall necessitate postponement of the applicant's appearance until the next examination. All applications shall expire after a period of one year from the date of filing.

(c) An examination fee for each applicant shall be submitted to and received by the department prior to the date of the examination. Examination fees are specified in ch. ILHR 2.

(d) Notice of the time and place of examination shall be sent by first class mail to those who have approved applications on file. Such notice shall be mailed to the address given on the application form and shall be presented by the applicant to gain admittance to the examination room. Failure to receive the notice due to change in address shall not be the responsibility of the department.

(e) Applicants shall participate in all portions of the examination. A grade of 75% or better is required in order to pass the examination. Applicants who fail to acquire a passing grade shall be required to rewrite the complete examination.

(4) **TEMPORARY PERMIT.** (a) *General.* Prior to obtaining an automatic fire sprinkler maintenance registration certificate, the department may issue a temporary permit to a business establishment to engage in the repair and maintenance activities specified in sub. (5) upon submission of:

1. A completed application for an automatic fire sprinkler maintenance registration certificate;

2. Satisfactory evidence documenting the knowledge of automatic fire sprinkler systems of the person responsible for the repair and maintenance activities; and

3. The temporary permit fee specified in ch. ILHR 2.

(b) *Expiration.* A temporary permit shall be void upon the date of the first examination following issuance of the permit.

(5) **REPAIR AND MAINTENANCE ACTIVITIES.** A business establishment possessing a valid automatic fire sprinkler maintenance registration certificate or a temporary permit may, within its facilities:

(a) Replace or repair any component of an existing automatic fire sprinkler system including daily maintenance and emergency repairs to underground fire mains and fire pumps; and

(b) Modify or extend an existing automatic fire sprinkler system by no more than 15 sprinkler heads per project.

Note: Section ILHR 51.23 requires that all installed automatic fire sprinkler systems be maintained for efficient service as specified in NFPA No. 25.

(6) TERMINATION OF QUALIFYING PERSON. If the person who is responsible for the repair and maintenance activities permitted under sub. (5) and who has qualified a business establishment for an automatic fire sprinkler maintenance registration certificate under sub. (2) (c) leaves the employment of the business establishment, the business establishment:

(a) Shall surrender to the department its automatic fire sprinkler maintenance registration certificate; and

(b) May apply for a new automatic fire sprinkler system registration certificate or a temporary permit.

(7) FITTER MAINTENANCE REGISTRATION. An employe of a business establishment possessing a valid automatic fire sprinkler maintenance registration certificate shall obtain from the department an automatic fire sprinkler fitter maintenance registration certificate before engaging in any of the repair or maintenance activities specified in sub. (5).

(a) *Limitations of registration certificate.* 1. A person possessing a valid automatic fire sprinkler fitter maintenance registration certificate may perform the repair and maintenance activities specified in sub. (5) for only one business establishment.

2. The automatic fire sprinkler fitter maintenance registration certificate shall indicate the specific business establishment for which a person may perform the repair and maintenance activities specified in sub. (5).

3. Upon the expiration, revocation or nonrenewal of the automatic fire sprinkler maintenance registration certificate of the business establishment, all automatic fire sprinkler fitter maintenance registration certificates issued under that business establishment shall become invalid.

(b) *Application.* A person seeking an automatic fire sprinkler fitter maintenance registration certificate shall submit to the department:

1. A completed application on forms furnished by the department; and

Note: Application for fitter registration certificate is to be made on form SBD 6796.

2. The registration certificate fee specified in ch. ILHR 2.

(c) *Termination of employment.* If for any reason an employe possessing a valid automatic fire sprinkler fitter maintenance registration certificate leaves the employment of the business establishment for which the person may perform the repair and maintenance activities specified in sub. (5), the registration certificate shall expire on the day of termination.

(8) REVOCATION OF CERTIFICATES. Pursuant to s. ILHR 81.14, the department may revoke any automatic fire sprinkler maintenance registration certificate of a business

establishment or any automatic fire sprinkler fitter maintenance registration certificate.

(9) TESTING AND EMERGENCY REPAIRS. The weekly or monthly testing of sprinkler alarm equipment, fire pumps, valves, or appurtenances; the refilling of storage and pressure tanks; or replacement of automatic fire sprinkler heads under emergency conditions, shall not require registration under this subchapter.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; corrections in (2) (b), (3) (c), (4) (a) and (7) (b), made under s. 13.93 (2m) (b) 7, Stats., Register, June, 1992, No. 438.

ILHR 81.115 Registration of cross connection control device testers. **(1) GENERAL.** An individual who conducts a performance test of a cross connection control device as required by s. ILHR 82.21 (3) shall be registered by the department in accordance with this section.

(2) QUALIFICATIONS. An applicant for registration as a cross connection control device tester shall have completed at least 32 hours in an approved course or courses in the theory of cross connection control, the operation, testing, and maintenance of cross connection control devices, and the national standards for these cross connection control devices. The course or courses shall include instruction in at least:

(a) Reduced pressure principle backflow preventers;

(b) Reduced pressure detector assembly backflow preventers;

(c) Vacuum breakers - anti-siphon, pressure type;

(d) Double check detector assembly backflow preventers; and

(e) Double check backflow prevention assemblies.

(3) APPLICATIONS. (a) An application for registration as a cross connection control device tester shall be made on forms prescribed by the department.

Note: Registered tester applications are available from the Bureau of Building Water Systems, P.O. Box 7969, Madison, WI 53707.

(b) An application for a registered tester shall be accompanied by a fee as specified in s. ILHR 2.62 (1) (o).

(4) REVOCATIONS. Pursuant to s. ILHR 81.15 the department may suspend or cancel the registration as a cross connection control device tester.

(5) EXPIRATIONS. All registrations for cross connection control device testers shall expire 2 years from the date of issuance and shall be invalid after that date unless renewed.

(a) 1. The department shall send a renewal notice to each individual registered under this section.

2. A renewal notice shall be sent to the address given on the latest registration form on file with the department.

3. A registered tester shall be responsible for notifying the department of any change in his or her mailing address.

4. Failure to receive a notice for renewal shall not be considered as an excuse for failure to renew a registration.

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(b) A tester registration may be renewed upon application and payment of a renewal fee as specified in s. ILHR 2.62 (1) (o).

(c) Whenever a person fails to renew a tester registration within 2 years after expiration, the department shall require evidence to show that the applicant for renewal is competent to perform the work of cross connection control tester before such a registration is renewed.

(6) **SUNSET OF LISTED RP TESTERS.** Individuals listed by the department to test reduced pressure principle back-flow preventers prior to the effective date of this section may submit a renewal application for registration as a cross connection control device tester to the department. Failure to submit a completed renewal application within 6 months after the effective date of this section shall be considered as a surrender of the listing to conduct performance tests of cross connection control devices as required by s. ILHR 82.21 (3).

(a) 1. The department shall send a renewal notice to each individual listed as a RP tester.

2. A renewal notice shall be sent to the address of each listed RP tester on file with the department.

3. Failure to receive a notice of renewal shall not be considered as an excuse for failure to apply for registration as a cross connection control tester under this subsection.

(b) A RP tester listing may be renewed as cross connection control device tester registration upon application and payment of a renewal fee as specified in s. ILHR 2.62 (1) (o).

History: Cr. Register, February, 1994, No. 458, eff. 3-1-94.

ILHR 81.12 Expiration of licenses and registrations. Except as provided in s. ILHR 81.08 (2) and ch. ILHR 2, no license or registration issued under this subchapter shall be valid for longer than one year and all licenses and registrations shall expire on December 31 of each year.

(1) A license or a registration may be renewed upon application and payment of a renewal fee received by the department prior to the date of expiration.

(2) A license or a registration may be renewed upon application and payment of a renewal fee and late fee received by the department within 3 months following the date of expiration.

(3) The department may renew a license or a registration upon application and payment of a renewal fee and a late fee received by the department more than 3 months following the date of expiration, if it is determined that the applicant has good cause for not making an application for renewal within the 3 months following the date of expiration.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; r. and recr. Register, May, 1988, No. 389, eff. 6-1-88; correction in (intro.) made under s. 13.93 (2m) (b) 7, Stats., Register, June, 1992, No. 438.

ILHR 81.13 License and registration renewal. (1) **ANNUAL NOTICE FOR RENEWAL OF LICENSES AND REGISTRATIONS.** Except as provided in s. ILHR 81.115 (5), notice for the renewal of licenses and registrations issued under this subchapter shall be sent to all licensees and registrants whose licenses or registrations were in force during the previous year.

(a) A renewal notice shall be sent to the address given on the latest license or registration renewal form on file with the department.

(b) A licensee shall be responsible for notifying the department of any change in the licensee's mailing address.

(c) Failure to receive a notice for license or registration renewal shall not be an excuse for failure to renew.

(2) **RENEWAL APPLICATION.** License renewal shall be contingent upon the completion of the appropriate renewal application. The renewal application may include a department survey relative to the use of the applicant's license or registration. Failure to complete the survey shall result in the denial for renewal of a license or registration.

(3) **DELINQUENT OR ELAPSED LICENSES.** (a) *Plumber licenses.* 1. Master plumber and master plumber-restricted licenses shall be renewed within 5 years from the date of issuance. Failure to do so shall require reexamination to again qualify for licensure. Renewal of a delinquent or elapsed master plumber license or master plumber-restricted license that has not been renewed in accordance with s. ILHR 81.12 shall require the applicant to have a valid journeyman plumber license or journeyman plumber-restricted license, respectively. Upon the renewal of the master license, a licensee may exchange their license for the appropriate journeyman license in accordance with s. ILHR 81.07.

2. Journeyman plumber and journeyman plumber-restricted licenses shall be renewed in accordance with s. ILHR 81.12. Failure to do so shall require reexamination to again qualify for licensure.

3. With respect to s. 145.05 (1), Stats., a person, who as a municipal plumbing inspector of a city of the first, second or third class, having a system of waterworks or sewerage, has not renewed their respective plumbing license annually, upon termination as a municipal plumbing inspector may renew their respective plumbing license without payment of a late renewal fee and without licensure reexamination, if a renewal application is submitted within the licensure year when termination occurs. Failure to do so shall require re-examination to again qualify for licensure. Municipal inspectors who do not renew their respective plumbing licenses annually may not engage in the installation of plumbing in accordance with s. 145.06, Stats.

(b) *Utility contractor licenses.* Whenever a person fails to renew a utility contractor license for a period of 3 years, the department shall require evidence to show that the renewal applicant is competent to perform the work of utility contractor before such license is renewed.

(c) *Automatic sprinkler licenses.* Whenever a person fails to renew a sprinkler fitter or contractor license for a period of 2 years, the department shall require evidence to show that the applicant for renewal is competent to perform the work of either a contractor or journeyman fire sprinkler fitter before such a license is renewed.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; am. (3) (a) 1. and 2., Register, May, 1988, No. 389, eff. 6-1-88.; am. (1) (intro.), Register, February, 1994, No. 458, eff. 3-1-94.

ILHR 81.135 Continuing education. (1) IMPLEMENTATION. Except as provided in sub. (3) (b), this section applies to all master plumbers, master plumbers-restricted, journeyman plumbers and journeyman plumbers-restricted applying for renewal of their 1993 plumber licenses and each subsequent license renewal.

(2) TYPES OF LICENSES. (a) *Full-licensed plumbers.* Each master plumber and journeyman plumber at the time of applying for license renewal shall certify to the department that he or she has or will have completed at least 6 hours of acceptable continuing education in the year preceding the license renewal due date, except as provided in sub. (3). Certification of continuing education compliance shall be indicated on the license renewal application specified under s. ILHR 81.13 (2).

(b) *Restricted-licensed plumbers.* Each master plumber-restricted and journeyman plumber-restricted at the time of applying for license renewal shall certify to the department that he or she has or will have completed at least 3 hours of acceptable continuing education relative to their classification in the year preceding the license renewal due date, except as provided in sub. (3). Certification of continuing education compliance shall be indicated on the license renewal application specified under s. ILHR 81.13 (2).

(3) EXEMPTIONS. (a) A plumber may apply to the department for waiver of the continuing education requirements for a specific license renewal year on the grounds of prolonged illness or disability or similar circumstances. Each application for waiver shall be considered individually on its merits by the department.

(b) A journeyman plumber or journeyman plumber-restricted is not required to complete any hours of continuing education in the year in which the person has obtained their initial license as a journeyman plumber or journeyman plumber-restricted.

(4) PROGRAM SPECIFICATIONS. (a) 1. Only courses, programs and seminars approved in writing by the department shall be used for credit to fulfill continuing education requirements.

2. The department shall consult with the plumbers council as to the types or categories of courses, programs and seminars which are to be considered for continuing education credit.

(b) Requests for a course, program or seminar to be recognized for approval shall be submitted in writing to the department at least 30 days prior to the first day the course, program or seminar is to be conducted.

1. Requests for approval shall include sufficient information to determine if the course, program or seminar complies with this subsection.

2. The department shall review and make a determination on a request for approval within 15 business days of receipt of the request and information necessary to complete the review.

(c) Thirty minutes of attendance in an approved course, program or seminar shall be deemed equal to 30 minutes of acceptable continuing education.

(d) Courses, programs and seminars to be considered for approval towards continuing education credit shall relate to:

1. The license classification or classifications;
2. The design, installation, maintenance, inspection, planning or superintending of plumbing; or
3. The plumbing code, chs. ILHR 81 to 87.

(e) 1. The individual or organization providing an approved continuing education course, program or seminar shall maintain an attendance record of those individuals who have attended and completed the course, program or seminar.

2. The attendance record shall include the names of each attendee along with the attendee's plumber license number and social security number.

3. A copy of the attendance record shall be forwarded by the person or party which had obtained the course or program approval to the department within 10 days of the completion of the course, program or seminar.

Note: The mailing address for the attendance records is:

Bureau of Building Water Systems
P.O. Box 7969
Madison, WI 53707

(f) 1. The department may impose specific conditions in approving a course, program or seminar for continuing education credit.

2. The department may revoke the approval of a course, program or seminar for continuing education credit for any false statements, misrepresentation of facts or violation of the conditions on which the approval was based. The department may not revoke the approval of course, program or seminar less than 30 days prior to the course, program or seminar being held.

(5) EVIDENCE OF COMPLIANCE. Each plumber shall retain evidence of compliance with continuing education requirements throughout the license period for which continuing education credit was required for license renewal.

(a) The department shall accept as evidence of compliance original or copies of documents, certified by the individual or organization providing the course, program or seminar, indicating attendance at and completion of the continuing education credit.

(b) The department may require a license holder to submit evidence of compliance for the continuing education credit which was required to renew the current license.

(6) REEXAMINATION. (a) *Full licensed plumbers.* Failure to obtain at least 12 hours of continuing education credit over 2 consecutive years may result in an individual having to take and pass the appropriate licensure examination in accordance with s. ILHR 81.05 in order to renew a master plumber license or journeyman plumber license.

(b) *Restricted-licensed plumbers.* Failure to obtain at least 6 hours of continuing education credit over 2 consecutive years may result in an individual having to take and pass the appropriate licensure examination in accordance with s. ILHR 81.05 in order to renew a master plumber-

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restricted license or journeyman plumber-restricted license.

History: Cr. Register, August, 1991, No. 428, eff. 1-1-92; correction in (4) (d) 3. made under s. 13.93 (2m) (b) 7, Stats., Register, June, 1992, No. 438.

ILHR 81.14 Suspension and revocation of licenses. Pursuant to ss. 145.10 and 145.17, Stats., the department may suspend or revoke the license of any master plumber, journeyman plumber, master plumber-restricted, journeyman plumber-restricted, utility contractor, automatic fire sprinkler contractor, or journeyman automatic fire sprinkler fitter.

(1) **GENERAL.** The department may suspend or revoke a license for any of the following reasons:

- (a) The practice of fraud or deceit in obtaining a license;
- (b) Gross negligence, incompetence or misconduct in the practice or work allowed by the license;
- (c) Failure to correct an installation for which the licensee is responsible within the time prescribed by the department; and

Note: Section 145.10 (1) (b), Stats., indicates that the correction of an installation must take place within 30 days following notification by the department of a violation.

(d) Falsified information on an inspection form under s. 145.245 (3), Stats.

(2) **INVESTIGATIONS.** The department may conduct an investigation of any alleged violations of this chapter or chs. ILHR 82 and 83. If it is determined that no further action is warranted, the department shall notify the persons affected. If the department determines that there is probable cause, it shall order a hearing and notify the persons affected.

(3) **SUMMARY SUSPENSION.** In accordance with s. 145.10 (1), Stats., the department may summarily suspend any license after providing not less than 10 days notice to the licensee, if it has reason to believe that the allegations in the complaints are justified. The summary suspension shall remain in effect until after a hearing finding is reached.

(4) **HEARINGS.** Hearings for the suspension or revocation of licenses shall be conducted as contested case hearings in accordance with ch. 227, Stats., and s. 145.10, Stats.

(5) **FINDINGS.** The department may make findings and enter its order on the basis of the facts revealed by its investigation. Any findings as a result of petition or hearing shall be in writing and shall be binding unless appealed to the secretary.

(a) **Suspension.** The period for suspension shall be determined by the hearing examiner or the department. The period for suspension may not exceed one year. A person whose license has been suspended may have the license reinstated by filing a new application for licensure and payment of the appropriate fee specified in ch. ILHR 2.

(b) **Revocation.** The period for revocation shall be determined by the hearing examiner or the department. The period for revocation shall not exceed one year. A person whose license has been revoked shall be eligible for licensure only after the time set for revocation by department

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order has passed. A person whose license has been revoked may have the license reinstated only after submitting a completed application for licensure examination, payment of the examination fee, passing of the examination and payment of the license fee specified in ch. ILHR 2.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; corrections in (5) made under s. 13.93 (2m) (b) 7, Stats., Register, June, 1992, No. 438; correction in (1) (d) made under s. 13.93 (2m) (b) 7, Stats., Register, February, 1994, No. 458.

ILHR 81.15 Suspension and cancellation of registrations. The department may suspend or cancel the registration of any plumbing apprentice, registered learner, pipe layer, automatic fire sprinkler system apprentice, or cross connection control device tester, automatic fire sprinkler maintenance registration certificate or automatic fire sprinkler fitter maintenance registration certificate.

(1) **GENERAL.** The department may suspend or cancel a registration for any of the following reasons:

- (a) The practice of fraud or deceit in obtaining registration;
- (b) Failure to complete the apprenticeship or learner educational requirements of this subchapter;

(c) Gross negligence, incompetence or misconduct in the practice or work allowed by the registration; and

(d) Willful noncompliance with the apprenticeship or learner shop requirements needed to obtain registration.

(2) **COMPLAINTS TO JOBS, EMPLOYMENT AND TRAINING SERVICES DIVISION.** The department may file a complaint with the jobs, employment and training services division of the department of industry, labor and human relations regarding violations of this chapter or chs. ILHR 82 and 83 and request that action be taken to terminate or reassign the apprenticeship contract or agreement.

(3) **NOTICE OF SUSPENSION OR CANCELLATION.** Upon suspension or cancellation of any registration, the department shall notify the affected persons in writing stating the reasons for suspension or cancellation. The notice shall be made by affidavit of mailing or certified mail sent to the address filed with the application for registration.

(4) **HEARINGS.** Upon receipt of notice of registration, suspension or cancellation, the registrant may submit a written request for a contested case hearing in accordance with ch. 227, Stats. The right to hearing shall be considered waived, if the registrant fails to submit the request within 30 days after notice of registration, suspension or cancellation. Hearings shall be conducted by the department.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; am. (intro.), Register, February, 1994, No. 458, eff. 3-1-94; corrections in (2) made under s. 13.93 (2m) (b) 6, Stats., Register, February, 1994, No. 458.

Subchapter II — Certification of Plumbing Inspectors

ILHR 81.301 Purpose. The purpose of this subchapter is to promote effective and uniform enforcement of the state uniform plumbing code for one- and two-family dwellings, manufactured buildings for dwellings and private sewage systems. Pursuant to ch. 101, subchs. II and III, Stats., and ch. 145, Stats., this subchapter establishes the stan-

first class mail to the address given on the application. The department shall keep certification examinations on file for the purpose of applicant review for no longer than 30 days after the department has mailed notification of the results of the examination.

(6) **REVIEW.** Any applicant for certification may review their examination results by appearing in person before the department. Request for review shall be in writing and received by the department within 30 days after the department has mailed notification of the results of the examination. Unless requested otherwise, examination papers may be destroyed after the 30-day review period.

(7) **APPLICATION FOR CERTIFICATE.** A person who has successfully passed a certification examination may submit an application for certificate within 60 days from the date the department has mailed the examination results. Failure to apply for a certificate within this time period shall necessitate re-examination.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; am. (1) and (4), Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 81.645 Soil evaluation certification. (1) A certified soil tester shall obtain soil evaluation certification in order to use the soil evaluation procedures specified in s. ILHR 83.09 (4m) in lieu of percolation tests prior to using the procedures. The examination conducted by the department to certify a soil tester after July 1, 1991, shall constitute soil evaluation certification to use the procedures specified in s. ILHR 83.09 (4m).

(2) The department shall require evidence of soil evaluation certification for certified soil testers before the certified soil tester may perform the soil evaluation procedure specified in s. ILHR 83.09 (4m).

(3) County employes whose responsibilities include review of soil tester reports or onsite verification of reported soil conditions, or individuals contracted by a county to perform such verification or review of soil reports, shall comply with sub. (2) and shall be certified soil testers.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

ILHR 81.646 Soil mottling examination. (1) Any certified soil tester submitting written reports under s. ILHR 83.09 (7) (a) 1. in lieu of monitoring groundwater levels shall take and pass an examination provided by the department prior to conducting the evaluation. The examination shall measure the applicant's understanding of soil mottling and may examine the applicant's education and experience in evaluating soil mottling.

(2) Applications for the soil mottling examination shall be accompanied by an examination fee as specified in ch. ILHR 2.

(3) The department will schedule examinations and will notify applicants of scheduled examinations.

(4) Written notice of the examination results will be provided to each applicant.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91; am. (2), Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 81.65 Issuance of certificate. Each person receiving an examination grade of at least 75 of a possible score of 100 shall upon receipt of the appropriate fee by the department be issued a certificate stating that they are a "Certi-

fied Soil Tester". Certificates shall expire on June 30 of each year commencing on July 1, 1983, unless duly renewed.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; r. (2), Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 81.66 Renewal of certificate; delinquency and reinstatement. (1) **RENEWAL OF CERTIFICATE.** Renewal of the certificate shall be submitted by July 1 of every year. Notice for the renewal of certificate and the renewal application shall be sent to all certified soil testers whose certificates were in force during the previous applicable certification period. Such notice and application shall be sent by the department by first class mail to the address given on the latest renewal application on file unless written notice of another address has been given. Failure to receive the notice for renewal of certificate may not be an excuse for failure to renew.

(2) **DELINQUENCY AND REINSTATEMENT.** If the renewal application and the renewal fee as specified in ch. ILHR 2 are not postmarked by July 1, the certificate shall be revoked automatically. Within 12 months after revocation, the department may reinstate a revoked certificate upon receipt of a completed certification renewal application and payment of the renewal fee, plus a late filing fee as specified in ch. ILHR 2. A certificate which has lapsed for a period of more than 12 months shall be reinstated by the department only after filing a new application, payment of the application fee, passing an examination and payment of the certification fee. No certificate may be renewed by the department after July 1, 1994, unless the certified soil tester has been certified to use the soil evaluation procedures specified in s. ILHR 83.09 (4m).

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; am. Register, June, 1991, No. 426, eff. 7-1-91; r. and recr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 81.665 Soil tests by county employes. County employes or contracted individuals who provide inspection services or review soil reports for the county may not perform soil testing services in the county of their employment or contract.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

ILHR 81.67 Revocation or suspension of certificate. (1) **GENERAL.** The department may conduct an investigation of any alleged violation of the state uniform plumbing code. In accordance with s. 145.045 (2), Stats., the department may revoke or suspend the certificate of any soil tester after a formal hearing under ch. 227, Stats., for the practice of any fraud or deceit in obtaining the certificate or any gross negligence, incompetence or misconduct related to soil testing.

(2) **SUSPENSION.** The period for suspension shall be determined by the department and may not exceed 2 years. A person whose certificate has been suspended may have the certificate reinstated by filing a new application for certification and payment of the appropriate fee specified in ch. ILHR 2.

(3) **REVOCAION.** The period for revocation shall be determined by the department and may not exceed 5 years. A person whose certificate has been revoked shall be eligible for recertification only after the time set for revocation by departmental order has passed. A person whose certifi-

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cate has been revoked shall have the certification reinstated only after submitting a completed application for examination, payment of the application fee, passing of the examination and payment of the certification fee specified in ch. ILHR 2.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; am. (2) and (3), Register, June, 1992, No. 438, eff. 7-1-92.

rock, where the original soil texture is sand or loamy sand (sand that has very few fine particles of silt or clay), may be filled with the same soil texture as the natural soil or coarser material up to and including medium sand in an attempt to overcome the site limitations. The fill material shall not be of a finer texture than the natural soil.

2. High groundwater. Sites that have less than 56 inches of soil over high groundwater or estimated high groundwater, where the original soil texture is sand or loamy sand (sand that has very few fine particles of silt or clay), may be filled following the criteria noted in this subsection.

3. Natural soil. Sites with soils finer than sand or loamy sand shall not be approved for systems in fill.

4. Monitoring. Sites that will have 36 inches of soil or less above high groundwater after the topsoil is removed shall be monitored for high groundwater levels in the filled area in accordance with s. ILHR 83.09 (7).

5. Inspection of fill. Placement of the fill material shall be inspected by the county or the department.

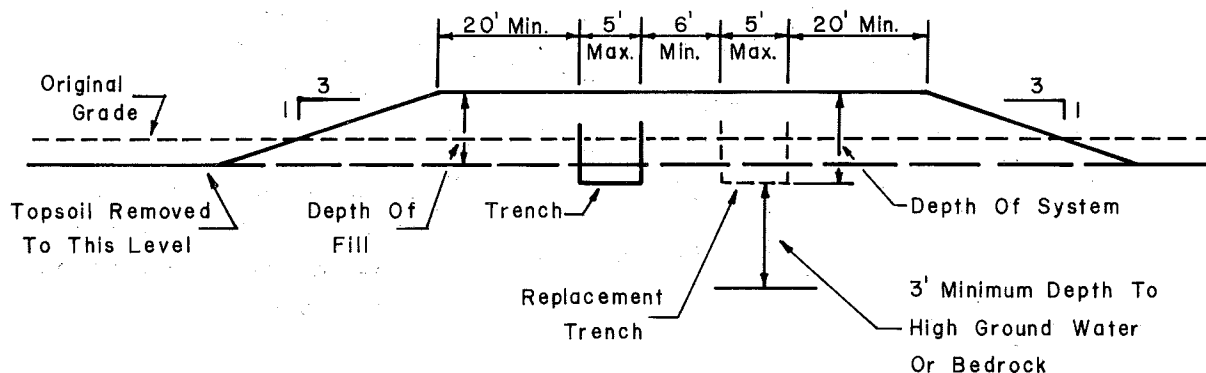
(d) *Design requirements.* 1. Size. A filled area shall be large enough to accommodate a shallow trench system and

a replacement system. The size of the filled area shall be determined from the percolation tests or soil infiltration rate as determined from Table 0, based on natural soil and use of the building. When any portion of the trench system or its replacement is in the fill, the fill shall extend to 2 feet beyond all sides of both systems before the side slope of the fill begins.

2. Soil test. Soil borings and percolation tests shall be conducted before filling to determine soil textures and depth to high groundwater or bedrock.

3. Topsoil. Vegetation and topsoil shall be removed prior to filling.

4. Side slope. Slopes at the edge of the filled areas can be a maximum 3 to 1 ratio, providing the 2 foot separating distance is maintained. See following sketch.



(7) ALTERING SLOPES. (a) *General.* In some cases, areas with slopes exceeding those specified in s. ILHR 83.09 (3) may be graded and reshaped to provide soil absorption sites. Care must be taken when altering any natural landscapes. Successful site alteration may be accomplished in accord with the following:

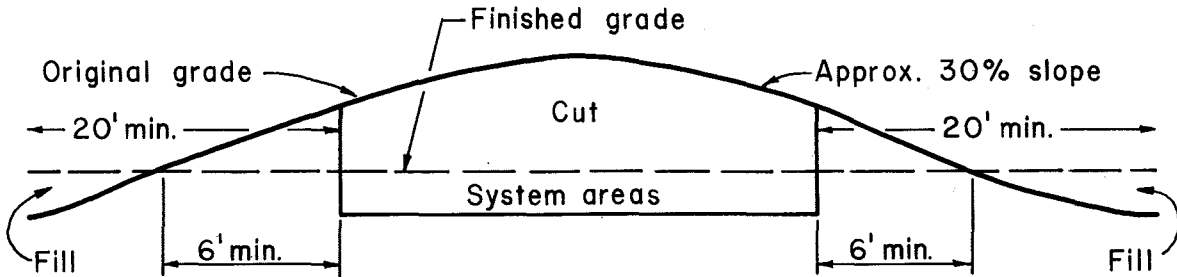
(b) *Site investigation.* Soil test data shall show that a sufficient depth of suitable soil material is present to provide the required amount of soil over bedrock and groundwater after alteration. In addition, a complete site evaluation as specified in s. ILHR 83.09 shall be performed after alteration of the site.

(c) *System location.* A soil absorption system must be installed in the cut area of an altered site. A soil absorption

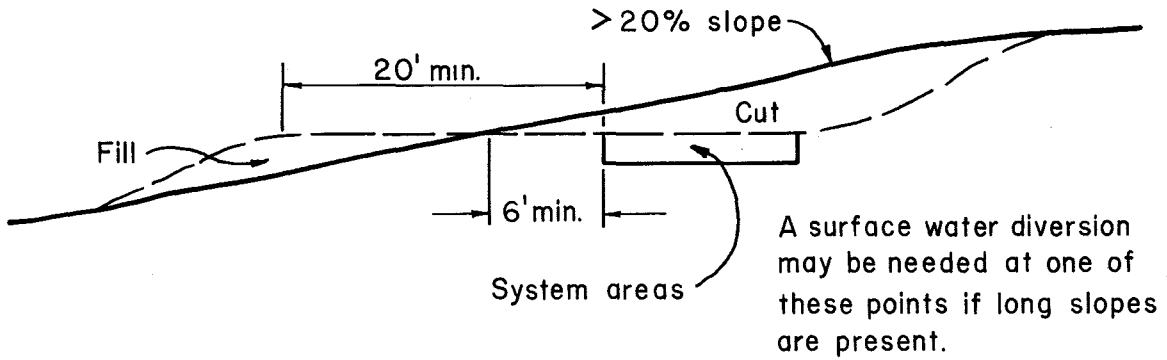
system shall not be installed in the fill area of an altered site. The area of fill on an altered site may be used as a portion of the required 20 foot separating distance from the crown of a critical slope. There shall be a minimum of 6 feet of natural soil between the edge of a system area and the downslope side of the altered area.

(d) *Site protection.* All altered slope areas shall be altered such that surface water drainage will be diverted away from the system areas. In some cases this may require the use of grassed waterways or other means of diverting surface waters. All disturbed areas shall be seeded or sodded with grass and appropriate steps must be taken to control erosion. Conceptual design sketches for altering slopes follow.

A. Excavation of complete hilltop



B. Excavation into hillside



C. Regrade of hillside

