

Violations of Epic Proportions, or Business As Usual

By Joseph P. Guzzo

I am talking about a basic code requirement, calling for an inspection. Recently due to the closing of the Service Department of Service Edge / Keyspan / National Grid, take your pick there all the same, has brought the process of calling for an inspection or lack thereof to the focus of Plumbing and Gas Fitting Inspectors across the State.

Rules for the inspection process can be found in section 3.05 and 10.04. In short inspections are mandatory, and are a very important link to the entire permitting process.

3.05,3,d, *It shall be the duty of the Permit Holder or the licensed plumber or gas fitter employed by the Master Plumber or Gas Fitter to give notice to the Inspector when plumbing or gas work is ready for inspection.* Let's see that sounds pretty clear, "it shall be the duty". Can't quite twist that one around.

How about, 3a, *To insure compliance with all requirements of M.G.L. 142 and 248 C.M.R. the Inspector shall inspect, all work where a permit is required, all the permit related plumbing and gas fitting work, and all portions of existing systems that may be directly affected by the plumbing or gas fitting work outlined in the related Permit Application.* Got that one.

10.04,2, *Inspections of the Plumbing System, An inspection is required for all plumbing work pursuant to 248 C.M.R.*, I knew that. Want some more.

10.04,2,b, *Final Test and Inspection, Within 5 days after the plumbing work is sufficiently advanced so that basic principle No. 6 in 248 C.M.R. 10.02,6, is satisfied the plumber who performed the work or the Permit Holder shall notify the Inspector.*

And one more, *Rule #13, Should a licensed plumber or gas fitter holding a gas permit for installation of gas work, turn on gas to such work without first notifying the Inspector, he may not be granted any further gas permits upon discretion of the Inspector.*

Are we now convinced that inspections are mandatory, I sure hope so. But for many it really doesn't seem to matter, ask any inspector constantly shuffling piles of what I call dead permits. How Inspectors handle these permits vary widely. Some will claim the permit is invalid after 90 days. However the code only addresses permits for which the work is not started within 90 days. Most of the jobs in question have been completed. Then again how would the Inspector know? Some Inspectors will speak to the local plumbers when they file for new permits, reminding them they have outstanding permits. In the past I have sent out lists of outstanding permits to plumbers reminding them to clear them up, even though it is not the Inspectors job or responsibility. I have gone as far as taking a habitual offender in front of the Board. This did work at first, but did not last long, soon permits started to pile up again and again. There certainly is no uniformity when it comes to enforcing these violations.

So what can and should be done about this problem. First plumbers must change the way they handle inspections. For companies that have plumbers working for them, the inspection must be part of the plumbers responsibility. Get your plumbers a directory of Inspectors, surely they all have cell phones. The plumber must call the Inspector directly when or before their work is ready for inspection, and I emphasize their work. It is

incredible to me when I meet the boss or owner of the company on the job for an inspection. In many cases they have never even been on the job site, and know nothing about the plumbing or gas system installed by the plumber on the job. I would ask a question, the reply "I don't know", well you look like a fool. Even worse is when they have the secretary call for an inspection, that's brilliant. Then there are the companies that use elderly plumbers to stand inspections, why? well it's because apprentices performed all of the work. The real professionals give their plumbers an inspection sheet, the Inspector will sign. The plumber will bring it back to their office for a record, proving the job was inspected. But that's just the real professionals.

And for the one man shops, try taking the permitting and inspection process more seriously. Get some organization going, it's not brain surgery. Now don't get me wrong there are many excellent plumbers that file for permits before the work starts, call and make appointments directly with the inspector, always be ready with a test on the system, and always call for final inspections. But as we all know, we do not live in a perfect world. Jobs get delayed, plans change, contractors go broke, homeowners go broke, everything can't always go the right way, especially in the contracting business. All Inspectors understand this, as well they should.

So for a plumber or company to have a few outstanding permits, may be understandable. However for a single company to allegedly have over three thousand (3000) outstanding permits across the State is a blatant disregard not only for the permitting process but for the entire plumbing industry. And what should the State do about it, exactly what their supposed to, and take action against the responsible plumber.

In the long term, change must come from education and uniform enforcement. More emphasis on basic issues like permitting, inspections, and licensure must be taught at both the apprentice courses, and continuing education. Simple code changes like making it mandatory for the performing licensed plumber to be responsible for calling for inspections. This will not only shift more responsibility it will help eliminate the practice of apprentice plumbers running jobs, then going to lunch when it's time for an inspection.

Finally their must be new penalties created for not calling for inspections. Not issuing an further permits is not realistic an does not work. We need something that all Inspectors can easily enforce, which is much easier said than done.