

**AN ORDINANCE OF THE TOWN OF PROSPER, TEXAS, REPEALING ARTICLE 3.07, "PLUMBING," OF CHAPTER 3, "BUILDING REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF PROSPER, TEXAS, AND REPLACING IT WITH A NEW ARTICLE 3.07, "PLUMBING CODE"; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PLUMBING CODE, SAVE AND EXCEPT THE DELETIONS AND AMENDMENTS SET FORTH HEREIN; REGULATING THE ERECTION, INSTALLATION, ALTERATION, REPAIR, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS WITHIN THE TOWN OF PROSPER; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, the Town Council of the Town of Prosper, Texas (the "Town Council"), has investigated and determined that it would be advantageous and beneficial to the citizens of Prosper to repeal the existing Article 3.07, "Plumbing," of the Code of Ordinances and replace it with a new Article 3.07, "Plumbing"; and,

**WHEREAS**, the Town Council has also investigated and determined that it would be advantageous and beneficial to the citizens of Prosper to adopt the 2021 Edition of the International Plumbing Code, save and except the amendments and deletions set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:**

### **SECTION 1**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

### **SECTION 2**

Existing Article 3.07, "Plumbing," of the Code of Ordinances of the Town of Prosper Texas, is hereby repealed in its entirety and replace with a new Article 3.07, "Plumbing Code," to read as follows:

#### **"ARTICLE 3.07 PLUMBING CODE**

##### **Sec. 3.07.001 Code Adopted; amendments**

The International Plumbing Code, 2021 Edition, copyrighted by the International Code Council, Inc., save and except the deletions and amendments set forth in Exhibit "A," attached hereto and incorporated herein for all purposes, is hereby adopted as the Plumbing Code for the Town, regulating the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of plumbing systems within the Town (the "2021 International Plumbing Code"). The 2021 International Plumbing Code is made a part of this Article as if fully set forth herein. A copy of the International Plumbing Code, 2021 Edition, copyrighted by the International Code Council,

Inc., is on file in the office of the Town Secretary of Prosper being marked and so designated as the 2021 International Plumbing Code.”

### **SECTION 3**

Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The Town hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

### **SECTION 4**

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

### **SECTION 5**

Any person, firm, corporation, or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00), and each and every day such violation shall continue shall constitute a separate offense.

### **SECTION 6**

This Ordinance shall become effective on April 1, 2023, after its adoption and publication as required by law.

**DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 24TH DAY OF JANUARY, 2023.**

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**David F. Bristol, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michelle Lewis Sirianni, Town Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Terrence S. Welch, Town Attorney**

**Exhibit A**  
**Town of Prosper Amendments to the**  
**2021 International Plumbing Code**  
**The following additions, deletions, and amendments to the 2021 International Plumbing**  
**Code are hereby approved and adopted.**

**Table of Contents, Chapter 7, Section 713; change to read as follows:**

713     Engineered\_Drainage Design . . . . . 7-12

**Section 101.1; change to read as follows:**

**101.1 Title.** These regulations shall be known as the Plumbing Code of the Town of Prosper hereinafter referred to as “this code.”

**Section 102.8; change to read as follows:**

**102.8 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the National Electrical Code as adopted.

**Section 103.1; change to read as follows:**

**103.1 Creation of agency.** The BUILDING INSPECTION DIVISION OF THE TOWN OF PROSPER is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**Section 109.5; change to read as follows:**

**109.5 Refunds.** The Code Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code.
3. Not more than eighty percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The Code Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

**Section 114.1; change to read as follows:**

**114.1 Application for appeal.** Any person shall have the right to appeal a decision of the Code Official to the Board of Appeals, as established by ordinance. The Board shall be governed by the Town of Prosper's enabling ordinance.

**Section 115.4; change to read as follows:**

**115.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction may be fined up to the maximum amount allowed by Texas law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Section 202; the definition "SERVICE SINK" is added to read as follows:**

**SERVICE SINK.** A type of sink suitable for janitorial and building maintenance purposes. Service sinks include mop sinks/basins, utility tubs/sinks, and janitor sinks.

**Section 305; change to read as follows:**

**305.1 Protection against contact.** Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

**Section 305.4.1; changed to read as follows:**

**305.4.1 Sewer depth.** Building sewers shall be a minimum of 12 inches (304 mm) below grade.

**Section 314.2.1; changed to read as follows:**

**314.2.1 Condensate disposal.** Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to the sanitary sewer. Such piping shall maintain a horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1-percent slope). Condensate shall not discharge into a street, alley, rooftop, sidewalk or other areas so as to cause a nuisance.

**Section 314.2.1.1; changed to read as follows:**

**314.2.1.1 Condensate discharge.** Condensate drains shall not directly connect to any plumbing drain, waste or vent pipe. Condensate drains shall not discharge into a plumbing fixture other than a floor sink, floor drain, trench drain, mop sink, hub drain, standpipe, utility sink or laundry sink. Condensate drain connections to a lavatory wye branch tailpiece or to a bathtub overflow pipe shall not be considered as discharging to a plumbing fixture. Except where discharging to grade outdoors, the point of discharge of condensate drains shall be located within the same occupancy, tenant space or dwelling unit as the source of the condensate.

**Section 413.4; change to read as follows:**

**413.4 Required location for floor drains.** Floor drains shall be installed in the following areas:

1. In public laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.
2. Commercial kitchens. All areas used for the preparation of food products for sale or consumption by the public shall be provided with an approved quantity of floor drains. Floors shall be sloped to facilitate drainage to the required drains. Floor sinks shall not be used to meet this requirement.
3. Public restrooms.

**Section 502.6; add to read as follows:**

**502.6 Water heaters installed above ground or floor.** When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet above the ground or floor level, it shall be made accessible by a stairway or permanent ladder with a minimum three hundred (300) pound capacity fastened to the building or an access door from an upper floor level.

**Exception:** Where a max ten (10) gallon water heater (or larger with prior approval) is capable of being accessed through a lay-in ceiling and a water heater is installed on a platform not more than ten (10) feet above the ground or floor level and may be reached with a portable ladder.

**Section 504.6; change to read as follows:**

**504.6 Requirements for discharge piping.** The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap.
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.
5. Discharge to an indirect waste receptor or to the outdoors.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is readily observable by the building occupants.
8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Terminate not more than 6 inches (152 mm) above and not less than two times the discharge pipe diameter above the floor or flood level rim of the waste receptor.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings.
13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1.
14. Be one nominal size larger than the size of the relief valve outlet, where the relief valve discharge piping is installed with insert fittings. The outlet end of such tubing shall be fastened in place.

**Section 608.17.5; change to read as follows:**

**608.17.5 Connections to lawn irrigation systems.**

The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principal backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principal backflow preventer.

**Section 710.1; changed to read as follows:**

**710.1 Maximum fixture unit load.** The maximum number of *drainage fixture units* connected to a given size of *building sewer*, *building drain* or horizontal *branch* of the *building drain* shall be determined using Table 710.1(1). The maximum number of *drainage fixture units* connected to a given size of horizontal *branch* or vertical soil or waste *stack* shall be determined using Table 710.1(2). No building sewer, including cleanouts, shall be less than 4 inch pipe diameter.

**Section 712.4.3; add Section 712.4.3 to read as follows:**

**712.4.3 Dual Pump System.** All sumps shall be automatically discharged and, when in any “public use” occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

**Section 903.1.1; change to read as follows:**

**903.1.1 Roof extension unprotected.** Open vent pipes that extend through a roof shall terminate not less than six (6) inches (152 mm) above the roof.

**Section 1003.2; change to read as follows:**

**1003.2 Approval.** The size, type and location of each interceptor and of each separator shall be designed and installed in accordance with the manufacturer's instructions and the requirements of this section based on the anticipated conditions of use. Wastes that do not require treatment or separation shall not be discharged into any interceptor or separator. In no case shall a grease interceptor be under 1000 gallons minimum size, located inside buildings, or located in heavy or vehicular traffic without written permission from the Town's Health Division.

**Section 1101.2; change to read as follows:**

**1101.2 Disposal.** Rainwater from roofs and storm water from paved areas, yards, courts, and courtyards shall drain to an approved place of disposal. Rainwater and stormwater shall be designed to flow away from building foundations. Where roofs are designed to drain over roof edges, a gutter system shall be required to prevent soil erosion around foundations as required and shall conform to Section 1106.

**END**