-	menate BILL NO. 265
2	INTRODUCED 34 Lee by request Board of Plumbers
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5	66-2427, R.C.M. 1947, TO PROVIDE FOR A PLUMBING FIXTURE AND
6	SUPPLIES, WHOLESALE AND RETAIL, SALES LICENSE BY THE BOARD
7	OF PLUMBERS; TO PROVIDE FOR A DEPOSIT OF FUNDS TO EARMARKED
8	REVENUE FUND TO BE USED FOR ADMINISTRATION, INSPECTION AND
9	ENFORCEMENT OF THE STATE PLUMBING CODE AND STATE PLUMBING
10	LAWS; TO PROVIDE FOR EVIDENCE OF PAYMENT OF LICENSE FEE AND
11	PENALTIES FOR VIOLATION."
12	
13	BL IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14	Section 1. Section 66-2427, R.C.M. 1947, is amended to
15	read as follows:
16	"66-2427. Fixturefeedefinitionpayment
17	penalty:For-the-purpose-of-providingadequateinspection
18	andenforcementofthe-state-plumbing-code-there-shall-be
19	collected-a-fixture-fee-of-fifty-cents(\$.50}perfixture
20	forevery-fixture-installed-under-the-direction-of-a-master
21	plumberFerthispurpose,afixturemeansadevice
22	connectedbyawater-connection-to-a-water-system-or-by-a
23	trap-to-a-sewer-lineThis-fixturefeeispayablebefore
24	installationby-the-licensed-master-plumber-responsible-for
25	installation-of-the-fixture;-It-is-payable-to-the-department

1	underrulesadoptedbytheboardTheinspectionand
2	enforcementofthe-state-plumbing-code-are-assigned-to-the
3	departmentInstallation-of-fixtures-byalicensedmaster
4	plumberwithoutpaymentofthefeesubjects-the-master
5	plumber-to-a-fine-of-one-hundreddollars(\$100}foreach
6	offenseor-to-forfeiture-of-his-bond-under-section-66-2405+
7	Plumbing fixture and supplies sales license definition
8	payment penalty. (1) For the purpose of providing
9 '	adequate inspection and enforcement of the state plumbing
.0	code and the state plumbing laws provided for in this
.1	chapter, the board of plumbers shall collect an annual fee
.2	for wholesale and retail licenses to sell plumbing fixtures
. 3	and supplies, as follows:
4	(a) for wholesale plumbing fixtures and supplies an
L5	amount not to exceed six hundred dollars (\$600) per year;
L 6	(b) for retail plumbing fixture and supplies an amount
.7	not to exceed two hundred dollars (\$200) per year.
.8	(2) For this purpose:
.9	(a) "Plumbing fixture" means an installed receptacle,
20	device, or appliance which is supplied with water or which
21	receives liquid or liquid-born wastes, and discharges that
22	waste into the drainage system to which it may be directly
23	or indirectly connected. Industrial or commercial tanks,
24	vats, or similar processing equipment are not plumbing
25	fixtures but may be connected to or discharged into approved

⁻²⁻ 5B 265

Ĺ	traps or	plumbing	fixtures	as	provid	led	for	in	the	Unifor
2	Plumbing	Code.								
3	(b)	"Plumbir	ng suppli	es"	means	pip	es,	fitt	ings,	joining

materials, and appurtenances to plumbing fixtures which must be utilized in the connection of plumbing fixtures to the

water supply system or to the sewer line.

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(3) The annual fee for a license to sell plumbing fixtures and supplies is payable to the department for deposit to the earmarked revenue fund of the board of plumbers. These fees are used to defray the costs of the administration of the board and for the inspection and enforcement of the state plumbing code and this act as assigned to the department.

(4) The board shall issue, upon the receipt of a properly completed application accompanied by the fee for either a wholesale or retail license to sell plumbing fixtures or supplies, the appropriate license to the applicant. This license shall be displayed in a conspicuous place in the establishment for which it is issued and expires twelve (12) months after the date of issue. A license may be renewed upon payment of the proper fee within thirty (30) days of its expiration. If more than thirty (30) days elapse before renewal, a penalty charge of one percent (1%) per month of the annual fee for that license shall be paid. After thirty (30) days without payment the

licensee is in violation of the law and shall cease selling 1 fixtures and supplies until the annual fee is paid. (5) The board may suspend, revoke, or refuse to renew 3 any wholesale or retail license provided for in this act: (a) obtained by false representation or fraud of any 5 6 character, or (b) when the wholesaler or retailer sells plumbing 7 fixtures and supplies in violation of the state plumbing 8 9 code or this act, or (c) when any person to whom a license has been granted 10 is convicted of violation of the provisions of this act or 11 12 of a felony, or (d) when the wholesale or retail business is conducted 13 14 in violation of the provisions of this act. Before any license may be revoked, the holder thereof 15 is entitled to a hearing by the board after reasonable 16

-End-

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notice by the board."

Approved by Committee on Labor & Employment Relations

1	SENATE BILL NO. 265
2	INTRODUCED BY LEE
3	(BY REQUEST OF BOARD OF PLUMBERS)
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6	66-2427, R.C.M. 1947, TO-PROVIDE-FOR-A-PLUMBING-FIXTURE-AND
7	Supplies,-wholesale-and-revail,-sales-ligense-bytheboard
8	0FPLUMBER67-T0-PROVIDE-FOR-A-BEPOSIT-OF-FUNDS-TO-BARMARKED
9	REVENUE-PUND-TO-BE-UGED-POR-ADMINISTRATION,INSPECTIONAND
10	enporcementopthestate-plumbing-code-and-state-plumbing
1	Laws7-T0-Provide-For-Evidence-OF-Payment-of-License-FebAnd
.2	PENALTIBS POR VIOLATION TO PROVIDE FOR PLUMBING INSPECTION
.3	BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO
.4	EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION,
15	INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND
16	STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR
.7	VIOLATION."
L8	
L9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
20	Section 1. Section 66-2427, R.C.M. 1947, is amended to
21	read as follows:
22	"66-2427. Pixture-feedefinitionpayment
23	penaltyForthe-purpose-of-providing-adequate-inspection
24	and-enforcement-of-the-state-plumbing-codethereshallbe
25	collectednfixturefcc-of-fifty-cents-(6.50)-per-fixture

1	tol-6Acil-tixtgic-justdiffed_mydci-fue-gilectiou-oi-g-maete
2	plumberForthispurpose,afixturemeansadevice
3	connected-by-a-water-connection-to-a-water-systemorbya
4	traptoasewerline;-This-fixture-fee-is-payable-before
5	installation-by-the-licensed-master-plumber-responsiblefor
6	installation-of-the-fixtureIt-is-payable-to-the-department
7	underrulesadoptedbytheboardTheinspectionand
8	enforcement-of-the-state-plumbing-code-are-assignedtothe
9 .	department:Installationoffixtures-by-a-licensed-master
10	plumber-without-paymentofthefeesubjectsthemaster
11	plumbertoafineof-one-hundred-dollars-(\$100)-for-each
12	offense-or-to-forfeiture-of-his-bond-under-section66-2405
1.3	Plumbing-fixture-and-supplies-sales-licensedefinition
13 14	Plumbing-fixture-and-supplies-sales-licensedefinition paymentpenalty(1)Forthepurposeof-providing
14	paymentpenalty(1)Forthepurposeof-providing
14 15	paymentpenalty(1)Forthepurposeof-providing adequate-inspection-and-enforcement-ofthestateplumbing
14 15 16	paymentpenalty(1)Forthepurposeof-providing adequate-inspection-and-enforcement-ofthestateplumbing codeandthestateplumbinglawsprovidedfor-in-this
14 15 16 17	paymentpenalty(1)Forthepurposeof-providing adequate-inspection-and-enforcement-ofthestateplumbing codeandthestateplumbinglawsprovidedfor-in-this chaptery-the-board-of-plumbers-shall-collect-anannualfee
14 15 16 17	paymentpenalty(1)Forthepurposeof-providing adequate-inspection-and-enforcement-ofthestateplumbing codeandthestateplumbinglawsprovidedfor-in-this chaptery-the-board-of-plumbers-shall-collect-anannualfee forwholesale-and-retail-licenses-to-sell-plumbing-fixtures
14 15 16 17 18	paymentpenalty(1)Forthepurposeof-providing adequate-inspection-and-enforcement-ofthestateplumbing codeandthestateplumbinglawsprovidedfor-in-this chapter;-the-board-of-plumbers-shall-collect-anannualfee forwholesale-and-retail-licenses-to-sell-plumbing-fixtures and-supplies;-as-follows:
14 15 16 17 18 19	paymentpenalty(1)Forthepurposeof-providing adequate-inspection-and-enforcement-ofthestateplumbing-codeandthestateplumbing-lawsprovidedfor-in-this chaptery-the-board-of-plumbers-shall-collect-anannualfee forwholesale-and-retail-licenses-to-sell-plumbing-fixtures and-suppliesy-as-follows: {a}for-wholesale-plumbing-fixturesandsuppliesar
14 15 16 17 18 19 20	paymentpenalty(1)Forthepurposeof-providing adequate-inspection-and-enforcement-ofthestateplumbing codeandthestateplumbinglawsprovidedfor-in-this chapter;-the-board-of-plumbers-shall-collect-anannualfee forwholesale-and-retail-licenses-to-sell-plumbing-fixtures and-supplies;-as-follows: {a}for-wholesale-plumbing-fixturesandsuppliesaramount-not-to-exceed-six-hundred-dollars-(6688)-per-year;
14 15 16 17 18 19 20 21	paymentpenalty(1)Forthepurposeof-providing adequate-inspection-and-enforcement-ofthestateplumbing codeandthestateplumbinglawsprovidedfor-in-this chaptery-the-board-of-plumbers-shall-collect-anannualfee forwholesale-and-retail-licenses-to-sell-plumbing-fixtures and-suppliesy-as-follows: {a}for-wholesale-plumbing-fixturesandsuppliesar amountnot-to-exceed-six-hundred-dollars-(\$600)-per-year; {b}for-retail-plumbing-fixture-and-supplies-an-amount-

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1	devicey-or-appliance-which-is-supplied-with-waterorwhich
2	receivesliquid-er-liquid-borne-wastes,-and-discharges-that
3	waste-into-the-drainage-system-to-which-it-maybedirectly
4	orindirectlyconnected;Industrial-or-commercial-tanks;
5	vats;-or-similar-processing-equipment-are-not-plumbing
6	fixtures-but-may-be-connected-to-or-discharged-into-approved
7	trapsorplumbing-fixtures-asprovided-for-in-the-Uniform
8	Plumbing-Gode:
9	(b) Plumbing-supplies - means-pipes, - fittings, - joining
10	materials; and appartenances to plumbing fixtures which must
11	be-utilized-in-the-connection-of-plumbingfixturestothe
12	water-supply-system-or-to-the-sewer-line;
13	(3)Theannualfeeforalicense-to-sell-plumbing
14	fixtures-and-supplies-ispsyabletothedepartmentfor
15	deposittothecarmarkedrevenuefundofthe-board-of
16	plumbers:These-fees-are-used-to-defray-thecostsofthe
17	administrationoftheboardandforthe-inspection-and
18	enforcement-of-the-stateplumbingcodeandthisactas
19	assigned-to-the-department;
20	(4)Theboardshallissue;uponthereceipt-of-a
21	properly-completed-application-accompanied-bythefeefor
22	eitherawholesaleorretgillicensetosell-plumbing
23	fixturesorsuppliesytheappropriatelicensetothe
24	applicantThis-license-shell-be-displayed-in-a-conspicuous
25	placeinthecotablishmentforwhichitis-isoued-and

1	expires-twelve-(12)-months-afterthedateefissueh
2	license-may-be-renewed-upon-payment-of-the-proper-fee-within
3	thirty(30)daysofits-expirationIf-more-than-thirty
4	(30)-days-elapse-before-renewaly-apenaltychargeofone
5	percent(1%)permonth-of-the-annual-fee-for-that-license
6	shall-be-paidAfter-thirty-(30)-days-withoutpaymentthe
7	licenseeis-in-violation-of-the-law-and-shall-cease-selling
8	fixtures-and-supplies-until-the-annual-fee-is-paid-
9	(5)The-board-may-suspendy-revokey-or-refuse-torenew
10	any-wholesale-or-retail-license-provided-for-in-this-act:
11	(a)obtainedbyfalse-representation-or-fraud-of-any
12	charactery-or
13	(b)when-the-wholesalerorretailersellsolumbing
14	fixturesandsuppliesinviolation-of-the-state-plumbing
15	code-or-this-acty-or
16	(c)when-any-person-to-whom-a-license-has-been-granted
17	is-convicted-of-violation-of-the-provisions-of-thisactor
18	of-a-felonyy-or
19	{d}when-the-wholesale-or-retail-business-is-conducted
20	in-violation-of-the-provisions-of-this-acty-
21	Beforeanylicense-may-be-revokedy-the-holder-thereof
22	is-entitled-to-ahearingbytheboardafterreasonable
23	noticebytheboard: PERMIT FEE PAYMENT PENALTIES.
24	(1) IT IS UNLAWFUL FOR ANY PERSON TO INSTALL, REMOVE, ALTER,
25	REPAIR OR REPLACE OR CAUSE TO BE INSTALLED, REMOVED,

SB 265

1	ALTERED, REPAIRED OR REPLACED AND PLOMBING, GAS OR DRAINAGE
2	FIPING WORK OR ANY FIXTURE OR WATER HEATING OR TREATMENT
3	EQUIPMENT IN A BUILDING OR PREMISES WITHOUT FIRST OBTAINING
4	A PERMIT TO DO SUCH WORK FROM THE BOARD OF PLUMBERS OR ITS
5	AUTHORIZED REPRESENTATIVE.
6	A SEPARATE PERMIT SHALL BE OBTAINED FOR EACH BUILDING
7	OR STRUCTURE.
8	NO PERSON MAY ALLOW ANY OTHER PERSON TO DO OR CAUSE TO
9	BE DONE ANY WORK UNDER A PERMIT SECURED BY THE PERMITTEE
10	EXCEPT PERSONS IN HIS EMPLOY.
11	(2) NO PERMIT IS REQUIRED IN THE CASE OF ANY REPAIR
12	WORK AS FOLLOWS: THE STOPPING OF LEAKS IN DRAINS, SOIL,
13	WATER OR VENT PIPE, EXCEPT SHOULD ANY TRAP, DRAINAGE, SOIL,
14	WASTE OR VENT PIPE BE OR BECOME DEFECTIVE AND IT BECOMES
15	NECESSARY TO REMOVE AND REPLACE IT WITH NEW MATERIAL IN ANY
16	PART OR PARTS, IT SHALL BE CONSIDERED AS NEW WORK AND A
17	PERMIT SHALL 3E PROCURED AND INSPECTION MADE. NO PERMIT IS
18	REQUIRED FOR THE CLEANING OF STOPPAGES OR THE REPAIRING OF
19	LEAKS IN PIPES, VALVES, OR FIXTURES, WHEN SUCH REPAIRS DO
20	NOT INVOLVE OR REQUIRE THE REPLACEMENT OR REARRANGEMENT OF
21	VALVES, PIPES, OR FIXTURES.
22	(3) ANY PERSON ENTITLED BY CHAPTER 24, TITLE 66,
23	R.C.M. 1947, TO APPLY FOR A PERMIT SHALL MAKE APPLICATION
24	ON FORMS PROVIDED BY THE BOARD. HE SHALL GIVE A DESCRIPTION
25	OF THE CHARACTER OF THE WORK PROPOSED TO BE DONE, AND THE

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2	CONNECTION THEREWITH. THE BOARD OF PLUMBERS OR ITS
3	AUTHORIZED REPRESENTATIVE MAY REQUIRE SKETCHES,
4	SPECIFICATIONS OR DRAWINGS AND SUCH OTHER INFORMATION IT
5	DEEMS NECESSARY IN ORDER TO DETERMINE THE SCOPE OF THE WORK
6	CONTEMPLATED.
7	IF THE BOARD DETERMINES THAT THE SKETCHES,
8	SPECIFICATIONS, DRAWINGS, DESCRIPTIONS AND INFORMATION
9	FURNISHED BY THE APPLICANT ARE IN COMPLIANCE WITH THE STATE
LO	PLUMBING CODE, IT SHALL ISSUE THE PERMIT APPLIED FOR UPON
1	PAYMENT OF THE REQUIRED FEE AS ESTABLISHED BY THE BOARD.
L2	(4) ANY PERSON WHO COMMENCES ANY WORK FOR WHICH A
L3	PERMIT IS REQUIRED WITHOUT FIRST OBTAINING A PERMIT SHALL,
L 4	IF SUBSEQUENTLY PERMITTED TO OBTAIN A PERMIT, PAY DOUBLE THE
.5	PERMIT FEE FOR THE WORK, EXCEPT THAT THIS PROVISION DOES NOT
16	APPLY TO EMERGENCY WORK WHEN IT IS PROVED TO THE
.7	SATISFACTION OF THE BOARD OF PLUMBERS OR ITS AUTHORIZED
.8	REPRESENTATIVE THAT THE WORK WAS URGENTLY NECESSARY AND THAT
L9	IT WAS NOT PRACTICAL TO OBTAIN A PERMIT BEFORE THE
20	COMMENCEMENT OF THE WORK. IN ALL SUCH CASES, A PERMIT SHALL
21	BE OBTAINED AS SOON AS IT IS PRACTICAL TO DO SO, AND IF
22	THERE IS UNREASONABLE DELAY IN APPLYING FOR THE PERMIT, A
23	DOUBLE FEE SHALL BE CHARGED.
24	FOR THE PURPOSE OF THIS SECTION, A SANITARY PLUMBING
25	OUTLET ON OR TO WHICH A PLUMBING FIXTURE OR APPLIANCE MAY BE
	-6- S3 265

LOCATION, OWNERSHIP, OCCUPANCY AND USE OF THE PREMISES IN

1	SET OR ATTACHED SHALL BE CONSTRUED TO BE A FIXTURE. FEE
2	FOR RECONNECTION AND RETEST OF PLUMBING SYSTEMS IN RELOCATE
3	BUILDINGS SHALL BE BASED ON THE NUMBER OF PLUMBING FIXTURES
4	GAS SYSTEMS, WATER HEATERS, AND THE LIKE INVOLVED.
5	WHEN A PERMIT HAS BEEN OBTAINED TO CONNECT AN EXISTING
6	BUILDING OR EXISTING WORK TO THE PUBLIC SEWER OR TO CONNEC
7	TO A NEW PRIVATE DISPOSAL FACILITY, BACKFILLING OF PRIVAT
8	SEWAGE DISPOSAL FACILITIES ABANDONED CONSEQUENT TO THE
9	CONNECTION IS INCLUDED IN THE PERMIT.
10	THE BOARD OF PLUMBERS SHALL ESTABLISH FEES I
11	ACCORDANCE WITH THE MONTANA ADMINISTRATIVE PROCEDURE ACT AN
12	THE FEES SHALL BE DEPOSITED TO THE EARMARKED REVENUE FUND OF
13	THE BOARD OF PLUMBERS FOR USE IN THE ADMINISTRATION AND
14	ENFORCEMENT OF THIS ACT AND THE MONTANA STATE PLUMBING CODE
15	(5) ALL PLUMBING AND DRAINAGE SYSTEMS MAY BE INSPECTED
16	BY THE BOARD OF PLUMBERS OR THEIR AUTHORIZED REPRESENTATIVE
17	TO INSURE COMPLIANCE WITH THE REQUIREMENTS OF THE STATE
18	PLUMBING CODE.
19	(6) IT IS THE DUTY OF THE PERSON DOING WORK AUTHORIZE
20	BY THE PERMIT TO NOTIFY THE BOARD ORALLY OR IN WRITING, THA
21	THE WORK IS READY FOR INSPECTION. THE NOTIFICATION SHALL BE
22	GIVEN NOT LESS THAN TWENTY-FOUR (24) HOURS BEFORE THE WOR
23	IS TO BE INSPECTED.
24	IT IS THE DUTY OF THE PERSON DOING THE WORK AUTHORIZE
25	BY THE PERMIT TO ENSURE THAT THE WORK PERFORMED BEFORE

1	NOTIFICATION AND AFTER NOTIFICATION PENDING INSPECTION
2	COMPLIES WITH THE STATE PLUMBING CODE.
3	(7) WHENEVER ANY WORK IS BEING DONE CONTRARY TO THE
4	PROVISIONS OF THE STATE PLUMBING CODE, THE BOARD OR ITS
5	AUTHORIZED REPRESENTATIVE MAY ORDER WORK STOPPED 3Y NOTICE
6	IN WRITING SERVED ON ANY PERSON ENGAGED IN THE WORK.
7	(8) THE BOARD MAY SUSPEND OR REVOKE A PERMIT, WHENEVE
8	IT IS ISSUED IN ERROR OR ON THE BASIS OF INCORRECT
9	INFORMATION SUPPLIED, OR WORK PERFORMED THEREUNDER IS IN
10	VIOLATION OF ANY OF THE PROVISIONS OF TITLE 66, CHAPTER 24
11	R.C.M. 1947.
12	(9) THE BOARD OF PLUMBERS OR ANY EMPLOYEE CHARGED WITH
13	THE ENFORCEMENT OF THE STATE PLUMBING CODE, IS NO
14	PERSONALLY LIABLE FOR ANY DAMAGE THAT MAY ACCRUE TO PERSON
15	OR PROPERTY AS A RESULT OF ANY ACT REQUIRED OR BY REASON OF
16	ANY ACT OF OMISSION IN THE DISCHARGE OF HIS DUTIES. AN
17	SUIT BROUGHT AGAINST THE BOARD OR ITS EMPLOYEES, BECAUSE O
18	SUCH ACT OR OMISSION PERFORMED BY HIM IN THE ENFORCEMENT O
19	ANY PROVISIONS OF THE MONTANA STATE PLUMBING CODE, SHALL B
20	REPRESENTED BY THE ATTORNEY GENERAL OF THE STATE OF MONTAN
	4

-End-

UNTIL FINAL TERMINATION OF THE PROCEEDING.

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1	SLNATE BILL MO. 265
2	INTRODUCED BY LEE
3	(BY REQUEST OF BOARD OF PLUMBERS)
4 .	
5	A BILL FOR AN ACT EMTITLED: "AN ACT TO AMEND SECTION
6	66-2427, R.C.M. 1947, TO-PROVIDE-FOR-A-PLUMBING-FIRTURE-AND
7	Heppaies,-Wholesale-And-Retail,-Sales-License-ByThe-Board
8	9FP&U/BERS }- T9-PR6VI SE -F6R-A-DEP6SIT-8F-FUNDS-T6-EARMARKEB
9	RHYENUE-FUND-TO-BE-USEB-FOR-ADMINISTRATION, INSPECTON AND
LO	Enforcement—of—the—syate-faunding—code—and—state-faunding
Ll	Lans 1-40-provide-for-byidence-of-payment-of-license-feeand
L2	PENALTIES POR VIOLATION TO PROVIDE FOR PLUMBING INSPECTION
L 3	BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO
14	EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION,
15	INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND
16	STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR
17	VIOLATION."
18	
L 9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MOJTANA:
20	Section 1. Section 66-2427, R.C.M. 1947, is amended to
21	read as follows:
22	"66-2427. Fixture-feedefinitionpayment
23	penalty:Forthe-purpose-of-providing-adequate-inspection
24	and-enforcement-of-the-state-plumbing-codethereshallbe
25	collected a fixture fee-of-fifty-cents-(\$.50)-per-fixture

for-every-fixture-installed-under-the-direction-of-amaster
plumber:Forthispurpose;afixturemeansadevice
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1	devicey-or-appliance-which-is-supplied-with-waterorwhich
2	receivesliquid-or-liquid-borne-wastes,-and-discharges-that
3	waste-into-the-drainage-system-to-which-it-maybedirectly
4	er-indirectlyconnectedIndustrial-or-commercial-tanks;
5	vats7-orsimilarprocessingequipmentarenotplumbing
6	fixtures-but-may-be-connected-to-or-discharged-into-approved
7	trapsorplumbing-fixtures-asprovided-for-in-the-Uniform
8	Plumbing-Code:
9	(b)*Plumbing-supplies*-means-pipes;-fittings;-joining
10	materials,-and-appertenances-to-plumbing-fixtures-which-must
11	be-utilized-in-the-connection-of-plumbingfixturestothe
12	water-supply-system-or-to-the-sewer-line.
13	(3)Theannualfeeforalicense-to-sell-plumbing
14	Sixtures-and-suppliesispayabletothedepartmentfor
15	deposittotheearmarkedrevenuefundofthe-board-of
16	plumbers,These-fees-are-used-to-defray-thecostsofthe
17	administrationoftheboardandforthe-inspection-and
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20	447Theboardshallissue,uponthereceipt-of-a
21	properly-completed-application-accompanied-bythefeefor
22	eitherawholesaleorretaillicensetosell-plumbing
23	fixturesorsupplies,theappropriatelicensetothe
24	applicantThis-license-shall-be-displayed-in-a-conspicuous
25	placeintheestablishmentforwhichitis-issued-and

-3-

. 2	license-may-be-renewed-upon-payment-of-the-proper-fee-within
3	thirty(30)daysofits-expiration;If-more-than-thirty
4	(30)-days-elapse-before-renewaly-apenaltychargeofone
5	percent(1%)permonth-of-the-annual-fee-for-that-license
6	shall-be-paid; After-thirty-(38)-days-without paymentthe
ь	Shull be paid. Alter thirty (30) days without payment the
7	<u>licenseeis-in-violation-of-the-law-and-shall-cease-selling</u>
8	fixtures-and-supplies-until-the-annual-fee-is-paid-
9	(5)The-board-may-suspend,-revoke,-or-refuse-torenew
10	any-wholesale-or-retail-license-provided-for-in-this-act:
11	(a) obtained by false-representation-or-froud-of-any
12	charactery-or
13	(b) when-the-wholesalerorretailerscllsplumbing
14	fixturesandsuppliesinviolation-of-the-state-plumbing
15	eode-or-this-acty-or
16	fe) when-any-person-to-whom-a-license-has-been-granted
17	is-convicted-of-violation-of-the-provisions-of-thisactor
18	of-a-felony;-or
19	(d)when-the-wholesale-or-retail-business-is-conducted
20	in-violation-of-the-provisions-of-this-act
21	Beforeanylicense-may-be-revoked, -the-holder-thereof
22	is-entitled-to-ahearingbytheboardafterreasonable
23	notice-by-the-board: PURMIT FEE PAYMENT PENALTIES.
24	(1)-IT-IS-UNLAWFUL-FOR-AHY-PERSON-TO-INSTALL;-REHOVE;-ALT-P;
25	REPAIRORREPARCEORCAUSETOSEINSTALLED,REMOVED,

1 expires-twelve-(12)-months-after--the--date--of--issue:----A

1	ALTERED, REPAIRED-OR-REPLACED-ANY-PLUMBING, - GAS-OR-BRAINACE
2	PIPING-WORK-OR-ANY-PINTURE-ORWAPER-HEATINGORTREATMENT
3	EQUIPMENTIN-A-BUILDING-OR-PREMISES-HITHOUT-FIRST-OBTAINING
4	A-PERMIT-TO-BO-SUCH-WORK-PROM-THE-BOARD-OF-PLUMBERSBRITS
5	AUTIORISEDREPRESENTATIVE: (1) IT IS UNLAWFUL FOR ANY
6	PERSON TO ENGAGE IN THE BUSINESS, TRADE OR WORK HAVING TO DO
7	WITH THE INSTALLATION, REMOVAL, ALTERATION, OR REPAIR OF
8	PLUMBING AND DRAINAGE SYSTEMS OR PARTS THEREOF WITHOUT FIRST
9	OBTAINING A PERMIT FROM THE BOARD OF PLUMBERS.
10	A SEPARATE PERMIT SHALL BE OBTAINED FOR EACH BUILDING
11	OR STRUCTURE.
12	NO PERSON MAY ALLOW ANY OTHER PERSON TO DO OR CAUSE TO
13	BE DONE ANY WORK UNDER A PERMIT SECURED BY THE PERMITTEE
14	EXCEPT PERSONS IN HIS EMPLOY.
15	(2) NO PERMIT IS REQUIRED IN THE CASE OF ANY REPAIR
16	WORK AS FOLLOWS: THE STOPPING OF LEAKS IN DRAINS, SOIL,
17	WATER OR VENT PIPE, EXCEPT SHOULD ANY TRAP, DRAINAGE, SOIL,
18	WASTE OR VENT PIPE BE OR BECOME DEFECTIVE AND IT BECOMES
19	MECESSARY TO REMOVE AND REPLACE IT WITH NEW MATERIAL IN ANY
2υ	PART OR PARTS, IT SHALL BE CONSIDERED AS NEW WORK AND A
21	PERMIT SHALL BE PROCURED AND INSPECTION MADE. NO PERMIT IS
22	REQUIRED FOR THE CLEANING OF STOPPAGES OR THE REPAIRING OF
23	LEAKS IN PIPES, VALVES, OR FIXTURES, WHEN SUCH REPAIRS DO
24	NOT INVOLVE OR REQUIRE THE REPLACEMENT OR REARRANGEMENT OF
25	VALVES, PIPES, OR FIXTURES. NO PERMIT IS REQUIRED WHERE THE

1	INSTALLATION IS EXEMPT UNDER THE PROVISIONS OF SECTION
2	66-2426. NOTHING CONTAINED IN THIS ACT SHALL PROHIBIT THE
3	OWNER OF A SINGLE FAMILY RESIDENCE USED EXCLUSIVELY FOR HIS
4	PERSONAL USE FROM MAKING AN INSTALLATION FOR ALL SANITARY
5	PLUMBING AND POTABLE WATER SUPPLY PIPING WITHOUT A PERMIT
6	PROVIDING HE DOES THE WORK HIMSELF.
7	(3) ANY-PHRSONENTITHEDBYCHAPTER247TITLE667
8	R.C.M1947, PERSONS REQUIRED BY THIS SECTION TO APPLY FOR
9	A PERMIT SHALL MAKE APPLICATION ON FORMS PROVIDED BY THE
10	BOARD. HE SHALL GIVE A DESCRIPTION OF THE CHARACTER OF THE
11	WORK PROPOSED TO BE DONE, AND THE LOCATION, OWNERSHIP,
12	OCCUPANCY AND USE OF THE PREMISES IN CONNECTION THEREWITH.
13	THE BOARD OF PLUMBERS OR ITS AUTHORIZED REPRESENTATIVE MAY
14	REQUIRE SKETCHES, SPECIFICATIONS OR DRAWINGS AND SUCH OTHER
15	INFORMATION IT DEEMS NECESSARY IN ORDER TO DETERMINE THE
16	SCOPE OF THE WORK CONTEMPLATED.
17	IF THE BOARD DETERMINES THAT THE SKETCHES,
18	SPECIFICATIONS, DRAWINGS, DESCRIPTIONS AND INFORMATION
19	FURNISHED BY THE APPLICANT ARE IN COMPLIANCE WITH THE STATE
20	PLUMBING CODE, IT SHALL ISSUE THE PERMIT APPLIED FOR UPON
21	PAYMENT OF THE REQUIRED FEE AS ESTABLISHED BY THE BOARD.
22	(4) ANY PERSON WHO COMMENCES ANY WORK FOR WHICH A
23	PERMIT IS REQUIRED WITHOUT FIRST OBTAINING A PERMIT SHALL,

24

IF SUBSEQUENTLY PERMITTED TO OBTAIN A PERMIT, PAY DOUBLE THE

PERMIT FEE FOR THE WORK, EXCEPT THAT THIS PROVISION DOES NOT

1	APPLY TO EMERGENCY WORK WHEN IT IS PROVED TO THE
2	SATISFACTION OF THE BOARD OF PLUMBERS OR ITS AUTHORIZED
3	REPRESENTATIVE THAT THE WORK WAS URGENTLY NECESSARY AND THAT
4	IT WAS NOT PRACTICAL TO OBTAIN A PERMIT BEFORE THE
5	COMMENCEMENT OF THE WORK. IN ALL SUCH CASES, A PERMIT SHALL
6	BE OBTAINED AS SOON AS IT IS PRACTICAL TO DO SO, AND IF
7	THERE IS UNREASONABLE DELAY IN APPLYING FOR THE PERMIT, A
8	DOUBLE FEE SHALL BE CHARGED.
9	FOR THE PURPOSE OF THIS SECTION, A SANITARY PLUMBING
10	OUTLET ON OR TO WHICH A PLUMBING FIXTURE OR APPLIANCE MAY BE
11	SET OR ATTACHED SHALL BE CONSTRUED TO BE A FIXTURE. FEES
12	FOR RECONNECTION AND RETEST OF PLUMBING SYSTEMS IN RELOCATED
13	BUILDINGS SHALL BE BASED ON THE NUMBER OF PLUMBING FIXTURES,
14	GAS SYSTEMS, WATER HEATERS, AND THE LIKE INVOLVED.
15	WHEN A PERMIT HAS BEEN OBTAINED TO CONNECT AN EXISTING
16	BUILDING OR EXISTING WORK TO THE PUBLIC SEWER OR TO CONNECT
17	TO A NEW PRIVATE DISPOSAL FACILITY, BACKFILLING OF PRIVATE
18	SEWAGE DISPOSAL FACILITIES ABANDONED CONSEQUENT TO THE
19	CONNECTION IS INCLUDED IN THE PERMIT.
20	THE BOARD OF PLUMBERS SHALL ESTABLISH PERMIT FEES IN
21	ACCORDANCE WITH THE MONTANA ADMINISTRATIVE PROCEDURE ACT AND
22	THE FEES SHALL BE DEPOSITED TO THE EARMARKED REVENUE FUND OF
23	THE BOARD OF PLUMBERS FOR USE IN THE ADMINISTRATION AND
24	ENFORCEMENT OF THIS ACT AND THE MONTANA STATE PLUMBING CODE.
25	(5) ALL PLUMBING AND DRAINAGE SYSTEMS MAY BE INSPECTED
	-7- SB 265

1	BY THE BOARD OF PLUMBERS OR THEIR AUTHORIZED REPRESENTATIVE
2	TO INSURE COMPLIANCE WITH THE REQUIREMENTS OF THE STATE
3	PLUMBING CODE.
4	(6) IT IS THE DUTY OF THE PERSON DOING WORK AUTHORIZED
5	BY THE PERMIT TO NOTIFY THE BOARD ORALLY OR IN WRITING, THAT
6	THE WORK IS READY FOR INSPECTION. THE NOTIFICATION SHALL BE
7	GIVEN NOT LESS THAN TWENTY-FOUR (24) HOURS BEFORE THE WORK
8	IS TO BE INSPECTED.
9	IT IS THE DUTY OF THE PERSON DOING THE WORK AUTHORIZED
10	BY THE PERMIT TO ENSURE THAT THE WORK PERFORMED BEFORE
11	NOTIFICATION AND AFTER NOTIFICATION PENDING INSPECTION
12	COMPLIES WITH THE STATE PLUMBING CODE.
13	(7) WHENEVER ANY WORK IS BEING DONE CONTRARY TO THE
14	PROVISIONS OF THE STATE PLUMBING CODE, THE BOARD OR ITS
15	AUTHORIZED REPRESENTATIVE MAY, AFTER A HEARING CONDUCTED
16	UNDER THE PROVISIONS OF THE MONTANA ADMINISTRATIVE PROCEDURE
17	ACT, ORDER WORK STOPPED BY NOTICE IN WRITING SERVED ON ANY
18	PERSON ENGAGED IN THE WORK.
19	(8) THE BOARD MAY SUSPEND OR REVOKE A PERMIT, WHENEVER
20	IT IS ISSUED IN ERROR OR ON THE BASIS OF INCORRECT
21	INFORMATION SUPPLIED, OR WORK PERFORMED THEREUNDER IS IN

VIOLATION OF ANY OF THE PROVISIONS OF TITLE 66, CHAPTER 24,

-8-

(9)--- The-board-of-plumbers-or-any-employee-charged-with THE--BNFORCEMENT--OF--THE--STATE--PLUMBING--CODE,---IG---NOT

22

23

24

R.C.M. 1947.

1 PERSONALLY--LIABLE-POR-ANY-DAMAGE-PHAY-MAY-ACCRUE-TO-PERSONS 2 OR-PROPERTY-AG-A-REGULT-OF-ANY-ACT-REQUIRED-OR-BY-REAGON--OF 3 ANY--ACT--OF--OMISSION--IN-THE-DISCHARGE-OF-HIS-DUTIES---ANY 4 SUIT-BROUGHT-AGAIHST-THE-BOARD-OR-ITS-EMPLOYEES,-BECAUSE--OF 5 SUCH--ACT-OR-OMISSION-PERFORMED-BY-HIM-IN-THE-ENFORCEMENT-OF 6 ANY-PROVISIONS-OF-THE-MONTANA-STATE-PLUMBING-CODE;-SHALL--BE 7 REPPESENTED--BY-THE-ATTORNEY-GENERAL-OF-THE-STATE-OF-MONTANA 8 UNTIL-PINAL-TERMINATION-OF-THE-PROCEEDING.

-End-

HOUSE OF REPRESENTATIVES

Date: March 17, 1975

HOUSE COMMITTEE ON LABOR & EMPLOYMENT RELATIONS AMENDMENTS TO SB 265

1. Amend page 5, section 1, subsection (2), lines 15 through 24.
Following: "(2)"

Strike: the remainder of these lines in their entirety.

2. Amend page 5, section 1, subsection (2), line 25.

Strike: "VALVES, PIPES, OR FIXTURES"

Insert: "No permit is required for any minor replacement or repair work, the performance of which does not have a significant potential for creating a condition hazardous to public health and safety. Determination of what constitutes minor replacement or repair work shall be made by the board of plumbers, subject to the right of the person affected to a hearing before the board"

3. Amend page 6, section 1, subsection (2), lines 3 and 4.

Following: "OWNER OF"

Strike: "A SINGLE FAMILY RESIDENCE USED EXCLUSIVELY FOR HIS PERSONAL USE"

4. Amend page 6, section 1, subsection (2), line 6.

Following: "HIMSELF."

Insert: "The provisions of this act do not apply to regularly employed maintenance personnel doing maintenance work on the business premises of their employer."

AND AS SO AMENDED BE CONCURRED IN

March 26, 1975

HOUSE OF REPRESENTATIVES

Committee of the Whole Amendment to HOUSE COMMITTEE ON
LABOR AND EMPLOYMENT RELATIONS AMENDMENTS TO Senate Bill
No. 265, third reading copy, as follows:

1. Amend Amendment No. 2

Following: "safety."

Strike: "Determination of what constitutes minor replacement or repair work shall be made by the board of plumbers, subject to the right of the person affected to a hearing before the board"

AND AS SO AMENDED
BE CONCURRED IN

March 26, 1975

HOUSE OF REPRESENTATIVES

Committee of the Whole Amendment to SENATE BILL NO. 265, third reading copy, as follows:

1. Amend page 6, Section 1 (3), line 17

Following: "board"

Insert: "or authorized representative"

AS SO AMENDED BE CONCURRED IN

March 26, 1975

HOUSE OF REPRESENTATIVES

Committee of the Whole Amendment to SENATE BILL NO. 265, third reading copy, as follows:

Amend page 6, Section 1 (2), line 2

Following: "66-2426"

Insert: "or 66-2401"

AS SO AMENDED BE CONCURRED IN

March 26, 1975

HOUSE OF REPRESENTATIVES

Committee of the Whole Amendment to SENATE BILL NO. 265 third reading copy, as follows:

1. Amend page 6, Section 1 (2), line 3

Following: "OWNER"

Strike: "OF"

AS SO AMENDED BE CONCURRED IN March 26, 1975

HOUSE OF REPRESENTATIVES

Committee of the Whole Amendment to HOUSE COMMITTEE ON LABOR AND EMPLOYMENT RELATIONS AMENDMENTS TO SENATE BILL NO. 265, third reading copy, as follows:

1. Amend Amendment No. 4

Following: "employer"

AS SO AMENDED

BE CONCURRED IN

(BY REQUEST OF BOARD OF PLUMBERS) (BY REQUEST OF BOARD OF PLUMBERS) A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 6 66-2427, R.C.M. 1947, Te-PROVIDE-POR-A-PLUMBING-FIXTURE-AND GUPPLIBG; WHOLEGALE-AND-RETAIL; GALEG-LIGENGE-BY-THE-BOARD 6 6F-PLUMBERG; TO-PROVIDE-POR-A-DEPOSIT-OF-PUNDS-TG-BARMARKED 7 REVENUE-FUND-TO-BE-UGED-FOR-ADMINISTRATION; INSPECTION—AND ENFORCEMENTOF-THE-GTATE-PLUMBING-COBB-AND-STATE-PLUMBING 1 LAWG; TO-PROVIDE-POR-EVIDENGE-OF-PAYMENT-OF-LIGENGE-PEE-AND PENALTIESFORVIOLATION TO PROVIDE FOR PLUMBING INSPECTION BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO 4 EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION, INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR VIOLATION." BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 66-2427, R.C.M. 1947, is amended to read as follows: "66-2427. Fixture-feedefinitionpayment penalty,Forthe-purpose-of-providing-adequate-inspection and-enforcement-of-the-state-plumbing-codethereshallbe		
(BY REQUEST OF BOARD OF PLUMBERS) A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 66-2427, R.C.M. 1947, Te-PROVIDE-POR-A-PLUMBING-PIXTURE-AND 66-2427, R.C.M. 1947, Te-PROVIDE-POR-A-PLUMBING-PIXTURE-AND 66-2427, R.C.M. 1947, Te-PROVIDE-POR-A-PLUMBING-PIXTURE-AND 66-2427, R.C.M. 1947, Te-PROVIDE-POR-A-PLUMBING-BY-THE-BOARD 66-2427, R.C.M. 1947, Te-PROVIDE-POR-A-PLUMBING-PLUMBING-PUMB-TE-BOARD 66-2427, R.C.M. 1947, Te-PROVIDE-POR-A-PLUMBING-PUMB-TE-BOARD 6 ENFORCEMENTOP-THE-STATE-PLUMBING-COBE-AND-STATE-PLUMBING 1 LAWG; Te-PROVIDE-POR-EVIDENCE-OP-PAYMENT-OP-LICENCE-PHE-AND PENALTIES-POR-VIOLATION TO PROVIDE FOR PLUMBING INSPECTION 8 BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO 4 EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION, 1 INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND 6 STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR VIOLATION." 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 1 Section 1. Section 66-2427, R.C.M. 1947, is amended to 1 read as follows: 1 "66-2427. Pixture-feedefinitionpayment 1 penalty;Forthe-purpose-of-providing-adequate-inspection 2 and-enforcement-of-the-state-plumbing-codethereshallbe	1	SENATE BILL NO. 265
A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 66-2427, R.C.M. 1947, Te-Previde-Per-A-PLUMBING-PIXTURE-AND 5UPPLIES; WHOLEGALE AND RETAIL; SALES LIGENGE-BY-THE-BOARD 6F-PLUMBERG; TO-PROVIDE-FOR-A-DEFOSIT-OP-FUNDS-TO-BARMARKED 7 REVENUE-FUND-TO-BB-USED-FOR-ABMINISTRATION; INSPECTION-AND 6 ENFORCEMENT-OP-THE-STATE-PLUMBING-COBE-AND-STATE-PLUMBING 1 LAWG; TO-PROVIDE-FOR-EVIDENCE-OF-PAYMENT-OF-LICENSE-FEE-AND 1 PENALTIES-FOR-VIOLATION TO PROVIDE FOR PLUMBING INSPECTION 3 BY A PERMIT SYSTEM; TO PROVIDE FOR A DEFOSIT OF FEES TO 4 EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION, 5 INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND 6 STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR 7 VIOLATION." 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 8 Section 1. Section 66-2427, R.C.M. 1947, is amended to 1 read as follows: 8 66-2427. Fixture-feedefinitionpayment 1 penalty:Forthe-purpose-of-providing-adequate-inspection 1 and-enforcement-of-the-state-plumbing-codethereshallbe	2	INTRODUCED BY LEE
A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 66-2427, R.C.M. 1947, TO-PROVIDE-POR-A-PLUMBING-PIXTURE-AND 5UPPLIES; WHOLEGALE-AND-RETAIL; GALBS-LICENSS-BY-THE-BOARD 6F-PLUMBERS; TO-PROVIDE-POR-A-DEFOSIT-OF-PUNDS-TO-BARMARKED 7 REVENUE-FUND-TO-DE-USED-POR-ADMINISTRATION; INSPECTION-AND 6 ENFORCEMENTOP-THE-GTATE-PLUMBING-COBE-AND-STATE-PLUMBING 1 LAWS; TO-PROVIDE-FOR-EVIDENCE-OF-PAYMENT-OF-LICENSE-PEE-AND 1 PENALTIESPORVIOLATION TO PROVIDE FOR PLUMBING INSPECTION 1 BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO 1 EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION, 1 INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND 1 STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR 1 VIOLATION." 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 1 Section 1. Section 66-2427, R.C.M. 1947, is amended to 1 read as follows: 1 "66-2427. Fixture-fee	3	(BY REQUEST OF BOARD OF PLUMBERS)
66-2427, R.C.M. 1947, TO-PROVIDE-POR-A-PLUMBING-PIXTURE-AND 66-2427, R.C.M. 1947, TO-PROVIDE-POR-A-PLUMBING-PIXTURE-AND 76-2427, R.C.M. 1947, TO-PROVIDE-POR-A-PLUMBING-BY-THE-BOARD 86-2427, R.C.M. 1947, TO-PROVIDE-POR-A-DEFOSIT-OP-PUNDS-TO-HARMARKED 86-2428, REVENUE-FUND-TO-DE-USED-POR-A-DEFOSIT-OP-PUNDS-TO-HARMARKED 96-2428, REVENUE-FUND-TO-DE-USED-POR-ADMINISTRATION,	4	
GUPPLIES, WHOLEGALE AND RETAIL, GALEG LICENGE BY THE BOARD OF -PHUMBERG, TO PROVIDE FOR A DEPOSIT OF FUNDS TO BE AND STATE PLUMBING DEMPOREMENT OF THE STATE PLUMBING CODE AND BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO BEARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION, INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR VIOLATION." BE IT ENACTED BY THE LECISLATURE OF THE STATE OF MONTANA: Section 1. Section 66-2427, R.C.M. 1947, is amended to read as follows: "66-2427. Fixture-fee	5	A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
8 6FPhumbers, To-Provide-For-A-Deposit-op-Funds-To-Barmarkeb 9 REVENUE-PUND-To-BE-UGED-FOR-ADMINISTRATION; INSPECTION-AND 1 ENPORCEMENTOPTHESTATE-Phumbing-Code-AND-STATE-Phumbing 1 LAWG; To-Provide-For-Evidence-op-Payment-OP-License-FeeAND 2 PENALTIESFORVIOLATION TO PROVIDE FOR PLUMBING INSPECTION 3 BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO 4 EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION, 5 INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND 6 STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR 7 VIOLATION." 8 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 66-2427, R.C.M. 1947, is amended to 12 read as follows: "66-2427. Pixture-feedefinition	6	66-2427, R.C.M. 1947, TO-PROVIDE-POR-A-PLUMBING-FIXTURE-AND
REVENUE-FUND-TO-BE-UGED-FOR-ADMINISTRATION;INSPECTIONAND ENFORCEMENTOPTHESTATE-PLUMBING-COBE-AND-STATE-PLUMBING LAWG; -TO-PROVIDE-FOR-EVIDENCE-OF-PAYMENT-OP-LICENSE-FEEAND PENALTIESFORVIOLATION TO PROVIDE FOR PLUMBING INSPECTION BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION, INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR VIOLATION." BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 66-2427, R.C.M. 1947, is amended to read as follows: "66-2427. Fixture-feedefinitionpayment penalty;Forthe-purpose-of-providing-adequate-inspection and-enforcement-of-the-state-plumbing-codethereshallbe	7	Supplies,-wholegale-and-retail,-gales-ligense-bytheboard
ENFORCEMENTOPTHESTATE-PLUMBING-COBB-AND-STATE-PLUMBING LAWG;-TO-PROVIBE-POR-EVIBENCE-OF-PAYMENT-OP-LICENSE-PEEAND PENALTIEGFORVIOLATION TO PROVIDE FOR PLUMBING INSPECTION BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION, INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR VIOLATION." BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 66-2427, R.C.M. 1947, is amended to read as follows: "66-2427. Fixture-fee	8	opplumbers
1 LAWS; TO PROVIDE FOR EVIDENCE OF PAYMENT OF LICENSE FEE AND 2 PENABTIES POR VIOLATION TO PROVIDE FOR PLUMBING INSPECTION 3 BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO 4 EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION, 5 INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND 6 STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR 7 VIOLATION." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 66-2427, R.C.M. 1947, is amended to 11 read as follows: 12 "66-2427. Pixture-fee	9	revenue-punb-to-de-uged-for-administration7inspectionand
PENABTIES POR VIOLATION TO PROVIDE FOR PLUMBING INSPECTION BY A PERMIT SYSTEM; TO PROVIDE FOR A DEPOSIT OF FEES TO EARMARKED REVENUE FUND TO BE USED FOR ADMINISTRATION, INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR VIOLATION." BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 66-2427, R.C.M. 1947, is amended to read as follows: "66-2427. Pixture-fee	.0	enporcementopthestate-plumbing-code-and-state-plumbing
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VIOLATION." BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 66-2427, R.C.M. 1947, is amended to read as follows: "66-2427. Fixture-feedefinition	L 5	INSPECTION AND ENFORCEMENT OF THE STATE PLUMBING CODE AND
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 66-2427, R.C.M. 1947, is amended to read as follows: "66-2427. Fixture-feedefinitionpayment penaltyForthe-purpose-of-providing-adequate-inspection and-enforcement-of-the-state-plumbing-codethereshallbe	L 6	STATE PLUMBING LAWS; AND TO PROVIDE PENALTIES FOR
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Section 1. Section 66-2427, R.C.M. 1947, is amended to read as follows: "66-2427. Fixture-feedefinitionpayment penalty:Forthe-purpose-of-providing-adequate-inspection and-enforcement-of-the-state-plumbing-codethereshallbe	L8	
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"66-2427. Fixture-feedefinitionpayment penaltyForthe-purpose-of-providing-adequate-inspection and-enforcement-of-the-state-plumbing-codethereshallbe	20	Section 1. Section 66-2427, R.C.M. 1947, is amended to
penaltyForthe-purpose-of-providing-adequate-inspection and-enforcement-of-the-state-plumbing-codethereshallbe	21	read as follows:
4 and-enforcement-of-the-state-plumbing-codethereshallbe	22	"66-2427. Fixture-feedefinitionpayment
	23	penaltyPorthe-purpose-of-providing-adequate-inspection
C. S.	24	and-enforcement-of-the-state-plumbing-codethereshallbe
() coiiceteddfixtareice-or-rifty-cents-toroty-per-rintere	25	collected-a-fixture-fee-of-fifty-cents-(6:50)-per-fixture

1	for-every-fixture-installed-under-the-direction-of-amaster
2	plumberForthispurpose,afixturemeansadevice
3	connected-by-a-water-connection-to-a-water-systemerbya
4	traptoasewerlineThis-fixture-fee-is-payable-before
5	installation-by-the-licensed-master-plumber-responsiblefor
6	installation-of-the-fixturer-It-is-payable-to-the-department
7	underrulesadeptedbythebeard;Theinspectionand
8	enforcement-of-the-state-plumbing-code-are-assignedtothe
9	departmentInstallationoffixtures-by-a-licensed-master
10	plumber-without-paymentofthefeesubjectsthemaster
11	plumbertoafineof-one-hundred-dollars-{\$100}-for-each
12	offense-or-to-forfeiture-of-his-bond-under-section66-2405;
13	Płumbing-fixture-and-supplies-sales-licensedefinition
14	paymentpenalty(1)Forthepurposeof-providing
15	adequate-inspection-and-enforcement-ofthestateplumbing
16	codeandthestateplumbinglawsprovidedfor-in-this
17	chaptery-the-board-of-plumbers-shall-collect-anannualfee
18	forwholesale-and-retail-licenses-to-sell-plumbing-fixtures
19	and-supplies,-as-follows+
20	(a)for-wholesale-plumbing-fixturesandsuppliesan
21	amount-not-to-exceed-six-hundred-dollars-(\$600)-per-year;
22	{b}for-retail-plumbing-fixture-and-supplies-an-amount
23	net-te-exceed-two-hundred-dellars-(\$200)-per-year-

{a}--#Plumbing--fixture*-means-an-installed-receptacley

(2) -- For-this-purpose:

24

25

device;-or-appliance-which-is-supplied-with-waterorwhich
receivesliquid-or-liquid-borne-wastesy-and-discharges-that
waste-into-the-drainage-system-to-which-it-maybedirectly
orindirectlyconnectedIndustrial-or-commercial-tanks,
vatsy-orsimilarprocessingequipmentarenotplumbing
fixtures-but-may-be-connected-to-or-discharged-into-approved
trapsorplumbing-fixtures-asprovided-for-in-the-Uniform
Płumbing-Goder
(b)*Plumbing-supplies*-means-pipesy-fittingsy-joining
materials,-and-appurtenances-to-plumbing-fixtures-which-must
be-utilised-in-the-connection-of-plumbingfixturestothe
water-supply-system-or-to-the-sewer-liner
(3)Theannualfeeforalicense-te-sell-plumbing
fixtures-and-suppliesispayabletothedepartmentfor
deposittothecarmarkedrevenuefundofthe-board-of
plumbersThese-fees-are-used-to-defray-thecostsofthe
administrationoftheboardandforthe-inspection-and
enforcement-of-the-stateplumbingcodeandthisastas
assigned-to-the-department-
(4)Theboardshallissue;uponthereceipt-of-a
properly-completed-application-accompanied-bythefeefor
eitherawholesaleorretaillicensetosell-plumbing
fixturesorsuppliesytheappropriatelicensetothe
applicantrThis-license-shall-be-displayed-in-a-conspicuous
placeintheestablishmentforwhichitis-issued-and

-3-

1	expires-twelve-(12)-months-afterthedateofissuerA
2	license-may-be-renewed-upon-payment-of-the-proper-fee-within
3	thirty(30)daysofits-expiration:If-more-than-thirty
4	(30)-days-elapse-before-renewaly-apenaltychargeofone
5	percent(1%)permonth-of-the-annual-fee-for-that-license
6	shall-be-paidAfter-thirty-(30)-days-withoutpaymentthe
7	licenseeis-in-violation-of-the-law-and-shall-cease-selling
8	fixtures-and-supplies-until-the-annual-fee-is-paid.
9	(5)The-board-may-suspendy-revokey-or-refuse-torenew
10	any-wholesale-or-retail-license-provided-for-in-this-act+
11	(a)obtainedbyfalse-representation-or-fraud-of-any
12	charactery-or
13	(b)when-the-wholesalerorretailersellsplumbing
14	fixturesandsuppliesinviolation-of-the-state-plumbing
15	code-or-this-acty-or
16	(c)when-any-person-to-whom-a-license-has-been-granted
17	is-convicted-of-violation-of-the-provisions-of-thisactor
18	of-a-felonyy-or
19	(d)when-the-wholesale-or-retail-business-is-conducted
20	in-violation-of-the-provisions-of-this-act-
21	Beforeanylicense-may-be-revokedy-the-holder-thereof
22	is-entitled-to-ahearingbythebeardafterreasonable
23	neticebytheboard. PERMIT FEE PAYMENT PENALTIES.
24	{1}-IT-IS-UNLAWPUL-POR-ANY-PERSON-TO-INSTALL;-REMOVE;-ALTER;
25	REPAIRORREPLACEORCAUSETOBEINSTALLED;REMOVED;

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1	ALTERED, REPAIRED OR REPLACED ANY PLUMBING, GAS OR DRAINAGE
2	Pipingworkoranypixture-or-water-heating-or-trhatment
3	BQUIPMENT-IN-A-BUILDING-OR-PREMISES-WITHOUT-FIRSTOBTAINING
4	APERMITTO-BO-SUCH-WORK-FROM-THE-BOARD-OF-PLUMBERG-OR-ITS
5	ANTHORISEDREPRESENTATIVE; (1) IT IS UNLAWFUL FOR ANY
6	PERSON TO ENGAGE IN THE BUSINESS, TRADE, OR WORK HAVING TO
7	DO WITH THE INSTALLATION, REMOVAL, ALTERATION, OR REPAIR OF
8	PLUMBING AND DRAINAGE SYSTEMS OR PARTS THEREOF WITHOUT FIRST
9	OBTAINING A PERMIT FROM THE BOARD OF PLUMBERS.
10	A SEPARATE PERMIT SHALL BE OBTAINED FOR EACH BUILDING
11	OR STRUCTURE.
12	NO PERSON MAY ALLOW ANY OTHER PERSON TO DO OR CAUSE TO
13	BE DONE ANY WORK UNDER A PERMIT SECURED BY THE PERMITTEE
14	EXCEPT PERSONS IN HIS EMPLOY.
15	(2) NO-PERMIT-IS-REQUIRED-IN-THE-CASEOFANYREPAIR
16	WORKA6FOLLOWS:THESTOPPINGOF-LEAKS-IN-DRAING;-60IL;
17	WATER-OR-VENT-PIPE,-BROEPT-SHOULD-ANY-TRAP,-BRAINAGE,SOIL
18	WAGTEORVENTPIPEBE-OR-BECOME-BEFECTIVE-AMD-IT-BECOME
19	NBCBSSARY-TO-REMOVE-AND-REPLACE-IT-WITH-NEW-MATERIAL-INAN
20	PARTORPARTS;ITSHALLBE-CONSIDERED-A6-NEW-WORK-AND-A
21	Permit-chall-be-procured-and-inspection-made;no-permitis
22	requiredporthe-cleaning-of-stoppages-or-the-repairing-of
23	LHAKS-IN-PIPES7-VALVES7-OR-PIKTURES7-WHENSUCHREPAIRSDO
24	NOTINVOLVEOR-REQUIRE-THE-REPLACEMENT-OR-REARRANGEMENT-OR
25	VALVES, -PIPES, -OR-FIXTURES NO PERMIT IS REQUIRED FOR ANY
	·-

1	MINOR REPLACEMENT OR REPAIR WORK, THE PERFORMANCE OF WHICH
2	DOES NOT HAVE A SIGNIFICANT POTENTIAL FOR CREATING A
3	CONDITION HAZARDOUS TO PUBLIC HEALTH AND SAFETY
4	Determinationofwhatconstitutesminorreplacemento
5	REPAIRWORK-SHALL-BE-MADE-BY-THE-BOARD-OF-PLUMBERS, SUBJECT
6	TO-THE-RIGHT-OF-THE-PERSON-AFFECTED-TO-A-HEARING-BEFORETH
7	BOARD: NO PERMIT IS REQUIRED WHERE THE INSTALLATION IS
8	EXEMPT UNDER THE PROVISIONS OF SECTION 66-2426 OR 66-2401.
9	NOTHING CONTAINED IN THIS ACT SHALL PROHIBIT THE OWNER OF A
10	SINGLE-PAMILY-REGIDENCE-USED-EXCLUSIVELYPORHIGPERSONAL
11	WEE RESIDENTIAL PROPERTY FROM MAKING AN INSTALLATION FOR ALI
12	SANITARY PLUMBING AND POTABLE WATER SUPPLY PIPING WITHOUT
13	PERMIT PROVIDING HE DOES THE WORK HIMSELF. THE PROVISIONS
14	OF THIS ACT DO NOT APPLY TO REGULARLY EMPLOYED MAINTENANCE
15	PERSONNEL DOING MAINTENANCE WORK ON THE BUSINESS PREMISES OF
16	THEIR EMPLOYER UNLESS WORK IS SUBJECT TO THE PERMIT
17	PROVISIONS OF THIS ACT.
18	(3) ANYPBRSONENTITLEDBYCHAPTER247TITLE-66
19	RTCTMT1947, PERSONS REQUIRED BY THIS SECTION TO APPLY FOR
20	A PERMIT SHALL MAKE APPLICATION ON FORMS PROVIDED BY THE
21	BOARD OR AUTHORIZED REPRESENTATIVE. HE SHALL GIVE
22	DESCRIPTION OF THE CHARACTER OF THE WORK PROPOSED TO BE
23	DONE, AND THE LOCATION, OWNERSHIP, OCCUPANCY AND USE OF THE
24	PREMISES IN CONNECTION THEREWITH. THE BOARD OF PLUMBERS OF
25	ITS AUTHORIZED REPRESENTATIVE MAY REQUIRE SKETCHES.

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4	SPECIFICATIONS OR DRAWINGS AND SUCH OTHER INFORMATION IT
2	DEEMS NECESSARY IN ORDER TO DETERMINE THE SCOPE OF THE WORK
3	CONTEMPLATED.
4	IF THE BOARD DETERMINES THAT THE SKETCHES,
5	SPECIFICATIONS, DRAWINGS, DESCRIPTIONS AND INFORMATION
6	FURNISHED BY THE APPLICANT ARE IN COMPLIANCE WITH THE STATE
7	PLUMBING CODE, IT SHALL ISSUE THE PERMIT APPLIED FOR UPON
8	PAYMENT OF THE REQUIRED FEE AS ESTABLISHED BY THE BOARD.
9	(4) ANY PERSON WHO COMMENCES ANY WORK FOR WHICH A
10	PERMIT IS REQUIRED WITHOUT FIRST OBTAINING A PERMIT SHALL,
11	IF SUBSEQUENTLY PERMITTED TO OBTAIN A PERMIT, PAY DOUBLE THE
12	PERMIT FEE FOR THE WORK, EXCEPT THAT THIS PROVISION DOES NOT
13	APPLY TO EMERGENCY WORK WHEN IT IS PROVED TO THE
14	SATISFACTION OF THE BOARD OF PLUMBERS OR ITS AUTHORIZED
15	REPRESENTATIVE THAT THE WORK WAS URGENTLY NECESSARY AND THAT
16	IT WAS NOT PRACTICAL TO OBTAIN A PERMIT BEFORE THE
17	COMMENCEMENT OF THE WORK. IN ALL SUCH CASES, A PERMIT SHALL
18	BE OBTAINED AS SOON AS IT IS PRACTICAL TO DO SO, AND IF
19	THERE IS UNREASONABLE DELAY IN APPLYING FOR THE PERMIT, A
20	DOUBLE FEE SHALL BE CHARGED.
21	FOR THE PURPOSE OF THIS SECTION, A SANITARY PLUMBING
22	OUTLET ON OR TO WHICH A PLUMBING FIXTURE OR APPLIANCE MAY BE
23	SET OR ATTACHED SHALL BE CONSTRUED TO BE A FIXTURE. FEES
24	FOR RECONNECTION AND RETEST OF PLUMBING SYSTEMS IN RELOCATED
25	BUILDINGS SHALL BE BASED ON THE NUMBER OF PLUMBING FIXTURES,
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3	BUILDING OR EXISTING WORK TO THE PUBLIC SEWER OR TO CONNEC
4	TO A NEW PRIVATE DISPOSAL FACILITY, BACKFILLING OF PRIVAT
5	SEWAGE DISPOSAL FACILITIES ABANDONED CONSEQUENT TO TH
6	CONNECTION IS INCLUDED IN THE PERMIT.
7	THE BOARD OF PLUMBERS SHALL ESTABLISH PERMIT FEES I
8	ACCORDANCE WITH THE MONTANA ADMINISTRATIVE PROCEDURE ACT AN
9	THE FEES SHALL BE DEPOSITED TO THE EARMARKED REVENUE FUND O
10	THE BOARD OF PLUMBERS FOR USE IN THE ADMINISTRATION AN
11	ENFORCEMENT OF THIS ACT AND THE MONTANA STATE PLUMBING CODE
12	(5) ALL PLUMBING AND DRAINAGE SYSTEMS MAY BE INSPECTE
13	BY THE BOARD OF PLUMBERS OR THEIR AUTHORIZED REPRESENTATIV
14	TO INSURE COMPLIANCE WITH THE REQUIREMENTS OF THE STAT
15	PLUMBING CODE.
16	(6) IT IS THE DUTY OF THE PERSON DOING WORK AUTHORIZE
17	BY THE PERMIT TO NOTIFY THE BOARD ORALLY OR IN WRITING, THA
18	THE WORK IS READY FOR INSPECTION. THE NOTIFICATION SHALL B
19	GIVEN NOT LESS THAN TWENTY-FOUR (24) HOURS BEFORE THE WOR
20	IS TO BE INSPECTED.
21	IT IS THE DUTY OF THE PERSON DOING THE WORK AUTHORIZE
22	BY THE PERMIT TO ENSURE THAT THE WORK PERFORMED BEFOR
23	NOTIFICATION AND AFTER NOTIFICATION PENDING INSPECTIO
24	COMPLIES WITH THE STATE PLUMBING CODE.
25	(7) WHENEVER ANY WORK IS BEING DONE CONTRARY TO TH

GAS SYSTEMS, WATER HEATERS, AND THE LIKE INVOLVED.

WHEN A PERMIT HAS BEEN OBTAINED TO CONNECT AN EXISTING

1	PROVISIONS OF THE STATE PLUMBING CODE, THE BOARD OR ITS
2	AUTHORIZED REPRESENTATIVE MAY, AFTER A HEARING CONDUCTED
3	UNDER THE PROVISIONS OF THE MONTANA ADMINISTRATIVE PROCEDURE
4	ACT, ORDER WORK STOPPED BY NOTICE IN WRITING SERVED ON ANY
5	PERSON ENGAGED IN THE WORK.
6	(8) THE BOARD MAY SUSPEND OR REVOKE A PERMIT, WHENEVER
7	IT IS ISSUED IN ERROR OR ON THE BASIS OF INCORRECT
8	INFORMATION SUPPLIED, OR WORK PERFORMED THEREUNDER IS IN
9	VIOLATION OF ANY OF THE PROVISIONS OF TITLE 66, CHAPTER 24,
10	R.C.M. 1947.
11	49}The-board-of-plumberg-or-any-employeb-charged-with
12	THEBNFORCEMENTOFTHEGTATEPLUMBINGCODE,IGNOT
13	Personallyliable-por-any-bamage-that-may-accrue-to-persons
14	OR-PROPERTY-AS-A-RESULT-OF-ANY-ACT-REQUIRED-OR-BY-REASONO
15	ANYACTOFOMISSIONIN-THE-DISCHARGE-OF-HIS-DUTIESANY
16	SUIT-BROUGHT-AGAINGT-THE-BOARD-OR-ITS-EMPLOYEEG,-BECAUGEOF
17	GUCHACT-OR-OMIGGION-PERFORMED-BY-HIM-IN-THE-ENPORCEMENT-OI
18	ANY-PROVISIONS-OF-THE-MONTANA-STATE-PLUMBING-CODE,-SHALLBI
19	REPRESENTEDBY-THE-ATTORNEY-GENERAL-OF-THE-STATE-OF-MONTANA
20	UNTIL-FINAL-TERMINATION-OF-THE-PROCEEDING.

-End-

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