

# **There Goes Uniformity, Down the Drain**

## **By, Joseph P. Guzzo**

In the world of plumbing codes, regulations and standards, the term uniformity was started in the 1960's. It was then that our first State Uniform Plumbing Code was adopted, made possible by the hard work of a small group of people, headed by the persistence of the architect of our uniform code, Executive Secretary Irving Joe Risi.

Prior to implementing the Uniform State Code, Cities and Towns relied on their own local plumbing codes. These codes were basic to say the least. For example, the Town of Rockport's 1952, was only 8 pages, and easily fit in your shirt pocket. Gloucester 1934, was about the same, 9 pages. The City of Lynn 1947 was a whopping 56 pages. Plumbing Inspectors ruled, literally. When you were in their Town it was as they say "my way or the highway," period. And every Town and City in the State was different, from applications, and fees, to inspections, and enforcement, right down to pipe, fittings and fixtures. Here's an interesting passage in one of the old codes under Emergency Substitutions: *Until the President of the United States shall have declared that the emergency declared by him on September eight, nineteen hundred and thirty nine, to exist, has ceased to exist, the Inspector of Plumbing may approve the use of appropriate substitute plumbing materials in place of these called for by this Ordinance.*"

As time moved on, so did new technology and products which made this local rule much more difficult. I could only imagine how frustrating it had to be for the Plumbing Contractor, especially when things really started to progress during the building boom in the late 50's. I can surmise that Mr. Risi's vision was to end this conundrum. There would be one State Code that all Plumbing Inspectors would enforce. When plumbers went from Town to Town there would be uniformity. So let's fast forward 50 years and see if Mr. Risi's vision has taken hold.

Let's start with the code itself. Since the 60's, the code has grown quite nicely keeping up with a progressive industry. However, if you are not a diligent code reader you could not keep up. This goes for Plumbers as well as Inspectors. Many plumbers would lose their code book as soon as they got their license. And many Inspectors thought they took a retirement job, and never bothered with the code, relying only on their outdated experience. The creation of continuing education is a major step in solving this problem. But look how long it took. It has only been required for Inspectors for about 5 years. And the program for Plumbers just started this year. It took 50 years to figure this out?

Although we had a State code many Inspectors didn't get the memo that the war was over. And it continues - I hear it every day. Plumbers, most from out of Town, will commonly ask, "how would you like the job done?" or "do you want me to do something special?" yes I would say, "read the code." Here are a couple of samples. One Town does not allow P.V.C. pipe through the foundation of a residential home. Another requires bow venting to be a minimum size of two inches. A simple thing like a backflow preventor for a hand held shower spray, some require it just for a tub, others require it for both the tub and shower. Some Inspectors require overflows on all fixtures. Some require floor drains in a commercial kitchen. Does any Inspector enforce P.V.C. thermal expansion fittings? And how about venting of gas equipment? Three years ago I thought this problem was solved. Yet I would say that at least once per week, upon inspection for the gas fitter the

venting was completed by the H.V.A.C. contractor. And when I question the plumber the response is always the same, "they do it everywhere else." I ask you, is this uniformity?

Permits, applications, fees, and inspections are an absolute train wreck in this state. All vary so much from town to town it will literally make your head spin. Some companies must hire one person dedicated to deciphering the various fees and inspections. Imagine a full time job just to figure out what should be a simple process. Although fees are not part of our regulations, allowing for each city or town to create their own fee structure, they are so different many would question the legality. For example one town could charge \$15.00 for a plumbing permit, yet another town will charge \$150.00 for the exact same permit. This is not an exaggeration. Some towns charge extra if the permit is mailed. Some towns require multiple permits and fees for instance, in one town only one gas permit is required for the installation of a gas boiler, yet in the very next town 3 permits are required, 1 gas, 1 plumbing, and 1 mechanical. Although the issuance of a permit is required by code some cities and towns are so cheap they don't even issue a permit. Here's a news flash for all you Inspectors that do not issue a permit, the code will state a permit **shall be issued** by the Inspector of Plumbing. And all Plumbers should demand a permit, not a receipt, an official permit, it's the law.

Have you heard any uniformity yet? Let's check out the State Uniform Permit Application, surely there must be some uniformity there, it says uniform right on it. I have seen so many variations of this document I have lost track. Some towns customize their own applications. One added water piping on the gas application. Let's see, a gas permit for water piping? Then someone at the State level decided to alter the application, they must have thought they were improving it. Not much difference I could see, other than the fixtures are in alphabetical order, that really helps. They left out a place for a zip code, and they left the old heading written by a literary scholar, "**application for permit to do plumbing.**" Absolutely no vision, no creativity. Here's a thought how about actually redesigning the application. Add some guidelines and brief explanations. Add a place for a cell phone number, and an e-mail address, this is 2009 isn't it?

And then there are inspections. I have heard nothing but horror stories from contractors trying to get an inspection. From making them wait no less than 3 days, to not showing up at all, to picking them up and driving them to the job and back. But the contractors are just as much to blame. Requesting instant inspections, leaving garbled messages on voice mail, putting the wrong address on the application is one of my favorites. Never calling for final inspections, or never calling for inspections at all. I call them dead permits, all Inspectors have stacks of them. Certainly no uniformity in the inspection process.

I could go on and on, but I don't write these articles to just complain, or do I? So I offer some suggestions. If we truly want uniformity it must start with the code. The revision process is a joke. The State must take the revision process out of the hands of the front office. Form an independent code committee comprised of professionals that actually understand the intentions and spirit of our code. People that have insight and creativity. Rewrite sections of the code that are difficult to interpret one at a time, word them in a way that removes so called gray areas and multiple interpretations. Add examples and commentary similar to the N.F.P.A. handbook, research national codes to compare trends across the country. We must be more active in conservation and the green energy saving

trends. The last round of revisions made the code more difficult to read. All changes were made by one person sitting at his computer, this must stop.

And what should the people working in the front office do if they are not allowed to ruin the code. They should be forced to work on important projects, like working with lawmakers and other State agencies to adopt a statewide permit, inspection, and fee process. Propose a state wide law that deals with dead permits. Propose legislation that will force cities and towns to hire more Inspectors according to population. Work with the State Department of Labor and propose a system available to local Inspectors to track the number of apprentices and licensed plumbers that work for a particular company. Work together with the Secretary of State for Corporations, so plumbing companies could not incorporate unless they have the proper license. And get more information to all plumbers and inspectors in a timely manner, using an e-mail blast system. Or send automated recorded messages to all Inspectors by telephone, same as the politicians use during elections. This would have been helpful during the recent C.S.S.T. ban.

Someone is saying these are all wonderful ideas but how do they get funded. After all the state is broke, cities and towns are broke, hell the country's broke. One thought would be to fund them with a nominal fee like an additional \$5.00 on continuing education for Inspectors and Plumbers. And approach the associations to add a nominal fee like \$1.00 on each meeting, and perhaps a slight increase in dues. This money would be set aside and earmarked just for special projects toward achieving uniformity. And I'm sure others could come up with more suggestions.

And to those who are offended by criticism, constructive or otherwise, must either get over it or get out of the business, because it is not about you, or me, or anyone else. It is about the betterment of our trade. Uniformity is what we need. Right now there is no uniformity, none, zero. And unless some drastic measures are taken soon, it will just be business as usual, and we may have to wait another 50 years to fulfill Joe Risi's vision.

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*If you agree that something needs to be done call, write, or e-mail The Office of Consumer Affairs. Ten Park Plaza Suite #5170 Boston, Ma. 02116. Tel. 617-973-8787, e-mail, consumer@state.ma.us*